

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

VOLUME 6: Comments during October 2015

The most recent Volume is always at: http://www.Mason-NH.org/FERC_COMMENTS.pdf

The current Table of Contents is at: http://www.Mason-NH.org/FERC_Comments_TOC.pdf

Transcripts of Scoping Meetings at: http://www.Mason-NH.org/FERC_Scoping_Transcripts.pdf

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

Volume 5 (pages 3,281...3,590) September 2015

http://www.Mason-NH.org/FERC_COMMENTS_vol_5.pdf

Volume 4 (pages 1,885...3,280) August 2015

http://www.Mason-NH.org/FERC_COMMENTS_vol_4.pdf

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

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

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

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 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.

<u>Comments received in Sep 2014</u>	<u>(201409...) begin on page</u>	<u>Volume 1: 3</u>
<u>Comments received in Oct 2014</u>	<u>(201410...) begin on page</u>	<u>Volume 1: 41</u>
<u>Comments received in Nov 2014</u>	<u>(201411...) begin on page</u>	<u>Volume 1: 106</u>
<u>Comments received in Dec 2014</u>	<u>(201412...) begin on page</u>	<u>Volume 1: 200</u>
<u>Comments received in Jan 2015</u>	<u>(201501...) begin on page</u>	<u>Volume 1: 281</u>
<u>Comments received in Feb 2015</u>	<u>(201502...) begin on page</u>	<u>Volume 1: 424</u>
<u>Comments received in Mar 2015</u>	<u>(201503...) begin on page</u>	<u>Volume 2: 582</u>
<u>Comments received in Apr 2015</u>	<u>(201504...) begin on page</u>	<u>Volume 2: 778</u>
<u>Comments received in May 2015</u>	<u>(201505...) begin on page</u>	<u>Volume 2: 965</u>
<u>Comments received in Jun 2015</u>	<u>(201506...) begin on page</u>	<u>Volume 3: 1142</u>
<u>Comments received in Jul 2015</u>	<u>(201507...) begin on page</u>	<u>Volume 3: 1439</u>
<u>Comments received in Aug 2015</u>	<u>(201508...) begin on page</u>	<u>Volume 4: 1887</u>
<u>Comments received in Sep 2015</u>	<u>(201509...) begin on page</u>	<u>Volume 5: 3283</u>
<u>Comments received in Oct 2015</u>	<u>(201510...) begin on page</u>	<u>3593</u>

20151001-0018

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

Date: 9-21-2015

Via Certified Mail, Return Receipt Requested

Re: Denying property access

As the owner of the property located at:

440 Temple Rd
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.

Thomas Peters

20151001-0033

CHRIS GIBSON
19th District, New York

**Congress of the United States
House of Representatives**

September 25, 2015

Norman C. Bay, Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Dear Chairman Bay:

I have received correspondence from Supervisor David Fleming, Rensselaer County, New York that was sent to FERC on September 22, 2015. The letter, addressed to FERC Secretary Kimberly Bose, is a resubmission of requests sent to her office on August 12, 2015.

The original letter made three requests, an extension on the FERC comment period for PF14-22, immediate access to Critical Energy Infrastructure Information (CEII) for three chosen town leaders, updates on all Slings made by the applicant to FERC to include complete answers to the enclosures outlined in your letter. We were pleased that FERC has granted an extension on the comment period to October 16, 2015.

I ask that you review the enclosed letters and give them all appropriate considerations. I would like to express my support for these requests. I have long advocated that this process be transparent to my constituents, and this is a reasonable request that would allow my constituents to fully understand the impacts of this project, should it move forward.

Please direct your reply, or any questions, to my Kinderhook District Office at 518-610-8133 or by mail to PO Box 775, Kinderhook, NY 12106.

Sincerely,

Chris Gibson
Member of Congress

20151001-0034

{ copy of 20150922-4003, referenced by Congressman Gibson above, see Vol 5, p 3520 }

20151001-0035

{ copy of 20150820-4057, Aug 12, 2015, Town of Nassau, NY, to FERC, see Vol 4, p 2385 }

20151001-0152 {these 6 files taken together contain scans of 950+ pages of material supplied by}

20151001-0153 { Massachussets Senate President Stan Rosenberg }

20151001-0154 {Unfortunately FERC chose to scan the materials at low resolution (200 dpi) which }

20151001-0155 { saves a small amount of time but inevitably results in major difficulties and }

20151001-0156 { failures in subsequent efforts at OCR conversion }

20151001-0157 {These 6 files total 44 MB in size}

{Editor's Note: As time permits I will extract and convert selected contents for inclusion here,}
{however to see everything that was included will still require downloading the 44 MB of files.}

{ Extracts to date:

20151001-0153 pages 13 to 99: Energyzt Report

20151001-0156 pages 1-192 +

20151001-0157 pages 1-13: Sep 10, 2015 Comment Session

{20151001-0153 pages 13 to 99 contain the Energyzt Report which has already been submitted into }

{ the FERC Docket as: 20150828-5044 "Northfield, MA, Energyzt Advisors, LLC report Analysis }

{ of Alternative Winter Reliability Solutions for New England Energy Markets". }

{ Its Table of Contents and Executive Summary are included there (Vol 4, page 2998...) }

{The entire 86 page report may be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=13970690> }

{The following extract is from all 192 pages of 20151001-0156 plus pages 1..13 of -0157}

The Commonwealth of Massachusetts

MASSACHUSETTS SENATE

OFFICE OF THE PRESIDENT

SENATOR STAN ROSENBERG

PRESIDENT

Hampshire, Franklin and Worcester District

September 30, 2015

Commissioner Cheryl A. LaFleur

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

STATE HOUSE, ROOM 332

BOSTON, MA 02133-1053

Tel (617) 722-1500

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

Dear Chairman Bay:

Thank you for meeting with me to discuss the myriad concerns raised by many in the Commonwealth of Massachusetts who are impacted by the proposed Tennessee Gas Pipeline Company/Kinder Morgan Northeast Energy Direct (NED) pipeline project Docket No. PF 14-22-000. Although the NED project is in the pre-filing stage, people throughout the Commonwealth are deeply engaged in the analysis and comment process. And, while I understand that the Federal Energy Regulatory Commission (FERC) evaluates projects such as NED pursuant to its statutory obligation and established regulatory requirements, it is my fervent hope that as part of the evaluation process you will give serious consideration to the concerns and objections raised by those in Massachusetts and other states along the proposed route who will have to live with the effects of this project for many decades if it is approved.

The purpose of my visit is threefold: 1) to present you with a copy of the testimony from the September 10th Greenfield, Massachusetts comment session; 2) to summarize the comments from the perspective of people on the ground; and 3) to gain greater understanding of FERC's decision-making process and to discuss a decision-making framework from the point of view of those constituents and many state legislators.

COMMENT SESSION, SEPTEMBER 10, 2015

On September 10, 2015, over 250 people attended a comment session in Greenfield, Massachusetts that was organized to provide additional information and testimony to FERC regarding the proposed NED project. The format of the comment session was similar to the previous scoping session held by FERC staff in both the format and subject matter. I requested that the comments address the same issues as a FERC environmental impact scoping session. Of those 250 people, 73 people testified orally over a four-hour time period and many submitted written testimony as well. The package presented to you today includes a transcript of both the oral and written testimony at the Greenfield session. Nearly everyone who testified, with very few exceptions, objects to the proposed NED project, arguing that it is not in the public interest and requests that FERC deny issuance of a certificate of public convenience and necessity when officially requested or withhold issuance until such time as Kinder Morgan and the NED project addresses the identified concerns and problems.

In general, the comments address issues regarding the impact on water resources, wetlands, wildlife, air quality, cultural resources, land use, socioeconomics and quality of life, public safety, alternatives to the project and to fossil fuels, and the size and scope of the project relative to the current and projected need for gas in the region. Although the detailed comments on these matters are included in the attached transcript, this letter discusses several key points that were identified by many of the commenters.

COMMENTS AND CONCERNS

ENVIRONMENTAL

Many commenters are concerned about the deleterious and harmful environmental effects of the pipeline and object to the project in its entirety due to the impact of project on the lands and waterways along the selected route. Noting the abundance of groundwater - wells, rivers, fractured bedrock aquifers - some opponents request that FERC require a detailed hydro-geologic survey of the public and private wells along the entire route to adequately evaluate the potential impacts. Many are also concerned about the effect of horizontal drilling as method to install the pipeline during the construction phase. Others expressed concern about the effect of the toxic chemicals that would be emitted by the pipeline components and that would pollute surrounding properties, as well as the harmful health effects of such emissions on people who live near a pipeline. There is also concern that the pipeline would cross some of the most pristine land in western Massachusetts and in addition to the negative environmental impact, would have a harmful economic effect on the surrounding communities by virtue of its existence. And, they are also concerned that the pipeline

would take protected conservation land by private eminent domain.

NEED AND ALTERNATIVES, COST

Many commenters question the need for the pipeline and argue that a pipeline of this size and scope is inconsistent with efforts to reduce our dependence on fossil fuels and increase the amount of clean and renewable energy in the system. And, most people commented that, as proposed, the project will be overbuilt and that the true undisclosed objective of Kinder Morgan is to export the pipeline gas into world markets. They are

also concerned that ratepayers will be required to pay for this pipeline for decades to come, regardless of whether there is any direct local benefit and even if the pipeline becomes uneconomic in the future.

PUBLIC SAFETY

Many municipal officials were troubled by the public safety aspects of the pipeline and by the fact that the size of the project is substantially larger than the identified need for gas in the region. In addition to the pipes, many feel that the compressors and blow off valves present a clear and present danger to people and property proximate to the sites.

DECISIONMAKING PARADIGM

The Commonwealth of Massachusetts is in the process of transitioning from a fossil fuel based energy framework to a new energy paradigm. that reduces our dependence on legacy fuels and incorporates ‘cleaner and renewable sources of energy. Nearly a decade ago, we established aggressive and groundbreaking emission reduction targets pursuant to the state Global Warming Solutions Act and the Green Communities Act, and we are well on our way to meeting those benchmarks. The legislative and regulatory framework we established to guide the transition recognized the need to assist the development of clean and renewable energy technology, energy efficiency and conservation, smart grid and distributed technology and demand reduction by changing the market structure for energy supply and by establishing financial incentives and mechanisms to encourage clean and renewable energy to be competitive with fossil fuels. The Massachusetts Senate, House of Representatives and Governor are in the process of examining that legislative framework, and we anticipate there will be new legislation this session that we hope will speed up development of new green energy market entrants and new technology solutions and expanded energy conservation efforts.

Over the past two winters, Massachusetts experienced both supply shortages and cost increases that had a significant impact on ratepayers throughout the Commonwealth. And, while we will make every effort to address cost issues, we are also concerned about capacity and reliability of in the system both today and into the future. To date, we have seen conflicting studies about the New England gas market and whether the system needs new pipelines or whether the winter needs can be addressed through other means, such as LNG. The Attorney General of the Commonwealth is currently conducting a regional reliability study, which we anticipate will respond to the question of how much supply and infrastructure is needed through 2030.

If approved, the NED project will be a huge intrusion for a long time regardless of whether we ultimately need the pipeline and use the gas, creating the potential for stranded costs in the future that will be borne by ratepayers. And, in addition to the NED project, there are other pipeline, transmission and hydroelectric projects either proposed or under consideration and the proponents of each of these projects assert that they will address the problem of constrained resources in the New England Markets. And, in my district, which is served by The Berkshire Gas Company, even if the NED project is approved, it does not address the current economic distress faced by gas customers due to a moratorium imposed by the Company on adding new customers or expansion for existing customers.

As FERC moves forward in evaluating the NED project, it will be crucial to consider the plan within the overall context of what is happening in the New England region and take into account our substantial efforts to address cost, capacity and reliability while moving aggressively to meet the established and anticipated climate reduction targets. It is important to make a decision that is fair, right and reasonable and in the public interest as we transition to a new energy future. Massachusetts now leads the nation in energy efficiency,

and is among the top five states in overall solar energy production. Furthermore, our green energy industry is one of the fastest growing sectors of our economy. These are just a few examples of the progress we have made, progress that has helped make Massachusetts a nationally-recognized pioneer in addressing climate change.

On behalf of those of us who will be substantially and specifically affected by this project for decades to come, I request that as part of your review, you consider this project within the context of the overall regional needs and alternatives; consider all other peak demand solutions; consider state-level priorities on renewable energy and conservation and their ability to meet both our peak and long term needs in the coming years; consider all proposed pipeline proposals and all proposed energy infrastructure concurrently; consider long term demand in Massachusetts and New England only, not potential exports and that you consider infrastructure improvements and pipeline integrity, including fixing leaks across the distribution system before allowing a project of the size and scope of NED to be built I would also request that the FERC process be extended to accommodate each of these considerations and that you provide time for the public to respond as new information becomes available. Finally, consistent with the FERC pipeline review process, I request that FERC refrain from issuing a certificate for the NED pipeline until such time as the potential adverse consequences have been adequately addressed.

Thank you again for meeting with me on this important matter. I stand ready to provide any additional information and assistance that I can as the process moves forward.

Sincerely,

STAN ROSENBERG

President of the Senate

Hampshire, Franklin and Worcester District

KINDER MORGAN PIPELINE COMMENT SESSION

Conducted by *{skip to end of transcript}*

Massachusetts Senate President Stan Rosenberg at Greenfield Community College September 10, 2015

Reported by: Sharon Roy

Accurate Court Reporting

413-747-1806

I N D E X *{note: page numbers as shown in original wide-margin 199 page transcript}*

Name	Page	Name	Page	Name	Page
Kenneth Berthiaume	5	Bill Kilpatrick	9	Reba-Jean Shaw Pichette ...	11
Julie Cavacco	14	Jack Spanbauer.....	16	Jed Proujansky	21
Michele Marantz	25	Leigh Youngblood.....	28	Delta Carney	32
Rema Loeb	34	Irvine Sobelman	37	Suzanne Theberge	40
John Fisher	44	David Roitman	46	Kathryn Eiseman.....	49
Rosemary Wessel	52	Jim Moore	56	Polly Ryan.....	57
Vince Premus	61	David Gilbert Keith.....	66	Loren Kramer.....	70
Pam Kelly.....	73	Molly Chambers.....	77	David Fisher.....	79
Barry Pfannebecker.....	85	Bill Copeland	88	Reverend Sarah Pirtle	92
Ann Gibson	95	Garrett Connelly.....	97	Vincent DeVito.....	100
Carolyn Ness.....	104	Barbara Lemoine.....	109	Rowan McKeon	111
Nina Keller.....	114	Doug White	115	Tom Miner	118
Whit Sanford.....	120	Jerry Wagener	123	Judy Wolter	126
Ron Coler	129	Alice Swift	132	Pixie Holbrook	134
Pat Larson	136	Nancy Hazard.....	138	Bud Driver	141

Janice Kurkoski.....144	Sarah Heather Relej .. 147	Meg Worcester149
Bob Dickerman153	Frank Henry 154	Jim Cutler.....156
Kathryn Lefebvre159	Jaime Relej..... 161	Sid Scott.....166
Gregory Brodski.....163	Deborah Tericano..... 168	Cynthia Lawton-Singer....169
Rudy Perkins.....171	Erik Hoffner 174	Joseph Pfeifer, M.D.177
Frank Callahan179	Ariel Elan 182	Reenie Clancy184
Claire Chang185	Portia Weiskel 188	Deborah Andrew192
Robin Chabot194		

SENATOR ROSENBERG: It is now 6 p.m., so I'm calling this session to order, and I'm asking numbers 1 through 5 to please come to the microphone, and I'm asking number 1 to please take your place at the microphone. And we are ready to begin.

KENNETH BERTHIAUME: Good evening, and welcome. And thank you for this opportunity. Massachusetts currently has under --

SENATOR ROSENBERG: Spell your name, please.

KENNETH BERTHIAUME: Oh, I'm sorry.

SENATOR ROSENBERG: That's okay.

KENNETH BERTHIAUME: It's Kenneth, K-E-N-N-E-T-H, and the last name's Berthiaume, B-E-R-T-H-I-A-U-M-E. Massachusetts currently has underutilized infrastructure, specifically the DistriGas LNG terminal in Everett that, and I quote "on a sustainable basis, has the vaporization capacity of approximately 700 million cubic feet per day," which is 200 million cubic feet per day more than the NED LDC commitments. Massachusetts has unused infrastructure, specifically the Northeast Gateway (the exception being this past winter) and Neptune Deepwater Ports, and previously permitted but unbuilt infrastructure, namely additional tanks at the Berkshire Gas LNG facility in Whately, not to mention Natural Gas infrastructure that continually leaks into our atmosphere at the rate of 15 billion cubic feet per year. For the record, 15 billion cubic feet per year is the approximate re-gasified equivalent cargo of five average-sized LNG tankers, which is approximately the amount of incremental re-gasified LNG injected into New England Natural Gas pipelines this past winter, primarily via the DistriGas (Everett) port and the Canaport (New Brunswick, Canada) terminals. The basic question, "How does FERC consider environmental impacts relative to need as projected into the future" was raised at the August 12th FERC Scoping Session in Lunenburg. The FERC representative, who happens to be the responsible person for generating the NED EIS, responded simply that he could not answer this question as it would involve other sections of FERC beyond his area of expertise. He also indicated that they, FERC, only reviewed past and current energy generation capability needs. The point here is that the energy landscape has changed dramatically over the past five years and shows no signs of slowing for the foreseeable future. How are these rapid changes in renewable technologies, when projected forward, factored into the assessment of need and environmental impact? As previously indicated, Massachusetts already has underutilized and unused infrastructure. We cannot afford additional overbuild at the expense of the environment, homeowners, and ratepayers. ISO-New England has recently stated that the 2014 energy consumption numbers are 2 percent lower than 2013 and the winter peak for those years is also lower, and further indicate that EE and solar are having an impact. And I quote: "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 percent rather than the 1 percent projected in the baseline load forecast." Stated another way, the baseline and peak numbers are decreasing, not increasing. In closing, as Massachusetts has led the nation in energy efficiency these past four years, it now needs to increase its use of renewable energy technologies and their associated zero-cost energy sources such as solar and wind, while reducing its dependence on carbon-producing fossil fuels if it is to have any chance of compliance with the Massachusetts Global Warming Solutions Act.

SENATOR ROSENBERG: Thank you.

KENNETH BERTHIAUME: Thank you.

SENATOR ROSENBERG: Thank you for your testimony. Number 2? Your name?

BILL KILPATRICK: Bill, B-I-L-L, Kilpatrick, K-I-L-P-A-T-R-I-C-K. Good evening. My wife and I are retired and only have our home and property as our material financial assets. It is located within one mile of the proposed compressor on Gulf Road in Northfield but outside of the half-mile blast zone and apparently no eminent domain coverage. We are unable to move, unable to sell our home, which depends on well water, and is crossed on two sides by Millers Brook, which is a cold water fisheries brook. Our home, along with my neighbors on Gulf Road, Pratt Hollow Road, and Alexander Hill Road are in the middle of the Northfield Water Supply Protection District, the same water protection district that the proposed pipeline and compressor will be located. They will be located at one of the highest points of the water supply protection district, which is uphill from our homes, as well as Main Street, Northfield. Protestors of the pipeline have been called eco-terrorists by Kinder Morgan. It is Kinder Morgan that is the eco-terrorist and worse: A domestic terrorist corporation having government protection. Our property and our lives will be effectively taken for the greater good. The greater good, being Kinder Morgan and its executives as well as Europe. Our property will be effectively taken when our water quantity, that is the flow of the water, and quality are reduced and polluted as well as our air being polluted. Our health and lives will be considered collateral damage from Kinder Morgan's point of view. Kinder Morgan is a corrupt immoral corporation. The only thing that matters to them is money. The residents of Northfield and the other communities affected by this pipeline are just collateral damage to Kinder Morgan. This project is just not only going to destroy the natural beauty of the area, it's going to destroy the community; just collateral damage. When the towns were sacrificed to create the Quabbin Reservoir; it was for the greater good of Americans and wasn't a continual source of pollution, illness, and death to the residents year after year, unlike this pipeline and compressor, which will be forever. Please, tell Washington to stop inking the ink pads to rubber stamp this abomination.

SENATOR ROSENBERG: Thank you.

REBA-JEAN SHAW PICHETTE: My name is Reba-Jean Shaw Pichette. Our home is in West Deerfield at the base of the Hills of Wisdom on the original Boston to Albany Stagecoach and Foundation. We are in Kinder Morgan's incineration zone from two sides. We are where the pipe of the to-be-determined gauge will make a 90-degree turn to descend to the river. Incineration zone is only a few homes, I suppose, but the August explosion in Texas led to the evacuation within a mile radius of the pipeline. "To be determined." That is the operative term. This will determine if citizens still have the right to own their home, to live away from cities, from noise, pollution, and the lights that obliterate the night skies. This will determine whether we are a forward-planning nation economically and environmentally -- smart -- or a corpocracy with little consideration for the future. Fifty-five towns voted against this infrastructure expansion. I am skeptical as to whether corporations are people, or even represent people, but I know the towns are people. Are we still a democracy? Last month I visited Pennsylvania. I saw the swell of anti-PennEast pipeline, also Kinder Morgan, all along the Delaware Canal and through protected parks, and Mennonite, Amish and Quaker farms. The meek are sure getting fracked. No private individual by law would be allowed to do their own assessments of our property impact, yet Kinder Morgan presents coercive letters to owners to sign away the rights to these studies, and they make studies to decide the impact on our wells, our septic, archeology, et cetera. Please ask FERC to consider these reports as null and void on the grounds of conflict of interest. You'll hear a lot about water. New England is an oasis in our country and the world. Nothing that threatens clean water, as fracking does, no perceived fuel need, no corporate bottom line should take precedence over protecting and conserving our water and the aquifers that serve them. And no removal of the miles of hilltop trees that create that water by transpiration should be considered. Water trumps them all, as I've said before. Water is for the future generations and all species on this planet. People are smarter, greener, cleaner, especially here in the tofu belt of our Commonwealth, and more of our homes are PVT solar and zero impact. We have voted our taxes up here to protect and preserve the environment. Please tell FERC that allowing KM

to proceed is taxation without representation. We want energy plans that are forward moving. Investing in this is like basing our economy on whale-oil lamps. The quiz for the past is the present. What did we learn, what decisions will we make that ensure our children's future? Will they have a healthy and a happy world to inherit? To be determined.

JULIE CAVACCO: My name is Julie Cavacco. That's C-A-V-A-C-C-O. I'm a resident of Deerfield. I live two miles south of the proposed pipeline and wetlands, where all the water from the leaking will end up. I'm most concerned about the grade 3 pipeline and the likelihood of leaking and the effect on our water as in the wells, the rivers, for recreation, aquifers, and farmland. We are blessed with sufficient water to provide such a variety for local food. I'd like to see our water not so knowingly be put in jeopardy of being tainted. My second point is that, if the State were to plot out a path for a pipeline that truly was being put in for the greater good of the Commonwealth, I doubt seriously we would impact our day-to-day life with the sound and the noise and construct one much like a Big Dig version that traveled under mountains and rivers through our farmlands and preserved forest and under heavily trafficked roadways. And I live near the train line, so I know the expanded use of the train line. It makes no sense to me that they would go that route. Our ancient footpaths led the way along rivers. We see 5 and 10, the railroad, and 91 follow those paths. The Pike doesn't go over a peak of a mountain, nor does 141 in Easthampton or 116 in Amherst. It goes through passes. Quabbin Reservoir was built in a valley, not on top of a meadowed mountaintop. When looking at it from a practical point where practical monies are involved, we behave practically -- except for maybe the Big Dig. When money is not an object or when it's for profit, then practicality goes out the window. None of Kinder Morgan's plans for this pipeline are practical. I oppose the path of this pipeline and the tainted product that it will be filled with. And I also want to remind all of us that, with the fair, the first week of school, I think all of us represent easily another ten people. Thank you very much, Stan.

SENATOR ROSENBERG: Thank you.

JACK SPANBAUER: My name is Jack Spanbauer, S-P-A-N-B-A-U-E-R, and I am chairman of the Northfield Select Board. I want to thank Senator Rosenberg for this opportunity to speak and for your 15 years of dedicated service to the Town of Northfield. Northfield's adamantly against the pipeline and compressor station, and voted against it by a 6-to-1 margin at our town election and unanimously against it at town meeting. We expect that the pipeline and compressor station will cause many negative environmental impacts. These expected impacts are detailed in the report we prepared and we would like to submit two copies, with the latest addenda, and ask that you bring one of them to Washington. Our report is many pages too long to relate all of it here, but we have expressed concerns relating to all the FERC environmental categories. Most notably are the concerns for impacts on our water resources. One, the pipeline would pass through resource areas for four public water supplies. The watershed for the East Northfield Water Company reservoir, Zone 3 for the Northfield Water District well, and through interim wellhead protection areas for two public water supplies at the Northfield Mountain recreation area. Number 2, it also appears to pass through FEMA designated flood plain areas. Number 3, it closely parallels or crosses three designated cold water fishery streams. Number 4, extensive blasting could affect scores of residences with bedrock wells. Number 5, clear-cutting for rights-of-way and access road will increase stormwater runoff. Number 6, finally, the route will extend over two-and-a-half miles through the Four-Mile Brook watershed. Because of the steep slopes of the watershed, Four-Mile Brook is susceptible to the danger of flash flooding. In 1999, Hurricane Floyd caused a flash flood that washed away hundreds of feet of the roadway, isolating residents for days. Construction clear-cutting and compaction of native soils during construction by heavy equipment is going to greatly increase the danger of this flash flooding. To conclude, Northfield is very frustrated about the lack of transparency and consistency by FERC and Kinder Morgan. For example, the environmental scoping process started before Kinder Morgan had even submitted their report to FERC. FERC held their public hearing only five days after Kinder Morgan's report was made public. FERC held their public hearing at a small, un-air-conditioned venue and scores of concerned citizens had to be turned away. Initially, the deadline for comments was August 31. Uh, no, now it's October 16. The pipeline will be 36 inches. Uh, no, it's going to be 30 inches. The pipeline will just touch the southeast corner of Northfield. Uh, no, it's going to extend

eight-and-a-half miles through Northfield. There will be no compressor station in Northfield. Uh, no, there will be an 80,000 horsepower station. Uh, no, there will be a 41,000 horsepower station. The pipeline plans prepared by Kinder Morgan and presented on the FERC website are unreadable. Northfield has requested full-size hard copies. To date, neither party has responded. Kinder Morgan presented Northfield with a figure of expected real estate taxes that makes it look like Northfield won the lottery. Despite requests for details that resulted in that estimate, Kinder Morgan has not provided them. Our own research into other communities with extensive LNG infrastructure indicates that the Kinder Morgan estimate may be high by an order of magnitude. Finally, Northfield to date has not seen any unbiased objective study about the need for this project. This project will have very significant impacts on Northfield. FERC and Kinder Morgan must be transparent, consistent, and honest going forward. Thank you.

JED PROUJANSKY Number 6, Jed Proujansky, J-E-D, P-R-O-U-J-A-N-S-K-Y, and I'm going to talk about the issue of need. I'm a selectman from Northfield. Let me preface it by saying a man who owns ten cars and signs a contract for an eleventh car has to prove the need for an eleventh car. 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 land, state land, federally-funded protected land, but I want to address the question. 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 someone would like to have. There's no need for more gas. There's no peer-reviewed studies that support the need for gas as proposed by Kinder Morgan. There are many alternative solutions available. Stop the leaks. From BUR radio, and I quote, "According to Senator Markey's 2013 study, the State's gas customers paid between \$640 million and \$1.5 billion for gas that never even reached their homes or business." If this gas were not leaking, then it would help solve any problem that might exist. From the Boston Globe I quote, "Detailed maps of leaks became available this week as a result of a new state law requiring utility companies report the location and age of all their known leaks, which, according to one estimate, has cost ratepayers more than one billion dollars." If the gas companies stop the leaks, we will have more gas and cleaner air and less toxic pollutants. There must be a requirement that gas leaks be fixed before we add more infrastructure. The solution is to clean up our problems before we think about creating new ones. The cheapest way to deal with the issue of perceived shortage is energy conservation. As we did in World War II 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 public appearances during cold months. They should have an "I save energy" or "Massachusetts is Cool" campaign that commits to reducing household and office temperatures in the winter. Be hot in the summer. All people must be encouraged to raise 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 saving efforts on homes and offices. Expand that program so that everyone in the State is aware of its uses. Provide loans for solar, wind, and small hydro. FERC needs to demand an explanation from Kinder Morgan on their projected increase of need where 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 this need. 50 percent capacity was used by LNG terminals owned by GDF Suez. There was extra capacity there that was not used. There's no way that more gas need can be proven. As for desire, I think the main desire we're trying to accommodate here is the desire for Kinder Morgan to increase revenue. The choices are there for us to make: Green energy or fossil fuel; a clean environment or gas and oil spills; short-term jobs or long-term growth; a rural landscape or corporate profit. There's no escaping this. The actions, or lack thereof, will determine what happens. Neutral does not exist. Thank you.

MICHELE MARANTZ: Good evening, Mr. President. My name is Michele, one L, M-I-C-H-E-L-E, Marantz, M-A-R-A-N-T-Z, and I'm an officer of the Longmeadow Democratic Town Committee. I'll begin by thanking you for this opportunity to give testimony. I'm here for three reasons: To speak against the proposed Kinder Morgan pipeline, to present you with a DVD of the June 3 Longmeadow climate confer-

ence, and to use the information in that DVD to present an alternative to the pipeline in meeting our state's energy needs. If you're wondering why a Longmeadow resident cares so much about a pipeline here, know that, though my husband and I now live elsewhere, we've lived and worked in Franklin County and the Berkshires for many years. Every summer we join tourists who are drawn to the area for its beauty and cultural institutions. Pipeline construction threatens the tourist economy and the physical integrity of the region while contributing to carbon pollution and global warming. In other words, what happens in Franklin County doesn't stay in Franklin County -- not when it relates to the pipeline's construction and its impact on the environment. Pipeline supporters emphasize job creation as a major benefit, but these jobs are primarily temporary. In contrast, research shows that permanent job creation will result from growth in the state's cleantech industry. Pipeline supporters also cite its necessity in meeting the state's energy requirements. Since a significant portion of this pipeline's gas appears targeted for export, the project hardly seems focused on meeting the needs of Massachusetts residents but rather those of Kinder Morgan shareholders. We can meet our energy needs by turning to currently available liquid natural gas supplies to handle spikes in winter demand. We can also meet these demands by adopting fair carbon legislation. In that regard, our DVD highlights the proven effectiveness of fair carbon pricing in reducing carbon usage while promoting economic growth. Modeled on a law passed seven years ago in British Columbia, the fair carbon bills currently in our Senate provide a win-win for those of us interested in both the economy and the environment. The benefits of British Columbia's fair carbon law are quite clear. Since 2008, British Columbia's fuel consumption has fallen by over 17 percent, and its overall emissions have dropped by 10 percent compared to the rest of Canada. Equally impressive is that GDP growth is higher in British Columbia than in the rest of Canada, corporate income taxes have been cut by 20 percent, and personal income taxes are tied for the lowest in the country. The tools for reducing our dependence on fossil fuels, protecting our citizens' health, and the beauty of our environment and ensuring economic growth for the Commonwealth are contained in current fair carbon legislation. What's urgently needed now is not a new pipeline producing the same set of problems for our state, but for Massachusetts to take the lead, once again, in creating a legislative model that can serve as a blueprint for the rest of the nation.

LEIGH YOUNGBLOOD: My name is Leigh Youngblood, L-E-I-G-H Y-O-U-N-G-B-L-O-O-D. President Rosenberg, thank you for the opportunity to comment on the July 29 filing of the Kinder Morgan Northeast Energy Direct Project. Today is my 51st birthday.

SENATOR ROSENBERG: Happy Birthday.

LEIGH YOUNGBLOOD: There is nothing that I would rather be doing than standing up for public open spaces that are dedicated to the benefit of all Massachusetts citizens. I grew up in the very urban North End of Springfield, first walking to elementary school where our playground was entirely graveled, and later taking the city bus to high school downtown. For the past 21 years I've led Mount Grace Land Conservation Trust, an accredited nonprofit with 1,100 members. Mount Grace primarily serves 23 towns in Franklin and Worcester counties, but also holds a conservation easement in Winchester, New Hampshire and runs a statewide AmeriCorps program called the Massachusetts Land Initiative for Tomorrow. Mount Grace employs 12 people and owns land directly affected by the pipeline. Massachusetts has approximately 150 land trusts. And land trusts are charitable organizations that help landowners protect land, land which must have documentable conservation values. Mount Grace has helped hundreds of landowners permanently protect their land using federal, state, municipal and charitable funds and/or tax incentives. The most serious obligation of a nonprofit is responsible stewardship and management of its assets, whether cash or real, donated or purchased, particularly assets restricted to a specific purpose. Federal and state laws impose specific restrictions on land trusts, towns, and state agencies for the acceptance or the release of restricted assets. I will paraphrase the IRS regulation; the full text is attached to my written testimony. "A qualified conservation" -- this is from the IRS code. "A qualified conservation contribution must be made to a qualified organization exclusively for conservation purposes. To be eligible for a deduction, the conservation purpose must be protected in perpetuity." That's federal. In Massachusetts, when land or cash is donated or dedicated to the purpose of conservation, a public trust is established. And public trusts and charitable trusts impose fiducia-

ry duties on the trustees responsible for the assets in their care. Land trusts, and the conservation agencies of the Commonwealth, and the Massachusetts Attorney General all have a duty to defend the conservation land in their care. For example, Chapter 12 of our General Laws directs the Attorney General to uphold the public interests inherent in nonprofit, municipal, and state conservation land as well as financial gifts made for the purposes of conserving and stewarding the land. More than 110 permanently protected parcels are on the proposed NED pipeline route in Massachusetts. And many protected parcels are not identified in Resource Report 8 at all and, where they are identified, the conservation, social, and economic values of the lands are minimized. Please urge FERC to ensure that the Environmental Impact Statement for the project outline in detail the full cost of impacts to the public interests unique to each and every one of the 110 parcels. Thank you.

DELTA CARNEY: Hello, I'm number 9, Delta Carney. I want to thank Senator Rosenberg for having the moral and ethical courage and the political power to demand that this meeting happen. I applaud you, sir. Tonight we've already heard some facts and figures that are being presented. And Kinder Morgan presents facts and figures. They pay for theirs. We do our own research. I, years ago, borrowed a saying from Judge Judy. "Do not piss on my leg and tell me it's raining." If Kinder Morgan pays for a study, it's going to be biased. You know, it's like, that's all there is to it. Years ago, many of us had the common sense to see a disaster in the making. We protested against nuclear power plants, and we didn't win. And today we have Three Mile Island, we have Chernobyl, we have that horrible disaster of Fukushima. And, unfortunately, we were proven right. Right here in Western Mass. we have Rowe. Spent fuel rods will be there for thousands of years. The Vernon power plant has leaked radiation already into the Connecticut River. In Plymouth, Mass. the Pilgrim power plant is the exact same design and was built by the exact same people who built all of Fukushima. And recent reports have already indicated that they're having some difficulties and problems. Those of us who protested have reports, and so did the other side. But we were all told that the federal government had a solution, and it was called the NRC, the Nuclear Regulatory Commission, and they would protect us and they would make sure that disasters did not happen. We should trust the governmental body, elected officials, and the big business of nuclear power to take good care so that disasters would not happen. Today we have another regulatory body, i.e., FERC, that is only to regulate the oil and gas pipelines. And do the governing bodies really expect us to trust them again? Disasters have already happened. Yes, they have not been big enough for the elected officials, governing bodies to really pay attention or to put a stop to more pipelines. I dread to think about how big a disaster needs to be before people will stop. I ask that anyone and everyone in this room that has the common sense to see a disaster waiting to happen and the moral and ethical courage to do what is needed to stop this to please, right now, in this place, stand up and be counted. Thank you.

SENATOR ROSENBERG: I'll interrupt just briefly to say we have representatives from Senator Elizabeth Warren's office, Everett Handford, and from Representative McGovern's office, Keith Barnicle with us this evening in the audience listening to the testimony as well. Thank you.

REMA LOEB: I'm number 10, Rema Loeb, from Plainfield. First, a the big thank you to Senator Rosenberg for requesting this meeting and delivering these comments. The potential environmental destruction from the Tennessee Gas Pipeline's NED Project is already understood by those who have observed such projects throughout the United States. But supporters of this pipeline speak of the need for more natural gas. If anything, the last year has shown a decrease in demand. In a recent study paid for and conducted by GDF Suez, this energy corporation, "a global collaboration of energy experts" reported that new natural gas pipeline construction is unnecessary. They affirm that there are alternatives and suggest fixing existing pipelines. Their report finds present infrastructure more than adequate. They also note a decrease, and while oil and coal plants are being retired, this would be offset by a high voltage line carrying power from Canada and by renewable energy becoming available. They state, "Even during extreme winter conditions, a new pipeline is not required to meet New England's natural gas needs given current market conditions and public policy initiatives. Contracts, not constructions, are required. New England's energy markets are working." Similarly, Ann Berwick, a former DPU chairperson, has stated in a commentary in the Boston Globe, that Ten-

nessee Gas Pipeline's proposed NED Project is "not needed." She notes that although corporate pressure has defeated an offshore wind project, this is still always a possibility. She notes that Attorney General Maura Healey's study of the need for more natural gas and a new pipeline is highly important, and she points out the rise in energy prices last winter, 2014/15, was caused by an anticipated high natural gas price and shortage that did not materialize. She proposes wind as the State's best solution. Also solar has seen an amazing rise in acceptance, and many of our Western Massachusetts towns are joining community groups to purchase solar panels. In spite of the State administration that supports fracked gas, the solar industry is expanding rapidly. Attorney General Maura Healey's study is expected in October. No decision on your, FERC's, part regarding need should be made until that report is submitted. In the absence of compelling need, there is no public benefit and a great deal of potential harm. FERC, as the regulatory agency, should be legally bound to reject this project.

IRVINE SOBELMAN: Number 11. Good evening. My name is Irvine Sobelman, I-R-V-I-N-E S-O-B-E-L-M-A-N, and I live in Northampton. I'm a member of the steering committee of Climate Action Now, a local all-volunteer, grassroots group in Western Mass., dedicated to education, organizing, and action as part of the global movement for climate justice, working in coalition with others in the Valley, the state, the region and across the country. Our vision is to create a thriving and sustainable world that is free from the detrimental effects of both fossil and nuclear fuels. In comments I've made previously at other hearings about the Northeast Energy Direct Project, I've talked about environmental justice and I've talked about several of the published research studies that outline how Massachusetts, and indeed the country, can transition away from polluting sources of energy toward a renewable energy system. Tonight, I thought that it was time to get back to the absolute basics. To quote President Obama: "Our understanding of climate change advances each day. Human activity is disrupting the climate in many ways faster than we previously thought. The science is stark. It is sharpening. It proves that this once-distant threat is now very much in the present." And then he goes on to warn: "If we stop trying to build a clean-energy economy and reduce carbon pollution, if we do nothing to keep the glaciers from melting faster and oceans from rising faster and forests from burning faster and storms from growing stronger, we will condemn our children to a planet beyond their capacity to repair." Our leading scientists tell us that we must leave 80 percent of currently known reserves of fossil fuels in the ground in order to avoid catastrophic levels of climate disruption. So, what does that mean for us? We need to be aggressively phasing out our dependence on fossil fuels, not building more pipelines that will lock us into years and probably decades of increased greenhouse gas emissions. We are here this evening to offer input to the Federal Energy Regulatory Commission on the Environmental Impact Statement that they are writing in regards to the NED Project. Here, then, is my question for FERC: What greater environmental impact could there possibly be than the disruption of our climate, of the very life support systems of this planet, our home? We are standing at a crossroads. If we intend to walk forward, we cannot be facing backwards. It is time to step out of that crossroads and onto the path to a truly sustainable future and a livable planet. Thank you.

SUZANNE THEBERGE: My name is Suzanne Theberge. Thank you for holding this hearing. I live in Amherst, and I'm honored to follow Irvine Sobelman with her very eloquent remarks. I'm a co-founder and steering committee member also of Climate Action Now, a local, people-powered grassroots organization, and also very involved in the Springfield Climate Justice Coalition. I'm the mother of two adult children and the grandmother of a toddler. There's no greater joy than exploring the wonders of our natural world through the eyes of a toddler. But the more I study the science of climate change, the more I'm haunted by the gut-wrenching knowledge that, if we continue business as usual, my granddaughter's life will be a living hell. So I'm here to speak for my granddaughter and for all the other beings who don't have a voice in decisions that will determine whether or not they will have a livable planet to grow up in. I'm proud of you, Senator Rosenberg, and our other state leaders for passing the Massachusetts Global Warming Solutions Act enacted in 2008, which establishes a comprehensive plan to address the threat of climate change to the Commonwealth. So thank you for that. This law requires greenhouse gas emissions to be reduced between 10 and 25 percent below 1990 levels by 2020 and mandates that greenhouse gas emissions be reduced 80 percent

below 1990 levels by 2050. In order to do this, it requires climate change impacts to be considered in decisions by state agencies, boards, commissions, and authorities, including permitting and licensing decisions. This means that any Environmental Impact Statement must take into account the impact on climate change. Rigorous research has enlightened us as to the significant climate change impacts of methane, or CH₄, gas. Natural gas and petroleum systems are the largest source of methane emissions from industry in the U.S. In fact, methane is the primary component of natural gas and it's emitted to the atmosphere during the production, processing, storage, transmission, and distribution of natural gas. New research is pointing to the underreporting of methane leaks due to faulty measuring tools. Like most of the other people in this room, I'm not an elected official and I have neither wealth nor political influence. But, what I and many others in this room do have is a determination that is deep in our souls and it will fuel us to do what it takes to prevent Kinder Morgan from building a pipeline that will carry methane-leaking fracked gas, a substance that will literally add fuel to the fire of global warming. Senator Rosenberg, we thank you for inviting us here, in our gorgeous corner of the world, as we share with you our deep concerns about the environmental impacts of this pipeline which will not only destroy homes, wells, conservation areas, and threatened habitats. This proposed pipeline is a ticking time bomb. We will stand together to protect our environment, organize tirelessly to stop this pipeline from being built because, to us, it's a life and death issue; it goes to the heart of what we can do to preserve a livable planet for the next generations. Thank you.

JOHN FISHER: Good evening. Again, Senator, thank you for coming here. Thank you for the -- your leadership throughout all of this rather difficult process. I'm going to try and see if I can get finished before the yellow card even comes up, so let's see how well I can do. My name is John Fisher, J-O-H-N F-I-S-H-E-R. My wife, Sebern, S-E-B-E-R-N, Fisher, and I live in Plainfield. We border on the proposed pathway, the proposed pipeline, and directly behind us also bordering it is a number of acres of protected state forest. Obviously, this, you could say, I'm a NIMBY in this, and for that reason I really tried to spend some time trying to think if there was any good reason for this. We've been told that natural gas is the -- is going to be the bridge to the future. The more I looked at it, the more I feared that, instead, what we're really building is a highway to the past here. I have -- we have submitted fairly lengthy testimony already to FERC; we've testified at those hearings. Much of what I say would be really just echoing what some of the other folks are going to be saying here. But I think one thing that really is important is that there is still a mindset of too many people that alternative energy is one of these things that's in the future, that it's a great idea, but it's 50 years away. I had that belief three or four years ago. I'd like to just submit in a somewhat redacted version of my electrical bill from last month. And this is for running two houses, a garage, a plug-in car, and a number of other things. And, again, I realize that some of it I had the ability to be able to have access to put in the solar in ways that some people aren't able to, either because of my own income or because of the fact that we happen to have a nice view of the southern sky. But the point is, something I thought impractical, far in the future three years ago, my bill for August for the two houses was \$5.48 from Eversource. I'd like to add that, and please keep that in mind because, what we're talking about, it's not just impractical, yes, there's a need for alternative energy, yes, there's a need for energy right now, but this is not the answer. And I beat the yellow. Thank you.

SENATOR ROSENBERG: We'd also like to welcome Amad Rivera, who's representing Senator Markey's office has joined us. Thank you for being here.

DAVID ROITMAN: My name is David Roitman, R-O-I-T-M-A-N, from Florence, Massachusetts. The focus of my comments is the question, "Is this pipeline needed?" I bring three perspectives: A citizen of the Commonwealth; I volunteer with Climate Action Now; and I've been a management consultant for 31 years. So, I have a perspective on corporate decision-making from the inside and how that relates to society. On August 31 I received an e-mail containing an 86-page analysis of alternative winter reliability solutions from New England Energy Markets. The main body of my comments summarizes this analysis. First, though, five quick points: * I don't hold GDF stock. I received the e-mail because I participated in some online discussions. * GDF Suez collaborated with Conservation Law Foundation on this study. * GDF Suez is a competitor to Kinder Morgan. * But, at the same time, FERC and the Massachusetts DPU must be aware that Kinder

Morgan is proposing this pipeline because of its financial interest. So, while financial interest may be taken into consideration, analysis bearing on the pipeline should be considered primarily on its merits, not who wrote it. * So that's why, with some dismay, I received a second e-mail sent on September 3 from the DPU hearing officer, that, and I quote, "CLF GDF Suez's late-file comments are untimely and the department will not consider them as part of the proceeding." And that was actually just on the basis of a technicality. Okay. Since I know, Senator Rosenberg, you're very concerned with the question, Is this pipeline needed, I'm going to give you a hard copy of the entire analysis, but here are a few direct quotes: "(1) Existing infrastructure is more than adequate ... In fact, the electricity system has maintained required reserve margins during some of the most extreme conditions over the past three winters. "(2) Winter prices reflected a transient, peaking problem ... high basis differentials for natural gas ... during the past three winters occurred during only a few of the highest peak demand days. "(3) The market is responding with dual-fuel capabilities and LNG contracts. This past winter has demonstrated the powerful ability of competitive markets to respond to price signals. "(4) New pipeline capacity already is being built. This new pipeline capacity needs to be included in any assessment of additional pipelines. "(5) Public policy does not support new pipeline infrastructure. Policies are promoting non-gas-fired generation such as renewables, energy efficiency, and market-based performance incentives already to ensure that generation capacity is available when needed most." So, given these points, still, I quote, "a New pipeline could overserve the New England market resulting in a glut of natural gas that's likely to flow to markets outside of New England." Thank you for hearing my comments and accepting this written analysis plus supporting documentation.

KATHRYN EISEMAN: I'm Kathryn Eiseman, K-A-T-H-R-Y-N, E-I-S-E-M-A-N, president of the Pipeline Awareness Network for the Northeast. Thank you for holding this hearing. I'd first like to mention the parcels that TGP wants to occupy for contractor yards, where they'd pile their construction materials and stash their equipment. In Massachusetts alone, they total nearly a thousand acres, including over 60 in Whately, as well as land in Greenfield, Bernardston, Ashfield, Deerfield, and Erving, just to list the Franklin County towns. Much of this acreage is agricultural and wetlands, an TGP's proposed misuse of this land should be avoided. At a minimum, TGP must be required to prevent any permanent damage to these lands and to comply with the Massachusetts Wetlands Protection Act. Tonight, though, I primarily want to address NED's risks to drinking water supplies. We request of FERC a detailed hydrogeological study so that impacts on aquifers and public and private wells along the entire proposed route can be adequately evaluated. Most potable groundwater surface aquifers in this region are town-scale or smaller, generally keeping localized any industrial contamination of drinking water. The other major source of potable groundwater in this part of New England is fractured bedrock aquifers. A new pipeline corridor can act as a conduit for groundwater contamination between aquifers, river basins, and other water sources that would normally be isolated from one another. This is of particular concern where a pipeline is horizontally drilled through bedrock, and applies to potential contamination sources as well as pre-existing sources not related to the pipeline. FERC should address the likely impacts of the pipeline corridor as conduit for existing sources of contamination, as well as the impacts of any coatings, solvents VOCs and other potential contaminants introduced to the soil through pipeline construction and operation. This review should also include the impacts that blasting for pipeline construction is likely to have on wells along the entire route, in terms of altering the fractured bedrock network and also the risk of contamination from the explosives used in blasting. Perchlorate from blasting could travel through bedrock fractures to contaminate drinking water supplies. All of these risks to groundwater and drinking water should be evaluated, minimized, and monitored, with a plan in place to compensate adequately any landowners, municipalities, or water supply districts in the event of contamination. To date, TGP has stated that they would offer bottled water. This is not adequate and is insulting to communities with some of the best water supplies in the country. Thank you.

ROSEMARY WESSEL: My name is Rosemary Wessel, R-O-S-E-M-A-R-Y W-E-S-S-E-L, and I'm founder of the citizens grassroots organization No Fracked Gas in Mass. Senator Rosenberg, thank you so much for holding this hearing, and thank you for recognizing that FERC has failed to allow appropriate and timely venues for review of this project. I have with me the text of a petition that has been in circulation since we

first became aware of the pipeline projects being proposed for Massachusetts. Similar language has been adopted by most of the 74 municipalities across Massachusetts, New York, and New Hampshire that have so far filed resolutions opposing new natural gas transmission line projects. I'll be filing a full version of this petition and all the signatures as well as as many of the resolutions as I can gather with FERC before the October 16 deadline. Nearly 15,000 people have signed this petition so far, and it states opposition to new natural gas pipelines and stands in favor of expanded energy efficiency and clean energy solutions. This is the will of the people. Massive expansion of gas infrastructure is not what people of the impacted region want for their energy needs and energy policy. Some pundits have quipped, "You don't want pipelines? Then don't buy the gas." The bitter irony of it is, the vast majority of people impacted by this pipeline are already not buying the gas and won't ever have gas available to buy even after it's built. Many thousands of people who have signed this petition want more energy solutions like the kind we've been seeing popping up all around us: Top-notch energy efficiency programs, solar and wind (particularly when sited on rooftops and existing brownfields), and even refitting existing dams to maximize hydroelectricity without flooding new habitat. We are not captains of industry who can file and build a counterproposal. We are teachers, nurses, EMTs, designers, salespeople, doctors, craftspeople, artists, lawyers, firewood cutters, and deli workers. We are the people who clean your house, make your sandwiches, teach your children, help you buy and sell a home, fix your roads and make sure you're healthy and safe. What we ask for in return is that we can trust you, not only our elected officials, but our policymakers and especially our regulatory agencies like FERC to make the right decisions, to listen to the will of the people, and to implement policies that affect us, to make sure that it's nothing disruptive, harmful, or unduly costly without our consent. This pipeline proposal is disruptive, harmful, and unnecessarily large and costly, but most of all, it is unnecessary. Along with this statement, I'm filing several recent reports analyzing energy needs now and in the future that show that the so-called energy crisis is greatly exaggerated and that new gas infrastructure is the most costly, most permanently disruptive and most harmful way to answer any need for additional energy that may arise in the future. Thank you very much.

JIM MOORE: Thank you, Senator Rosenberg, for being here with us.

SENATOR ROSENBERG: Thank you. What number are you?

JIM MOORE: Seventeen.

SENATOR ROSENBERG: Seventeen? Okay. We have lots of folks lined up. So, proceed.

JIM MOORE: My name is Jim Moore. I'm a member of the ad hoc task force -- pipeline task force committee and a selectman for the Town of Conway. And these are two of my task force associates, Meg Burch, who's the chair, and Marcel Morgan, who's also a member. And we have looked at some of Kinder Morgan's reports, and it's voluminous and complicated and such. We've been very fortunate to have some folks with technical expertise who have been able to explain some of that to us, and we have comments and a report here. We won't take all your time, but we would like to say thank you very, very much. And I would like to say that maybe someone could suggest to Congress that they dissolve FERC as it now exists.

SENATOR ROSENBERG: How do you really feel about that?

JIM MOORE: And really reconstitute it with people who are not bootlickers of the energy industry. Thank you very much.

SENATOR ROSENBERG: Thank you.

POLLY RYAN: Hi. My name is Polly Ryan, P-O-L-L-Y R-Y-A-N. I'm an impacted landowner from Plainfield. Senator Rosenberg, first and foremost, I want to thank you for representing us at FERC and hearing our comments tonight. I have already submitted written comments to FERC and gave oral presentations at two other FERC scoping sessions. I also submitted oral and written comments to the Energy Facilities Siting Board. In essence, they all had the same theme which can be summarized as follows: Studies have clearly identified carbon neutral and other renewable or alternative energy solutions that can meet our energy needs

instead of the natural gas pipeline. Should a natural gas pipeline be deemed necessary, it can be done -- I mean, should a natural gas solution be deemed necessary, it should be done with improvements to existing infrastructure or LNG storage. Either of these alternatives are clearly less impactful on our environment and serve us better in terms of meeting the goals of our Global Warming Solution Act. Please consider a "No Action" alternative. Natural gas is not a bridged fuel to renewables. Once we commit to this infrastructure, we're stuck with it while the gas industry rides out their boom-and-bust export business. We should be keeping the gas here for our future generations. I've also commented to FERC on the negative impacts this pipeline will have on landowners. In essence, they can be summarized as follows: * Increased risk to health and safety * Depreciated property values * Decreased property resale options * Increased property liability * Continued tax liability for land that can't be built on * Increased energy costs once the gas hits Europe * The imposed cost of a tariff on our energy bill for building the pipeline * Loss of future home business income These items can all be clearly defined in terms of their qualitative and quantitative negative impacts. So I ask that this environmental impact study demonstrate how these negative impacts relate to benefit by conducting a comparative study. In fact, please define benefit. I have not heard any benefit mentioned other than "we need the gas" and "it provides jobs." Also consider, please, that these impacts mentioned are just the tip of the iceberg. If such a comparative study is done, it would have to be cumulative and include all the different kinds of impacted landowners like conservation land trusts, conserved Article 97 land, and state forests, to name a few. Also, I'd like to mention how I have been personally impacted so far. I have had to put major life decisions on hold because I don't know anymore the future outcome or potential of my one and only asset, my home, and possibly my future business. I feel like I've lost a year-and-a-half of my life while having to learn about this pipeline and stand against it. This time has been sacrificed for things I'd prefer doing like gardening, reading to my grandchildren, or focusing on professional development, to name a few. It has been extremely stressful, and has truly impacted the quality of my life as well as my health. Tell me, Senator Rosenberg, how do you think FERC should quantify that in this study? Through August, since the beginning of the pipeline, there have been 5,411 comments made to FERC on this NED Project. Only 426 of those have been in support of this pipeline. So, please consider, Senator Rosenberg, let FERC know that our country is supposed to be governed by the people and for the people, not by corporate lobbyists, and that we, the people, have spoken. Thank you.

VINCE PREMUS: Good evening, Senator Rosenberg. My name is Vince Premus, P-R-E-M-U-S, from Pepperell, Mass. and a member of Stop NED. It's a group of Massachusetts and New Hampshire residents that are dedicated to stopping the Northeast Energy Direct Project. Before I begin, I have to say amen to everything that Polly Ryan just articulated. It's an amazing story and a very eloquent statement. Every statement here tonight has been thoroughly researched and heartfelt, and it's been amazing to be here. I'm here to talk to you about the issue of need, like many others. In my view, the issue of need is of paramount importance in the matter of this proposal. Yet, need plays no part in Eric Tomasi's charter to develop an Environmental Impact Statement. Need falls under the purview of "credentialed" industry stakeholders. The public is dismissed as unqualified to contribute, as we can be "fickle and recalcitrant," if you recall Ben D'Antonio saying last year, who's an attorney for the New England States Committee on Electricity. Well, I beg to differ. I think we can do our homework. The case for need is generally predicated on the winter peaking problem. Winter is a time when the weather can be dangerous and people are vulnerable. It's a scenario screaming for exploitation by an opportunistic businessman looking to export natural gas to global markets. The thing is, New England's winter peaking problem is a one-percent problem. If you were to add up all of the peak-shaving episodes, those times when gas-fueled generators that do not commit to firm supply choose to sit idle because gas on the spot market is too expensive to make generation profitable, the gas you would need equates to about one percent of the region's annual demand of 889 billion cubic feet. That's just 10 billion cubic feet. Well, according to the EIA, the average natural gas price reached a high of more than \$20 per million BTU in January last year. The average LNG tanker holds about 3 billion cubic feet of natural gas. This translates to an estimated cargo value of about \$60 million at this unit price. Under the Winter Reliability Program, ISO New England could subsidize three tankers worth of LNG each winter for the next

30 years before we exceeded the price of a \$5.5 billion pipeline, and that's not including the price of the gas in the pipe. Not a long-term solution I'm proposing here, but a viable bridge to the time when renewable, distributed generation and battery storage have matured enough to serve our grid-scale power needs. A recent study by the Home Energy Efficiency Team called attention to the widespread leaks throughout the Commonwealth, and many have mentioned them here tonight; 20,000 by their count, many decades old. An Eversource spokesman responded by saying, "utilities have allowed those leaks to seep indefinitely because they didn't see them as an imminent threat." Well, staring down the barrel of an eminent domain land-taking to build this export pipeline, we see every one of these leaks as an imminent threat. A 2013 study by the Conservation Law Foundation estimated that 8 to 12 billion cubic feet of gas was lost to leaks in Massachusetts alone in 2010. Ironically, this is also about the one percent of New England's annual demand and enough gas to cover the winter peaking problem. We have Marcy Reed, president of National Grid, who has the audacity to assert the "inconvenient truth" that we need not one, but two new pipelines to meet our growing electricity demand. This is a demand that, by ISO's own predictions, has flattened due to the success of energy efficiency and demand response programs. So I'll close with this: We cannot trust these credentialed stakeholders, like ISO and National Grid, to advance a strategic energy policy that balances demand against the impact to our homes, health, and the environment. The subject of need deserves to be deliberated in a transparent and quantitative manner, with the direct participation of informed ratepayers who understand the personal cost of this project. Please urge FERC to convene a formal public hearing specifically dedicated to an assessment of need, and one in which the "No Build" option is also on the table. Thank you.

DAVID GILBERT KEITH: Hello. My name is David Gilbert Keith. G-I-L-B-E-R-T, K-E-I-T-H. I am an independent researcher specializing in energy, and I have been asked to speak here tonight. I want to start by thanking you, Senator Rosenberg, for holding the hearing, and I reiterate the person before me, Mr. Premus, is right that everybody has been incredibly eloquent. I have three key points to convey: (1) Less is better. (2) New England cannot use it. (3) NED is an export project. Why is less better? New England might benefit from ability to receive gas more quickly for a matter of hours of the year. But if we built more pipeline capacity than we can use, gas producers will want to get the bulk of the gas to export markets. Regulators acknowledge that natural gas exports will raise its domestic cost, which also raises cost of electricity and the products manufactured with either gas or electricity inputs. The Industrial Energy Consumers of America has testified about the competitive advantage of cheaper domestic fuel rates: "Using natural gas in manufacturing can create eight times as many jobs as exporting it, twice the value added and eight times as many construction jobs." (2) New England cannot use it. By the time NED can begin, it will not be needed. Spectra Energy's Algonquin Incremental Market pipeline expansion is already under construction and will provide plenty of extra gas to avoid price spikes. Spectra is also proceeding with its larger Access Northeast Project and has partnered with energy companies that control 70 percent of New England's existing gas-fueled electric plants as well as the largest power plants that might still be converted to natural gas. Remaining power plants may or may not buy gas from NED, so it is not even assured of sales to the independent power plants. And, in New England, the electric companies have chosen to pay cheaper interruptible rates for gas rather than reserving it. This means they buy what local distribution companies are releasing from the volumes they have reserved. NED has precedent agreements reserving only 40 percent of its capacity. Sales to its only other potential customer, electricity generators, will come almost entirely out of that 40 percent, not in addition to it. The remaining 60 percent of NED's capacity has no market in New England. Despite assertions by promoters, the Energy Information Agency and others are projecting that gas use in New England will be declining at least through 2028. So where will the unclaimed 60 percent of NED's capacity go? NED's plans include a 30-inch lateral to the Maritimes & Northeast pipeline. Kinder Morgan now says it will use a 30-inch pipe on its scaled-back NED, which means the entire capacity of NED could be shunted north to Canada once the Maritimes pipeline is reversed as planned. (3) It's an export project. Finally, here is why I conclude NED is primarily an export project. Only three years ago a Tennessee Gas Pipeline executive compared two alternative pipeline proposals. One was essentially NED, a green-field project that had the primary advantage of expandability. But the alternative was to loop, build parallel pipe, to the existing

Line 200, meaning lay pipe parallel to it, and carry up to an additional 1 billion cubic feet per day to Boston. Looping Line 200 has been projected to cost somewhere between one-third and one-sixth as much as NED. Looping Line 200 would meet up to twice what NED has been able to demonstrate as New England's demand, despite a prolonged open season. Clearly the only reason to proceed with the far more expensive proposal is that it is more expansive. It can push more gas through and past New England. As Canada's Globe & Mail reported in August: "Two proposed liquified 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." NED is an export project. New England does not need it and should not be made to pay for it.

SENATOR ROSENBERG: Do we have a copy of that, sir? Do you have an extra copy of that?

DAVID GILBERT KEITH: You have the extended version.

SENATOR ROSENBERG: We have it, okay.

LOREN KRAMER: We're here together. And we each have a number. We'd like to --

SENATOR ROSENBERG: So that means you have four-and-a-half minutes, right?

LOREN KRAMER: I'm Loren Kramer, L-O-R-E-N, K-R-A-M-E-R, and I would like to start with our personal experience here. In Greenfield, we have many commercial and residential buildings that are net zero fossil fuel or nearly net zero rehabs. No new inventions need to come along to get us to net zero fossil fuel, nor does one have to build a new solar building. Our family's little cape built in 1951 is now nearly net zero, and we're a family trying to live on social security, struggling against rapidly rising and erratic fossil fuel and electric pipe fluctuations. However, it happens that, by saving annually over a lifetime, we have capital saved in an IRA retirement account. So we invested a traditional IRA in what I consider to be a better retirement plan than Wall Street: Excellent energy efficiency, and better than what MassSave recommends even, which immediately cut our fossil fuel we used to use, and the heating bill, in half, then invested in very efficient electric appliances, such as heat pump hot water heater, and, most important, a 6.5 kilowatt solar electric power generation system, accompanied by a cold climate mini-split heat pump, eliminating the electric and heating bills. Number 3: We are now paying Eversource monthly for electric distribution fees only, but we will purchase about \$150 of fuel oil a year, at the moment, for the minus 10-degree extreme cold days. Even that can be replaced with bio-diesel, to be manufactured in Greenfield by Co-Op Power from used cooking oil, as we get it rolling. Number 4: The same formula (excellent energy efficiency, solar electric generation, and heat pumps) have been used by many others. For example, our own local landlords, Barbara and Mark Zaccheo, in their near zero fossil fuel energy-saving large apartment building on Allen Street in Greenfield, across the intersection from Foster's Grocery, used the same formula I use: Solar/heat pumps and excellent insulation, delighting their renters who pay little or no heating electric bills. The Southern Amherst Congregational Church is at near zero fossil fuel, saving over \$15,000 a year on heat and cooling costs using that same formula. Others are now catching on because it's less expensive to generate your own electricity if, and only if, you can find the capital to invest in these efficient fossil fuel-freeing technologies.

PAM KELLY: So my name is Pam Kelly, I'm following on with Loren. And, once again, we're from Greenfield. And the question is, How do you get the capital to invest in these efficient fossil fuel-freeing technologies? And we had a handy-dandy IRA, but not everybody does. And we need massive amounts of capital, we need lots of capital to get this rolling. So, in order to raise the capital, our own state rep, Paul Mark, introduced House Bill 3532 in the Massachusetts legislature to create a Green Development Bank. The legislation will pass, with the help of Senator Rosenberg and friends, and is designed to use a modest investment of public funds to attract five to ten times as much private investment for a massive statewide program in commercial energy rehabs, getting our for-profit businesses and our not-for-profit commercial buildings, like schools and churches, rehabbed with extensive renewable energy programs at a reasonable 20-year-long interest rate. Repaying the loans is much cheaper than burning the fossil fuel, especially the gas, so owners of buildings come out way ahead. Plus, it would continue our excellent Massachusetts labor history, the

largest job creator in the state, has been and would continue to be, the Green sector. In this plan, we would be following the lead of at least seven states that have now created Green banks or Infrastructure banks, starting with Connecticut four years ago. According to the CEO of the nonprofit Coalition for Green Capital, Jeffrey Schub, Green banks are attracting \$10 of private investment for every \$1 of public investment. In a recent briefing held July 22 in the Massachusetts legislature, one of the presenters, Ben Healey, Assistant Director of the Connecticut Green Bank, reported that within four years from the standing start, Connecticut had done \$400 million worth of commercial green updates and smart grid development. In November of this past year, 2014, New York State capitalized their new Green Bank with a \$1 billion worth of capitalization. Now, just imagine the effects if we capitalized a Massachusetts Green Bank with a 5-plus billion dollar cost of a Kinder Morgan pipeline. The bank would create essentially a revolving loan fund. Multiply a 5 to 7 billion dollar investment by 10, you get a 50 to 70 billion dollar revolving loan fund designed to “alleviate the need for electric generation using natural gas” by streamlining the transition to commercial energy efficiency, insulation, weatherization, installation of off-shore wind, solar collectors directly generating electricity, the encouragement of the use of efficient cold climate heat pumps, energy storage, and grid -- smart grid establishment and resilience. And we could make the long-term plan to deal with climate issues that are likely to put 25 percent of our coastline, according to a study by the Senate, under water from rising tides. But the State’s put a cap on solar. I’ve been attending the Massachusetts Energy Committee Hearings at the Statehouse in Boston since April 14. There is a current cap on the total kilowatts of solar power hookup to the electric grid. It’s called the “net metering cap.” Businesses that already build systems that are over 28 kilowatts have hit the cap. They’re stalled. They can’t tie onto the grid. They’ve built the solar systems, but they can’t tie up to the grid. And way back in June I was shocked by the testimony that I heard from the representative of National Grid in an answer to a question posed by the chair of the committee, Benjamin Downing: “Okay, so how many applications for solar hookups have come in since March 20, when you hit the net metering cap?” And the representative of National Grid replied, “5,600 applications.” March 20 to a June hearing, mid June. “So how many kilowatts does that represent,” said Benjamin Downing. “225 kilowatts, or one percent of total capacity in a month.” So why are we considering natural gas infrastructure at all when we could make a rapid transition to a fossil fuel-free future with no pipeline, using solar and the three to four gigawatts of potential wind energy that those giving testimony said was available off the coast of Massachusetts and Rhode Island, if we lift the net metering cap, foster community-based solar, and build windmills. Thank you.

MOLLY CHAMBERS: Good evening. Thank you, Senator Rosenberg, for taking the time to make this hearing possible. We really appreciate your concern in this area. My name is Molly Chambers, C-H-A-M-B-E-R-S. Speaking personally as a resident of Greenfield since 1973, I have cherished living in a place where our forests, lakes, rivers, farms, and Native American historic sites have been protected until now from damages such as this pipeline would create. This protection must continue. The Nolumbeka Project is investigating the danger the pipeline presents to these Native American sites. I’m somewhat concerned that no one else has spoken to this concern yet this evening in this group. I’m also authorized to speak for Judy Phillips of Northfield, whose home is on Orange Road, about one mile from the site of the proposed compressor station. She states that she and her neighbors worry about the blasting and digging of the pipeline, drinking their water system and supply. I know she cherishes the wonderful well water which she receives in her home and really feels that this is endangered by this compressor station. She also fears that if the compressor station exploded that they would be in grave danger or worse. For these and many reasons, Judy and I strongly oppose the construction of this unneeded pipeline in Franklin County. Instead, we seek the development of more renewable energy sources and energy conservation efforts. Thank you for your consideration of these comments.

SENATOR ROSENBERG: While you’re coming to the microphone, let me point out that Paul Brennan, Assistant Attorney General, Special Counsel for Energy Policy, has joined us from Maura Healey’s office.

DAVID FISHER: Lacking a number 24, I’m number 25, David Fisher, D-A-V-I-D, F-I-S-H-E-R, from Natural Roots Farm in Conway. I’m also a member of the Conway Agricultural Commission. And, Sena-

tor Rosenberg, I just want to thank you so much for taking the time to come here and listen earnestly to our concerns over the proposed NED pipeline. After 18 years of incredibly hard work, my wife and I have built a successful organic farm, Natural Roots, here in Conway. It's a beautiful and healthy environment in which to raise our two children. They thrive here and tell us on a regular basis how much they love our farm and never want to leave. But it is not just a nourishing home for our family; our farm is visited by hundreds of customers every week who come for their produce, meat, and eggs and simply to enjoy the beauty of the place. Children swim in the South River and they pick berries by the fistful. Just out of curiosity, maybe with a show of hands, how many folks in the room have lived, worked, or eaten food from Natural Roots Farm? That's a good representation here. I also, in addition to my own comments to you, I'm going to hand you my written testimony to FERC, but I also have here a compilation of many letters, really great testimony, including some great drawings and all sorts of testimony to pass on to FERC, if you would. You can enjoy looking at the pictures and reading the commentary on your train ride down to DC. Our community is deeply invested in our farm and has supported us through several floods and natural disasters over the years, including Hurricane Irene, when a lot of our produce was washed away out of our fields, and some of our fields were permanently altered. But from where we stand, right now the proposed NED pipeline poses the greatest threat that our farm has ever faced. I'm deeply concerned about all of the issues that are being discussed tonight, ranging from habitat destruction to the contamination of drinking water to the real risk of explosions, especially in our area where the lowest grade of pipe would be used. One issue that is particularly disturbing to me, however, involves the remote blow-off valve located on the TGP NED route map, about 600 feet east of Shelburne Falls Road, just about a mile above our farm. These valves are designed to periodically vent gas in the pipe to regulate pressure. And, along with the discharged gas, are residual amounts of over 60 hydrofracking chemicals, including many proven carcinogens, neurotoxins, and endocrine disruptors linked to cancer, infertility, and impaired neural and immune function. When released, the gas and chemicals would travel with the prevailing wind, which would bring this mixture directing over our farm. These chemicals are heavy and readily settle out, which would mean that my wife and I, our two young children, all of the crops and animals on our farm, our employees, and all of the families who eat our produce would very likely be exposed to these carcinogenic chemicals. Countless independent researchers, many of whom have spoken this evening, industry studies such as the GDF Suez, and even the Massachusetts DPU's former head, Ann Berwick, have clearly established that there's no need for increased natural gas supply in Massachusetts that cannot be addressed by proper maintenance and management of existing natural gas infrastructure, improved energy efficiency, and conservation measures alone or in combination with investment in renewables, all of which are already essential in this time of global warming. Furthermore, the projections for the gas yield of the Marcellus Shale are continually shrinking, making the investment and the risk in infrastructure of this scale absolutely absurd. As we weigh the information before us, we realize that the question we are dealing with here is not actually whether or not NED is justified, as that question has been clearly and decisively answered. The question we are dealing with is whether FERC will proceed in accordance with its mission and the due process of law, or whether they will exhibit corruption at the highest level of government. Thousands of people are watching them very closely. Senator Rosenberg, I urge you to remind FERC that they have an obligation to protect and serve the well-being and safety of the American citizens. If they pander to the interests of corporate giants such as Kinder Morgan, they will not only compromise ecological and human health and safety, but they will undermine the fundamental institution of democratic government. Thank you sincerely for your efforts towards a safe and healthy future for our children's children.

SENATOR ROSENBERG: So as the next speaker approaches the microphone, let's do a quick progress check. We have 65 people who are signed up. We've heard from 25 so far. What I'm going to suggest is that somewhere in the next 30 minutes or so that we have to do one of two things, because we have to give the stenographer a bit of a break. We either need to have several people in a row who are going to read their testimony and we will hold it aside and make sure that you have them, and we will then proceed, once she returns, in the fashion we've been going so far, or we literally take a ten-minute break and reconvene, and, if

we do that, then we will reconvene exactly ten minutes after we start the break. And, so, I'm thinking about both of those options, and we'll figure that out in the next few minutes. So, please proceed.

BARRY PFANNEBECKER: Number 26, Barry Pfannebecker, B-A-R-R-Y P-F-A-N-N-E-B-E-C-K-E-R. I'm from South Deerfield and these are comments on the Draft Environmental Report, FERC Docket No. PF14-22-000. This report lacks design details for construction and environmental regions or acknowledgment of environmental design constraints anywhere along its path. For example: (1) The only objective is in the Environmental Construction Plan for Massachusetts, paragraph 1.1, and states, "general Best Management Practices before, during, and after construction to minimize erosion." This neglects any of the obvious environments and those that have been provided to FERC by other parties. (2) The report states that for the majority of waterbodies (they mean rivers) the pipe will be buried a minimum of five feet. This is unsubstantiated by acceptable geological and environmental information. (3) TGP states that sensitive waterbody information is defined in the Data Response Matrix, Comment ID 17, page 9. However, Appendix H and Appendix L, as referenced, do not do so. This neglects the requirement and is non-responsive. (4) It is known that both temperature and pressure vary along gas pipelines. TGP has not defined the temperature profile in the pipeline and the long-term impact on the associated environments. This is unacceptable. (5) The Wetland and Waterbody Crossing Construction and Mitigation Procedures states the Director of the Office of Energy Projects will consider a variance if "a portion of this Plan is infeasible or unworkable based on project-specific conditions." This almost assures that an issue can be overridden by a government agency that does not understand environmental impacts to Massachusetts and is unacceptable. (6) The Upland Erosion Control, Revegetation, and Maintenance Plan, paragraph 1A, allows project sponsors to specify measures they consider unnecessary, technically infeasible, or unsuitable due to local conditions. Again, this almost assures the granting of a variance without understanding its impact and is unacceptable. To summarize, this report neglects design details by the use of empty industrial terms such as general best management practices, TBD, minimize, and "to the extent practicable," and indicates a lack of knowledge or interest regarding the local environments, particularly since TGP can apply for a variance whenever they say a solution is "unnecessary, technically infeasible, or unsuitable." This suggests a negligent approach to construction and the project should not be allowed to proceed. There are more requirements that pertain to the construction of a house than pertain to the construction of this pipeline.

BILL COPELAND: Thank you, Senator Rosenberg. This was a great idea. Tell FERC, very creative, very necessary. I hope there are representatives from Kinder Morgan here because you need to hear this: Our region leads the way nationally in the effort to decrease fossil fuel use and to create a sustainable energy future. We also lead the nation in reforesting our public and private lands. The NED Pipeline Project is a huge commitment to proceed in exactly the wrong direction. Of the many harms that this project would cause, none is greater than the damage to climate. Over a 20-year horizon, methane has nearly 90 times the heat trapping impact of carbon dioxide. Kinder Morgan states that it will, as part of normal operations, release this gas under pressure periodically. It will lose even more by leakage, ensuring that the climate impact of this fuel is more than tripled. The National Academy of Sciences has recently estimated leaked volumes of 3 percent from pipelines in the Boston area. This amount of leakage is unintentional, may be unavoidable and does not even account for the leaking at fracking sites, wellheads, or in homes. To say that natural gas is a clean fuel ignores the fact that its primary constituent is a planet-killing greenhouse gas that cannot be fully contained. For more information on the role of methane and earth's climate history, you may search "Permian Extinction, scholarly articles." The iconic forests and farmlands of Western Massachusetts are a model of community-based conservation for the entire country. Having recovered beautifully from near-total land clearing, our forests now capture and sequester three to four tons of carbon per acre per year and will continue to do so for a hundred years. Small farms and woodlots invigorate and stabilize our local economies and create the scenic backdrop for our vital tourism industry. The forest canopy, the little layer and the soil beneath all act as filters for water and air. The mosaic of undeveloped lands here provide sanctuary for diverse native and migratory species. Even if they are careful, the NED Pipeline Project will permanently deforest over two square miles of this well-stewarded land. It will damage wetlands and aquifers, introduce

and spread invasive species, create barriers to animal movements, decrease primary production and wildlife habitat and degrade the appearance of the landscape. If they are not careful (and what is to motivate them once they have the green light), it could easily create a huge mess, undoing years of work by local conservation groups. The proposal is therefore especially galling because it is grossly insensitive to our history and values. One has to assume that those who support this project are themselves inured to these values or blinded by distance and greed. Efforts to secure sustainable energy supplies for our future are well under way in our state and should be ramped up, something our governor supports. Repairing leaks can increase supply; improved heating efficiency and insulation can reduce demand; alternative energy sources further increase supply; improved appliance and vehicle efficiency further reduce demand. Infrastructure investments at this time must be focused on grid stabilizing energy storage, efficiency, and carbon neutral sources, not new pipelines. We are at an historic time of transition and nothing else makes sense. Those in a position to influence the fate of this project should be mindful of the commitment to sustainability that our region has embraced and take notice of our fierce resistance to ethical compromise. The permanent legacy of water, land, and climate degradation that would be inflicted by the project despite the reasoned opposition is intolerable. Our opposition to the energy pipeline project will not end until the project is stopped.

SARAH PIRTLE: Number 29. My name is Reverend Sarah Pirtle, S-A-R-A-H P-I-R-T-L-E. I'm speaking tonight as an educator, as a parent, and also as a chaplain. I want to thank Senator Rosenberg for this hearing. And, in the very beginning, you were saying we're looking tonight for an outcome with a framework of what could constitute a fair and reasonable decision from FERC. With all of the powerful testimony tonight, it seems that the framework that's emerging is that it's not needed, that it's an export project, that it's dangerous, and that instead we need an alternative to this pipeline. My theme tonight, I want to represent and speak for the young people. So I'd like us to imagine the tens of thousands of young people not only in the county, but we've been talking tonight about the wide influence, that people are watching us. Do we stand up? So here are four things that would happen for them: So, generations have secured protected state forest. Generations have made possible the 150 land trusts that we heard about tonight. And that wetlands would be used for storage of building materials. You know, right there, that just -- it's sort of -- it's emblematic, just totally disregarding the essential need of water. Groundwater contamination and protecting Native American historical sites that have just come to light. So, the Pocumtuc people who've lived here, the values that they have, can you imagine, would it be true that right at Woolman Hill, where the last Pocumtuc village is that there would be the pipeline, or where Juanita Nelson's house sits just a few yards away. It's unthinkable and we can't let it happen. I've been a homeowner in Shelburne Falls for 22 years. In Shelburne Falls, we're one of 55 towns, we not only come out in opposition to the pipeline for Shelburne, but for anywhere. And so, for young people to have to watch that these careful legislative bodies have said no, and yet somebody would override it is -- it's unthinkable that they would have to live with a ticking time bomb with a sense of words like incineration zone. How would that affect the stability of our social fabric? Mental health? Would there be increased teen suicide? These are questions we have to be asking ourselves. How would we explain to a young person that beloved places like Natural Roots Farm have been threatened when these are rare jewels. So, in closing, I urge FERC to include in the framework the responsibility to young people and future generations. May young people watch our perseverance. May they watch our moral courage. This is our homeland. The essence of democracy and sovereignty is at stake and we are taking together a moral stand.

ANN GIBSON: I'm number 30. My name is Ann Gibson, A-N-N G-I-B-S-O-N, and I speak for the Town of Conway Board of Health, of which I'm a member. Thank you, Senator Rosenberg, for holding this public hearing and for delivering our comments to FERC. The proposed Tennessee Gas Pipeline Project, which crossed the Town of Conway over nearly three-and-a-half miles will specifically and significantly impact the Town in multiple ways. In addition to the Town's concerns about the impact on environmentally sensitive areas, the Board of Health has particular concerns about a number of things: One, the impact on the quality and flow of water in wells, streams, and groundwater aquifers. Two, noise during construction and operation, particularly in light of the location of a mainline valve in the town. Three, the impact of planned and unplanned gas releases on air quality. Four, the impact to roads, bridges, and related infrastructure, particu-

larly during construction. Five, proximity of the pipeline to high-tension lines. And, six, emergency access. I'd like to make two points: First is about public health. It is the mandate of the Board of Health to be vigilant about the health and safety of our community. And the health of our community is directly related to the health of the environment. If the quality of our air, our drinking water, or our farmland were compromised in any way, our collective health would be compromised. The body of literature on the health risks associated with the transporting of gas by pipelines is not yet well-developed. But the lack of evidence that something is harmful is not proof that it is safe. The Conway Board of Health is not willing to risk the public health of our citizens. The second point is about need. There is mounting and persuasive evidence that there is no need for this project. Alternatives must be explored, such as repairing leaking pipes, implementing efficiency, conservation, and improved storage measures, and developing clean energy. Kinder Morgan has yet to make a convincing case for the need, yet the risks to our community are great. We, the Board of Health of Conway, therefore join with others in asking FERC to provide a full assessment of the need for this project. We ask that this assessment include a comprehensive analysis of alternative solutions, and consider the cumulative environmental impacts of the NED Project in conjunction with all other projects aimed at meeting the energy needs of the Commonwealth. There are alternatives to this risk-filled project. Together we can create them. Thank you.

GARRETT CONNELLY: Garrett Connelly, C-O-N-N-E-L-L-Y, Number 31. The Bacharach sampler is something I'd like to bring up, especially for all the government politicians and everybody. The Bacharach sampler is a tool used to sample methane, and that sampler is what's used on all the pipelines, all the tanks, all the wells, all the seals that go around all the wells, and it's been used to project that natural gas is a bridged fuel. The thing is is that I don't read newspapers much anymore, because they're all so full of it, so I mostly read science magazines nowadays, and the Bacharach sampler has been used incorrectly to determine that gas is a bridged fuel. If you use -- according to the science magazines -- nature, science, all the different periodicals, this sampler has been used incorrectly, and the decision that natural gas is a bridged fuel, based on using this sampler, is completely false. It may very well be that natural gas is worse than coal. So, here we are, discussing some hair-brained scheme, a corporate scheme -- something like a communist scheme, to get the people to pay the money for a crooked corporation that only exists because it skipped out on the pension funds of the people who worked for the gas manipulating company; they took the assets and ran. And the people that had pensions lost their pensions. That's what Kinder Morgan is. So let's step back a second and look at the world we're in. There's another pipeline going for export in British Columbia. Kinder Morgan. It's going right into the harbor where the killer whales live. Homeland for killer whales, home water for killer whales; the very center of the killer whale culture is where Kinder Morgan is taking the pipe for export or out through the Pacific. There's a huge pipeline going across Texas down into Mexico. There's another one coming through here to go over into Europe after they overthrew Ukraine. They want to frack Ukraine, too. The thing is, these corporations are reducing us to an extraction economy. And look what happened in Guatemala, okay. The president is in jail. The vice president is in jail. They're in jail because they work for these kinds of companies. So we're talking here a democracy, an undermining democracy. That's what their extraction industry does. The first thing it does is -- does that mean I'm done, when you put up the red? Ladies and gentlemen, America is on the line here.

VINCENT DEVITO: Good evening. I thank you for tonight. Vincent Devito on behalf of Northeast Energy Solutions. Northeast Energy Solutions has, through its members, represents about 180,000 citizens who own, collectively, about 50,000 acres of conservation restricted land. With regards to Kinder Morgan, I happen to agree that they -- we should not expect them to be a good corporate citizen in the Commonwealth. But, more to point, I think I'm going to mention a few things with -- in regulators' jurisdictions that haven't been mentioned yet. And I'll run through, most importantly, with regards to the scoping proceedings of which are continuing tonight: That on Friday, August 28 of this year, the United States began enforcing a new rule called the Waters of the United States Rule. That particular rule expands federal jurisdiction over small waterways, like streams and wetlands. Unfortunately, the impact of this new rule was never disclosed or discussed by Tennessee Gas Pipeline; not before tonight or any other scoping hearings or documents they

have filed with FERC. This particular rule opens a whole new line of questioning as to federal jurisdiction and landowner responsibilities. In fact, as a result of that rule, a landowner in your Senate district or elsewhere in the Commonwealth could potentially be liable for nearly \$40,000 per incident per day in the form of a fine by the EPA for a pipeline breach attributable to the TGP, not yet discussed. As such, this scoping process, as it has been run so far, is defective and it must be continued until this new rule is discussed and the potential impact of that rule is addressed. Moreover, the failure of Tennessee Gas Pipeline to disclose that rule's potential impact during the public process further discredits Tennessee Gas Pipeline and their self-purported transparency and assertions of governmental and public cooperation. This is a pattern of TGP. TGP and Berkshire Gas have continually misrepresented data to elected officials and regulators, all of which is proveable. Most recent was the lack of disclosure to the Department of Public Utilities by Berkshire Gas. Through an entire evidentiary proceeding, they claimed that their moratorium on new customers could only see its demise if Northeast Energy Direct is built. Berkshire Gas summarily dismissed all alternatives and assured accuracy of their testimony to state regulators. Not until that evidentiary proceeding at that meeting was closed did Berkshire Gas reveal their investment interest to the pipeline. At a minimum, this is a breach of the company's fiduciary responsibility on a regulated utility. In fact, NEES charged in a letter to the attorney general this month, who has been responsive, that the investment in a proposed Tennessee Gas Pipeline Project without disclosing it publicly until mentioned by NEES needs to be closely examined. Further, it is certainly time that Berkshire Gas explain to the public the impact of the moratorium on present and potential future demand of natural gas in Hampshire and Franklin counties. I'm going to skip through a lot, I'll be submitting something that will cover this, because my time is up. Ultimately, despite what Tennessee Gas Pipeline and Berkshire Gas have been trying to sell to this region, the issue is not one of supply, it's one of capacity. Tennessee Gas Pipeline is not the only way to bring natural gas supplies to Berkshire. An August 24 -- this is important -- an August 24, 2011 order by FERC, an Order Issuing Certificate for the Northampton Expansion Project, which I found through research, expressly intended to serve Berkshire Gas, thereby avoiding a moratorium. That's the Northampton letter. It exists. And its intended purpose is stated in a FERC order that came out in 2011. Tennessee Gas Pipeline and Berkshire Gas want to build a bazooka and all we need is a peashooter. Thank you for your patience.

SENATOR ROSENBERG: So, we are going to hear from Carolyn, who's number 35, and then we're going to take a ten-minute break. And again, when Carolyn finishes, I'm going to look at the clock, and that's when the ten minutes begin, and number 36 please be at the microphone exactly ten minutes later.

CAROLYN NESS: Thank you, Stan, for holding this hearing. My name is Carolyn Ness, N-E-S-S. I'm a member of the Deerfield Select Board and the Board of Health. The Town of Deerfield has submitted to your staff our comments to FERC that we sent in at the end of August. The Town of Deerfield remains especially concerned about the lack of horizontal drilling information that will occur under the railroad, under Interstate 91, under the Deerfield River, the contaminated rail yard, aquifer, and the Connecticut River. There's destruction to our archeological sites and loss and damage to our agricultural lands and town. These are our major concerns; we have many pages that we submitted. I have worked with you, Stan, for really decades as a public official, and the Town of Deerfield now asks you to use your position, your expertise, and your interest in long-term policy, which you have always presented to us, to stop this pipeline. The Town formally requests a suspension of the FERC process and a no-action alternative analysis be done, as well as a full evaluation of the attorney general's report when it comes out in October. We formally request that of you. Over the past year-and-a-half, the Town of Deerfield was appalled to learn that, to save money, about 30 to 40 percent on the construction costs, a thinner pipe and lesser grade wells was being proposed for the pipe to go through the Town of Deerfield and through all the other towns because we are rural. Over the next several months, we did lots of research. As Polly Ryan had articulated, there are certainly other things we would love to do. But after doing so much research, it led to the Board of Selectmen having voted against a resolution against the pipeline on August 20, 2014. On October 22, 2014, after an exhaustive public hearing process and much research by the Town of Deerfield's Board of Health, which we are a select board, we issued a cease and desist order for all Kinder Morgan activities in the town based on their safety record. It was

absolutely appalling. The Town has continued to be engaged in this process, where we had nearly a hundred people attending our August 12 meeting to prepare comments to submit to FERC. What has emerged over the year and a half is that seven pipelines proposed for New England is clearly not for domestic use and not for use here in Massachusetts. The glut of fracked gas now is on the domestic market and they are having a time getting it to market. But once the LNG tankers start across the Atlantic to Europe, this domestic market becomes an international market. We reserve space on the pipeline but we pay the going rate, the international rate. Our utilities are switching to fracked gas generation, our rates will go up when the international pricing kicks in. The Marcellas fields are estimated to produce for the next 10 or 15 years at the current rate. If we ship out all this gas, all seven pipelines shipping and sending out the LNG tankers, we could have as low as five years. What the bottom line here is, there is no domestic pricing protection and there is no domestic supply protection. This is really critical. By continuing to rely on fossil fuels, we are not meeting our state's agreed goals. We are having hundred-year storms almost every other year. We are dealing with regular destruction and states of emergency on a regular basis. Most of us are on very familiar terms with the FEMA teams. My four kids played in the yard of our home, they rolled around in the lawn. My grandkids can't even cross the same lawn without getting ticks and having to do tick checks. The bugs, mosquitoes. They have to have bug spray to keep the mosquitoes away. They have West Nile virus and Triple E. As chair of the Board of Health for well over a decade, it's incredibly frustrating to say to people, "Check for ticks daily, patrol your yards for standing water." This is so awful. We have climate change now. We have to do something now. Please help us. Thank you.

SENATOR ROSENBERG: We'll reconvene at 8:11. And we mistakenly skipped over number 24, so if you will be at the microphone at 8:12, we'll begin with your testimony. (Brief recess)

SENATOR ROSENBERG: We're now at number 34. We'll go to 27 and then we're going to 36.

BARBARA LEMOINE: I'm Barbara Lemoine and I live in Northfield. The proposed Kinder Morgan pipeline story needs to be rewritten. Like all stories, there should be a beginning, a middle and an end; a logical sequence that makes sense. First, the beginning: Before even a route is suggested and eminent domain mentioned, the question of whether the Northeast requires this project is basic. It is apparent that the amount of natural gas that would be transported far exceeds the need. FERC's concern must start with the need of citizens. Allowing private lands and public lands to be surveyed, taken by eminent domain, and then irrevocably altered must only be done after clear need is established. This has not been done. The lives of residents, towns, and the environment should not and must not be jeopardized so that a corporation can export natural gas overseas. The middle part of the story must be the foundation of planning. Thorough and complete plans for the towns, Massachusetts officials, and citizens must be available. "To Be Determined" is not sufficient. Is there a route with lesser consequences? Again, if there are adverse consequences, how can eminent domain and trespassing on private land and restricted and conserved land be possible if there is no public benefit? Third, how will the pipeline be placed and maintained under the Deerfield River and the Connecticut River? How will leaks be detected under these and other smaller waterways? Kinder Morgan has not been open and transparent in their dealings with citizens and government officials. Can we make the leap of faith to guess that any leak or problem would be immediately rectified, or would it go ignored? In the vicinity of the proposed route are sites of historical importance, including early homesteads and sites both identified and not identified as significant to aboriginal peoples. How will Kinder Morgan ensure that sites are not disturbed, including artifacts and human remains. Third party archeologists, naturalists, and geologists must be on site in conjunction with Kinder Morgan agents. I circle back to need. Senator Rosenberg, thank you for holding this meeting and listening to your constituents. Thank you.

ROWAN MCKEON: My name is Rowan McKeon, R-O-W-A-N M-C-K-E-O-N. Good evening and thank you for giving me the opportunity to present my thoughts on the Kinder Morgan NED pipeline. My name is Rowan McKeon and I've just begun the 7th grade this week. I think my perspective on this discussion is an important contribution. While you have the responsibility to vote and make the decisions about whether or not to construct this pipeline, I'm part of the generation that will have the responsibility of dealing with

the effects of your actions. I'm concerned that I'll be cleaning up after the mess that you have made, and my mom tells me it's not right to make a mess and expect others to clean up after you. The fact is, I have a few serious questions for you this evening. Can you assure me that this is the best choice for our energy needs given the long-term effects of land contamination that you will leave behind? I am concerned about the harmful chemicals that will seep into the ground in the area of the pipeline, leaving the land and waterways useless and valueless. Can you promise me that you are making this decision with full awareness of how wasteful fracking is in terms of water usage? As far as I can see, my generation will be focused on finding solutions to providing clean water as your generation has been focused on solving energy questions. Can you imagine that the world you would create by building this pipeline is a world you would want to live in in 15 to 30 years from now? Pipeline explosions, poor air quality, and destruction of natural environment seem like risky irreversible downsides to this short-lived energy "solution." Can you promise me that you've considered all the options available for meeting our energy needs for the present and future? Is this really the best you can come up with? I ask you smart people in the room charged with making the best decision here to do just that. You have an opportunity to do the right thing, set a new standard of excellence, and launch forward thinking. Don't let me down by leaving me with bigger problems to solve. Believe me, there's plenty of other important work to be done in my lifetime besides cleaning up after your mess. Thank you for your thoughtful consideration of me and my generation.

NINA KELLER: Hi. Good evening, Stan, and everyone. I'm Nina Keller. I'm the chair of the Board of Health in Wendell, and I have spoken at all the other opportunities to be heard by the feds and the state, and it's great that you're here. We've waited, we trusted in your recognition of what this part of the state needs and has been asking for. If Kinder Morgan had come into our community, not as offspring of Enron, even if they had, some people do evolve, but if they had come here and said, "We are going to finance solar panels on every house in this area, we are going to train all of the GCC and anybody who wants a job," there would have been a very different reception for Kinder Morgan. These are not good neighbors. And what we need to hear from you is an affirmative "Stop wasting our time, Kinder Morgan. It will never happen here. This is a fiercely savvy community who understands environmental progress and it will never happen here." So please help us stop wasting our time on this fruitless, polluting, horrible concept. And thank you and we look forward to hearing from you saying, "No, absolutely not, Kinder Morgan. You're in the wrong world."

DOUG WHITE: Hi. My name is Doug White. I'm from Greenfield. I'm an international environmental activist and independent journalist, and I'm also the founder and president of a local not-for-profit called the National Alliance of Concerned Americans for the Well-Being of All People and Earth, Inc. The title of this piece, this short piece, is Why We, the People, Must Defeat This Unnecessary and Unhealthy Natural Gas Pipeline. First off, LNG gas is clearly underutilized and can fully meet the needs of Western Mass., so this pipeline is truly not needed. Tennessee Gas Pipeline, a division of Kinder Morgan, has never clearly shown via any hard science that this natural gas pipeline is needed. Clearly, if you combine LNG and factor in other things like energy efficiency and renewable energy development, Western Mass. will have all the energy we need for heating, cooling, and electricity for a very long time to come. Number 3: At least 70 percent of Tennessee's natural gas will be sold to Canada and Europe. So, clearly, they're in it for the money, not really to supply gas that we don't need. Their argument that we desperately need their natural gas is totally false. Number 4: In the last 20 years, Western Mass. has made incredibly great strides in its development of wind and solar, and we ought to be given credit for that. And it's very important, both for our own economic self-sufficiency as well as our healthy sustainability, to continue the development of wind and solar. Stay on that course because it's the only course that's going to make it possible for the United States and the world to be healthy and sustainable and to survive. It's the only course. Number 5: Today the whole world is severely impacted by a colossal global warming burning climate change crisis. We are in crisis. We've been in crisis. We are continuing in crisis. We are now nearly at 400 parts per million of harmful greenhouse gases which we actually hit two years ago. And when I interviewed him in front of the White House in Washington, D.C., esteemed climate scientist, former head of the NASA climate change program, Dr. Jim Hansen, told me, when I interviewed him, that "we must get below 350 parts per million in order to be sustainable but

also in order to survive.” And I don’t see how this project helps us do that, quite frankly. Obviously, one of the major solutions to our global warming burning climate change crisis is a hundred percent renewable energy revolution, and since our log-jammed moribund Congress continues to fail the American people and the world by not slowing and stopping our poisonous fossil fuel emissions, it’s up to we, the people, to do it. Locally, statewide, bio-regionally, whatever it takes, it’s up to we, the people. We’re the ones that have to take the stand and make it happen. In conclusion and in truth, Kinder Morgan’s natural gas pipeline is not needed and it’s not wanted. Thank you very much.

TOM MINER: Good evening, Senator. My name is Tom Miner, number 37. T-O-M, M-I-N-E-R. I’m representing the Shelburne Select Board, which is meeting tonight so that their members are not able to be here to deliver any comments to you. I’ve been a member of the advisory committee that was set up by the Select Board to look at the pipeline issue and has helped develop comments that the Town will be submitting. Speaking for the Select Board, I first of all want to thank you, as others have, for giving this opportunity for local voices to be heard on this issue, which affects all our lives, for a goal of the corporate sponsor is to use our pathways to get gas to another part of the Commonwealth and beyond. A month ago the Select Board, in response to voices from the community and recommendations of the advisory committee, unanimously passed a resolution of opposition by the Town of Shelburne to the pipeline, and we will be conveying that together with scoping comments to you to deliver that packet that goes to Washington. Again, thank you.

SENATOR ROSENBERG: Thank you.

WHIT SANFORD: Good evening, Senator Rosenberg. My name is Whit Sanford. I’m number 38. My nickname is spelled W-H-I-T. My last name is S-A-N-F-O-R-D. I submitted, I don’t know, 12 pages of comments to FERC already and have sent you the copy of those. And much of my comments tonight do not repeat what has already been said because I want to focus on two issues that I think are relevant to our rural economy and to also something that I call rural equity. The NED pipeline will have a huge impact on rural areas like the Berkshires, where tourism, farming, forestry, and outdoor recreation are a significant and growing part of our economy. These businesses and industries are based in and dependent upon the quality of our lands and waters, the scenic beauty of our mountain landscapes, the rural character, culture, and heritage of our communities and the well-being of our natural and historic resources. In essence, the quality of our rural and natural and cultural resources are inseparable from our efforts to grow the economy of the Berkshires and Franklin County. If the pipeline goes through, it will compromise the region’s prosperity and sustainability and the ongoing public and private efforts in Massachusetts to address climate change and transition to renewable energy sources. In fact, the pipeline will contribute little to our prosperity. Few, if any, full-time year-round jobs will be created in our area even as the pipeline crosses and scars our rural landscape. Only a very small percentage of the Marcellus Shale gas transported by the pipeline will be used in the Berkshires. Instead, the pipeline will change our communities and weaken our economy because it is an industrial use that heretofore has not existed in northwest Massachusetts. And it runs counter to our growth. It will impair the operation of our farms and the management of our forests, the protection and restoration of our waters and wildlife habitat and the preservation of our scenic beauty. This creates an inequity. Rural areas are forced to bear the financial and economic burden of the pipeline while the people and businesses elsewhere reap the benefits of the low electric rates and Kinder Morgan and TGP profit from the pipeline year after year. I’m way past my time, so I just would like to say, Senator, to please have FERC really study not only the environmental implications of the pipeline but the economic implications, and also begin to think about the environmental services that rural regions provide not only to our regions but to the Commonwealth and to New England as a whole. We have gotten basically short shrift with respect to that, and I think it’s time that the Commonwealth begin to recognize the value of our rural landscapes and natural resources as it pertains to climate change. And then also to ensure that Kinder Morgan and Tennessee Gas begin to reimburse those landowners for the value not only of the use of their land but for the crops and other uses that the landowners will no longer be able to use or have because the land is owned by somebody else and taken by somebody else. Thank you.

JERRY WAGENER: Number 39. Thank you, Senator Rosenberg, for this session. I'm Jerry Wagener, W-A-G-E-N-E-R, with the Northfield Open Space Committee. This proposal is a bad deal for the nation, the State of Massachusetts, and my local community. It's a bad deal for the nation because it would significantly increase the greenhouse gas-producing infrastructure with its associated foot-dragging on dealing with the climate change problem. The U.S. should be playing a leadership role in addressing this problem. If we, as the strongest, most influential nation in the world, do not provide such leadership, future generations will suffer unduly and history will not be kind to the U.S. It is a bad deal for the state because it would set back decades of investment, financially and in terms of human commitment, in safeguarding the environment. Massachusetts has aggressively promoted both permanent protection of open space and adoption of renewable energy infrastructure. These laudable goals have become part of the state's identity, with widespread support and involvement of residents, to say nothing of financial support by the state and individuals. This proposal flies in the face of this spirit of conservation, will adversely impact many of the associated achievements, and discourage further forward-looking commitment. It is a bad deal for the community because it would be a permanent major setback to the tranquil magic of life in a pastoral rural environment. The distinctive characteristics of this environment are open space (farms and forests), walking/skiing trails, quiet surroundings, good air, and good water. All of these characteristics would be degraded by this proposal; the community would thus be transformed adversely. For example, the pipeline and its compressor station would be located on or adjacent to a much permanently-protected land in the town. The compressor station would be within sight and earshot of the "nerve center" of the community's trail system, including along a long stretch of the New England National Scenic Trail. The pipeline and compressor station would be at the top of three watersheds that supply much of the town's drinking water and, thus, over time, adversely affect the town's water quality. Likewise, with occasional venting of the pipeline, not to mention possible breaks and compressor pollution, air quality could be degraded. The compressor station, with its massive industrial footprint and presence, would certainly be a white elephant in this peaceful rural community. This proposal is a bad deal for the nation, the state, and the community. Thank you.

JUDY WOLTER: Number 40, Judy Wolter, J-U-D-Y W-O-L-T-E-R, of the infamous Gulf Road. "Natural" gas ingredients, besides methane: Hexane, octane, butane, methylpentane, propane, benzene, naphthalene, toluene, styrene, methanol, formaldehyde, ozone, lead, hydrofluoric acid, sulfur dioxide and various sulfides, various nitrogen oxides, many of which I can't pronounce, carbon monoxide, silica, and various other particulates, as well as over 700 fracking chemicals (undisclosed, thanks to Halliburton, et al), and don't forget radon (as in radioactive, as in the number one cause of lung cancer in nonsmokers). You call that natural? What are these ingredients? Poisons. Meaning irritants and allergens, endocrine disruptors, neurotoxins, mutagens, carcinogens feticides. What do they do to you? They make you sick, they kill you, and they deform and kill your offspring before they are born or in future generations. No wonder the majority of doctors and biologists polled are against fracking. Studies show that living within two miles of a compressor station may be more dangerous to your health than living around the fracking wells themselves. People in these areas experience symptoms like nausea, sinus problems, tiredness dizziness, throat and eye irritations, frequent headaches, muscle aches, joint pains, allergies, sores and ulcers, ringing in the ears, urinary tract infections. Well, not too bad. Endurable and mostly treatable. Let's go on. Difficulty in concentration, forgetfulness, amnesia, depression, severe anxiety, personality changes, staggering, decreased motor skills, abnormal EEGs, other nervous system disorders. It's getting worse. Irregular and rapid heartbeat, severe nosebleeds and bruising, strokes. Breast lumps, spleen, and thyroid problems, cancerous lesions, liver and kidney problems, reduce reproduction, aplastic anemia, cancers, miscarriages, birth defects. Enough. Plus loss of hearing from the noise. Create jobs? You bet. For health care workers and undertakers. Leaks? There sure are. You can identify them because the stuff is so toxic it kills the grass and trees around them. Toxic gas leaks from valves, connectors, flanges, threaded unions, ties, plugs, caps, hatches, valves and instruments, gauges, vents, all kinds of places, not to mention the blown-up pipes. And, with time, corrosion increases. Leaks increase. Plus, there are massive leaks in scheduled and accidental blow-downs with plumes of this stuff rising 200 feet in the air, lasting 30 minutes to three hours multiple times a year. Beginning to

feel not so safe? Even the Wall Street Journal criticized Kinder Morgan's horrible safety record and its tactic of minimizing maintenance to maximum profit. The PHMSA, which is the Pipeline and Hazardous Materials Safety Administration, has identified a long list of failures to update the maps, test safety devices, maintain firefighting equipment, monitor corrosion, et cetera. From 2003 to 2014, Kinder Morgan had 180 spills, evacuations, explosions, fires, and fatalities, not just leaks. At least seven human beings have been killed, including by instant incineration. Who can trust natural gas?

SENATOR ROSENBERG: I'm sorry, we're going to have to ask you to wrap up. Thank you.

RON COLER: Number 41, Ron Coler, R-O-N, C-O-L-E-R. Senate President Stan Rosenberg; that's got a real nice ring to it. Thank you so much for doing what you've done here and providing us the opportunity to come before you and to actually listen to our comments. I'd also like to thank everybody that's here who are either speaking or just coming in solidarity to this common cause. I live in Ashfield, and I, with my family, have lived in that town for 20 years off the grid. We -- if there's anyone who questions the ability to do so or the concept of conservation, you are invited to welcome them to my house and I will show them that it is possible in the Northeast. But I am less here for personal reasons than I am for governmental reasons. I am a select board member in the Town of Ashfield. And the Ashfield, my Ashfield constituency, which I take very seriously, has voiced their opposition to this project in the development of this pipeline. I have before me a resolution, which I've left in the box in the back there, which was developed at our special town meeting on June 23, 2015. And it is a citizen petition resolution to oppose Tennessee Gas Pipeline through the Town of Ashfield. And there are very many "whereases" here, and they deal with issues such as social justice, environmental degradation, irresponsible use of fossil extraction, and so on and so forth, and I will not go, in the interest of time, through every single one of those "whereases," But I will say that I will read the resolve: "Therefore, it is resolved that the citizens of Ashfield, Massachusetts oppose the proposed TGP pipeline through Ashfield and neighboring communities. "2: Hereby call on our Select Board and all relevant town permitting authorities to contest the proposed TGP pipeline. "3: Hereby instruct our state and federal legislators and executive branch officials to enact legislation and take such actions as are necessary to prohibit this pipeline and the hazardous condition it engenders from within the boundaries of Ashfield." I take this charge very, very seriously and will do all that I can do to oppose this pipeline. Thank you.

SENATOR ROSENBERG: Thank you. While the next participant is coming to the microphone, I've just been informed that another ten people have signed up while we were on break. So we now have 32 people who wish to speak from this point forward, which means it's not possible for each person to do three minutes and have each speak. So I'm going to ask each of you now, from this point forward, to please hold your comments to two minutes, and I will have to say something audibly if you go beyond the two minutes so that we can really keep it going. Otherwise, some people will not have their chance.

ALICE SWIFT: I'm Alice Swift. I live in Amherst. I would like to speak about Woolman Hill in Deerfield. Woolman Hill has traditionally been a place of peace and quiet. Woolman Hill Conference Center is a Quaker center where people come for retreats and conferences. During the installation of the pipeline across Woolman Hill, there would certainly be excessive noise and disruption of that peace. It's difficult to imagine quiet contemplation and silent worship while noisy machines blast into the rocky hillside. Trucks coming up that treacherous road to the site during construction and later for monitoring the the pipeline would cause all kinds of problems. The road would certainly need to be widened and improved. Later there would be the possibility of leakage and even explosions. Both would have catastrophic effects on the soil, water, and air quality. The wide swath cut during construction would alter the landscape and mean destruction of many trees. Woolman Hill is not a place that should be permanently scarred by a pipeline that is not needed. We should not be allowing the construction of a pipeline that will be there forever at a time when we recognize the need to leave the gas and oil in the ground. Once that infrastructure is there, it will be extremely difficult, if not impossible, to stop the flow of gas through it. It would be much better to plan for phasing out the use of gas, a fossil fuel that is contributing to climate change.

SENATOR ROSENBERG: Thank you.

PIXIE HOLBROOK: My name is Pixie Holbrook, P-I-X-I-E, H-O-L-B-R-O-O-K. I'm from Conway. It's been a long day, Stan; I'm really impressed with your stamina. I want to thank you. We so appreciate this hearing and to have our voices make it down to D.C. An issue that I'd like to have them investigate further is in regards to the plan to co-locate with the high-tension wires. Our local Council of Governors, the FR-COG right here in this building, had held a public information meeting in May that included a gas industry engineer, whose specialty was pipeline installation. When asked how far away a pipeline should be from the high-tension wires, he quickly responded with, "400, 500 feet." Then, with a lower voice, he said, "a thousand feet." And he went on to explain the dangers of them being closer, and it was very disturbing to all of us that were in attendance. So we're asking, how can Kinder Morgan justify the placement of this pipeline that, in places, runs only 50 to 100 feet away from the high-tension wires? Based on what this engineer said, this is clearly putting our residents at risk. So, next to that, we need to also ask for a detailed plan on how would that be monitored and who would be monitoring the integrity of the juxtaposition; who would that objective part be? It's very disturbing, and I'm sure you would agree with that. In general, we think you should be questioning the ethics of this company. They lie about hiring thousands of people to install the pipeline while, in fact, we know historically they bring in their own crews. They lie about building a pipeline to benefit New England, had open houses with photographs of quaint little buildings but, in fact, the compressor station proposed is one of the largest in the country. We're concerned about the manipulation of their schedules to profit them. And let's not forget the most recent, this ICF international needs study that they just released and they paid for. So I will skip the part about the remote blow-down valve, which is a big concern to Conway but, as so many have said, it's not wanted and it's not needed. Thank you.

SENATOR ROSENBERG: Thank you.

PAT LARSON: 44, my name is Pat Larson, Orange, Mass., and it's L-A-R-S-O-N. I'll try to keep it to two minutes. In my longer comments to FERC, I focused on alternatives and conservation, which you have. Tonight my comments focus on three spots along the proposed pipeline route, which many of you know. These are places that I know from living, working, and raising a family in Franklin County for almost 40 years. I have not only driven past these spots but have also hiked and biked in this area for years. Here I raise environmental concerns about land. First, the Montague Plains Wildlife Management Area is protected. Its purpose is to preserve a unique Massachusetts pine barren. Now each year for the past 15 years, small prescribed burns are conducted to help preserve this sensitive eco-system. What happens with these prescribed burns if a gas pipeline is built across the land? Second, the proposed route crosses the Millers, a tributary of the Connecticut. The proposed route travels down a rocky steep embankment, crosses the Millers and then travels up another very steep embankment to go under Route 2 into Erving. Following heavy industrial pollution of the river, citizens worked to clean up the Millers River for years. It is now a clean, living river. How do we guarantee that water contamination will not happen along the river if there is horizontal drilling under the Millers? The third site I was going to mention is the old M&M Trail which is now part of the New England National Scenic Trail that was set up in 2009. And federal funds have been used to help support parts of this trail. Now the NED pipeline could cross the trail. It's a trail used by thousands each year where, standing on a high lookout, one can see for miles and wonder how this spot has survived unblemished. I ask that FERC investigate and report on how there will be no impact from possible blasting on steep terrain, how a sensitive eco-system will not be impacted, and how water from rivers will not be contaminated. Thank you.

SENATOR ROSENBERG: Thank you. Number 45.

NANCY HAZARD: Nancy Hazard. N-A-N-C-Y, H-A-Z-A-R-D. So, thank you, Senator, for being here tonight and listening to us. I have been very concerned about energy policy for over 40 years and I've been advocating for a sane energy policy for that time, and I'd have to say that the progress has been poor, to say the least. And so this is another opportunity for us to make a decision and to make the right decision now. When I worked at the Northeast Sustainable Energy Association and ran the Tour de Sol event, I learned a lot about looking at, when assessing fuels, looking at full fuel cycle, so looking at all of the emissions in-

volved, from extraction to distribution to use. And it's been brought to my attention that the EPA accurately accounts for the carbon dioxide emitted from natural gas when it's burned, but they do not accurately account for all the methane that is emitted. So we've been making decisions to focus on natural gas under false pretenses, and that really needs to be changed. In terms of how much energy we use and how to decrease the energy we use on a per capita basis, Europeans use half of what we use. So, how do we get there? One of the things that we've discovered in Greenfield is that, when we had a marketing campaign, we increased the request for utility energy audits five-fold just by having a better marketing campaign. And if we had a Green Bank, we'd have a lot more money so we could do better there also. In terms of moving to greener fuels, we need to raise the net metering cap, as you know, so the community-shared solar projects can move forward today. We also -- a little known fact is that I've been following, for the last five years, the whole issue of a sequestering carbon in the soil. Just cutting the emissions is not adequate. We also need to take carbon dioxide out of the atmosphere and put it in the soil where it belongs and where the soil can then become more fertile and we will have more food for everyone. Thank you so much.

SENATOR ROSENBERG: 46. 46? 47? 48? Can I get 48?

BUD DRIVER: 47, Bud Driver. This is an archeological impact statement for the Town of Deerfield along with our personal accountability policy that makes any archeological entity that comes with a state permit to have to come before our historical commission -- excuse me?

ATTENDEE: You have to go to the mic.

BUD DRIVER: So, anyways, other towns north of Deerfield, they're all adopting an accountability policy also, which is really good because it monitors your cultural assets within your town, and that's the Historical Commission's responsibility is to know where they are, so that when somebody like the archeological entity that got the bid for the pipeline can work with historical commissions to understand where our cultural assets are, and that's the low impact aspect of it. But what's important, I don't really want to talk about this stuff. What I want to talk about is the general laws of Massachusetts governing archeological laws, and this is very important for everybody in this room to understand. The private landowner owns what's in the earth and on top of the earth; it's called freehold rights. So when you buy your land, you expect to have freehold rights where nobody can come and tell you, Hey, because I have a permit from Brona Simon's office at Massachusetts Historical Commission, now the artifacts found on privately owned land, because of a state permit issued, belongs to the Commonwealth, that she's overreaching her powers. And I need everybody in this room to write Brona Simon a letter, she's at Morrissey Avenue in Boston, to let her know that we want clarification on how she's able to do that; how is she able to write a permit to allow the archeological laws that are only for public and federal lands to be applied to the private landowner. And this goes because -- this is really important -- when the archeologists for the pipeline got their permit, Brona Simon had to sign it for them. So, when I checked on FERC and the federal government, such as Natural Parks Service, they're stating that because they have a permit, that the artifacts belong to them, or to the Commonwealth of Massachusetts who issued the permit. That's the flaw, you guys; that's the problem. The general laws of Massachusetts do not apply archeological to privately-owned land, and so we need clarification on how, firstly, the permit was issued to FERC, or to the Natural Parks Service, where they're allowed to take personal property. Something's not right here and we need clarification; that's what's important, Stan.

SENATOR ROSENBERG: Is that in the material you gave us?

BUD DRIVER: Some of it is, but I didn't want to bore you with all that. It's bad behavior from the Commonwealth of Massachusetts, because I used Representative Kulig to ask -- from Brona Simons' office, how she's doing that. And she's an appointed official. She will not answer the elected official. So that's why I'm asking you, Stan.

SENATOR ROSENBERG: So this does have an impact on the pipeline, is that what you're saying?

BUD DRIVER: Absolutely --

SENATOR ROSENBERG: I'll talk with Steve and then we'll close the loop with you. Thanks.

BUD DRIVER: Thanks a lot, you guys.

JANICE KURKOSKI: My name is Janice Kurkoski, J-A-N-I-C-E K-U-R-K-O-S-K-I. Thank you, Senator Rosenberg for tonight and all the people who are still here and awake and the people who went before me. I chair the Warwick Buildings and Energy Committee for the last eight years. My comments tonight are aimed at the perceived need of the pipeline and also I'm going to try to answer the question, the very important question, If not this, then what? In the TGP Resource Report, RR-10, Section 10.1.1, TGP says, "implementation of sufficient energy conservation measures to eliminate the need for the proposed project is not feasible in the short term." Our committee's experience in Warwick is contrary to this. We now know that conservation is the most practical, effective, and least costly method to insure against rising energy costs, premature building failure, resource depletion, and climate change. By using low-cost weatherization methods, voted almost unanimously every time at town meeting for things that were not sexy like insulation, air sealing, storm windows, we've been able to lower our energy use in every building and in two of the five buildings by more than 50 percent. Conservation is cumulative in its energy savings. Each year conservation activities add to the conservation done in prior years, so there is a cumulative savings, sort of a compound interest. At the end of 20 years, the conservation done in the first year is still contributing to savings. The situation with a gas pipeline is quite different. The gas gets burned, for some it leaks along the way, and except for the pollution it's caused, it is gone. Think about it. There is no carryover benefit for one year to the next. At the end of 20 years or 40 years, or whatever the useful life of a pipeline is, we are left with a depleted gas resource and an old leaky dangerous pipeline which is more of a hazard than an asset. The projected \$5 billion would go a very long way if it were redirected to accomplish the goals of a safer, healthier, more secure energy future for all of us if it were put towards conservation, efficiency, and renewables. This is not only feasible in the short-term, it is terribly urgent. Thank you very much.

SARAH HEATHER RELOJ: Hi, there. Sorry I'm loud. Heather Relej. Sarah Heather Relej. Deerfield, Massachusetts. This is my son, John. He's happy to be watching democracy in action. Thank you. Thank you, my neighbors and friends. Thank you, officials who have joined us. I'm actually sending this letter via Stan to FERC but I'm asking if FERC could also send it to all associated persons within FERC or other government officials tasked with assessment, permitting, or the actual legality TGP/Kinder Morgan's proposed NED. Specifically my questions relate to pipeline facilities. I can't answer a lot of my son's questions about our personal safety. We're 500 feet into a map zone that's purported to be a thousand feet where we would be rendered to carbon, so I'm quite concerned, Stan. They say their initial pipeline route planning was selected through desktop analysis of environmental resources and the potential impacts to the resources crossed by the project. They didn't look at the impact to me or my beautiful son. They really didn't. I would like to say also that I purport they lack correct conduct through analysis of these sites via desktop and aerial recon. If the maps they then used to actually show us towns, maps that correspond to land parcels and sections that we can look at, lack dates and lack many existing physical structures and characteristics which must be considered by FERC at the outset, not as an afterthought. They failed to include labels for places where schoolkids play in fall, winter, spring, summer, in the mapped incineration zones, on maps I have seen, and also buildings that house people on multiple dates of every month of every hour of every year. I have to say that this is a major flaw in the methodology for producing quality and true data, since it is grossly inaccurate for anybody making an interstate transmission line to utilize old maps. I am not allowed to use my old driver's license from 30 years ago because it would get me in a heap of trouble to use my old data if I got pulled over by higher bodies tasked with keeping others safe. I'm going to close here really fast by saying my point is, look at NED now, before it's too late. By failing to look at the larger damages wrought by pipelines, by FERC's continued allowance of segmentations of projects, via loops, laterals, and state lines, FERC and TGP are continuing, hand-in-hand, to fail at the cost of waters, lands, and communities. If TGP/Kinder Morgan really wants to increase our access to energy, they would invest in ways not to pump it out of the ground instead of exploiting earth-dwelling resources with a finite lifespan, ourselves included.

SENATOR ROSENBERG: Thank you.

MEG WORCESTER: My name is Meg Worcester, W-O-R-C-E-S-T-E-R, and I live and operate a bed and breakfast on Keets Road in Deerfield near the Woolman Hill Quaker Conference and Retreat Center. Senator Rosenberg, thank you very much for hearing us, as we share our angst. I was once told that if you speak from the heart, those with hearts will hear. I have every confidence that you will hear us, as we speak from our hearts. I'll come right to the point: We're scared. I thought the government was supposed to help us in times of despair and to help keep us safe. The longer this proposed Kinder Morgan pipeline situation goes on, the more frustrated we're getting. We don't feel that anyone is hearing us no matter how many hearings are held, no matter how many people are voicing their concerns or in how many different ways or for how many different reasons. We don't want the pipeline in Massachusetts, a pipeline that plans to ship most of its gas overseas. Why should we allow our countryside, at our expense, to be spewed upon with toxins, ruining our landscape, our water, our orchards, our farms, putting our health and safety in peril; risking our very lives if we, as I do, happen to live within the incineration zone of such an operation so that a corporation out of Texas can get richer by shipping our country's resource overseas? Does anybody understand that we have worked hard to build our businesses, protect our resources, and now feel that we are on the brink of having them virtually stolen from us? We can find other ways to meet our winter energy needs, as you've heard tonight, besides creating a noxious pipeline. Can we please be allowed to do so? Or must the freedom to make that decision also be stolen from us? What is the meaning of property rights? Is that when you get to pay taxes for the privilege of living in a town, even though your property has become, through no fault of your own, valueless, inasmuch as we can't sell it? I don't want to come across as selfish or anything, because I do like to think of myself as a generous person. However, I'm not so unselfish or generous as to give over my livelihood or life so that Kinder Morgan can line their own pockets with everything I own. I alternate between despair, exasperation, frustration, outrage, and anger. I don't know where to turn. There's no rhyme nor reason to what's happening. I think the only happy folks are those who are lining their pockets with our blood, sweat, and tears. As a token of appreciation for your coming to hear us, Senator Rosenberg, I'd like to give you a cup of delicious water from my well. We have been enjoying the quality and taste of this water for 30 years; however, it is located within 30 feet of the proposed pipeline and would, therefore, be destroyed. Can you please help us? As I said at the outset, we're scared.

SENATOR ROSENBERG: Thank you.

BOB DICKERMAN: I'm number 52, Bob Dickerman, D-I-C-K-E-R-M-A-N, from Northfield. There's two things I want to talk about. One is pollution, the other one is need. Kinder Morgan spokesman Richard Wheatley has been reported as saying there will be no emissions at NED compressor stations other than an occasional release of methane. This is absolutely untrue. The compressor station turbines are huge. To make 80,000 horsepower or 40,000, we have to burn about a thousand tons of gas a day. A huge amount of gas. It's enough to heat 20,000 or more homes in the dead of winter. Consequently, the turbines would also produce, at the smoke stacks, a huge amount of emissions, around 2,000 tons a day. Perhaps Wheatley's agents could mention these things when they openly and transparently survey residents in Wheatley's anonymous telephone surveys, which I've received one of. Secondly, need. The Berkshire Gas moratorium I want to talk about. Prospective new customers, builders, installers who want new gas installations now should call Berkshire and ask why they're not building out their liquid natural gas facility at 365 Long Plain Road in Whately. The Energy Facilities Siting Board in 1999 approved this facility to address peak demand. If you use Google Maps, you can see the two big, white LNG tanks there and a space beside them where there's room for three more that they've never built out. The three tanks were to be added when peak demand increased, but they were never added, so I think the moratorium is uncalled for, and I hope that Maura Healey will find that Berkshire's unwarranted moratorium and Wheatley's lies meet the legal definitions of coercion and fraud respectively. Thank you.

FRANK HENRY: I'm Frank Henry, from Deerfield. I am the head of school of the Bement School also in Deerfield. If the pipeline were to be built, the head's house, the playing fields, and the dormitories of the

Bement School will be within the incineration zone. At least the lives of 40 students, including perhaps the fellow who spoke to us earlier, and 20-plus adults would be lost if a catastrophe occurred. The emergency resources of Deerfield and surrounding towns are inadequate to respond to less than catastrophic events. The Tennessee pipeline does not change in any aspect of the region for the better. No permanent economic advantage for the region has been identified, no permanent improvement in employment opportunities in the region has been identified. The quality of the water supply, ambient noise, health standards will not be improved and will be degraded. Adding the pipeline a couple hundred yards north of the campus will only add hazard and potential disaster. The installation of the Tennessee Gas Pipeline presents a direct threat to the safety of the Bement School and with no discernable benefit of any sort to the school, the town, or the region. The Bement School and I strongly oppose the installation of the pipeline.

SENATOR ROSENBERG: Thank you.

JIM CUTLER: My name is Jim Cutler, C-U-T-L-E-R, and I am from Ashfield. Good evening. And, again, thank you. I thanked you at the DPU hearings, although you weren't there, and I thank you again. This truly is very much appreciated. So I am a resident of Ashfield where I serve on the Town's planning board, and my home borders on a trout stream that is a state-protected habitat, and my land also contains a parcel that is protected under Article 97. And, yes, my home is targeted for the Northeast Energy Direct pipeline to be built by Kinder Morgan. Among the various things I do as a member of my community is one that I am very proud and excited about, and that is my job as a solar coach in the Solarize Mass Program currently underway in Ashfield, Plainfield, and Buckland. I helped select the company that will install the solar systems throughout this program and assist homeowners in those towns to understand the value of solar-generated electricity in terms of savings for them, jobs for others, and the knowingness that they have brought us all one step closer to a fossil-free, toxic-spill-free, and deadly-explosion-free world. So far, 65 systems have been sold for a total of 448,000 watts of electrical production. Some say that what we are doing with solar is not enough. You may be among those -- I'm speaking now, of course, to FERC -- who think that we need more gas to lower electricity costs. If you are and you ignore the role that solar plays in the reduction of electricity needs, then you will condemn this and many other beautiful pristine areas to habitat destruction, surface and well water contamination, and a life of sickness and early death for the people who live along the proposed pipeline route. Because what you will have ignored are the following facts: Massachusetts has installed 835 megawatts of solar electrical generation since 2008. And, according to ISO New England, demand for electricity has been down every month since May 2014. So I ask you, where is the need? Solar installations are not going to stop. They are not even going to slow down. There is no credible projection that says we need more gas, especially when energy efficiency is factored in. So why the big push? Are you aware that Kinder Morgan is sending threatening letters to municipalities who refuse to allow surveying on public lands? Are you aware that Kinder Morgan is conducting telephone surveys that are filled with inaccurate and misleading information? And you should be aware of the permits for the reversal of the Maritimes and Northeast Pipeline flow, permitting of export LNG terminals in Nova Scotia, and the many statements uttered by Kinder Morgan representatives stating that they cannot control who buys their gas. All of the above and many more reasons prove that this pipeline is not needed. The people and municipalities all along the proposed route have voted overwhelmingly to reject this project and yet you continue Kinder Morgan to pursue their intentions to build it. Again, this pipeline is not needed and it is not going to be built because the Federal Energy Regulatory Commission can no longer pretend otherwise. Thank you very much.

SENATOR ROSENBERG: Thank you.

KATHERINE LEFEBVRE: It is my honor to be a voice for the students at GCC. My name is Katherine Lefebvre, L-E-F-E-B-V-R-E. I'm on Student Senate, Diversity Board, and I'm also the secretary for Phi Beta Kappa here at GCC. It is my honor, Senator Rosenberg, to welcome you here to GCC tonight and continuing the ongoing conversation concerning our state's need for additional energy. As the environmental activist who has been attracted to the Pioneer Valley, I am happy to call this place my home since relocating from the Essex County. Please consider the current programs that the White House has honored this school

here at Greenfield Community College for our solar renewable programs and our permaculture sustainability programs here tonight. These students who have come here to take a goal to further their education in promoting clean and green renewable energy. I ask you tonight to consider our local valley and our scenic areas that provide respites for the thousands of migratory species who come here for their transition to Canada and the south. I ask you, Mr. Rosenberg, to think about the land you want to leave your children and your grandchildren and for the future generations to come. Senator Rosenberg and Senator Warren's folks who are here tonight, I ask you to join with my former congressional member, Niki Tsongas, of the Essex County community area who is adamantly opposed to the construction of Kinder Morgan's pipeline. I thank you for your time and I hope you hear us truthfully and honestly.

JAIME RELOJ: Hello. Hi. I'm Jaime Relej, a citizen of Deerfield, Mass. First, thank you for organizing this event, Senator, along with your staff on this very important subject. Tonight, I really want to engage you not as much as FERC. I'm asking you to champion the intervention for this program, of stopping this pipeline build. I think that the need issue is still at the forefront of the discussion and has to be addressed. There are -- there's been a tremendous amount of testimony this evening addressing the safety, economic, and environmental issues. I think derisking those issues by taking alternatives as far as different -- building on the current routes that they have and expansion, if that's truly a need issue for capacity, is something to consider. I think it's a great opportunity -- I'll make it short because there's been a lot of great testimony supporting the claims here -- that it's an opportunity for you and your colleagues to take a bipartisan approach to really intervening now. We'll need your help. I think that's clearly the case. It's not just FERC here. I think that Kinder Morgan, since it's such a profitable venture for them to go into the international markets, will continue to fight this out. And I come from the corporate background, I understand that as long as that profit's there they'll continue to do that, unless it becomes unprofitable or they find a more profitable project. So I'm asking you and your colleagues, this would be a great time for you to be our heroes for this project. Thank you.

GREGORY BRODSKI: Number 58, Gregory Brodski, B-R-O-D-S-K-I, Engineer, Warwick Conservation Commission Co-Chairman. Mr. President, thank you very much for holding this session. My comment is not about pipeline need or fossil fuel future. We really need your help to attract FERC's attention to a high risk of irrecoverable environmental damage from the pipeline. The danger may be even greater because no one seems to know the scale of possible impact due to the lack of baseline environmental studies. Our great concern is the pipeline project is handled with no care about natural resources and with no interest to local environmental knowledge. Warwick Conservation Commission devotes a lot of effort to the study of local environment. Based on our work, we know that natural resources, as shown in official documents like DEP map layers, are significantly under-represented. The simplest proof of this statement is the fact that, based on our findings, the Massachusetts Natural Heritage and the Endangered Species Program certify several new vernal pools a year on town's territory. Almost a year ago, Warwick Conservation Commission attracted TGP's attention to this fact and offered to share the environmental information which we had available, and no interest had been expressed. During this year, we observed several changes to the proposed pipeline route but we never saw any on-the-ground environmental research from TGP. FERC and TGP always talk about mitigation measures but, unfortunately, mitigation of some impact is all but impossible. And a good example are vernal pools and perched wetlands, which can't be replaced. Needless to say, that superpowerful compressor station in Northfield, which is located next to the state forest and directly on birds' migration route. This kind of disaster can't be mitigated as well. We believe that a meaningful environmental study cannot be done in the fall as suggested by FERC. The study should be comprehensive enough to include breeding season in April/May and this is why the timeframe for Environmental Impact Statement should be extended. Also, the environmental study has to be not only comprehensive but also objective. And, unfortunately, I don't have time to go further, but I submit written comments about that. Unfortunately we have a lot of reports submitted by TGP which suggest not that accurate information, and I made a direct statement about that which I handed to your staff. I am sorry that I could not go further. Thank you.

SID SCOTT: My name is Sid Scott. I represent the Erving Board of health. Erving Board of Health looked

at this problem, as all the other boards and commissions did, and we're required to submit our comments to the scoping process. In that we requested Kinder Morgan to come to our town and talk to us about the compressor station. That took quite a while to get a response, but we got a response this week. I've sent you a copy, I've entered a copy into the record tonight, and you'll probably be seeing a copy of it in the newspapers soon. It's pretty serious. It's from their attorneys, and it's a threat, and it's not only a threat to the Erving Board of Health, it's a threat to every single board and commission in every town from the fracking fields to Dracut, Mass. And what it means is that we don't matter. We are non-jurisdictional. That federal project is so far above our local concerns that they literally don't care, and they wrote it down and they sent it to me in a letter. So here's the deal: If that's the case, if I, the lowest rung of the political spectrum, I get that; small guy, small board, three-person panel. They don't care about me. I'm elected. At what point does the elected official up that rung of that ladder matter? At what point? At what point does that person come up on the scope so that we can contact them to just ask for information. The Board of Health can't make a comment because we don't have any information, FERC doesn't require Kinder Morgan to give us any, Kinder Morgan isn't going to give us any. So the process is flawed. And so I end my comments with that. And I beg you, and I'll be in touch with your office, I trust you. We got to fix this. We got to fix this.

SENATOR ROSENBERG: Well done. And when you get the answer to that question, please let me know what it is.

DEBORAH TERICANO: My name is Deborah Tericano, Number 59.

SENATOR ROSENBERG: There is a reality here --

DEBORAH TERICANO: I'm sorry, did you have something to say?

SENATOR ROSENBERG: No, I'm just -- that is a totally appropriate question. It's a totally appropriate question, and that goes to a large part of the heart of this matter: Who actually has authority in this matter and who can influence it. That's the question.

DEBORAH TARICANO: My name is Deborah Taricano, T-A-R-I-C-A-N-O. I live in Northfield, Massachusetts. I live about a thousand feet from the proposed pipeline, so I am definitely within the incineration zone, and I will live within earshot of the proposed compressor station. It will destroy the quality of my life, my neighbors' lives and the lives of everybody that's within its path. I have a question about the list of impacts that are on here: Geology, water resources, vegetation, cultural resources, land use. Not one of them says the human impact. Nothing says anything about -- it doesn't ask me how it will impact me. That's one thing I have to say: I would like to know if that could be put in there. Also, how is it that the corporation can take land by eminent domain? How could that possibly be constitutional? A private entity taking land by eminent domain. I think we have to look at that. I don't think it's possible. So let's get our money together and let's get the lawyers, and thank you. Thanks for hearing me.

SENATOR ROSENBERG: You're welcome.

CYNTHIA LAWTON-SINGER: My name is Cynthia Lawton-Singer. L-A-W-T-O-N, hyphen, S-I-N-G-E-R. I live in Conway. I'm a professional gardener. I spend a lot of time observing nature. And I grew up in this area. I lived in New York City for 20 years, but I live here again now. And I have been noticing climate change, so my remarks are mostly in relation to that. Okay. So we are a democracy, a representative government. Our government is directed, supposedly, by the people to do the will of the people. Why are we even considering taking precious land that has been put into permanent preservation conservation and building a fossil fuel pipeline and voiding the promise, the sacred contracts with past generations to protect, preserve our land for all time. We do have a crisis. It's not a natural gas crisis. The crisis is the disaster of climate change on the entire planet. We should begin immediately to build a renewable energy structure and localize our energy production and also practice conservation. We need to move away from investing any of our precious resources including specific -- of sacrificing preserved land, woodland, farmland, watershed land and building fossil fuel infrastructure. The challenges of climate change must be addressed. The longer we continue to do business as usual, the greater the likelihood that we will leave our children and all life on

earth with a death sentence. This pipeline and all fossil fuel extraction, processing, distribution, and burning represent that business as usual that threatens life on planet earth. We are already experiencing the sixth mass extinction on this planet, right now. I love this place in Western Mass. I love the life all of us enjoy. I wish peace, prosperity, and abundance to all beings on earth. We must join together and refuse the plans of those who would continue to profit from business as usual and cannot see beyond the short-term goal, jobs and profits. We must make our livings and our work from developing a new world where human beings live in collaboration with the planet and with each other. Fossil fuel has no future. Whether FERC will proceed with the interests of public or the interests of multi-national or national corporations, that's the question. Repair the leaks. Make use of the LNG storage for peak periods.

RUDY PERKINS: Thank you, Senator. Rudy Perkins, Amherst, Mass. P-E-R-K-I-N-S I recently submitted detailed scoping comments on the EIS to FERC, copy to your office, focused on alternatives to the NED pipeline. In sketch, TGP's Resource Report 10 looks at one alternative or another and tries to dismiss it as a loan not sufficient, but that's not how the alternatives are being developed in New England. It's going to be some combination of energy strategies and technologies that are well under way, energy efficiency, demand shifting to off-peak use, whether by automatic means, smart appliances and smart grids, market means like peak-hour pricing, contracts for demand management with larger users, or voluntary means like Connecticut's Wait Until 8 Program. It's going to involve leak repair, energy storage, grid scale and building scale batteries, improved and expanded pump storage, and LNG, which as you've heard many times, GDF Suez already argued and said it's a loan sufficient to address our gas needs. Of course, renewable energy is going to play a big part. Deep Water Wind just put the first steel in the water for our nation's first offshore wind facility. You know Maine's going gangbusters on wind; that's going to be a big thing. And Canadian hydro-power imports facilitated by High-Voltage Direct's current project like TDI and the Green Line projects. Continuous vigorous expansion of solar and raising the net metering cap is essential here and obviously the legislature has a key role there. There may also be a role for bio-gas. We're already looking at that, agricultural waste and sewage being converted to energy at Jordan Dairy Farm in Rutland, Barstow's Farm in Hadley, and the Deer Island plant of the MWRA and so forth. So there's lot of details in my letter about many of these alternatives. I hope you're coming to the conclusion, like I am, that it would be really a giant waste of billions of dollars to put that money into a pipeline instead of these alternatives. Thanks.

SENATOR ROSENBERG: Thank you.

ERIK HOFFNER: Thanks for being here, Senator Stan. I live in Ashfield and am a writer for publications from the Guardian to Earth Island Journal and I've covered energy, fracking, and LNG projects around the U.S. for such outlets, so I've been watching this proposal with a lot of interest. In most cases, I've seen the economics scuttles projects and often in combination with grassroots opposition. Now, all of the pipeline proposals I've seen cancel in recent years have cited exactly that, changed economics situation that renders the project unworkable. So I wanted to share two headlines from the Financial Times in the past week with you: "U.S. shale industry suffers \$30 billion outflow as oil prices fall." "U.S. shale industry braced for bankruptcies." Couple this with the idea that existing LNG facilities in the state appear to be able to serve our needs during peak demand, and the fact that the amount of gas coming from the Marcellus Shale gas fields is going to be a lot smaller than either the industry or the government project. The Post Carbon Institute is a think tank that bought the industry databases of well production in the Marcellus, and they studied those numbers and reported that the U.S. Energy Information Administration overestimates production in that area from 6 percent to as much as 18 percent in their weekly reports and in their drilling projections. It also found that just 5 of the 70 counties that have drills going in Pennsylvania produce two-thirds of all the gas. And the increase in well productivity in those wells has peaked already, and it's declining already. Plus, New York State's fracking moratorium means a lot of gas that Kinder Morgan had planned on sending into the pipe is going to stay in the ground. Sources of mine are now guessing that the region's gas boom will be over in just seven to ten years, so you have to wonder would NED even be built by then. The rationale for the pipeline both in terms of gas supplies and the economics of getting it to market look shaky. But this doesn't mean that the company's not going to try, even if the chances are poor. So I hope you're going to press both FERC

and Kinder Morgan on these points because it would be a shame for this region to be saddled with a destructive and polluting white elephant with a trunk hundreds of miles long.

JOSEPH PFEIFER: Senator, thank you for being here. My name is Dr. Joseph Pfeifer, P-F-E-I-F-E-R. I am the director of trauma and surgical critical care services at Berkshire Medical Center. Rural Lives Matter. I'm a Navy veteran of the Persian Gulf War, the first one, Desert Storm. I feel like I'm fighting over petroleum again. There is a real question as to whether FERC has jurisdiction over this pipeline at all. This is not a natural gas pipeline. This is a pipeline that carries natural gas and toxic chemicals. According to 15 U.S. Code, Section 17a, natural gas is defined as methane mixed with natural or other artificial gases. It does not include a definition of the myriad of toxic materials that are carried in fracked gas. However, the State of Massachusetts does have regulatory authority over many of these chemicals, such as benzene, xylene, toluene, and other toxic materials in the mixed gas. I urge you to look at the legalities of that. I have experience in disaster planning and management. I will tell you that if one of these pipelines blow or a compressor station blows, and I'm from Windsor, I've got a vested interest in this. We do not have the disaster management capabilities in this region to manage the multiple casualties that will occur. These things are also terror targets and will be ineffectively protected. Kinder Morgan's financial position is far less solid than many people in the room may think. They play some interesting games with their accounting. They are a C Corp stock corporation, but they want you to believe they're still a master limited partnership. They can barely make their dividend with the cash flow given the current prices of gas and oil. Ultimately, this is a clash in values between the people of this state and region who have invested time and money in preserving and protecting our natural environment versus a representative of a business that is at its sunset. I urge you, when you return to the Senate, to beware of the Beacon Hill Institute, the Heartland Institute, and ALEC. Thank you.

FRANK CALLAHAN: Thank you, Senator Rosenberg for hosting this event tonight. For the record, my name is Frank Callahan, C-A-L-L-A-H-A-N. I'm the president of the Massachusetts Building Trades Council who represents 75,000 men and women who work in the construction industry. I'm here tonight to speak in support of the Northeast Energy Direct Pipeline Project for four simple reasons. Number one is for need. The January 2015 synapse report which was commissioned by Governor Duval Patrick estimates that by 2020, we will need an additional 600 to 800 million cubic feet per day of natural gas in Massachusetts. By 2030, that will increase to up to 900 million cubic feet per day. Massachusetts and other states are transitioning from coal and oil to cleaner energy sources including wind, solar, and yes, natural gas. This morning I was at a meeting at the Salem power plant, which is under construction, which was formerly known as one of the filthy five, a coal-fired plant; that's being converted and being rebuilt as a natural gas facility. Brayton Point, in southeastern Massachusetts, is scheduled to be retired in another two years. Vermont Yankee has shut down and there's discussions under way to shut down Plymouth nuclear power plant. We're going to need more energy. And as we're converting to natural gas, we're going to need a supply of natural gas which is cleaner than coal and oil for supply. Currently Massachusetts has some of the highest energy costs in the nation. Industrial electrical costs in Massachusetts are twice the national average. But it's not expensive because it's a shortage of energy sources in Massachusetts and the country, it's because we can't deliver it to its source to produce power. For the economy, The Mass Taxpayers Foundation, released a report just this week citing these high energy costs as a key factor on new job creation and economic development. In terms of jobs, this project will create 3,000 jobs during the construction phase alone. Jobs will go to area residents who are the most highly skilled, best trained, and safest workforce in the nation. It will also remove the drag of high energy costs I mentioned a moment ago on existing businesses, businesses looking to expand or locate in Massachusetts and, yes, lower energy costs for our residents. I urge you to support the pipeline, and I can submit this testimony in writing at a later time. Thank you.

SENATOR ROSENBERG: Thank you.

ARIEL ELAN: Ariel Elan, A-R-I-E-L, E-L-A-N, Montague. And, yes, thank you, Senator Stan for this hearing. So I'm going to invite everybody to put themselves in a little picture. Just a modest kitchen in a modest

home and dinner being served and we have a very bright, creative, smart two-and-a-half year old, and when his dinner is put on his plate, he goes over to the kitchen trash and scrapes half of it off the plate, and then eats the other half. "More Daddy." And every meal, every snack, every time this child is served food, half of it goes into the garbage and half of it he eats. Most households actually could not afford the cost of feeding a child who continually behaved this way, but what if someone else was paying for the food. And what if the more food this child scraped into the trash and ate, the more the family got paid, and the more subsidies the family received and the more tax breaks the whole family received. This child is suddenly a brilliant businessman. And, of course, this is the way our entire energy industry and all of our quote/unquote investor-owned utilities do their work every day. As of 2013, the United States as a whole wasted 52 percent of the energy produced in the United States. That made us number one in waste, even above China and India. We can do much better than this and certainly the first, easiest, lowest-hanging fruit to tell FERC we will do, as a state and as a region, instead of inviting more natural gas to come into and through the region for export, our first low-hanging fruit is simply take every human inhabited structure, factory, office, commercial building, retail, and home and completely weatherize it. And you can do this on a pay-as-you-save basis so that a percentage of what the ratepayer is now saving goes back to the lender at a modest rate, and you pay it off in as many years as it takes you to pay it off, and, meanwhile, your bills are still lower. We have a real impact to halt climate change and we have more ten thousands of jobs than you can count right here. Thank you.

REENIE CLANCY: Thank you. My name is Reenie Clancy, R-E-E-N-I-E, C-L-A-N-C-Y. I want to give an example of what lengths Kinder Morgan will go to to get their pipeline built for their profit. It's Article 97. It was established by vote in the Massachusetts legislature -- I'm sorry, the voting public -- sorry, I'm nervous -- in 1972. And this was to allow our tax dollars to be used to buy conservation land to be preserved for everyone. Kinder Morgan approached two senators -- I'm sorry, state representatives out in Pittsfield, Massachusetts to file a bill to overturn this in a different project, in a property not involved with this. This is wrong. This is totally wrong. We've already bought this land for conservation. Kinder Morgan says, Well, let's just reverse it. I don't like that. I'm asking you with your power, whatever you have, whatever -- I'm sorry. Please help us. You heard it's not needed. You've heard it's not a NIMBY situation. We're not just being western elite snobs that we want a pretty land. We don't want this anywhere and we're asking you to help us. Do not let it go anywhere. Thank you. And thank you for doing this. Thank you for coming out to DPU, all that. Thank you so much. Please continue to help us. Thank you.

SENATOR ROSENBERG: You're welcome.

CLAIRE CHANG: Hi. My name is Claire Chang, C-H-A-N-G. I'm from Gill, Massachusetts. Thank you very much, Stan. We all appreciate this effort. And we hope that you now understand that you need to take the stand, Stan, and say no. It's simple. It's the letter N and the letter zero -- or O. I'm also nervous. But what we do want, and what I've said to you a bazillion times already, and I know that you know this, but everybody needs to hear it anyway. Right now in Massachusetts we have 903 megawatts of solar PV installed and operating. We only had 3 megawatts in 2008. So we've gotten really far. We're doing really good. In fact, we're either number four or five in the country. Yah, yah. And we've got this goal of 1,600 megawatts that Patrick set for 2020. Wow, that's really fabulous, except it's blank-blank too small. 903 megawatts represents under 2 percent of our electricity demand in the state of Massachusetts. 1,600 megawatts is only 4 percent. These are not very big numbers. We all agree, right? So, what we really need is 20 percent solar energy by 2025. That's 10,000 megawatts. It's a little bit bigger than 1,600. We need to get there, we need to get there by 2025. That's ten years. That's about a thousand -- a little bit less -- megawatts a year that we need to get installed, running and operating in the state of Massachusetts to have any chance of canceling out global warming and climate chaos. Okay? So that's what we want and that's what we need, and that's what we all need to be working on. And you, the Senate, has passed Downing's bill. That's a good start. But we need to eliminate the net metering cap, get to 20 percent by 2025, start energy storage, do virtual net metering at retail so that everybody -- because 70 to 80 percent of the population can't do solar on their own roof, so we need community shared solar at a reasonable financial interest so that everybody can buy into this. And we need a valued solar study so that utilities can't keep on chomping on our back saying, "It's too

expensive. We can't afford to do it." Well, wait a minute. You're going to put the pipeline on the ratepayers and you're going to say that's not too expensive? So we get to pay for 30 to 50 years for infrastructure? I don't think so. Everybody would rather pay that money towards solar, and we all know that. Thank you very much.

PORTIA WEISKEL: I'm Portia Weiskel from Leverette, and also West Deerfield, Shelburne. P-O-R-T-I-A W-E-I-S-K-E-L. I had some other thoughts today, but since the evening has worn on, I would like to just say very quickly that there's almost no evidence for this in this room tonight, but there are people in our region who are for this pipeline. I am not among them. I'm very opposed. But I think we should also stand in solidarity with those people who want jobs, and whether Kinder Morgan is honest about its jobs or not is not relevant for this moment. What is relevant is that green technology is a tremendous job-producing machine, and we would like -- I would like all of us to reach out to the workers in this community who do need jobs and let them know that we are not against them, this is not adversarial, that we would like to work with them. So I'm just going to say something very personal tonight, and that is that there's a part of the Deerfield River that I'm very intimate with and it stretches from the Bardwell's Ferry Road bridge down to the point where the South River flows into the Deerfield. I know this very well and my times there, which have to do with -- there's two ways to get there; one is on an inner tube and the other is to go down this very dangerous path to get to the waterfall. What does this have to do with anything? This is one of my beloved landscapes, and I am certain that everyone in this room and in the region has a landscape that they think of as their beloved landscape and many of these places are in the pathway of the proposed pipeline. This is not unimportant. Because there are more ways of being a human being than using electricity. We need our sacred spaces, we need to acknowledge their very deep importance to our well being, and I plead with you to -- I know that Kinder Morgan has said that it's going to blast under the Deerfield River right where I am talking about, and I implore you to say that there are some places where this kind of activity should not be permitted. Please don't let it happen. Thanks.

JOHN WARD: I'm John Ward from Gill, Mass. Stan, thank you for being here very much. We've heard tonight a lot of reasons why we don't want a pipeline here. We heard from Claire Chang a few minutes ago what we do want. We do want -- and we've heard this from many people: We want more renewables. And that's why we have tonight, an initiative petition for a law. It is a citizens referendum petition for a vote for 20 percent of all retail electricity sales to come from solar renewable energy sources with 50 percent of those sales to come from community solar. This is the type of thing that we need to be doing. The Senate has been good about passing the Downing bill. It is not strong enough. The House has not been good about getting any type of good bill passed. Governor Baker has come out in the media looking like he's in support of renewables. That's a very empty, very shallow bill. We know what we want. You've heard that tonight. We know what we don't want. We are not going to have a pipeline through this region. We don't have Vermont Yankee anymore, that's true. We don't need it. We didn't want it. It's gone. We didn't want the twin nuclear reactors on the Montague Plains. They're no longer an issue. We didn't want Nestle coming in and taking water off of the Montague Plains. We have a very long and very proud history of standing up to the things that do not work for us here. We are standing up to them again. As a Gill selectman, I am able to say that Gill will stand in solidarity with our neighboring towns, Northfield, South Deerfield. We will put together a coalition of select boards. Maybe between us, Stan, there will be enough voices politically that can actually stand up against this. I shouldn't say "there might be." There will be. We'll do it. We'll work side by side with you, Stan. Let's keep the rural character of this area and the clean air of this area. Thank you.

SENATOR ROSENBERG: So there were two other people that signed up. Are you still here? Here we go. Terrific.

DEBORAH ANDREW: My name is Deborah Andrew from Shelburne. Spelled D-E-B-O-R-A-H, and Andrew in the usual way. Thank you so much for this evening and for your patience. I've learned a great deal, and I'm going to suggest some things that have not been spoken about before and some that may not be popular. My concern among all the others that I share with those who have spoken before me is methane and

hydrofracking. Hydrofracking is a practice that uses billions of gallons of pure life-preserving water which is then contaminated with carcinogenic chemicals. That's a start. Then the process of hydrofracking increases the release of methane into the air. Methane is far more lethal than CO2. It is not only the hydrofracking process that releases the methane; it's also released during transportation. Very -- I'm trying to summarize quickly. I'm begging you to apply the precautionary principle and the principle of "Do No Harm" when you think through these things and the suggestions that you've been given, and I will beg all of us to consider those as well. I think other things that we would be wise to consider asking ourselves, is anything that we are considering as an alternative truly sustainable. And so I'm going to come to the unpopular part of what I have to say. Both industrial wind turbines and solar panels require the mining and use of rare metals. When these are mined, they leave radioactive tailings on the ground and aquifer. They're rare. And so we know what's happened with oil as it got rare, but these are already rare. And so I think many people are writing about this but not many of us hear about it, and I think it's something to consider very seriously. There is passive solar and other options that we can take that have been taken and I'll try to send you some of these to have to look at. Thank you again, so much.

SENATOR ROSENBERG: Thank you. I think you may be the last, but not the least.

ROBIN CHABOT: My name is Robin Chabot. I live in Greenfield and I grew up in Deerfield. My parents -- my father worked on the railroads swinging a hammer his whole life for his property. He is one of the properties that would be taken by eminent domain. He is presently handicapped; he had three bypasses. He will not get any compensation for that property. Theirs and all his money goes towards medical and just trying to live and die and be in the land that he worked so hard for. I ask you, how many people are going to be homeless from this pipeline? Have you looked at those figures? How many people have worked so hard to have what they have? And I read to you the Bill of Rights Article -- the Sixth Article: "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" -- eminent domain through the Board of Health if somebody lives there -- "but upon probable cause, supported by the Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." I ask you to protect the American dream of life, liberty, and to be able to pursue happiness. What kind of happiness are we pursuing here, giving more homelessness through eminent domain? Also I ask, how come they're going to make a profit and yet they can't compensate these people who are going to be homeless? And how are you going to protect these people? Is there going to be finances available? Are you going to have more churches available, more shelters available? Because that's what you're going to see. And, you know, Article 9 in the Bill of Rights: "In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be pursued" -- the right of jury; we have a right to take it to court if they're going to take your property -- "shall be otherwise re-examined in any Court of the U.S. than according to the rules of the common law." So I ask you to really, really look at this. Look at the homelessness. Look at what's happening. Eminent domain is supposed to be if it's for the good of the public. Okay. So, good of the public, making more homelessness? Good of the public, damaging waterways? Which, as you know, there's been studies of lack of water in the future. How much water is going to be taken from this pipeline? How much damage of the waterways, which is a more valuable commodity. We can live by fire, but we cannot live without water.

SENATOR ROSENBERG: Thank you. Well, I thank you all for coming out and participating, whether you were speaking or you were here for moral support of others who were. I learned a lot tonight. We've got a lot of work to do to organize all of this material, which we will be doing over the next couple of weeks, and it will help me, as I suggested earlier, not only will we summarize what we learned here tonight, but we will also be able to use it to help create a framework for questions and thoughts that we believe that they should take into account as they make their decision at FERC about this particular project and, frankly, any other gas line project in Massachusetts or in Southern New England. Because there are actually four right now. We're focused out here on one in particular, Kinder Morgan; in our office, we call it Big Kinder. But there's also Little Kinder, which is the Sandisfield project, which was referred to earlier, the Connecticut line looped through Sandisfield. And then there's the Spector, which was also referenced earlier. And then there's

one in New Hampshire that wasn't referenced at all tonight. So this isn't the only pipeline under consideration. So we'll be able to use all of this information in looking at all of the pipeline issues here in the Commonwealth. So, again, I thank you all very much for being here. It was a lot of hard work tonight and I thank you all for what you're doing to speak for yourselves, your communities, your neighbors, the future of our world. So thank you and have a good night. (Hearing concluded, 10:04 p.m.)

COMMONWEALTH OF MASSACHUSETTS

I, Sharon R. Roy, Registered Professional Reporter, hereby certify that the foregoing is a true and accurate transcript of my stenographic notes to the best of my knowledge and ability. Sharon R. Roy

{end of transcript}

20151001-5001

Julie Penney, Merrimack, NH.

I am concerned that the proposed pipeline route in Merrimack which goes down 101A to Continental Blvd will adversely affect our aquifer. I work at Home Depot, and I know that in order for them to build so close to the aquifer, they had to agree to certain conditions, 1) the concrete slab is denser and thicker than in their other stores, 2) the concrete slab is fully lined with an impermeable material that goes at least 4" up the walls, 3) they can not put fertilizer or any chemical products outside, 4) they can not use any type of ice melting substances on the parking lot or driveway, and 5) they can not put anything into the sewer system that would contaminate the water. With all these provisions in place for just one building, how is it possible for a gas pipeline with allowable amounts of leakage to run alongside this fortified structure, through the same aquifer; not to mention through Pennichuck Water Works conservation land, protected wetlands and under the Merrimack River?

20151001-5004

Rick Swanson, Wilton, NH.

POSITION OF WILTON, NH BOARD OF SELECTMEN

REGARDING THE NORTHEAST ENERGY DIRECT (NED) PROPOSED PIPELINE

Approved on September 28, 2015 by unanimous vote of the Wilton Board of Selectmen

The Selectmen of Wilton are opposed to the Northeast Energy Direct (NED) natural gas pipeline proposed by Kinder Morgan. The Selectmen have the following concerns:

1. The size of the compression station would present a significant risk to our safety, health, and quality of life.
2. The pipeline poses a risk of contamination to the aquifer that is a resource for the Wilton Water Works and private wells.
3. The potential risk is not justified because the pipeline would provide minimal benefits to Wilton or New Hampshire.
4. Our opposition is intended to join neighboring towns such as Milford, Greenville, Brookline, Mason, and Temple who are affected by the pipeline.
5. The pipeline would come as close as a few hundred feet from Wilton's town limits and could threaten our property values.
6. We oppose the use of eminent domain for takings of property or easements for private commercial gain.

20151001-5006

Virginia Gray, Greenfield, MA.

Comments regarding Kinder Morgan pipeline project in western Mass:

Although my home is not within a few hundred feet of this pipeline project as many are, I have serious concerns about the advisability of Kinder Morgan's project. Earlier this month – September 2015 – I attended a meeting of concerned citizens who spoke to Stanley Rosenberg about how this pipeline would bring environment destruction to western Mass. What impressed me about the approximately 75 speakers was their diversity. All of them were articulate, intelligent, and specific about their point of view and yet each of them had a unique perspective, resulting in 75 reasons to oppose the pipeline. To me the reason that stood out was the lack of a clear need for this pipeline and the importance of working to increase public use of alternative energy sources. I don't see that Kinder Morgan has demonstrated a legitimate need for additional gas in this area. I live in Greenfield MA which is in the heart of the area concerned.

20151001-5007

Evelyn Taylor, New Ipswich, NH.

I was at the scoping session in Rindge, NH last night and once again heard over and over how the facts about the NED pipeline illustrate there is no need nor is this for the public good. It is purely for the profits of export poorly disguised with a few carrots thrown in to try to demonstrate otherwise.

For one thing, the 41,000 + hp compressor station proposed for New Ipswich is being touted by Kinder Morgan and Tennessee Gas as being as quiet as a 55 decibel home appliance such as a dishwasher or refrigerator (last night was the first time I heard a comparison to a refrigerator. Well FERC - videos and personal testimonies all point to a tremendous amount of noise from far smaller compressor stations that can be heard a mile away. I ask you to use common sense. Can your dishwasher be heard a mile away from your home? Seriously, are you really buying this sales pitch? Are you that blind that you have approved all these other pipelines without taking issue with something as ridiculously inaccurate as this? Do you not question such matters? I say your job is to call Kinder Morgan and Tennessee Gas on this matter and let them know you will not tolerate false statements and efforts to manipulate and intentionally mislead the public. It is a serious offense to mislead the public on these matters. It is my opinion that these two companies are severely morally and technically deficient and thus cannot be trusted to construct and operate an enormously hazardous 30 inch high pressure pipeline fronted with such inaccurate and misleading comments. Such an endeavor requires utmost integrity and concern for quality and safety. To imply that 55 decibels can be heard a mile away is absolute foolishness. A request for permission to construct and operate a combustible pipeline with the equivalent power of an atomic bomb has no room for foolishness. Tens of thousands of people have been harmed or killed by pipeline and compressor station operations and 'accidents'. It is no wonder given that the FERC provides approvals while overlooking such irresponsible activities.

20151001-5008

Evelyn Taylor, New Ipswich, NH.

I live in New Ipswich, NH on Old Wilton Road where it intersects with route 45 a short distance from the proposed site of the 41,000+ hp compressor station. It is my opinion that the fact Kinder Morgan and Tennessee Gas selected that location demonstrates an irresponsible and reckless act that poses serious endangerment and lack of concern for human life. Their decision is not blocked by a no survey or no trespassing restriction or any other obstruction to keep them from realizing the error in judgment. It should be obvious to a true professional of the industry. I conclude, therefore, that the decision to site a compressor station and a 30 inch diameter high compression gas pipeline along that route is nothing short of stupidity and total disregard for the safety of hundreds of people living in this area.

I bring to your attention that should there be a failure at that site or close to it, the thermal radiation zone could block or destroy the route 45 corridor that allows transit to Monadnock Community Hospital in Peterborough. A detour is out of the question, as the available route (Old Wilton Road, Greenville Road and others) travels around the compressor station site and thus could also be destroyed or inaccessible due to the proximity to the thermal radiation zone and explosion and fire impacts.

The route to any other similar emergency treatment facility is far greater and may also be inaccessible

depending on the damage to route 45 as that is the road that would be required to be accessible to those needing care to reach Milford and Amherst facilities. Also of note that even if emergency response vehicles could approach via Old Wilton Road and route 45, both these roads are narrow. Old Wilton Road has been used as detour route for the past few years due to a landslide on a nearby parallel road and bridge construction on a nearby state road. Given the narrowness of Route 45 and the 90 degree turn to access Old Wilton Road from route 45, many a large truck has become stuck in that run attempt for 15-30 minutes, blocking route 45. Large firefighting equipment and construction vehicles are likely to also suffer such fate. This error in judgment, then, poses serious an unnecessary risk to those who can become victims of such a disaster. No one suspected San Bruno to occur. That was also a 30 inch pipeline. No one can predict where or when the next accident will occur, but the record shows, accidents will continue. Pipeline maintenance is sub-standard and most accidents are attributed to human error at some point along the path of building or working alongside a pipeline. The records also shows the pipeline industry is poorly regulated and managed. This comment is notice to the FERC to take this problem into consideration as it is of utmost seriousness and a threat to our safety and well being for a project that has no demonstrated need or purpose of common good. Senseless harm and deaths must be stopped. This pipeline must be rejected.

20151001-5019

Townsend Conservation Land Trust, Inc
PO Box 7834
Townsend, MA 01469

September 30, 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 Pre-filing for Proposed Northeast Energy Direct Project

Dear Secretary Bose:

The Townsend Conservation Land Trust appreciates the opportunity to comment on the Kinder Morgan! Tennessee Gas Pipeline Northeast Energy Direct (KM/TGP NED) pipeline proposal. The Townsend Conservation Land Trust is dedicated to preserving the natural resources and rural character of Townsend. All properties held or controlled by the Trust are exclusively for conservation, education, public recreation and scientific purposes. We stand in opposition to this pipeline project.

The so-called Fitchburg Lateral of the proposed KM/TGP Northeast Energy Direct pipeline bisects a property owned by the Townsend Conservation Land Trust (TCL T). Although we originally received a request from KMITGP for survey permission for a parcel we do not own (a Town of Townsend-owned parcel), we have denied KMITGP permission to survey the TCL T parcel that the pipeline bisects. We have received, in September 2015, another request from KM/TGP for survey of this parcel when permission has already been denied.

Additionally, please note that despite the fact that KM/TGP was notified in February 2015 of the omission, Townsend Conservation Land Trust is still not listed as an affected conservation organization in Appendix C of the July 24, 2015, release of Resource Report 1. TCL T has properties affected by the proposed Fitchburg Lateral as well as the original, now alternate, route through Townsend, MA, of the proposed main pipeline.

Please find attached a copy of the TCL T survey denial letter to KM/TGP as well as our extended comments from the FERC Scoping meeting held at Lunenburg High School on Wednesday, August 12, 2015.

Thank you for your time and consideration of this matter.

Sincerely,

Veronica Kell, President
Townsend Conservation Land Trust

cc: Governor Charlie Baker
Senator Elizabeth Warren
Senator Ed Markey
Congresswoman Niki Tsongas
MA Representative Sheila Harrington
MA Senator Jennifer Flanagan
Town of Townsend Board of Selectmen

Townsend Conservation Land Trust, Inc
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Senator Elizabeth Warren

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Congresswoman Niki Tsongas
MA Representative Sheila Harrington
MA Senator Jennifer Flanagan
Town of Townsend Board of Selectmen

Townsend Conservation Land Trust, Inc
PO Box 7834
Townsend, MA 01469

February 23, 2015

Mr James D Hartman
Tennessee Gas Pipeline Company, L.L.C. 1615 Suffield St
Agawam, MA 01001

Dear Mr Hartman:

This letter is in response to the January 2015 Survey Permission request addressed to the Townsend Conservation Land Trust. The map that accompanies this Survey Permission request shows the proposed pipeline going through the Townsend Conservation Land Trust property located at Map/Block/Lot 6/7/1.

The Survey Permission request, however, is for Map/Block/Lot 6/8/0. This property is the Town of Townsend Landfill and is not owned by the Townsend Conservation Land Trust.

The Townsend Conservation Land Trust is dedicated to preserving the natural resources and rural character of Townsend. All properties held or controlled by the Trust are exclusively for conservation, education, public recreation and scientific purposes. To remain consistent with its mission, Townsend Conservation Land Trust denies Tennessee Gas Pipelines' request to survey any of its properties and specifically those at Map/Block/Lot 6/7/1 and 6/5/2 as well as those at Map/Block/Lot 17/24c/0, 26/33/0 (prior Survey Permission request from TGP dated February 10, 2014).

Please note that Townsend Conservation Land Trust has been omitted as a conservation organization in Appendix C of Resource Report 1. In addition, our mailing address is as noted above. We are not located at Townsend Town Hall.

Please contact either me or our counsel, Attorney Gene Rauhala, for any further discussion.

Sincerely,

Veronica A Kell

President of the Board of Trustees, Townsend Conservation Land Trust

cc: Matthew A Beaton, MA Secretary of Energy and Environment Affairs

Gene A Rauhala, Attorney
Town of Townsend Board of Selectmen
MA Representative Sheila Harrington
MA State Senator Jennifer Flanagan
Congresswoman Niki Tsongas
Senator Elizabeth Warren
Senator Edward Markey

Townsend Conservation Land Trust, Inc
PO Box 7834
Townsend, MA 01469

August 12, 2015

The Townsend Conservation Land Trust thanks the Federal Energy Regulatory Commission for the opportunity.

nity 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 scope 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 to a 12- inch pipe (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, Townsend, North Central Massachusetts and Southern New Hampshire as a whole, what you see are solar panels appearing 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, this pipeline crosses from north to south a 43-acre parcel of land from a family expecting that the parcel would be held in its natural state. 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 and the conservation of land of historical and geological significance”. Who in Massachusetts would donate land for conservation purposes to a land trust knowing that a for-profit company could come in and nullify their wishes? TCL T will most certainly be sacrificing future growth should this pipeline lateral be built. In addition, TCL T will incur financial and managerial hardship policing the motorized off-road vehicle traffic that will most certainly be present on a now open corridor.

Please scope the economic impact a pipeline has on conservation organizations.

Townsend and the majority of other New England communities through which this pipeline is proposed have passed referendums unequivocally opposing it. It is ironic that the open spaces that we have worked so hard to protect are seen as the perfect path to be commandeered by a private corporation. 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.

20151001-5096

Hiel Lindquist, Fitzwilliam, NH.

During the recent scoping meeting in Rindge, NH Alan Fore from Kinder Morgan stated in person (also broadcast on WMUR TV) that my electric rates would go down by 25% once the pipeline is built. I would like FERC to investigate this and document how this is going to happen.

I expect Kinder Morgan to start offering contracts for this new electric rate, once they build the pipeline. Of course, Kinder Morgan, being an GAS DISTRIBUTION COMPANY, can do no such thing. Still, FERC

needs to include the investigation of statements like this in the scoping process.

20151001-5137

Kristi Margaritis Bradshaw, Merrimack, NH.

At the September 29th scoping meeting in Rindge, NH Allen Fore was interviewed privately in an empty hallway far away from the general public who would have asked him to back up his FALSE claims.

This interview was later aired on WMUR news. In this interview, Fore claims, “We’ve seen a variety of studies. But it’s a significant reduction. We could easily be talking 25 or 30 percent reductions or more in electric bills and gas bills and that’s meaningful to the region.”

What studies?

Who holds Allen Fore and Kinder Morgan accountable for the false information they spew to deliberately and unethically to sway the general public?

I request that the FERC look into this claim and report your findings back to us.

20151001-5261

Dr. J. Melbin, Townsend, MA.

How many compressor stations are proposed over the entire proposed NE pipeline?

What are the total daily absolute quantities of Nox, CO and UHC emitted into the atmosphere from each station?

What is the absolute daily emission of CO2 from each station?

What is the frequency range of the noise at the exterior of each structure housing compressor machinery at pressure levels above normal human detectable minimum (20 micropascals, or 0.98 pW/m² at 1 atmosphere and 25 °C.) and what are the pressure levels (Pa) and intensity levels (dB) at 100, 1K, 10K, 20K , 30K and 50KHz. at the exterior of each structure.

Do the structures housing the machinery include both electric (non ferrous) and magnetic (ferrous) shielding?

What are the levels and frequencies of EM radiation measured at the exterior of the structures housing the machinery?

How are the metering and regulating stations designed? Are they to be above ground or vaulted?

What are the Emission Factors related to each type of NED station?

20151002-5003

Diane K Hewitt, Groton, MA.

Scoping Comments for FERC

Diane and Richard Hewitt

Rindge, NH September 29, 2015

Please enter these comments into the FERC docket.

My name is Diane Hewitt, my husband and I are residents of Groton MA and affected homeowners on the original route. Our children recently purchased their first home in New Ipswich which is now located less than 2 miles from the compressor station.

Mr. Tomasi, at a previous Scoping meeting, you stated that you wished to hear from the public if we believe that Kinder Morgan is not fulfilling its stated commitments. I would like to address two critical areas that FERC can easily document and then choose to hold Kinder Morgan accountable for their egregious behavior. Both involve their blatant disregard for what many of us hold quite dear—our state constitutions.

Our MA State Representative, Sheila Harrington, First Middlesex District, testified at the earlier Dracut

Scoping meeting, that during a private meeting with Kinder Morgan, they made a firm commitment to her that they would abide by the provisions of Article 97 of the MA State Constitution. You may remember that the first sentences of Article 97 state:

“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 general court.”

However, we now find that KM is requesting access to and easements on up to 100 parcels of land protected under Article 97. As Representative Harrington said to you in Dracut—How will you direct Kinder Morgan to honor their commitment to Massachusetts residents and uphold Article 97 of the Mass. Constitution? I believe her exact words to you were,” How will you hold their feet to the fire?”

Similarly, the New Hampshire State Constitution is now under siege by Kinder Morgan. Article 12A, was enacted on November 7, 2006 by an overwhelming majority of voters of New Hampshire and it simply 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.”

In the March, 2015 edition of the Political Monitor, Business/Economy section the article’s lead headline was the following:

“Pipeline developer Kinder Morgan will not take any New Hampshire homes through eminent domain, company officials told lawmakers in Concord yesterday. Republican Sens. Andy Sanborn and Jeb Bradley questioned Kinder Morgan officials about their plans to use eminent domain, a concern among residents, during a presentation before a Senate energy committee yesterday.”

Kinder Morgan’s response: “At the end of the day, we’re usually 95 percent or higher on voluntary acquisitions,” said Allen Fore, vice president of public affairs at Kinder Morgan. “We will not be taking homes as part of this process, period.”

So, like so much of what Kinder Morgan says this language is merely another slight of hand. What he is actually saying is this: We won’t take your house, but we can and will take an easement on your property by eminent domain. Do remember that Mr. Fore has told us many times that best industry practices indicate that they can place a pipe in the ground as close as 20 feet from your home.

Both of these scenarios involve a serious breach of our state constitutions. They are, in fact, unprecedented in their size and scope; they blatantly disregard the will of the people and our elected officials; they trample upon our laws and even our state constitutions. I call upon FERC to seriously consider to whom they are beholding. A private company with a marginal safety record, who has yet to make a convincing case for this project and is willing to do untold damage to our citizens, our communities, our land, our water and habitats, or to the American public? Will you uphold the constitutions of our states? Will you have the courage to listen and act on behalf of the American people, by exercising the “No Build”option? FERC, Do Your Job!

20151002-5011

October 1st, 2015

Re: Docket # PF14-22-000

To the FERC,

My residence is identified through the NRPC as property ID 2A-21-2, it is less than a mile away from a high pressured gas line proposed by Northeast Energy Direct pipeline route. The latest proposals have indicated

that there is the likelihood of a metering station within this mile radius of my home. This raises many potential questions and I respectfully request that the Federal Energy Regulatory Commission ensure that all potential impacts of the proposed meter station and pipeline be thoroughly evaluated and addressed in the Commission's EIS.

1. Specifically to identify all noise-sensitive areas within a one-mile radius of the proposed meter station where my quiet setting is been an expected attribute.
2. To also identify all the equipment, procedures, and operations that may produce noise audible outside of the meter station, including the maximum noise level that can be emitted and how that noise will be measured in a consistent basis.
3. Identify in the cost analysis the reduction in property value within the radius of 1.5 miles due to the noise and other negative health impacts from the proposed metering station and pipeline.

Specifically my family and I are concerned about water and air quality issues that can arise related to leaks and gasses released, on purpose or inadvertently, by said metering station and pipeline. I would like to respectfully request that the Commission require TGP to identify and quantify in detail:

1. Any and all emissions that could be produced by the proposed metering facility and pipeline, including anything that could be anticipated for future leaks, intentional and unintentional venting of natural gas and the chemicals used in extracting and transporting.
2. Every effect to human and wildlife health and welfare in terms of the number of people who could be exposed to the emissions and the number of people who could develop adverse health effects from exposure no matter if it was for a short or long period of time.
3. Quantify the indirect costs of any treatments, preventative medicine, healthcare costs, inability to work as a result of exposure.
4. Identify in a cost analysis the reduction in property value as a direct or indirect effect of a leak or threats of a potential leak.
5. Any leaks would be allowed to continue while a repair plan is developed is unacceptable, given that my home uses a well, as well as many of my neighbors in town.
6. If a leak through the ground is discovered and chemicals enter the town, or personal residences' water supply, how will this be mitigated and what laws are in place to hold TGP accountable to mitigating the situations that can arise.

I would also request the commission identify all potential environmental impacts on personal property, such as the impact of blasting and construction zones on things such as in-ground swimming pools that can be damaged due to such activity. How this type of environmental impact will be monitored and how the damaged will be mitigated.

I would respectfully request the commission take these factors into consideration for this particular project, and compare the impacts to other pipeline expansion projects aimed to increase the amount of natural gas to the area to lower all of our electric bills by 30-35% as the Kinder Morgan representatives have led us to believe, even though more than half of the residents in southern New Hampshire are customers of Eversource (formerly PSNH) which is not a customer of this proposed pipeline.

I appreciate the commission's assistance in gathering the information from TGP regarding these anticipated impacts to my family and home.

Sincerely,

Bert Priddle
20 Seaverns Bridge Road
Merrimack NH

20151005-0006

Docket # PF14-22-000

Pennsylvania

County- Susquehanna T

ownship- Bridgewater

LL#Pennsylvania TW 94.00

Map/block/lot 162.00-1,021.00

RE: Tennessee Gas pipeline Co. Northeast Energy Direct Project PL 900-1

Hello,

I oppose the installation of this pipeline through our property for the following reasons.

1. Disruption of woodland wildlife habitat. Our property received a grant through the Susquehanna Co. Conservation district - Natural resource Conservation service in the years 2009- 2011 that helped us install wildlife habitat improvements that are now well established. I have included copies of the map and plan.

Referring to the included map-

Field 12 is a semi forested area that has a wetland that feeds the pond (area 6) during high water table. This pond feed could be redirected away from the pond by an open trench or bore. With the pipelines crisscrossing our landscape there is much disruption to our woodland habitat.

The pond currently is a watering hole for local wildlife and used as a nesting area for redwing black birds, geese and ducks. Bats are often seen feeding on the bugs attracted to this water area.

Field 2 is annual planted crops for wildlife. There has been thousands of dollars spent on soil amendments to make this field fertile. Nutrient dense forage is grown here to feed wildlife.

Field 10 nut and fruit bearing trees.

Field 9 black berry brambles, nut and fruit trees, there is also a hand dug well and wetland pond by the road.

Field 11 high warm season grass, dense planting seeds of berry producing shrubs, oaks, apple trees and black berry brambles.

2. All of these areas would be needlessly impacted by this pipeline as would the forested habitat on the adjoining properties. There is a better solution.

The adjoining property to our south owned by the Petersen family farm has an existing natural gas pipeline that travels in the direction of this proposed pipeline and is located mostly in fields. Rather than spending extra money to remove trees on your planned route

“please consider using this existing pipeline right of way for your pipeline installation. This will preserve the woodland habitat on ours and the neighboring properties and makes sense financially for your pipeline installation as this area has already been cleared. Please see the maps and wildlife habitat improvement plan.

Thank you for your consideration in this matter.

Matthew Sellers

{7 pages maps, forms, charts omitted}

Tennessee GIS Pipeline Company, LLC - Northeast Energy Direct Project
SURVEY PERMISSION

{over-written “Permission Not Granted”}

Tennessee Gas Pipeline

Mathew P. Sellers
Denise L. Sellers
5059 Meshoppen Creek Road
Montrose, PA 18801

May 8, 2015

RE: Tennessee Gas Pipeline Company
Northeast Energy Direct Project
PATW94.00
Susquehanna ce, P A
PL 900-1

Dear Mr. and Mrs. Sellers,

Tennessee Gas Pipeline Company, LLC (Tennessee), has been trying to reach you either by mail or telephone communication in order to discuss the referenced project. Currently, Tennessee is preparing to conduct studies related to the Indiana Uat and the Northern Long-Eared Bat. The information gained from these studies will help the permitting authorities determine the potential impact from our proposed project at the bats referenced. We are seeking your assistance by allowing our crews access to your property to conduct these studies.

Please find enclosed a handout describing the above referenced bat studies in more detail.

From a historical perspective, Tennessee has been a part of the Pennsylvania community for more than 60 years. The Success of this project will continue to build upon this long tradition of gas transmission in the state and reflect Tennessee's commitment to serve growing markets with predictable deliveries of natural gas.

We welcome the opportunity to answer any questions you may have specifically regarding the bat studies or the project in general. Please feel free to contact me anytime at (315) 729-6210. Thank you for your time and cooperation.

Very truly yours,

Doug Carey
NLS Group
Contract Land Agent
Representing: Tennessee Gas Pipeline Company, LLC
Tennessee Gas Pipeline Company, L.L.C. • P.O. Box 1008 • Oneonta, NY 13820

{map omitted}

20151005-0008

170 Fish Hatchery Road
Richmond
New Hampshire 03470-4802
newoodnh@ne.rr.com

September 27, 2015
The Honorable Norman C. Bay
Chairman
Federal Energy Regulatory Commission
888 First Street, NE

Washington, DC 20426

Subject: NED

Dear Chairman Bay:

This will be short. I understand that the PUG has given support for the pipeline. That, to me, makes overall approval almost a done deal. I am down to my last appeal and base it on the precious aquifer beneath us.

My understanding as a layman is that the blasting and other work on the pipeline may indeed affect the wonderfully pure and cold water we enjoy. Is it not possible that the pipeline can be diverted away from its currently planned location under Fish Hatchery Road and atop the aquifer?

Were plans to make that accommodation a reality it would be deeply appreciated by those of us who live so close to the proposed pipeline, actually within what is termed the “Incineration zone”, and atop the aquifer. Is that not reasonable?

Thank you for your attention.

Sincerely

Norman E. Woodward

20151005-0030

Hand written card, Jane Hershey, 19 Blakeville Rd, Rindge, NH 03461: opposing

20151005-0031

Hand written card, Norman L. Baker, PO Box 54, Windsor, MA 01270 : opposing

20151005-0033

Hand written FERC Comment form, 2 pages + 5 maps: Al Jenks, Windblown XC, 1180 Turnpike Rd, New Ipswich, NH 030471: opposing.

{5 pages maps omitted}

20151005-0041

Sept. 28, 2015

287 West Street

Cummington MA 01026

Federal Energy Regulatory Commission

888 First Street, N.E.

Washington, DC 20426

Dear FERC,

I am writing to express my stringent opposition to the Northeast Expansion Pipeline Project. Not only is this project exorbitantly backward looking both financially and environmentally, it is a violence against one of this country’s pristine old growth forests and the people who have chosen to live in concert with nature’s quietude. Your organization must nurture sustainable methods of energy production if human kind is to survive on this planet. Thrusting another unnecessary pipeline through substrate is no answer to our energy problems. Short term fixes based on corporate greed breeds cynicism and, ultimately, despair. Nobody I know—and there are many—in my Massachusetts hill towns want Kinder Morgan on our land. A literal outrage sweeps through us, an opposition-cohesion which I can only liken to war against a swarming enemy. I ask you on behalf of myself, the immediate environment, the earth itself, and all my friends to reject this project.

Sincerely,

Gordon Massman

20151005-0042

PO Box 131
New Ipswich, NH 03071
September 27, 2015
Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Room 1A
Washington, DC 20426
Docket PF 14-22

To Whom It May Concern:

I am writing to you in regard to the Kinder Morgan NED pipeline that is proposed to pass through southern New Hampshire. This should be opposed for a number of reasons. First, is the lack of real need. It is common knowledge that the majority of this gas will be used for export and Kinder Morgan has never denied this. It will not benefit New Hampshire residents in any form. Next, is the decimation to the land, families, air and water. We have aquifers, wells, children, animals, farms, food, gardens, and the air we breathe that will all be negatively impacted by this, not only during the initial construction phase, but also on an ongoing basis. Though there are many reasons to oppose this pipeline project I will end with the alternative. Going forward, if the need does present itself, we have a number of new, emerging methods to sustain our energy needs: wind, solar, and others. Even President Obama has recently taken a stance against the natural gas pipelines as a solution to our future energy needs. As we look forth into the future we need not make rash decisions that will negatively affect a great number of our citizens now and going forward. From the "frack" Relds to the pipeline routes, compressor stations, and all the negative consequences that go with this, we need to find a different solution. I urge you to deny this proposed pipeline.

Sincerely,

Mark Hutchings

20151005-0043

Lucy Hutchings
45 Philmart Drive
New Ipswich, NH 03071
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Room 1A
Washington, DC 20426

Re: Docket pF 14-22; Opposition to the Tennessee Gas Pipeline use of eminent domain.

Dear Ms. Bose,

I am a concerned resident of New Ipswich, NH and am writing to you today regarding the proposed gas pipeline by Tennessee Gas Company/Kinder Morgan. This pipeline is potentially planned to run across southern New Hampshire and down into Massachusetts. This private company will be clearing a 150 foot wide path through many private residents' land. Kinder Morgan claims there is a need for this gas in New England and, therefore, is being considered to be allowed the use of Eminent Domain as a means to accomplish this project.

Ms. Bose and everyone else at FERC: I hope you understand the meaning of Eminent Domain clearly before giving approval for this project. This country, the United States of America, is the land of the free. This state of New Hampshire proudly states on all license plates "Live Free or Die". What part of Eminent domain do you consider allows the government to take the land of a private landowner for this private company's corporate gain? As you know, eminent domain has many important aspects to it and one of them is that the land is being taken to be used to benefit the public rather than specific individuals. This project does not benefit the public, plain and simple. The residents being affected by this pipeline need to have the right to say no and we are not being heard. This is not living free by anyone's standards.

This gas is not intended for the residents along the path of the pipeline. It is a transmission line, not a distribution or service line. We are being told that the gas is needed for the power plants and yet there is much conflicting evidence of this. Whether there is an energy shortage or not, there are already steps to improve energy use in place or currently being put into place such as the required change away from incandescent lights and Distrigas's recent 10 year contract for ample LNG to cover any peaks in demand through 2024. There are already pipelines in place that are not being utilized to full capacity that can be considered as well. There are better ways to deal with any need for energy rather than blasting a path through beautiful, rural, New Hampshire to install a pipeline to carry an unclean fossil fuel. The use of Eminent Domain should be sacred and used when absolutely necessary for the public's health and safety. The FERC needs to uphold the constitution and represent what it means to be a US citizen. As a New Hampshire resident and landowner as well as a law-abiding US citizen I demand that the federal government in the form of the FERC decline the application of Tennessee Gas Company/Kinder Morgan requesting to build the NED pipeline across Southern New Hampshire.

Respectfully,

Lucy Hutchings

20151005-0044

{ duplicate copy of 20150930-5072 }

20151005-0046

Schoharie County Soil and Water Conservation

173 South Grand St. Suite #3

Cobleskill, NY 12043

518-823-4535

September 28, 2015

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

RE: Docket PF 14-22-000

To whom it may concern,

I am writing this letter in regards to the installation of the proposed Kinder Morgan pipeline in Schoharie County. As the Stanton Family Farm LLCs certified nutrient management planner, I have concerns of the location of the proposed pipeline installation.

The Stanton Family Farm LLC is located in the Town of Middleburgh. Its operation is the largest in Schoharie County. It contributes greatly to our local economy by providing jobs, revenue and milk products to our community and New York State. This family farm milks 450 cows in addition to having calves and heifers totaling 925 animals. The farm's land base spans 1500 acres and is within a 10 mile radius of the farm. This land base is not only used to produce feed for the animals but to also spread their manure on an almost daily

basis. Every acre of this land base is essential to the farm's ability to feed their animals and manage their manure in a sustainable way. Construction of this pipeline on their prime farmland will hinder the production of feed for their animals and utilization of the manure. Over application of manure on other fields will only inhibit future manure spreading. Crop rotations will be over extended making them out of compliance with their certified nutrient management plan (CNMP).

Working with the farm on an almost daily basis, we've had multiple discussions of proposed expansions, current farmstead management and cropping plans. They are at their max in their current location and are finishing up multiple best management practices that need to be installed in accordance with their certified nutrient management plan. Their land base currently supports their farming practices but any significant changes will be detrimental to the whole plan. They strive to keep up to date. They are very proactive and progressive as they work towards being completely implemented, which is imperative to stay in compliance with their concentrated animal feeding operation (CAFO) permit.

The farm operates under the New York State Department of Environmental Conservation's (NYS DEC) CAFO permit (GP-0-9-001). This permit requires them to spread their manure agronomically correct in accordance with their certified nutrient management plan (CNMP). The CNMP is based on standards set forth by the Natural Resource Conservation Service (NRCS) standard 1 NY 312. In order to comply with the permit they are under penalty of law to follow the CNMP. The permit states that it is the farm's duty to comply (part VII, section A) with all conditions of the general permit. Any noncompliance constitutes a violation of the Environmental Conservation Law and is grounds for: an enforcement action (up to \$37,500 per day); loss of authorization under the general permit and/or denial of a permit renewal application. They file this permit yearly allowing them to farm legally in New York State. They are subject to yearly and can also have unannounced spot checks.

If and or when this pipeline goes in, it will cause a serious issue with the Stanton farm's crop rotation and manure spreading. About 130 acres of their farm will be disrupted and with the Constitution pipeline installation delayed, it will be at the very least 2-3 growing seasons. With the addition of Kinder Morgan's North-east Direct Pipeline, that could mean an additional 4-6 growing seasons. The farm has to follow their yearly updated plan or else they will be deemed out of compliance, not only with DEC but with the Natural Resource Conservation Service (NRCS) as well. NRCS holds not following a crop rotation in accordance with their conservation plan as a serious offense. If fields aren't available because of the pipeline construction it will ruin not only the crop plans for that year but subsequent years as well. It will create a domino effect on all the other fields used by the Stanton's farm.

For these reasons it would be very beneficial for the Federal Energy Regulatory Commission (FERC) to require Kinder Morgan to evaluate the 1-88 corridor route as proposed by the New York State Department of Environmental Conservation (NYSDEC). That route would provide the least restrictions to the farm, avoiding their production area. Farming is a 24 hour 365 day dynamic enterprise. It's a profession that has many risks associated with it. They have to deal with uncertain milk prices, weather, state and federal regulations, and an ever growing scrutiny by neighbors and the general public. The installation of yet another pipeline will just increase these factors and once again inhibit daily operation of the farm.

Please feel free to contact me with any questions you have on his nutrient management plan or farming operations.

Thank you,

Lisa Kuehnle, CCA
Certified Nutrient Management Planner

20151005-0050

Typed FERC Comment form:

PERC must ensure transparency and oversight of the disposal of excavation debris that is not suitable for backfilling by fetphhg Kinder Mar (pm to pm) vide to the tmsns, and nuke accessible to the public

1. Identification of land owners at and adjacent to the proposed discharge and collection/huntation site PRIOR to submitting an application,
2. Written permission from the land owner to be collected/used,
3. Prior approval by the NH Site Evaluation Committee (SEC) of each disposal location. Locations must be away from wetlands.
4. Detailed safe hauling and handling of the debris,
5. Detailed procedures for grading and recovery of the disposal site

The classification of all excavated materials must be spelled out and the disposal method identified in the FSR application. Materials not suitable for backfilling include but are not limited to waste material, cryptic material, debris of any kind, brush, rock more than two inches (~in diameter), cinders or other corrosive material, trash, compact masses of stiff clay or other consolidated material, large stones, and boulders. Where burning is indicated (i.e. tree limbs, stumps, brush), compliance with all local, state, and federal governmental requirements relative to burning, fire prevention, and air pollution must be specified.

Penalties for unapproved (outside the design specifications) trench widths, insufficient depth, unstable structures, etc. with remedial procedures at the expense of the contractor, including time limitations and funding methods, should be spelled out in advance, as well as testing procedures to validate compliance with the design specs.

William and Gloria Barefoot
 PO Box 484
 Fitzwilliam, NH 03447

20151005-0052

September 23, 2015

Kimberly D. Bose and Staff
 Federal Energy Regulatory Commission
 888 First St. NE
 Washington, DC 20426

To Whom It May Concern:

I am unable to attend the scoping meeting for the Northeast Energy Direct Pipeline Project (Docket 1 PF14-22-000) in Rindge, NH, on Sep 29, 2015. I offer these written remarks to be read at that meeting, and shared in any other ways appropriate to this situation.

I live in Temple, within a few miles of the proposed New Ipswich Compressor Site. This project is an anathema to me on all levels — as a local resident, as an American citizen, and as a concerned member of the human race.

As a local resident, I know that this project puts my town - and the entire region in danger. Driving home from work along Rt. 45, by the forest site of the proposed compressor station, I see a beautiful view of Temple Mountain, and a field of cows. Just beyond is the Temple Elementary School (which is, ironically, our town evacuation site — within ‘A mile of the proposed station). Should there be an explosion — which is not unlikely; I have seen the videos of the fireballs emitted by compressor stations much smaller than the one proposed here — it could wipe out the cows, the kids, and start a forest fire that could spread for miles throughout the region. I heard the local fire chief talk about the problem at a town meeting, and all he could say was, “We’re not prepared for this.” The subtext was, there is no way to be prepared for this. And the burden of paying for the impossible preparation — and the incalculable damages — would be borne by us, the taxpayers.

There are other serious problems — potential pollution of local aquifers and atmosphere, extreme and constant noise, danger to wildlife. All these, in turn, cause serious business problems. One of our region’s main

products is its rural, remote beauty. Foliage season is just beginning, and many local businesses make much of their yearly income from the tourists who come for the quiet loveliness of the woods, the historical feel, the quaint New England atmosphere. Who will stay at a bed and breakfast from which they can hear a steady pounding from a compressor station all night? Or if they have to drive by an industrial wasteland to get to it? Temple —and many towns like it, along the pipeline route - could become ghost towns.

Our property values will go to nothing as well; we may just all have to walk away from our houses. I honestly don't know what I would do; I can't live with constant noise. Multiply me by the thousands of people affected along this rural pipeline route, and you start to see the enormity of the problem.

But that is only a start. Because, as an American citizen, I am horrified at how much property —both private lands and public - will be taken out of our control through eminent domain. Farmers won't be able to take heavy equipment across their own fields where the pipeline crosses their property. Beautiful sites in the public forests will be trashed forever. The entire watershed of the Connecticut river is endangered.

And what for? We don't need the energy; NH already has very low electric rates. And most of the rural towns along the pipeline route will never see the gas —it's just not practical to pump it that far. The bigger cities in NH already have natural gas.

The pipeline does not benefit American citizens at all, except for those who are shareholders of Kinder Morgan. The gas is earmarked for overseas sales, which is likely to drive our energy prices up. During construction, there will be a few more jobs for American workers. But as soon as the pipeline is complete, these will disappear. The compressor stations are basically unmanned —no jobs there. The trade-off isn't even worth thinking about.

As a member of the human race, I see this project seems like another nail in the coffin of sustainability. We need to be putting our creativity and our businesses into husbanding the resources we have —not destroying renewable resources, like land and trees and beauty, to extract unrenewable resources from the earth.

Thank you for listening. Say no to the pipeline and yes to people, the land, and the animals that live here —and everywhere on the planet Earth —now.

Eve Kodiak PO Box 13
Temple, NH 03084

20151005-0053

Office of the
BOARD OF SELECTMEN
272 Main Street
Townsend, Massachusetts 01469

Gordon Clark, Chairman
Andrew J. Sheehan,
Toom Administrator
September 19, 2015

Carolyn Smart, vice-Chairman
Office (978) 597-1701
Fax (978) 597-1719

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

Re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000

Dear Secretary Bose:

As you are aware, five different projects are proposed that will almost double the amount of natural gas coming to New England. These projects are the Tennessee Gas/Kinder Morgan CT Expansion, Tennessee Gas/Kinder Morgan Northeast Energy Direct (NED), Spectra Atlantic Bridge, Spectra Access Northeast, and

Portland Natural Gas C2C Project. We fear that these projects are redundant with each other and with existing projects that FERC previously determined were necessary but which are now underutilized.

We respectfully request that FERC combine the proposals from Kinder Morgan, Spectra Energy, Portland Natural Gas, and their various partners into one regional Environmental Impact Statement and one coordinated FERC process. This approach is consistent with the National Environmental Policy Act (NEPA). Added together, these proposals could almost double the gas supply to New England at a time when the federal Clean Power Plan (CPP) and the MA Global Warming Solutions Act (GWSA) are demanding that we greatly reduce our consumption of fossil fuels.

Kinder Morgan admits that other projects could meet the same needs as their proposed NED project. Kinder Morgan writes: “[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.” (Resource Report 10 - Alternatives, July 2015, p. 10-2) 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 meet the demand while minimizing the impact to the environment and affected land owners.

On December 18, 2014, the Council on Environmental Quality (CEQ) issued guidance on the effective use of “programmatic” NEPA reviews. The guidance recommends agencies consider a programmatic review when “making decisions on common elements or aspects of a series or suite of closely related projects” and as a way to “avoid ‘segmenting’ the overall program from subsequent individual actions and thereby avoid unreasonably constricting the scope of environmental review.” (December 2014 CEQ Guidance, p.15-16) Specific actions listed in the December guidance as appropriate for a programmatic NEPA review include those that FERC and other federal agencies are now considering for several pipeline projects in New England:

Approving Multiple Actions. Decision to proceed with multiple projects that are temporally or spatially connected and that will have a series of associated concurrent or subsequent decisions. Programmatic examples include:

- Several similar actions or projects in a region or nationwide (e.g., a large scale utility corridor project); or
- A suite of ongoing, proposed or reasonably foreseeable actions that share a common geography or timing, such as multiple activities within a defined boundary (i.e., Federal land or facility). (December 2014 CEQ Guidance, p.14)

The various pipeline proposals share a common geography and timing. All have potential impacts on a range of resources and involve many local, state and regional stakeholders. Together these projects total 2.66 Bcf/d of increased natural gas capacity. Adding the recently (March 2015) approved Spectra AIM project, the total reaches close to 3 Bcf/d of additional gas capacity into New England. If Kinder Morgan elects to revert back to the 2.2 Bcf/d NED project as originally proposed, the additional capacity will be close to 4 Bcf/d.

Clearly the capacity of all these projects taken together far exceeds any potential shortfall in even the most aggressive demand scenario. They are redundant and cannot cite the same “need” or be considered independently. These projects constitute alternative solutions to the same potential need and must be reviewed as such under NEPA.

A consolidated review will allow the various agencies an opportunity to “propose standard mitigation protocols and/or operating procedures in a programmatic NEPA review and thereby provide a framework and scope for the subsequent tiered analysis of environmental impacts.” (December 2014 CEQ Guidance, p. 23) As the December 2014 guidance document states: Programmatic NEPA reviews provide an opportunity for agencies to incorporate comprehensive mitigation planning, best management practices, and standard operating procedures, as well as monitoring strategies into the Federal policymaking process at a broad or

strategic level. These analyses can promote sustainability and allow Federal agencies to advance the nation's environmental policy as articulated in Section 101 of NEPA. (December 2014 CEQ Guidance, p. 35)

Furthermore, combining the projects in a programmatic review would foster an open and transparent process, 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.

The FERC NEPA review for these combined projects needs to determine:

- What amount of gas, if any, is needed to meet the threshold of public convenience and necessity which would most certainly result in easements across hundreds of private properties? Please keep in mind that two offshore LNG "energy bridge" terminals that FERC recently determined were absolutely "necessary" for New England now sit essentially idle after the costs and environmental impacts associated with their construction have already occurred.
- What is the best way to meet any gas need while minimizing project impacts? This could be by choosing one particular project or parts of several different proposals that best meet the needs with the least impact.
- In assessing the needs of the electric generation market, the NEPA review should include the results of the study MA Attorney General Maura Healey is undertaking to determine electric reliability needs including what gas capacity we need for electricity generation through 2030. The results of that study, expected in October 2015, will show whether or not new pipeline capacity is needed to serve the electric generation market and if so, will properly define and dimension that need.
- In assessing the amount of the gas contracted through the various LDC proposals, the review should include an analysis of how much of the LDC demand is currently replacing expiring volumes already under contract? How much is for future demand? How much is to arbitrage?
- The No Action alternative should consider whether further investments by LDC's in repairing widespread and long-standing 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 meet the state's obligation under the GWSA. The No Action alternative should address the feasibility of increased use of already constructed onshore and offshore LNG facilities to cover any shortfalls, which appear to be limited to a few days per year. FERC must contrast the relative environmental impacts of construction of pipelines to this alternative, given that the construction impacts associated with the LNG terminals have already occurred.
- The EIS for a regional gas transmission study should acknowledge the specific projects proposed in response to the New England Clean Energy Plan RFP (<http://cleanenergy.com/>) and fully consider their timing and future presence in assessing the need for increased natural gas in evaluating the No Action Alternative. The No Action Alternative must also evaluate whether the import of 2400 MW of additional hydroelectric power by 2020 as proposed by Massachusetts Governor Charlie Baker fully meets or greatly reduces the need for the project in the No Action Alternative.
- The role of export in any proposed pipeline capacity expansion needs to be 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.
- In comparing and contrasting the NED project and other natural gas transmission projects, the relative impacts of increased natural gas use on greenhouse gas emissions must be considered. The EIS should specifically address consistency with the federal CPP and MA GWSA. It should compare and contrast the proposed projects with increased reliance on renewable energy sources, increased effi-

ciency incentives, gas savings from leak repairs, and other ways which may be more consistent with CPP and GWSA.

- If increased natural gas is primarily a bridge fuel as many of the project components are claiming, then these projects should be considered only a potential temporary solution. 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 projects to other short-term solutions, such as increased use of our currently underutilized LNG terminals using existing infrastructure.

In summary, we respectfully ask FERC to look at the larger picture of natural gas capacity in New England by combining the various proposals into a single, comprehensive NEPA review. This consolidated review will best allow FERC to fulfill its obligation to “use all practicable means and measures, including financial and technical assistance, 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” as specified in Section 101 of the National Environmental Policy Act.

Thank you for the opportunity to comment and we look forward to your response.

Sincerely,

Gordon Clark, Chairman
Townsend Board of Selectmen

cc: Senator Elizabeth Warren
Senator Edward Markey
Representative Niki Tsongas
Representative James McGovern
Governor Charles D. Baker
Lt. Governor Karyn E. Polito
Attorney General Maura Henley
MA Senate President Stanley Rosenberg
MA State Rep. Sheila Harrington
MA State Sen. Jennifer Flanagan
Christy Goldfuss, Managing Director, Council on Environmental Quality
Matthew Beaton, MA Secretary of Energy and Environmental Affairs

20151005-5002

Nancy Hann, Winchester, NH.

For thousands of years our Pioneer Valley home has nurtured its people with beauty and a rich agricultural heritage. The attached viewshed map shows how many locations will be affected by a view of the Northfield compressor station proposed by Kinder Morgan: 12 towns in Massachusetts, 3 in Vermont, and 4 in New Hampshire. We love this Valley. A compressor station for fracked gas is not healthy, will not be clean, and should not be built. We want a clean, healthy, and beautiful Pioneer Valley for the next 1000 years.

Northfield, MA Compressor Station View Shed Map: <https://dl.dropboxusercontent.com/u/20677816/Viewshed%20For%20Proposed%20Pipeline.jpg>

20151005-5004

John Leoutsacos, Temple, NH.

During the recent scoping meeting held in Rindge New Hampshire. It was stated by Kinder Morgan rep Alan Fore (broadcast on WMUR channel 9) that my electric rates will go down by over 30% once the pipeline was built. Being a gas distribution company (the automotive equivalent of a toll road), would be like

being told the price of gas for my car will be cheaper once a highway is built. More than half of southern New Hampshire's residents are Eversource (formerly PSNH) customers, which will not be serviced by this pipeline.

How is he allowed to makeup such LIES without any repercussions?

20151005-5005

Marilynn Acker Ezell, Temple, NH.

If the natural gas that Kinder Morgan wants to bring us via the NED pipeline is really for the purpose of lowering our electricity rates, why don't they transform it into electricity in a power plant near its source and then send it to us as electricity over power lines? I would much rather have that than to have a gas pipeline and compressor station in our midst. The truth is the natural gas is not for us after all. It is for export and we are just supposed to put up with the degradation of 70+ miles of southern NH so that this private company can sell it to a different market. This is not going to lower our electric rates. Let's look for more chances to invest in renewable energy and stop ruining the environment.

20151005-5006

Aaron K Patt, Troy, NH.

To: Federal Energy Regulatory Commissioners

From: Aaron K. Patt, former Co-Chair Rockwood Brook Clean-up Committee '02, Former Troy Selectman '03-'10, former Cheshire County Commissioner '11-'12

Commissioners,

I am writing to you regarding the Kinder Morgan pipeline project that is under application for installation in southern New Hampshire. I am writing to share my experience as a person that was directly involved in the Environmental Protection Agency (EPA) Superfund site located in Troy, New Hampshire – the Troy Mills Landfill site. Extensive information on the clean-up efforts and testing can be found here: http://yosemite.epa.gov/r1/npl_pad.nsf/51dc4f173ceef51d85256adf004c7ec8/33eb2bb1688465ac85256d19005dd167?OpenDocument

The superfund site was referred to as the largest liquid waste site left in America by experts from EPA during one of our local meetings. The committee I co-chaired coordinated with the New Hampshire Department of Environmental Services (DES) and the EPA, as well as our elected officials at the State and Federal level in order to remediate the site and protect the Town of Troy water district and Rockwood Brook Pond (at that time a source of drinking water for the town). The efforts were successful and resulted in the site being listed on the National Priority List (NPL). From the NPL listing the site was funded and clean-up efforts were completed over the next several years. During this time I was elected Selectman in Troy, and continued to oversee the process on a local level.

It's not possible to share with you all of the events, emotion, and concerns that residents of Troy and myself experienced during that time. However there are several things that I believe bear relating with regard to the pipeline application by Kinder Morgan, which viewed from the vantage point of our experience dealing with the Troy Mills landfill, is a reckless and dangerous project that will expose residents of southern NH to dangers that will far outweigh any benefits touted by the companies intent on this project.

Chief among the lessons we learned is that clean-up efforts take an enormous amount of time to conduct, leave lesions that may never heal, and cost far more to a community than the economic benefits gleaned in the short term. Consider that the barrels at the site were first buried in the 1960s and that the law against disposal was not passed until 1976. From that time, NHDES kept records until 2002 when the residents of Troy formed the clean-up committed to address the direct threat to their local water resources. We are nearing the 40 year anniversary of data recording at the site. Before commencing the clean-up, EPA tested every possible spring run-off from the site in an effort to document mobility of the pollutants – the number of potential spring feeds was startling. The awareness of how moisture seeps and flows; how alive and 'transportative'

groundwater is brought a deeper level of dread with regards to the potential for the efforts to capture and clean the site completely: the entire area downstream from the site included all of the area geographically below the area that water can reach. This includes significant wetlands areas that currently intersect with the Right of Way that Eversource controls and that would be used by Kinder Morgan for their pipeline. The ROW installation plan was recently updated showing the pipeline only 122 feet away from the superfund location. The ROW directly intersects with the Bowkerville pond wetlands, which runs under Route 12 and down towards the center of Troy village. Locating a pipeline at such a close distance to the Troy Mills superfund site is, in effect, the installation of a superhighway for the mobility of latent pollutants already onsite that could not be captured by the superfund clean-up.

The cost of the superfund site was beyond the capacity of the local community to fund. Consider that Troy closed its landfill site at the cost of a million dollars and holds a 20 year bond. The superfund site was noted to have a \$14 million dollar lien from the EPA in place. If you know anything about local government funding, and its reliance on property tax in NH, you will know that the effect on local communities is that the threat of future clean-up, is a grossly unfair transfer of costs from corporations outside the State to the taxpayers in southern NH, of which most in this area are middle-class and the poor. Consider the time it took for the 'largest liquid landfill site left in America' to reach the National Priority List and you can imagine what the results will be for local communities when leaks occur in the pipeline. When, not If.

The reality of the Kinder Morgan pipeline, beyond the economic waste of having spent enormous federal funds on the protection of the town of Troy from a static source of poison (barrels of Varsol liquids), is that the pipeline in southern NH will be an active source of poison, carrying untold gallons of gas that has the potential to ruin entire communities. The ROW land is not static. Installation of a pipeline in such close proximity to people is not only foolish but represents a future adverse economic impact on the region that vastly outweighs the short-term goals purported by Kinder Morgan. The fact that recent plans updated by Kinder Morgan showing the installation moving closer to the superfund site is explanation enough that the company does not have the interests of NH and its people in mind.

We struggled mightily to preserve our future. Please be a positive part of that struggle by voting "NO" to the Kinder Morgan pipeline. We've worked closely with federal and State resources in the past and have first hand knowledge of how detrimental such a project will ultimately be to the area. Our long term vision for our communities is more important at crossroads such as these. There are better and safer opportunities available. We need a better vision for the future both in energy and

20151005-5044

In its letter to the applicant of February 27, 2015, FERC asked that Section 1.3.2.2 of the Resource Reports "fully describe the criteria for whether groundwater wells and springs within 200 feet of the construction right-of-way will be tested, the testing procedures for water quality and quantity, the timeframe for testing, and measures that would be implemented in the event that water testing indicates

an impact on a well". The applicant's response is wholly inadequate and does not even facially comply with the request:

"Tennessee is planning to test water wells within 200 feet of the construction workspace along the ROW, both before and after construction, for water quantity and quality parameters. In order for a landowner or resident to immediately qualify for post-construction testing, they must allow Tennessee access to property on which such water wells are located conduct a pre-construction test. Tennessee will conduct testing of all wells within the proposed constraints, both pre- and post-construction, unless otherwise prohibited by the resident or landowner."

The applicant's statement cannot in any way be said to fully describe the criteria. What contaminants will they test for? Will they test well flow, recovery and head? What is the timeframe? What measures will they take if testing indicates an impact on the well? What do they mean by "immediately qualify"? Does that suggest that immediate post-construction testing is what would be done?

More importantly, 200 feet is an inadequate when blasting is involved, as will likely be the case in much of Rensselaer County because of its shallow depth to bedrock. There are no public water systems in the Town of Nassau, making residential wells critical. Rensselaer County is considering a local law which would generally require blasters to offer private well testing out to one mile from the blast area. Albany County has enacted a similar law. FERC should insist that Tennessee Gas {file ends}

20151005-5070

September 22, 2015

Attn: OEP-DG2E-Gas, PJ-11.3

RE: Docket No. PF14-22-000

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

Dear Secretary Bose:

We, the **Select Board of Plainfield, Massachusetts**, respectfully submit the following comments in regard to Tennessee Gas Pipeline Company, L.L.C.'s Northeast Energy Direct Project Docket No. PF14-22-000 as it relates to the proposed 5.5 mile gas pipeline (mileposts 21.52 - 27.07).

Northeast Energy Direct Project

Plainfield, Massachusetts: Segment G

1. There are nine proposed road crossings in Plainfield (Windsor Avenue, West Street, Prospect Street, Summit Street, West Hill Road, Rte. 116, North Central Street, North Union Street, and Grant Street). Please determine the method of construction for each road crossing and how the affected roads and surrounding areas are to be maintained during construction and restored to its preconstruction shoulder to shoulder condition. Also, indicate how traffic flow is to be maintained during construction.
2. Please indicate the presence of state and federal inspectors on site to ensure compliance with project specifications and Massachusetts, federal, and local regulations.
3. Please determine how contractors plan to access construction areas along the ROW where temporary access roads may be needed, determine those locations, and indicate how these areas will be restored to preconstruction condition.
4. Please determine how construction crews plan to transport and off-load heavy equipment and materials without doing damage to Plainfield infrastructure.
5. Please determine the method by which any Additional Temporary Workspace(s) (ATW) are to be restored to preconstruction condition.
6. According to a recent Wright to Dracut NWI Quad Mapbook (NED-G-0703) Kinder Morgan has planned a pipe yard and contractor yard in Plainfield on the Robert E. Waryjasz Trust property. Not only is this land in the Agricultural Preservation Restriction Program (APR), but the Town of Plainfield holds a lien on all of the Robert E. Waryjasz Trust property for nonpayment of taxes. Please determine who will be compensated for the use of the parcel, and how the land will be monitored for any hazardous materials and other contaminants that may damage the soil and how the land will be restored to preconstruction condition.
7. 798 (65%) of Massachusetts landowners have not granted permission to Kinder Morgan for survey purposes. Please determine the areas of no access in Plainfield which may be subject to eminent domain for access and survey purposes in Plainfield and how landowners will be compensated for the current and future loss of use of their properties.
8. Plainfield may easily be defined as "rugged terrain". Please determine the areas where blasting is re-

quired, how affected areas will be protected and restored, and how underground aquifers supplying wells and springs may be affected and indicate the water testing frequency for wells and springs.

9. Please determine the location of steep slopes greater than 30% and slopes between 15% and 30% in Plainfield and how they will be protected from erosion and subsequently restored.
10. Please determine the locations where 12 inches or more of topsoil may be removed from agricultural land, where and how it will be segregated and stored during construction, and how it will be properly restored.
11. Please determine water sources for hydrostatic testing, the length of pipe per test, and locations of water release following hydrostatic testing.
12. Please identify all cathodic protection areas.
13. Please identify the method and frequency of alternating current mitigation.
14. Please indicate the frequency of regular inspection schedules and the process by which the proposed pipeline is to be maintained.
15. Please indicate the proposed training schedules for local emergency services and the anticipated response time before Kinder Morgan (Tennessee Gas Pipeline Company, L.L.C.) crews will be on the scene in the event of an emergency.
16. The Plainfield Fire Department/EMS is a volunteer organization with limited resources. Please indicate how Kinder Morgan will provide the Town with the necessary vehicles, equipment, and supplies needed to respond to potential pipeline emergencies, during and after construction.
17. The Plainfield Center Historic District has just recently been accepted by the National Park Service, Department of the Interior for listing in the National Register of Historic Places. Please indicate how the integrity of the area is to be maintained and protected during construction.
18. In the interest of public safety, we respectfully request "Class 4" pipe, not "Class 1" as proposed, be used throughout the entire 5.5 miles of pipeline in Plainfield.

We appreciate the opportunity to comment on the proposed Northeast Energy Direct Project. Thank you for your considerations of our concerns.

Respectfully submitted,

Phillip S. Lococo

Judith Feeley

Dennis W. Mimitz

Plainfield Select Board

20151005-5125

Scoping Hearing Comments August 11, 2015, Dracut, MA Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission (FERC)

888 First Street, NE, Room 1A

Washington, DC 20426

Re: FERC Docket Number PFI4-22, Tennessee Gas Pipeline Company, LLC.

Hello, I am Mark Andrews, Town Administrator from the Town of Pepperell. I am speaking tonight as a representative of the Northeast Municipal Gas Pipeline Coalition. Our Coalition is composed of duly appointed representatives of the following Massachusetts and New Hampshire Municipalities: Ashby, Andover, Dracut, Dunstable, Groton, Littleton, Peabody, Pepperell, North Reading, Tewksbury, Townsend, and Wilmington, MA and Brookline, NH. The Coalition is comprised of elected members of Boards of Selectmen, Town and City Administrators, and other Municipal staff. Our Mission: To gather knowledge and work collaboratively to provide representation and information to relevant government and public bodies concerning the Tennessee Gas Pipeline Project proposed by Kinder-Morgan, and its effect on our communities. Over the

last 14 months we've been meeting, our towns and the members of this Coalition have become unified in their steadfast opposition to the Northeast Energy Direct pipeline project and the overwhelming majority of our members have joined the over 70 towns and counties in Massachusetts, New Hampshire, and New York in passing town resolutions in opposition to the pipeline.

As others have mentioned, the Coalition is tremendously concerned that the project is moving far too rapidly. On July 24, Kinder Morgan released updated Resource Reports that remain woefully incomplete---there are still an estimated 10,000 TBD's. We understand that the preferred format for this hearing is to submit questions to you for further study and consideration. In effect, we are submitting all 10,000 questions - the TBD's in Kinder Morgan's Environmental Resource Reports.

Our municipalities and the members of our Coalition share significant concerns about all aspects of the proposed pipeline project, including, but certainly not limited to, the impact of the construction and operation of the pipeline on protected open spaces, federal and state rare and endangered species habitat and Article 97, water resources, forests and farm land. We question the KM NED pipeline in terms of actual need and capacity, its impact on air quality and greenhouse emissions and our archeological and historic resources. We share with the homeowners of our towns their collective concern about falling real estate values and the subsequent impact on tax revenues on our towns--and most importantly, we are seriously concerned that the NED project will negatively impact the physical health and safety of our citizens. While this is only a cursory reporting of our reservations about the pipeline, please be assured we will be submitting extensive written comments to FERC by the deadline.

Also, on a separate note, I understand that FERC will conduct an extensive economic impact statement regarding the potential financial impact to cities and towns. This statement was made minutes ago. You should review our municipal "overlay accounts" that are used to abate local taxes when property valuations New Hampshire are adversely impacted, under Massachusetts General Law Chapter 59. The overlay account is budgeted each communities: year as Town Administrators, Town Managers and Mayors grapple with budgeting scarce local revenue for many competing needs. We actually lose sleep over this complex account. My question centers upon - if we have more abatement applicants for relief due to the pipeline, how will we pay for the costs of these unknown expenses? You need to look at this problem.

Tonight, we would like to specifically and respectfully request that you postpone the proceedings until October, 2015 when the Massachusetts Attorney General will release her independent study on electricity reliability and capacity needs and determines if NED is the most cost effective means of meeting the energy requirements of the Commonwealth.

As residents of Massachusetts, all of us, through well documented past experience, are keenly aware of the pitfalls and unintended consequences of large projects such as this one. We request that you schedule additional scoping meetings to be held when the information provided by Kinder Morgan is more complete, all relevant bodies have had a chance to review it, and the Attorney General has issued her study. We cannot collectively allow the project to go forward until these significant issues have been thoroughly addressed.

Thank you for the opportunity to speak on behalf of the Northeast Municipal Gas Pipeline Coalition and for being in Dracut this evening.

Sincerely,

Mark Andrews, On behalf of the Northeast Municipal Gas Pipeline Coalition

20151005-5161

Jan A. Griska, Rindge, NH.

Rebuttal to Tennessee Gas Pipeline's Response to N.H. Congressional Delegation's Letter:

I found Kimberly S. Watson's response a predictable repeat of the hype we hear at the Kinder Morgan Open Houses, their newsletters and the general purpose TV ads touting how good fracked gas is for us. One would think that the person trying to sell us and our congressional delegation on how we would benefit from the

New England Direct, the NED pipeline would come up with some concrete, truthful, transparent information, that would help them get a foot in the door.

She claimed they lengthened the route to minimize the impact on the environment! Have they looked at the environment? There is no evidence, they have put boots on the ground here. Their TBDs in their Resource Reports prove that. I read and responded to every section that was relevant to Rindge.

The real reason is low population density and their possible assumption that the perhaps less educated population of Southwestern New Hampshire would accept this project. In fact, Susan Emerson, State Rep. representing Fitzwilliam/Rindge stated at the scoping session in Rindge, "I am blessed with a very intelligent and well informed constituency." Heaven knows, the people of Massachusetts, raised such a ruckus, that they had to find an alternative, and their neighbors in southern New Hampshire unfortunately got picked.

What Kinder Morgan/TGP found with the move North, was a bunch of people willing to fight to protect a pristine environment. Kinder Morgan/TGP haven't done more than an aerial examination, because we haven't invited them on our property. I hope the impacted citizens of Southern New Hampshire stick to their resolve to deny access to their property when Kinder Morgan/TGP waves money under their noses.

Kinder Morgan, says they are going to file for regulatory approval in the 4th quarter (late October). I personally don't believe they will be able to complete their final resource reports by then. I would also like to note that the following groups/regulatory bodies have recognized the poor quality, lack of completeness, and utter lack of knowledge of the environment they are planning to disrupt: The New Hampshire Fish and Game; The Sierra Club; The Monadnock Conservancy and 35 town Conservation Commissions, among others. The most hideous example being the placement of the proposed New Ipswich compressor station without determining which way the prevailing winds blow!

Ms. Watson also restated the much used phrase about natural gas lowering New Hampshire's electric rate. I questioned Kinder Morgan's business contacts at the Fitzwilliam open house. My question was: If you don't have any power generating plants under contract in New Hampshire, how could you honestly say your gas will reduce New Hampshire's electric rates? I was told that I was missing the big picture. They were talking about lowering the rates in the New England grid! I should point out, that New Hampshire is the only power exporter in New England. So again New Hampshire is bearing the cost, but not receiving the benefit.

While the Congressional Delegation is mulling over Ms. Watson's response, I'm eagerly awaiting FERC's response. I will be surprised if the delegation hears from them, as FERC is only answerable to the oil and gas industry.

Thank you,
Jan Griska
Rindge, NH

20151005-5204

Amanda Weller, Nassau, NY.

It is nearly impossible to put into words how devastating this project would be were it allowed by FERC. My family and I, including our 4 year old daughter reside less than a quarter mile from where the pipeline is proposed to pass and less than 5 miles from the proposed site of the compressor station.

We chose to live in this area because we value nature and the creatures living on it. In the event that this project is allowed on any scale, the construction alone would risk the safety of our home and water supply. Once completed, the noise and air pollution from this type of project which would most certainly require blasting and almost constant building activity would effectively limit or eliminate the quality of life we and our neighbors sought when we moved here and enjoy now. The construction and project once completed would severely and negatively affect the wildlife in our area. Our daughter's school and our area's children will be subject to constant noise and air pollution putting them at risk for significant neurological conditions in the future. Our area's businesses will be unsustainable as residents will likely be forced to leave the area. I

am unable to see how setting a precedent which would allow Kinder Morgan and their affiliates or any other corporate giant to do as they please with no regard for the welfare of the people living on the land they will destroy is good for anyone. Please set the only responsible precedent you are in a position to do! Decline this project. Say NO to Kinder Morgan.

20151005-5334

Barry Pfannebecker, South Deerfield, MA.

Comments on the Draft Environmental Report (Resource Reports 1 through 13) and Project Scope Update of Tennessee Gas Pipeline Company, LLC

FERC Docket No. PF14-22-000

This entire Report does not address environmental concerns, plans, or designs. Instead, it promulgates temporary roadways, construction sites, blasting, and storage of materials. It does not provide environmental guidance to FERC because it lacks design detail for construction in environmental regions or acknowledgment of environmental design constraints anywhere along its path. For example,

1. The only objective regarding the environment is in the Environmental Construction Plan for New Hampshire, Para 1.1 and states "...general Best Management Practices...before, during, and after construction to minimize erosion..." By simply "minimizing erosion", this report neglects any of the obvious environments along the proposed path in addition to those that have been provided to FERC by other individuals and groups and does not provide guidance to FERC for construction in environmental regions. This is unacceptable as an environmental report.
2. The Report states that for the majority of the "waterbodies" (i.e., rivers) the pipe will be buried a minimum of 5 feet. This is unsubstantiated by acceptable geological and environmental constraints and in no way provides guidance to FERC as to TGP's plans for construction under rivers in a way that will safeguard those environments associated with the rivers.
3. TGP states that sensitive waterbody information is defined in the Data Response Matrix, Comment ID 17, p 9. However, Appendix M as referenced therein does identify sensitive waterbodies. It does not provide guidance to FERC for specific construction at/near sensitive waterbodies as defined by local governments or organizations.
4. It is known that both temperature and pressure vary along gas pipelines. TGP has not provided guidance to FERC by identifying the temperature profile in the pipeline and the long term impact on the associated environments. This is unacceptable as an environmental report.
5. The Wetland and Waterbody Crossing Construction and Mitigation Procedures (Attachment L15 to Appendix L and which refers to Appendix H) states the Director of the Office of Energy Projects will consider a variance if "...a portion of this Plan is infeasible or unworkable based on project-specific conditions". The Report does not provide guidance to FERC by defining what may be infeasible or unworkable. This almost assures that an issue can be overridden by a government agency that does not understand the environmental impacts to New Hampshire and is unacceptable as an environmental report.
6. The Upland Erosion Control, Revegetation, and Maintenance Plan, Para I.A. allows project sponsors to specify measures they consider unnecessary, technically infeasible, or unsuitable due to local conditions. Again, this almost assures the granting of a variance without understanding its impact. It is unacceptable as an environmental report and does not provide guidance to FERC in these matters.

To summarize, this Report neglects design details by the use of empty industrial terms (i.e., general best management practices, TBD, minimize, and "to the extent practicable") and indicates a lack of knowledge or interest regarding the local environments, particularly since TGP can apply for a variance whenever they say a solution is "unnecessary, technically infeasible, or unsuitable". They are quick to define digging, building temporary roadways, blasting, and construction of storage sites without regard to the local environments. This suggests a negligent approach to construction in environmental regions and does not provide

guidance to FERC to assess construction in those regions. The project should not be allowed to proceed. There are more requirements that pertain to the construction of a house than pertain to the construction of this pipeline within the complex environments along its proposed path.

20151006-0014

The Douglas Insurance Agency
Insurance Agents and Advisors
LYNNFIELD WOODS OFFICE PARK
220 BROADWAY ~ SUITE 9301
LYNNFIELD, MASSACHUSETTS 01940
PHONE (781) 595-0400
FAX (781) 598-5412

October 1, 2019

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

RE: Docket 8PF14-22 (Northeast Energy Direct)

Dear Ms Bose,

Please forward the attached to the members of the Commission for their review. This article points out only one problem among many that the proposed pipeline has presented to our small town of Lynnfield, MA.

I am sure that FERC has heard from many others that are opposed to this pipeline that will destroy parts of our community.

Sincerely,

Arthur E Douglas
14 North Hill Drive
Lynnfield, MA 01940

{article "Kinder Morgan safety record raises questions" in Lynnfield Villager, Volume 43, Issue 23, September 30, 2105, omitted}

20151006-0015

26 East Northfield Road
Northfield, MA 01860

September 29, 2015

Attn: Kimberly D. Bose, Commissioner
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20216

Re: Docket 1PF14-22

As a resident of Noithfield, MA, I am opposed to the Northeast Direct Pipeline and compressor station proposal. I would like to thank the Coriimission for agreeing to accept comments from citizens regarding this project past the original deadline of 8/31/15, and to allow our State Senator Stanley Rosenberg to deliver these to you.

In a recent meeting with ten of my neighbors, Senator Rosenberg stated that FERC prefers to see Rroof rather than sentiments from citizens who would like to see this pipeline proposal denied. By now, FERC has heard hundreds of comments at scoping hearings from people potentially affected by the pipeline, and has

thousands of comments in the docket, the vast majority opposed to the project. These comments outline in detail the environmental, safety, and cultural risks and examine the potential economic benefits. Ordinary people have spent countless hours reviewing scientific studies of the hazards of natural gas fracking and distribution via pipelines. These studies form the basis for our conclusion that the NED pipeline would provide negligible benefits and unacceptable risks.

Studies of risk and need are always speculative). No one can prove that something will happen in the future. Therefore the best we can do is to present to you the overwhelming factual evidence that the risks are excessive, and the benefits too few, for FERC to reasonably approve the NED Pipeline.

The Kinder Morgan Corporation did not respond to a cry for help with energy from the people of Massachusetts and neighboring states when it began planning this pipeline. Rather, it has arrived in our towns and left us with the task of disproving a speculative need.

In today's news, Shell has abandoned its plans to drill in the Arctic, after ten years of exploration. There was massive protest against the potential environmental devastation of this project yet in the end, the bottom line of practicality and profit & son out, and the corporation's goals were proven to be untenable. This may well become the case with Kinder Morgan as the need for more natural gas to be piped in to Massachusetts is proven to be mythical. But since we cannot afford to sit aside and wait, I urge you to deny a permit to Kinder Morgan for the NED Pipeline, based on a simple risk to benefit equation, as well as the lack of need. In this instance vastly weighted on the risk side.

Sincerely,

Laura Kaye

20151006-0016

Hand written card, K. McDonald, 241 Webster Hwy, Temple, NH 03084: opposing

20151006-0017

Hand written card, K. McDonald, 241 Webster Hwy, Temple, NH 03084: opposing

20151006-0018

Hand written card, Kerry McDonald, 241 Webster Hwy, Temple, NH 03084: opposing

20151006-0019

Hand written card, Deborah A. Chipman, 64 Holman Rd, Fitzwilliam, NH 03447: opposing

20151006-0021

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE

Room 1A

Washington, DC 20426

Date: 9/29/15

Via Certified Mail, Return Receipt Requested

Re: Denying property access

As the owner of the property located at:

47 Mountain View Rd, Temple, 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 other purpose. Any physical entry onto my property will be considered unauthorized, and treated as trespass.

Marilynn Acker Ezell & William Ezell

20151006-0022

Hand written letter, William W. Briggs, Bowdoinham, ME: opposing

20151006-0023

Hand written card, Allan Oxman, 288 Fish Rd, Temple, NH 03084: opposing

20151006-5003

Rosemary Wessel, Cummington, MA.

CORRECTION TO DOCKET

This filing just came through as a scanned print document, but was attributed to the wrong town and state. It's a letter from the Board of Selectmen from Townsend, MA, not Mason, NH.

This was the description given by FERC:

Accession Number: 20151005-0053

Description: Office of the Board of Selectmen, MA submits comments re the Northeast Energy Direct Project under PF14-22.

Filer: OFFICE OF THE BOARD OF SELECTMEN TOWN OF MASON

Docket(s): PF14-22-000

Lead Applicant: Tennessee Gas Pipeline Company, L.L.C.

Filing Type: Government Agency Submittal

Comment on Filing

Description: Office of the Board of Selectmen, MA submits comments re the Northeast Energy Direct Project under PF14-22.

20151006-5066

Kathleen Gauvin, New Ipswich, NH.

I want to thank WMUR and Fred Kocher for giving our opposition to the NED pipeline project, Kinder Morgan, and Tennessee Gas an equal voice. Today our opposition and just reasons for our actions were introduced to the state of New Hampshire, from the Canadian border to the Massachusetts border, from the seacoast to the Connecticut River. Your judgment to invite this team was a fair decision.

We have long been fighting these Goliaths! The need for this pipeline and compressor station is only based on greed, the Goliaths' need to make more and more money! Already existing pipelines could easily handle transporting additional gas that would fill any need that New Hampshire and New England have both now and for years to come. The problem with using the existing pipelines is simply put. The existing pipelines are not Kinder Morgan and Tennessee gas lines. If they cannot build the NED pipeline they can't use the guise of supplying New Hampshire and thus lowering energy costs. They will not have a pipeline to transport gas for EXPORTING, therefore no EXPORT profits!

We are a highly organized, informed, courageous group of individuals who daily work long hours and give up our free time to research, write letters, attend meetings, write emails and stand united. We want to stop this pipeline and compressor station before it is built for then it will be too late! Our fears of what the future will look like, spurs us on to protect our families, our towns, and the entire southern tier of NH.

20151006-5083

Kathleen Gauvin, New Ipswich, NH.

We have been anticipating a public statement of some kind from the Mascenic School Board regarding your position on the NED pipeline project. We expect that you are fully aware that a proposed compressor station in New Ipswich will be located just under a 1 1/2 miles. The Boynton Middle School location should be of concern to you. The athletic fields off of Temple Rd. that are used by many of your sports teams are just barely outside of the 1 mile mark from the compressor station. We are quite sure that you are aware of the toxic emissions that will affect air quality in New Ipswich.

We are aware that you have an enormous work load with the School Board and yet we feel that being informed about these issues is vastly important to the health of our students and staff. We have gathered an enormous amount of information regarding the New Ipswich compressor station and the toxic emissions that will be sent into the air from this station. We also have data that has been reported in several recent Harvard research projects and by the Southwestern Pennsylvania Environmental Health Project (SWPA-EHP) and others, that reveal information about the health effects of children and adults living in compressor station areas. As noted in your "School Wellness Policy" (as seen below) you are committed to promoting wellness. This proposed pipeline and compressor station should be without doubt, a concern for the wellness of our school community.

MASCENIC REGIONAL SCHOOL DISTRICT**SCHOOL WELLNESS POLICY**

The Mascenic School District is committed to promoting wellness and academic performance in our schools through curriculum, activities, and life skills. Wellness is a result of both health promotion and disease prevention which includes intellectual health (knowledge), physical health, and social-emotional health. Modeling by adults coupled with peer reinforcement can help shape healthy habits in school children. A cooperative integrated effort between administrators, food service professionals, school nurses, physical and health educators, teachers, parents, and students is necessary.

We and any other members of the New Ipswich Task Force or the New Ipswich Pipeline Resistance group would be glad to present a short program to the Board at your convenience. Thank you for your consideration of this matter and the importance to the Mascenic School District and the children that are educated there.

Sincerely,

Kathleen and Dennis Gauvin

61 Beechwood Rd.

New Ipswich, NH 03071

878-2448

674-3697 (c)

The Mascenic School District of New Ipswich and Greenville voted to oppose the NED pipeline project on 10/5/2015.

20151006-5092

Kathleen Gauvin, New Ipswich, NH.

No one should need to worry about the water they are drinking! That said, "Granite Stators" have been watching the news of contaminated wells at Pease International Tradeport. How unfortunate that 9,000 adults and children have ingested water with elevated levels of perfluorochemicals (PFCs), 12.5 times higher than the level set by the Environmental Protection Agency's Provisional Health Advisory. The EPA notes that PFCs are a "contaminate of emerging concern". This unfortunate, exposed group has lived for over a year with the fear of what the future will bring. Now, having been tested and with their results, that same unlucky population will be living day to day with the worry of what might potentially occur in the future.

We, as your neighbors, hope that those potential health threats are never realized. The support that you are receiving from Senator Kelly Ayotte and Senator Jeanne Shaheen is commendable.

We have drinking water concerns as well! The proposed Northeast Direct (NED) pipeline snakes through 77 miles in 17 towns in the southern tier of New Hampshire. Kinder Morgan/Tennessee Gas is seeking permitting with the Federal Energy Regulatory Commission (FERC) for this project. If approved, what effect will the blasting for the pipeline construction have on our wells? Where will the blasting contaminants go? Will they end up in our water supplies; a town reservoir and our private wells? Who will protect our water? We are now worried about potentially polluted water and dealing with possible health threats. At this time, neither the Governor nor any of the NH Delegation has taken the stand in opposition to the project!

So we, fellow concerned Granite Stators, are reaching out to you, our NH neighbors, to help us stop this contaminating monster!

<http://nhpipelineawareness.org/> is a source of excellent information.

20151006-5164

{ large (44" x 34") NRPC map of pipeline path through Merrimack, NH. as of 9-18-15, omitted }

20151006-5188

Lisa Sieverts, Nelson, NH.

I write in strong opposition to the application by Tennessee Gas Pipeline/Kinder Morgan to place a natural gas pipeline in southern New Hampshire. This is the wrong project at the wrong time. There is little economic benefit to New Hampshire and an enormous environmental risk. Please reject this application.

20151006-5189

Laura or Kenneth Lynch, Temple, NH.

I am writing this in opposition of the NED Pipeline. It is an over build - for export, fracked, potent greenhouse gas pipeline that does not serve our long term health in NH - economically, environmentally, medically, culturally. Negative effects on health, industrialization, property decline near compressor stations is evident (New Ipswich compressor station would be 1/2 from us in Temple.) This compressor station will also be with in a short distance from the Temple elementary school, the Greenville Reservoir and the Catholic retreat that is a home for Nuns in NI. It is also going to be close to many homes and an Organic cattle farm that has been there for several years. Not to mention within a mile of the Villi Poni Farm, the home of the Newfoundland Pony which is an endangered and rare species. This compressor station will emit so many deadly chemicals and is going to be a health hazard to many residents as well as our lands, water. air and the many wild life in the area. I will be living with this compressor station within a mile from my home and I am so afraid of the air quality because of my COPD. Anyone with any kind of asthmatic problems are going to be effected by this. Safety Issues are increasing dramatically due to the increase in the #'s of pipelines and speed of build. Lands would be taken by eminent domain for private gain. As stated above I oppose this pipeline

20151006-5248

Nancy Askin, Shirley, MA.

I am writing to register my opposition to the construction of the Northeast Energy Direct natural gas pipeline (NED) that Kinder Morgan/Tennessee Gas Pipeline seeks to build in New England, New York, and Pennsylvania.

Construction of this pipeline would violate our rights as stewards of the land we live on through the taking of that land by eminent domain or other coercion. Gas sales from this project will only profit a private corporation and will not benefit New England or the nation. Communities within the pipeline's route, currently struggling with financially challenged budgets, will face land devaluation, less income, and absolutely no

financial benefits.

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 and the cost of developing the appropriate capability would be borne by local taxpayers.

The proposed pipeline would destroy significant environmental habitats and threatens wildlife corridors on existing conservation parcels. Noise from the compressor stations would be a constant irritant and should be considered noise pollution.

I strongly urge FERC to NOT approve this pipeline.

Thank you for your consideration,

Nancy Askin

20151007-0007

CITY OF PEABODY

24 LOWELL STREET
PEABODY, MA 01960

OFFICE OF THE MAYOR
EDWARD A. BETTENCOURT, JR.

August 27, 2015

Norman C. Bay, Chairman
FERC
888 First Street, NE
Washington, DC 20426

RE: Docket No. PF14-22

Dear Mr. Bay:

As you know, the Tennessee Gas Pipeline, L.L.C. has submitted to FERC an Application to open a pre-filing proceeding of Tennessee Gas Pipeline Company, L.L.C. under New Docket for Tennessee's Northeast Energy Direct Project under PF14-22.

As part of this project, Tennessee Gas has proposed building a spur of subsurface pipeline in an area of Peabody, Massachusetts wholly unsuited for such a utility. In a letter to FERC dated June 12, 2015, I outlined the concerns and fears so many in our community share over this pipeline proposal.

First, the area proposed for pipeline construction is home to a number of natural resources which could be jeopardized by such a large scale and disruptive project. Thanks to its vicinity to the Ipswich River, which is a primary source of the region's drinking water, the area is rife with wetlands, plants, trees, and other types of vegetation. The environmental impact of pipeline construction and siting could be devastating.

Also, the area proposed for pipeline construction runs along the Peabody Independence Greenway. Known locally as simply 'the Bikepath,' the Greenway is a favorite destination for thousands of walkers, joggers, cyclists and wildlife enthusiasts. Many of these individuals have expressed their dismay over this pipeline proposal and I share their concern for preservation of this vital community resource.

Finally, the area proposed for pipeline construction runs adjacent to one of our city's most beloved and tight knit neighborhoods. Families who live here are justly concerned about a disruptive construction project which could forever alter the landscape of their homes. Homeowners have also expressed to me their concerns relative to public safety and protection of property.

Unfortunately, despite the potential negative impact to our community, Peabody residents have been effectively excluded from FERC public hearings relative to this project. Despite the fact that many Peabody residents only learned about the pipeline proposal on April 15, 2015, FERC's final public hearing relative to the project took place on August 12, 2015. This scant four month window is simply not enough time for concerned residents — busy with work, family and social obligations, to absorb and analyze volumes of data relative to this proposal and its potential effect on their quality of life.

In addition, the nearest FERC public hearing relative to the Peabody pipeline spur took place in the Town of Dracut, Massachusetts - some 35 miles north of Peabody. Many Peabody residents who may have wanted to provide FERC with their feedback relative to the proposal were simply unable to do so due to schedule and logistic limitations.

Given these time and distance constraints, I respectfully request that FERC schedule a public hearing relative to the Peabody pipeline proposal in the City of Peabody. I am happy to offer City Hall's Wiggin Auditorium as the venue for this hearing. The auditorium seats up to 300 people comfortably. This hearing will give Peabody residents the opportunity to provide thoughtful and valuable feedback to FERC relative to this pipeline proposal. I am eager to discuss this request with you in greater detail. Please contact me directly at 978.538.5700 or Edward.bettencourt@peabody-ma.gov. Thank you.

Warmest regards,

Edward A. Bettencourt, Jr.
Mayor, City of Peabody

20151007-0010

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

by: Geraldine Douglas
14 North Hill Drive
Lynnfield, MA 01940

Please DO NOT APPROVE this pipeline as existing pipeline capacity is sufficient to supply our area. Kinder Morgan is using inflated facts to fool FERC to approve a pipeline that will be used to export LNG to Europe, not supply our area. Remember ENRON and California where a similar plan was used.

20151007-0011

Hand written card, D. Ducharme, PO Box 73, 22 Farley Bull Rd, Temple, NH 03084: opposing

20151007-0012

Hand written card, Jennifer Lee, 26 Governor St, Plainfield, MA 01070: opposing

20151007-0013

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Room 1A
Washington, DC 20426
Date: 10/1/15

Via Certified Mail, Return Receipt Requested

Re: Denying property access:

As the owner of the property located at:

119 Sandy Pond Road
Richmond, NH 03470

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.

Faith Kotsen

20151007-0014

Hand written letter, Jonathan Hill, 24 Cross Rd, Richmond, NH 03470: opposing

20151007-0015

September 28, 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,

{signatures not legible}

cc:FERC docket number PF14-22

20151007-0016

Hand written letter, 3 pages, Luella M. Reed-Earley, 17 Hubbard Pond Rd, New Ipswich, NH 03071: opposing

20151007-0017

Hand written FERC Comment form: Robin Babin, 10 Goen Road , New Ipswich, NH 03071: opposing

20151007-0018

{same text as 20151007-0015 except addressed to Governor Hassan }

{signatures not legible}

20151007-0019

{ same text as 20151007-0018 except signed by: }

Roger & Joan Crooker

20151007-0020

Christine and Edward Stockman
131 Summit Street
Plainfield, Massachusetts
01070

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 Project

Dear Secretary Bose;

We recognize the serious mandate FERC has been given with regard to our energy future here in New England. We know that any source of energy has environmental consequences. We know that there is a process of discernment when risks must be managed along with benefits. This we see as your mandate.

Pope Francis recently spoke before Congress. As he did, he repeatedly spoke of The Common Good. One reason used this because it reflects the tone of our U.S. Constitution. Hearing it from his mouth rang universally true with the audience in Washington, as well as across the country.

Many of us look at the myriad of decisions being made regarding our energy future and wonder about The Common Good. We see a very powerful agency regulating our energy future with tremendous benefits and trespass given to the very large corporations. The citizens of the effected towns have not, from the beginning, been identified as stakeholders.

Timelines have been accelerated and the public has done the lion's share of the project review work. We have walked the line. We have researched the claims made by Kinder Morgan. We have gathered and studied and educated others and ourselves. We even experienced FERC in the dark at the Pittsfield Scoping meeting until we demanded that the lights shine on the panel deemed responsible to listen to and hear our concerns.

The resource report, prepared by Kinder Morgan for the Northeast Energy Direct TGP Project does not reflect the seriousness of the very consequential impacts our way of life and our environment will experience. This is the source we have been given to review and respond to during the scoping process.

All too many times during our review, did we encounter the words "probable" and "unlikely" and the phrase "to be determined". How you interpret these comments is very important to the citizens and the natural world that will be impacted along the pipeline. Is it possible, in your own personal world, that issues of significant health and safety impacts would be acceptable in the context of "to be determined"?

After thoughtful reflection, we find we are unable to participate in this part of the process. To ask for more investigation when the timbre of the report is so unworthy of FERC, the activated citizenry and especially our voiceless land, air and water, the very sources of life on which we all depend, is not fitting to the task.

We implore you to raise your standards, to recognize what is at risk and how short the benefit time is. Listen to and hear what the voices of those without any vested interest have to say. We have not been shown a plausible need for the abundant amount of natural gas projected through this project for Massachusetts. We

do not need to fund through tariff a project that will cause more harm than good and ultimately be exported for corporate gain. We do not need to sacrifice our way of life for this project. The environmental damage will be irreversible. In no way will that serve the Common Good. What it will do is to continue to erode our democracy as more and more of us lose faith in our representative government. It will erode our land; contaminate our air, land and water.

We will continue to stand up for our rights. The fracking industry is projected to be shortlived and we will experience its decline. We will then be left with masses of unneeded infrastructure and permanently changed lives along with natural resource destruction. That would be another result of policy in which we direct our resources and energy to fossil fuels extraction and transportation rather than toward renewable energy and conservation. At this time in our history we need to take a long view. We need to understand how we are all connected and that we all share this one atmospheric layer. It is finite and fragile. We can't assume that we make decisions in isolation. We need to begin to understand the Commons (this planet Earth) and the Common Good (all life on this planet).

Sincerely,

Christine Stockman
Edward Stockman

20151007-4001

Tennessee Gas Pipeline Company, L.L.C
a Kinder Morgan company

Northeast Energy Direct Project
NH F&G Meeting Minutes
Concord, NH
5/19/15 Meeting

**Northeast Energy Direct Project
NH F&G Meeting Minutes**

DATE: May 19, 2015

Location: New Hampshire Fish and Game Offices, Concord, NH

TIME: 1:00 PM – 4:00 PM

Attendees

<u>Name</u>	<u>Affiliation</u>	<u>Name</u>	<u>Affiliation</u>
Carol Henderson	NH F&G	Mark Gardella*	AECOM
Kim Tuttle	NH F&G	Sergio Bonilla*	AECOM
Mike Marchand	NH F&G	Theresa Albanese*	HMM
Heidi Holman	NH F&G	Adele Fiorillo	Normandeau
Matt Carpenter	NH F&G	Sarah Barnum	Normandeau
Kasia Ingram	Kinder Morgan	Rick Simmons	Normandeau
Barry Duff*	Kinder Morgan	Harry Stewart	Normandeau
Tim O'Sullivan	AECOM		

* Teleconference

General Meeting Purpose:

Provide the New Hampshire Fish and Game Department (NH F&G) with a general overview of the Northeast Energy Direct (NED) Project. Present to NH F&G the Project Team's current understanding of the relevant NH state- and federal-listed species (including MBTA) associated with NED and communicate Tennessee Gas Pipeline Company's (Tennessee) plans to address each species and/or topic. Establish an open dialogue with NH F&G to form proactive stance in addressing NH F&G concerns. Provide NH F&G with updates regarding ongoing tasks and continue to formulate strategy to address issues related to state- and federal - listed species and associated surveys on the NED Project.

- After general introductions of those around the table in the conference room, Adele Fiorillo and Kasia Ingram present the NED Project overview. Overview discussions included describing the geographic extent of the Project, identifying the permitting agencies involved, including FERC, and bringing NH F&G up to date on the permitting process to date. Kasia noted certain survey activities kicked off on other parts of the Project last summer, but were suspended for the winter. Survey activities (wetlands, vernal pools, T&E and cultural) started back up this spring and are ongoing. Kasia also briefly described the status of the FERC pre-filing process, and the history of the Project, including the adaptation of the NY and NH Powerline Alternatives back in December, which resulted in a shift of a portion of the Project alignment into NH. Kasia explained the alignment shift allowed for a large amount of collocation with existing overhead electric transmission lines in NH and that some aspects of the Project design were still under development.
- Carol Henderson (NH F&G) stated DES has not been involved up to this point with the NED FERC calls. Kasia indicated Eric Tomasi setup and runs the FERC calls and call invitations were sent to those agencies who had expressed an interest in participating, and that she would need to check on who was on the standing invitation list for the call. Kasia added that the project team met with the DES in early April to discuss the Project and permitting expectations. Adele noted the NED Project team would ensure the SEC was made aware of the call information. Carol further notes that NH Congressional staff have been requesting more meetings regarding the NED Project. Adele notes Tennessee has held many public meetings, including the FERC open houses, and Kasia followed up noting that town meetings and other outreach meetings continued to be held and are ongoing. Project meetings will also be held as part of the SEC process, and FERC will be holding their own scoping meetings across the Project.
- Mike Marchand (NH F&G) questions if the Project would still go through SEC. Adele responds in the affirmative, further indicating that the filing date is currently targeted for early November, with application acceptance anticipated in December. Harry Stewart indicates SEC pre-filing hearings are also needed prior to the filing.
- Adele reiterates the majority of the route is collocated with existing Eversource Energy (Eversource) overhead transmission lines and that this was done to lessen impacts and to take advantage of existing utility corridors. Kim Tuttle (NH F&G) inquires as to the location of the specific areas that are not proposed for collocation. Mike Marchand follows Kim's inquiry with a request for Tennessee to provide these locations. Kasia indicated that there is a table (Table 1.1-2) within the filed draft Resource Report 1 which indicates by milepost the locations of collocation. The areas where the alignment is not collocated is limited, as there are certain areas across the alignment where minor deviations occur. This table includes the alignment and collocation information as it is currently proposed, however alternatives continue to be reviewed, and any change to the proposed alignment will be included in future filings of the environmental report and will also be communicated to F&G through updated consultations, as needed.
- Carol inquires as to the extent of the expansion of the existing active portion of the Eversource ROW. Kasia responds indicating these details are still being worked out with the utility companies. However, the current proposed pipeline alignment is proposed to be approximately 5 feet outside of the utility easement. Further discussions are in progress with the utility company to determine the locations of the utility poles within their easement and how much of the existing easement may be used. Kasia further explains the difference between the permanent easement and the size of the right-of-way (ROW) that will be needed for construction. Kasia states that the typical construction workspace is planned to be approximately 100 feet in width, however there will be variations across the alignment where there are needs for additional temporary workspace and other areas where there will be a reduction in workspace (i.e. at wetland crossings). Kasia added that the permanent easement is planned to be 50 feet in width. Adele follows up indicating that the extent of these areas is often dictated by FERC. Adele then presents information regarding environmental considerations (page two from meeting handout fully covered).
- Matt Carpenter (NH F&G Fisheries Biologist) inquires how streams are crossed. Kasia indicates that for most stream crossings the subject reach of stream bed would be isolated from the rest of the water-

body utilizing either a dam and pump or flume technique, and that the stream bed and banks would be returned to pre-construction condition following placement of the pipe. Tim O'Sullivan indicates that for some of the larger crossings, a horizontal directional drill (HDD) option may also be utilized. Kasia added that use of HDD crossings will be limited (only three HDDs are currently planned for the NH portion of the project) as there are significant workspace requirements and conditions must be suitable to such crossing methods. Kasia noted that the Souhegan River and Merrimack River are currently planned to be crossed by HDD, and that geotechnical analysis is required to further assess this crossing method at specific locations.

- Adele leads discussion on aerial photograph interpretations, noting that this activity is ongoing to begin to address no access areas. Adele further notes that the high resolution aerial photographs are being used in conjunction with LiDAR generated topography data for desktop habitat studies and other considerations and that data gaps resulting from no access will be filled in at a later date.
- Mike Marchand and Carol Henderson inquire how Tennessee will deal with data gaps in the permit applications. Carol indicates she is aware that some agencies have approved the aerial photograph interpretation method but that there is a need to ground truth the aerial photograph interpretation in some areas. Tim O'Sullivan responds that some surveys may have to be done after FERC issues the certificate. Kasia follows up indicating that access permissions continue to be acquired and that the expectation is that the aerial photography will be used to begin the permit application process where access has not been granted, however Tennessee understands that the permits will not be issued before necessary on-the-ground surveys are completed. Adele notes this will be a multi-year process.
- Mike Marchand notes he will need to understand the construction methods before he can provide recommendations on impact avoidance and minimization. Mike further notes that after seeing the picture of the cleared ROW included in the handout, his perspective on the level of impact has been changed. Kasia responds by indicating the picture is an accurate representation of upland pipeline construction. Kasia then proceeds to give an overview of the general construction sequencing for a pipeline as well as a general overview of the differences between upland construction and wetland construction where additional BMPs are utilized.
- Kim asks how big the pipe is. Kasia responds by indicating it is currently proposed as 36" (clarification: there is also a 30" option).
- Carol inquired regarding the width of the existing Eversource ROW. Kasia indicates she is unsure of the extent of the existing easement (clarification: as is Eversource) and that Tennessee is continuing to have discussions with the utility company to obtain additional information regarding their easement.
- Tim O'Sullivan indicates trees may be felled in the winter by hand/chainsaws and left in place for removal in the spring to comply with tree clearing restrictions. Mike questions why the trees would not be felled and removed at the same time. Kim agrees. Kasia indicated there is often a need to fell trees to meet restriction windows (migratory birds and bats), so the trees must be felled in the winter, however there are concerns with winter construction (largely safety as well as environmental impact), which usually necessitates felling the trees and returning in the spring to remove them. Tim indicates Tennessee will provide NH F&G with the full strategy for tree clearing and provide reasons why it is done this way as these details are further developed. Mike expressed concern that the felled timber may be desirable as potential cover or habitat for certain species and that could pose an issue if felled timber is left for removal until the spring.
- Matt Carpenter questions how leaks are detected. Kasia explains that the pressure in the system is monitored 24 hours a day and that Tennessee also conducts periodic aerial surveys and ground patrols to look for signs of encroachment or potential issues, as well as conducting periodic internal inspection of the pipeline to identify potential corrosion or defects. Additionally, isolation valves can be closed remotely in less than 60 seconds.
- Mike Marchand states he needs to see the layout of the workspace in relation to the existing habitat to

determine how much forest is to be cleared as opposed to scrub/shrub or other habitats. Adele indicates that land cover types are being interpreted from the high resolution aerial photography for the entire 400' survey corridor. Carol interjects seeking confirmation that the 400' corridor is just for survey and not for construction. Adele and Kasia indicate that is correct and the 400' corridor is being looked at in case the pipeline needs to be shifted one way or another. Kasia further notes that feedback from state and federal agencies, landowners and communities that suggest reroutes will be looked at.

- Tim O'Sullivan notes that while impacts to various habitat types will be quantified as part of the Project's permit applications and that mitigation will be discussed in the future in the context of impacts, one of the main goals for the meeting was to review the species list provided by the NH NHB and to come to an understanding with NH F&G regarding which species would require survey and what exactly that may entail. Mike Marchand states that while the EO information is important, in most cases NH F&G has not done any site specific surveys. Mike added that the area west of the Merrimack in particular has not been well studied by F&G. Tim indicates that during the course of other field survey work (wetlands/ vernal pools) Tennessee's consultants will document and report all state-listed species observations to NH F&G. Matt Carpenter states Tennessee should add wild brook trout to the list and that if Tennessee provides NH F&G with a list of streams crossed by the NED Project, NH F&G could provide them with an indication of which streams hold wild brook trout. Rick Simmons and Matt Carpenter will coordinate this effort.
- Discussion then turns to the overall T&E list provided at the meeting. Sarah Barnum discusses grassland birds (Grasshopper and Vesper Sparrow) indicating these species are documented at the Anheuser-Busch site and unlikely to occur elsewhere along the ROW. Sarah further indicates Tennessee's approach will be to assume presence given the well-documented occurrence, and abide by a time of year restriction (May 25-July 31). Sarah also raised removal of vegetation (mowing) as a potential avoidance measure, in conjunction with monitors, as needed, to allow construction to proceed into the restricted time period. Kasia added that Tennessee will need to take into consideration potential timing restrictions across the Project, as there may be areas where multiple timing restrictions are suggested that would severely limit construction. In those cases we would like to find suitable mitigation that would still meet the requirement goals, but would also allow the construction schedule to be met. Tim O'Sullivan notes this area is along the Merrimack River, which has been identified as a likely HDD site and therefore, the above-ground impacts may be lessened.
- Kim asks if Tennessee gets data regarding bird species from New Hampshire Audubon. Tim replies that we can but we usually take direction on species locations from state and federal agencies. Tim further indicates that generally speaking grassland birds receive a net benefit from natural gas pipeline ROWs.
- Sarah continues the species list discussion by indicating that since Marsh Wrens are on the list from NH F&G but do not have any legal status in NH that surveys for this species are not planned. Sarah follows this by indicating the same is true for all of the odonates on the list.
- Matt Carpenter indicates that he is less worried about the construction phase of the Project and is much more concerned about how the streams are put back together after the pipe has been put in place, further indicating that his concern also applies to the regular maintenance activities that occur. Matt goes on to state his concerns pertaining to stream restoration by indicating that too much sediment left or placed in the stream could lead to subsurface flow at times of low water, and that if the stream bed and banks are not put back together properly, it could lead to erosion. Matt concluded his remarks by stating a preference for providing as much shade as possible within 50' of the streams to better maintain cooler water temperatures. Mike Marchand asks Matt if any considerations are different for streams that contain brook trout. Matt replies Tennessee should treat all perennial streams the same.
- Matt Carpenter inquires if there are any post-construction monitoring requirements. Kasia responds that FERC requires post-construction re-vegetation monitoring that includes looking for potential issues such as erosion, subsidence and overall vegetative cover to make sure the areas are stable. Tennessee will also

continue monitoring the ROW for any other detrimental issues. Kasia also added that there are additional postconstruction monitoring requirements for wetland and waterbody crossings, and that the period of monitoring will be determined through the permitting process with USACE and the state agencies.

- Mike Marchand asks Matt Carpenter if there was a need for baseline stream surveys. Matt responds in the negative, reiterating his main concern is how the streams will be reconstructed and further stating there may be some opportunities to improve habitat in the impacted riparian zones. Kim Tuttle asks Matt if there are records for bridles shiner in the Project area. Matt responds in the negative, stating records for the species are historic.
- Carol Henderson asks if as part of the stream restoration, Tennessee could add additional “structure” to the stream channels to provide cover for aquatic species, such as logs or woody debris. Kasia responds that Tennessee would be required to adhere to the USACE, state permits, as well as FERC requirements, and that we are required to restore the stream crossing to pre-construction condition. Kasia added that certain types of habitat enhancement may be possible, however that would have to be discussed and reviewed further. Harry Stewart notes this could be part of the overall mitigation for the Project.
- Heidi Holman (NH F&G) notes there are updated records for the New England cottontail (NEC) in Hudson and Londonderry. Tim O’Sullivan inquires how we can obtain this information and asks if Heide and Sarah can coordinate on that. Heidi and Sarah agree to coordinate on this. Sarah indicates the approach for NEC will be preliminary habitat assessments and then if it is determined that suitable habitat exists, pellet survey would be performed. Tim notes that Normandeau would use Dr. Adrienne Kovach’s laboratory at the University of New Hampshire for DNA analysis of the pellets. Heidi requests that surveys be implemented early in the winter season (as soon as the snow flies), noting increased detection probability in the early winter season. Mike Marchand states Tennessee should use standard NEC pellet survey protocols.
- Rick Simmons leads discussion on freshwater mussels, indicating it is Tennessee’s intent to perform surveys for the brook floater and that the location of all mussel species would be mapped out as part of the surveys. Rick notes that we will need further data from the NH NHB and NH F&G regarding the potential locations of the Eastern pond mussel. Mike Marchand and Rick Simmons agree to coordinate on NH F&G providing location data for Eastern pond mussel to the Project. Mike indicates NH may list Eastern pond mussel as either T or E in the future. Tim O’Sullivan inquires about an overall list of survey sites for mussels. Mike responds by saying if a particular waterbody has a record(s) for these two species, NH F&G would want it surveyed, unless previous surveys have indicated the waterbody is unsuitable for these species. Rick and Mike will coordinate on generating a list of freshwater mussel survey sites. Rick indicates he can draft the list and send to Mike for confirmation. Mike indicates relocation of listed mussel species is a possibility if they are determined to be present, potentially coupled with monitoring.
- Tim O’Sullivan inquires about NH F&G’s concerns regarding banded sunfish and American eel. Matt Carpenter indicates the stream crossings are short-term impacts and these species can move out of the crossing areas and then return to restored habitats and re-colonize post construction.
- Carol Henderson asks if Tennessee has concentrated its HDD efforts on the larger rivers. Kasia Ingram responds in the affirmative, further indicating the Souhegan and Merrimack Rivers as planned for HDD.
- Discussion then turns to snakes and turtles with Sarah Barnum inquiring if NH F&G is assuming presence where the element occurrences occur and further inquires what type of additional surveys may be required. Mike Marchand responds by indicating he will need to look into it further. Mike notes he is interested in what can be done regarding BMPs to protect these species during and after construction. Mike goes on to say F&G has not done much survey work west of the Merrimack River and that Tennessee needs to reduce the likelihood of a “take”. Mike indicates short term and long term impacts need to be evaluated for snakes and turtles. Regarding turtles, Mike indicates Tennessee should work to identify nesting areas and wetlands that can support Blanding’s and spotted, further indicating that no winter work should be done in these latter areas. Tim O’Sullivan states the Project team needs to identify

overall survey areas prior to finalizing work plans/protocols and implementing surveys. Mike responds by indicating Blanding's turtle is more prevalent east of the Merrimack River but they are also present, in fewer numbers, west of the river. Mike indicates he is more concerned about the direct construction related impacts, particularly as they relate to direct mortality of turtles and snakes. Mike goes on to say if permanent wetland fills are proposed, these impact areas may need a more intensive survey effort. Kasia responds by indicating there are no permanent fills currently proposed along the pipeline alignment, and that the wetlands will be restored with the exception of cover-type conversion within the permanent easement. Mike indicates if Tennessee will be excavating in suitable Blanding's and/or spotted turtle habitat, including vernal pools, then Tennessee needs to figure out how to handle that. Tim O'Sullivan indicates that what Mike is describing are protection plans, which have been generated for these species in other states on other projects.

- Discussion then turns specifically to wood turtles (WT), with Mike Marchand indicating this species is a species of regional conservation concern and there is a new WT project in NH designed to protect this species and its habitat. Mike indicates WT is likely present in many of the streams crossed by the Project, especially in the southwestern portion of the state. Mike cites a recent study which determined approximately 95% of WT activity occurs within 250 meters (820 feet) of an occupied stream/river. Mike indicates winter work in uplands would be beneficial to this species because they over winter in-water. Mike adds that if summer work is planned, then biological monitors would be needed to perform sweeps in front of the equipment to reduce the likelihood of a "take". Mike goes on to state that post-construction management of the ROW will be important for the long term survival of the species and notes direct mortality due to WTs getting hit on roads and killed during vegetation management. Kim Tuttle asks Mike if surveying for WT overwintering habitat would be beneficial. Mike responds by indicating it would be good for Tennessee to know where WTs are overwintering. Mike indicates Tennessee should implement presence/absence surveys in areas where digging will occur in riparian zones known to support WTs. Mike goes on to say that construction impacts are his biggest concern with habitat restoration also a concern, but a lesser concern. Sarah Barnum takes action to generate WT survey area list and coordinate with Mike. Lastly, Mike notes that spring and fall are the best survey times for WTs.
- Discussion then turns to the snake species, with Mike Marchand indicating this species group is likely the most difficult on the list to survey for and to avoid with time of year (TOY) restrictions. The snake species are underground on land in the winter, with no way to identify the den sites. Mike indicates there are many den sites on utility corridors, even under some OH transmission line structures and in chipmunk borrows. Mike indicates most of the survey activity for these species has occurred from Concord to the east. Mike states that the Northern black racer (NBR) spends a significant amount of time in the vicinity of dens sites in the spring and fall and that by looking at dates and locations for specific EOs, it may be possible to locate the dens using spring and fall surveys. In summer, Mike indicates the NBR may travel a mile or more from the den site. Mike notes that many of the NBR observations NH F&G has occurred under OH electric transmission lines and that if this habitat was wiped out during construction of the NED Project, it is unlikely that the animals would persist. Tim O'Sullivan notes that only a portion of the habitat associated with the OH transmission lines would be impacted during the construction of the NED Project and that much of it will likely remain untouched.
- Tim O'Sullivan inquires if the Eastern hognose snake shows a close correlation with sandy/outwash soils in NH or if they have been observed on till as well. Mike Marchand responds by indicating while many observations do occur on the sandy soils, this species has been observed on other soil types as well. Mike goes on to say Tennessee needs to come up with a comprehensive survey area for Eastern hognose snake as well.
- Carol Henderson asks if access to the NED Project area will be limited after construction, noting that if a person's land is not posted in NH it is open to public hunting and fishing. Kasia Ingram responds by indicating Tennessee will have an easement over the land but the land would still be in private ownership (and therefore will be up to the landowner to post).

- Adele Fiorillo asks Mike Marchand to ID areas where we can avoid WTs. Mike responds by suggesting surveys to identify the better WT habitat areas associated with the Project. Mike indicates he will be looking for reports which say how we are going to avoid impacting the state-listed species and that if we determine some impacts are unavoidable, the reports should identify what Tennessee is going to do to mitigate said impacts. Mike reiterates the position that construction related impacts are NH F&G's biggest concern regarding reptiles, with habitat restoration and long term management important but slightly less significant considerations.
- Mike Marchand inquires if there are any issues with pavement on top of the pipeline. Kasia responds by indicating Tennessee will have an easement over the land, so future development will need to address the pipeline presence. Clarification: pavement would not be an issue, however, structures and trees are prohibited within the easement.
- Matt Carpenter inquires where the end of the line is and what the use of the gas will be. Kasia responds by indicating that Dracut, MA is the end of the mainline and the gas would be utilized by local distribution companies for various uses including residential and electricity generation by power plants.
- Carol Henderson inquires how Tennessee will address the Northern long-eared bat. Adele Fiorillo responds by indicating a Project wide acoustic survey is currently underway to address this species.
- Carol Henderson inquires about the possibility of compressor stations in NH. Kasia Ingram responds by indicating that there is a compressor station planned for the NH portion of the project and Tennessee is reviewing potential sites for the siting of that compressor station. Kim Tuttle inquires how large the compressor station sites are. Barry Duff responds by saying there is a separate team looking at compressor stations and that typically Tennessee likes to secure a site that is large enough to support the necessary infrastructure and that also can provide buffers for visual and noise concerns. Barry further indicates that Tennessee is looking for compressor stations sites in NH that are at least 50 acres. Barry goes on to say that a site of this size would house a compressor that would be approximately 120'x150' and would also include an area approximately 35'x100' for support buildings and associated infrastructure. Barry notes that currently there are three sites under consideration and that the one that best avoids and minimizes impacts to the environment will be selected. Update: a site in New Ipswich has been chosen as the primary site for the compressor station in NH.
- Mike Marchand asks if Bald Eagle surveys have been done. Sarah Barnum responds by providing a summary of what has been done to date for Bald Eagles (desktop and aerial nest site surveys) and what will be done in the future (winter roost site surveys). Mike notes there is a known roost site on the Merrimack River that will need to be looked at in the context of the Project location.
- Matt Carpenter inquires what would happen if there was a leak under the Merrimack River. Tim O'Sullivan responds that Tennessee would isolate that section of pipeline and then perform follow up technical investigations to determine the best path forward. Kasia follows up by providing a discussion about routine pipeline inspection, including the use of internal inspection devices to monitor for corrosion/erosion, as well as periodic aerial and ground patrols. Depending on the issue, repairs may be addressed by isolating the affected portion of pipe, excavating the pipe, and repairing or replacing the section of pipe.
- Mike Marchand asks if there has been any consideration on the part of Tennessee regarding the more common wildlife species such as migratory birds. Sarah Barnum responds by indicating Tennessee will be doing a separate analysis of migratory birds for the Migratory Bird Treaty Act. Kasia follows up by stating that once operational, FERC has requirements regarding time of year restrictions for vegetation management activities to reduce impacts during the nesting season and that routine vegetation clearing generally does not occur more frequently than every 3 years.
- Matt Carpenter inquired if Tennessee could provide pictures showing the condition of waterbody crossings before and after construction. Kasia responds by indicating that is a possibility. Kasia added that this has been a USACE permit requirement on other projects, and we have utilized environmental inspection

staff to obtain photos since they are on the ground observing construction activities. Adele notes that survey crews are photographing these resources while obtaining field survey information.

- Mike Marchand and Kim Tuttle inquire regarding what type of materials would be used in restoration, noting a preference for no materials that would entrap smaller animal species, indicating nylon netting for erosion control noted as especially harmful. Kasia responds by indicating that Tennessee takes the entrapment concerns into consideration and has avoided use of specific matting materials (certain types of curlex for instance) on past projects for this reason.
- Tim O'Sullivan inquires regarding NH F&G's concerns regarding the smooth green snake. Mike Marchand responds by indicating they are present in the proposed Project area and that some impacts to this species are expected. Tim asks if Mike's concerns for the NBR and Eastern hognose snake would transfer to this species. Mike responds in the affirmative.
- Carol Henderson inquires if there are any deer yards in the Project area and notes Tennessee should obtain this information from Dan Bergeron.
- Carol Henderson inquires if Tennessee needs to write an EIS. Kasia replies by indicating that as part of the FERC application, Tennessee will file an Environmental Report (ER), which consists of Resource Reports 1 through 13 and addresses environmental, cultural, socio-economic issues, alternatives and other topics as they relate to the Project. Kasia indicates that we are currently in the pre-filing process with FERC and that the first draft set of the resource reports were filed with FERC in March, and that a second draft is planned to be filed in July (link to the filed reports: http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20150313-5090). Kasia then provides a summary of what has been filed with FERC to date and what is anticipated in the future. Kasia also explained FERC's actions, which will include a scoping period allowing for public comment, and preparation of an EIS, in which the public and agencies will have opportunities for comment. Adele stated that FERC will also have a third-party contractor to help with the Resource Report review and preparation of the EIS. Kasia confirmed that Cardno Entrix is working with the FERC as the third-party contractor designated for the Project. The FERC application and review process will run in parallel with the SEC application and review process. Harry Stewart notes it is not uncommon for this to occur.
- A closing discussion on what the next steps are in relation to state listed species then ensues. The Project team notes that work plans/survey protocols, which include desktop data collection and defined survey areas need to be developed for all subject species and that said plans would then need subsequent approval by NH F&G, prior to implementation. Only after results of the surveys are compiled can an evaluation of impact assessment take place.
- Kim Tuttle asked if any other subcontractors would be working on the NED Project in NH. Kasia answered by indicating that HMM, AECOM Normandeau, and Louis Berger are the main subcontractors currently involved with NH, but that other subcontractors would also be working on the Project in other states.

20151007-4002

{ same ongoing opposition petition as 20150925-4018, 1,816 total signers as of September 27, 2015 }

20151007-4003

{ same ongoing opposition petition as 20150925-4018, 1,831 total signers as of September 29, 2015 }

20151007-4004

{ same ongoing opposition petition as 20150925-4018, 1,841 total signers as of October 01, 2015 }

20151007-4005

{ same ongoing opposition petition as 20150925-4018, 1,855 total signers as of October 04, 2015 }

20151007-4006

{ same ongoing opposition petition as 20150925-4018, 1,865 total signers as of October 06, 2015 }

20151007-5011

Theresa Grant, Pelham, NH.

I am vehemently opposed to the Northeast Energy Direct pipeline. I feel that it is a solution to a problem that we do not have. The information that I have read and researched I find that the purpose of this pipeline will be for export. This pipeline is an over build - for exporting fracked, potent greenhouse gas that does not serve our long term health in NH - economically, environmentally, medically, culturally. The negative effects on health, industrialization, property value, our environment (water and drinking water wells, wetlands, forests, wildlife, plants) and the rural character of our landscape are too high of a price to pay for this pipeline. Safety issues of the pipelines are increasing dramatically due to the increase in the numbers of pipelines being built and the speed in which they are built. The thought of lands being taken from property owners by eminent domain for private gain goes against every thought of our forefathers. I recommend do not build this pipeline thru the Northeast region.

Thank You,

Theresa Grant
Pelham, NH

20151007-5031

{ Author: Elaine Mroz, 3 documents }

Environmental and Health Impacts of Operations

Numerous items related to pipeline operations are left unaddressed in the Resource Reports.

For example, the descaling process and its impacts have not been presented.

What is the standard for the frequency of pipeline cleaning?

What specific substances (chemical compositions) are removed from the pipes during routine cleaning? In what form are they? Where are they disposed of, and how? What are the impacts on the local environment and beyond?

What substances are introduced to the gas in the cleaning process? In what form are they? Where are they disposed of, and how? What are the impacts on local air quality?

Is water used in the cleaning process? If yes, what amounts are required, and what will be the source of the water? What are the plans for treatment and disposal of this water?

As water condenses in the pipeline, how often is it removed? What quantities are anticipated and what chemicals are dissolved in it? What are the plans for treatment and disposal of this water?

Kinder Morgan says it insures pipeline safety by numerous helicopter surveys. How much fuel is consumed in these surveys? What emissions are discharged? What is the climate change impact of these flights over the life of the pipeline?

What is the climate change impact of the loss of trees temporarily and permanently removed over the entire pipeline project, over its projected life?

What substances in addition to methane will be emitted into the air during blow-downs and compressor operations? What quantities are released? What is the chemical composition? What are the public health impacts in areas close to and removed from the compressor stations and blow-down locations?

Environmental and Health Impacts of Increased Marcellus Gas in New England

Since Kinder Morgan unabashedly touts increased availability of Marcellus shale gas to New England customers as an important benefit of its proposal, its potential cost to public health must be studied and quantified before a certificate of need and convenience can be issued. Baselines must be established and appropriate comparisons reviewed. Lack of information does not mean lack of impact.

Increased exposure to radon has been identified as a potential public health impact of increased use of Marcellus shale gas due to its higher radon content vs. traditional gas sources. It has also been argued that the reduced time to market exacerbates the problem in the northeast as the radon does not have time to dissipate before it enters households.

http://www.huffingtonpost.com/elizabeth-glass-geltman/radon-from-your-stove-why-new-york-should-enact-the-no-radon-in-natural-gas-legislation_b_7083518.html

The chemical composition of gas additives must be described, along with their residual decomposition process. How do these substances change over time and distance? What are their potential public health and environmental impacts?

Scoping Comments – RR 5

Resource Report 5 is intended to address the Socioeconomic impacts from the construction and operation of the pipeline. The documents that Kinder Morgan have submitted to date fall far short of what is needed to fully understand the impacts across this 400+ mile proposal. In addition, all cited data and studies should include a properly functioning hyperlink, either to the primary source or to a site created by the applicant to which it uploads citation content when not directly available online.

Kinder Morgan must provide all data by municipality, not by county as currently provided. As an example, all socioeconomic meaning is lost when Cambridge is lumped in with Townsend, geographically and economically far apart, but both in Middlesex County. One would think Kinder Morgan would have understood this at the inception of this project. Data should be provided at the municipal level for all information provided in all Resource Reports. The burden should be on Kinder Morgan to provide this information, not on governmental agencies.

Kinder Morgan discusses that it plans to manage the construction process by “spread.” Kinder Morgan should clarify the extent of each proposed spread, and what responsibilities the assumed “spread managers” will have for ongoing communications with individuals and municipalities before, during and after hypothetical project construction. In the recent past, Kinder Morgan failed to provide adequate means of communications with impacted parties after construction, with adverse impacts to property owners, as my own community has experienced. http://www.sentinelenterprise.com/ci_13543521 . If communication is not to occur using spread managers, an alternate plan should be disclosed to ensure a straightforward path exists to resolve socioeconomic issues.

RR5 refers to Title 49 CFR Part 192 Section 192.615 of the USDOT regulations under which Kinder Morgan has developed an emergency response plan. A footnote to RR 5 dealing with Emergency Response procedures states that “Tennessee is a wholly-owned subsidiary of Kinder Morgan, Inc. and is a member of Kinder Morgan’s pipeline group.” Please describe the implications of Tennessee Gas, LLC vs. Kinder Morgan, Inc. as the filing entity. Please specify the implications of that corporate structure as regards socioeconomic impacts.

RR5 does not address recent changes in communication technologies and practices that would impact the effectiveness of emergency response procedures. What percent of the affected populations can be contacted via landlines in an emergency, vs. what percent now rely on cell phones? What role can social media play in emergency response plans that are operating in the digital age? How does the Kinder Morgan response plan incorporate these new developments? How can Kinder Morgan insure adequate notice to stakeholders regardless of the technology they utilize?

RR5 states that “it is not anticipated that the Project will negatively impact property values outside the proposed pipeline ROW.” Although RR5 does not explicitly address values within the ROW, it goes on to mention several studies which RR5 suggests show there is no impact of the existence of a pipeline on real estate. Although RR5 provided no citations in this section with hyperlink, the most recently conducted of the studies cited, Diskin et. al (2011) was located on line via a search. It explicitly states “...our conclusions are presently limited to the dataset under study.” Additionally, this study considered four subdivisions in suburban Phoenix. https://www.irwaonline.org/eweb/upload/web_jan_NaturalGas.pdf

Based on the total lack of applicability of that study to the proposed Project area, and the fact that the remaining studies pre-date the recent rapid expansion of pipeline builds, Kinder Morgan must provide data using current information, applicable to the geographies and demographics that would be impacted by this particular proposal.

Please describe the income tax implications of easement payments granted property owners. Please describe anticipated payments to property owners for use of temporary workspace. Please describe temporary or permanent relocation payments that Kinder Morgan will pay to property owners whose homes will be unsuitable for occupancy during certain periods of construction.

RR5 states “Tennessee does not anticipate that the Project will adversely impact homeowners’ insurance rates, the ability to acquire a new homeowner’s insurance policy, or that insurance policies will be discontinued as a result of a natural gas pipeline located on the property.” It quotes three pipeline FEIS’s, in which FERC reached a similar conclusion, citing work conducted in 2006 and 2008. However the insurance industry has undergone radical change since that work, motivated by large losses in Hurricane Sandy, and the availability of new technologies to document and share specific property characteristics. Most notably, credit rating agency FICO develops a type of credit score for properties based on advanced modeling techniques. An increasing number of insurance companies are revising rates and cancelling policies based on this new algorithm, first introduced in 2008.

<http://www.fico.com/en/products/fico-property-predict-insurance-score#overview>

This trend is likely to continue. It is further likely that any risk perceived by insurance carriers from the existence of a nearby pipeline will be built into future rates. It is incumbent on either the applicant or FERC to determine the insurance industry’s future view of the risk of coverage penalties that may be assessed over the lifespan of this project, and incorporate the impact of these penalties on property owners as part of the cost.

It would also be important to learn from recent history regarding worst case pipeline disasters. Someone paid very large claims in the 2010 San Bruno pipeline explosion. How much of those claims were paid for by insurers, and then passed on to ratepayers? How much were paid for by the pipeline operator and then passed on to customers? What is Kinder Morgan’s plan to set aside funds to compensate victims in case of potential disasters? How is a contingency for these types of explosions accounted for when weighing cost vs. benefit?

RR10- Alternatives

Resource Report 10 is intended to address alternative means of meeting the benefits of the project, and to compare the environmental costs of the proposal to the environmental costs of possible alternatives.

KM’s RR10 barely meets the minimum requirements to avoid rejection of the filing as laid out in the EIR Guidance Manual <https://www.ferc.gov/industries/gas/enviro/erpman.pdf>. It is not clear on the purpose of its proposal. It dispenses with a wide range of alternatives to meet energy needs via narration rather than with citations of facts and projections. It makes no attempt to combine various potential energy solutions into a larger solution which could be very competitive with its proposal. It provides misleading comparisons of alternative routes to favor its preferred route.

Regarding the purpose of this proposal: In its pre-filing documents published in March 2015, KM rejected

all “no-action” alternatives because they would not individually provide 2.2 Bcf/d of natural gas capacity. Under that criterion, the current alternative, with a proposed capacity of only 1.3 Bcf/d would have been similarly rejected, yet KM is vigorously pursuing it. Less than half of KM’s reduced capacity is under precedent agreement (.5 Bcf/d), an amount unchanged in over a year. Alternatives should be measured against their ability to provide the equivalent energy of .5 Bcf/d, as a bridge to reducing dependence on fossil fuel over time vs. against Kinder Morgan’s ideal conception of the market. The question is not how much natural gas capacity it will take to enable “greater access to prolific supply sources such as the Marcellus (“Marcellus”) Shale Formation” as suggested in RR10. This is equivalent to asking how many lumberjacks we must employ to chop all the trees in New England in the anticipation that more wood will be needed for use for cooking and fuel. The question the KM proposal and competing pipeline proposals force us to address is how to best meet the region’s 21st century energy needs taking into consideration all the 21st century options the region has, and their implications. FERC has a responsibility to ensure that a private company does not force an inappropriate solution for this critical issue.

If shippers were unwilling to contract for long term capacity over the last year, they will be even more skittish after the announcement of President’s Clean Power Plan. This plan has received bi-partisan support in Massachusetts government, including the support of Republican Governor Charlie Baker. <http://www.wbur.org/2015/08/04/climate-plan-mass-reaction>

For the last year, KM has held steady with .5 Bcf/d under contract. This should be the level sought when evaluating alternatives to the NED project. Furthermore, the alternative studies should not merely consider each option individually. They are not mutually exclusive, and must be considered in combination. A comprehensive no-action alternative with a diverse set of energy sources must be matched against the NED proposal to compare benefits and costs over the project’s proposed lifetime.

Energy conservation measures are booming on the heels of ongoing technological advances. LED lighting alone will account for an abundance of energy savings in the life span of the proposal. Rather than present studies that reflect the state of the art thinking in energy conservation, KM used that section of the alternatives (10.1.1) to reiterate how much natural gas Marcellus is projected to produce. KM’s assertion that “curtailing energy use is a long-term goal, extending well beyond the timeframe of the proposed project” is dismissive of climate change, one of the most important challenges facing our nation and the planet. The potential for energy conservation in the target region of New England should be fully quantified using reputable studies looking out over the project lifespan. These studies are available in the academic world as well as in the conservation and environmental industries as demonstrated here : <http://acadiacenter.org/document/energy-efficiency-in-massachusetts/>

The potential effectiveness of political measures for conservation incentives should also be addressed. Massachusetts continues to provide tax credit relief to citizens for Title 5 septic compliance. Similar programs would surely bolster insulation, window replacement, upgrade of natural gas heating systems and other conservation measures. The likelihood of and ability to implement such measures over the life of the proposal is high. Their potential impact must be quantified and included in the comparison of a comprehensive no-action alternative using diverse energy sources vs. NED in the DEIR.

Consideration should be given to conservation across all energy use sectors. A conservation source ignored by KM’s analysis is the conversion of aging natural gas power generation plants into higher efficiency units in New England. Many of the older plants will be retired and replaced or repowered as part of their operators’ ongoing plans. These replacements must be projected, and a range of possible impacts must be quantified in a comprehensive no-action alternative with diverse energy sources to be compared with NED in the DEIR.

KM dismisses wind power as “not an option for providing the existing or projected power needs in the region where the Project is located.” It suggests that the transmission system is too constrained to be able to deliver power as needed. An alternative cannot be rejected on the basis of the fact that it doesn’t currently exist. In fact, KM argues for its own proposal in response to a constrained pipeline system. Later in the

Wind Power section KM acknowledges a number of transmission proposals that together can indeed “reduce pressure from the New England natural gas supply and reduce greenhouse gas emissions.” MA, CT and RI are issuing a Clean Power RFP and multiple proposals for new transmission lines are expected, all of which are projected to bring wind and/or hydropower into the region within or sooner than the NED project time-frame. KM should quantify that impact in terms of Bcf/d for input to the DEIR as part of a comprehensive no-action alternative with diverse sources.

KM dismisses all renewable resources as intermittent. Efforts across the country are dedicated to improving energy storage technologies, including an energy storage initiative announced by Massachusetts Governor Baker in May 2015. <http://www.mass.gov/eea/energy-utilities-clean-tech/renewable-energy/energy-storage-initiative> KM should provide information about the projected adoption of new power storage technologies over the lifespan of the proposed project, and quantify the impact of this rapidly developing technology on the energy markets in the target region, and include how this might contribute to a comprehensive no-action alternative with diverse sources.

KM dismisses solar power because “these systems are generally not well-suited for use as large-scale generation in the proposed Project area....” Yet, even casual observers can see the abundance of smaller scale solar installations emerging all over the region as the installed costs of solar panels become lower and lower. Clearly these installations have already had an impact on demand from traditional generating facilities, and will continue over the life span of the proposed project. This impact must be projected and quantified as part of a comprehensive no-action alternative with diverse sources.

KM dismisses use of liquefied natural gas (“LNG”) and propane/air storage and vaporization even though it acknowledges that “both alternatives have the potential to meet Project objectives.” It rejects them without any consideration, although they each have value in a comprehensive no-action alternative with diverse energy sources. Indeed, the intelligent use of LNG market commitments played an important role in maintaining gas availability at a reasonable cost during the record-setting cold winter of 2014-15. New England’s gas needs will always be driven by a handful of peak days annually. Use of LNG, with facilities already permitted and built, is far better suited to meeting New England’s needs than a new overbuilt pipeline. LNG must be considered in a comprehensive no-action alternative with diverse energy sources.

KM dismisses hydroelectric power from Canada because transmission lines require extensive review and approval processes. Indeed, the NED Project requires an extensive review and approval process as well. However, Massachusetts Governor Baker has submitted legislation requiring power Massachusetts utilities to solicit long-term contracts for clean energy generation, including 2400 MW of hydropower through which he reiterates his commitment to the greenhouse gas emission targets in the Massachusetts Global Warming Solutions Act. http://www.berkshireeagle.com/news/ci_28552168/baker-seeks-hydropower-purchased-from-quebec KM should quantify the impact of Massachusetts’ clean energy initiatives regarding hydropower and factor them into a comprehensive no-action alternative with diverse energy sources.

ISO-NE reports that just 6% of New England’s power was sourced by coal or oil in 2014. <http://www.iso-ne.com/static-assets/documents/2015/02/2015-powergridprofile-final.pdf> This suggests that the maximum amount of incremental power generation that can be sourced by natural gas without negatively impacting greenhouse gas emissions is just 1860 MW (6% of 31,000 MW installed capacity). While the 2400 MW of anticipated hydropower could more than replace this amount, KM must quantify how many Bcf/d would be required by high-efficiency gas powered generating plants to source 1860 MW. This is the upper limit that can be committed by all the competing pipeline projects towards power generation in New England under Massachusetts law. KM should describe how it will prevent violating this law if the proposal is successful.

In the alternatives analysis, KM repeatedly rejects alternatives because they cannot “provide the required natural gas pipeline transportation capacity provided by the Project.” In effect, KM is stating that there is no alternative for a gas pipeline except another gas pipeline, and that gas capacity needs are infinite. Yet, a pipeline is a secondary demand unit. Without the primary demand unit of a need for natural gas in the Northeast, there is no need for a pipeline in this region. There is much evidence suggesting that natural gas

will have diminishing value as an energy source in the future in New England based on potential changes in cost due to wellhead regulation, methane emissions regulations, and the need to reduce the overall fossil fuel use to meet greenhouse gas emissions targets. These factors are likely to contribute to the feasibility of the comprehensive no-action alternative with diverse energy sources, and they must be quantified and included in the DEIR.

As the above analysis suggests, New England is well on its way to maximizing its use of natural gas for power generation. In contrast, power generation in other parts of the country is heavily weighted towards coal. KM should justify why it would spend its scarce resources developing pipeline capacity in a region where its construction would have diminished value on the carbon footprint, vs. building capacity for the South and Midwest to enable the proliferation of clean power in that region. If the purpose of the pipeline is to “provide natural gas pipeline transportation capacity” then KM should develop an alternative which places the capacity in the South and Midwest where it is needed for projects to promote compliance with the Clean Power initiative.

KM notably omits no-action alternatives for proposed laterals. RR10 asserts that these laterals “will accommodate delivery point requests of certain Project shippers.” Yet, the identities of these shippers, and the amount of capacity they seek at the individual delivery points are not identified. KM will have eminent domain authority if a certificate is granted. FERC must demand that KM demonstrate the need for each lateral individually to allow the proper weighing of public necessity. An eminent domain taking to fulfill a business plan of an individual shipper is a drastic step which may be challengeable in court.

As is the case with the Alternatives section of Resource Report 10, in the System Alternative section KM once again failed to meet the minimum requirements to avoid rejection as laid out in the EIR Guidance Manual <https://www.ferc.gov/industries/gas/enviro/erpman.pdf> as it did not discuss the costs and benefits of each alternative, but rather provided a narrative to discount each as inferior.

Additionally, the System Alternative analysis failed to consider some critical potential system changes which would impact the overall need for the project:

KM defines a system alternative as involving “the transportation of the equivalent amount of incremental natural gas volumes by the expansion of existing pipeline systems or by the construction and operation of other new pipeline systems.” This definition is certainly challengeable in today’s energy market. Yet even under that definition, surely the replacement of antique pipelines by shippers in the target region falls into this category. https://www.bostonglobe.com/business/2013/07/31/gas-leaks-costing-mass-consumers/5nIv3FsJaZRwscJ48jGMsI/igraphic.html?p1=Article_Graphic. Such replacements would not only create capacity in the system, but would diminish the current risk borne by society in the event of an explosion. <http://clf.org/map/>. In addition, there is increasing evidence that fugitive methane emissions play a larger role than previously believed in greenhouse gas emissions. Just as power distributors are incentivized to promote energy conservation to their customers, pipeline companies could incentivize shippers to realize revenue on an increasingly greater percent of the natural gas capacity that they purchase by promoting leak repair. KM should quantify the impact of repairing these leaks, and include them as part of a comprehensive alternative with diverse energy sources.

KM dismisses expansion of its existing 200 Line via looping and compression because apparently it considered it impractical at the 1.3 Bcf/d capacity it proposes. KM’s existing 200 Line ROW is a valuable corporate asset created from land held in natural state by private citizens. It must be fully utilized before consideration of additional takings. RR10 does not provide enough detail regarding at what capacity 200 Line looping and compression becomes a feasible option. KM’s contracts have held steady at .5 Bcf/d. KM must readdress the viability of looping and compression of the existing 200 line in a lower capacity scenario, and include it as a part of a comprehensive alternative with diverse energy sources.

KM presents a list of other pipeline projects under consideration into the Northeast which could potentially serve the same purpose and demand of the Project, However, Kinder Morgan makes no attempt to assess whether one or more of these projects would eliminate the need for NED or to compare the rela-

tive environmental impacts of these alternatives.

As in the “no-action” alternatives section, FERC must ask KM to create a comprehensive system alternative in which all known proposals are candidates to fulfill some portion of the anticipated need for natural gas as a fossil fuel bridge. Furthermore, the results of the comprehensive no-action alternative with diverse energy sources described above should provide the base to determine how much of the comprehensive system alternative might be necessary to fulfill the need for natural gas as a fossil fuel bridge. Such an approach has great benefits. It can clearly demonstrate what proposals can provide the best bridge capacity at the least social and environmental costs. It will allow policy makers the ability to target conservation incentives to regions where new routes would force higher environmental costs. It will prevent overbuilding of capacity so that the pipeline rights of way of today do not follow the path of the railroads to become the bike paths of tomorrow.

20151007-5074

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Franklin Regional Council of Governments

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

September 23, 2015

RE: Kinder Morgan - Tennessee Gas Pipeline - Northeast Energy Direct (NED) Project - Docket # PF14- 22-000

Dear Secretary Bose:

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 the 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 1-91 interstate highway was built. The FRCOG has significant concerns about the environmental, safety and socioeconomic 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, coldwater fisheries, public infrastructure, and historic resources. The short and long-term impacts that the proposed project would have on our communities and region are profound.

It greatly concerns us that our rural communities, which are more reliant on natural resources and have less income and resources to address impacts, are being targeted for the proposed NED pipeline project. The economic and public health of rural residents is closely tied to the health and viability of the natural resource base that will be negatively impacted by the proposed pipeline. Further, the NED pipeline project is proposed to be sited in several Environmental Justice (EJ) Areas, according to a study recently completed by the FRCOG, which are areas of high poverty or minority populations. These EJ Areas include the Northern portion of Deerfield, Western portion of Erving, Non-Urban Area of Montague, and

the Northern portion of Northfield.’ Consequently, the proposed NED project in Franklin County raises a serious Environmental Justice issue if rural low income or minority populations are impacted by a project that is expected to have adverse air and water quality impacts and which may have a depressing effect on

property values given health and public safety concerns.

We ask 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. Alternatives to the proposed pipeline should be seriously considered by FERC and we hope that the DE IS process will fully explore these alternatives to meet electricity generation and natural gas demand in New England 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 request that a detailed analysis of these alternatives be included in the Draft Environmental Impact Statement (DEIS) to be developed and published for public comment by the FERC.

The FRCOG has attached detailed Study and Information Requests prepared jointly with other Regional Planning Agencies in Massachusetts and New Hampshire for inclusion in the Draft Environmental Impact Statement. In addition to the alternatives analysis requested above, our Study and Information Requests focus on the following areas:

- Protection of Water Resources (public & private drinking water supplies, rivers, lakes, ponds & wetlands)
- 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 being 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, public safety, historic resources, 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 request that FERC include the data, information and findings of these Study and Information Requests in the DE IS. However, if FERC does not conduct or require TGP to perform all of these studies, we ask that FERC so notify the Regional Planning Commissions listed to provide us with adequate time to commission these studies, if funding can be secured, in advance of release of the DE IS.

¹ Regional Transportation Equity Analysis for Franklin County; Franklin Regional Council of Governments; July 2015; Environmental Justice Areas are defined as areas where minorities comprise 9% or more of the block group's total population or where at least 12% of the area's population lives below the poverty level (see Tables 1 & 2 and Narrative; Pages 6-8); These definitions have been in use by FRCOG since 2012 for compliance with Title VI of the Civil Rights Act and while the minority percentage figure is lower than the Statewide average, it is the Franklin County average reflecting our rural region; www.frcog.org

Thank you for this opportunity to provide comments and submit Information-Study Requests on the proposed Kinder Morgan Tennessee Gas Pipeline NED Project. Please contact Peggy Sloan, Director of Planning & Development (psloan@frcog.org) if you require additional information or have questions on our requests.

Sincerely,

Linda Dunlavy
Executive Director

cc.: US Senator Elizabeth Warren US Senator Edward Markey
US Representative James McGovern US Representative Richard Neal
MA Senator Stanley Rosenberg
MA Senator Benjamin Downing
MA Representative Stephen Kulik MA Representative Paul Mark
MA Representative Susannah Whipps Lee Secretary Matthew Beaton, EOEEA
Mr. Brian Harrington, MADEP
Ms. Brona Simon, Mass Historic Commission FRCOG Executive Committee
FRPB Executive Committee

FERC NOI SCOPING SESSIONS - PF14-22

**STUDIES AND INFORMATION REQUESTED AS PART OF THE ENVIRONMENTAL IMPACT
STATEMENT (EIS)**

Kinder Morgan Northeast Energy Direct Project

September 23, 2015

The following Study and Information Requests have been prepared for submission to the Federal Energy Regulatory Commission (FERC) as part of the scoping process for the Northeast Energy Direct (NED) PF14-22 project. The proposed studies and information requests pertain to information that should be included in either the Resource Reports that will accompany Kinder Morgan - Tennessee Gas Pipeline's (KM- TGP) Application for the NED project, or evaluated as part of the environmental review process in connection with preparation of the Draft Environmental Impact Statement (DEIS).

This request for studies and information has been prepared jointly by the:

*Berkshire Regional Planning Commission, Berkshire County, MA;
Franklin Regional Council of Governments, Franklin County, MA;
Northern Middlesex Council of Governments, Greater Lowell Region, MA;
Montachusett Regional Planning Commission, Western Worcester County, MA;
Pioneer Valley Planning Commission, Hampshire County, MA;
Southwest Region Planning Commission, Southwest NH; and
Nashua Regional Planning Commission, Southern NH.*

These Regional Planning Agencies serve the impacted municipalities along the proposed route of the NED project in Massachusetts and New Hampshire. The Resource Report references are to the July 2015 Resource Reports submitted by Tennessee Gas Pipeline Company (TGP) to FERC.

By way of background, these Study and Information Requests have been prepared to ensure that both KM-TGP's application and FERC's environmental review evaluate issues of significant concern to the Regional Planning Commissions, impacted communities and landowners. KM- TGP's pre-filing application lacks sufficient information about anticipated project impacts to either fully inform the public or to allow for meaningful comment on and participation in the process consistent with the National Environmental Policy Act (NEPA) and general principles of administrative decision-making.

While the study list appears extensive on the surface, it bears noting that some of the information requested and studies sought are already required of KM- TGP by FERC as part of KM- TGP's application, pursuant to Part 380 of FERC's regulations and FERC's Guidance Manual for Environmental Report Preparation, online at <https://www.ferc.gov/industries/qas/enviro/erpman.pdf>. It is our expectation that FERC will strictly enforce its regulations and deem KM- TGP's application deficient if it lacks the level of detail set forth in some of these requests, consistent with FERC regulations.

Some of the other studies that we have requested are not expressly covered by FERC's regulations, but nonetheless, are critical to fully evaluating the environmental impacts of the project. Because KM- TGP is sponsoring the NED Project, we believe that it should be responsible for either performing these studies on its own or funding studies by qualified third parties. Nevertheless, if FERC does not conduct or require KM-TGP to perform all of these studies, we ask that FERC so notify the Regional Planning Commissions to provide them with adequate time to commission these studies, if funding can be secured, in advance of the release of the DEIS.

1. Conduct detailed Alternative Route Analyses to Avoid Permanently Protected Open Space, Federal and State Rare & Endangered Species Habitat, Water Resources, Forests, and Farmland

Goal:

The goal of this study is to conduct detailed analyses of alternative routes that will reduce impacts on environmental resources and protected open space.

Context:

In Massachusetts and New Hampshire, the "Preferred Route" proposed by KM- TGP NED project will impact significant environmental resources including Permanently Protected Open Space, rare and endangered species habitat (e.g. MA Priority Habitat Areas), unfragmented forests, active farmland, coldwater fisheries, and water resource areas. The proposed route will alter and/or disrupt over 3,800 acres in Massachusetts and New Hampshire (Resource Report 1; Pages 1-45 & 1- 46), including many important natural and cultural resource areas, an increase of over 35% from the amount of land reported to be impacted in March 2015 KM-TGP Resource Report 1. The project will impact roughly 8,800 acres for the overall project (Resource Report 1; Page 1-40), an increase of 25% from the amount reported in the March 2015 Resource Report 1. The Preferred Route does not appear to prioritize the protection of environmental resources, as one would expect in order for the project to be in compliance with National Environmental Policy Act (NEPA), but rather emphasizes "constructability" and avoidance of urban congestion. As stated in Resource Report 10, Page 10-19, "The main determinants used to select the proposed route for the Project's pipeline facilities rather than the alternative routes pertained to minimizing the number of affected landowners, constructability issues and Tennessee's goal to limit the extent of disruption on the communities that will be potentially affected during construction." This statement indicates a bias against siting to protect environmental resources. It also suggests that rural low income populations and communities, that are more reliant on natural resources, are given less consideration than suburban or urban areas that may have greater income levels and resources. The economic and public health of rural residents is closely tied to the health and viability of the natural resource base that will be negatively impacted by the pipeline including groundwater, farmland, and forests. Further the alternative analyses presented in Resource Report 10 do not include key resource areas including acres of Federal or State Identified Rare, Threatened or Endangered Species Habitat, acres of Permanently Protected Open Space, miles of coldwater fisheries streams, acres of public water supply recharge areas or the number of vernal pools. While urban congestion and the number of residences are cited as key reasons why the pipeline must be sited in rural environmentally sensitive areas the Tables do not provide the number of residences only TBD (to be determined).

Requested Information:

- a. Conduct a detailed analysis of "Alternative" routes along existing pipeline routes and major highway Rights of Way (e.g. 1-88, Mass Pike) in comparison to the Preferred Route. Alterna-

tive routes that are co-located along existing gas pipeline systems or in existing major highway R.O.W.s should be prioritized for study as the preferred pipeline route rather than electric transmission lines that traverse environmentally sensitive areas or “greenfield” locations.

- b. Present a comparison of the environmental impacts in the Resource Report 10, as well as in the DE IS and FEIS of the proposed NED Wright to Dracut Preferred Route versus the proposed Spectra Energy Partners expansion of its existing system that will also serve the New England market.
- c. Conduct an assessment of the quality of the resources impacted for the Preferred Route and all alternative routes along major highways and existing pipeline routes. For example, are the wetlands along alternative highway routes well-functioning natural systems or are they already impacted by road runoff and other pollutants, or isolated man-made wetlands resulting from the construction of the road? The Resource Reports simply compile statistics on the miles, acres or lineal feet of different resource areas impacted, rather than describing the quality and integrity of the resources. The Applicant should contact State resource agencies for additional information.
- d. Provide documentation on the sources of the resource statistics and how they have been compiled. Table 10.3-4, a comparison of expanding KMTGP’s Existing 200 Line pipeline route to the “Preferred Route,” suggests that there will be more impacts to wetlands, forest and farmland by expanding infrastructure along an existing pipeline route than along the new Preferred Route from Wright to Dracut. Although the existing 200 Line pipeline route is a longer route in terms of miles (approx. 38 miles longer) than the Preferred Route, if the comparisons are based only on “desk top” data for the Preferred Route obtained from aerial photographs and/or publically available GIS datalayers, the resource impacts are likely significantly underestimated. A more thorough study is needed and impacts on critical resources including acres of Federal or State Identified Rare, Threatened or Endangered Species Habitat, acres of Permanently Protected Open Space, miles of coldwater fisheries streams, acres of public water supply recharge areas, and the number of vernal pools impacted should be included in the alternative analyses tables in Section 10.3.1 Major Route Alternatives. Land use impacts to forest, farmland, recreation areas and developed areas should be presented in terms of the acreage affected during construction rather than the number of miles.

In addition, the Cumulative Impact Analysis presented in Resource Report 3 is deficient and provides no quantitative assessment of water quality, critical wildlife habitat, or rare and endangered species impacts caused by construction and clearing of forested areas (e.g. erosion and sedimentation impacts on water quality and cold water fisheries, increased stormwater runoff and nutrient loading to water bodies, estimated increase in water temperature in cold water fisheries streams as a result of forest land cleared, acres of rare species habitat lost, etc.). Approximately 8,800 acres of land will be disturbed by the project yet on Page 3-113 of Resource Report 3, the proponent states that “The geographic extent and duration of disturbances caused by the construction of the Project will be minimal ... “.

Finally, the Cumulative Impact Analysis should be conducted at the HUC 12 subwatershed scale to provide a better assessment of the cumulative impacts not at the HUC 8 scale as presented. The HUC 12 impacts could then be aggregated within the HUC 12 and at the HUC 10 or watershed scale, as necessary. For example, impacts to the major tributaries of the Deerfield River should be evaluated at the HUC 12 subwatershed scale. The cumulative impacts to the Deerfield River Watershed (HUC 10) would be the total of the impacts to each of the HUC 12 subwatersheds. The HUC 8 watershed scale does not provide adequate data to provide a meaningful assessment of the impacts.

- e. Provide cross sections of exactly how the pipeline will be “co-located” along the electric utility R.O.W. for the Preferred Route. Resource Report 10 states that the Preferred Route is generally

co-located with Tennessee's existing pipeline or other electric utility infrastructure. Once the proposed pipeline route departs from the existing "200 Line", 77 miles will be co-located along electric transmission lines. According to Resource Report 1 (pg. 1-2) adjustments may be needed based on ongoing discussions with the electric utility which "may result in the centerline of the pipeline to be located within an existing powerline easement, less than five feet from the existing power line boundary or further than five feet from the existing powerline boundary." The Resource Reports should clearly define what "co-located" means and should provide a diagram showing the separation of the pipeline R.O.W. from the high voltage electric transmission lines that will be required for safety reasons. Such separation could result in a "greenfields" project with significant additional forest fragmentation and natural resource impacts. Identify the environmentally sensitive areas, including coldwater fisheries and habitat areas with rare and endangered species that currently exist along the electric transmission lines. In addition, the proposed co-location of the pipeline in Pelham and Hudson, New Hampshire is in direct conflict with an approved expansion of the electric transmission lines known as the Merrimac Valley reliability project. Identify the additional impacts on natural resource areas that will occur when the pipeline is rerouted from the current proposed route to avoid conflicts with the Merrimac Valley reliability project.

- f. Conduct a detailed delineation of wetland resources including an assessment of vernal pools along the proposed route. Wetland resources, particularly forested wetlands and vernal pools may be hidden by the forest canopy and are not readily identified by interpretation of aerial photographs. This can result in serious under-reporting of significant wetland resource areas.
- g. Conduct a detailed assessment of impacts to forest habitat areas that support a variety of rare, threatened or endangered species and identify specific impacts on wildlife including the threatened Northern long-eared bat.
- h. The Connecticut River is a federally designated American Heritage River and the River and its tributaries play a central role in efforts to restore Atlantic salmon runs. The Deerfield and Westfield Rivers and their tributaries in Massachusetts are designated "Coldwater Fisheries," critical to maintaining rare, threatened, or endangered fish species. Coldwater Fisheries are particularly sensitive habitat areas and changes to land or water can reduce their ability to support coldwater fish. In the Southern New Hampshire, both the Lower Merrimack River and the Souhegan River are "Designated Rivers" under New Hampshire's Rivers Protection and Management Program (RMPP) per RSA 483.

Specific construction techniques must be used that will avoid potential river contamination with drilling fluids, subterranean gas releases that will disrupt the river bed and shoreline, and fluvial erosion that could compromise the pipeline's structural integrity. FERC should require specific conditions to ensure that temporary work sites will be replanted after construction is complete, and ensure that there is no restriction on access to and use of the river as a result of this project. In addition, the DEIS and FERC should address the following issues:

- i. Clarify the timing of the release of FERC-required construction plans for water crossings.
- ii. Require that TGP's construction process includes the use of carrier sleeves for the full-length of the HDD bore.
- iii. Evaluate the adequacy of pig launch and exit locations to ensure that the rivers have successful in-line inspections at a frequency consistent with industry best practices.
- iv. Facilitate emergency planning with all community and public water suppliers nearby rivers where HDD will occur including Pennichuck Water which operates a secondary water supply on the Merrimack River in close proximity downstream to the proposed alignment.

2. Conduct a Comprehensive Analysis of the Need for the KM- TGP NED Pipeline Capacity to meet

Natural Gas Demand in New England

Goal:

The goal is to conduct a comprehensive analysis of the need for the KM-TGP NED pipeline project to support natural gas demand and electricity generation in Massachusetts, New Hampshire and New England.

Context:

To date, the proponent (Kinder Morgan) has not demonstrated that the proposed pipeline capacity is needed. According to Kinder Morgan's (KM-TGP) Resource Report 1, they have commercial commitments for 500,000 dekatherms/day versus 1.3 Bet/day of pipeline capacity. The commercial commitments represent only approximately 38% of the capacity of the proposed pipeline. Given the low amount of capacity committed to be purchased from the KM-TGP NED pipeline, if the proposed project is allowed to proceed, a significant portion of the natural gas will likely be exported and will not be used in the United States, depleting scarce domestic resources to meet overseas demand. If the pipeline is expanded to its originally proposed size of 2.2 Bet/day of pipeline capacity, there are commitments for only approximately 23% of the proposed KM-TGP. Either figure for commercial commitments represents only a small amount of the NED pipeline capacity and raises a serious issue about whether the construction of this pipeline will result in "overbuilding" in direct contradiction to FERC's established policy not to overbuild (Resource Report 10; Page 10-13).

- a. We understand that the Algonquin Incremental Market (AIM) project, an expansion of an existing Spectra Energy Partners gas pipeline, was recently approved by FERC and is expected to provide an additional supply of natural gas for electric power generation in New England, one of the key reasons ISO New England identified the need for additional gas pipeline capacity. Further, KM-TGP appears to have only one electric utility, National Grid, signed up for long term firm transportation capacity according to their list of Shippers. The other purchasers are LDC's and could be served by LNG facilities and/or could invest in reducing the leaks in their distribution systems. CLF reports (CLF; Into Thin Air; Pg. 7) that between 8 and 12 Bet of methane is leaked annually in Massachusetts alone. In its Alternative Analysis presented in Resource Report 10, KM-TGP acknowledges that the proposed capacity of alternate systems (Table 10.2-1, Pg. 10-17) also will serve the same general market. Other projects such as the Spectra Access Northeast will provide up to 1,000,000 Dekatherms per day and is expected to serve the electric utility generation market which is cited as the primary reason that additional pipeline capacity is needed by KM-TGP. In contrast, the commercial commitments for the TGP NED project will provide gas to the LDCs for residential and commercial heating and industrial uses. Further, on Page 10-2, Resource Report 10 states "Existing natural gas delivery systems may be readily expanded to meet increased demand, while minimizing impacts to the environment." This statement indicates that existing pipeline systems can be readily expanded to meet demand thereby eliminating the need for a new pipeline route that will have significant impacts on natural and cultural resource areas. A detailed analysis of the "No Action Alternative" should be conducted as part of the DEIS.

Requested Information:

- a. Conduct an independent evaluation of the proposed construction of the KMTGP NED pipeline and the expansion of the Spectra Energy pipeline system to determine if the construction of both will result in excess pipeline capacity for Massachusetts and New England.
- b. Conduct a quantitative analysis of the potential for LNG storage facilities, renewables (solar and hydro), and energy conservation to provide an alternative to the construction of the KM-TGP NED pipeline for 500,000 dekatherms of energy. Resource Report 10 provides no quantitative analysis of the potential for Energy Conservation, Renewables (solar, hydro) and LNG facilities to meet energy demands for heating and electricity. The broad conclusion that additional gas pipeline capacity is needed is unsupported by the data in Resource Report 10. This analysis

should take into account each State's Clean Power Plan goals required by the EPA as well as State and regional Clean Energy & Climate Change plans such as the Massachusetts Clean Energy & Climate Plan for 2020.

c. Quantify the benefits to the communities along the proposed pipeline route.

For instance, in Franklin County, MA the proposed pipeline is anticipated to provide little benefit to the communities directly impacted since the region is largely unserved by natural gas supplies for home heating or businesses. Only two towns along the pipeline route (Deerfield and Montague) have access to natural gas for home heating and business uses. Only five Franklin County towns are served by Berkshire Gas, which has an agreement with Kinder Morgan to purchase 36,000 dekatherms per day, or only approximately 2.8% of the proposed 1.3 Bcf of pipeline capacity. In NH, the situation is much the same with little benefit anticipated for communities impacted by the pipeline as these predominantly rural towns are unlikely to be provided with access to the natural gas being transported through their backyards. Liberty Utilities is the only LDC in NH that has contracted for capacity on the NED project. It has committed to purchase 115,000 dekatherms per day from Kinder Morgan which represents only approximately 8.8% of the 1.3 Bcf/day of pipeline capacity. In the Southwest Region planning district, none of the seven pipeline corridor communities is served by Liberty Utilities.

d. Quantify the length of time the Marcellus Shale deposits will be able to supply gas for the proposed NED expansion project and evaluate the public benefit of investing in a costly infrastructure project that may be obsolete in a relatively short time frame. In 2011, the U.S. Energy Information Administration reported that the Marcellus Shale deposits contained 410 trillion cubic feet of unproved technically recoverable natural gas, but the following year revised the estimate downwards to 141 trillion cubic feet, only an estimated six years' worth of natural gas consumption in the U.S. (Sources: U.S. Energy Information Administration; Annual Energy Outlook 2012 & Geology.com; Geoscience News and Information). An in-depth study being conducted by petroleum engineers and economists at the University of Texas in Austin is reporting even more conservative estimates with the four big shale plays, including the Marcellus, peaking in 2020 and then declining thereafter (Nature; Volume 516; December 4, 2014).

3. Conduct an Analysis of Air Quality Impacts & Greenhouse Gas Emissions Related to the Construction & Operation of the Pipeline

Goal:

The goal is to conduct comprehensive analyses of the air quality impacts of the proposed pipeline during the construction and operation of the entire facility, including the pipeline, compressor stations, metering stations and venting stations and all construction equipment.

Context:

There are serious concerns about air quality impacts during the construction and operation of the pipeline and compressor stations. The proposed project is expected to have a significant impact on air quality and some locations in the project area are already "non-attainment areas" for ozone. Although the compressor stations will likely require permits from the state regulatory authority responsible for administering the Clean Air Act, that another agency has jurisdiction over a project does not absolve FERC of its obligation to conduct an independent review to determine whether the project is in the public interest. As such, FERC requires information about air quality to be included in an application as part of Resource Report 9. A comprehensive assessment of the cumulative impacts on air quality related to the construction and operation of the pipeline and related facilities is needed, as well as the identification of potential mitigation strategies and testing requirements that will be followed to protect public health and safety.

Requested Information:

a. Identify local, state and federal air quality standards that must be complied with and the monitor-

ing requirements and other testing required to determine compliance during the construction and operation for the pipeline, compressor stations and the metering and venting stations, including monitoring required during venting of gas for maintenance procedures, accidental releases, and emergencies.

- b. Provide a detailed explanation of the air quality modeling that will be conducted and provide maps of the areas that are expected to be impacted by emissions from construction equipment and during the operation of the pipeline, compressor stations, and the metering and venting stations. The air quality modeling should be conducted under different meteorological conditions, particularly for Fall/Winter months when inversion occurs, for summer months when there are often high ozone events, and also for different times of day.
- c. Provide maps and a numerical comparison of existing and projected air quality conditions during construction and operation of the facility reflecting cumulative impacts from all of the facilities (e.g. Construction Equipment, pipeline, compressor stations and the metering and venting stations). Such maps and air quality information should provide information on existing and expected conditions during different times of day, different meteorological conditions and during different times of year.
- d. Identify all hazardous pollutants that will be emitted and the air quality monitoring and testing that is proposed to be completed on a daily, weekly or more frequent basis at the compressor stations, metering stations and venting stations during the operation of the facility to protect public health and safety.
- e. There are currently only two air quality monitoring stations in Adams and Greenfield that are somewhat near the proposed pipeline route in Massachusetts. Additional air quality monitoring stations should be installed, at least one in each community where the pipeline is proposed to be sited, with locations selected in consultation with City or Town officials, including local Boards of Health. Additional air quality monitoring stations should be located adjacent to each Compressor Station and all venting and metering stations if the NED Project proceeds. Such ambient air quality stations should be installed at least a year prior to the construction and operation of the pipeline in order to establish baseline conditions. Air quality reports should be provided to Municipal and State officials on a monthly basis. Testing should include O₃, CO, NO₂, NO_x, VOCs, SO₂, PM₁₀, PM_{2.5}, GHGs, and HAPs (Hazardous Air Pollutants).
- f. Conduct an analysis of the greenhouse gas emissions expected to be generated by the construction and operation of the proposed KM-TGP NED pipeline. Quantify the impacts of the project on each state's Climate Change initiatives and GHG reduction goals.
- g. Provide a comparison of the air quality impacts and greenhouse gas emissions expected to be generated by an electric-powered compressor station.

4. Archeological & Historic Resources Study of Pipeline Route

Goals:

The goals of this analysis would be: (1) to ensure preservation values are factored early into FERC planning and decisions, and (2) to avoid, minimize, or mitigate adverse impacts to historic properties.

Context:

Relative to cultural and historic resources, communities have noted that too often Section 106 is initiated late in the NEPA process, which threatens opportunities to avoid, minimize, or mitigate adverse impacts to historic properties and cultural resources. In addition, FERC offers guidance on evaluation of cultural resources in its Guidelines for Reporting on Cultural Resources, available online at <http://www.ferc.gov/industries/gas/enviro/culresor.pdf>.

Requested Information:

The applicant and FERC should include in Resource Report 4 of its application as well as in the DEIS:

- a. A summary of the correspondence between applicant and local heritage/historical commissions which have local knowledge of sites potentially eligible for Historic Register consideration. Although Applicants frequently file this information as “privileged,” we note that the FOIA provisions ordinarily governing inter-agency communications do not apply where the comments transmitted pertain to the environmental assessment of the project (see 18 C.F.R. §380.9).
- b. A summary of correspondence between Applicant and State Historic Preservation Officers (SHPOs), particularly in states that do not maintain comprehensive historic inventory databases.
- c. Provide more detail on the predictive model for archaeological site locations including: how the model is validated; how the model results are used specifically; and how river locations, which have a high probability of pre-historic findings, are specifically incorporated into the predictive model.
- d. For the tables of previously-identified sites, many are reported to have “Insufficient Information to Evaluate” or “Unknown.” The Applicant, working in coordination with SHPOs, should conduct additional studies to determine eligibility for National Historic Register listing. For sites that are listed as Not Eligible, the Applicant should identify the entity making that determination and the reason why each is not eligible.
- e. Provide documentation of compliance with state statutory requirements for construction impacts to federal and state-designated scenic roads.
- f. Provide detailed information on the procedures that will be followed if buried historic or prehistoric resources are uncovered during construction including notification of state agencies and Native American Tribal representatives.

5. Analysis of Private Property Real Estate Values, Homeowner and Municipal Insurance, and Municipal Tax Revenues

Municipal Tax Revenues

Goal:

The goal of the analysis is to accurately quantify the expected impact of the NED project on local tax revenues.

Context:

As part of their meetings with local communities, representatives of Kinder Morgan provided estimates of expected tax revenues that will be realized from the construction of the pipeline and related infrastructure and facilities. In Massachusetts, the Department of Revenue (DOR) establishes the actual value of the pipeline and local property tax rates are then applied to the value. The figures cited by Kinder Morgan appear to be inconsistent with data provided by DOR on existing pipelines. These numbers can be viewed through an Excel file, which shows the assessed property value of pipelines and related infrastructure in each town in the Commonwealth. It can be found on this web page: www.mass.gov/dor/local-officials/assessor-info/centrallyvalued_utilities/fy2015_PiPeline.html.

Requested Information:

- a. KM-TGP should provide a detailed analysis of the tax revenue impacts as a result of the construction of the pipeline. The methodology utilized for developing the revenue figures should be clearly explained. A detailed accounting of the property tax impacts in every community along the main line and proposed laterals should be provided. Any previous inaccuracies or misstatements made by the proponent should be corrected and explained. The calculations should include the pipeline and all related infrastructure, including the compressor stations, and metering and venting stations. To the extent that KM-TGP is unable to quantify tax benefits to communities, it should be precluded from including any contrary statements in its application and supporting

materials.

Residential Property Values

Goal:

To clearly quantify and understand the impact of the proposed project on future property tax revenues and residential property values in each community along the proposed main line and laterals.

Context:

Kinder Morgan asserts that the presence of the pipeline will not negatively impact local property values. However, there are a number of paired-sale studies that suggest that there may be long-term loss of property value due to the presence of a natural gas transmission line. It is difficult to determine the extent to which those published studies reflect transactions involving knowing buyers, who were fully aware of the presence of the pipeline. According to the Pipeline Safety Trust, one reason that there is limited available information about changes in property values is that, in the settlement of eminent domain cases, operators typically require a confidentiality agreement from the affected landowner, promising not to disclose the amount of the payment received by the landowner for the loss in value of the property. Moreover, public awareness of pipeline safety has been elevated as a result of serious accidents in September 2010 in San Bruno, California and in February 2011 in Allentown, Pennsylvania, creating a stigma relative to living in close proximity to such facilities.

According to the Forensic Appraisal Group, Ltd., the effect of a gas pipeline easement is measured by the market. Depending on the size of the pipeline, size of the easement, how it is located on the property, the size of the property, property use, etc., the impact range could be nominal to substantial.' It could be as little as 50% of the easement land value, or up to 30% or more of the whole property value. The more intrusive the easement on the land (runs diagonal across the whole property vs. just down the property line), the more impact it will have. If the property were purchased at market value with consideration for the pipeline, the owner may be able to resell it for the price previously paid; assuming overall market conditions do not diminish. Clearly, this will not be the case for most current property owners along the proposed NED right-of-way. There does not appear to be an upside to having a pipeline easement on a property. Inconvenience, restrictions on use, unsightly paths cut through wooded areas, other negative visual impacts, and potential stigma could have an adverse impact on property values.

Requested Information:

- a. The Applicant should provide in the DE IS and FEIS tangible, substantiated data to support claims made regarding the proposed project's negligible impact on local property values. Hard data should be provided outlining the impacts that other projects of this magnitude have had on residential property values and marketability. The Applicant should also disclose a list of right-of-way use restrictions that may apply to the pipeline easement which may impact property values. An assessment of the potential property value impacts in each community along the main line and laterals should be clearly outlined, and the methodology for arriving at the calculations should be thoroughly explained.

Insurance Issues

Goal:

The goal is to assess the impacts of the project on the ability of homeowners to purchase property insurance; to quantify any potential increase in premium costs for property owners; and to assess liability exposure for municipalities.

Context:

Recent anecdotal evidence provided to the Pipeline Safety Trust suggests that insurance underwriters are responding to the presence of gas transmission lines near residential properties, and raising rates, or in some instances, suggesting that insurance might not be available for a new buyer of a property where a transmission line was recently constructed. 2 While it may be true that some underwriters do not con-

sider the presence of a transmission line to be a rate factor, some do.

Gas pipeline line development also has the potential to involve municipalities in lawsuits related to the installation and operation of in-ground pipelines. Municipalities need information on the insurance coverage carried by the gas pipeline company and any exposure that the municipality may have.

Requested Information:

- a. The Resource Reports and DEIS should document the potential insurance impacts of the project on private property owners including an independent assessment by a qualified firm of whether property owners will have difficulty purchasing insurance and if insurance premiums will increase due to the presence of the pipeline. This analysis should be verified by assessing the insurance impacts on private property owners in other parts of the United State that have recently been impacted by the construction of a gas pipeline of this size and scale.
- b. Evaluate the liability exposure for every municipality along the pipeline and determine municipalities affected by the proposed project including abutting communities. Require Kinder Morgan 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.

6. Analysis of Potential Safety Impacts Including Identification of Hazard Zone(s) if Pipeline Fails

Potential Safety Impacts During Construction:

Goals:

The goals of this analysis are to: (1) determine the level of impact of construction activities on emergency response times in and around the project area; and (2) determine and quantify potential threats to public safety due to construction activity.

Context:

Construction will occur along a long corridor involving suburban towns, rural towns, and significant areas of protected open space in state and non-profit ownership. Much of the road network consists of rural two-lane highways and local roads with limited means of access for relatively large portions of the communities. Much of the existing development pattern consists of scattered rural homes, interspersed with agricultural and forested land and State parkland. Fire protection is provided primarily by local volunteer fire departments, with forest fire support from State agencies, and many areas do not have public water systems that provide fire protection. The preferred route crosses public drinking water supply wellhead protection and drinking watershed areas.

Requested Information:

- a. Provide an analysis of the roads that will be impacted by construction activity, such as requiring partial or complete temporary closure, in all communities including abutting communities. Determine the amount of delay or additional travel time and distance created for each impacted road for emergency vehicles to respond to incidents.
- b. Provide an analysis of the impact of construction related activity on each impacted road's condition and its ability to continue to serve local emergency management vehicles responding to emergencies due to the impact of construction related activity on the road's surface, structure, culverts and bridges. Quantify the "worst case" impacts on emergency response times if the road condition deteriorates to a level which makes it impassable for emergency response vehicles.
- c. Provide an analysis of the impact of construction related activity on each impacted road's condition and its ability to continue to serve natural resource based economic development including forestry and any other existing commercial or industrial development. At a minimum pipe materials and construction under any roadway regardless of class should be at the same standard as required of a State road.

- d. Assess the capacity of local fire departments and other public safety personnel to respond to wild-fires created by construction activities, or to respond to a construction site accident where workers may be injured. Capacity should include assessment of staffing levels, training, materials and supplies, and equipment.
- e. Determine what hazardous materials and petroleum products will be used during construction and identify threats to public health and safety that these hazardous materials potentially create.
- f. Analyze the impact of blasting necessary to remove rock for the construction project. Clearly identify areas which will be subject to blasting. Determine the area of potential concern regarding rock throw and seismic impacts due to blasting activities. Determine the people, structures and other facilities located within that area of concern. Describe the types of blasting materials that will be used. Require that the “blasting” firm hired not use perchlorate products to avoid potential contamination of drinking water supplies.
- g. Identify the locations of public drinking water supply infrastructure and determine the impact of construction activities on wells, reservoirs, aqueducts and dams, given the age and condition of the infrastructure and possible impacts due to pipeline construction activities. Identify any private wells that may be impacted by the project as a result of construction.
- h. Analyze the noise impacts of construction activities and assess those against State and local noise regulatory standards. To establish baseline noise levels, measure the existing ambient noise levels along the construction path for both daytime and nighttime and provide quantified assessments of the expected increases in noise and the potential public health impacts resulting from the increases in noise. Noise impacts analyzed should include the operation of machinery used for clearing and construction, for mechanical fracturing of rock, and for blasting necessary to remove rock.
- i. Assess the potential safety risks of trenches and the measures to be used to ensure compliance with, at a minimum, the Massachusetts Excavation & Trench Safety Regulation (Jaclyn’s Law).
- j. Assess areas of steep slope for slope failure potential during construction.
Determine all areas potentially impacted by slope failure and identify risks to the public using those areas for a variety of purposes. All structures and other facilities or areas used by the public or by private property owners in such areas should be identified.
- k. Identify and require the use of pipeline construction techniques and operation procedures designed to withstand the increased frequency of heavy rainfall events.

Potential Safety Impacts During Pipeline Operations

Goals:

The goals of this analysis would be to: (1) to reduce the possibility of a catastrophic failure of the pipeline or related facilities (compressor stations, meter stations, and main line valves); (2) to minimize risk to the public resulting from catastrophic failure; and (3) to ensure the adequacy and appropriateness of emergency response to all major and minor incidents.

Context:

The pipeline will be operated in an environment where some rural and suburban development already exists along considerable portions of the route, and homes and businesses are in close proximity in a number of instances. There will be additional development which occurs in proximity to the pipeline over the multiple decades during which it will operate. Much of the route is in communities that rely entirely on volunteer fire departments as first responders; they have limited training and equipment, and turnover in membership necessitates ongoing training and replacement of out-of-date specialized supplies and equipment.

Requested Information:

- a. Serious pipeline accidents can result from weld failures. Clearly identify the protocols for inspec-

tion of welds during construction. What is the sample number of welds to be subject to inspection by radiological testing? If radiological testing finds weak welds, will the sample number be increased along the pipeline?

- b. Since many pipeline explosions involve excavation activities by third parties, provide a detailed explanation of the measures that will be taken to clearly identify the pipeline corridor, to regulate/authorize construction activities in the corridor, and to monitor on a frequent basis for unauthorized construction in the easement.
- c. Clearly identify the location of and safety risks associated with all pipeline above ground facilities including compressor stations, valve stations, main line valves, and pig launchers and receivers. Provide a detailed explanation of the measures that will be taken to protect against those safety risks.
- d. Clearly identify the potential impact radius for potential explosions for the entire pipeline infrastructure, based on the proposed size and pressure of the pipeline, including the pipe, each compressor and valve station, each main line valve, and any potential blast hazard at pig launchers and receivers. Document the “High Consequence Areas” and the method used to determine them, including quantification used as the basis for each HCA. Identify all structures located along the pipeline and laterals, including their use, highlight public facilities and areas commonly used by the public (trails, playfields, schools, churches, parks, camping and picnic areas, etc.) within the potential impact radius.
- e. Clearly layout the ongoing inspection protocols for the pipeline once in operation. What will be the frequency of monitoring for methane and where will the natural gas be odorized? What will be the frequency of internal and external inspections for corrosion or other damage to the pipeline? What will be the standards used for determining when inspections reveal potential issues for further investigation and repair?
- f. Clearly layout the protocols for the ongoing inspection of the condition of the cathodic protection used. What will be the standards used to determine when inspections reveal potential issues for further investigation and repair?
- g. Since much of the pipeline is proposed to be in proximity to high voltage electric transmission lines and overhead (as well as underground) power lines can induce harmful disturbances on nearby metallic pipelines, assess the:
 - i. Capacitive coupling disturbances for any above ground sections of pipeline that are electrically isolated from the ground. The evaluation of this disturbance should be performed for steady-state operation condition of the power line, assuming the line operates at its maximum operational voltage.
 - ii. Inductive coupling disturbances for any pipelines facilities which are located below-ground. This disturbance should be evaluated taking into account the maximum anticipated levels of steady-state and short-circuit currents.
 - iii. Conductive coupling disturbances for underground sections of the pipeline and for any grounded above-ground sections of the pipeline. This evaluation should be performed only for short-circuit condition of the power line and taking into account the maximum anticipated level of short-circuit current.
 - iv. Under short-circuit condition, the disturbances due to inductive and conductive coupling occur simultaneously.
 - v. Assess the adequacy of proposed cathodic protection against corrosion given current research as traditional pipe-to-soil potential measurements do not guarantee efficient protection and identify the frequency of maintenance required to ensure these systems are preventing corrosion of the pipeline.

vi. What other anti-corrosion methods can be utilized?

References: “Electrical Risks in Transmission Line-Pipeline Shared Rightsof-Way’: Jose R. Dac-
onti, Power Technology, Newsletter Issue 96, October 2004.

“AC Corrosion Induced by High Voltage Power Line on Cathodically Protected Pipeline’: Oua-
hdah M’hammed, “Zergoug Mourad, Ziouche Aicha, Touhami Omar, Ibtlouen Rachid, Bouyegh
Saida, and Dehchar Cherif, International Conference on Control, Engineering & Information
Technology Proceedings, 2014, ISSN 2356-5608.

- h. Conduct an analysis of the appropriate depth to which the pipeline should be buried to minimize the potential of a pipeline failure based on the climate conditions for Western Massachusetts and Southern New Hampshire given its location under a high voltage electric transmission line. As outlined in Table 1.3- 1 of Resource Report 1 (Page 1-78) in normal soil conditions, only 36 inches, and in areas of consolidated rock, only 24 inches of fill is proposed to be placed on top of this high pressure gas pipeline. This depth is well above the frost line in New England and Western, Massachusetts and a significant portion of the pipeline will be above the frost line. Will KM-TGP’s “minimum” specification for depth cover which the company states it will use provide adequate protection to the pipeline from temperature changes or frost heaves? We note that failure of welds can lead to a catastrophic explosion that at the proposed pressure could impact homes, businesses and wildlife habitat areas including cold water fisheries and endangered species habitat within approximately 800 feet of the pipeline (30 inch pipeline at MOP of 1,460 psig). Not only would the gas pipeline be damaged but a major electric transmission line critical to the region could be rendered inoperable.
- i. Provide detailed information about the materials used for interstate gas pipelines constructed under electric transmission lines over the last 30 years including the type and gauge of the pipeline and materials used for cathodic protection against corrosion.
- j. Provide a summary and analysis of the safety record of interstate gas pipelines located under electric transmission lines for a period of at least 30 years.
- Provide examples of at least 10 interstate gas pipelines constructed within 100 feet of an electric transmission line and include their safety record.
- k. For the sections of pipeline that are proposed to be co-located with electric transmission lines, assess the impact a catastrophic pipeline explosion may have on the region’s electric infrastructure.

7. Analysis of Training, Equipment and Facility Needs for Local Emergency Responders

Fire Protection

Goal:

The goal of this analysis is to assess local firefighting capabilities in relation to fighting a fire caused by an incident on the proposed pipeline or at a compressor station.

Context:

Fire departments in most of the towns crossed by the pipeline rely on a volunteer call force. This creates difficulty in scrambling a sufficient number of firefighters even for routine house fires. Because these firefighters have “day jobs,” they often don’t have time to participate in trainings and exercises to keep up their skills. Purchasing large pieces of firefighting apparatus to fight even routine fires for small, rural towns is proportionately more expensive than in larger cities because the same base level of equipment is needed regardless of population size, but the tax base in a rural town is smaller.

Requested Information:

- a. Provide a detailed assessment of the ability of local emergency responders to respond to incidents involving above ground facilities and outline resources needed to keep their training, supplies and equipment up to an adequate standard to respond to those incidents.

- b. Provide a time frame for completing a plan for multi-year training and exercises for local first responders, which include provisions for offering trainings in the evenings and on weekends so volunteers may participate. The training should include training on the proper use of gas monitoring equipment.
- c. Provide a list of specialized apparatus, equipment, and personal protective equipment that local fire departments will need if the pipeline is permitted by FERC and constructed.
- d. Provide a list of all substances that will potentially be transmitted through the pipeline and the Material Safety Data Sheets for those substances. TGP should be required by FERC to notify municipal officials and local fire departments when pipeline contents change so they will have up to the minute information on what hazards they may need to respond to.
- e. Provide information on what methods will be used to ensure that the actual rights of way are delineated on the ground once the pipeline is constructed if approved by FERC and provide local Emergency Management Directors with detailed maps showing the exact location of all pipeline facilities, especially all shut off and venting valves.
- f. Clearly identify the proposed distance between valves and identify which valves will be manually, remotely, or automatically operated in the case of a pipeline system failure. Document how much fuel would be released given the type of valve and the distance between valves in the case of any failure.
- g. Provide information on how long it takes to stop a leak based on the proposed spacing and method of operation (e.g. remote or on-site) of the valves and how long it will take for all of the gas to evacuate from the pipe and dissipate to safe levels under different atmospheric conditions.
- h. Assess the ability of local fire departments to access water from lakes, fire ponds, etc. along the proposed pipeline route in the event of a large fire where water is needed to supplement the water initially brought by the fire trucks.
- i. Assess the capability of the local and regional hazardous materials response team to respond to any incidents involving hazardous materials and petroleum products?

Police Monitoring

Goal:

The goal of this analysis is to determine what kind of security measures will be taken in relation to the pipeline and the compressor stations if they are constructed.

Context:

Unlike rural fire departments, rural police departments do not rely on volunteer labor, but they have small forces.

Requested Information:

- a. Provide an outline of what security measures FERC will require TGP to undertake to prevent terrorism or vandalism events.
- b. Provide information about what routine patrolling of the gas pipeline and compressors station will be required by FERC and carried out by TGP.
- c. Provide information about whether the compressor stations will be manned or remotely monitored. If remotely monitored, specify the length of time that it will take a representative to arrive on-scene if there is an incident.

Planning for Emergency Events

Goal:

The goal of this analysis is to determine what kind of emergency planning process will be conducted before construction and in the long-term if the pipeline and compressor station are constructed.

Context:

With the lack of local public safety resources mentioned above, it is imperative that good emergency operations plans be in place and be regularly exercised with local responders if the pipeline is approved by FERC. Regional emergency planning committees and public health coalitions are integral partners in assisting local responders in preparing for emergencies.

Requested Information:

- a. Provide a time frame for completing a comprehensive emergency operations/response plan and an outline of the contents of the plan if the proposed pipeline is approved by FERC. The plan should be created with input from local and regional public safety entities and they should receive copies of the plan when it is complete and whenever it is updated. Provide a schedule for how often the plan is proposed to be exercised with local responders.
- b. Provide a time frame and information on what kind of an evacuation plan will be created if the pipeline is approved by FERC. This should include local and regional input and be exercised with local responders.
- c. Provide information on what measures will be taken to plan for evacuation of residents that will be isolated or trapped if an incident occurs.
- d. Provide information on what measures will be taken to notify the public in case of an emergency. The public notification plan should have redundant communication methods built in, especially in areas where cell phone service is not available or reliable.
- e. Provide information on how frequently contact lists, which include TGP emergency contacts and local responder contacts, will be updated and distributed to municipal officials and local responders.

8. Analysis of Impact on Heritage & Recreational Tourism and Forestr~**Temporary Disruptions to Heritage & Recreational Sites during Construction****Goal:**

The goal of this analysis is to identify all heritage and recreational sites and determine if temporary construction impacts will significantly harm the site's viability as a destination for all types of visitors.

Context:

Rural economies are supported by the region's natural, scenic, historic and open spaces resources. Certain recreational aspects of the proposal are discussed in Draft Resource Report 8, submitted by Tennessee Gas Pipeline Company. Parks, trails, tracts of land, tourist destinations, vistas, and other sites under all types of ownership exist throughout the study area. Direct economic patronage to and indirect expenditures associated with visits to these sites may be disrupted by construction activities associated with a pipeline construction project.

Requested Information:

- a. Provide an inventory of heritage and recreational sites and Federal and State Scenic Byways and National Scenic Trails along the proposed route, including their locations and extents.
- b. Provide the locations, total areas, and durations of impacts, such as temporary road closures in the vicinity of each inventoried site.
- c. Determine how the operation of sites will be disrupted as a result of temporary construction impacts through a fiscal impact analysis quantifying loss of revenue due to required closures, decreased patronage, and other disruptions.
- d. For each site impacted by the proposal, provide a mitigation plan to ensure their continued operation during any construction activities.

Long-term Disruptions to Heritage & Recreational Sites and Forestry Businesses

Goal:

The goal of this analysis is to identify all heritage and recreational sites and determine if the presence of a natural gas pipeline, its associated facilities, or rights of way will significantly harm the site's continued viability as a destination for all types of visitors. A second goal is to assess the potential impacts on forestry related business.

Context:

Direct economic patronage to and indirect expenditures associated with visits to these heritage and recreational sites may be permanently disrupted by the proposed project and its associated facilities. Changes to scenic vistas, the physical character of the land, and liabilities/restrictions on certain activities near the facilities in question will impact these sites and their public benefit. Additional fragmentation of forested areas may impact businesses relying on this resource.

Requested Information:

- a. Determine whether a site's operations and visitor attractions, Federal and State Scenic Byways or National Scenic Trails will be disrupted as a result of permanent installation of a natural gas pipeline, its associated facilities, or its rights of way.
- b. Summarize the acreage of heritage and recreational land that will be permanently impacted by the proposed facilities.
- c. Determine the occupancy of recreational and heritage sites throughout the year, and during appropriate peak times where number of visitors and human impacts on an area may be significantly higher than normal.
- d. Determine how the operation of heritage and recreational sites will be disrupted as a result of permanent construction impacts through a fiscal impact analysis.
- e. Provide a mitigation plan for heritage and recreational sites to address potential losses in views, changes to the physical character of the land, and any potential hazards due to pipeline activities.
- f. Address impacts on the safety of visitors to each heritage and recreational facility, and to assets of the facility, including insurances, emergency preparedness, and increased liabilities associated with the proposed facilities.
- g. Conduct an economic impact study showing the potential negative impacts on recreational and heritage tourism and forestry businesses in terms of lost revenue, income, and jobs as a result of the pipeline.

9. Analysis of Impacts on Private & Public Water Supplies and Water Resources related to Construction (blasting & drilling), Pipeline Operation and Hazardous Materials Storage & Use**Goal:**

Conduct a comprehensive analysis of the water quality impacts of the proposed pipeline during the construction and operation of the entire facility including the Pipeline, Compressor Stations, Metering Stations, Venting Stations, Pig Launchers and Receivers and construction equipment.

Context:

There are significant concerns about potential impacts to drinking water supplies and water resources related to the construction and operation of the proposed pipeline, compressor stations and related facilities. A comprehensive assessment of the surficial geology along the proposed pipeline route, identification of potential impacts to public and private drinking water supplies, and plans for monitoring of water quality is needed to protect public health and safety and environmental resources. This includes identification of potential mitigation strategies and testing requirements. There are locations along the proposed pipeline route where there is a shallow depth to bedrock and homes and businesses in those areas rely on bedrock wells that could be negatively impacted by blasting. There is also concern that any hazardous materials transported in the pipeline or used during the construction and operation of the pipeline and

compressor station could be released and contaminate groundwater and other water resource areas.

Requested Information:

- a. Identify local, state and federal water quality standards that must be met and the monitoring and testing requirements proposed to determine compliance during the construction and operation of the Pipeline, Compressor Stations, Metering and Venting Stations, and Pig Launchers and Receivers.
- b. Conduct a hydrologic analysis and provide a description, inventory and analysis of existing groundwater conditions and an assessment and mapping of surficial and bedrock geology, including location of bedrock faults and high transmissivity fractures. This analysis should include consultation with the State Geologists in NY, MA and NH. This analysis should focus on both surface water and groundwater and include a discussion of potential impacts to these resources as a result of the construction and operation of the pipeline, compressor stations and other above ground facilities. Identify measures to reduce or mitigate the identified impacts.
- c. Based on the assessment of the surficial and bedrock geology along the pipeline route, clearly identify locations where there are public water supply recharge areas, including Zone II areas and Interim Wellhead Protection Areas mapped and defined by State agencies (e.g. MassDEP Source Water Assessment Program), Outstanding Water Resource areas, and/or high or medium yield aquifers within Y:z mile of the proposed pipeline and compressor stations. Outline methods and testing proposed to protect public and private drinking water supplies particularly if blasting or drilling is required during construction.
- d. Based on the assessment of surficial and bedrock geology, identify locations where there is shallow depth to bedrock and identify and map all residences and businesses that rely on bedrock wells within a Y:z mile of the proposed pipeline and compressor stations. Outline methods and testing proposed to protect public and private drinking water supplies relying on bedrock wells, particularly if blasting or drilling is required during construction.
- e. In accordance with State standards for proper sampling and laboratory protocol, identify pre-construction and post-construction water quality analysis and flow rate (gpm) testing that will be conducted for each existing public or private groundwater well within 750 feet of the pipeline unless surficial geology warrants a greater testing area. Water quality testing should be completed by an independent State certified water testing laboratory and parameters to be tested should include, but not be limited to: methane, chloride, sodium, TDS, pH, arsenic, barium and strontium, radon, and a subgroup of the volatile organic chemicals (VOCs) called BTEX (benzene, toluene, etc.).
- f. Identify the locations where water quality testing will be conducted on an annual or more frequent basis to ensure that public and private drinking water supplies are adequately protected from potential impacts from the pipeline and related facilities during their operation and identify remediation strategies that will be undertaken if contamination is found.
- g. Identify all hazardous materials that could be contained in the pipeline and all hazardous materials that will be used during construction of the pipeline including drilling and blasting materials.
- h. Provide a hazardous materials handling and response plan that proposes methods to ensure that releases will not occur and identifies methods to mitigate accidental releases. Specify how the plan will be implemented by the operator, contractor and subcontractors utilizing or storing hazardous materials in excess of household quantities during the construction and operation of the pipeline and related facilities, including training that will be required for their employees.
- i. Identify FERC's requirements for the applicant, operator and or construction contractor(s) to replace or remediate contaminated drinking water supplies or to remediate releases to water resource areas (lakes, ponds, streams, and wetlands) caused by the construction or operation of the

pipeline and related facilities.

- j. Identify potential contamination pathways resulting from drilling underneath rivers and between aquifers or from Brownfield sites located along the pipeline route that could adversely impact surface and groundwater resources.
- k. Describe the water quality testing required for the water used for hydrostatic testing of the pipeline, disposal alternatives for this water, and permits required before it is released to any surface water or to groundwater.

10. Analysis of Impacts on Rare & Endangered Species

Goal:

The goal of this requested analysis is to identify what impacts the construction and operation of the pipeline will have on the vitality and long term sustainability of rare and endangered species and their associated habitat. The study should look beyond just localized impacts and consider cumulative impacts to the species' statewide or ecosystem-scale habitat.

Context:

The proposed NED right-of-way is slated to mostly fall alongside existing utility ROW corridors. In areas where this occurs, the result will be a widening of deforested areas or potential fragmentation of contiguous forestland. In other segments, the pipeline is slated to cut through undisturbed habitat supporting state and federally listed endangered species.

The Resource Report submitted by Tennessee Gas to FERC in July 2015 notes that areas converted from forest to open grassland areas due to de-vegetation "will naturally re-vegetate in 1-2 years" and will "provide additional open land habitat" (Page 3-51). It is important to note that the regeneration of a full-canopy forest takes well more than 1-2 years. The Resource Report also notes that some species are "adaptive to changing habitat conditions" (Page 3-52), but does not specify which and whether they include endangered or rare species. TGP acknowledges that its project will create the displacement of habitat and thus alter the cascade of species that depend on them: "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 (i.e., those that primarily rely on forested habitats). However, following a relatively short period of regeneration within TWS and permanently maintained ROWs, there will be more terrestrial grassland and PSS habitats that provide important cover and a greater diversity and density of food sources for a different complex of wildlife species." (Page 3-51).

State regulatory agencies are charged with protection of and overseeing the recovery of rare and endangered species due to their importance to ecosystem health and biodiversity, not simply exchanging them for new types of habitat and wildlife. Because this project will remove old habitat and create new ones, studies are needed to understand how these new types of habitat, and the wildlife they support, will influence the recovery of any rare and endangered species within the counties affected.

Requested Information:

- a. Determine the location and abundance of rare and endangered species communities that will be immediately displaced by the proposed project.
- b. Determine the impact of loss of habitat on these rare and endangered species, and the potential for these impacted communities to adapt to new types of habitat.
- c. Determine the impact on new types of habitat and the wildlife they support on displaced rare and endangered species.
- d. Determine the cumulative impacts of the proposed project on the statewide or ecosystem-scale health and recovery of rare and endangered species.
- e. Determine how the loss of impacted rare and endangered species in the proposed project area will

affect other sensitive wildlife or vegetation communities in adjacent areas.

- f. Outline the mitigation that will be implemented to avoid or minimize the project's impact on rare and endangered species. Identify locations where the project will result in a "take" of a rare or endangered species and outline what mitigation will be pursued to compensate.

11. 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

Goal:

The goal of this analysis is to avoid, minimize, or mitigate impacts and adverse effects from pipeline construction on existing infrastructure (which includes access roads and staging areas).

Context:

Particular areas of concern noted by municipalities include the potential for general damage from the construction process including: damage to roads, particularly rural and Class VI roads not suitable for heavy equipment; traffic control and communication during construction; general landscape disturbances; and impacts to existing utilities, such as sewer, water, and drainage. These issues will dictate the strategies communities will need to use to replace/repair infrastructure adjacent to the proposed pipeline.

Requested Information:

The following information should be provided in the DEIS and FEIS:

- a. A table listing the new and modified access roads that are proposed for use, including the location by milepost, the size, and the type of modification required on existing roads.
- b. The expected construction start date for each segment of pipeline, pipeline lateral, and compressor stations, discuss the number of spreads and workers per spread required for the proposed laterals; clarify whether the construction workers and timeframes provided for compressor and meter stations are those required for each individual facility, or for each type of facility combined; provide the number of permanent staff anticipated during operation; and provide locations for the new operations offices or district offices that would be required for operation, or clarify that none would be needed.
- c. Specify the distance between the existing and proposed permanent rights-of-way and indicate the potential for further overlap that would allow abutting of the permanent rights-of-way. In addition, specify the maximum overlap of existing rights-of-way allowable by the law, as stated throughout Resource Report 1.
- d. Include a discussion and consideration of direct pipe trench less pipeline installation technology.
- e. Identify any deviations from the FERC Plan and Procedures, if applicable, and include the section of the Plan or Procedures for the requested deviation, the deviation itself, justification for the deviation, and how the deviation would provide equal or greater mitigation. If major modifications to the FERC Plan and Procedures are proposed, the Applicant should provide its own modified versions of the documents that would be used during construction and operation of the Project.
- f. Provide a more detailed discussion on the environmental training that would be conducted for construction personnel, if the Project were approved. Specify which construction personnel would receive training, when and how often the training would occur, and what documents would be provided (e.g., the FERC Plan and Procedures, or the TGP Plan and Procedures, as appropriate). In addition, discuss measures to ensure contractor compliance with the required mitigation including provision of an independent project monitor.
- g. Specify whether power, water, or other utility lines would be constructed for the proposed above-ground facilities.

12. Quantification of Benefits of Reduced Natural Gas Prices as a Result of the NED Pipeline Capacity

The goal is to determine the impact of the proposed project on future electricity costs for residential, commercial and industrial customers in New England, and to quantify the project's impact on economic development throughout the region.

Context:

Kinder Morgan has asserted that construction of the NED pipeline will relieve gas supply and transmission capacity deficits in the region during the winter months. This relief will lead to lower wholesale gas prices for electric generators, reducing electricity costs for businesses and residents. Kinder Morgan further contends that winter peak gas shortages cannot be addressed using any other means.

Requested Information:

a. Quantify the reduction in electric rates that residential, commercial and industrial consumers will realize once the proposed project goes online. In addition, the implications of the reduced electric rates in attracting economic development should be evaluated. Particular attention should be paid as to how well Massachusetts and New Hampshire will compete with other areas of the country, in terms of lower energy costs, due to the presence of additional natural gas supply in the region.

b. Provide documentation as to why market reforms, clean energy investments, energy conservation measures and the availability of LNG are not adequate to meet our future energy needs.

This past winter, a more diverse fuel supply mix reduced price volatility despite harsher weather. Over this time period, wholesale electric prices were 43% lower on average from December 20 14-February 2015, when compared to December 20 13-February 2014 (ISO New England).

c. Assess the potential impacts of overbuilding pipeline capacity, and assess the volatility of the natural gas market, as seen in the recent unexpected plunge in the price of LNG and oil on the global markets.

Taken together with the Access Northeast project, New England could see its pipeline capacity increase by 78%. Will electric customers be saddled with the cost of constructing the pipeline? Adding this much capacity could mean that New Englanders will pay for infrastructure largely used to transport gas to

Canada and other export markets. Kinder Morgan has already stated that they intend to reverse the direction of the Maritimes and Northeast pipeline for this purpose. Many experts have stated that increasing exports in this fashion will result in much higher natural gas prices in New England, as we suddenly find ourselves competing with consumers in other countries. Kinder Morgan should evaluate the potential impact of such an export plan on energy prices in New England and outline how they expect to finance the construction of the proposed pipeline.

13. Quantification of the Increase in Natural Gas Service that will be provided to New England as a result of the NED Pipeline

The goal is to determine benefits of the proposed project within states, regions and municipalities as a result of natural gas availability to residential, commercial and industrial customers and associated cost savings.

Context:

One of the benefits asserted by the Applicant of the NED project is that it will increase the quantity of natural gas available in New England. It is suggested that this, coupled with the lower cost of natural gas in comparison with other energy sources, will reduce energy costs and make us more economically competitive. Recent winter seasons, in particular the winter of 2013/14, demonstrate that parts of New England run the risk of severe spikes in energy costs due to shortages of fuel used to operate power plants. The NED pipeline proposes to address this situation by providing enhanced supplies of dependable, lower-cost natural gas as fuel for power plants and LDCs. Furthermore, it has been suggested that LDCs, such as Liberty Utilities in New Hampshire and Berkshire Gas Company in Massachusetts, can

construct additional lateral lines from the main NED pipeline to provide fuel for indoor heating and to benefit economic development activities in certain communities within proximity to the pipeline. It is unclear what factors drive decisions for constructing these additional lateral facilities.

Requested Information:

To assist in quantifying the benefits to be provided by installation of the NED pipeline proposal, Kinder Morgan should be required to:

- a. Provide data which indicates the natural gas demand anticipated for each New England State versus the current available supply, and describe why the proposed infrastructure project will serve the need identified better than other pipeline projects now under development or other energy alternatives, such as LNG or renewables.
- b. Indicate locations in which additional lateral pipeline facilities (beyond those identified in the proposal) are anticipated, including the geographic areas they would serve.
- c. Provide data indicating the volume of fuel anticipated for each additional lateral pipeline identified in item 13.b. above, for use in corresponding geographic areas.
- d. Conduct a cost benefits/savings analysis of reduced fuel costs via pipeline distribution for each of the above, including cost breakdowns for each geographic area along the proposed NED pipeline corridor and along the laterals it would serve.

14. Analysis of Noise Impacts from Pipeline Construction & Operation and Compression Stations (to be provided)

Goal:

Conduct a comprehensive analysis of the noise impacts of the proposed pipeline during the construction and operation of the facility including the Pipeline, Compressor Stations, Metering Stations, Venting Stations, Pig Launchers and Receivers and construction equipment.

Context:

There are significant concerns about noise impacts from the proposed pipeline given the proposed location in very rural areas with varied topography. Many towns have very low ambient noise levels (est. 20-40 dBA) and contain critical habitat areas for rare, threatened or endangered species including the Northern Longeared bat. A comprehensive assessment of the noise impacts on humans and wildlife and potential mitigation measures should be undertaken.

Requested Information:

- a. Identify local, state and federal noise standards that must be met and the monitoring requirements proposed to determine compliance during the construction and operation of the Pipeline, Compressor Stations, Metering and Venting Stations, and Pig Launchers and Receivers.
- b. Conduct studies to determine ambient noise levels at the nearest property line of a residence and any public building, school, hospital, or other High On-site Population location or at 300 feet from the nearest residence or public building, hospital, or other High On-site Population location, whichever point is closer to the pipeline and related facilities. High on-site populations are defined as the following: retirement housing; assisted living facilities; congregate living facilities; convalescent services; parks; detention facilities; day care services (commercial); hospitals; and educational facilities (public or private). Ambient noise level should be measure at a minimum every ½ mile along the proposed route. “Ambient” is defined as the background A-weighted sound level that is exceeded 90% of the time measured during the quietest part of the day or night. All testing should be done by a qualified licensed professional acoustical engineer in accordance with the professional standards of the appropriate accrediting agencies and the sound level meter used in conducting any evaluation shall meet the American National Standard Institute’s standard for sound meters or an instrument and associated recording and analyzing

equipment.

- c. Conduct modeling of expected noise impacts during construction and operation of the pipeline based on the topography of the proposed pipeline route and identify potential impacts to humans and sensitive receptors such as wildlife, including Northern long-eared bats.
- d. Identify measures that the Applicant will undertake to mitigate sound levels for humans and sensitive receptors. Identify what devices or other equipment the Applicant will employ, including the use of electric motors at the compressor stations, to mitigate sound levels to ensure that the noise level standards at residential or public buildings, hospitals or other High On-site Population locations are not exceeded and sensitive wildlife receptors are not adversely impacted.
- e. Identify noise monitoring that will be conducted once the facility is operational and a process to address noise complaints so the facility will remain in compliance with noise limits.

15. Analysis of Invasive Species Impacts during Construction & Operation of the Pipeline

Goals:

The goals of this study is to determine the types of invasive species likely to become established along the corridor and associated access roads; their impacts on surrounding habitat, particularly those of unique quality, special concern, or supporting rare or endangered species; and the long-term monitoring and control strategy needed (past construction and restoration) to combat the establishment or spread of invasive species. The impacts of any control strategies, such as application of herbicides and/or pesticides, on cold water fisheries, water resources and drinking water supplies should also be studied.

Context:

Tennessee Gas acknowledges that there is potential for the introduction of invasive or noxious weeds through this project (Page 3-116, July 2015 Resource Report 3). The disturbance of soils due to foot and vehicle traffic, as well as altering the soil composition of forest areas through clearing and compaction, can aid the establishment of invasive species, which are then notoriously difficult to eradicate or control.

Japanese knotweed, for example, can lay dormant for years after applications of herbicide before rebounding in growth, and thus requires years of vigilant attention in order to suppress regrowth. It is widely known that invasive species spread and thrive along utility corridors due to soil disturbance, increased light, and increased dispersal opportunities (such as foot traffic). Invasive species may be present along the utility corridors with which this project will co-locate. The continued spread of invasive species into forest cores and other habitats through which this project will traverse is concerning, particularly in light of a 2015 study by the New England Wildflower Society that finds 21 % of New England's native plants are already rare or endangered, and 31 % of plants are non-native."

A project of this scale and breadth can accelerate the loss of plant diversity, which is already being fueled by climate change and pesticide use, through the introduction of invasive species on land that was previously untouched or resilient. Furthermore, as this project intersects with habitats of special concern or value, the potential impacts of invasive species on these unique areas should be studied. The potential for invasive species to spread into adjacent property owned by others should also be thoroughly assessed. TGP proposes to address the treatment of invasive species through a general approach, which will meet the minimum requirements per state, Commonwealth, or local requirements. But this general approach may not adequately prevent and control individual invasive species or their effect on wildlife. In addition, the July 2015 Resource Report 3 only addresses the use of herbicides when needed to control invasive species in the new ROW and states "New areas permanently maintained during operation of the Project facilities will be maintained in an herbaceous/early successional stage of vegetation. Tennessee will not use herbicides as part of routine vegetation maintenance along the ROW except when required for the control of invasive plant species as permitted ... " (Page 3-79). Pursuant to 18 CFR 380.15, a company can use herbicide/pesticide only with consent of landowner. The Applicant should also be required to provide a "Plan B," if a landowner refuses use of herbicides, such as an organic farm

within the vicinity of the pipeline. Measures should also be planned to monitor and control invasive species that may enter nearby forested or other areas outside the edge of the ROW.

Requested Information:

- a. Create a predictive model and analysis of likely invasive species establishment along the corridor, based on existing invasive species in the project area as well as soil types, using GIS or other modeling techniques.
- b. Identify impacts that anticipated invasive species will have on surrounding habitats, with particular study of impacts on habitats of special concern or those that support rare and endangered species.
- c. Identify impacts that anticipated invasive species will have on wildlife populations along the corridor, particularly rare and endangered species.
- d. Identify necessary prevention, monitoring, and control techniques tailored to anticipate invasive species that extend beyond the edge of the new ROW and persist after construction and restoration.
- e. Evaluate and quantify the potential impacts of any control strategies such as application of herbicides and/or pesticides on cold water fisheries, water resources and drinking water supplies along the proposed pipeline route.

16. Analysis of Impacts to Agricultural Lands and Economy

Goal:

The goal of this study is to understand the impacts of the pipeline on the productivity of agricultural lands and the local and regional agricultural economy.

Context:

The July 2015 Resource Report 7 submitted by TGP outlines several prevention and mitigation measures to protect soil compaction and loss of agricultural productivity. Approximately 16% or roughly 300 acres of prime farmland along the proposed route is anticipated to be permanently lost to construction and overall 1,900 acres will be impacted by construction (Page 7-14), which is a significant amount. After several decades of declining farmland and with the current scarcity of agricultural land available for new generations of farmers, the loss of any additional farmland (particularly prime) is extremely detrimental to the agricultural economy.

TGP plans to engage in compaction prevention techniques (Page 7-11), topsoil segregation practices (Page 7-13), drainage/erosion issues, and prevention of bedrock migrating to topsoil (Page 7-9). Despite these mitigation activities, it is important to provide an analysis of potentially lost agricultural land (i.e. pipeline ROW located amid other active crops, grazing areas, rotational fields, etc.) and to evaluate the impact of the lost acreage on the viability and economy of scale of agricultural crops. Long-term crop-specific and livestock impacts of the pipeline and related activities that will impact the productivity of agricultural lands should be understood. For example, mature orchard trees lost to construction or ROW may not be replaced, despite achieving restored soil conditions.

Requested Information:

- a. Identify the types of agricultural land directly and indirectly impacted by acreage, number of owners, and soil types and anticipated radius of impact.
- b. Identify impacts of soil disturbance, altered drainage patterns, and mitigation activities on the various types of agricultural activities, including disruption of economies of scale.
- c. Identify impacts of the pipeline itself to long-term soil productivity, due to increased temperatures, altered drainage, and/or anticipated maintenance activities (such as applications of herbicides).
- d. Provide a fiscal impact study showing the value of lost agricultural productivity on the local and

regional economy, in terms of lost revenue, income, and jobs.

- e. Provide an assessment of the potential impacts on access to local food for area residents.
- f. Provide an assessment of impacts on organic farms potentially impacted along the pipeline route.
- g. Provide an assessment of the potential loss of tourism revenues for farms that host visitors (e.g. agri-tourism).

1 http://www.forensic-appraisal.com/gas_pipelines_q_a

2 Pipeline Safety Trust, Landowner's Guide, p. 27

3 <http://www.newenglandwild.org/consERVE/state-of-the-plants>

{end of 20151007-5074}

20151007-5094

The Trustees

200 High Street, 4th Floor

Boston, MA 02110

October 5, 2015

Mr. James D. Hartman

Agent-Right of Way SR II

Tennessee Gas Pipeline Company, LLC

1615 Suffield Street

Agawam, MA 01001

RE: PF14-22-000; Northeast Energy Direct Project Request for Survey of Notchview Reservation, LL#MA WD 115, 117, 120

Dear Mr. Hartman,

I am writing in response to your recent request to survey Notchview Reservation; a property of The Trustees of Reservations located in Windsor, Massachusetts for the following surveys: civil surveys, archaeological surveys or cultural resource investigations, wetland and stream surveys, and surveys for rare, threatened, or endangered species. The Trustees of Reservations **continues to decline permission for these surveys** to be conducted on our property.

The Trustees of Reservations was founded in 1891 as a conservation organization that preserves, for public use and enjoyment, properties of exceptional scenic, historic, and ecological value in Massachusetts. We have a responsibility to protect and steward our properties and the goals of the Northeast Energy Direct Project are incompatible with the mission of our organization and the uses of our land.

Thank you for your cooperation.

Sincerely,

Barbara Erickson

President and CEO

The Trustees

Cc:

US Senator Elizabeth Warren

US Senator Edward Markey

20151007-5098

Kathleen Gauvin, New Ipswich, NH.

No one should need to worry about the water they are drinking! That said, "Granite Staters" have been watching the news of contaminated wells at Pease International Tradeport. How unfortunate that 9,000

adults and children have ingested water with elevated levels of perfluorochemicals (PFCs), 12.5 times higher than the level set by the Environmental Protection Agency's Provisional Health Advisory. The EPA notes that PFCs are a "contaminant of emerging concern". This unfortunate, exposed group has lived for over a year with the fear of what the future will bring. Now, having been tested and with their results, that same unlucky population will be living day to day with the worry of what might potentially occur in the future. We, as your neighbors, hope that those potential health threats are never realized. The support that you are receiving from Senator Kelly Ayotte and Senator Jeanne Shaheen is commendable.

We have drinking water concerns as well! The proposed Northeast Direct (NED) pipeline snakes through 77 miles in 17 towns in the southern tier of New Hampshire. Kinder Morgan/Tennessee Gas is seeking permitting with the Federal Energy Regulatory Commission (FERC) for this project. If approved, what effect will the blasting for the pipeline construction have on our wells? Where will the blasting contaminants go? Will they end up in our water supplies; a town reservoir and our private wells? Who will protect our water? We are now worried about potentially polluted water and dealing with possible health threats. At this time, neither the Governor nor any of the NH Delegation has taken the stand in opposition to the project!

So we, fellow concerned Granite Staters, are reaching out to you, our NH neighbors, to help us stop this contaminating monster!

<http://nhpipelineawareness.org/> is a source of excellent information.

The above editorial was sent to all the Seacoast newspapers

20151007-5145

C.Sellars 10/7/15 comments on pf14-22

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:

Thank you for the opportunity to provide these comments during this scoping period for Kinder Morgan's Northeast Energy Direct (NED) proposal.

First of all, I would like to reaffirm the request for a consolidated review which I submitted to the docket on September 10th (#20150910-5064). This asks the Federal Energy Regulatory Commission (FERC) to carefully review in one process all the current proposals to bring more natural gas into New England including those from Kinder Morgan, Spectra Energy, Iroquois and Portland Natural Gas Transmission. FERC needs to concurrently do this to most accurately quantify cumulative impacts; avoid segmented review; and, properly consider alternatives given the true competing nature of these proposals. Added together, these projects could more than double the gas supply to New England at a time when the federal Clean Power Plan (CPP) and the MA Global Warming Solutions Act (GWSA) are demanding that we greatly reduce our consumptions of fossil fuels. Even the most aggressive demand forecasts do not call for anywhere near this level of new capacity. FERC must consider them all as a single set of alternatives.

Need

- In assessing the needs of the electric generation market, the FERC review should include the results of the study MA Attorney General Maura Healey is undertaking 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 considerable insight into whether new pipeline capacity is really needed to serve the electric generation market and, if so, this study should properly define and dimension that need.
- In assessing the amount of the gas contracted through the various LDC agreements, the review should

include an analysis of how much of the LDC demand is currently replacing expiring volumes already under contract? How much is for future demand? How much is to arbitrage? How much can be accessed from other pipelines?

- The role of export in any proposed pipeline capacity expansion needs to be 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.
- In comparing and contrasting the NED project and other natural gas transmission projects, the relative impacts of increased natural gas use on greenhouse gas emissions must be considered. The EIS should specifically address consistency with the federal CPP and MA GWSA. It should compare and contrast the proposed projects with increased reliance on renewable energy sources, increased efficiency incentives, gas savings from leak repairs, and other ways which may be more consistent with CPP and GWSA.
- If increased natural gas is primarily a bridge fuel as many of the project proponents are claiming, then these projects should be considered only a potential temporary solution. 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 projects to other short-term solutions, such as increased use of our currently underutilized LNG offshore terminals using existing infrastructure or increasing local LNG storage to cover short-term demand peaks.
- Demonstration of new need must also take existing underutilized infrastructure into account, for example, the two LNG energy bridges whose use in the winter of 2014-15 avoided the gas capacity shortfalls that were experienced in the previous, milder winter of 2013-14.
- The reduced fossil fuel demand expected from implementation of increased efficiency – one of the fundamental “building blocks” in the new Clean Power Plan, must be taken into account in the need demonstration.
- The duration as well as volume of any increased gas need must be considered in the need demonstration. If the increased need for gas is indeed for a relatively short duration, other solutions might be more viable if they do not result in the longer-term impacts associated with a new massive infrastructure project. This should also be addressed in terms of long-term commitments of natural resources, including conservation of finite natural gas resources.
- Each of the NED projects proposed laterals requires consideration of its own individual No Action Alternative. The need demonstration in the Resource Reports (RR) makes no attempt to demonstrate the need for the proposed laterals, notably the Fitchburg lateral. Public statements by Kinder Morgan (KM) and its representatives have been contradictory and easily refuted. The purpose and need for the Fitchburg Lateral has still not been described despite the fact that many people have publicly raised this issue of the need for this particular part of the project to Kinder Morgan and to FERC. Kinder Morgan’s Consideration of Alternate Proposals
- The NED project is one of several competing alternatives for increased natural gas capacity into New England. While it is unclear if any of the proposed projects are needed, it is abundantly clear that all of them (which would double the region’s gas capacity) are not needed. KM’s Resource Reports (RR) acknowledges that the capacity provided by NED could be met by others but dismisses any direct comparison with the other projects by stating that the impacts associated with NED would simply be transferred elsewhere.
 - This is extremely inaccurate as the competing projects are assumed by KM to have comparable impacts, yet none of them involve even a fraction of the degree of new land disturbance, private property taking, and new right of way (ROW) creation that the NED project has.
 - The Council on Environmental Quality (CEQ) guidelines suggest that in instances where competing proposals are mutually exclusive, combining them into a single NEPA review provides the best means of

evaluating the relative benefits and impacts. As described previously, FERC must do just that with the NED project and its competing alternatives.

- The NED EIS must include a comprehensive assessment and comparison of the relative impacts of the NED project with the systems and energy alternatives which would negate the need for NED. Simple narrative dismissal of the reality of the mutually exclusive nature of the competing alternatives is not acceptable.

- Among the key criteria that must be considered in comparing not only NED's stated alternatives but the competing project and system alternatives is the number of eminent domain takings anticipated. Given the community and individual landowner reaction to the NED project, it is likely that the project will entail an unprecedented number of forcible takings of private property. The permanence of the forcibly taken easements does not justify any temporary need for additional gas capacity.

- The sheer number of what will be highly contested takings will surely result in severe project delays, perhaps beyond any potential short-term period of capacity shortfall. It is important to note that the state's Clean Power Plan greenhouse gas targets call for a fleet average greenhouse gas (GHG) emission rate well below that of even the most efficient combined-cycle natural gas-fired power plant.

- The comparison to competing projects must include a quantification of the new easements required and how many are likely to involve the eminent domain process. This criterion should also be included in evaluation of alternative lateral routes.

- While current landowner survey permission (or more specifically, lack thereof) could be used as a surrogate indicator of the number of eminent domain takings expected, it is important to note that landowners granting of survey permission does not mean they support the project and will grant an access without eminent domain takings.

Alternatives

- The No Action alternative was not fairly evaluated in the Resource Reports and must consider the the issues raised in the previous Need discussion.

- The No Action Alternative should consider whether further investments by LDC's in repairing widespread and long-standing 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.

- The No Action alternative should address the feasibility of increased use of already constructed onshore and offshore LNG facilities to cover any limited shortfalls, which appear to be limited to a few days per year. FERC must contrast the relative environmental impacts of construction of pipelines to this alternative, given that the construction impacts associated with the LNG terminals have already occurred.

- The EIS should acknowledge the specific projects proposed in response to the New England Clean Energy Plan RFP (<http://cleanenergyrfp.com/>) and fully consider their timing and future presence in assessing the need for increased natural gas in evaluating the No Action Alternative. The No Action Alternative must also evaluate whether the import of 2400 MW of additional hydroelectric power by 2020 as proposed by Governor Baker fully meets or greatly reduces the need for the project in the No Action Alternative.

- No Action Alternative needs to cover not just one technology or competing project but how combinations of technologies and other competing natural gas projects could meet any need.

- KM's project is sized for 1.3 bcf, yet only has 0.5 bcf under commitment and has not increased this value in over a year. The DEIS must evaluate alternate sizes in assessing whether the reduced need would be better met by alternative projects, such as increased use of LNG via existing infrastructure.

- As the true demand is considerably less than the proposed NED capacity, the conclusions in the evaluation of the alternative of increasing the size of the TGP 200 line must be revisited. Given the age of the TGP 200 line, the increased risk of NOT upgrading this line as an alternative to NED must be fully quantified and justified.

Consideration of a Reasonable Range of Route Alternatives

- The alternatives analysis contained in the RR is superficial and dependent on completely misleading and inappropriate criteria. A comprehensive comparison of main route and lateral routing alternatives must be included in the EIS, including a detailed assessment of no action alternatives that were summarily dismissed in the RR and the use of impact-based evaluation criteria.

- A range of alternatives is deemed sufficient if it can reasonably be expected that a lower impact alternative has not been overlooked. The alternatives assessment in the RR does not consider a reasonable range of alternatives. The Fitchburg Lateral alternative is a classic example. In the July Resource Reports the previously preferred route was abandoned in favor a new alignment that affects seven private and heavily forested properties within an Area of Critical Environmental Concern (ACEC) along West Meadow Road in Townsend, MA. Yet, astonishingly, the previously preferred alignment is not considered in the July Resource Reports alternatives assessment for this portion of the lateral route. The route from the December and March Resource Reports needs to be included in the alternatives analysis and the true reason why it was abandoned needs to be explained.

□ How can FERC be assured that the new alignment has less impact than the original route if it is not included in the alternatives analysis and compared to the now-preferred alternative using impact-based criteria?

□ Similarly, the alternatives analysis for this lateral only considers a single alternative (an in-street Route 31 route). While this alternative clearly has less impact than the proposed route, it was rejected using an incomplete set of misleading and inappropriate criteria (as discussed below).

□ Further, similar consideration of the alternative of placing the 12-inch line under West Meadow Road was not compared to the proposed approach of cutting a 100-foot wide swath across the forested portions of seven private parcels (entirely within an ACEC, and crossing mapped protected species habitat, permanently removing trees atop an esker which provide essential shade to the cold water fishery stream that runs along the base of the esker and protects and important wildlife migration corridor). Clearly in this instance an environmentally superior alternative has been overlooked and/or dismissed without being considered. This must be considered in the EIS.

- This is but one example; dozens of other route alternatives with lesser impact may exist along other portions of the route and the other laterals. The EIS must include a fair, honest and comprehensive evaluation of a reasonable range of route alternatives using more appropriate criteria than the oversimplified, self-serving and just plain incorrect analysis included in the RR.

□ Fitchburg Lateral Alternatives to Study: As described in a comments submitted on June 17th, Kinder Morgan has failed to identify the need for the Fitchburg lateral. The no-build alternative for the Fitchburg Lateral needs to be carefully considered as described above. The No-Build Alternative for the entire NED project and the Fitchburg Lateral is clearly the preferred and least impact option. In the interest of providing specific local information as requested at the scoping hearings, I am providing several other possible routes for all or part of the lateral line connecting a possible pipeline in New Hampshire with Kinder Morgan's proposed end-point in Lunenburg, MA. All these proposal involve laying the pipe in existing roads.

□ Rt. 31 Alternative: Come down Rt. 31 in NH and MA but rather than leave Rt. 31 to connect to the proposed Townsend route, continue down Rt. 31 to John Fitch Highway in Fitchburg to Rt 2A. Follow Rt. 2A to Pleasant Street and the Kinder Morgan pipeline easement off of Pleasant Street.

□ From crossing of Rt. 123, follow Rt. 123 south to Townsend. Follow Rt. 123 (Mason Road) south to West Elm Street and Lunenburg Road. Follow Lunenburg Road to Route 13. Follow Rt. 13 south to the Kinder Morgan pipeline easement.

□ From the crossing of Rt. 124, follow Rt. 124 south (Greenville Rd.) to Mason Road. Then follow Mason Rd. south to West Elm Street and Lunenburg Road. Follow Lunenburg Road to Route 13 south. Follow Rt. 13 South to the Kinder Morgan pipeline easement.

□ 200 Line Alternative: Kinder Morgan must more carefully consider and quantify the the alternative of

expanding its current 200 Line. The DEIS should evaluate the alternative of replacing the existing 200 Line with a new, larger diameter line.

In defining the 200 Line alternative, the expansion should begin at Segment F MP 30, not Segment G after crossing into Massachusetts.

The alternatives assessment comparison of the 200 Line expansion to the NED is misleading in that it assumes that the NED will be in existing rights of way (ROW) when, in fact, it parallels existing electric transmission ROW in NH, creating new ROW with extensive new clearing. An expansion of the 200 Line could be accomplished within the existing ROW, and not involve new land taking from private landowners. The alternatives analysis should take into account new land taking from private citizens in comparing the two alternatives.

KM determined that looping the entire line would be required to meet the perceived need for 1.3 Bcf/d of additional gas capacity. However, it did not evaluate whether looping the entire length of the 200 line would be required to meet only the 500 Dth/d of precedent agreements in place.

If one of the rationales for the project is to serve electric generators, it should be noted that several power plants are located along the 200 line's route (e.g., Berkshire Power, Millennium Power, Pittsfield, MASSPOWER) while none are located proximate to the proposed project.

In rejecting the 200 Line alternative, KM acknowledges the high level of urban congestion of that line. We would also note the 50-year old age of the line, through congested urban areas represents a material liability noting some high profile catastrophic failures of similarly aged pipelines elsewhere in the U.S.

In comparing the alternative of replacing the existing 200 Line with a new larger diameter line with the proposed Project, the resultant reduction in the risk of a pipeline accident and the increased reliability of the 200 line associated with such an upgrade should be quantified and taken into account.

Comparative Criteria

• In comparing various route alternatives as well as the alternative of upgrading the existing TGP 200 line, Kinder Morgan compares the amount of new ROW vs use of existing ROW. The comparison credits portions on the proposed preferred route that parallels existing transmission ROW as being in existing ROW. This is both inaccurate and misleading. The application of this criterion must be impact based.

Widening an existing electric transmission corridor is clearly not the same as placing an additional pipeline in an existing natural gas pipeline ROW. Even co-location within an existing electric transmission ROW may necessitate new easement agreements as the electric transmission easements may not specifically allow gas pipelines.

Additionally, along many portions of the mainline route in NH and MA as well as the Fitchburg Lateral, expansion of the cleared ROW will necessitate new easements from previously impacted landowners. The amount (miles) and number of new easements is a more accurate indicator. In many of those parallel ROW areas, landowners are now screened from visual impact of the existing transmission lines by the very swaths of trees that the NED "ROW expansion" would clear. These visual impacts need to be quantified.

• The EIS alternatives comparisons must include appropriate criteria including an accurate accounting of:

numbers of new easements,

length (miles) of new easements,

number of private parcels impacted,

amount of clearing,

secondary visual impacts resulting from the clearing.

Nature of existing conditions including quality of habitat affected. For example, transversing a wetland already filled with invasive phragmites must not be considered the same impact as transversing a mature red maple swamp in an undisturbed forested area.

- The land crossing statistics found in the analysis of the Fitchburg Lateral call into question all impact analyses provided by Kinder Morgan throughout all the Resource Reports. In the Fitchburg Lateral alternatives assessment it appears use of Route 31 is unfairly treated as equal to traversing private forested property as a new easement would be required in either case. “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. A new easement from MassDOT or NH DOT for placement of a pipeline under the road pavement is hardly equal to cutting a swath of trees through private residential properties or critical habitat areas.

□ How can traversing forested area under the pavement of Route 31 be treated as equal to the clearcutting of a new corridor across several private, heavily forested residential properties on West Meadow Road in Townsend that are located within an ACEC, and which create a recognized wildlife migratory corridor, and which are located atop an esker that overlooks and shades a natural cold water fishery stream (Locke Brook). The fact that “miles of forested area traversed” are equal in these two examples is deliberately misleading and neither impact nor fact based.

- Degree of eminent domain taking: By all accounts of the lack of survey permission and the number of communities that have voted to oppose NED, the project could entail an unprecedented number of eminent domain takings. This could delay the NED project beyond the date of the alleged need of new capacity. Other competing projects, and route alternatives to NED itself, may entail fewer forcible takings of private citizens’ land. The NED proposal thus far has fallen far short of the clear demonstration of public convenience and necessity necessary to justify the granting of eminent domain powers. Since the number of takings needed is directly related to the project’s schedule and likelihood of permitting success, an important criterion in the assessment of alternatives is the number of miles and well as individual properties that will likely need to be forcibly taken against landowners’ will.

□ The number of property owners who have withheld survey permission is an indication for this criterion, however, it may underestimate the level of opposition. Some property owners opposed to the project may have granted permission to survey as FERC suggested.

Air Quality

- The impact of the project, including the compressor stations, on air quality must be assessed using NHDES and MADEP approved protocols.

- Emissions of criteria pollutants, air toxics, and greenhouse gases must be quantified and a demonstration that the emission levels represent Lowest Achievable Emission Rate ([LAER], for nonattainment pollutants) and Best Available Control Technology ([BACT] for attainment pollutants must be included.

- Ambient air quality impacts must be predicted using the most current version of AERMOD, and compliance with National Ambient Air Quality Standards and PSD Increments must be demonstrated. Impacts of the emission of non-criteria (toxic) air pollutants must follow individual state air toxics guidance.

- Modeling protocols must demonstrate the availability of representative meteorological and background air quality data. If existing ambient data are not deemed representative, a minimum of 1-year of onsite data must be collected, per USEPA modeling guidelines.

- Areas surrounding the compressor stations must be evaluated for the presence of qualifying Environmental Justice Communities, which are prevalent in rural Pennsylvania, New York, Massachusetts, and New Hampshire. Consistent with USEPA Region 1, 2 and 3 guidance, if qualifying environmental justice communities are present within 5 miles of a compressor station, an Environmental Justice analysis must be completed pursuant to USEPA and state guidance. The project must demonstrate that it will not adversely or disproportionately impact qualifying communities and an enhanced public participation plan must be submitted to the agencies for approval.

Greenhouse Gases

- Emissions of greenhouse gases (expressed as carbon dioxide equivalents [CO₂e]) must be quantified following USEPA and state guidelines for all aspects of the project, including:

- o Direct CO₂ emissions from compressor stations
- o Direct and indirect (leakage) emissions of methane (using the most current global warming potential indices to convert CH₄ to CO₂e) from compressor stations, meter stations, valves, etc.
- o Indirect CO₂ emissions from the permanent loss of trees to be cut along the pipeline route.
- o Indirect emissions of CO₂e from the production and combustion of gas delivered.
- The project’s consistency with the state-specific GHG emission targets in the recently promulgated Clean Power Plan (CPP) regulations as well as with statespecific programs developed independently (but which will become critical components in the states’ CPP implementation plans), such as the MA Global Warming Solutions Act must be demonstrated. The alternatives analysis, addressed above, must include compatibility with these important regulations as a distinguishing criterion.

Noise

- The project must demonstrate compliance with state and local noise standards and regulations, especially with respect to the compressor, valve and meter stations.
- The EIS must consider baseline sound levels and assess the change in sound levels predicted. This is especially important given the rural nature of the pipeline route. In such areas, baseline sound levels are very low at night, and simple compliance with absolute noise level criteria does not truly reflect impact. Rather, the Massachusetts “delta” standard that assesses impact based on the change in residual (L₉₀) sound level is more appropriate.
- Baseline noise measurements must be taken over several weeks in the winter months.
- Identify all sensitive noise receptors within one mile of all valve, meter and compressor stations including residential, educational, health care and religious structures; historic and cultural sites; and, parks and recreational areas.
- In addition to meeting standards, the project must perform a “Noise BACT” analysis to demonstrate that noise impacts (and increases in existing sound levels) have been minimized to the greatest extent feasible. This approach is consistent with that required by MADEP for industrial projects that require air permits. The number of “noiseimpacted” residents must also be included in the compressor station site alternatives analysis.

Water Resources

- In addition to quantifying the number and water quality classification of waterbodies crossed, the EIS must assess construction techniques and the resultant impact on water quality. Horizontal directional drilling should be required for all surface water crossings.
- In addition, the long-term permanent impact of loss of vegetation that provides important shading of the water bodies must be addressed, including impacts on aquatic habitat associated with loss of shade, and indirect thermal impacts on the ability of waterbodies to support cold water fisheries.
- The impact of the pipeline on subsurface hydrology must be evaluated in terms of changes in groundwater flow patterns, particularly in portions of the pipeline route that cross areas largely dependent of private wells.
- Creation of new linear features, such as pipelines, can create conduits for migration of groundwater contaminant migration. The EIS must include an assessment of areas with contaminated soil and/or groundwater traversed and the resultant impact on known or suspected contaminant plumes.

Wildlife Habitat

- The route crosses several areas that are designated as Areas of Critical Environmental Concern (ACECs). The route alternatives analysis must explore routes that avoid or at least minimize such crossings. In areas where an ACEC is crossed, such as along the Fitchburg Lateral, avoidance of ACEC impacts by locating the pipeline in existing roads or other existing cleared ROWs must be considered.

- In areas where wildlife habitat crossing cannot be avoided, the direct impacts of habitat loss must be quantified along with indirect impacts of habitat alteration on species abundance and diversity.
- Areas of mapped priority habitats must be surveyed for the presence of protected species as part of the impact analysis as well as for consideration in the assessment of route alternatives.
- The cumulative impacts of extensive tree clearing along new and expanded rights-of-way must be quantified particularly on species of bats including the northern long-eared bat, which has recently been listed as endangered by USFWS.
- Invasive Species: Indirect impacts on native plant and animal species through the introduction of invasive species must be assessed. Project plans for avoidance of the introduction of invasive species must include assessment of the historical effectiveness of those plans from previous projects.
- Habitat fragmentation: The EIS must evaluate the direct and indirect effects of habitat fragmentation in areas where forested stands will be transected by the pipeline route.

Historical and Archaeological Resources

- Section 4.4.2.3.5 indicates that only two previously recorded historic resources aged 50 or older (bridges on West Meadow , Table 4.4-44) were identified in the segment of the Fitchburg Lateral in Middlesex County. The proposed lateral would cut directly between two late 18th or early 19th century homes on Main Street. No mention was made of these two homes. At least one other home on West Meadow is also more than 50 years old and deserves investigation and it is likely that others along the route in Townsend also exist.
- No mention was made of any potentially historic properties in Worcester County on this lateral. Are there any in Lunenburg or was Lunenburg overlooked?
- In assessing impacts to all 50 year or older structures, Kinder Morgan must include visual impacts including impacts of views from the structures and impacts on vistas towards the structures.
- Since most of the proposed Fitchburg Lateral is in new rights of way on previously undeveloped areas, the project proponent should be required to complete Phase 1a and 1b archaeological investigations along the entire route.
- How come so much of the Correspondence and Overviews cited in the Resource Reports (Volume III Appendix CC, Volume III Appendix DD and Volume III Appendix EE) are contained in materials that have not been made public?
- How does lack of survey permission affect cultural resource investigations? How can cumulative impacts be determined and compared to other alternatives without understanding this critical information.

Economics and Land Use

- Kinder Morgan spokespeople have claimed that New England consumer's gas and electric bills could see a 25-30% reduction in their bills if the NED project is built. This needs to be specifically quantified and links to sources used for these projections need to be supplied.
- Socioeconomic impacts need to be provided on a community by community basis rather than the county-wide basis supplied in the Resource Reports. For example, potentially significant impacts to a small community such as Townsend, MA may be lost when the impacts are instead attributed and compared to the much larger Middlesex County, MA.
- Much of the region affected by the proposed project relies on tourism. The impact of pipeline construction on scenic, recreational and historical resources and the secondary impact on tourism must be quantified. This includes permanent impacts as well as impacts during construction.
- Kinder Morgan must quantify the number of state parks, state forests and privately conserved open spaces crossed by the route and describe and quantify the impacts to those parcels and justify why these important resources cannot be avoided.
- The EIS must describe the consistency of the project with national, state, regional and local land use plans.

- The EIS should quantify all impacts for new and expanded rights-of-way based on the underlying land use identified by the affected communities. How much of the proposed routes are in areas zoned residential, commercial and industrial? How much is in areas protected for historical, rural or visual resources?
- The EIS should identify what new development and land use regulations should apply to areas near the proposed route.
- The EIS should describe and quantify expected reductions in property value to properties along and near the proposed route including specific reductions in property value due to visual and noise impacts.
- With the increasing number of pipeline incidents over the past decade, it is likely that insurers will be reviewing cost and coverage of properties near pipelines. Kinder Morgan needs to address how potentially impacted landowners will be compensated for the increased insurance costs that may result.

Reliability and Safety

- Kinder Morgan needs to provide a quantitative analysis of the economics and safety concerns about placing the proposed pipe at just 3 feet below grade in most cases (and even shallower depths in areas of bed-rock) while MA building codes specify that building foundations and other structures should usually be a minimum of 4 feet below grade.
- The EIS needs to provide an analysis of expected depth to frost level across the route and potential impact of frost heaves on pipeline, valve, meter and compressor station facilities.
- Kinder Morgan is proposing to cut across many rural areas and the company is proposing to just meet the bare minimum standards for pipeline construction and valve station placement in these areas. Because New England is already a densely populated region and because new development is likely to occur in these now rural areas, FERC should require Kinder Morgan to meet Class 4 requirements for pipe construction and valve placement in all new and expanded rights of way.
- Kinder Morgan must address the safety improvements that could be addressed by enclosing in structures all above ground pipeline facilities including all valve, meter and compressor stations.
- Kinder Morgan must provide a detailed emergency response plan for every community along the pipeline route including all those with any land area within the potential impact radius. The emergency response plans must include
 - Advance and continued training for first responders
 - Adequate equipment and supplies for first responders
 - Evacuation routes for potentially impacted areas
 - Identification of and plan for evacuation of vulnerable or hard to evacuate people.
 - Communication plans including communications to the affected public as well as communication with local first responders and other state and local officials.

Thank you again for the opportunity to provide scoping comments. I would be happy to address any questions or provide clarification.

Most sincerely,
 Carolyn Sellars
 Townsend, MA

20151007-5229

Federal Energy Regulatory Commission

10-7-2015

Tennessee Gas Pipeline Company's Northeast Energy Direct Project
 Docket No. PF14-22-000

To whom it may concern,

Destroy our lands to sell gas overseas? This letter is to protest the plan to construct a high-pressure natural

gas pipeline through Southern New Hampshire.

I own a house on Gap Mountain Road in Jaffrey, NHs (166 Gap Mountain Road, Jaffrey NH). My property is in close proximity of the proposed pipeline location.

This pipeline is planned to transect a number of highly sensitive environmentally unique and protected areas and an emergency situation could easily occur based on the bad track record of Kinder Morgan, the company involved in the construction of this pipeline. As a consequence a disaster could arise and not only large environmentally important areas could be destroyed and polluted with toxins but also farmland and related properties of local landowners. I also want to emphasize that the construction of the pipeline will permanently alter the rural aspect of our area and will make it look more like Eastern New Jersey.

Neither Massachusetts nor NH need more energy at this moment and this situation will only become better due to increased development of solar and wind energy. Thus, I am very surprised that the market path of this pipeline ended up traversing New Hampshire so far to the North. If the gas is coming from Mid Atlantic or Southern States, why is it not possible to ship it from a port in New Jersey or even further south?

It seems likely that this project was only possible because in Southern NH the locals are unimportant people without political clout in contrast to the people in Massachusetts, where construction of this pipeline was recently successfully prevented. It also does not help that the current governor probably was paid off by the utility companies and is not interested in helping us to veto this project. This is especially infuriating because it is obvious that this pipeline is not needed. I am aware that the construction of this pipeline is proposed, because Kinder Morgan plans to export natural gas from a base north of Boston or from Maine. Clearly, NH residents will have no benefit from this ill-conceived project, to the opposite-, our electrical bills will go up, because somebody has to pay for the construction of this pipeline.

Thus, I see the construction of this pipeline as an attempt of Kinder Morgan solely to increase their revenues by forcing people unassociated with any aspect of this project (and do not profit from it) to agree with their demands. The least one would expect is that the decision about the construction of this pipeline should be decided by a citizen's referendum.

Sincerely,

Heinz G. Remold

Professor of Medicine, Harvard University, Boston, MA

20151007-5232

{duplicate copy of 20151007-5229 above}

20151008-0008

Hand written card, Karen M. Miller, 161 Ashburnham Rd, New Ipswich, NH : Question, why are American with disabilities neglected? No ASL interpreter for the deaf.

20151008-0009

Hand written card, Marilyn Griska, 18 Atlantic Dr, Rindge, NH 03461: Please insist that KM configure compressor station for lowest emissions possible.

20151008-3049

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:

OEP/DG2E/Gas Branch 3

Tennessee Gas Pipeline Company, LLC

Northeast Energy Direct Project

Docket No. PF14-22-000

§ 375.308(z)

October 8, 2015

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

Re: Comments on the July 24, 2015 Draft Resource Reports

Mr. Moffat:

The enclosure contains the comments of the FERC staff on Tennessee Gas Pipeline Company, LLC's (Tennessee Gas) draft environmental resource reports (RRs) filed on July 24, 2015 for the planned Northeast Energy Direct Project (Project). The comments ask for clarifications of discrepancies and identify missing information that we believe necessary to begin substantive preparation of the draft environmental impact statement for the project. In addition, Tennessee Gas should address all of the comments filed in the public record by other federal, state and local agencies; as well as stakeholders regarding the draft environmental resource reports.

You should be aware that Tennessee gas needs to address all comments within the attached enclosure as well as all comments received during the scoping period. Any omission of content relevant to these comments may affect the Project schedule after the application is filed. If Tennessee Gas cannot provide the necessary information in its application, Tennessee Gas should clearly state the timing for all supplemental information.

To facilitate review of the application, Tennessee Gas should include a matrix that identifies the specific locations in the RRs (i.e., section and page number) where the information requested in these comments may be found.

When filing documents and maps, prepare separate volumes as outlined on the Commission's website at <http://www.ferc.gov/help/filing-guide/file-ceii/ceii-guidelines.asp>. Any plot plans showing equipment or piping details or other Critical Energy Infrastructure Information should be filed as non-public and labeled "Contains Critical Energy Infrastructure Information – Do Not Release" (18 CFR 388.112). Cultural resources material containing location, character, or ownership information should be marked "Contains Privileged Information – Do Not Release" and should be filed separately from the remaining information, which should be marked "Public."

Thank you for your attention to this matter. If you have any questions, please contact me at (202) 502-8097.

Sincerely,

Eric Tomasi

Environmental Project Manager

Office of Energy Projects

Enclosure

cc: Public File, Docket No. PF14-22-000

ENCLOSURE

{20 pages} {skip to end of 20151008-3049}

Northeast Energy Direct Project (Project)

Docket No. PF14-22-000

Comments on Revised Draft Resource Reports

Resource Report 1 – Project Description

1. General – Include all information listed in Resource Report (RR) 1 (or in the Responses to Comments on Draft Resource Reports matrix) listed as pending, “will be addressed in the final ER,” or “TBD” (or include a schedule for submittal) in the July 24, 2015 Resource Reports, which includes, but is not necessarily limited to:
 - a. updated aerial imagery for the Project area;
 - b. status of wetland and waterbody field surveys and site-specific waterbody and wetland plans and associated crossing techniques;
 - c. site-specific residential construction plans for all relevant areas;
 - d. detailed construction schedule showing Project components by year (e.g., 2017, 2018);
 - e. identification of additional delivery points and description of any associated metering and regulation facilities;
 - f. updated discussions between Tennessee Gas and the other utility entities regarding co-location. State specifically whether these individual entities would allow Tennessee Gas to use portions of their existing rights-of-way for construction, operation, or both and define any potential physical constraints (e.g., guy wires). Where existing rights-of-way would not be shared, indicate whether the NED Project would directly abut the existing corridor. Include a fully descriptive table, with explanations and details included that lists each area where a generally co-located Project segment would temporarily deviate away from other co-located utilities due to the existence of obstacles. Based on the results of these discussions, both for other utilities unwilling to share their right-of-way as well as for physical obstacles, indicate whether (and where) the proposed Project centerline and associated workspaces would have to be modified;
 - g. evaluations (including details of ongoing discussions with regulatory agencies) regarding the feasibility of additional horizontal directional drills (HDDs) in sites containing forested wetlands with an impact of more than 0.5-acre per crossing or in sites containing any high quality or specially designated forested wetland;
 - h. evaluations regarding the potential for using HDDs at all major waterbodies and sites where waterbody crossings would be greater than 30-feet-wide and a dry construction method is not feasible, as well as at all waterbodies listed as sensitive or high quality;
 - i. evaluations regarding whether Tennessee Gas would install communication towers as part of the Project, and, if so, describe their location and features;
 - j. updates regarding the identification and full description of any non-jurisdictional facilities associated with the Project including potential service for water, sewer, telephone, internet/data, or other utilities at aboveground facilities. If there are any non-jurisdictional facilities that would be built as a result of the new gas volumes associated with this Project, include the following detailed information for each facility:
 - i. company/owner;
 - ii. type of facility;
 - iii. dimensions (pipe diameter, length, horsepower, etc. as appropriate for pipeline and land area for other facilities);
 - iv. maps showing locations;
 - v. federal permits required and their status;
 - vi. status of local and state permits required; and
 - vii. any environmental reviews required for local, state, or federal permitting authorities.
 - k. an updated table listing the deviations that Tennessee Gas is requesting from the FERC Upland Ero-

sion Control, Revegetation, and Maintenance Plan (Plan) and Wetland and Waterbody Construction and Mitigation Procedures (Procedures) including the section number of the Plan or Procedures for the requested deviation, a description of the deviation itself, justification for the deviation, and a description of how the deviation would provide equal or greater mitigation. Additionally, provide a summary table stating how each State Environmental Construction Plan (ECP) differs from one another and from the FERC Plan and Procedures; and

1. summary of scour analysis, and a cross-reference to where the detailed scour analysis discussion is provided in appropriate RRs.
2. Section 1.1.1 (page 1-10) – Include, to the extent known, the possible uses of the Project’s end-users/ customers for the gas capacity created. If possible, break down (by delivery point) the current known customer and/or use (e.g., electric generation, residential use/consumption, local distribution, industrial/manufacturing, manufacturing precursors).
3. For each delivery lateral, identify the volumes of gas that would be delivered and identify the delivery points/customers.
4. Section 1.1.1 (page 1-10) – Include a list that identifies local distribution companies (LDCs) and their service areas that have expressed direct interest in receiving natural gas from the Project. In addition, list any other LDCs that are viable candidates to potentially receive natural gas from the Project.
5. Section 1.1.2.2.1 (page 1-30) – Identify the overall parcel size for each proposed compressor station.
6. Provide public versions of the compressor station site plans that identify workspaces, fencelines, cleared areas and general location of compressor station components.
7. Section 1.2.4 (page 1-62) – As requested in our May 15, 2015 Environmental Information Request (EIR), indicate whether forests, wetlands, waterbodies, or other sensitive resources would be affected by use of the contractor yards. Update RRs 2 and 3 appropriately.
8. Section 1.3.1.1 (page 1-83) – As requested in our May 15, 2015 EIR, describe any special measures that would be employed to prevent post-restoration slips and landslides in steep terrain. In addition, describe the process for how rocks that might roll off the construction right-of-way beyond the reach of equipment positioned on the right-of-way would be retrieved.
9. Section 1.3.1.13 (page 1-81) – As requested in our May 15, 2015 EIR, describe the source or type of source of imported soils during restoration and plans to address associated issues such as the spread of invasive plant species, soil type compatibility, and rock content.
10. Section 1.3.2.2 (page 1-84) – Confirm that pre- and post-construction testing of groundwater would include any spring (not just wells) if requested by the landowner. List the specific water quality parameters or suites of parameters that would be analyzed for wells and springs.
11. Section 1.3.2.2 (page 1-85) – Clarify how Tennessee Gas would assess and repair damage to private or public roads caused by the Project-related traffic from heavy trucks and equipment, not just from the actual road crossings themselves. Confirm that Tennessee Gas would ultimately be responsible for any Project-related damage to roads, not its contractor.
12. Section 1.3.2.5.2 (page 1-86) – As requested in our May 15, 2015 EIR, discuss whether Tennessee Gas, in certain circumstances, may be able to pull back an HDD section in sub-sections, thereby increasing flexibility, minimizing the false right-of-way, and precluding the requirement of pulling one continuous section. If feasible, identify the specific crossings where this method would be employed.
13. Section 1.3.2.6 (page 1-89) – As requested in our May 15, 2015 EIR, include a discussion regarding whether blasting would be used in areas of limestone or karst geology. Note that karst geology is not discussed in the blasting management plan and that blasting is not discussed in the karst mitigation plan.
14. Discuss the feasibility of alternate methods of rock excavation/removal other than blasting by rock type.
15. Section 1.4.3 (page 1-97) – For each cathodic protection facility, provide any identification number, as-

sociated access road (if applicable) including directional orientation to the road, approximate length and width of the facility, area affected, and associated land use type.

16. Section 1.5 (page 1-122) – As requested in our May 15, 2015 EIR, provide a description of work/upgrades that would take place at Station 319 due to the planned/proposed Susquehanna West Project.
17. It has come to our attention that areas where the pipeline would abut powerline right-of-ways may not be fully cleared of trees. Indicate if existing trees within the powerline right-of-ways would need to be cleared and indicate this additional clearing in the resource report impact tables as a separate line-item.
18. Provide updated micro-routing along the planned powerlines for areas where the pipeline would need to move away from the existing right of way due to constructability or other issues.
19. Consult with land managing agencies, state and local planning agencies, and other appropriate entities to identify past, present, and reasonably foreseeable future in the potential resource Region of Influence that could be affected by the NED Project, as indicated in the table below. The projects should include, but not be limited to: industrial or commercial facilities; mines; FERC jurisdictional projects; intrastate pipelines and compression; gathering pipelines; gas processing facilities; gas wells, industrial; infrastructure development (roads, bridges, rail, etc), housing developments, etc.

Include a table that identifies:

- the project(s) type/name and county;
- approximate distance and direction of the project(s) from the proposed NED Project facilities;
- a description of the project(s); and
- the current status and schedule of the project(s) (e.g., proposed for December 2016, under construction, completed).

Question 19 (continued)

Environmental Resource: Region of Influence

Surface Waters, Wetlands, Groundwater, Vegetation, Wildlife and Fisheries, Soils: Hydrologic Unit Code 10 Watersheds.

Cultural Resources: Overlapping impacts on historic properties.

Land Use (including visual and residential): 1/2 mile from construction work areas. For other projects that impact more than 10 acres of land, use 5 miles.

Noise - Operation: Other facilities that would impact any noise sensitive area (NSA) that is within 1 mile of a planned NED compressor station.

Noise - Construction: 1/4 mile from pipeline or aboveground facilities. Horizontal direction drill or direct pipe installation – 1/2 mile.

Air Quality - Operation: Provide an inventory of proposed and reasonable foreseeable air emission sources within 50 kilometers of the compressor stations, documenting their location, distance from the proposed project, estimated or permitted emissions for each criteria pollutant in tons per year and identify the potential incremental cumulative impacts of the Project. This does not include greenhouse gas emissions.

Air Quality - Construction: 1/4 mile from pipeline or aboveground facilities

Socioeconomics: Affected counties.

Geology: 1/4 mile from pipeline or aboveground facilities

Resource Report 2 – Water Use and Quality

20. General – Include all information listed in RR2 as pending or “TBD” (or include a schedule for submittal), which includes, but is not necessarily limited to:

- k. discussion regarding groundwater classification in the New Hampshire portion of the Project, post-consultation with New Hampshire Department of Environmental Services;
 - l. locations of new compressor stations and associated potential impacts to groundwater;
 - m. location of public and private drinking water wells and springs located within 150 feet of any Project workspace area;
 - n. avoidance and mitigation measures that would be taken around wellhead protection areas (WHPAs);
 - o. exact locations of pipe yards and contractors yards, as well as their potential resource impacts including wetlands and waterbodies;
 - p. impact avoidance, minimization, and mitigation measures for waterbodies containing fisheries resources and how timing restrictions on those waterbodies may influence the Project schedule;
 - q. locations of all potable water intakes within 3 miles downstream of any proposed waterbody crossing;
 - r. sensitive public water supply watersheds;
 - s. hydrostatic test water quantity needed, as well as discharge location;
 - t. field survey results and wetland delineation reports;
 - u. identification of wetland impacts associated with each facility;
 - v. wetland mitigation provisions;
 - w. State Wetland Classifications; and
 - x. wetland-specific crossing methods.
21. General – Include justification for all modifications to the Commission’s Procedures including but not necessarily limited to:
- y. section 2.3.5.1 (page 2-96) site-specific locations of additional temporary workspace (ATWS) within 50 feet of wetlands; and
 - z. table 2.3-12 (page 2-161) – any site-specific locations where a construction workspace greater than 75 feet would be utilized in wetlands.
22. Section 2.1 (page 2-2) – In the groundwater descriptions, include a detailed description of the aquifers in each state including the names, beginning and ending mileposts (MPs) for each crossing, confining layers, principal use, depth to water, and general water quality. Update table 2.1-2 to include aquifer name, well depth, and yield. Include a discussion on stratified drift and granite aquifers and potential impacts and mitigation.
23. Section 2.1.1.1.1 (page 2-2) – Discuss construction/operations precautions that would be implemented near WHPAs as well as any mitigation measures that may be required by WHPA managers. Provide updated correspondence with the Town of Wilmington regarding the Zone 1 WHPA that would be crossed by the pipeline.
24. Section 2.1.1.2.1 (page 2-3) –This section states that “New York also has a Wellhead Protection Program Plan (“WHPP”), which is consistent with New York policy on WHPAs, but is not a regulation.” Clarify whether Project construction and operation would be conducted in accordance with the WHPP.
25. Section 2.1.1.2.3 (page 2-7) – Define the groundwater designation ‘Class GA.’ Clarify whether this classification includes all groundwater or just potable groundwater.
26. Section 2.1.5 (page 2-16) – Define “water supply protection area” in table 2.1-2. Does this include both groundwater and surface water drinking supply areas? Be sure to specify whether the water supply protection area is for a groundwater source or surface water source.

27. Section 2.1.6 (page 2-27) – Include a discussion of potential aquifer impacts resulting from ground disturbing activities (e.g., HDD drilling, blasting). Include mitigation measures for potentially affected springs and aquifers. Identify alternative water sources if water supplies are impacted.
28. Section 2.1.6 (page 2-27) – Include a discussion on trench dewatering; include specific locations where dewatering would be required or anticipated to be required.
29. Section 2.2 (page 2-28) – Identify all surface waterbodies crossed within karst-prone areas and their crossing methods.
30. Section 2.2 (page 2-28) – Update tables 2.2-4, 2.2-5, 2.2-6, 2.2-7, and 2.2-8 showing waterbodies that would be crossed by the Project to include new information on correct crossing width, crossing method, and timing restrictions. Clarify whether crossing length and bank width are the same.
31. Section 2.2 (page 2-28) – Update tables 2.2-5, 2.2-7, and 2.2-8 to provide fishery type designations and timing restriction data for all waterbodies that would be crossed by the Project in New York, New Hampshire, and Connecticut. Include relevant citations along with an estimated timeline for the provision of this information, if it is not currently available.
32. Section 2.2 (page 2-28) – For each waterbody greater than 100 feet wide, the default construction method should be a HDD, direct pipe, or similar techniques. If one of these techniques is not feasible:
 - aa. describe why an HDD or similar method is not possible;
 - bb. provide a site-specific crossing plan; and
 - cc. provide a mitigation and restoration plan.

For crossings of major waterbodies that would be completed using in-stream and open water construction (e.g., clamshell dredging), provide the results of sediment modeling indicating the predicted fate and transport of excavated or dredged sediments. Describe the models that were used; the assumed ambient average and range of total suspended sediments in the waterbody; the anticipated direction, duration, and concentration of sediment plumes during construction; and the anticipated extent and depths of redeposited sediments on the riverbed or seabed.

33. Section 2.2.1 (page 2-28) – Provide mitigation measures for all public water supply watersheds and reservoirs including but not limited to the Pennichuck Brook Watershed, the Cobleskill Reservoir System, and the Metropolitan District Commission’s public drinking water supply watersheds.
34. Section 2.2.5 (page 2-41) – Identify all areas with known or potentially contaminated sediments.
35. Section 2.2.6 (page 2-43) – Provide a table of all public drinking water supply watersheds, surface water reservoirs, and WHPAs. In the table, include crossing length or distance of each protected surface water supply from the project. Indicate if a waterbody crossing would be within 3 miles upstream of any potable water supply intakes. Specify details regarding the public usage of each of the protected surface waters identified. Identify appropriate mitigation measures within surface water protection areas (SWPA). Identify the government entities that manage the SWPAs within the Project area. Discuss local management/protection strategies and restrictions for SWPAs.
36. Section 2.2.6 (page 2-43) – Include mitigation measures for all water supply areas within 150 feet of the Project area. Confirm whether Tennessee Gas would file a post-construction report describing any complaints received regarding water supply (aquifer, wells, and springs) quality and yield and how those complaints were resolved.
37. Section 2.2.7 (page 2-48) – Include data for hydrostatic test pressure, volume (in gallons) of hydrostatic test water by specific source location (waterbody and MP), the expected month water would be withdrawn and discharged, and source alternatives. Include proposed treatment and/or disposal method for treated discharge water. Include specific locations of the test water discharges. Include a Hydrostatic Test Plan.

38. Section 2.2.9 (page 2-52) – Provide updated information and consultations with state agencies on sensitive waterbodies and identify mitigation measures for potential impacts to sensitive waterbodies and fisheries.
39. Section 2.3 (pages 2-67 through 2-100) – Update section to include results from wetland field surveys. Provide the Wetland Delineation Reports.
40. Section 2.3 (pages 2-67 through 2-100) – Provide information regarding potential impacts on wetlands from the construction and operation of aboveground facilities, access roads, and contractor yards.
41. Section 2.3 (pages 2-67 through 2-100) – Clarify how construction wetland acreages were calculated for all construction-related tables. In each wetland table, include specific construction right-of-way widths for each wetland crossed and note any wetlands with irregular workspaces, which could expand impacts beyond merely calculating length multiplied by width.

Resource Report 3 – Fisheries, Wildlife, and Vegetation

42. General – Include all information listed in RR3 as “pending” or “TBD,” or specify when it will be filed. This includes, but is not necessarily limited to:
 - dd. all updated consultation information and documentation for information received after May 2015;
 - ee. a discussion of potential Project-related impacts on interior forest and edge forest habitats that includes acreage by forest habitat type, and figures of the interior forest blocks that would be crossed by the Project;
 - ff. results of field surveys conducted to characterize the natural landscape at the proposed Appalachian Trail crossing, as well as a crossing plan for the same location;
 - gg. a list of common or representative plant species found in the Project area;
 - hh. a list of vegetative community types in the Project area based on National Land Cover Database mapping;
 - ii. the results of vernal pool surveys conducted for the Project area with a detailed impact assessment on vernal pools potentially affected by the Project. Include the locations and timing of any ongoing and/or future vernal pool surveys;
 - jj. a discussion of potential construction and operation impacts on vegetation outside the pipeline construction right-of-way associated with any aboveground facilities and appurtenant facilities (mainline valves [MLVs], pig launchers, and receivers), temporary and permanent access roads, pipe and contractor yards, cathodic protection systems, and alternating current mitigation systems;
 - kk. the results of surveys for protected species and their habitat, including vegetative communities of special concern within the Project area, along with any updates to the locations, timing, and reporting schedule of ongoing or future surveys;
 - ll. a seeding plan (or plans) for the stabilization of construction areas;
 - mm. a discussion of the potential construction and operation impacts on migratory bird species of special concern and their habitats that contains:
 - i. an evaluation of the potential direct, indirect, and cumulative impacts on these species along with the impacts’ expected duration (short-term, long-term, or permanent);
 - ii. Project-specific conservation measures and best management practices developed in consultation with the U.S. Fish and Wildlife Service (FWS) to avoid and minimize impacts on these species; and
 - iii. documentation of the relevant consultations with the FWS.

43. General – Provide information regarding the extent of improvement (e.g., paving, widening, etc.) that would be necessary for all access roads proposed to pass through significant or sensitive wildlife habitats.
44. General – Provide a discussion of invasive insects (e.g., emerald ash borer, Asian long-horned beetle) known to be problematic within the Project area. The discussion should include a description of the insects, their occurrence within the Project area, any quarantine areas that would be crossed by the Project, any potential impacts of the Project on invasive species populations and distribution, and measures to avoid and minimize potential adverse impacts due to invasive insects associated with the Project.
45. Section 3.1.3 (pages 3-15 and 3-16) – Expand upon, and provide citations for, the discussion of the potential effects on the survival and fitness of fish and aquatic wildlife resources associated with the removal of riparian vegetation at stream crossings and the duration of these effects. Include the expected timeframe within which invertebrate populations would recolonize the crossing area to pre-construction conditions.
46. Section 3.1.4 (page 3-18) – Include a discussion about the potential effects of HDD crossing methods on riparian habitat at all waterbody crossings. Include a discussion of potential HDD crossing impacts on the floodplain forest habitat at the Farmington River.
47. Section 3.1.4 (page 3-18) – Comments from the U.S. Army Corps of Engineers and FWS (April 24, 2015 and May 15, 2015, respectively) suggest planting trees during restoration in places where forested vegetation would be removed adjacent to waterbody crossings. Clarify whether or not Tennessee Gas would comply with this request to plant trees at applicable waterbody crossings. The Project would cross more than 400 miles of vegetated land, which could cause a reduction in the populations of honey bees and other pollinators.
48. Section 3.1.4 (page 3-18) - Describe the feasibility of adding seeds that support pollinators into the mixes used to restore construction workspaces. Provide copies of Tennessee Gas' consultations with the relevant federal and/or state regulatory agencies, and update the state-specific ECPs, as necessary. Include any measures that would protect pollinators in the ECPs, which could include, but is not limited to, removal of invasive species by more manual or mechanical means rather than chemical (herbicides/pesticides).
49. Section 3.2.2.3.7 (page 3-39) – Provide an explanation regarding why the Project centerline would not be co-located immediately adjacent the existing utility right-of-way located in the Montague Plains Wildlife Management Area (WMA; i.e., the proposed Project route is separated from the existing right-of-way by an approximately 100- to 140-foot strip of primarily forested habitat). Discuss any impacts the Project would have on the use of prescribed fires to manage habitat at the Montague Plains WMA and other similarly managed areas. Discuss potential impacts that prescribed burning in the vicinity of the Project could have on Project construction and operation.
50. Section 3.2.2.5.3 (page 3-48) – Discuss the potential Project-related impacts on wildlife habitat and vegetation at Talcott Mountain State Park and explain why the proposed 120-foot crossing of this park could not be avoided.
51. Section 3.2.3.1 (page 3-51) – Include a more detailed discussion, with citations from recent literature, on the potential effects of the Project on wildlife movement and displacement, including examples of specific species that may be affected depending on the time of year, the relative sensitivity of the species, and seasonal habitat selection.
52. Section 3.2.3.1 (page 3-51) – Discuss potential impacts on wildlife associated with air pollution and heat generated from the operation of Project aboveground facilities.
53. Section 3.2.3.1 (page 3-51) – Include a more detailed discussion, with documentation from agency consultations, of the steps Tennessee Gas would take to avoid and minimize impacts on wildlife,

including but not restricted to:

- nn. minimization measures for habitat fragmentation impacts, including those on forest interior dwelling species;
 - oo. timing restrictions on tree removal and how Tennessee Gas would handle tree removal with regard to tree-clearing restrictions in the Migratory Bird Treaty Act;
 - pp. whether or not Tennessee Gas would conduct tree surveys prior to tree removal (e.g., to assess presence of nesting sensitive and/or rare species); and
 - qq. measures Tennessee Gas would take to minimize Project impacts to smaller species of wildlife (e.g., falling into or becoming trapped in open trenches).
54. Section 3.2.3.1 (page 3-51) – Discuss whether Tennessee Gas would conduct 24-hour or nighttime operations using artificial lighting that could cause disturbance to nocturnal wildlife, including bats. Identify mitigation measures to minimize impacts.
55. Section 3.2.3.1 (page 3-51) – Discuss and provide citations from recent literature:
- rr. the expected timeframes for the revegetation of Project areas that would be allowed to revert back naturally to their original condition. Include timeframes for all vegetative community types that would be impacted;
 - ss. the likely successional progression of vegetation and wildlife at the sites during these timeframes based on the restoration actions followed in Tennessee Gas’ Plan; and
 - tt. the effects of these successional changes on wildlife species that are likely to be present at the sites (i.e., pre-construction).
56. Section 3.2.3.1 (page 3-51) – Clarify whether wetland restoration plans would be developed for the restoration of wetlands affected by the Project. If so, include the plans or identify the schedule for when they would be provided.
57. Section 3.3.2.4.1 (page 3-75) – Provide the location of the Emergent Marsh – Shrub Swamp natural community system near Cheshire, New Hampshire relative to the Project and discuss potential impacts on the system, if applicable.
58. Section 3.3.2.4.1 (page 3-76) – Identify the location of the Mixed Pine-Red Oak Woodland natural community in Hillsborough County, New Hampshire relative to the Project along with a discussion of potential impacts on the community along with mitigation measures, as applicable. Clarify whether avoidance of the Red Maple – Sensitive Fern Swamp that would be crossed by the Project in Hillsborough County, New Hampshire has been considered as a measure to avoid impacts to this natural community system.
59. Section 3.3.4.1 (page 3-80) – Tennessee Gas has stated that it plans to clear all approved workspace areas. Clarify whether or not any trees within an approved workspace would be saved (i.e., not felled) and include a description of the circumstances in which this would occur.
60. Section 3.3.4.1 (page 3-80) – For felled trees that inadvertently land in waterbodies or outside of the right-of-way that cannot be removed immediately, provide measures that would be taken to prevent adverse impacts associated with the fallen vegetation from occurring to resources or landowners prior to its removal along with an estimated timeline for its removal.
61. Section 3.3.4.1 (page 3-80) – Include a discussion of the wildlife habitat that could be provided by if landowners or land-management agencies requested timber stacks and clarify whether or not the use of timber stacks is proposed as a mitigation measure to offset impacts on wildlife habitat.
62. Section 3.3.4.2 (page 3-80) – Clarify whether or not the disposal/removal of chipped woody vegetation would be held to the same state-specific and U.S. Forest Service guidelines as firewood with regards to preventing the spread of invasive insects (e.g., the emerald ash borer).
63. Section 3.4.1.3 (page 3-88) – Clarify the rationale for the assertion that no impacts would occur to

the significant natural community of the Emmond Pond Bog Preserve.

64. Section 3.4.2.1.7 (page 3-103) – Discuss measures that Tennessee Gas would implement to avoid, minimize, or mitigate impacts to eagle nests, should any nests be found during the pre-construction surveys.
65. Section 3.4.2.2.3 (page 3-106) – Identify measures that would be taken to minimize or avoid impacts on the three Massachusetts state-listed plants identified by the Natural Heritage and Endangered Species Program (NHESP) as Species A, B, and C due to their sensitivity to collection.
66. Section 3.4.2.2.3 (page 3-106) – Discuss and provide citations from recent literature on the effects electroshocking on fish may have if used as a method for relocation as suggested by the NHESP (e.g., stress response to electroshocking, effects on survival and fitness). Discuss feasible and/or preferable alternative methods of relocation.
67. Section 3.4.2.2.5 (page 3-108) – Clarify whether or not Tennessee Gas would attempt to retain large-diameter coniferous and deciduous trees to minimize long-term impacts on the hoary and silver haired bats, as recommended by the Connecticut Natural Diversity Data Base. If this measure would be implemented, discuss the process by which Tennessee Gas would determine whether to retain or remove such trees.
68. Section 3.4.2.2.5 (page 3-108) – Clarify whether or not Tennessee Gas would adhere to the Connecticut Department of Energy and Environmental Protection recommendations listed in section 3.4.2.2.5 to avoid/minimize potential impacts on the eastern ribbon snake, state-listed plants, threatened and endangered mussels, the blue-spotted and Jefferson salamanders, grassland bird species, and the pine barren tiger beetle.
69. Identify if any of the FWS offices involved (Pennsylvania, New York, and New England) have identified a lead office for consultation purposes.
70. Figure 3.2-1 (figure 4 of 11) – For the portion of the Fitchburg Lateral between MPs 5.0 and 14.0, explain the feasibility of avoiding BioMap2-mapped sensitive resources by adjusting the route to cross nearby areas with few to no mapped resources.

Resource Report 4 – Cultural Resources

71. Section 4.2.1 and Appendix DD – Include all new and previously unfiled correspondence, meeting notes, phone logs, or emails between Tennessee Gas and the State Historic Preservation Offices (SHPOs).
72. Section 4.2.2 and Appendix EE – Include all new or previously unfiled correspondence, meeting notes, phone logs, or emails between Tennessee Gas and interested Indian tribes.
73. Section 4.2.2 – Include an update on the status of on-the-ground cultural resources surveys conducted by Indian tribes along the proposed pipeline route, organized by pipeline segment (with mile-posts) including the state-county-tribe-miles inventoried and survey results. If tribal surveys are not completed in time for the application, provide the schedule for when all pending survey results will be filed.
74. Attachment 4a – File comments from the SHPOs and Indian tribes on Tennessee Gas’ Draft Unanticipated Discovery Plans, and revised state-specific plans that address those comments.
75. Include copies of the Project-specific cultural resources Overview and Survey reports that cover the entire direct area of potential effect and meet the requirements outlined in sections V. and VI. of the FERC’s Office of Energy Projects Guidelines for Reporting on Cultural Resources Investigations for Pipeline Projects (December 2002 version). Document that Tennessee Gas also submitted copies of these reports to the appropriate SHPOs, interested Indian tribes, and FERC-designated other consulting parties, and file comments on the reports. If Tennessee Gas’ surveys are not completed in time for the application, provide the schedule for when all pending survey results will be filed.

76. Include a response to the January 15, 2015 letter from the town of Wilmington, Massachusetts expressing concerns about impacts to the town-owned Colonel Joshua Harden Tavern and Museum. Indicate if the Project would affect this site, including the distance between the pipeline and the building, and discuss any necessary measures to avoid or minimize impacts.
77. Include a response to the February 5, 2015 letter from Carol Iodice of Mason, New Hampshire expressing concerns about impacts on the historic Pickity Place restaurant. Indicate if the Project would affect this site, including the distance between the pipeline and the building, and discuss any necessary measures to avoid or minimize impacts.
78. Include a response to the February 17, 2015 letter from Phoebe Bushway expressing concerns about impacts on the West Street and Hilltop cemeteries in Plainfield, Massachusetts. Indicate if the Project would affect these cemeteries, including the distance between the pipeline and the cemetery boundaries, and discuss any necessary measures to avoid or minimize impacts.
79. Include a response to the May 25, 2015 letter from Mark Wolterbeek expressing concerns about impacts on the Rindge, New Hampshire Smallpox Cemetery. Indicate if the Project would affect the cemetery, including the distance between the pipeline and the cemetery boundaries, and discuss any necessary measures to avoid or minimize impacts.
80. Include a response to the July 28, 2015 letter from the town of Northfield, Massachusetts expressing concerns about impacts on the Swan and Sites homesteads within the Northfield Bush Mountain Conservation Area. Indicate if the Project would affect these sites, including the distance between the pipeline and the site boundaries, and discuss any necessary measures to avoid or minimize impacts.
81. Include a response to the July 28, 2015 letter from Susan Williams expressing concerns about impacts on the New Ipswich, New Hampshire Center Village Historic District. Indicate if the Project would affect the Historic District, including the distance between the pipeline/aboveground facilities and the District boundaries, and discuss any necessary measures to avoid or minimize impacts.
82. Include a response to the August 12, 2015 letter from the town of Deerfield, Massachusetts expressing concerns about impacts on the historic site of Old Deerfield. Indicate if the Project would affect this site, including the distance between the pipeline and the site boundaries, and discuss any necessary measures to avoid or minimize impacts.
83. Include a response to the August 13, 2015 letter from the town of Dalton, Massachusetts expressing concerns about impacts on the Upper Housatonic Valley National Heritage Area. Indicate if the Project would affect this area, including the distance between the pipeline and the area boundaries, and discuss any necessary measures to avoid or minimize impacts.
84. The following people stated that they reside in historic houses near the pipeline route: Lawrence DeVito of Mason, New Hampshire; Kathleen Rose of Merrimack, New Hampshire; Kaela Law of Pelham, New Hampshire; Lester Garvin of Ashfield, Massachusetts; Tina Hanson of Rindge, New Hampshire; Libby Reilly of Nassau, New York; Robert Borden of Fitzwilliam, New Hampshire; Elizabeth Tatro of Lanesborough, Massachusetts; Peter LeCount of Mason, New Hampshire; Barbara Markessinis of Hancock, Massachusetts; Holly Woodward of Fitzwilliam, New Hampshire; John Angleman of Ashfield, Massachusetts; and Peter Cottrell of Stephentown, New York. Indicate if the Project would affect those houses, including the distance from the edge of the construction work area to each building, and discuss any necessary measures to avoid or minimize impacts.

Resource Report 5 – Socioeconomics

85. General – Include all information listed in RR 5 or the Responses to Comments on Draft Resource Reports matrix as pending or “TBD” (or include a schedule for submittal), which includes, but is not necessarily limited to:
 - uu. section 5.8 (page 5-12) – Environmental Justice discussion for aboveground facilities. Include a

- table that includes a breakdown of minority and low-income populations near each facility;
- vv. section 5.8 (page 5-12) – Environmental Justice discussion for both pipeline and aboveground facilities at the municipal level; and
- ww. section 5.9.1 (table 5.9-1) – Include the estimated increase in property tax revenues and the estimated yearly escalation for Hampden County, Massachusetts.
86. Section 5.1.3 (page 5-4) – The text states that there would be a peak workforce of 5,247, that 50 percent of workers would be non-local, and that none of the non-local workers would bring families. Clarify how the estimated temporary population increase of 3,000 is calculated.
87. Section 5.4 (page 5-11) – Specify the contractor yards and “Park-N-Ride areas” that would be used for parking and discuss traffic management and mitigation measures at these areas. For the public Park-N-Ride areas, discuss their capacity and their ability to accommodate the extra vehicles and still provide parking to the public.
88. Section 5.9.1 (page 5-23) and Section 5.9.2.1 (page 5-25) – Clarify the local expenditures during construction.
- xx. page 5-23 lists the estimated expenditures by non-local workers on local goods and services as \$38,027,439 and also lists the estimate for locally purchased construction materials as \$38,027,439. Confirm whether these estimates are identical and the basis for the calculations.
- yy. page 5-25 lists the estimated expenditure by workers in the local communities as \$64,713,600 during construction. Clarify the difference between this estimate and the estimated expenditure of non-local workers of \$38,027,439 that is stated in section 5.9.1. Explain how each of these estimates is calculated.
89. Section 5.9.1 (table 5.9-1) – Clarify how the “Estimated Escalation” column is calculated.
90. Develop a traffic and transportation plan that provides an estimate of the anticipated number of vehicles, trips, travel routes, and timeframes for construction. Break the construction estimate down by activity (e.g., stringing, water hauling). Describe in detail the pipeline construction vehicle traffic and potential impacts, especially when road closures would be required and an explanation of why a reasonable detour could not be used. Include a section addressing safety and how access would be provided to residences, businesses, and schools during detours and road closures.
91. Provide documentation of consultation with the various affected agencies and commercial businesses within each county impacted by construction. Describe any recommendations by the various agencies and landowners in how to alert the public of construction and any requirements regarding minimizing impacts related to construction.
92. Estimate direct tax base benefits for each township/county along the pipeline route and for above-ground facilities.

Resource Report 6 – Geological Resources

93. General – Include all information listed in RR 6 as pending or “TBD” (or include a schedule for submittal), which includes, but is not necessarily limited to:
- zz. state mine database data for Massachusetts, New Hampshire, and Connecticut;
- aaa. the completed table, discussion, and additional requested information for oil and gas wells as specified in the Responses to Comments on Draft Resource Reports matrix;
- bbb. potential blasting areas by MP;
- ccc. Unanticipated Discovery Plan (with regards to paleontological resources); and
- ddd. soil liquefaction analysis for the proposed Project in Connecticut.
94. General – Include a geotechnical review of the high-resolution aerial photographs along the Project that are known or may contain hazards resulting from steep slopes, potential landslides, and potential

karst topography. The review should be conducted by a geotechnical engineer or certified geologist to provide the extent of the areas where hazards exist (or may exist) to Project construction and operation by MP. Identify mitigation measures to avoid and minimize potential impacts of the Project on these conditions as well as avoiding and minimizing the impacts of these conditions on Project construction and operation.

95. Section 6.3 (pages 6-37 through 6-39) – Include a table and discussion of oil and gas wells located within 0.25 mile of the pipelines, ATWS, aboveground facilities, and access roads by MP. Include the following information:
- eee. the total number of active, inactive (plugged), and proposed wells that would be within 0.25 mile of the Project;
 - fff. measures that would protect any well and/or oil/gas gathering pipelines that may be located within the working area and/or located proximal to the working area; and
 - ggg. measures that would be taken if any unknown and unmapped wells are encountered during construction.
96. Section 6.4.2.7 (pages 6-49 through 6-53) – Include the following information with regards to seismic risk:
- hhh. the specific standards that Tennessee Gas would design the pipeline to meet associated with seismic hazards;
 - iii. mitigation methods and pipeline design criteria that would be used to prevent damage to the pipeline and minimize hazards from the pipeline in the event of a significant seismic event; and
 - jjj. a table of past seismic events with a magnitude of 3.0 or greater that have occurred within 100 miles of the Project, including their magnitude, date, and distance from the proposed Project by state.
97. Table 6.4-3 (page 6b-95) – Identify any quaternary or Holocene faults crossed by the proposed Project and provide a class category for the listed faults. Identify if the faults are class A, B, C, or D within the U.S. Geological Survey fault data base, and include the age and when the most recent movement or displacement occurred for each.
98. Section 6.4.4.7 (page 6-60) – Include the following information with regards to karst terrain.
- kkk. specify if blasting would be conducted in areas of karst topography and provide a discussion of potential contamination due to blasting in karst terrain and mitigation measures;
 - lll. identify who would be responsible for identifying karst features and terrain during construction;
 - mmm. specify if contractors and Environmental Inspectors would be trained to identify karst features;
 - nnn. a discussion of the affects blasting may have on deeply fractured granite aquifers, such as those located near Merrimack and Hall, New Hampshire. Include a discussion of potential contamination of fractured granite bedrock aquifers; and
 - ooo. a discussion of groundwater contamination due to blasting and the compounds used in blasting. Include a discussion of mitigation measures that would be used.
99. Section 6.4.6.4 (page 6-71) – Due to the moderate seismic hazard in New Hampshire, confirm whether the soils crossed by the Project in New Hampshire are prone to soil liquefaction.

Resource Report 7 – Soils

100. General – Include all information listed in RR 7 as pending or “TBD” (or include a schedule for submittal), which includes, but is not necessarily limited to:
- ppp. total acres that would be affected by Project construction and operation including active agricultural land, fallow agricultural land/field, managed forest land, and open field/open land;

- qqq. data regarding stony/rocky soils crossed by the Project;
- rrr. the Spill Prevention, Control, and Countermeasure Plan and Stormwater Pollution Prevention Plan;
- sss. data on soils with a low revegetation potential that would be crossed by the Project; and
- ttt. vulnerable soils tables in the state-specific ECPs.

101. General – In addition to the detailed tables provided in RR 7, include summary tables that identify soil limitations that would be impacted by construction and operation of the Project. Provide a separate table for each type of Project component including pipeline facilities, aboveground facilities (including compressor stations, meter stations, and MLVs), access roads, ATWS, and contractor yards. Include both construction impacts and operational impacts in acres for all Project facilities. Provide impacts for the following: soil limitations, potential water erosion, potential wind erosion, stony rocky soils, shallow depth to bedrock, potential soil compaction, poor revegetation potential, poor drainage potential, and prime farmlands (including farmlands of statewide importance).

Example Summary Table.

Facility	Soil Limitation	
	Const	Operat
<u>Pipeline Facilities</u>		
Loop 317-3	Total acres	Total acres
Loop 319-3	Total acres	Total acres
Wright Pipeline	Total acres	Total acres
Pipeline Total	Pipeline Total Construction Impact	Pipeline Total Operational Impact

102. General – Include the following information in each of the state-specific ECPs:
- uuu. the mitigation measures that Tennessee Gas would use in soils that have a high stone and rock content;
 - vvv. the procedures and measures developed in coordination with the appropriate state and local agencies to prevent the introduction or spread of invasive species, noxious weeds, and soil pests resulting from construction and restoration activities;
 - www. the procedures and measures developed in coordination with or recommended by the appropriate state and local agencies with regard to erosion control and revegetation specifications; and
 - xxx. the procedures and measures developed in coordination with or recommended by the appropriate state and local agencies with regards to drain tiles, irrigation systems, and grazing deferment.
103. General – Include a detailed discussion on ground heaving and frost heaving and any potential hazards it might pose to the Project. Include areas along the proposed Project where ground heaving may be encountered, frost depths along the proposed pipeline route, and mitigation measures, or pipeline design elements that would be used in locations where ground heaving is a possibility. Include a discussion of ground heaving and frost heaving at aboveground facilities.
104. General – Include a discussion of stony/rocky soils and include this soil limitation along with shallow depth to bedrock in tables 7.1-1, 7.1-2, 7.1-3, 7.2-1, 7.3-1, and associated summary tables.
105. Section 7.3 (page 7-5) – Include a summary table of impacts to prime farmlands and farmlands of state wide importance. Include total acres that would be affected by Project construction and operation for active agricultural land, fallow agricultural land/field, managed forest land, and open field/open land.

Impacts on Prime Farmlands and Farmlands of Statewide Importance (in acres) etc

{example table omitted}

106. Section 7.4.1 (page 7-7) – Include a discussion of the mitigation measures and pipeline design that would be used in the Schoharie Valley, which is known to be commonly flooded, and the Ponemah Bog Sanctuary where burial of the pipeline could disrupt drainage, and acidic conditions could affect the pipeline.
107. Section 7.5.1 (page 7-11) and Appendix K (page K-72) – This section states that erosion control barriers would be installed immediately after soil disturbance while the state-specific ECP states that erosion control such as silt fence and hay bales would be installed following perimeter brush clearing. Clarify this apparent discrepancy.
108. Section 7.5.2 (page 7-12) – This section states that phase two of soil decompaction involves use of a paratill to loosen the soil profile to a depth of 20 to 22 inches after topsoil replacement. However, section 7.5.3 (page 7-13) states that the top 12 inches of soil would be segregated and kept from mixing with subsoil. Clarify that the actions in phase two of soil decompaction would not mix topsoil with subsoil.
109. Section 7.5.4 (page 7-14) – Specify what measures Tennessee Gas would use to mitigate impacts to agricultural land and prime farmlands and identify under what conditions they would be used.
110. Attachment 7B Table 7.3-1 (page 7b-284) – Include the following information:
- yyy. soil limitation ratings for all soil limitations including potential water erosion, potential wind erosion, stony rocky soils, shallow depth to bedrock, potential soil compaction, poor revegetation potential, poor drainage potential, and prime farmlands (including farmlands of statewide importance);
 - zzz. soil limitations ratings for all soils that would be affected by Project construction, not just agricultural and residential areas;
 - aaaa. classify soils as having a poor drainage potential if the drainage potential is listed as poor or worse;
 - bbbb. classify soils as having shallow depth to bedrock if bedrock is at a depth of 5 feet or less from the ground surface;
 - cccc. classify soils as being stony/rocky if 20 percent of the surface layer consists of rock fragments greater than 3 inches;
 - dddd. classify soils as having a poor revegetation potential if soils have a capability class of three or greater, have a low water capacity, or if slopes are greater than 8 percent; and
 - eeee. specify the criteria used to determine the potential of a soil to be eroded by wind and/or water.
111. Attachment 7B (Table 7.1-1) – Several soil series including but not limited to Holly Soils, Udifluvents, cobbly, and Medisaprists have a revegetation potential listed as N/A. Confirm whether or not the revegetation potential is not applicable for each of these soil series, and, if so, identify why the revegetation potential is not applicable.
112. Appendix K, State Specific ECPs (General) – Include the mitigation measures and construction techniques that would be used when construction would take place in vulnerable soils such as fragipans (e.g., table 5.6-3).

Resource Report 8 – Land Use, Recreation and Aesthetics

113. General – Include all information listed in RR 8 as pending or “TBD” (or include a schedule for submittal), which includes, but is not necessarily limited to:
- ffff. section 8.1.3 (page 8-10) – Include locations, lengths, and any proposed improvements of additional access roads;
 - gggg. section 8.1.4 (page 8-10) – Update contractor yard information once landowner permissions are obtained;

- hhhh. section 8.1.6.2 (page 8-22 and table 8.1-8) – Include updated information on agricultural drain tile locations;
- iiii. section 8.2.1 (page 8-33 et seq.) – Include updated correspondence with planning agencies, along with information regarding locations of planned development and mitigation measures;
- jjjj. section 8.2.2 and Appendix P (page 8-40 et seq.) – Include results of field verifications of building locations and include all site-specific residential construction plans for residences within 50 feet of the construction work area;
- kkkk. section 8.3 (page 8-47) – Include updated information regarding the location, distance crossed, and affected acreage on all public and recreational lands and special land uses;
- llll. section 8.3.1 and Section 8.3.2 (page 8-48 et seq.) – Include further correspondence with agency staff regarding public conservation lands and natural, recreational, or scenic areas. Add details regarding existing resources, impacts, and mitigation measures;
- mmmm. section 8.3.2.1.2 (page 8-88) – Describe methods that would be used to avoid or minimize impacts on the Connecticut River Byway based on consultation with the Massachusetts Department of Transportation;
- nnnn. section 8.3.2.1.3 (page 8-88) – Identify the proposed crossing methods for the Westfield River and assess the land use impacts of this crossing;
- oooo. section 8.3.2.2.1 (page 8-89) – Include additional methods that would be used to avoid or minimize impacts on the Viaduct Valley Way based on consultation with the Pennsylvania Department of Transportation;
- pppp. section 8.3.2.2.2 (page 8-89) – Include results of consultation with the New York State Department of Transportation and assess impacts as appropriate;
- qqqq. section 8.3.3 (page 8-91 et seq.) – Include further correspondence with agency staff. Add details regarding existing resources, impacts, and mitigation measures based on communications with staff and any other sources;
- rrrr. section 8.3.4.1.2 (page 8-101) – Document whether the Project would affect the West Street Cemetery in Plainfield and identify mitigation if applicable;
- ssss. section 8.3.4.1.3 (page 8-102) – Specify how impacts on the Rindge Smallpox Cemetery would be avoided;
- tttt. section 8.3.4.2.4 (page 8-104) – Specify how impacts on Birches Academy Charter School would be avoided or minimized;
- uuuu. section 8.3.4.3 (page 8-104 to 8-106) – Update discussion with the results of surveys, correspondence, and discussions with state agencies and landowners related to specialty crop, organic, and tree farms. Complete table 8.3-7. Specify how Tennessee Gas would avoid or minimize impacts;
- vvvv. section 8.3.6 (page 8-106) – Include updated information regarding hazardous wastes obtained from online sources and agencies;
- wwww. section 8.4.2.2 (page 8-116) – Include a site-specific analysis of impacts from construction and operation of the meter stations, including the dimensions of new meter stations and their sites;
- xxxx. section 8.5 (page 8-117) – Include results of consultations with applicable federal and state agencies;
- yyyy. attachment 8b (Table 8.1-6) – Add information to the “Modification Required” column. Also identify the widths of new roads;
- zzzz. attachment 8b (Table 8.2-2) – Add information to the Line List/Tract and Number Building

Type columns;

- aaaaa. attachment 8b (Table 8.3-8) – Provide conclusions for those sites still under evaluation. For those sites where impacts are proposed to be unlikely, explain why they are unlikely and what measures would be implemented should impacts occur; and
- bbbbb. appendix F – Include the updated aerial imagery as noted on the alignment sheets and identify the source of the updated information.
114. Section 8.3.1.1.2 (page 8-54) – Confirm that the Appalachian Trail would be crossed using the bore method or describe how impacts would be mitigated should the open cut method be required.
115. Section 8.3.1.1 (page 8-64 and 8-72) – Specify crossing methods for both the Wapack Trail and trails within the Wind Blown Cross Country Ski Area in New Hampshire. Discuss impacts to recreation including whether or not trails would be able to remain open and include methods that would be used to mitigate these impacts.
116. Section 8.3.2.1.4 (page 8-89) – Identify any Land and Water Conservation Fund properties that would be crossed by the pipeline and describe the impacts and appropriate mitigation based on consultation with the appropriate agencies.
117. Section 8.3.3 (page 8-91) – In addition to the lands enrolled in Federal and State conservation land programs, specify the locations and acreages of all deeded conservation easements that would be crossed by the Project, and describe restrictions in the easements and whether or not the Project will comply with the easements. Discuss how effects would be mitigated if conditions in the easements cannot be met.
118. Section 8.3.5 (page 8-106) – Identify all facilities within the New York coastal zone management area.
119. Section 8.4.1 (page 8-109) – Provide the length of the pipeline route through each of the visually sensitive areas listed in section 8.4.1.1 through 8.4.1.16 and list the acreages affected by duration (e.g., temporary, long term, permanent).
120. Section 8.4.1.13 (page 8-113) – Discuss how visual resource impacts would be minimized at water-body crossing, especially scenic waterbodies such as the Deerfield River whether an HDD is successful or not at this location.
121. Section 8.4.2.1 (page 8-114) – Provide a description of the dimensions of the proposed compressor stations and the sites on which they would be located. Describe the visual characteristics and topography of the surrounding area for each site. State whether each compressor station would be visible from public vantage points or from residences and what the impacts would be from locating the compressor station in this area. Describe whether existing terrain or vegetation would screen views. Describe whether additional mitigation measures would be used to reduce the visual impacts by compressor station.
122. Section 8.4.2.1.4 (page 8-114) – Discuss why the Supply Path Tail Station would result in a change in visual quality. Describe how restoration would successfully mitigate this impact.
123. Section 8.4.2.1.5 (page 8-115) – Correct the number “1,550400,” which appears to be a typo.

Resource Report 9 – Air and Noise Quality

124. Section 9.1 (page 9.3) – Indicate the horsepower for each proposed compressor turbines, and identify at each new and modified compressor station (manufacturer, model, etc). In addition, identify all other air-emission producing equipment at the compressor stations.
125. Section 9.1 (page 9.3) – Indicate whether any compressor station is within 62 miles of a federal Class I area, and if so, discuss potential impacts and mitigation.
126. Section 9.1.2.4 (page 9-18) – Include detailed descriptions of any state or local greenhouse gas emission reduction regulations or initiatives, and how the Project would impact compliance with

them.

127. Section 9.1.2.5 (pages 9-19 to 9-23) – Include a summary of air quality regulations pertaining to construction of the pipeline for all states, or verify that no related provisions would apply to Project construction. For Massachusetts, New Hampshire, and Connecticut that have maintenance areas in the Project area, include a discussion of provisions that would be applicable within the maintenance area, or verify that no related provisions would apply to the Project.
128. Section 9.1.3.2 (page 9-25) – Provide the emission rate of criteria pollutants (NO_x, CO, SO₂, PM₁₀, PM_{2.5}, VOC), greenhouse gases (GHG), and speciated hazardous air pollutants from all the equipment at the proposed compressor stations (engines, turbines, dehydrators, generators, boilers, tanks, fugitive methane emissions, etc.) expressed in tons per year for maximum operating conditions. Include supporting calculations, emission factors, fuel consumption rates, and annual hours of operation.
129. Section 9.1.3.2 (page 9-25) – For each compressor station, estimate the number of yearly releases, the amount of volatile organic compounds (VOC) and GHG released per blowdown in tons per year, indicate whether the blowdown would be installed with a silencer and estimate the noise impact at the nearest noise sensitive areas (NSA).
130. Section 9.1.3.2 (page 9-25) – Provide an air quality screening (AERSCREEN) analysis of each compressor station demonstrating that emissions of criteria pollutants do not result in exceedance of the National Ambient Air Quality Standards (NAAQS), SILs or state standards. Include all input parameters (emission rate, stack height, stack temp, exit velocity, etc.) and justify bases for any assumptions. For any facility requiring refined modeling for an air permit using refined modeling (AERMOD or EPA-approved alternative), provide the impacts for all criteria pollutants (regardless of state permit requirements), modeling protocol, a narrative describing and justifying the modeling basis all inputs (MET data, terrain data), and all input and output files.
131. Respond to public comments regarding local human health impacts from HAPs and air toxic emissions from the planned compressor stations.
132. Section 9.1.3.2 (page 9-25) – Discuss whether odor from the compressor turbines would be detectable beyond the compressor station site and what methods Tennessee Gas would implement to prevent odor.
133. Section 9.1.3.3 (page 9-25 to 9-29) – As the construction emissions are very close to the General Conformity Thresholds for specific nonattainment areas, provide a Plan that would ensure emissions would not exceed the applicability threshold. This plan may include issues such as ensuring only newer equipment is used, tracking hours, tracking fuel use, etc.
134. Section 9.1.4.1 (pages 9-30 and 9-31) – Include specific details on:
 - cccc. how Tennessee Gas would ensure that contractors and employees minimize vehicle and equipment idling time;
 - dddd. what maximum speeds would be on unpaved roads; and
 - eeee. how Tennessee Gas would determine when application of water is warranted to control dust in active construction zones.
135. Section 9.1.4.2 (page 9-30) – Include a discussion on the potential to generate crystalline silica as fugitive dust from granite excavation and how Tennessee Gas would monitor and control such dust.
136. Section 9.2.1.2 (pages 9-32 to 9-35) – Identify the local and state nuisance-based noise ordinances and vibration ordinances for all areas in which a pipeline or compressor station would be located, and indicate how Tennessee Gas would address each one during both construction and operations.
137. Section 9.2.2 (pages 9-36 to 9-50) – Ensure that the acoustical analysis for the compressor stations includes:

fffff. step-by-step supporting calculations or identification of the computer program used to model the noise levels, the input and raw output data, far-field sound level data for maximum facility operation, the source of the data, and all assumptions in running the model; and

ggggg. sound pressure levels all noise generating equipment, and for un-muffled engine inlets and exhausts, engine casings, and cooling equipment, dynamic insertion loss for all mufflers, sound transmission loss for all compressor station building components (including walls, roof, doors, windows and ventilation openings), sound attenuation from the station to the nearest NSA, the manufacturer's name, the model number, the performance rating, and a description of each noise source and noise control component.

hhhhh. Topographic maps identifying the location of the NSAs in relation to the compressor station.

138. Section 9.2.2 (pages 9-36 to 9-50) – Include a discussion on what measures Tennessee Gas would implement to ensure that vibration impacts would not result in a perceptible increase in vibration.
139. Section 9.2.2.2.1 (page 9-35) – For the noise survey conducted on December 8 and 9, 2014 at the NSAs near Station 319, provide time of day, weather conditions, wind speed and direction, and other noise sources. Provide copies of the original contractor noise survey reports.
140. Section 9.2.5 (page 80) – Identify whether HDD activities would occur on a 24-hour basis, and the approximate time required for each drill (days/weeks).
141. Section 9.2.5 (page 9-80) – Include specific details on what measures Tennessee Gas would implement to mitigate HDD noise. State that effort would be made to mitigate noise prior to offering relocation.
142. Section 9.2.5 (page 9-80) – Include a section on blasting noise.
143. Section 9.2.6 (page 9-82) – Include a description of the frequency of anticipated blowdown events by type of blowdown (maintenance, capped, full-station, etc) as well as the likelihood of an unscheduled pipeline blowdown event. This discussion should include the cause and frequency of a blowdown event, associated noise and emissions, and the approximate time it would take to evacuate gas from the pipeline.
144. Section 9.3 (page 9-82) – Provide a discussion on climate change.

Resource Report 10 – Alternatives

145. General – Include all information listed in RR 10 (or in the Responses to Comments on Draft Resource Reports matrix) listed as pending, “will be addressed in the final ER,” or “TBD” (or include a schedule for submittal), which includes, but is not necessarily limited to:
- iiiiii. additional data categories in all alternatives comparison tables for miles or feet of expected side-slope construction (including data for both moderate and severe side slope), shallow bedrock, karst geology, landslides, numbers of landowners affected, residences located within 125 and 250 feet of any proposed work area, miles/acres of interior forest, streams with drinking water use designation, important bird areas, and Audubon forest blocks of importance;
 - jjjjj. a list of the “other shippers” mentioned in Section 10.1;
 - kkkkk. a detailed comparative analyses specifically assessing viable alternative crossing locations (i.e., viable for the proposed route) for the Appalachian Trail to minimize visual, usage interruption, and other potential impacts. Discuss and document coordination with the National Park Service and other relevant stakeholders regarding the proposed Trail crossing and alternatives;
 - lllll. a discussion regarding the feasibility of using waste heat electric generation (cogeneration) for the proposed turbines at the proposed compressor stations. Provide the rate of electricity potentially generated on a kilowatt/month basis and compare this with the amount of electricity used by the compressor station(s) per month. Describe the average load factor of the facility and any impediments that would prevent the operation of the compressor station continuously

at 60 percent minimum load. Compare the size of the electric transmission line necessary under the current proposal with what would be required under a cogeneration system with return to the electric grid;

mmmmm. a discussion of the feasibility of using electric-motor-driven compressors at the proposed new compressor stations. Provide the rate of electricity required and the number of electric motors required. Compare the size of the electric transmission line necessary under the current proposal with what would be required for the electric motors. Demonstrate why this is not feasible in areas where the planned compressor stations would be along an electric transmission powerline;

nnnnn. a comparative alternatives analysis for all of the other (non-compressor station) permanent, aboveground facilities such as meter stations and MLVs where appropriate, such as where there could be visual or noise impacts to sensitive receptors; and

ooooo. additional analyses for the Existing Line 200 Alternative combined with the New York Alternative as well as the Massachusetts Turnpike Alternative combined with the New York Alternative. Indicate the number of miles of looping, and additional compression that would be required to handle the current 1.3 bcf proposed.

2. Include a description of cumulative and/or overlapping impacts these projects and the planned NED Project would have on each environmental resource. Also include descriptions of the measures that would be implemented to minimize these impacts. Lastly, include a map showing the identified projects in relation to the planned NED Project. In addition, this cumulative discussion should include any available information on regional predictive climate change effects and the resultant cumulative impact on resources and on the planned NED Project.

146. Section 10.2 (page 10-9) – As requested in our February 27, 2015 EIR, provide a table of all of the pipeline systems reviewed in Section 10.2, including both existing (such as Tennessee 200 and 300, Millennium, Transco Leidy, Iroquois, Algonquin, M&NP/PNGTS Joint, Granite State, and M&NP) and proposed systems. Consider whether pipeline segments or facilities from different system alternatives could be combined into viable hybrid system alternatives.

147. Section 10.2 (page 10-10) – As requested in our May 15, 2015 EIR, include an evaluation of the facilities, equipment, and processes that would be required to transport a Project-equivalent volume of natural gas from the supply area to the destination locations via the alternative mode of railway. Provide this analysis, as well as the similar analysis completed for truck delivery included only in the Response to Comments matrix, within RR 10 as well.

148. Section 10.2.2 (page 10-14) – Tennessee Gas states that the Constitution Pipeline Project currently has shippers that have subscribed for 650,000 dekatherms per day (Dth/d). Tennessee Gas states that it anticipates that this transportation capacity may be increased to an additional 650,000 Dth/d, resulting in an estimated maximum transportation capacity of 1,300,000 Dth/d. However, the Constitution Pipeline Project Final EIS, states that the estimated maximum transportation capacity would be 850,000 Dth/d based on information provided by Constitution. Revise the associated discussion based on this data for maximum transportation capacity for the Constitution Pipeline Project.

149. Section 10.3 (page 10-18) – Evaluate and provide updated, comprehensive analyses of any reasonable system, major route, or minor route alternatives that was suggested by the public or agencies, as well as the feasibility of those alternatives. List and describe the rationale for any of these alternatives that were determined to be unreasonable and dismissed without evaluation.

150. Section 10.3 (page 10-18) – As requested in our February 27, 2015 EIR, evaluate the constructability of the proposed NED route where it would be co-located with existing pipelines in steep terrain and where the most suitable location for construction may already be encumbered, thereby potentially precluding co-location. Identify any such specific areas where co-location would not be possible. Further, identify and describe any other potential constraints associated with co-location with other

pipelines or electrical transmission lines including side slopes, urbanized areas, or other factors. Where the Project would be co-located, overlapping, and/or abutting with existing rights-of-way, indicate where (and for what distance) deviations away from the individual existing rights-of-way would be required due to the avoidance of constraints. As applicable, discuss how the avoidance of constraints could affect the reported co-location data.

151. Section 10.3.1.1 (page 10-20) – In May 2015, Constitution filed numerous proposed modifications to its routes with its implementation plan. Clarify whether NED has incorporated, is incorporating, or is researching these proposed modifications regarding its proposed route and identify any associated environmental, engineering, landowner, or other constraints that may be associated with NED’s general co-location with the Constitution Pipeline project.
152. Section 10.3.1.1.4 (page 10-28) – As requested in our February 27, 2015 EIR. where the proposed route deviates significantly away (at least 0.5 mile) from the original Northeast Exchange Alternative for at least 1 mile, provide detailed mapping as well as a tabular analysis and comparison of the two routes with particular emphasis regarding the avoidance of potential constraints associated with co-location with the Constitution Pipeline.
153. Section 10.3.2 (page 10-32) – As requested in our February 27, 2015 EIR, update RR 10 to include at least one alternative for each segment of the proposed Project, such as the Peabody Lateral as well as the Concord Delivery Line and Maritimes Delivery Line (outside of alternatives presented within and as part of the Wheeler Road alternatives as appropriate).
154. Section 10.3.1.10 (page 10-52) – As requested in our February 27, 2015 and May 15, 2015 EIRs, provide comparison tables that include the number of subject properties crossed as well as the total crossing length(s) for the Article 97 Avoidance and Co-location Route Alternatives, list and describe the subject properties in RR 10, and depict the subject locations in mapping as well. Clarify why in figure 10.3-12 (and in the text in section 10.3.1.10) these two alternatives do not appear to be connected to the proposed route at their western terminus instead of potentially connecting with the proposed route near MP 13. Describe the pending potential impact avoidance (such as HDD), minimization, and mitigation measures that could be used to address impacts to Article 97 properties. Report and document the status of Tennessee’s ongoing consultations with the Massachusetts agencies regarding possible mitigation.
155. Section 10.3.3 (page 10-57) – Provide updated, comprehensive tables 10.3-14 and 10.3-15 containing all stakeholder-, landowner-, and agency-requested minor route deviations. In addition, address any stakeholder comments where a minor route deviation may not be specifically requested, but where a specific resource concern (e.g., Project proximity to a home, well, spring, wetland, future residential development, etc.) is identified that would potentially benefit from a resource avoidance/impact minimization analysis by Tennessee Gas. Clarify why the two above-referenced tables contain a total of 77 assessments, but Tennessee Gas reported that they had examined over 100 minor route deviations. Evaluate and consider routing, workspace, and construction method alternatives as appropriate. Confirm that the analyses were based on direct stakeholder discussions and on-site evaluations, if the landowner was willing, and on available desktop imagery and data if landowner access was denied. Provide additional data columns for individual tract/parcel number (i.e., matching LL numbers from the list of affected landowners) and also indicating whether the stakeholder’s specific concerns have been fully resolved. If the requested reroute was rejected or if the stakeholder’s concerns have not been fully resolved, then provide a clear and complete explanation. Clarify the statement “not adopted due to co-location with powerline.” Update the status for all deviations listed as “pending” in the July 24, 2015 filing. Confirm that Tennessee Gas will provide regular updates of this table as appropriate throughout the course of the project.
156. Section 10.3.2.4 (page 10-61) – Provide the purpose and context for the Amherst, New Hampshire alternative routes. Indicate whether Tennessee Gas has finalized its pending decision regarding the

possible adoption of Amherst alternative route 1 and provide the rationale for the decision.

157. Section 10.3.2.5 (page 10-66) – Provide data comparison tables for all alternatives discussed, such as for the Wheeler Road alternatives.
158. Section 10.3.3.2 (page 10-67) – As requested in our February 27, 2015 EIR, provide documentation of consultation with Massachusetts agencies to identify and evaluate agency requested minor route deviations for Areas of Critical Environmental Concern (ACEC) and provide alternatives comparison tables. List and describe (including locations by MP and crossing lengths) the ACECs in RR 10, and depict them in mapping as well.
159. Section 10.4 (page 10-76) – The Constitution Pipeline Project has not yet begun construction. Evaluate the feasibility of a single pipeline alternative combining the NED project with the Constitution Pipeline project for the Supply Path Component, including under a theoretical scenario where initiation of construction of the Constitution Pipeline could be delayed until the fourth quarter of 2016 or the first quarter of 2017.
160. Section 10.7 (page 10-83) – Provide a detailed description, mapping, and comparative tabular analysis of at least one fully viable alternative for each compressor station site. Viability status would include at a minimum a potentially willing seller, the fulfillment of basic site requirements such as size, shape, topography, and existing use, road/utility access, and a minimal distance to the proposed route. Potential alternative sites summarily dismissed due to a lack of survey permission, inadequate size, and the lack of an existing agreement between the landowner and Tennessee Gas regarding the proposed site, for example, are not sufficient to avoid a robust alternatives analysis. Provide an alternatives environmental data comparison table for each viable potential site that includes at a minimum: parcel size, areal extent of construction, areal extent of operation, land use setting, zoning, prime farmland, protected species, cultural resources, wetlands, waterbodies, floodplains, noise sensitive areas (number, distance, and location/orientation), visibility, and any local air quality concerns.

Resource Report 11 – Reliability and Safety

161. General – Include all information listed in RR 11 (or in the Responses to Comments on Draft Resource Reports matrix) listed as pending, “will be addressed in the final ER,” or “TBD” (or include a schedule for submittal), which includes, but is not necessarily limited to the pending data regarding the location of high consequence areas.
162. Section 11.2.2 (page 11-6) – Clarify whether the natural gas in the Supply Path pipeline segment from Pennsylvania to the Supply Path Tail Station would be odorized and if not, describe why. Confirm whether or not the only other Project pipeline components that would not be odorized would be the Loop 317-3 and Loop 319-3.
163. Provide additional information on Tennessee Gas’s plans to train 1st responders and fire personnel regarding pipeline or aboveground facility incidents.
164. Indicate if Tennessee Gas would voluntarily build the pipeline to more stringent US DOT Class locations in Class I and Class II areas and/or reduce the distance between mainline valve locations.
165. Indicate the sensitivity of the leak detection equipment that would be installed for the pipeline system.
166. Indicate the feasibility of recapturing gas from unit blowdowns/blowoffs.

{end of 20151008-3049}

20151008-5005

John Leoutsacos, Temple, NH.
Laconia Citizen
Ginger Kozlowski
To the Editor

I'm writing to alert Laconia and the Lakes Region citizens about serious issues concerning the proposed Kinder Morgan / TGP / NED pipeline, slated to devastate 71 PLUS miles of southern New Hampshire. You may wonder why this matters to northern New Hampshire.

First, if approved Kinder Morgan will use the power of eminent domain to seize privately owned land for huge corporate profit! This abuse tramples traditional New Hampshire values, and is a corrupt use of federal power.

Secondly, the environmental destruction and hazards posed by pollution, fire and explosions will have catastrophic effects on an area heavily dependent upon tourism just as the lakes region.

To save New Hampshire we all need to stand strong and repel this invasion

Please call or write your elected officials and tell them to oppose the NED pipeline

20151008-5007

Rosemary L Wessel, Cummington, MA.

In my filing earlier today "Submission ID 610665", I had not previously noticed the date of the KM document filed with the recent New Hampshire Fish and Game docket filing. This was indeed during the time that the pipeline was sized at 36". Although the multiple local alternate routes currently being brought to various towns is still disconcerting, the concern over the different pipe diameter quoted in this document was indeed misplaced. Please disregard that portion of my posted comment.

20151008-5011

Evelyn Taylo, New Ipswich, NH.

The recent route change of NED through AMherst and Merrimack, NH shows total disregard for public safety. It passes through large businesses where thousands of people work, travel and shop every day. The disruption this proposal will bring is unimaginable. The choice demonstrate total disregard for proper analysis, conversation and transparency. This rush to enact this pipeline demonstrates Kinder Morgan/TGP are in a state of chaos. How can we trust a company in chaos to properly build, maintain and operate an enormous compressed gas pipeline in a responsible and safe manner? THis insanity must end. The FERC must order NO BUILD.

20151008-5012

Karen Ansaldi, Granby, CT.

This proposal, to put a natural gas pipeline on protected watershed property controlled by the MDC (Metropolitan District Commission) must NOT be allowed! This land is sacred - it ensures clean drinking water to much of Connecticut and that must never be endangered....it protects the health and safety of our citizens. CT has been vigilant in the past century about protecting our water supply and, as a result, we have very high quality drinking water. This absolutely must be preserved.

The thought of running a gas pipeline through this land is untenable. We would endanger the health of millions of CT residents simply so Tennessee Gas and Kinder Morgan can increase their profits.

Please STOP this project. DO NOT ALLOW a gas pipeline across MDC land.

20151008-5014

George W Doonan, Peterborough, NH.

Federal Energy Regulatory Commission

I would like to register my opposition to the proposed Kinder-Morgan pipeline being located in Southern New Hampshire.

I am opposed to the location of the pipeline for all the reasons already publicized i.e. safety, health concerns, and the fact that it does not serve New Hampshire in any way and was only chosen as an alternative site

after strong opposition from Massachusetts.

On a more personal level, I am opposed because the pipeline would cross a parcel of conservation land in Mason, New Hampshire known as the Doonan Conservation land donated by relatives. The land was owned by an uncle, William H. Doonan, a lifelong conservationist. As children he would invite us to join him each year as he planted thousands of tree saplings on the many parcels of land that he owned and cared and instilled in us a sense of responsibility for caring for the future of our forests.

William H. Doonan was a lifelong resident of New Hampshire, a former New Hampshire Legislator, and a well respected business and civic minded member of the Monadnock region. I am sure he would strongly oppose to the destruction and long lasting negative impact this project would have on New Hampshire.

Regards,

George Doonan

20151008-5018

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

NED was diverted from Massachusetts into New Hampshire due to public opposition even though MA is a significant user of gas. NH hardly uses any gas, 4% of all New England, while Massachusetts uses 61% and if the pipe was deemed no good for MA then why should it suddenly be good for NH?

Thank you

Paul Stevens

20151008-5020

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

It might interest you to know that the proposed Tennessee Gas / Kinder Morgan, New England Energy Direct (NED) pipe may not be so good for New Hampshire after all and here's why.

It was never intended for New Hampshire. It was intended for Massachusetts, but due to opposition, KM moved it north. So if it was not good for Massachusetts, why should it be good for New Hampshire?

We were told it will bring jobs. True, a pipeline will bring jobs to the region, but KM's claim of 3,000 jobs is a bit exaggerated. It's 3,000 jobs during peak construction, approx. 18-24 months, after that - five jobs.

However, a good portion of them will go to specialized workers, like pipeline welding crews from Oklahoma. Alternatively, dollar for dollar, jobs in efficiency and clean energy could provide 36,000 jobs for the same investment. LIUNA union workers are trained for clean energy and weatherization jobs as well. Some have stated they would rather work in these fields if more of them were available.

We were told the gas is for New Hampshire, but if that were true, why was the pipe planned for Massachusetts? KM states that they have 0.5 Bcf/day in contracts, but the pipeline capacity is 2.2 Bcf/day, leaving 1.7 Bcf/day extra. So where is all that extra going? They do NOT deny that they will take export contracts and new export terminals are coming online in Canada. Yet Kinder Morgan continues to deny the gas is intended for export. Furthermore, the only stated contracts in New Hampshire are with Liberty, a KM subsidiary

and even those contracts re in dispute. So is it right for KM to use eminent domain to take New Hampshire residents' land away (when most New Hampshire residents do not use gas) just so one company can sell that gas to foreign powers?

We are told that the pipe will lower domestic gas prices. However, the European market pays 2-4 times as much as US customers, and the Asian market pays 3-5 times as much. This can only drive up domestic prices.

We are told that new pipelines and gas-fired electricity plants are needed to replace the 8,300 MW of electric generation capacity that is being retired in the next few years. Ending the reign of nuclear, coal, and oil plants is a positive step, but replacing them with natural gas perpetuates dependency on fossil fuels and only gets in the way of renewables. Also, not all of the capacity retiring needs to be replaced with power plants. The cost of utility-scale solar has dropped 78% in the past five years, and renewables are now becoming economically competitive with gas.

Thank you

Paul Stevens

20151008-5024

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

Most people would agree that war-mongering and war profiteering are bad things. Well, that's just what Kinder-Morgan wants to do. They claim the gas from NED is for New England, but such enormous capacity is only useful here a few days a year. So where is the bulk of it going?

David Goldwyn* of the Brookings Institution told the US Senate in March 2014, "This bounty (referring to the Marcellus fracked oil and gas fields) could enhance our national power by positioning our nation as a reliable supplier of natural gas to regions of the world that suffer from intimidation from their suppliers. The question before us is not whether we have this geopolitical potential, but whether we will realize it in time to help our friends and allies." Of course Goldwyn is talking about Putin riding roughshod over the Ukraine, and how leaders of Western Europe have done little to stop him because they are worried Putin will turn off the gas and oil. But think about it, we are not helping Europe by selling them more expensive gas. Rather, if they get an alternate source of gas, they may be emboldened to take a stand against Putin. And if Putin's ratings slip he may be tempted to take a few pot shots. And then we'll have to come to NATO's aid. And if you thought chasing terrorists around in the desert for years was expensive, wait until we start losing a few stealth bombers. Remember Malaysian Airlines flight 17? And don't forget that the New York Times reported on Sept. 6 2014, that the Brookings Institution receives millions in foreign funding so Goldwyn may not have American interests at heart.

Please don't let Kinder-Morgan (or anyone else) become an American war enabler. Please say no to NED.

Naturally, since the bulk of the gas is going overseas, there is little benefit to the people of New Hampshire, therefore, taking property by eminent domain is not justified. There is no greater good, only personal enrichment for gas companies and Kinder-Morgan.

*Quoted from Fortune Magazine, June 16, 2014

Thank you

Paul Stevens

20151008-5025

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

Outgoing presidents like to leave a legacy for the history books. Help Mr. Obama do something more than simply being the first black president. After all, that was not really his achievement, it was the voters'. Give him something we can be proud of, give him a swath of New England free of petro chemical development. Stop NED.

Thank you

Paul Stevens

20151008-5026

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

We must conserve the precious gas and oil of Pennsylvania for future generations of Americans. Conservation now will make the transition from fossil to renewable more orderly and predictable. We should keep this resource for our children rather than sell it to foreigners for a fast buck. Don't facilitate this foolishness. Look to the future and stop NED.

Thank you

Paul Stevens

20151008-5028

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

We must conserve the precious gas and oil of Pennsylvania for future generations of Americans. Conservation now will make the transition from fossil to renewable more orderly and predictable. We should keep this resource for our children rather than sell it to foreigners for a fast buck. Don't facilitate this foolishness. Look to the future and stop NED.

Thank you

Paul Stevens

20151008-5031

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

The vast majority of the people living along the pipe route have rejected the pipe. It is morally wrong to forcibly take their land and ruin the landscape just so that a few people can get richer selling gas overseas. New Hampshire does not need or want this gas, not at this price.

Thank you

Paul Stevens

20151008-5047

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

New Hampshire exports almost half of the electricity it generates. So obviously there is no need for more natural gas to generate electricity in New Hampshire. Most people will agree that we need to wean ourselves off of fossil fuels. Why don't we start weaning right here, right now. Stop NED.

Thank you

Paul Stevens

20151008-5051

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

We need to get away from fossil fuels, not add more. All that extra volume will enable war in Europe. The Pope has already called the conflict in Ukraine the seeds of WW III. Another company, Portland, has offered to use their existing capacity to feed New Hampshire's future growth needs over another route. If KM gets this pipe, their market share will grow past 25% and edge them towards monopoly, de-stabilizing the industry, allowing KM to fix prices.

Thank you

Paul Stevens

20151008-5053

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

Please note that Distrigas has contracts that provide enough LNG to cover seasonal peaks in New England with no additional costs for new infrastructure. Also, the TGP/CT Extension pipeline and the AIM (Alconquin) pipeline are less costly, already approved, and will boost New England's supply by 10% and they are due in service by 2016, long before NED in 2018.

Thank you

Paul Stevens

20151008-5055

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

The real stuff, about safety and the taking of people's land by government is irrelevant to the Feds. The fact that there is a pipe accident almost once a week means nothing to them because pipes are presumed safe. The fact that compressor stations spew various toxins and waste gas routinely means nothing to FERC because the levels are all regulated. Just try to tell that to the hapless souls who are stuck living next to these 40,000 horsepower, jet-powered pumps. Many families will be down wind and close enough to hear this compressor station running 24/7. A group of cloistered Catholic Nuns will be right in the path of this monster. Pray for them.

Thank you

Paul Stevens

20151008-5056

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

You've been telling people that NED will lower gas prices. But do you really want to be blamed when prices go up due to NED?

NED's designated customers overseas already pay 2 to 4 times what we pay. Of course that means our prices will go up as we compete for exported gas. Save face, stop NED.

Thank you

Paul Stevens

20151008-5057

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

In the news lately, Putin has been shaking his fist at the fact that US heavy military equipment is being deployed to eastern bases in NATO. He says he will counter this by positioning more hardware along his western borders. Really, the guy is paranoid enough, so why is Obama baiting him like this? Does our Nobel Peace Prize winner WANT a THIRD shooting war, this time in Europe? And if so, over what? The 1% of the Donetsk population that wants to stay under rule from Kiev?

The more gesturing and fist pounding these idiot European leaders do, the more desperately they are going to want gas from Pennsylvania through Southern New Hampshire. Keep the peace, stop the exports, stop NED.

Thank you

Paul Stevens

20151008-5058

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

In December 2014, Kinder Morgan chose to relocate a significant portion of the proposed 36-inch, 1460 PSI natural gas pipeline segment running from Hancock Township Massachusetts to Dracut Massachusetts out of Massachusetts and north into New Hampshire. They did this due to political pressure from the Massachusetts Governor and the Massachusetts Congressional Delegation. Consequently, the Boards of Selectmen of most towns along this new route established Task Force groups to determine the impact and need for this project. None of those groups have been able to demonstrate any significant benefit to the citizens of these towns that outweigh the detriments.

In addition, these groups generally feel that significantly extending this pipe out of Massachusetts and back into Massachusetts is gratuitous, and the taking of land for this purpose is unconstitutional especially when you consider how little of the gas (4%) will be consumed in New Hampshire, and indeed, how the majority will be exported to foreign nationals.

Thank you

Paul Stevens

20151008-5059

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

We are told it NED will bring jobs. Northeast Energy Direct will bring some temporary jobs to the region, but Kinder Morgan's claim of 3,000 is exaggerated. Maximum jobs will be during peak construction, approx. 18-24 months. However, a good portion of them will go to specialized workers, like pipeline welding crews from Oklahoma. There will be one or two permanent jobs.

We were told the gas is for New Hampshire, but if that were true, why was the pipe originally planned for Massachusetts? KM states that they have 0.5 Bcf/day in contracts (which is questionable), but the pipeline capacity is 2.2 Bcf/day, leaving 1.7 Bcf/day extra. So where is all that extra going? They do NOT deny that they will take export contracts and new export terminals are coming online in Canada. Furthermore, the only stated contracts in New Hampshire are with Liberty, a KM subsidiary. So is it right for KM to use eminent domain to take New Hampshire residents' land away (when most New Hampshire residents do not use gas) just so one company can sell that gas to foreign powers?

We are told that it is a good idea that the pipeline should leave Massachusetts, enter New Hampshire for 70 miles then return to Massachusetts when New Hampshire uses 4% of gas in New England and Massachusetts uses 61%.

We are told this is a "brownfield" development. Kinder Morgan claims the pipe is "co-located" or "under" existing power lines. In reality, a 100 foot swath of forest, 70 miles long will be clear cut alongside the power lines' right of way, doubling the width of the existing scar. Contrary to popular belief, many families live year-round along this route and their wells will be adversely affected by all that blasting though the "Granite State". The power lines will provide a convenient ignition source for any leaks in the 36" dia, 1460 PSI pipe.

We are told that the pipe will lower domestic gas prices. However, the European market pays 2-4 times as

much as US customers, and the Asian market pays 3-5 times as much. Demand from these markets can only drive up domestic prices.

We are told that a new pipeline and gas-fired electricity plants are needed to replace the 8,300 MW of electric generation capacity that is being retired in the next few years. Ending the reign of nuclear, coal, and oil plants is a positive step, but replacing them with natural gas perpetuates dependency on fossil fuels and only gets in the way of renewables. Also, not all of the capacity retiring needs to be replaced with power plants. The cost of utility-scale solar has dropped 78% in the past five years, making renewables economically competitive with gas.

We are often told gas is 'clean' but natural gas is primarily methane and when burned, it still produces CO₂, albeit less than coal or oil. However, when released directly in to the atmosphere as in a compressor station 'blow down', methane is 86 times as powerful a greenhouse gas than CO₂.

Kinder Morgan, is a Houston based company, but has purchased memberships in various New Hampshire Chambers of Commerce in an effort to gain undue influence here.

Please do the right thing and formally deny NED.

Thank you

Paul Stevens

20151008-5060

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

The excerpt reproduced below originates from an article titled: "Natural Gas Pipeline Safety Setback" found at this location:

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

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."

So we ask you, where are our aerial water bombers located?

How long would it take 67 fire trucks to respond from across the region?

Thank you

Paul Stevens

20151008-5061

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

On Monday Aug. 3 the east side of Falfurrias, TX (150 people) had to be evacuated for 12 hours after a Kinder Morgan / TGP pipe exploded, sending 2 people to the hospital. Local police were quickly overwhelmed and local border patrol people helped move residents to safety. All we can say regarding NED is I told you so!

Thank you

Paul Stevens

20151008-5062

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Re: Docket Number PF14-22

Federal Energy Regulatory Commission

Actual measurements of other Kinder Morgan, co-location pipe projects show a 175 foot wide swath of clear cut land ALONG SIDE the 100+ foot exsisting power line right of way. 71 miles of pipe in NH works out to over 1500 acres of land deforested. This is how KM defines co-location. How does FERC define co-location?

Thank you

Paul Stevens

20151008-5081

October 8, 2015

Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C. Dockets No. CP14-529 and PF14-22

Additional Comments of Jean Atwater-Williams, 182 Cold Spring Road, Sandisfield, MA regarding illegal segmentation of NED and CT Expansion projects by Kinder Morgan’s Tennessee Gas Pipeline Co.

This issue has been raised previously, but in light of the recent proposal for a NED segment planned to cross public and private lands in East Granby, Avon, Simsbury and Farmington, CT, this issue must be examined once again. Additionally, I am submitting maps not previously submitted in this context for the FERC’s consideration.

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. § 1508.25(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.

First of all, there is clearly a TEMPORAL connection. The CT Expansion project is still under consideration, and has not yet been approved and meanwhile, the NED project is ramping up.

Secondly, when one looks at the attached maps, you will find that there is a PHYSICAL connection between these two projects. One of the lines slated to be expanded as part of NED (East Granby, Avon, Simsbury and Farmington, CT) will directly connect to a segment being expanded as part of the CT Expansion.

In light of this, the FERC must, under federal law:

1. Deny the CT Expansion
2. Require Kinder Morgan to withdraw its pre-filing for NED

Kinder Morgan then, should they wish to proceed with this unwise and unnecessary fossil fuel infrastructure, will need to prepare a legal and appropriately comprehensive pre-filing that addresses the true scope of this project.

{2 maps, omitted}

20151008-5103

{duplicate copy of 20151008-5081 above}

20151008-5117

Michelle Dunn, Peterborough, NH.

I am strongly against this pipeline project. It goes against the current market forces to use LESS nonrenewable resources. We have no need for this gas nor will it be available to our region. We as a country, need to turn to renewable sources of energy. Sun, wind, water and other renewable sources. Not a dirty old technology.

20151008-5120

KAMPOOSA STEWARDSHIP COMMITTEE

To restore and preserve the Bog by fostering community stewardship of the Kampoosa Bog Drainage Basin ACEC

October 7, 2015

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

Re: Northeast Energy Direct Project, Project Docket # PF14-22-000

Dear Secretary Bose:

The Kampoosa Stewardship Committee sends this letter to inform you of our grave concerns regarding two of the proposed alternatives to the Northeast Energy Direct Project, namely that of the Massachusetts Turnpike Alternative and the Existing 200 Line Alternative. Both of these alternatives would be located within the Kampoosa Bog Area of Critical Environmental Concern (ACEC) and new activity within the watershed would threaten the unique and delicate ecological habitat that our Committee has worked so hard to conserve and protect. We therefore ask that you review these alternatives with the utmost environmental consideration and with an intent to protect the long-term survival of this ecological gem.

Misnamed a bog, this wetland is the largest, most diverse and pristine Calcareous Basin Fen (S1) in Mas-

sachusetts. This type of wetland is nationally rare, being restricted to 10 states, mostly in the upper Midwest and northeast. Calcareous basin fens are considered by the Massachusetts Natural Heritage & Endangered Species Program (NHESP) as S1 Critically Imperiled in the Commonwealth, meaning that five or fewer good examples remain. This ecosystem is also relatively rare in New England (being restricted to areas such as the Housatonic River Valley where calcium-rich bedrock is abundant). The habitat includes a floating mat of vegetation but, while a bog typically would have a very acidic environment with little inflow of water and a mat of sphagnum moss, Kampoosa has inflow of mineral-rich alkaline water and sphagnum moss overlaid with a sedge mat. This unusual chemistry and floating mat supports a high concentration of highly specialized calciphilic plants, many of which are considered extremely rare and found at very few places in Massachusetts. The watershed hosts 22 rare plant species, two rare animal species and many other species uncommon in the state.

In addition to the basin fen, the watershed supports two NHESP-listed Priority Natural Communities: 1) Black Ash-Red Maple-Tamarack Calcareous Seepage Swamp (S2-Imperiled), with Kampoosa noted as one of the highest quality in the state for its large size, extensive natural buffer, and many state-listed rare species, and 2) Rich Mesic Forest, noted for their moist unusually nutrient-rich soils and diverse herbaceous layer that includes many ephemeral plant species. NHESP also considers the Kampoosa Bog Watershed as a Regional Priority Conservation Area. To further illustrate the unique natural heritage of the site, we are attaching to this letter relevant sections from A Resource Management Plan for the Kampoosa Bog Drainage Basin ACEC (1999). The cross-section map on page 10 of this report illustrates the habitats and their synergistic locations within the Bog. Also attached is the Stockbridge BioMap2 (2012), with the most relevant sections highlighted for ease of reference.

Unlike many fens across the northeast, Kampoosa Bog has never been disturbed by ditching, draining, or dam construction, and still supports distinctive plant life whose populations have been diminished or extirpated at other such wetlands. The watershed was designated as an ACEC by the Massachusetts Secretary of Environmental Affairs in 1995, recognized by the state and by wetland professionals for its exemplary conditions. The purpose of this designation is to protect and preserve resources and ecosystems of critical environmental significance. This designation also carries some regulatory protections from the ACEC regulations found at 301 CMR 12.00. It was at this time that the Kampoosa Stewardship Committee was established, bringing together a wide consortium of state and local stakeholders who could each bring their distinct resources to the table for a common, protective cause. The list of committee members is attached to this letter.

Although Kampoosa Bog has not been altered by ditching or damming, the upper watershed has been impacted by the Massachusetts Turnpike (aka U.S. Rt. 90) and Tennessee Gas Pipeline (TGP), both of which have cut wide swaths through the upper reaches of the watershed. This intrusion has allowed the introduction of a litany of invasive plant species, most notoriously of which is *Phragmites australis*, which has invaded much of the wetlands and which is the greatest threat to the sedge mat and its assemblage of rare plant species. *Phragmites* thrives on disturbance, and populations that followed the turnpike and gas pipeline corridors are the main sources of expansion. Monitoring, mapping and treatment of the Bog began in earnest in 1993, but by 2005 there were 39 distinct patches of *Phragmites* identified, ranging in size from 1/8 of acre to more than 7 acres. Rare native orchids, seen prior to this time, had disappeared. The Nature Conservancy (TNC) led scores of volunteers into the bog, valiantly and laboriously hand-applying herbicides (“clip & drip”) to *Phragmites* stands in this sensitive wetland. When funding became available, professional herbicide contractors were hired to bring the invasion to a more manageable level. The *Phragmites* stands were larger and denser on the TGP right-of-way, so mist-blower herbicide applications were conducted by the company, and within two years these stands were controlled.

By 2010, all of the most threatening patches had been treated. During this time both the Turnpike Authority (now MassDOT) and TGP joined TNC and Massachusetts Natural Heritage & Endangered Species Program (NHESP) to become active combatants in this war to control *Phragmites* and other invasives, providing technical assistance, funding and on-the-ground staff to contain invasive species within their respective

rights of way. To date almost \$1 million has been directed toward invasive species control within the ACEC, and more is needed.

Invasive species is not the only primary threat to the Kampoosa Bog's ecosystem. A detailed hydrogeochemical study of the Bog determined that groundwater and surface water chemistry is greatly being altered by road salt runoff from the turnpike), which is located up gradient of the Bog. Salt is effecting natural ion exchanges between groundwater, the water column and the peat within the basin fen. The data suggests that sodium is being retained within peat and other organic material. As these materials provide the growing medium for many of the rare plants in the Bog, it is suspected that salt contamination is further stressing sensitive plants and could threaten longterm survival of some plant assemblages. Further studies must be conducted to document and quantify such stresses.

While we believe we are winning the battle against invasive species, only time will tell if we reached a point where we can say that we've won the war. Monitoring and treatment is ongoing, but we have now attained a level of invasive species control that is deemed sustainable within the Kampoosa Bog ACEC. Where our original battles were exhausting and seemingly unattainable, our current patrols are exponentially less intimidating. Mass DOT has purchased new equipment and undertaken new operating procedures to reduce salt runoff along this section of the turnpike, but contamination will continue to be a concern.

Because of these dual and ongoing threats to the ecosystem, we are greatly concerned that any proposal to install additional natural gas pipelines within either the turnpike or TGP corridors threatens to defeat the hard-won, expensive and precarious balance of invasive species control that the partners of this Committee have been able to achieve. Laying and maintaining a large pipeline system will undoubtedly involve construction of roads and staging areas, bring an influx of soils and heavy equipment that could import invasive species, and permanently create new acreage of land disturbance. Any new outbreak or expansion of invasive species, coupled with continued salt contamination, could very well tip the balance of control out of our hands and result in additional losses of rare species.

It is for these reasons that the Kampoosa Stewardship Committee respectfully requests that you and your colleagues at FERC consider the precarious environmental condition of the Kampoosa Bog as you evaluate the environmental impacts of the Massachusetts Turnpike Alternative and the Existing 200 Line Alternative of the Northeast Energy Direct Pipeline proposal. We trust that, given our concerns and those that will undoubtedly be shared by NHESP, the forthcoming Environmental Impact Study will look with the utmost detail at the environmental impacts of a new or expanded pipeline within the Kampoosa Bog ACEC.

If you have any questions regarding the environmental significance of the Kampoosa Bog ACEC, or if you would like more information about the Kampoosa Stewardship Committee, please do not hesitate to contact co-chairs Jessica Murray Toro (jessmtorozegmail) or Lauren Gaherty (lgaherty@berkshireplanning.org).

Sincerely,

Jessica Murray Toro Lauren Gaherty

CC: Tennessee Gas Pipeline

Kampoosa Stewardship Committee

Matthew A. Beaton, MA Secretary of Energy and Environmental Affairs

KAMPOOSA STEWARDSHIP COMMITTEE

To restore and preserve the Bog by fostering community stewardship of the Kampoosa Bog Drainage Basin ACEC

Kampoosa Stewardship Committee

Membership 2015

Berkshire Regional Planning Commission

Berkshire Natural Resource Council

Marian Fathers of the Immaculate Conception*
Mass. Dept. of Conservation & Recreation
Mass. Dept. of Transportation*
Mass. Division of Fisheries and Wildlife*
Mass. Natural Heritage & Endangered Species Program
Native Habitat Restoration, Inc.
Stockbridge Land Trust
Stockbridge Landowners*
Tennessee Gas Pipeline*
The Nature Conservancy*
Town of Stockbridge Conservation Commission

*Denotes land ownership or easements within the Kamposa Bog ACEC

ATTACHMENTS

Relevant sections from : “*A Resource Management Plan for the Kamposa Bog Drainage Basin ACEC (1999)*” , Approved by the Kamposa Stewardship Committee June 1999

BioMap2 Stockbridge Produced in 2012

{63 pages omitted}

20151008-5160

VALERIE LANG WALDIN, Averill Park, NY.

TO: Federal Energy Regulatory Commission

FROM: Dr. Valerie Lang Waldin, J.D., M.L.S., Resident of Glass Lake

DATE: October 8, 2015

RE: Docket # PF 14-22-000, Proposed Kinder Morgan Pipeline

Please accept my comment in strong opposition to the proposed Kinder Morgan fracked gas pipeline and 22 acre compressor station in the Rensselaer County area of Burden Lake. It is my understanding that this project was initially proposed for Columbia County, and not approved.

My arguments are as follows:

(1) While I do not know the reasoning behind the failure to approve this project for Columbia County, the diligent process of approval must have been followed. Thus, the refusal must have been based on environmentally sound evidence. If not, then why?

(2) Moreover, Rensselaer County is distinguished for its beautiful, healthy fresh water lakes including but not limited to Glass Lake, Crystal Lake, Crooked Lake, the Burden Lakes, the Bowman ponds, Nassau Lake, Pikes Pond, Tsatsawassa Lake, Lyons, and Smith Pond; all within a 5 mile radius of the project. It is unconscionable that this particularly unique and pristine area would be slated for a pipeline. I am convinced that if Kinder Morgan officials resided in the impacted zone, we wouldn't be having this debate.

(3) According to a UN-Water report: “Scarcity is also a question of water quality. Freshwater bodies have a limited capacity to process the pollutant charges of the effluents from expanding urban, industrial and agricultural uses. Water quality degradation can be a major cause of water scarcity.” Fracking is exempt from key federal water protections, and federal and state regulators have, perhaps unwittingly but nevertheless, allowed unchecked expansion of fracking, creating widespread environmental degradation. It is no secret that overwhelmed state regulators largely oversee the practice. Even if the laws on the books were strengthened, fracking poses too severe a risk to public health and the environment to entrust effective and rigorous

regulatory oversight to these officials.

It shouldn't be happening at all, but it is. I implore you that if this must happen, let it happen outside of our lakes.

20151009-4004

TOWN OF NASSAU, NY

OFFICE OF THE TOWN SUPERVISOR

David F. Fleming, Jr.

October 9, 2015

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

Re: Northeast Energy Direct Project; P11 14-22-000

Dear Secretary Bose: This letter is to provide comments during the scoping/pre-filing period on the Northeast Direct Energy (NED) pipeline project and its associated infrastructure proposed through the State of New York, and more specifically proposed through the Town of Nassau in Rensselaer County. The project is being proposed by Kinder Morgan Energy Partners, L.P. (Kinder Morgan). We are submitting these comments to you, as the National Environmental Policy Act (NEPA) lead agency, and as the agency responsible for issuing pre-filing and filing certification decisions under Section 7 of the Natural Gas Act for Interstate Gas Pipelines (determination of public convenience and necessity). We have two major comments below that we wish to be considered and addressed.

First, the Town of Nassau is a Participating Agency under the Council on Environmental Quality's (CEQ) NEPA regulations. We understand that FERC has an Interagency MOU with federal agencies to coordinate early, and the same intent applies to local agencies where pipelines and associated infrastructure are proposed to be located. FERC has the opportunity to designate the Town of Nassau as a Cooperating Agency since the town is an agency with legal jurisdiction and with special expertise with respect to environmental impact. Special expertise on the Town's part pertains to impacts related to the Dewey Loefell Superfund Site, and impacts to community character and socioeconomic resources within the Town from both the proposed pipeline and compressor station. The Town of Nassau is therefore requesting to be a "Cooperating Agency" under the CEQ's NEPA regulations.

Second, we are requesting that a thorough and exhaustive consideration of alternatives be conducted before NEPA Scoping is closed, and before the applicant is certified to file a formal application. This request has two parts:

1. We are requesting that a different alignment be selected for filing, instead of the current proposed alignment through Nassau. Therefore we are requesting that Kinder Morgan re-scope to propose a "Highway Alignment"; and
2. We are requesting that the assessment of the Highway Alignment alternative be completed correctly, unlike the current alternatives assessment that was conducted for the other Major Routes.

Specifically, the NEPA Scoping Package contains Resource Report #10, Alternatives (March 2015), which considers an assessment of Major Route alternatives. Kinder Morgan explored two alternatives that would involve the pipeline following major highway routes, instead of the residential route through the Town of Nassau. One Major Route is the 1-88 Route, and one Major Route is the 1-90 "Mass Pike" Route. Both of these routes were dismissed incorrectly in the scoping documents. In addition, another Major Route was not considered and analyzed, that would tie the 1-88 and Mass Pike alternatives together. The alignment would run from 1-88 directly to 1-90 near Schenectady in New York and follow the highway through Albany County and Rensselaer/Columbia Counties to join to 1-90 in Massachusetts. We are calling this Major Route

the “Highway Alignment” alternative. The Town of Nassau is requesting that FERC require the thorough exploration of the Highway Alignment alternative. The Highway Alignment alternative should have two sub-options, BOTH of which should be evaluated as separate alternatives: 1) be located entirely within an existing highway right-of-way, or 2) be located adjacent to a highway right-of-way.

Regarding the 1-88 alternative, we do not believe that the alternatives assessment was conducted correctly in the scoping package. Not only should this Major Route should be re-scoped to follow the correct process, but the Highway Alignment alternative assessment should also follow the correct process. Within the current 1-88 discussion on page 10-23 of the Resource Report, the document refers entirely to the recent Constitution Pipeline NEPA process:

“The NYSDOT (New York State Department of Transportation) has commented that the proposed pipeline will be required to comply with FHWA (Federal Highway Administration) policy that ‘an applicant will be required to show that no feasible alternative routes exist to obtain approval of the 1-88 from NYSDOT and FHWA’, of which the Constitution Pipeline Project route will be considered a feasible alternative”.

This section goes on to state that this is the basis that Kinder Morgan determined the NED pipeline also cannot be considered to be either located within the 1-88 right-of-way or adjacent to the right-of-way, because of the above decision regarding the Constitution Pipeline- meaning that if 1-88 isn’t good for that pipeline, it must not be good for the NED, either. Regarding the location within the right-of-way, neither NYSDOT nor FHWA actually determined that the Constitution Pipeline Project route is a feasible alternative through that project’s NEPA process. The applicant didn’t file any paperwork for the accommodation of utilities that would have led to a written decision from either agency. Therefore, the above statement and subsequent conclusion in the NED documentation is completely false. The NED pipeline scoping document cannot refer to an incomplete and inadequate analysis on another project to discount their own alternative. Therefore, the Town of Nassau is requesting that FERC require Kinder-Morgan to apply for an “Exception to the Accommodation of Non- Communication Utilities on New York State Freeway or Controlled Access Rights-of-Way” (NYSDOT 2015) through the process specified within the document. Specifically, Kinder Morgan should provide the detail necessary for a complete application, to allow the NYSDOT to make a final decision on whether or not the utility could be accommodated within the right-ofway. If NYSDOT determines that Kinder Morgan’s application meets the minimum criteria and does not conflict with NYSDOT operations, the request will then be forwarded to the FHWA for their decision. The NYSDOT does have the legal authority to approve the location of a pipeline within their right-of-way if “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”.

Regarding the location of any pipeline adjacent to a highway right-of-way, this should be a Major Route alternative that should be considered separately. This type of alternative does not require any of the above analysis or approvals from NYSDOT or the FHWA, unless construction or maintenance access is required in areas that are constricted, or in bridge areas where the pipeline would be above ground and carried by the bridge. FERC should require Kinder Morgan to consider an alternative that explores being adjacent to highways, specifically 1-90 through Rensselaer County.

Both the location of a pipeline within a highway right-of-way or adjacent to the right-of-way are considered to be “co-location” types of alternatives, and are supported by your agency through best management practices.

We understand that an alternate assessment completed by your agency considers three factors: the ability to meet the proposed project purpose (which is the transportation of natural gas), the feasibility of the alignment, and that a new alternative should provide a significant environmental advantage over the proposed route. A Major Route either within the right-of-way of the highway, or adjacent to the highway right-of-way (our Highway Alternative) meets all of your requirements for alternatives that should be considered, evaluated, and selected for filing. Our assessment is as follows:

Project Purpose: Our Highway Alignment alternative clearly meets the proposed project’s purpose and will transport natural gas.

Feasibility: Regarding the feasibility of the Highway Alternative, we understand that FERC considers technical, regulatory, and economic aspects of each alternative to determine if it is feasible. The technical aspects of construction either within the right-of-way or adjacent to the highway right-of-way are similar in nature to the current proposed route. The engineering of each route is very similar and is therefore feasible with either alternative. The regulatory aspects of the Highway Alternative regarding wetlands, air quality, etc. are considerably more permittable to regulatory agencies. Based on several recent pipeline projects permitted in New York, and several Administrative Records for how FERC processed the NEPA documentation, the overwhelming request from literally every state and federal Cooperating Agency was vastly more favorable toward an alignment either within a highway right-of-way or adjacent to a highway right-of-way. In fact, just one of many specific examples of where the NED documentation is incorrect is noted: The wetland impact assessment of the 1-90 Mass Pike evaluation in Resource Report #10 is completely flawed because it compares only acreage impact of each alternative. The U.S. Army Corps of Engineers, especially the New England District, compares functions and values of wetlands - not acreage of wetland impact- when evaluating alternatives for the least damaging alternative under the Clean Water Act. So, once again the alternatives assessment methodology is completely incorrect. FERC should not continue processing the NEPA documentation for this alternative knowing that federal regulatory agencies (agencies with expertise in these resources) have expressed that studies were done incorrectly, and that the most permittable alternative is adjacent to existing highways. Regarding the economic aspects of the “feasibility” consideration, we understand that the regulations governing the safety standards, and therefore the costs, for pipelines are different depending on the surrounding landscape. We understand that pipelines along roadways and under bridges may need thicker walls and infrastructure support than pipelines going through “sparsely populated areas”. While obviously we find that this regulation regarding safety is ridiculous because the current route is proposed to be within 10 feet of residents’ houses, we understand that Kinder Morgan does not want to explore any highway alignment because it would be an increased cost to them to purchase thicker steel walls. This reason may be called “economic” by Kinder Morgan and should not be a consideration at all by your agency with respect to determining if an alternative is feasible. The major regulatory benefits outweigh any economic complaints from Kinder Morgan.

Environmental impacts: The Highway Alternative, whether it is within the right-of-way or adjacent to the right-of-way, is considered to provide a significant environmental advantage over the proposed route that Kinder Morgan has scoped for several reasons:

1. The compressor station proposed for the Town of Nassau would not be located in the current area, which is absolutely not zoned in any way for any industrial facility. The compressor station is in direct contradiction with the zoning and with the beautiful and flawless landscape. The compressor station could instead be located in an area already receiving air, noise, and light emissions of a similar nature, since industrial areas along the 1-90 corridor already exist and are zoned for such activity.
2. The pipeline would not be located within close proximity to Dewey Loeffel Landfill Superfund Site as it is currently proposed, eliminating the potential disruption and worsening of the clean-up efforts.
3. The functions and values of wetlands that would be impacted would be significantly reduced along the Highway Alignment.
4. Blowdown emissions would occur in areas already disturbed and already receiving similar emissions if this project were located adjacent to a highway, instead of in an area that receives no emissions from any industrial activity.

5. The proposed alignment would require the permanent removal of a significant acreage of trees that are suitable summer habitat for the newly federally protected Northern Long-eared Bat, where an alignment along an existing highway would require significantly less tree removal. This bat is in a 99% population decline in New York State- substantial reductions in permanent habitat removal for a highway alternative absolutely demonstrate a significant environmental advantage.
6. Noise generated from both construction and operation of the compressor station will substantially exceed the ambient noise in Nassau. Locating the pipeline along highways that already have baseline noise levels similar to the construction and operational noise from the pipeline would significantly reduce impacts and provides a significant environmental advantage.
7. Locating the pipeline along a highway would provide significant environmental advantages related to visual impacts, since the pipeline would fit in with existing cleared right-of-way infrastructure and appearances. The cleared zone and the compressor station would be in direct contrast to the surrounding environment of Nassau and would have significant visual impacts.

In conclusion, we are recommending that FERC require the complete and thorough analysis of a “Highway Alternative” for both within the highway right-of-way, and adjacent to the highway right-of-way, that is proposed to the NYSDOT through the correct process, and that considers impacts correctly. We believe that the Highway Alternative will meet the project purpose, is feasible, and provides a significant environmental advantage over the other ajor routes.

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
Nassau Town Board
Nassau Natural Resources Committee

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Nassau, New York 12123
518.766.3559 supervisioPtownofnassau.org

20151009-5006

Jean Nigro, Temple, NH.
Dear Commissioners,

I am writing to alert you to the completely negligent manner in which Kinder Morgan representatives have responded to my inquiries regarding their ability to mitigate the effects of low frequency noise (LFN) also called Infrasound. The representatives I questioned about this either had never heard of it or tried to explain to me that its levels would be “all averaged in” with the dbA readings the company uses to assess it’s sound level emissions. This second comment is absurd as LFN is not measured in decibels.

There is increasing evidence that the impact of LFN on health is significant. Exposure can actually cause cellular changes in cardiac and lung tissue. Exposure is associated with seizures, psychotic episodes and increased risk of miscarriage in pregnant women.

<http://www.citidep.pt/papers/articles/alvesper.htm>

LFN is emitted by large turbines like those utilized at gas compressor stations, and it is extremely difficult

if not impossible to mitigate. I demand that you require Kinder Morgan to investigate the effects of LFN at compressor station sites and develop a plan for protecting the public as well as their own employees from its negative effects.

Thank you

20151009-5009

Evelyn Taylor, New Ipswich, NH.

The FERC must extend the comment deadline again as Kinder Morgan brought a surprise changed map to the Council Meeting in Merrimack this evening, 10/8/2015. Worse yet is that the revised map they brought is being revised again so people now affected along this changed route don't even know it yet and will have no time to learn about it, investigate it and respond by the Oct 16 deadline. This is disgusting behavior that Kinder Morgan uses over and over again to avoid resistance to the pipeline.

20151009-5010

Evelyn Taylor, New Ipswich, NH.

I went to the Town Council comment session in Merrimack, NH this evening, 10/8/2015. Kinder Morgan/TGP surprised the Council and the public with a new map just drawn today. The map is already undergoing another change to move the portion near the Merrimack Outlets East where it will pass under the cloverleaf and alongside the highway. A Council member expressed concern as some months ago Kinder Morgan/TGP indicated it is not preferred to build alongside a highway due to excessive vibrations yet now that they have no place else to go they are saying it's safe. So is it safe or is it just convenient? It seems it was the only place left to go. The FERC needs to be sure vibrations won't cause the pipeline to fail.

20151009-5011

Evelyn Taylor, New Ipswich, NH.

I was at the Town Council in Merrimack, NH this evening with Kinder Morgan. (Oct 8, 2015)

A resident asked Kinder Morgan what the safe distance was from an accident event from this 30 inch diameter pipeline. Kinder Morgan rambled off about that being difficult to assess. Yes, and I have asked FERC and Kinder Morgan/TGP whether they would be doing that calculation all along this pipeline and they do not answer that question.

Kinder Morgan/TGP refuses to respond to our questions about safety, evacuations, and the hazards of the pipeline. They need to be made to respond. I spoke at the meeting and gave San Bruno, California, 2010 as an example of what has occurred for a 30 inch diameter pipeline. It took 67 fire trucks, two fixed wing aerial water bomber planes, one water helicopter, 8 deaths, and more than 3 dozen homes destroyed. That's what an accident along a 30 inch diameter pipeline is like.

Perhaps Kinder Morgan now has an example to offer instead of dodging the question time and time again. The FERC needs to demand that Kinder Morgan responds honestly and openly to any question. If they cannot answer these types of questions they are not qualified to construct, maintain and operate the pipeline. They have a long record of accidents to give them plenty of insight into danger zones. The problem is Kinder Morgan/TGP ignores the hazards and chases the profit at whatever cost to anyone else along the way.

20151009-5061

Merrimack Conservation Commission

6 Baboosic Lake Road

Merrimack, NH 03054

merrimackoutdoors@merrimacknh.gov

www.merrimackoutdoors.org

Kimberly D. Bose, Secretary

October 8, 2015

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. PF 14-22-000

Dear Secretary Bose,

The Conservation Commission for the Town of Merrimack New Hampshire (MCC); a properly established Conservation Commission in accordance with New Hampshire State Law RSA 36-A, appreciates the opportunity to submit these additional 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.

These comments are in response to additional research done by the Conservation Commission, various items presented to the Conservation Commission, and a review of the TGP July 24, 2015 second draft Environmental Resource Reports.

These comments do not in any way imply the Merrimack Conservation Commission agrees there is a need for this pipeline or imply that this pipeline should be constructed within our Town or State.

Resource Report 1

In section 1.1.2.2.2 Meter Stations on page 1-30 the report states “*The work involved at new meter stations will include the installation of tap, metering, regulation, heating, flow control, and overpressure protection, as necessary unless specified otherwise.*”. The MCC believes all forms of protection are necessary especially given the proposed meter station in the Town of Merrimack noted in the report as the “West Nashua” station at milepost 25-94.

Our Town Council in a recent letter to FERC has addressed this proposed metering station. The MCC requests that TGP and FERC as part of its EIS process address these key points:

1. Air and noise quality is very important to the residents of Merrimack including all residents: humans, animal, insects, and plant life. Many of the gases associated with the transmission line have been shown to create problems for all of these residents if not properly handled. Noise from the operations of a meter station can also have adverse impacts. Understanding the types of gases involved, noise generators and types, impacts of both to the health of all residents, and how these impacts will be mitigated are key and must be included in any reports before any portion of this meter station is built.
2. Leaks of natural gas and the gases involved in the removal of natural gas from the ground concern many in our Town. In close proximity to this proposed metering station is an Eversource electrical substation that services the electrical needs of our residents and many large businesses in our Town and surrounding communities. This substation houses numerous open-air transformers, cables, wires, and control systems. Since this substation is potentially within 1000 feet from the proposed meter station, the MCC requests FERC and TGP identify how any over pressure releases from this proposed meter station will not pose a hazard to the substation, the residents of Merrimack, the environment, and those people whose place of employment also lies within 1000 feet of that meter station.

Section 1.2.7 on page 1-64 indicates that aerial photography is being used to survey areas that TGP has not performed on-the-ground surveys. Given the reluctance of TGP to act in good faith negotiations with our Town when it comes to surveys of public lands (as described to FERC in the Town of Merrimack submittal on September 4, 2015 and at the FERC scoping meeting in Nashua New Hampshire), the MCC is very concerned about the use of aerial photography to locate and plan mitigation for wetland impacts along the proposed NED route.

Proper wetland impact planning has to involve on-the-ground surveys especially when it comes to vernal pools and smaller highly sensitive wetlands as we know exist on potentially impacted Merrimack public

conservation lands. We have specific data to indicate these sensitive areas exist along the proposed route. The MCC requests that FERC requires TGP to reengage with the Town of Merrimack and accept our terms for access to our public lands. It should not be lost as to who is the owner of these lands and our Town has been very generous in this regard.

Section 1.3.2.1 on page I -83 states “*Tennessee will attempt to retain all soil and/or rock on the construction ROW in rugged topography using fencing, haybales or other containment materials, such as timber mats.*”. The use of hay bales in construction projects is a violation of best practices in the Town of Merrimack. Hay bales can introduce non-native species to an area through its inherent inclusion of seeds within the bales. The MCC requests that FERC requires TGP and its contractors to only use Straw bales if a bale is required when doing any work within the Town of Merrimack or waterways that flow into or through our Town. This same restriction is currently placed on all projects within our Town that go through our planning and permitting process.

The use of hay bales is also mentioned throughout many of the other Resource Reports. The MCC will not be directly calling out your attention to each of these other references but that does not mean we do not object to the use of hay bales in our Town and in connection with these other Resource Reports.

In this same section and page it states “*To facilitate revegetation of the ROW, restored work<space locations will be seeded, fertilized, and mulched in accordance with Tennessee’s Project-specific ECPs for each state.*” - The use and application of fertilizer is very important to the MCC given our complete reliance on ground-based water for drinking, cooking, etc. The MCC therefore recommends and our planning process requires all projects of this or similar type to perform soil testing before the application of any fertilizers to be sure the right amounts and concentrations are used given the condition of the local soils. In wet areas and along ponds, lakes, vernal pools, streams, brooks, and rivers, the MCC further requires that phosphates not be used at all. The MCC therefore asks that FERC require TGP and all its contractors to follow this requirement as well when working within the Town of Merrimack.

Section 1.4.3 speaks to “*Cathodic Protection and Alternating Current Mitigation Areas*”. It also includes Table 1.4-1 that shows these items will be needed in the Town of Merrimack with a strong likelihood of including public conservation lands. Since these conservation lands also serve the residents of our Town with numerous recreational trails, the placement of these items and the actual pipeline is a concern for the MCC. The MCC requests that FERC study these conservation lands closely and work with the MCC as FERC potentially approves any pipeline route in Merrimack. These items can limit the use of our properties and as such will have an impact to them and the wildlife on these properties. Proper planning and placement is key to the safety of the pipeline and both the wildlife and users of these recreational conservation lands.

Resource Report 2

In Section 2.1.1.4.1 on page 2-10 the reports states “*The Witches Brook Aquifer located in the Towns of Amherst, Hollis, and Merrimack is the largest high yield aquifer in the southern half of the state (ACC 2015; Mailloux 2015; Miner 2015)... however, the WHPA for this aquifer is about a mile from the proposed pipeline route (Miner 2015).* “ The aquifer provides a significant amount of drinking water to the residents and businesses in the Town of Merrimack. Given that TGP has now gone on record supporting an alternative route (Resource Report 10, 10.3.2.4 and in the Kinder Morgan letter to the Town of Merrimack dated 9/16/2015) for the pipeline that will route the pipeline through this aquifer, the MCC requests that FERC deny this alternative route due to its direct impact to our drinking water supply which if compromised would mean there would be insufficient water resources for the people of Merrimack.

Table 2.1-2 shows public and private water supply wells including some in the Town of Merrimack. It also has the word “Unknown” listed in multiple locations. The MCC wishes to inform FERC that we believe this table is preliminary at best and does not represent all public and private water supply wells that service our Town.

Section 2.2.11.1.4 talks about the Horizontal Directional Drilling method. This method utilizes bentonite as part of the fluid used for lubricating, sealing, and stabilizing the bore hole. Bentonite is known to be relatively safe for the environment when it is utilized in this manner on many projects. But as has been noted in the oil industry going back to the 1980s, bentonite clays can prevent plant growth and other natural processes in topsoil if not properly handled. It can also have an impact on small fresh water fish and other organisms as it can create a viscous gel if it makes contact with their bodies, which can limit their mobility and cause death. The MCC requests that FERC review how waste bentonite will be handled during and after the drilling process as it can have adverse effects on our wildlife habitat. This is especially concerning as bentonite will be used in and around wetlands. The waste storage of bentonite in pits prior to removal from the site should be reviewed to include lined storage pits, which will better ensure all bentonite, and other drilling fluids are removed completely at the end of the process.

Resource Report 3

In Section 3.2.2 Table 3.2-2 shows sensitive wildlife habitats including those in the Town of Merrimack. This table only lists one property in our Town. It should also list our property also noted in these Resource Reports named Gilmore Hill Memorial Forest and the other open space areas in that vicinity.

Section 3.3.2.4.3 is titled “*Vernal Pools*” and addresses these pools in the State of New Hampshire. This section fails to indicate that the Town of Merrimack also considers wetlands and vernal pools very important. As such, we have local requirements for a 25-foot no-disturb wetland buffer and 40-foot wetland building setback requirement.

Section 3.4.1.5 and Table 3.4-6 list potential New Hampshire rare, endangered, or species of special concern within the pipeline’s area of impact. The MCC believes this list to be incomplete and that TGP should re-review this data given the latest information (since June 2015) that is contained at the New Hampshire Natural Heritage Bureau and with our Commission.

In Section 3.5.2.2 on page 3-112 the report states “*By routing approximately 84 percent of the total pipeline Project to follow existing gas pipeline and utility line ROWs, the acreage offorest lands crossed by the Project will be greatly minimized, thus reducing the effects of habitat fragmentation.*”. The MCC believes this statement is categorically incorrect and misleading when referring to ROWs in New Hampshire. It is clear from TGP’s own diagrams found in these Resource Reports that significant land clearing will be part of this process as the pipeline will not be routed in these existing ROWs but instead will require new ROWs that will follow adjacent to the existing ROWs. TGP later on the next page states and reinforces the point we make when it wrote “*...widening of existing ROWs will reduce the overall patch size of adjacent interior forest habitats. Vegetation clearing of a ROW could result in long-term linear corridors or bare ground or minimal vegetation.*”.

We request that FERC require TGP to remove this misleading statement and further more clearly indicate the extent of forest that will be cleared by their proposed route in our Town and State. Without this actual information, FERC will not be able to make an informed judgment on the impact of this pipeline to our local environment.

Another item that seems to have been lost in this discussion of the current Right-of-Way (ROW) is that the creation of this Power Line ROW also created conditions that are favorable to a number of rare and threatened species that now live and consider the existing ROW to be their home, breeding grounds, and places to find and locate food. Readily dismissing current wildlife habitat in the current ROW is something that should not be allowed, as there are potential significant impacts to these species. The MCC believes this to be the case within the large conservation areas in Merrimack that have ROWs that were created over 40 years ago when environmental laws and best management practices were not in place. Note the current proposed route crosses two large conservation parcels in the Town of Merrimack that together include nearly 600 acres of protected land.

Resource Report 4

On page 4-64, Table 4.4-46 indicates only one “Aboveground Historic Resource” in the Town of Merrimack. While this designation comes from a federally managed program, the Cultural aspects of the EIS that FERC will do should also address a few other historic resources in our Town. These resources include:

1. Olde Kings Highway. This is an historic highway that predates our country and was used before, during, and after our country’s Revolutionary War. At one time this highway traversed most of our State. The proposed pipeline route will cross the highway that today can be found as a New Hampshire Class VI road in the Horse Hill Nature Preserve. Note that this road crossing is also not listed in Table 8.1-10 on page 8b-217 or 218 (RR8 Attachment b).
2. Spaulding Foundation. This is an historic home foundation that lies within the proposed impact area of the pipeline within the Horse Hill Nature Preserve. This foundation and the unique plants that can be found near and around the foundation are from an original settler family of our Town.
3. While the MCC does not have exact knowledge of the location, the MCC requests that FERC requires TGP to do an extensive historical on-the-ground survey of the land and riverbank along the Merrimack River where the pipeline is proposed to cross the Merrimack River. This river has a history going back to the early settlers and has been used for recreation, commerce, and transportation for many centuries. It is well known that locks and other structures exist within the river and the banks of the river in Merrimack. Given the current known locations, there is no reason not to believe there are potential historic and archeologically significant sites in the vicinity of the proposed river crossing.

Resource Report 6

On page 6-33 the report states, “*Tennessee will obtain all the necessary federal, state, and local blasting permits prior to construction.*”. The MCC would like to emphasize that the Town of Merrimack has very specific local regulations when it comes to blasting. These regulations have been in place and followed by many projects within our Town for many years now. The MCC would like to believe that TGP will do as it states but requests that FERC mandate that local regulations and permits be followed when TGP and its contractors have to perform blasting in our Town. Given this is the “Granite State” we believe blasting for this project in our Town is inevitable.

Resource Report 8 and Attachments 8a and 8b

Between MP 24 and MP 25 on map sheet 17 of 26 in Figure 8.3-1 of Attachment 8a there is no mention of the Gilmore Hill Memorial Forest being a public land. This map sheet shows some public recreational lands including the Horse Hill Nature Preserve (<http://www.merrimackoutdoors.org/our-properties/horse-hill-nature-preserve/>) in the Town of Merrimack (also discussed on page 8-65) but not Gilmore Hill Memorial Forest (<http://www.merrimackoutdoors.org/our-properties/gilmore-hill-memorial-forest/>).

Gilmore Hill Memorial Forest is a parcel of land that is managed (stipulated in its deed) by the MCC. The MCC has two specific concerns with this parcel including:

- This parcel has severe slopes that are granite bedrock. This bedrock rises approximately 200 feet in elevation over a distance of approximately 300 feet. Since this is a natural feature of the land, that severe slope both increases and decreases by approximately 10% over the 400 feet of potential impact by the proposed route. The MCC wants TGP to better define how it is going to deal with a slope of this nature especially given the bottom of the slope ends in a wetland and stream bed that has been reported to our State to have a threatened species living in it. Our own research shows other threatened and rare species also in this area including a unique habitat.
- This property has a strict restriction in its deed that states it is for “conservation purposes only”. In looking closer at Figure 8.3-1, we found on that map sheet that it indicates TGP plans to create an access road on that parcel. The deed forbids this type of use.

The MCC requests that FERC require TGP to remove all references, plans, and any other references to any

pipeline related construction on this property.

The access road noted in this figure and other places in the Resource Reports (NED-TAR-J- 1800) cannot possibly be built without mitigating wetlands. TGP appears to be using outdated maps and photographs as the proposed access road will be under water for most of the year and will only be able to be traversed under the driest of conditions. In contrast to the outdated maps shown in some Resource Reports, map sheet TE-SEG_J-025 shows the wetland concerns we raise here. Given the deed restriction, this access road (NED-TAR-J-1800) should be eliminated and the MCC requests that FERC uphold the deed if indeed the pipeline is allowed to enter this parcel.

This same figure also indicates an access road (NED-TAR-J-1600) is planned to enter the Horse Hill Nature Preserve near its western border. This access road is also depicted in the Market Path Component submittal on sheet 32 of 51 for Segment J. It is even more clearly shown in the map sheet TE-SEG_J-23. When you look closer at the location of this access road it actually crosses through a private farm to enter the HHNP. The MCC questions the placement of this access road especially given that Gauthier Road is crossed by the pipeline and abuts this private farm. Note that the Gauthier Road crossing is also not listed in Table 8.1-10 on page 8b-217 or 218. There are no terrain issues or slopes or other items that would preclude Gauthier Road from providing the identical access. The MCC requests that TGP be required to remove all consideration for NED-TAR-J-1600 access road and explore utilizing Gauthier Road in its place. Note that Gauthier Road is a New Hampshire Class VI road in this location where it starts at Foster Road.

While reviewing the maps and diagrams for the Horse Hill Nature Preserve (HHNP), there is an infrastructure item noted as NED-TAR-J-1700 between MP 23.5 and MP 24. This sub parcel of the HHNP was purchased utilizing EPA Superfund money. That money was granted to the Town of Merrimack from EPA through NH DES. In accepting that money for that sub-parcel (it was a distinct parcel before being joined into the overall HHNP purchase), the Town accepted certain use restrictions that EPA regularly stipulates on purchases used to mitigate superfund sites. Putting any pipeline infrastructure within the bounds of that sub-parcel is contrary to the EPA agreement and the MCC requests that FERC not allow a pipeline or any associated impacts or infrastructure in that area.

The MCC has reviewed the map sheets designated as TE-SEG_J-023 through J-025. In these sheets TGP depicts numerous “temporary workspace” and “additional temporary workspace” impacts on MCC managed parcels impacted by this proposed pipeline. These impacts are numerous and appear in these map sheets to directly impact significant wetlands on these conservation properties. The MCC requests that FERC look very closely at these impacts and encourages TGP to route the pipeline away from these wetland areas. The MCC has collected quite a bit of data on the wetlands depicted in these map sheets. We believe our information would be enlightening to FERC and encourage FERC to arrange to visit with our Commission as it prepares its EIS on this project.

Appendix H - Upland Erosion Control...

On page H-5, there is a discussion of “Winter Construction Plans”. Snow handling in our Town on construction projects is also reviewed during the planning process. The MCC regularly participates in this part of project planning as there is a potential to impact our precious drinking water if not done responsibly. We typically require all snow removal processes follow the Green SnoPro process and certification (h!1p ;,7uury.!Zug certification). The MCC requests that FERC require TGP and its contractors to only use contractors or personnel that are Green SnoPro certified for any snow handling or removal during any winter construction done in the State of New Hampshire and the Town of Merrimack.

This Appendix also addresses the use of hay bales and fertilizers. Our previous concerns should also be addressed in this Appendix when doing work in the Town of Merrimack.

On page H-12, periodic mowing is described. It is said in A.5. that mowing will not occur during the migratory bird nesting season. The MCC also believes this mowing should not be done during any period where any rare or endangered species could be impacted. Many of these species are small and not able to move or get out of the way of a mow-ing machine. The MCC requests that TGP and its contractors perform mowing

operations during the winter months after the ground has frozen and most species have migrated away or gone into hibernation.

General Items of Concern

The proposed pipeline is being studied and permitted to transport natural gas to be processed and then distributed to customers. This gas is coming directly from its point of origin in the ground. The gas will be carrying other gases generated or released during the removal process. Some of those gases may be radioactive. The MCC would like to understand and requests that FERC have TGP explain how radioactivity will be monitored and if encountered, how is its release or presence mitigated as to ensure there are no long term impacts to the pipeline infrastructure and the environment during pressure releases, leaks, and other activities in the transport process.

The pipeline is a capital item and eventually it will become obsolete, no longer have a source of natural gas to transport, or simply be abandoned for a number of other reasons. The MCC realizes that easement language can stipulate what is to become of a pipeline on a particular parcel. But what happens in general when a pipeline is abandoned? What options does a municipality have to be certain it does not become a safety issue, sink hole, or new ground water channel when we already go to great lengths to control our precious ground water resources?

Finally, the pipeline is stated to be for natural gas. The MCC would like TGP to commit to and FERC to enforce that this new infrastructure and the land it occupies only be used for natural gas. The possibility of another use introduces a whole new set of variables, consequences, and liabilities. It would be beyond the ability of FERC to properly analyze and cover those other uses in its EIS. We ask that you limit this pipeline to its intended use only.. .if in fact it has to exist at all.

It is our desire to remain an active stakeholder in the NED project. We appreciate the opportunity to provide these comments.

Sincerely,

The Merrimack Conservation Commission

Timothy Tenhave, Chairperson

ttenhave@merrimacknh.gov

As authorized by the Conservation Commission on October 5,2015.

20151009-5063

SUSAN A DUHAMEL, NEW IPSWICH, NH.

We do not want this pipeline - NO means NO. Just what is it that you do not understand ? Stop wasting our time and yours.

20151009-5072

October 8, 2015

Attn: OEP-DG2E-Gas, PJ-11.3

RE: Docket No.PF14-22-000

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Washington D.C. 20426

Dear Secretary Bose:

The **Board of Health of Plainfield, Massachusetts**, wish to respectfully submit our comments and concerns in regard to the Tennessee Gas Pipeline Company, LLC.'s Northeast Energy Direct Project Docket No. PF14-22-000 as it affects our town along the 5.5 mile route through the town of Plainfield.

Northeast Energy Direct Project
Plainfield, Massachusetts: Segment G

1. Please determine any areas in Plainfield that will require blasting and how underground aquifers supplying wells and springs will be affected. Please determine who will be testing and monitoring these aquifers and the frequency of these tests.
2. Please determine if any hazardous materials or any contaminants that may reach any water source in Plainfield will be stored or used in Plainfield. Please determine who will monitor the use of any of these materials or contaminants.
3. Please determine what water sources will be used for hydrostatic testing, the amounts of water required for this testing and where and how this water is released. Please determine that this practice will not harm our underground aquifers, lakes, ponds and streams. Please determine who will monitor and test following the hydrostatic testing and at what frequency.

We appreciate the opportunity to comment and express our concerns on the proposed Northeast Energy Direct Project. Thank you for your considerations.

Respectfully submitted,

Ellen DuPont
David Crowell
Gale Bulissa
Plainfield Board of Health

20151009-5125

Kathleen Gauvin, New Ipswich, NH.
61 Beechwood Rd.
New Ipswich, NH 03071

October 9, 2015

Dear Governor Cuomo,

I am a citizen of New Ipswich, NH and live within a mile of the 40,000 horse power compressor station that is part of the proposed Northeast Direct pipeline project. So why am I writing to you? The NED pipeline project could be stopped if the brakes were put on the Constitution Pipeline project in New York. We in New England do not WANT TO BE THE NEXT MINISINK, NY!

We have seen how the MINISINK disaster has unraveled! We are a scared populace, as we see what will be our future! We thought we could rely on our government to protect us, but this has not happened. We do not have a single top level politician who has come out in opposition to the NED pipeline, from our governor to any of our New Hampshire delegation. They are running scared for a different reason, re-election! How do we push them to take the morally right stand? Time is running out! The FERC scoping process has taken place. The end of our filing to FERC is October 16th.

The New Hampshire Delegation has demanded that a list of their questions to be answered by FERC and Kinder Morgan, but their questions have gone unanswered, and their insistence for answers has fallen on deaf ears! To date there has been no follow up to the "deaf ears".

The governmental agencies that we thought would protect us are not protecting us. The New Hampshire Public Utilities Commission has been sucked into a corrupted permit; we expect that FERC will follow suit in the same manner! So where can we turn? At this point, we see ourselves in the Minisink, NY saga! The NED pipeline will deliver us as the victims this time around.

Governor Cuomo, Joined By Vice President Gore, Announces New Actions to Reduce Greenhouse Gas Emissions and Lead Nation on Climate Change Environment. Governor Cuomo, joined by Vice President Gore, announced four major actions to combat climate change and reduce greenhouse gas emissions

across New York State. These nation-leading environmental and clean energy initiatives will help New York homes, businesses and universities invest in clean energy, drive economic growth across the state, and protect the environment.”

Quite frankly, I can't understand how a Governor with a “no fracking” policy would be thinking that a “fracked gas transport pipeline” would be ethical and morally right. Having read all the information that has been available regarding your “no fracking” policy, this Constitution Pipeline is totally in contrast to what you know is appropriate and acceptable to your constituents. Do the right thing, Governor Cuomo! Be our champion against the Goliaths, the “fracked gas” transport pipelines that will sicken our populace and make us THE NEXT MINISINK!

Make it big news! Cuomo goes after the Goliaths of America!

Sincerely,

Kathleen Gauvin

20151009-5136

Russell Bennett, Averill Park, NY.

I have been unable to find in Kinder Morgan's Resource Reports any detailed information about the dimensions of its proposed compressor stations; yet, the FAQ it provides on its website states the approximate dimensions are:

o Compressor Station Buildings - Height: 50' at peak, Width: 120', Length: 140'

o Compressor Station Exhaust - Height: 80'

o Auxiliary Buildings - Height: 25' at the peak, Width: 30', Length: 75'

The public should be fully informed of the exact proposed dimensions of each station.

In fact the FAQ provides a great deal of information about lighting, staffing, monitoring, fencing, etc. which cannot be found in the Resource Reports. This material should be included in the Resource Reports, adherence to which I assume is made a part of any eventual permit.

Of particular concern in this regard is the Applicant's statements regarding the substances that will be transported. The FAQ and public media statements say it will transport “pipeline quality” natural gas from which benzenes “and other hazardous air pollutants” have been removed. In the Resource Reports, I find only that they will transport natural gas without any reference to prior processing or “pipeline quality”. This should be specified and the exact list of components should be stated.

20151009-5152

Theresa Crowley, Lynnfield, MA.

I am against the route of this pipe line. My personal reasons I will list below.

- a. The placing of the pipeline is very close to our water supply.
- b. To do any construction on our property due to wet lands as property owners, we were directed not fertilize our own land due to damage to the environment and the construction of this pipeline will do damage in many areas of the federal wetlands.
- c. This proposed pipeline goes thru federal flood zones or abuts in areas.
- d. The towns will be compensated in some way, but how does the homeowner in the affected towns get compensated for devaluation of their property.

In closing I find it frankly suspicious that the lack of more information to the homeowners was never done. It was left to the towns or community involved individuals to notify the public.

Sincerely,

Theresa Crowley

20151009-5161

Julie OBrien, Merrimack, NH.

October 9, 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

Dear Ms. Bose:

I am writing this letter to express my opposition to the proposed Kinder Morgan Pipeline planned for Southern New Hampshire. This pipeline will destroy both open space and private property across New Hampshire, and in my opinion put the safety of residents at risk. It will also put an unfair burden on taxpayers.

Last night, Thursday Oct 8th, Kinder Morgan met with the Town Council of Merrimack, NH to discuss another proposed route change in the town. Our Town Council was prepared to address specific questions of the proposed route only to find out right before the meeting that there was another route change! How unprofessional of Kinder Morgan to not have contacted the Town Council to give them a heads up of the proposed changes. These update were to accommodate two town businesses that Kinder Morgan had supposedly met with. I use the word supposedly as I question the ethics of Kinder Morgan. It appears they like to stretch the truth by misleading the public.

New Hampshire is called the Granite State for a reason – it is identified by its rocky soil; its bedrock is rich in granite. I am concerned as to the risk of damage to Merrimack's town water supply once the blasting begins. Our aquifers will be affected by the proposed route. For the 12th year in a row, Merrimack has been awarded official Groundwater Guardian status from the National Groundwater Foundation in Lincoln, Nebraska. This program recognizes communities who are dedicated and committed to local groundwater protection to ensure a safe water supply for the future of the community. Merrimack is the only town in New Hampshire awarded this status. I would hate to lose this status! Also, residents in town that have private wells who are situated along the proposed route could potentially see significant damage to their wells.

The new revised proposed route is still under 900 feet from the Thorntons Ferry Elementary School, there are at risk businesses that may not be willing to stay in their current location (loss of revenue to the town) or are still unaware that they are affected by the pipeline, and residents who are just now made aware they will be impacted by the pipeline.

There are the environment effects, not just to Merrimack but to the state. Significant environmental risks that should be examined are: degradation of water resources; impairment of ecosystem services; diminished air quality; forest fragmentation; harm to wildlife and botanical species; permanent landscape alteration; disruption of community/state character; and threats to safety.

As I see it this proposed pipeline will provide Kinder Morgan with the ability to export natural gas. Higher gas prices on the international market will result in increased domestic gas prices. Plus how is it fair that residents will have to give up land to increase the profits of Kinder Morgan?

America is the land of opportunity and where people find their dreams. One of those dreams is the "American Dream" of owning a home and property. This pipeline will diminish property values which will result in loss of revenue to our town. Merrimack will not benefit from this proposed pipeline and neither will New Hampshire!

Sincerely,

Julie O'Brien
Merrimack, NH

Ruth Joan Unger, Tewksbury, MA.

Date: October 9, 2015

To: FERC

I am writing to make you aware that my husband, Jim Harmon and I are adamantly opposed to the pipeline. We have attended various informational meetings and have found out that:

1. There is already in existence viable route through the southern part of Massachusetts. There is no need for a second path through the northern part of the state. Google the maps, you will see them. The existing southern path ends at the same point and can be upgraded for less cost to the users than this new route. Face it, if this new pipeline is approved, we users are going to be forced to pay for this one-way or the other... We do not need it!
2. The proposed pipeline would impose a tremendous safety issue. These lines operate under extremely high pressure and are highly volatile and flammable. When they rupture, they create a blast zone of over 300-600 feet, the flying burning debris creates fires wherever it lands. Homes and lives will be lost
3. Energy needs are actually DECREASING and the pipeline is of such a large volume it is clear this line is intended to deliver gas overseas. The Solarize Mass program has had tremendous success in causing homeowners throughout the state to "solarize" and get off the grid. There are also competing Hydroelectric and Nuclear supplies applying to come down from NH and Canada. Great options to Fossil Fuels...
4. My neighbors and I love the conservation areas and protected wetlands and do NOT want them disturbed. The tract of wild land between Cardigan and Brown is an uninterrupted wildlife habitat. The KM plan will clear cut it and prevent trees from ever growing over it again. Herbicides will be sprayed on a regular basis. The Wildlife Habitat will be lost forever, Our Town is in a watershed area for 3 Rivers.
5. A Kentucky judge ruled AGAINST the pipeline stating that the project was not for the common good but to make a multi-billion dollar company even more lucrative.
6. The Merrimack River watershed, Shawsheen River Watershed and Ipswich River watershed would be involved and this supplies water to over 1,000,000 residences. It also supports the wildlife and flora in our area. We cannot allow the 30-50 foot clear cut of trees to be allowed, nor ongoing maintenance herbicides to be sprayed. The trees and vegetation here play an integral role in filtering pollutants out and providing clean drinking water into those rivers. Herbicides cannot be allowed. Those trees should not be cut down. This would only result in pollution of the Clean water which needs to be fed to the 3 vital rivers- Merrimack, Shawsheen and Ipswich...
7. Western MA has been extremely pro-active and their legislators and officials are behind them. To date 41 Towns through which this Company threatened to pass their pipeline have opposed this pipeline.
8. If you "Google" Kinder Morgan you will see about all of the deaths, illegal dealings, explosions, felonies, fatalities, spills, fires, and hospitalizations that have occurred because of this companies practices. You can also check this link: http://www.sightline.org/wp-content/uploads/downloads/2012/02/Coal-Kinder-Morgan-April-12_final.pdf
9. My neighbors and I were literally harassed by Kinder Morgan trying to get permission to survey our properties on Cardigan Road. They came in as Bullies and tried to intimidate us with threats of eminent domain. When my Lawyer asked them for more information about their intended path beyond my yard, through my immediate neighborhood, Kinder Morgan Agents refused to provide it. Clearly, they did not want homeowners to have informed discussions with each other.
10. If you look at a map of the pipeline route proposed through my back yard, you will see how narrow the area between the Cardigan Road and Brown Street Properties actually is. This is a highly developed, highly assessed residential area of valuable single family homes on 1 acre lots. Installation of the pipeline requires certain setbacks and room that does not exist here. This pipeline will also diminish the value of the homes in the area, depriving owners of their equity. The land where TGP works needs to support large and heavy

equipment, and room to excavate and remove trees in the process. This “room” that they need does not exist and therefore this pipeline should NOT be allowed.

11. I recognize the Town of Tewksbury already has numerous gas lines to service many of our residences, but those are smaller and run at a much lower pressure than the line now being proposed. This new line is not intended to service Tewksbury. There is no benefit to Tewksbury. Even if it was, the pressure is so great that it would pose a tremendous danger to our residents and should be denied even in that case. There is a great risk here, with no benefit to weigh against it. No benefit whatsoever.

12. Kinder Morgan has chosen our Town as a path because they see it as the least expensive route for them, no matter what the cost to the homeowners here.. There is no proof this line is necessary. Even if more gas is needed there are adequate alternatives which can be developed at a far lesser expense, to fill any energy void..

Please consider these things and oppose the pipeline!

Sincerely,

Joan Unger and Jim Harmon
160 Cardigan Road
Tewksbury, MA 01876
508-254-6000

20151009-5202

Sarah Howard, East Greenbush, NY.

New York State has banned fracking, and we do not want fracking fluids transferred through NY to Mass from Pennsylvania. Our house and land we own are within 1-2 miles of the proposed compressor station in Nassau, NY. I do not want my children exposed to the air pollutants that are emitted from these compressor stations. They are hazardous to health. Nassau is already home to a hazardous waste site that has not been cleaned up, and is not far from the compressor station (the Dewey-Loeffel Superfund Site). It is a residential area, not to mention a beautiful area. It should not be transformed into an industrial nightmare.

thank you.

20151009-5235

Dudley Baker, Hancock, NH.

Hello FERC, I am opposed to the Kinder Morgan pipeline running through southern New Hampshire.

Please listen to the residents. There is no need for this pipeline whatsoever. Thank you Dudley Baker

20151009-5264

Joseph Wasserman, West Hartford, CT.

My name is Joseph Wasserman. I am a resident of West Hartford and would like to comment on the proposed North East Direct Project gas pipeline of the Kinder Morgan –Tennessee company

I find it unacceptable that a gas pipeline is being proposed for our area and that the proposed route includes sensitive water supply areas run by the MDC. Even though the company representatives claim that they will make efforts to protect the environment and prevent leakage, we know the history of energy companies that say one thing and try and cut safety costs on the other hand. We also know that leakage has happened all too often in relationship to natural gas extraction and delivery.

The need to protect our water supply, is most critical and should not be jeopardized by this proposed gas pipeline

I also fear that the development of renewable energy alternatives and energy reduction strategies, may be put off if we become dependent on this unsafe delivery of natural gas .

I further fear the release of methane from natural gas leakage will accelerate climate change.

I did notice a significant delay in the connection needed to make this comment. The delay occurred after I clicked the request to send me the link by email. I fear that this delay hurts the public input process.

I urge you to deny this permit to the Tennessee gas company.

Thank you

Joseph Wasserman
10 G Starkel Road
West Hartford CT 6117
860-561-1897
Joewass64@yahoo.com

20151009-5268

SUSAN A DUHAMEL, NEW IPSWICH, NH.
Do not approve this pipeline

20151009-5269

SUSAN A DUHAMEL, NEW IPSWICH, NH.
do not approve this pipeline - it is not needed in NH

20151013-0006

Hand written card, Annmarie Haynes, 14 Woodfield St, Nashua, NH 03062: opposing

20151013-0007

Hand written card, Victor Voglina, 42 Twillingate Rd, Temple, NH 03084: opposing

20151013-0008

Hand written card, Nathan Hamilton, 1 Cliff Rd, Nashua, NH 03062: opposing

20151013-0009

Hand written card, Anna Voglina, 42 Twillingate Rd, Temple, NH 03084: opposing

20151013-0010

Hand written card, Jeanna Hamilton, 1 Cliff Rd, Nashua, NH 03062: opposing

20151013-0011

Hand written card, Jose Voglino, 43 Twillingate Rd, Temple, NH 03084: opposing

20151013-0012

Hand written card, Leo Hamilton, 1 Cliff Rd, Nashua, NH 03062: opposing

20151013-0013

Hand written card, Gloria Torres, 3 Cliff Rd, Nashua, NH 03062: opposing

20151013-0014

Hand written card, Donald R. Flye, 5 Doe Valley Rd, Petersham, MA 01366: opposing

20151013-0015

Hand written card, Cynthia A. Dickerman, 32 Alexander Hill Rd, Northfield, MA 01360: opposing

20151013-0016

Hand written card, Lesley Finlayson, 167 Heald Road, Wilton, NH 03086: opposing

20151013-0017

Hand written card, Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151013-0018

Hand written card, Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151013-0019

September 30, 2015

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

RE: The Northeast Energy Direct Project (“NED Project”).
FERC Docket #PF14-22

Dear Ms. Bose:

I just submitted an eComment to FERC re this gas-line project, but was told an error had occurred in the transmission, so I am repeating my submission by snail-mail:

RE: The Northeast Energy Direct Project (“NED Project”).
FERC Docket 1PF14-22

This pipeline project is an obscene act of corporate destruction of private lives and well-being, and it should not be approved. My sister owns a lovely home and Bng on a hill in Deerfield, MA, with a gorgeous view of the Berkshires. She writes:

“After a year and a half of fighting the construction of a natural gas pipeline that Kinder Morgan threatens to traverse through eight towns in my immediate locality (including across my yard, contaminating my well and my now valueless (that is, unsellable) property, which is well within their proclaimed “incineration zone” of 900 feet (I am less than 300 feet)), I just heard (when I was writing this a few days ago) from a concerned neighbor, that yet another house has exploded (yesterday) due to a natural gas “incident.”.... mhere have been 358 natural gas pipeline “incidents” since 2000. We really need to stop this hazardous intrusion into our lives and livelihoods. Conservation land (even that which is protected under Massachusetts Article 97), organic farms, wetlands, aquifers, private properties, businesses, historical archeological digs, tourist attractions, private schools, rivers, are all threatened by this 5-billion-dollar monstrosity. And they tell us that the gauge of the pipeline will be of thinner material than it would be in an urban setting, because there are fewer of us that would be killed (prematurely incinerated) out here in the boonies.”

If this were an invasion by a foreign army we would call out the Nation Guard, but since it is a powerful corporation we allow it to wreak havoc and destruction in the name of profit.

Consider the lives and values and financial well-being of those affected, and put an end to this project.

Sincerely yours,

Horace W. Briggs
hma@briggses.com

20151013-0020

To: Kimberly Bose, Secretary

October 5, 2015

Dear Ms. Bose,

I am writing to you regarding the proposed Kinder Morgan Pipeline, part of the NED project, docket number PF14-22. I know you have received numerous letters and emails regarding this project from many of those in opposition. I wonder if there is a process to review this process with FERC? One that could help all of you FREEZE any further decisions, on any pipelines, including the one slated to rip through Southern New Hampshire. When President Obama put a freeze on foreclosures, it enabled everyone to regroup and come up with a better, more fair and financially sound process to help people stay in their homes and help the housing market too. That is what is needed here. I am not sure if the hands of FERC are tied by their own policies, I find it hard to believe that everyone at FERC, including yourself, does not care about humanity and the environment. I think that you are all caught up in a system that has a life of its own and no one there to stop it.

About Southern New Hampshire: we have no sales tax, for starters, and our mortgages and rents pay for basically everything in this state (slight exaggeration, but not by much). The other income our state has is tourism. We rely on our clean air and water, our natural beauty with safe hiking trails that are not going over or near pipelines, this is what brings people to this part of the state. This pipeline threatens a major area of our economy. It threatens our drinking water as we depend on aquifers and wells. The methane release, and other chemicals from the compressor stations, threaten our ability to breathe and creates more problems regarding global warming, worse than car exhaust I have been told. And our homes, do you want a pipeline running through your property? Especially if you have children, or care about children. And could you sell your property and make a fair enough amount of money to move if you had a pipeline in your front or backyard? Do you want it going right next to children's schools, and do you want to tell parents "I am sorry" when something happens, or they become sick from the air they are now forced to breathe at recess?

We here in Troy, New Hampshire, have a Superfund site, with hazardous and highly flammable material still in the ground (or on top of it). The pipeline is now due to run within 100 FEET of this site, and staging for whatever they need is set to be near this too. More equipment, more hazardous material near or on other already existing hazardous material.

We also share the one and only botanical garden in New Hampshire, with Fitzwilliam, and the pipeline is set to go right through it. There are numerous protected areas, conservation areas, that will all be negatively impacted by this pipeline. For what? For continuing to rely on fossil fuel, and promote fracking, which is the asbestos of our time? Why?? So we can pay for this project through our utility bills, pay for it when there are issues, pay for it with loss of home and health, and pay MORE for gas due to the increase once this gas is exported (which we ALL know it will be, and most of us know that means we will pay what Europe will pay, which is way more than what we pay now).

If there is SO much opposition, don't you think it makes sense for FERC to press a pause button and reconvene on how permits are given, and what the long term effects will be, as well as short term'? My hope is you will do something, from your heart and care for humanity, especially for our children, and for the sake of a job that should protect citizens, not violate their rights and their health.

Sincerely,

LeeAnn LaFosse, Troy, NH

20151013-0021

12 Blueberry Lane
New Ipswich, NH 03071

October 4, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
Project: PF14-22 Northeast Energy Direct
888 First Street, NE
Washington DC 20426

Dear Secretary Bose:

As a resident of New Ipswch, NH, where Kinder Morgan subsidiary Tennessee Gas Pipeline Company wants to build a natural gas pipeline and a compressor station, I strongly urge the Federal Energy Regulatory Commission to reject the Northeast Energy Direct proposal.

New Ipswch residents spent several years developing a Master Plan to control the growth of the town, maintain Its rural character, and conserve the natural beauty of the area. Through discussions, debates, and votes, everyone was involved in shaping this Plan.

Now the town Is threatened. Pipeline construction and blasting risks damaging forested land and wildlife and polluting our aquifers and wells. For New Ipswich, the compressor station will routinely release toxins into the air and create constant noise. The risk of pipeline leaks and exploslons is not remote. The history of Kinder Morgan and Tennessee Gas Pipeline show that “significant incidents” (those resulting in fatalities or hospitalization, fires, explosions, or spills) are frequent. Kinder Morgan has been cited for many safety violations, including failing to inspect its pipelines as required.

Everyone Is stunned and horrified that this could happen to their beloved town.

How can a for-profit company be permitted to take over private property, break conservation easements, violate a carefully worked-out Master Plan developed by the town, and introduce health and safety risks to the population?

The costs are ours; the profits are Kinder Morgan’.

Towns would have to pay for increased emergency preparedness. Individuals would have to pay to have wells tested and cope with any damage to their water supply. Property values would fall.

The natural gas transported by this pipeline through New Hampshire is not meant to benefit New Hampshire; It Is likely to be exported to the global market through Canada alter connecting to an existing pipeline in Dracut MA. New Hampshire is currently an electricity exporting state and does not in any way need this massive pipeline running through Its precious small towns. Any potential shortfall could easily be filled by the expansion of existing LNG sources or pipeline projects already under way.

Thank you for listening to my concerns.

Sincerely yours,

Joan Winslow

20151013-0022

To: Federal Energy Regulatory Commission
888 First St. NE Rm 1A Washington, DC 20426

From: Pelham Pipeline Awareness group

RE:Docket PF 14-22 Kinder Morgan Pipeline

Date: Sept 15,2015

The Marcellus Shale ffelds are pumping out frecked product and so the push is on to build pipelines to EXPORT natural gas with all the risk, but no benefit to the communities that they cross. In NY, MA and NH we are facing the Kinder Morgan Northeast Energy Direct (NED) Project.

In NH and Dracut Ma, this involves over 75 miles of pipe, two 22,000 - 44,000 hp compressor stations and valves every 10- 20 miles. In NH they plan to drill under the Meriimack River twice and the Souhegan

River 5 times, potentially unleashing the heavy metals in the sediments - consequences from the industrial activities of the mills a hundred years ago - and potentially contaminating the drinking water of towns downstream. Over 5,000 landowners are abutters and 5 times that are in “incineration zones” should an accident occur.

We cherish our rural character and culture and we are deeply concerned that our lands will be taken by Eminent Domain - all for the profit of one of the largest pipeline transport companies in the US, - Kinder Morgan, started by former executives of ENRON.

We are worried about pollution from emissions, loss of habitat, contamination of our water supplies, and destruction of local food systems as well as the unintended consequences of industrialization including noise, light and air pollution. We cannot get clear answers about what is emitted during blowdowns and leaks, and there is little research about the health effects to people, wildlife or livestock. Kinder Morgan indicates that their pipelines are safe, yet accidents have increased and their track record nation wide is extremely poor. Kinder Morgan states that this is needed, yet there are over 17 other energy projects under consideration in NE alone and energy usage is going down in NE thanks to conservation measures. Further research shows that the number of pipes that are leaking methane is enormous — large enough to keep pipe-fitters working for ten years. Greed not need is fueling this project.

The Kinder Morgan project is a bad one for NH, for the nation and for world environmental health. We Firmly oppose this pipeline project and ask that you recommend, “NO Build .

Thank you for your attention.

Susan Jones
23 Winterberry Rd
Pelham, NH 03076

20151013-0024

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Room 1A
Washington, DC 20426
Project Docket Number: PF14-22

September 21, 2015

Re: Denying property access

Brookwood Ecology Center, Inc. (Brookwood) owner of the property located at: 605-694 Darling Hill Road, Fox Road, and 105 Old Mason Center Road, Greenville, NH, is denying permission to the Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company), its representatives, contractors, subcontractors, or associates to enter Brookwood’s land to perform surveys, or for any other purpose. Any physical entry onto Brookwood’s property will be considered unauthorized, and treated as trespass.

April Walker, President
Brookwood Ecology Center, Inc.
659 Darling Hill Road
Greenville, NH 03048

20151013-0025

Kimberly D Bose

October 2, 2015

First

I am addressing the change in the NED route in Pelham NH. The route changed from the West side to the East side at section 39.5. This route now will directly affect the 31.3 acre prime wetland on lot 11- 103. The uplands are important in keeping the integrity of this wetland intact. The state requires that a prime wetland must have significant value that is worthy of extra protection because of its uniqueness, fragility, and unspoiled character. It must have over 50% hydric A soil and meet many other criteria. I will not go into all the criteria here. After this report was completed the town voted to have this wetland be listed as a prime wetland and the state agreeing with the report then gave it prime wetland status.

In this study it states that the wetland benefits from its natural transition into large upland areas on the South, West, and Northern boundaries. The transition is completely natural and uninhibited. A wildlife benefit is the proximity to the powerline easement which provided much Beld and brush habitat to various wildlife species. It is listed in the report that the land is in an unspoiled state. This will of course now be destroyed because the route was changed. If this pipeline goes to the east of the powerline, the uplands will be deforested and the wetland itself will be destroyed at section 40.2 and 40.3. The impact will be the greatest in this area. I have kept my land at 11-100 in a natural state to protect the wetland and was on the conservation commission to keep this land protected. Please be aware that a new line of electric lines will be on the West side and now both sides of the powerlines will be deforested instead of just one side on the West which is the way it was up until the last week of September.

I am requesting that an explanation be given as to the reasons for this change.

Second

The birdfoot violet is stated as being imperiled, and threatened by (state's criteria). It has only 9 sites in the state and is located on lot 7-11. There are three distinct areas where the plants are located on lot 7- 11. Each area has about 20-30 plants on lot 7-11. See the NH Natural Heritage site for the exact locations. Sections were verified by John Viera PWS senior project, senior ecologist - Company Vanasse Hangen Brustlin Inc.

Thank you for your consideration in these matters.

Alice Symonovit
Dave Sstare@gmail.com
71 Dutton Road
Pelham, NH 03076

20151013-0026

31 Cambridge Ave.
Pittsfield, MA 01201
October 2 2015

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

Ref: Docket 1PF14-22-000 ATT: Gas Branch 3, DG2E?

Dear Ms. Bose:

I am writing to reiterate my serious concerns about the impact of the Tennessee Gas pipeline on the residents of Massachusetts and New Hampshire. Although I am deeply concerned about its impact on soil and air quality, I am going to focus on water quality in this letter.

The pipeline is scheduled to pass through the watershed of the Cleveland Reservoir which serves 50,000 people in Pittsfield and Dalton. The watershed contains a great deal of ledge, and the blasting process itself would impact the flow and quality of water. Blasting byproducts, such as percholate, and the creation of cracks and fissures in the rock would make a significant change in our drinking water.

Pipelines are notoriously prone to leaks. This pipeline is of thinner material than usual, is under high pressure and will be passing through an area that has significant frost heaves in the winter. Leaks of fracked gas would permit at least 60 known carcinogens, endocrine disrupters and neurotoxins to enter our water supply. I urge the commissioners to consider how they would feel if such a project were proposed for their areas and vote against permitting this pipeline.

Sincerely yours,
Judy Gitelson

20151013-0027

9/21/15

Kimberly D. Bose
Federal Energy Regulatory Commission
888 First St. NE, Room 1A
Washington, D.C. 20426
Docket # PF14-22 NED

I am writing to you to provide substantiated information regarding the proposed NED gas pipeline in New England. Kinder Morgan continues to spew propaganda that is factless while studies completed by competent scientists, lawyers and physicians who stand to make no money if this project were to go in or not, are being continuously published. Here is just some of what I would be much more inclined to trust as being 'the facts'.

I will address: health safety, need, export and price of gas, home value depreciation, accidents. Environmental degradation. equally important, will be saved for another correspondence.

Regarding Kinder Morgan's way of addressing concerns about health safety and the environment:

1. By Kinder Morgan's own report to FERC; "a compressor station will emit more than 100 tons of pollutants with potential health impacts. as well as almost 62,000 tons of greenhouse gases every year. Of these pollutants, many of them known carcinogens, are vented from the pipeline and compressor stations through an event known as a "blowdown" directly into the atmosphere. creating ozone and other greenhouse gas contaminants.
2. Emissions from two compressor stations (Stewart and Energy Corps). published by the Pennsylvania Department of Environmental Protection (DEP) include: MTBE, CO, benzene, toluene, formaldehyde, 2-methyl butane, ethyl benzene, naphthalene, iso-butane, methyl mercaptan, n-butane, n-hexane, n-octane, nitrogen dioxide ... and more.
3. Wilma Subra, 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. 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. Subra has reported the following health impacts in association with compressor stations:

irregular heartbeat, irritated skin, eyes, nose, throat and lungs; nosebleeds, respiratory impacts, sinus problems, allergic reactions, headaches, dizziness, light headedness, nausea, vomiting, ulcers in the mouth and thyroid problems

Chronic conditions include:

damage to liver and kidneys, damage to lungs, damage to cardiovascular system, damage to developing

fetus, reproductive damage. Mutagenic impacts. developmental malformations, leukemia aplastic anemia. changes in blood cells. impacts to blood clotting ability, leukemia.

4. 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 hydraulic fracturing study, calls compressor stations among the worst of all the fracking infrastructure. "Our previous studies showed that some of the most serious air pollution came from the compressor stations .." Carpenter notes a DEC study that included five states where fracking is allowed, showed more than 40 percent of air samples from compressor stations exceeded federal regulations for certain chemicals like methane, benzene and hydrogen sulfide.

This from a memorandum of Dr. Qavid Carpenter: "As of July 2015, the American MedicaAssociation has resolved to support legislation requiring comprehensive health impact assessments of all gas pipeline proposals. It is realized that significant adverse health impacts are being overlooked in regard to chemical and radioactive emissions associated with compressor stations, metering stations and the entire natural gas infrastructure that is part of hydraulic fracturing. The pipeline infrastructure exposes humans and animals to the same chemical and radioactive emissions as those released at drilling sites, which include dangerous mixtures of contaminants such as carcinogens, mutagens, endocrine disruptors. neurotoxins, respiratory irritants mucocutaneous irritants and toxins, hematological and cardiovascular toxins; all of which are especially damaging to the development of embryos, fetuses and children as well as the reproduction and survival of livestock. poultry and wild animals."

5. In the Minisink NY study, recently released, they found that spikes in air toxins around the compressor coincided with residents' adverse health symptoms. The study involved 3S residents, who were surveyed using a well-tested survey method, including interviews by a physician. Speck monitors were use to measure fine particulate matter in air near residences. Participants additionally used special canisters to capture air samples during "odor events," periods when the compressor emitted strong odors. Asthma, nosebleeds, headaches, and rashes were common among the 3S participants in eight families living within one mile ofthe compressor.

6. At the website hm~;ljwww .• marccll.us-~hale.qs/.M<lr(;.c!.I.!~s-g.IS-(.l(i!itic~.h.~!J.1 residents living near compressor stations or wells in Pennsylvania are warned to get urine and blood tests because many are experiencing symptoms from exposure to toxic chemicals. It also notes fatalities of pets and livestock. The Madison County N.Y. Board of Health report to FERC would support this based on their study measuring chemicals detected downwind from compressors. [https://vV1:vw.IHADtsorlfounty.ny.gov/sites/default/files/pu bltcinformatlon/madison__\(: \(Ill nty_d o IU;\(1 III ments, -_d\(lcket_11o._t'p ! 4-4 9 7 -000 .pd f](https://vV1:vw.IHADtsorlfounty.ny.gov/sites/default/files/pu bltcinformatlon/madison__(: (Ill nty_d o IU;(1 III ments, -_d(lcket_11o._t'p ! 4-4 9 7 -000 .pd f)

7. Officials in DISH, TX commissioned a study of compressor station emissions in its vicinity. Wolf Eagle Consultants performed whole air emissions sampling for VOCs. Chemicals identified as exceeding Texas's ESLs include: benzene, dimethyl disulfide, methyl ethyl disulphide, ethylmethylethyl disulfide, trimethyl benzene, diethyl benzene, methyl-methylethyl benzene, tetramethyl benzene, naphthalene, 1,2,4-trimethyl benzene, em&p xylenes, carbonyl sulfide, carbon disulfide, methyl pyridine, dimethyl pyridine ...

8. concerning Perchlorate-

Much of the NED pipeline will be buried underground, which will require blasting and drilling under water features. The blasting itself carries the risk of release of perchlorate into ground water. Blasting can disrupt underground rock structure and aquifers, allowing perchlorate to enter the water system. At high concentrations perchlorate can affect the thyroid gland by inhibiting the uptake of iodine. A maximum contaminant level has not been set, while a guidance value of 6 ppb has been suggested by Health Canada. The presence of perchlorate in drinking water aquifers and its toxicological properties make perchlorate an emerging chemical of concern. (Srinivasan, Asha. and Thiruvengkatachari Viraraghavan. "Perchlorate: Health Effects and Technologies for Its Removal from

Water Resources." IntemationalJournal of Environmental Research and Public Health 6.4 (2009): 1418-1442. PMC. Web. 13 Sept. 2015.) Additionally, according to the Environmental Protection Agency, perchlorate is considered a "likely human carcinogen".

Some data from the EPA on some of the toxic materials listed above, known to be contained in hydraulic fracturing fluid:

Benzene- a potent known carcinogen. It can also cause anemia and a decrease in platelets by its effect on the bone marrow. The MCLG (maximum contaminant level goals) for benzene is zero. EPA has set this level of protection based on the best available science to prevent potential health problems”

Toluene-toxic to the nervous system, kidneys or liver. The MCLG for toluene is 1 mg/L or 1 ppm. EPA has set this level of protection based on the best available science to prevent potential health problems.

Xylene- is as a solvent, which is used in gasoline in gasoline as part of the BTX component (benzene-toluene-xylene). It is toxic to the nervous system. Xylene is present at a concentration of 3mg/l in hydraulic fracturing fluid (HFL). The MCLG for xylenes is 10 mg/L or 10 ppm. EPA has set this level of protection based on the best available science to prevent potential health problems.

Formaldehyde- Additionally, it has been demonstrated that formaldehyde, another carcinogen, has been found in high concentrations in the air at distances as high as 355 m from compressor sites. (Environmental Health 2014,13:82)

9. One hundred leading medical and scientific experts. “Physicians, Scientists and Engineers for Healthy Energy, petitioned the White House in December 2012 to halt fracking and, in particular, the expanded export of natural gas, stating, “there is a growing body of evidence that unconventional natural gas extraction from shale, that is, fracking, may be associated with adverse health risks through exposure to air, water and soil.”

10. In February 2012, Bernard D. Goldstein, MD, a physician and toxicologist, from Pennsylvania testified before the U. S. House of Representatives Energy and Environment Subcommittee, urging Congress to fund studies that would advance scientific understanding of mixtures of tracking compounds. Comparing the number of fracking sites to the number of Superfund sites, Dr. Goldstein stated it is a “virtual certainty that adverse health effects will be statistically associated with (hydrofracking] activities.”

11. A blowdown is the act of releasing natural gas from a section of pipeline so work can be done safely. The loud noise occurs when the natural gas, which is compressed into the pipe at very high pressure, escapes through the opening. The natural gas is compressed at 5,500 to 9,650 kilo Pascals (800 to 1,400 pounds per square inch) and makes a loud roaring sound as it rushes out through the valve .. As the natural gas rushes through the blowdown valve, a gas plume extends upward of 100 to 200 feet. The first 30 to 60 minutes of the blowdown are the loudest, but the entire blowdown may last up to three hours. <http://www.t.ranscanada.com>

Please explain to me how this complies with the President’s plan to reduce emissions of methane gas from oil and gas operations? It is obvious these greenhouse gases, from over 1,000 compressor stations across the country, play an accelerating role in the earth’s warming.

This gas pipeline is not ‘needed’.

12. In the 5/8/15 ISO Net Energy Load Report the following was stated: “Electricity usage in all of New England is going down compared to the same month a year ago -- at the rate of 1.2% a year. The decline is a bit steeper during the winter months December -March at 1.4% but is still 1.0% for the rest of the year.” The average drop in usage from May 2014 to April 2015 was 2.5% <http://goo.gl/PYjWG>

13. The Department of Energy recently determined that nationally, from 1998 to 2013, 46% of existing pipeline capacity went unused and points out that higher use of existing capacity is more cost effective than building new pipelines. (Jonathan Peress Environmental Defense Fund).

14. Also this past winter: “ISO’s Ninth FOI Award Capacity Auction posted GOQ.Q., News For New England” and “New England Winter Energy “Crisis” Fizzled this year”. Are two articles documented by Christopher Courchesne and Jerry Elmer respectively, both Harvard Law at the Conservation Law Foundation.

15. May 5, 2015_S 8~rkshire Eagle: Solar Array System designed to save 2 Million kW a year; enough to power 274 homes in Pittsfield for a year.

16. And, May 7, 2015 Berkshire Hathaway: Solar Array planned for Betner industrial park, expected to produce 650 kw of energy at peak generation.

17. and “It appears that savings of 2GW from LED lights and 3GW of renewables that will be in place in NY /New England by 2017 will take the biting edge out of any possible summer shortage”.

18. “The very facts surrounding the need for additional gas capacity are highly disputed,” Attorney General Maura Healey stated. 9/19/15. “DER’s proposal to authorize Electric Distribution Companies (EDCs) to enter into the long-term capacity agreements to facilitate pipeline expansion with the costs and risks of such long-term obligations borne exclusively by electricity ratepayers - suffers from numerous factual and legal infirmities.” In fact, the risks assumed by the electric ratepayers would be significant. because the volatility of natural gas pricing is well known.

19. Massachusetts currently has underutilized infrastructure. In 1999, Berkshire Gas 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. Berkshire had originally planned to add three additional LNG tanks to alleviate pressure, capacity and peaking issues, scheduled for 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. 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. Berkshire Gas seems to be ignoring this possible local capacity upgrade to “maintain adequate operating pressures during peak or near peak periods” until 2019, and to “meet projected [gas] send out requirements.” <http://www.environmentalactionfund.org/sites/default/files/2015-09/20150915%20Berkshire%20Gas%20LNG%20Storage%20Facility%20Investigation%20Report.pdf>

Pipeline Leak Rates-

20. It is known that pipelines leak over time. However, based on data from the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration, the leak rate from newly installed pipelines now exceeds that of pipelines from the pre-1940’s era.

Robert Hall, director of the NTSB’s Office of Railroad, Pipeline and Hazardous Materials Investigations, noted in a Sept. 1 2015 interview that the rapid construction of pipelines in the U.S. is likely a contributing factor to “people ... out there possibly taking shortcuts or not being as diligent” as they would be if the pace of construction were less fervent. In light of the increased leak rate from new pipelines, it is reasonable to be concerned that materials transported in the NED pipeline are also at risk of leaking.

Incidentally, this increase in leaks beginning in the 2010 decade correlates to the time period when Kinder Morgan became the largest pipeline operator in the US, with 84,000 miles of pipeline. While correlation is not causation, it remains an open question as to the safety and integrity of Kinder Morgan lines.

21. Methane is leaking from natural gas infrastructure in Boston and the surrounding region at rates two to three times higher than government estimates, scientists at Harvard University and other institutions found. 1/28/15

22. Published in the journal proceedings of the National Academy of Sciences last week, the researchers’ paper is the first peer-reviewed study that quantifies emissions of methane, a powerful greenhouse gas, from natural gas installations in urban areas-including pipelines, storage terminals and power plants. The amount of methane lost over a year in the study area is worth \$90 million, the authors wrote.

Evidence that Export will raise the price of gas locally

23. LNG exports will raise domestic prices -LNG exports increase demand for domestic gas from foreign buyers who will pay higher prices, thus resulting in higher domestic prices. A 2014 study by the Energy Information Administration (EIA) concluded that, on average, gas bills for residential, commercial, and industrial consumers will increase significantly. depending on the volume of gas exported.

24. According to Tyson Slocum, if even a simple majority of the LNG terminals that have been approved by DOE are actually built and export the volumes of gas for which they are authorized, “such exports will likely overwhelm domestic supply and demand capacity” - causing steep price hikes. - Mary Stewart Doug-

las is an environmental lawyer who has worked at the Environmental Protection Agency, private firms, and, most recently, with an association representing the state and local administrators a/the Clean Air Act.

25. Currently there are twenty applications for permits to build liquefied gas export facilities.

26. The Goldboro LNG project: consists of an LNG processing facility, storage tanks and marine works. The facility will be located at the Goldboro Industrial Park in Guysborough County, Nova Scotia, Canada. The natural gas supply feeding the project is to be delivered via the existing Maritimes & Northeast Pipeline, located directly adjacent to the project. The target markets for the LNG produced at the Goldboro LNG project are Europe, South America and Asia. Goldboro LNG is a Pieridae Energy Canada project. <http://goldborolng.com/>

Depreciation of home value:

27. 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." For further information contact: info@minisinkmatters.org

28. In Pavilion, WY, where the EPA has linked groundwater contamination with fracking, Louis Meeks saw the value of his 40-acre alfalfa farm all but disappear completely. In 2006, his land and home were appraised at \$239,000. Two years later, as ProPublica reported, "a local realtor sent Meeks a coldly worded letter saying his place was essentially worthless and she could not list his property. 'Since the problem was well documented ... and since no generally-accepted reason for the blowout has been agreed upon,' she wrote. 'buyers may feel reluctant to purchase a property with this stigma: ..

29. In Minisink N.Y. property values are plummeting and locals are complaining of chronic nosebleeds, rashes, migraines, and dizzy spells. The smell in the air can range from rotten eggs to burning paint. Minisink's nosedive in quality of life is the handiwork of the Millennium Pipeline Company, which runs two 6,000-horse power natural gas compressors in town limits. <http://www.minisinkmatters.org/?p=233>
some of the accidents-

30. Compressor stations have their own serious concerns, as illustrated by an explosion and fire at a Williams compressor on May 14, 2013 (Kohut 2013). A very recent fire at the Williams compressor station in West Windsor, NY on Jan. 7, 2014 (WBNG 2014) brought back memories of an explosion caused by a lightning strike at the same site in the summer of 2012 (Mahoney 2012).

31. The use of lesser quality pipe for pipelines in areas with lower-density rural housing concentrations, provides for higher short-term profits at huge environmental and health costs. Pipeline and compressor

accidents range from fires in above ground facilities to major underground explosions similar to the December 2012 blow-up of a pipeline underlying I-77 in West Virginia (Brinks 2013). The US Department of Transportation's Pipeline and Hazardous Safety Administration monitors incidents concerning pipelines on a yearly basis. The ten year average of "significant" incidents (causing damage over US\$50,000 per incident) was 282 per year, with property damages averaging us \$517,451,428 (USDOT 2014).

With this information so abundant and from so many reputable sources; why would anyone believe the unsubstantiated, self-serving rhetoric of the fossil fuel industry? This appears to be no different than the debacle of the tobacco industry.

New England has a different level of appreciation for clean air and water than some of the other areas of the country you may have dealt with. We understand that money cannot compensate the contamination of drinking water, or increasing levels of carcinogens in our air. We need only look west to see what we would be in store for. NO THANK YOU. The time for fracking is done because educated, informed Americans are coming together. a groundswell rising, all across the country. We will not accept this and we will stop It

Mamie & Bob Meyers
Windsor, MA 01270

20151013-0030

**Conservation Commission
Richmond, New Hampshire**

October 6, 2015

Jeffrey Taylor, Chairman
Richmond Conservation Commission
105 Old Homestead Highway
Richmond, NH 03470

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room IA
Washington, D.C. 20426

Re: Comments relative to the proposed Northeast Energy Direct Project, Tennessee Gas Pipeline, LLC, Docket No. PF14-22-000.

Dear Secretary Bose,

Richmond, a small, rural town located in the hilly region of southwest NH is unique as we do not have the usual expected modern conveniences such as a post office, stores, gas stations, or restaurants.

Many people are attracted to and live here for Richmond's primary assets which include our undeveloped landscape of rolling forested hillsides, pristine streams, ponds, and abundant wildlife. This magnificent landscape offers us peace, security, and a "sense of place" an escape from the pressure of urbanization.

The majority of the residents of Richmond have expressed their sincere concerns and fear that the Northeast Energy Direct Project, Tennessee Gas Pipeline, LLC, Docket No. PF14-22-000, poses an unreasonable threat their quality of life and the natural resources and rural character of Richmond. The people of Richmond feel they have to sacrifice their comfort, security, and sense of place without any benefit from the proposed project.

The Richmond Conservation Commission has been extremely frustrated with the lack of detail provided for the exact location of the proposed pipeline and other alternative routes in Richmond that have been mentioned at public meetings. This lack of transparency by Kinder Morgan has made it difficult for this commission to assess the potential impacts on the towns' natural resources.

The Richmond Conservation Commission clearly understands the concerns and opposition to this proposed

project expressed by the majority of our residents and wishes to present the additional following comments to FERC.

The commission is very concerned about the potential negative impacts to the following important resource areas within the alleged pipeline route:

- o Headwater streams and tributaries of Tilsey, Brickyard, Sprague, Roaring, Rice, and Tully Brooks which support naturally reproducing Eastern Brook Trout.
- o Sandy Pond and its unnamed tributary
- o Stratified drift aquifer between Old Homestead Highway and Fish Hatchery Road
- The possible taking of land protected by conservation easements such as the Quint Preserve, and Little Monadnock Family Trust.
- Invasive Plants — strong potential to introduce and spread from construction vehicles and moving of soil infested with seed.
- Stabilization of rocky, steep slopes during and after construction regarding soil erosion and possible stream sedimentation.
- Concerns for wetland impacts, remediation, and mitigation.

Please give serious consideration to the aforementioned potential impacts and concerns to Richmond's natural resources. Should this project be approved the Richmond Conservation Commission respectfully requests, that a third party, State of New Hampshire qualified environmental professional, be present on site during construction activities to monitor compliance with all applicable federal, state, and local permits.

Thank you for the opportunity to comment on this project.

Sincerely,

Jeffrey M. Taylor, Chairman
Richmond Conservation Commission

Cc: Carol Jameson, Chair, Board of Selectmen

20151013-0031

**Boulder Hills
Senior
Condominium Association
Pelham, New Hampshire 03076**

October 6, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room IA
Washington, D.C. 20426

Dear Secretary Bose,

We, the undersigned, are residents of Boulder Hills, an age-restricted, active, Senior townhouse community in Pelham, New Hampshire. Many residents are in their 80's and 90's. We are retired, continuing in a career, or volunteering in our town.

What we especially hold in common is our opposition to the Kinder Morgan/Tennessee Gas, Northeast Energy Direct (NED) Pipeline project (FERC PF14-22-000). We are abutters to the proposed pipeline. In effect, the pipeline's route would take open and forested space while crossing our boundaries. All twenty-four townhouses are within 1,000 feet of the proposed pipeline's placement and dangerously close to construction. YET, our Association President has never been notified of the pipeline's destined proximity to our homes.

The construction will require the clear-cutting of many “Wetland Conservation District” tagged trees. What becomes of their Conservation “No Cut, No Disturbance” status? The views we now enjoy will disappear. No longer will we hear the songbirds that visit our backyards. Animal visitors, which include deer, fox, wild turkeys, and endangered animals, such as the New England Cottontail, will lose habitats and their lives to the destructive pipeline construction.

We moved to Boulder Hills to enjoy a quiet, less worrisome way of life. After raising families and spending many years in various careers, we looked forward to tranquility and a healthy living environment. However, we now face many dangers and challenges to the quality of life we sought.

What becomes of our air quality, with a pipeline spewing toxic chemicals and vapors into the environment through leakage and by the use of chemicals during construction and operation? Some Senior residents already have respiratory challenges without the introduction of hazardous elements into our pristine neighborhood.

High noise levels expected to be emitted from a compressor station merely one mile away need to be measured to determine negative health impacts. Loss of sleep, resulting from high decibels not previously heard, has been reported by medical professionals to cause anxiety, heart ailments, digestive issues, psychological symptoms, and a general feeling of ill health. Not how one would expect the quality of life needed for enjoying activities in retirement!

Probably the most important negative result (though there are many others) of pipeline construction would be the contamination of our water supply. Water is life! Who would be responsible for the lack of potable water for our Seniors? How could you possibly replace well water and its distribution system for our twenty-four (24) homes and the Senior occupants. Can you replace water for drinking, personal cleanliness, and cooking? Who will pay for well testing long after the blasting and bulldozers have left the area? Oh, by the way, our well (aquifer supplied) is within 1,000 feet of the proposed pipeline!

Some final points:

1. Would anyone want to live out their years under the dark shadow of being in an “INCINERATION ZONE” ? Boulder Hills has eight (8) underground propane gas tanks used for home heating and cooking. All tanks would be compromised by construction of this “NO NEED, NO NECESSITY” pipeline.
2. Would anyone want to learn that their home, their earned equity for retirement, as well as a possible inheritance for their children and grandchildren, might not be able to be sold? Insurance not available, or very costly? Your home, your investment, your refuge taken by eminent domain for a pipeline’s gas destined for foreign markets. Destined to enrich strangers who have never met you. Strangers who will never understand why we need the FERC to deny the application of Kinder Morgan/Tennessee Gas for the NED pipeline project.

Finally, “IF” the FERC should grant approval for the Kinder Morgan/Tennessee NED pipeline project to proceed, we, the undersigned Senior residents of Boulder Hills, MUST be granted consideration for mitigation resulting in an alternate route that by-passes our homes.

Thank you for your consideration.

Boulder Hills Signatures

{35 signatures with unit # and printed names }

20151013-0032

Town of Hinsdale
39 South Street
Hinsdale, MA 01235

Office of the
Board of Selectmen

Phone: (413)655-2245
Fax: (413)655-8807

October 7, 2015

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

Subject: Northeast Energy Direct
FERC Docket # PF14-22-000
Proponent: Tennessee Gas Pipeline

Please find attached our formal comments related to the Northeast Energy Direct Pipeline.

The overall limited and vague information provided so far, makes it difficult to determine the exact or complete impacts of the project on the rural Town of Hinsdale. We have attended sessions and workshops and read the materials presented but we still have concerns and questions about the proposed pipeline. Hopefully your review of this project will provide some answers to our concerns and questions.

Yours truly,

Laurel Scialabba
Selectman
Town of Hinsdale, MA

TOWN of HINSDALE, MA

1. Background: Town of Hinsdale

The Town of Hinsdale is a rural community in the hilltowns of the Berkshires. The population is around 1800 residents year round but grows to around 5,000 in the summer months due to camps and second home owners. The Town is well known for its lakes and recreation. The residents of the Town and the summer population come here for the rural quality and quiet lifestyle. A concern of the citizenry is that the pipeline will disturb the main attractions of the Town and its rural quality and quiet atmosphere. Citizens are concerned that proximity to the pipeline will affect both the appraised values and sale prices of their residences.

2. Construction

All General Construction Standards must be met and all local permits should be obtained. Kinder Morgan should agree to notify the Town of any problems, violations or complaints regarding the construction of the pipeline. All work permits required in the Town must be obtained by Kinder Morgan. Overall agreements with the Town must be in place before any construction activities begin. Kinder Morgan should provide the Town with indemnification and hold harmless agreements to protect the Town from any damage to property as a result of the construction, including roadways. There is significant concern with blasting in the area of construction considering the nature of the ground in this area (Le. ledge rock, large boulders, etc.). Protections during blasting operations need to be defined and guaranteed to the Town. We do not have enough information on the compressor station which is near Hinsdale so that we can discern if there are any impacts to our Town. Work on the project should be limited to the hours between 7AM and 7PM. During construction and operations all noise levels must comply with Mass DEP certified regulations. Where will meters and valves be located and what will be their impacts and requirements? What will be the guarantees that blasting will not impact, wells, dams, streams and water supplies that feed the nearby reservoirs and homes? What will be the protections to the Town for hazardous materials, leaks from machinery and blasting by-products? What are the long term effects of pipeline construction on the general area? What type of security will be provided to protect the pipeline during and after construction? Kinder Morgan should assure the Town that there will be no impact to the pipeline from its adjacency to the high tension wires and the power station. Some consideration needs to be taken to assure that the depth of the pipeline itself will survive the frost in the ground during the winter months.

3. Issue: Public Safety

The Town of Hinsdale has a small volunteer Fire Department. The Fire Department also runs the Ambulance service for Hinsdale, Peru, Middlefield, and part of Washington. The Fire Chief is concerned that, after traveling and researching the route, it would be very difficult for current equipment to access the pipeline for either fire or emergency services. Knowing that access roads must be built for the pipeline, will those access roads be adequate or remain for the fire and EMS services before, during and after construction? The Department does have some equipment that could be used to service emergencies along the pipeline but they do not have a small enough vehicle that can be used on the trails that lead to the current high tension area. Since forest fires are a main concern with the pipeline the Department may not have the proper equipment to handle a large scale incident. The Fire Department would most likely need Wild land PPE, an off road extinguishment vehicle, forestry hose and stockpiles of class A foam to be replenished by the pipeline operator. Also gas meters, compatible with the expected product, for each response vehicle as well as yearly maintenance of such meters paid by the pipeline operator. Is Kinder Morgan prepared to provide such equipment? We would need to know whether the construction company doing the work will have the proper emergency equipment and personnel in case of any confined space or cave-in incident that may occur. There needs to be either assurance that equipment and personnel are available or Kinder Morgan needs to supply both to the EMS service in Town. More complete training needs to be provided to the Fire Department and Ambulance Service on the types of emergencies inherent on the pipeline process for both construction and maintenance. They also need training to go along with equipment needed. The Town would need better identification of the meters and valves involved in the pipeline.

The impact of road closures and detours on emergency vehicles must also be determined as well as the impacts to residents for those closures or detours.

The Emergency Management staff has concerns for the residents and property surrounding the proposed pipeline as well. They feel that they will need training and equipment to handle a major incident. Equipment such as: gas meters, portable radios that interface with the various town, state and federal agencies, road barriers, cones, tape and a battery with charger. Will the pipeline operator supply this equipment?

The Police Department has expressed no major concerns with the pipeline but also would need training on handling a major incident with the pipeline.

All concerned with public safety would want to meet with the construction companies prior to any activity to be sure training was completed. The Construction Company should also plan to meet with them on a regular basis during construction.

4. Roads

The Highway Department for the Town of Hinsdale has expressed significant concerns surrounding the proposed pipeline. The proposed route must be more clearly defined especially the location of access roads, pipe yards, contractor yards, etc. so that exact impacts to the roads can be ascertained. The routes to and from the sites must also be more exact in order to identify the impacts to those routes as well. All roads affected must be inventoried for condition, including subbase, culverts and bridges for the ability to handle heavy equipment and loads. Roads and bridges must be clearly identified to handle the loads of equipment and delivery of various construction needs and the method proposed to construct the pipeline along these roads or bridges must be clearly defined. The costs for repair or improvements needed to use the roads must be borne by Kinder Morgan and an insurance bond to the Town of Hinsdale should be provided by Kinder Morgan. Since Hinsdale is a rural community and the pipeline is proposed along the high tension wire route there are few roadways along this route that are built to handle this kind of traffic. These roadways are Adams Rd., Old Windsor Road, Frank Schnopp Rd. and New Windsor Rd. Use of these roads and crossings to this rural area must be clearly defined as well as precautions to protect owner's lands and rights and the condition of the roads must be returned to "normal" or better by Kinder Morgan after the construction of the pipeline is complete. The condition of the roads after construction must be evaluated by the Town for the agreement that the roads are in repair. Any access roads built to the site must also be evaluated for emer-

agency vehicles to access the pipeline itself and the roads must continue to be maintained by Kinder Morgan. Any detours must be determined and impact considered to the residents of the area. The impact of the heavy winter snows and ice must also be considered and addressed.

5. Conservation and Wetlands.

The proposed route of the pipeline goes through Hinsdale which has significant wetlands and brooks in the area. Crossing of the wetlands and particularly the two brooks is of significant concern to the Town. There is almost no area of the proposed pipeline that does not affect some form of protected area. Portions of the route include the FEMA 100year floodplain, a Public surface Water Supply Protection Area, a nearby Public Surface Water Supply, Fresh Water Wetlands, two brooks and Protected and Recreational Open Space. The entire construction would be done in a DEP designated Area of Critical Concern. A Notice of Intent to the Hinsdale Conservation Commission must be filed and approved. The methodology of crossing the wetlands and brooks must be explained and approved. A Wetlands Consultant and Environmental Monitor would need to be hired by the Town at the expense of Kinder Morgan in order to assure all wetlands, brooks, etc. are protected and regulations complied with during construction. Erosion controls will need to be defined, installed and maintained to DEP and Town requirements along the corridor, staging areas and construction storage facilities. Restoration procedures must be defined. We need more information about refueling, prohibitions for water supplies and the area mitigation following construction. Has the impact of the proposed route been reviewed by Natural Heritage and Endangered Species group?

6. Water Quality

Both public and private water resources, in the construction area and nearby, need to be identified and protected. Water quality testing should be done before and after construction to assure the results are the same or better. Septic systems must also be checked for disturbance. Guarantees need to be provided to the Town and property owners that there will be no negative impacts on water supply, wells or septic systems. All construction methodology must be developed to avoid any alteration to the existing local aquifers to the private well systems.

20151013-0079

**FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426**

October 9, 2015

OFFICE OF THE CHAIRMAN

Honorable James P. McGovern

U.S. House of Representatives

Washington, D.C. 20515

October 9, 2015

Dear Congressman McGovern

Thank you for your August 31, 2015, letter regarding Tennessee Gas Pipeline Company, L.L.C.'s (Tennessee Gas) planned: Vortheast Energy Direct Project (Docket No. PF14-22-000).

During the pre-filing process, numerous environmental surveys and studies are being performed concurrently by the applicam. Additionally, FERC staff is reviewing the information and requesting additional information from Tennessee Gas. The purpose of the pre-filing process is to increase the applicant's and staff's understanding of the issues that should be addressed in the formal application and in the subsequent environmental impact statement (EIS) for the project. The EIS will analyze the environmental issues you raise, and will not be issued without the Commission having all of the information necessary to determine the potential impacts associated with constructing and operating the project.

With regard to your request for other scoping meetings, we held an additional scoping meeting in Rindge,

New Hampshire on September 29, 2015. Additionally, the Commission announced in a September 3, 2015, Supplemental Notice that it would extend the comment period for the project until October 16, 2015. Commission staff will continue to accept comments on the project after the end of the formal comment period and these comments will be considered within the EIS. After the draft EIS is issued, the public will have opportunities to comment on the adequacy of the EIS.

As in any Commission matter, please be assured that we strive to make our review of proposals both accessible and transparent to the public. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay
Chairman

20151013-0081

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, DC 20426

October 9, 2015

OFFICE OF THE CHAIRMAN

The Honorable Ann McLane Kuster
U.S. House of Representatives
Washington, D.C. 20515

October 9, 2015

Dear Congresswoman Kuster:

Thank you for your September 2, 2015, letter regarding Tennessee Gas' roposed Northeast Energy Direct project (Docket No. pF14-22-000).

During the pre-filing process, numerous environmental surveys and studies are being performed concurrently by the applicant. Additionally, FERC staff is reviewing the information and requesting additional information from Tennessee Gas. The purpose of the pre-filing process is to increase the applicant's and Commission staff s understanding of the issues that should be addressed in the formal application and in the subsequent environmental impact statement (EIS) for the project.

The EIS will analyze the environmental issues you raise, such as impacts on environmentally sensitive areas, public safety, and alternative pipeline routes and compressor station locations. The document will not be issued without the Commission having all of the information necessary to determine the potential impacts associated with constructing and operating the project. With regard to your concern that pipeline could impact important recreation and conservation areas within New Hampshire, and the routing of pipeline near educational facilities, the EIS will include a discussion of socioeconomic impacts, land use, and impact on public safety, including educational facilities situated in proximity to the planned pipeline route.

As in any Commission matter, please be assured that we strive to make our review of proposals both accessible and transparent to the public. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay
Chairman

20151013-0082

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, DC 20426

October 9, 2015

OFFICE OF THE CHAIRMAN

Dawn G. Jordan

Town of Berne

P.O. Box 57

Town of Berne, NY 12023

Dear Councilman Jordan:

Thank you for your August 31, 2015, letter regarding Tennessee Gas' proposed Northeast Energy Direct Project (Docket No. PF14-22-000).

As you are aware, 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 on June 30, 2015. The meeting locations and dates, including the July 16 Schoharie meeting, as well as the July 14 and 15 meetings in Rensselaer County, were selected to be convenient for the greatest number of people who might be interested in the project, while recognizing the available resources of the Commission to conduct such meetings. As stated in a September 3, 2015 Supplemental Notice, the Commission has extended the comment period for the project until October 16, 2015.

During the pre-filing process, numerous environmental surveys and studies are being performed concurrently by the applicant. Additionally, Commission staff is reviewing the information and requesting additional information from Tennessee Gas. The purpose of the pre-filing process is to increase the applicant's and Commission staff's understanding of the issues that should be addressed in the formal application and in the environmental impact statement (EIS) for the project. Commission staff will continue to accept comments on the project after the end of the formal comment period and these comments will be considered within the EIS. 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.

The EIS will analyze the environmental issues you raise, such as impacts on water quality, public health, and public safety. The document will not be issued without the Commission having all of the information necessary to determine the potential impacts associated with constructing and operating the project. Comments on the draft EIS may be submitted to the Commission either in writing by filing them in the docket, or verbally at public comment meetings that will be held in the project area. After consideration of the comments received on the draft EIS, a final EIS will be issued. The Commission will consider the findings of the final EIS, as well as issues such as the need for the project, before making its decision on whether or not to authorize this project.

As in any Commission matter, please be assured that we strive to make our review of proposals both accessible and transparent to the public. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay

Chairman

20151013-0084

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, DC 20426

October 9, 2015

OFFICE OF THE CHAIRMAN

The Honorable Kelly Ayotte

United States Senate

Washington, D.C. 20510

Dear Senator Ayotte:

Thank you for your September 10, 2015, letter regarding Tennessee Gas's planned Northeast Energy Direct Project (Docket No. PF14-22-000), which raises concerns with our review process for natural gas pipelines. On October 2, 2014, the Commission approved Tennessee Gas's request to begin the pre-filing review for this project. The Commission's pre-filing process is designed to engage stakeholders to identify and resolve environmental issues before the formal filing of an application with the Commission. Engaging the public early in the process enables the Commission to fulfill its obligation under the National Environmental Policy Act in the event an application is filed. Because Tennessee Gas has not yet filed an application, the Commission is not in a position to make a determination on the public need for the project.

Once Tennessee Gas files its application, Commission staff will prepare a draft environmental impact statement (EIS), which will analyze the project's environmental impacts, including those related to pipeline safety. The EIS will be published and distributed for public comment. After consideration of the comments received on the draft EIS, a final EIS will be issued. The final EIS will address any comments received on the draft EIS. The Commission will consider the findings of the final EIS, as well as the public comments received on the need for the project, before making its decision on whether or not to authorize this project.

The Commission issued a Statement of Certificate Policy Statement on September 15, 1999, in Docket No. PL99-3-000. This document provides guidance for evaluating proposals to certificate new construction by establishing criteria for determining whether there is a need for a proposed project and whether the proposed project will serve the public interest. The Certificate Policy Statement explained that in deciding whether to authorize the construction of major new pipeline facilities, the Commission balances the public benefits against the potential adverse consequences. When evaluating new pipeline construction, 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.

With regard to your concerns regarding pipeline safety, the Department of Transportation (DOT) has the exclusive authority to promulgate federal safety standards used in the transportation of natural gas. FERC's regulations in Title 18, Code of Federal Regulations, § 157.14(a)(9)(vi) require that an applicant certify that it will design, install, inspect, test, construct, operate, replace, and maintain the facility for which a Certificate is requested in accordance with DOT federal safety standards and plans for maintenance and inspection. Lastly, as a matter of policy, Commission staff continues to fully evaluate any comments received during and after the close of the formal comment period. I encourage you and your constituents to continue to participate in the review of the projects 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 proposals both accessible and transparent to the public. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay
Chairman

20151013-0085

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

October 9, 2015

OFFICE OF THE CHAIRMAN

The Honorable Ann Kuster

U.S. House of Representatives

Washington, D.C. 20515

Dear Congresswoman Kuster:

Thank you for your September 10, 2015, letter regarding Tennessee Gas's planned Northeast Energy Direct Project (Docket No. PF 14-22-000), which raises concerns with our review process for natural gas pipelines.

On October 2, 2014, the Commission approved Tennessee Gas's request to begin the pre-filing review for this project. The Commission's pre-filing process is designed to engage stakeholders to identify and resolve environmental issues before the formal filing of an application with the Commission. Engaging the public early in the process enables the Commission to fulfill its obligation under the National Environmental Policy Act in the event an application is filed. Because Tennessee Gas has not yet filed an application, the Commission is not in a position to make a determination on the public need for the project.

Once Tennessee Gas files its application, Commission staff will prepare a draft environmental impact statement (EIS), which will analyze the project's environmental impacts, including those related to pipeline safety. The EIS will be published and distributed for public comment. After consideration of the comments received on the draft EIS, a final EIS will be issued. The final EIS will address any comments received on the draft EIS. The Commission will consider the findings of the final EIS, as well as the public comments received on the need for the project, before making its decision on whether or not to authorize this project.

The Commission issued a Statement of Certificate Policy Statement on September 15, 1999, in Docket No. PL99-3-000. This document provides guidance for evaluating proposals to certificate new construction by establishing criteria for determining whether there is a need for a proposed project and whether the proposed project will serve the public interest. The Certificate Policy Statement explained that in deciding whether to authorize the construction of major new pipeline facilities, the Commission balances the public benefits against the potential adverse consequences. When evaluating new pipeline construction, 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.

With regard to your concerns regarding pipeline safety, the Department of Transportation (DOT) has the exclusive authority to promulgate federal safety standards used in the transportation of natural gas. FERC's regulations in Title 18, Code of Federal Regulations, § 157.14(a)(9)(vi) require that an applicant certify that it will design, install, inspect, test, construct, operate, replace, and maintain the facility for which a Certificate is requested in accordance with DOT federal safety standards and plans for maintenance and inspection.

Lastly, as a matter of policy, Commission staff continues to fully evaluate any comments received during and after the close of the formal comment period. I encourage you and your constituents to continue to participate in the review of the projects 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 proposals both accessible and transparent to the public. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay
Chairman

20151013-0086

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

October 9, 2015

OFFICE OF THE CHAIRMAN

The Honorable Frank Guinta
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Guinta:

Thank you for your September 10, 2015, letter regarding Tennessee Gas's planned Northeast Energy Direct Project (Docket No. PF14-22-000), which raises concerns with our review process for natural gas pipelines.

On October 2, 2014, the Commission approved Tennessee Gas's request to begin the pre-filing review for this project. The Commission's pre-filing process is designed to engage stakeholders to identify and resolve environmental issues before the formal filing of an application with the Commission. Engaging the public early in the process enables the Commission to fulfill its obligation under the National Environmental Policy Act in the event an application is filed. Because Tennessee Gas has not yet filed an application, the Commission is not in a position to make a determination on the public need for the project.

Once Tennessee Gas files its application, Commission staff will prepare a draft environmental impact statement (EIS), which will analyze the project's environmental impacts, including those related to pipeline safety. The EIS will be published and distributed for public comment. After consideration of the comments received on the draft EIS, a final EIS will be issued. The final EIS will address any comments received on the draft EIS. The Commission will consider the findings of the final EIS, as well as the public comments received on the need for the project, before making its decision on whether or not to authorize this project.

The Commission issued a Statement of Certificate Policy Statement on September 15, 1999, in Docket No. PL99-3-000. This document provides guidance for evaluating proposals to certificate new construction by establishing criteria for determining whether there is a need for a proposed project and whether the proposed project will serve the public interest. The Certificate Policy Statement explained that in deciding whether to authorize the construction of major new pipeline facilities, the Commission balances the public benefits against the potential adverse consequences. When evaluating new pipeline construction, 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.

With regard to your concerns regarding pipeline safety, the Department of Transportation (DOT) has the exclusive authority to promulgate federal safety standards used in the transportation of natural gas. FERC's regulations in Title 18, Code of Federal Regulations, § 157.14(a)(9)(vi) require that an applicant certify that it will design, install, inspect, test, construct, operate, replace, and maintain the facility for which a Certificate is requested in accordance with DOT federal safety standards and plans for maintenance and inspection.

Lastly, as a matter of policy, Commission staff continues to fully evaluate any comments received during and after the close of the formal comment period. I encourage you and your constituents to continue to participate in the review of the projects 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 proposals both accessible and transparent to the public. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay
Chairman

20151013-0087

FEDERAL ENERGY REGULATORY COMMISSION

October 9, 2015

OFFICE OF THE CHAIRMAN

The Honorable Jeanne Shaheen
United States Senate
Washington, D.C. 20510

Dear Senator Shaheen:

Thank you for your September 10, 2015, letter regarding Tennessee Gas's planned Northeast Energy Direct Project (Docket No. PF14-22-000), which raises concerns with our review process for natural gas pipelines. On October 2, 2014, the Commission approved Tennessee Gas's request to begin the pre-filing review for this project. The Commission's pre-filing process is designed to engage stakeholders to identify and resolve environmental issues before the formal filing of an application with the Commission. Engaging the public early in the process enables the Commission to fulfill its obligation under the National Environmental Policy Act in the event an application is filed. Because Tennessee Gas has not yet filed an application, the Commission is not in a position to make a determination on the public need for the project.

Once Tennessee Gas files its application, Commission staff will prepare a draft environmental impact statement (EIS), which will analyze the project's environmental impacts, including those related to pipeline safety. The EIS will be published and distributed for public comment. After consideration of the comments received on the draft EIS, a final EIS will be issued. The final EIS will address any comments received on the draft EIS. The Commission will consider the findings of the final EIS, as well as the public comments received on the need for the project, before making its decision on whether or not to authorize this project. The Commission issued a Statement of Certificate Policy Statement on September 15, 1999, in Docket No. PL99-3-000. This document provides guidance for evaluating proposals to certificate new construction by establishing criteria for determining whether there is a need for a proposed project and whether the proposed project will serve the public interest. The Certificate Policy Statement explained that in deciding whether to authorize the construction of major new pipeline facilities, the Commission balances the public benefits against the potential adverse consequences. When evaluating new pipeline construction, 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.

With regard to your concerns regarding pipeline safety, the Department of Transportation (DOT) has the exclusive authority to promulgate federal safety standards used in the transportation of natural gas. FERC's regulations in Title 18, Code of Federal Regulations, 157.14(a)(9)(vi) require that an applicant certify that it will design, install, inspect, test, construct, operate, replace, and maintain the facility for which a Certificate is requested in accordance with DOT federal safety standards and plans for maintenance and inspection. Lastly, as a matter of policy, Commission staff continues to fully evaluate any comments received during and after the close of the formal comment period. I encourage you and your constituents to continue to participate in the review of the projects 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 proposals both accessible and transparent to the public. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay
Chairman

20151013-5004

Roy Pincus, Lynnfield, MA.

This project is not about providing natural gas to New England. If it was, why is there a 24" pipeline being planned from Dracut, MA to the shoreline? This fracked natural gas is clearly intended to be sold overseas for a major profit. Not only does our area not need the capacity, but we certainly do not need a pipeline of this size and under such high pressure. So why does Kinder Morgan want to put in such a high pressure pipeline through our state and then have a lateral line through the north shore of the state to the shoreline? The answer is obvious: so they can get it on ships to export overseas. So this is not a pipeline carrying natural gas for public use. This is for corporate profit. Period! And if not for public use then eminent domain cannot be used. And that means the pipeline cannot go through private property. If this pipeline was really to help increase natural gas capacity in our area, why not just stop the pipeline in Dracut, MA and limit any more damage that will be done to our environment, wetlands, and private properties? There is no need for the Lynnfield Lateral from Dracut to the shoreline. Please do the right thing and stop this monstrosity from ruining so much that is good about Massachusetts. Please put the concerns and safety for the people of our state ahead of the corporate greed and profits of Kinder Morgan.

For the record, I have denied Kinder Morgan their request to survey my property for this project and a copy of the denial letter is on hand with the Lynnfield Police Department.

20151013-5011

Leonard Cohen, Bloomfield, CT.

I am vehemently opposed to the planned pipeline expansion project. I am a lifelong resident of the area and currently own property that borders the MDC reservoir where the project is planned. I have traversed the area dozens of times in my life, including along the pipeline. To start, I can tell you without doubt that there is no way that the project could not disrupt the local environment, including but not limited to the wildlife of the area, particularly given the size of the area and its importance to the surrounding towns as undeveloped forest. Second, the company has a poor track record for safety. In fact, a quick online search does not turn up one good word about them except that put out there by the company itself. The potential threat to the surrounding environment is too great given the size of the land, its role in providing fresh, clean drinking water to the area, and its proximity to residential areas. In short, "not in my backyard." Finally, despite the company's claims of providing better service to area residents, I have never heard anyone here ever say we need more gas, improve our service. TNG is misleading in this area, and the expansion is unnecessary and threatening to this area.

20151013-5012

Evelyn Taylor, New Ipswich, NH.

My frustration with FERC over the Kinder Morgan/TGP Northeast Direct Pipeline (NED) proceedings within FERC is beyond words.

Your process is unjust and ineffective for many reasons. You have determined there will be no more scoping sessions despite the fact that what we have had to comment on thus far is NOT what we will get from this pipeline. The route changed TWICE on October 8. I saw a map at the Merrimack, NH Town Council Comment session with Kinder Morgan on Oct 8 that was drawn after a morning meeting with Fidelity Investments, Inc. and other businesses that morning yet during the presentation of that map to the Council Kinder Morgan described other changes that were also needed. This leaves the town of Merrimack and other surrounding towns who know NOTHING of this new map or changes to it at a serious and grave disadvantage and hopelessness of a fair and just process for the evaluation of this pipeline.

Further, your list of what the FERC does includes: "Ensures the safe operation and reliability of proposed and operating LNG terminals;"

I do not see anything on your list indicating you ensure the safe operation and reliability of proposed and

operating natural gas or fracked gas compressor station or pipeline operations, so if you have no role in that, how is it that you are qualified to participate in this evaluative process and fairly and honestly review and make a decision about this NED proposal?

20151013-5014

Julie OBrien, Merrimack, NH.

With regard to another revised NED Pipeline route traversing through Merrimack, NH I am requesting that the Scoping Comment Deadline be officially extended out from October 16, 2015 by at least another 2 weeks. Bringing the deadline to October 30, 2015.

20151013-5016

Evelyn Taylor, New Ipswich, NH.

My frustration with FERC over the Kinder Morgan/TGP Northeast Direct Pipeline (NED) proceedings within FERC is beyond words.

The FERC process is unjust and ineffective. The FERC has determined there will be no more scoping sessions for NED despite the fact that what we have been able to comment on thus far is NOT what we will get from this pipeline. The route changed again TWICE on October 8. I saw a map at the Merrimack, NH Town Council Comment session with Kinder Morgan on Oct 8 that was hastily drawn after meetings with Fidelity Investments, Inc. and other businesses earlier on that same day yet during the presentation of that 'new' map to the Council Kinder Morgan described other changes that were also needed. This leaves the town of Merrimack, who had done great due diligence to review and comment on a prior changed map, and other surrounding towns who know NOTHING of these new changes, at a serious and grave disadvantage and hopelessness of a fair and just process for the evaluation of this pipeline. Maps of a specific town are not relevant to only that town. I live in New Ipswich, NH, just a short walk to the compressor station site and I drive through and near the proposed pipeline route through New Ipswich, Greenville, Wilton, Milford, Amherst, Hollis and Merrimack to reach my work destination at Fidelity Investments in Merrimack so the extensive presence of the pipeline surrounding my life in all directions day and night for what may be the rest of my life is of great relevance to my well being. Because I am not on the pipeline route, I am left with financial ruin and certain bodily harm, particularly from the compressor station.

Despite Kinder Morgan's and Tennessee Gas Pipeline's claims of no significant property depreciation and no impurities in the gas expected to travel through this pipeline, we know otherwise. Local realtors are refusing to accept listings or are having unsuccessful efforts selling homes near the pipeline route, saying buyers are simply not interested because of the pipeline and science and federal legislation does not agree with statements by Kinder Morgan and Tennessee Gas, L.L.C. of no impurities in the gas.

Is FERC investigating those statements?

Further, the list of what the FERC does on its web site includes: "Ensures the safe operation and reliability of proposed and operating LNG terminals;"

I do not see anything on that list indicating the FERC ensures the safe operation and reliability of proposed and operating natural gas or fracked gas compressor stations and pipeline operations, so if the FERC has no role in that, how is it that the people working there are qualified to execute a fair and honest evaluative process and make a correct decision about this NED proposal or any other?

The fact that we are now cut off from scoping the real proposal is of immense concern. The people of New Hampshire are forced buyers of this project. It is not free. We are paying with our homes, our businesses, our jobs, our families, our schools, our historical landmarks, our pure and only drinking water supplies, our health and our human right to live without the torture of hundreds of hazardous chemicals and other pollutants doused upon us by the TON. Our human right to ensure our children are safe from harm is being violated. Our right as citizens of the United States to be offered fair and just proceedings is being violated.

As if that was not enough, we must then pay again with tariffs and taxes and community and social destruc-

tion of the financial structures within our towns as people are forced to leave by either eminent domain or to escape a harmful environment. How do we pay our debts for building new schools that are no longer occupied? What happens to us and our families as we must file for bankruptcy? Great people who have worked and paid their bills responsibly for decades are now facing a choice of defaulting on their mortgage as the only option to provide a means to bring themselves and their families out of harm's way. Why must we choose bankruptcy to escape from harm? Why must these injustices be on our backs while Kinder Morgan and TGP make billions of dollars at our expense?

IS KINDER MORGAN/TGP RESPONSIBLE TO COMPENSATE THESE LOSSES SO PEOPLE CAN ESCAPE FROM HARM?

Even if they did, no one can re-purify a poisoned aquifer. Pure drinking water is not a frivolous matter. It is essential to life. My brain cannot comprehend the disregard to the very basic needs of life that this and similar projects bestow. Such destruction is documented with direct cause to compressor station or pipeline activities either during construction or during operations. The truth is present as evidence.

My brain cannot comprehend how we, as a civilized and supposedly well-educated segment of the human species on Earth, can pursue energy needs using these methods. Any non-renewable supplies should be used with extreme frugality, if at all. Proliferating use of non-renewables hinders the transition to renewable alternatives. The FERC's mindset remains stuck far in the past and has not progressed as science has proven the errors made. The FERC's proceedings are outdated and promoting destruction of ecosystems and allowing harm to continue to be bestowed upon the health and well being of all living things.

Please tell me what the exact role of Landowner Help is, because thus far, given the FERC's record of approving all but one submission, and given the permissions granted to pipeline companies to construct a path of destruction, I can only surmise that all those persons who have come before FERC for this and other pipelines never had a chance of fairness.

The FERC record of response to submissions is far outside the normal curve of probability calculations. It screams reason to suspect either superior performance, which the comments received for PF14-22 don't uphold, or imbedded manipulation or corruption.

20151013-5023

Gina Goff, Sharon, NH.

To leaders at FERC: The NED pipeline is, simply, a terrible idea. The New Hampshire towns and villages the proposed pipeline will impact are beautiful...small and rural. The compressor station is planned for very near an elementary school (so wrong) and local firefighters are all volunteer -- if you are watching the news, the incidence of pipeline explosions is pretty frequent. Volunteers couldn't handle a fire or an explosion here. Many of us (including me) are concerned by the "blowdowns" when toxic chemicals will be released into the air we breathe. Many others (also including me) are concerned about the environmental impacts, including on local well-water supplies. The fracked gas in the pipeline is -- mostly -- bound for export overseas. The project won't boost our local economy (past the construction phase, which will, by the way, require out-of-state workers mostly) nor does it promise to lower energy costs.

It's the wrong project, in the wrong place, at the wrong time. It's also an old technology that we, as a country, should be abandoning in favor of clean power such as solar, wind and geothermal.

Please, please please deny approval to the NED pipeline project. Thank you for listening and for including my comments in your deliberations.

20151013-5026

Roy Pincus, Lynnfield, MA.

Why is it that trying to get information out of Kinder Morgan is like pulling teeth? I have never experienced a less transparent company than Kinder Morgan. When they are requested to come and speak to our town or neighboring towns, they are a no show. What is it they don't want to tell us? Or are they afraid to face the

overwhelming opposition to this project and are hoping that they can get this project approved without having to face the people whose property and lives they intend to destroy? But I guess I shouldn't be surprised when their CEO is a former Enron Executive. Anything, any way, any how to make a buck. I wouldn't trust Kinder Morgan from here till tomorrow. They are as shady as shady gets.

Please stop this project. Town after town after town in our state is against it. I have seen no support for it. It is not needed. Please listen to voice of the people as we are the ones who will suffer. DO NOT approve this project and disregard and disrespect the people of Massachusetts! Since when are the wants of a corporation put ahead of the people who will be most affected by their work?

20151013-5028

Eli Gonell, Haverhill, MA.

To whom it may concern,

As a concerned resident and taxpayer of Massachusetts I disapprove of any new gas pipelines, in particular, in residential zones across this state. As we move closer to the 22nd century, the United States and the world will focus more on Green Energy, bringing the aggregate gas consumption down, not up. Furthermore, technologies centered in clean, alternative energy are continuously working on consumer scalability, which in turn will allow everyone to reap the benefits of cheap, reliable, and clean energy. In addition, residents of this state will not stand to see their lands destroyed and altered so that big business can make profits. Once the pipelines are installed, ecosystems and natural habitats for wild animals will be destroyed. This is our land and we worked our tails off for our properties.

I repeat, there is no need for new pipelines!

Thank you!

20151013-5029

Sally S Rieger, Simsbury, CT.

I am writing in my position as the **Chair of the Lower Farmington River Wild and Scenic Study Committee**. I am requesting that Kinder/Morgan Tennessee Gas Pipeline Company be required to provide more information to the public, and to interested environmental and community groups, information specifically related to the proposed crossing of the Farmington River in Windsor, CT within our Wild and Scenic Study area. To date, how Kinder/Morgan intends to cross the river remains unclear.

Our group has been charged with defining and understanding the Outstandingly Remarkable Values of the river in the Study Area. These Values are Geology, Water Quality, Biodiversity, Cultural Landscape and Recreation. We suspect that the best option for the river would be horizontal directional drilling but we cannot comment in a meaningful way without more information. All ten towns in the Study Area and many organizations, including Stanley Black and Decker, local land trusts and other conservation organizations and businesses, support designation. The Farmington River is a valuable and treasured local resource.

Kinder/Morgan Tennessee Gas Pipeline Company has held two recent public meetings in our area, one in August, a time when many people are not in town to attend. I received notification of that meeting on the day of the meeting through another local group. The information was so poorly distributed by Kinder/Morgan that when I forwarded the information to Rivers Alliance of CT, it was the first news of the meeting that organization had received. Rivers Alliance of CT is widely recognized in CT as a strong and respected advocate of river and drinking water protection. If Kinder/Morgan was doing its best to notify interested parties, as they have stated, then their "best" is most inadequate.

At the more recent meeting in West Hartford, CT on October 7, a meeting held at the request of the MDC which supplies drinking water to over 400,000 people in CT, there was not an opportunity to get any detail about the Farmington River crossing. Thus, we need an informational meeting related to that question. The Farmington River crossing is of interest to all ten towns in the Wild and Scenic Study, Avon, Bloomfield,

Burlington, Canton, East Granby, Farmington, Granby, Hartland, Simsbury and Windsor.

We appreciate the opportunity to have you address our concerns.

Sincerely,

Sally Rieger

Chairman

Lower Farmington River and Salmon Brook

Wild and Scenic Study Committee

c/o Farmington River Watershed Association

749 Hopmeadow St.

Simsbury, CT. 06070

dfrandssr@aol.com

20151013-5032

Nancy Carney, Fitzwilliam, NH.

Docket no. PF14-22

Kinder Morgan Proposed Natural Gas Pipeline

From

Fitzwilliam Fire Department and Emergency Management

During Construction of Proposed Pipeline -

- What is your emergency response plan? When will we receive a copy of it?
- Will Kinder Morgan be installing an Active (CO2?) or a passive fire suppression system?
- Will Kinder Morgan Install gas leak detectors at the Compression station if one is installed in the town?
- Will you provide and pay for initial and ongoing Training for all first responders (police, fire, ambulance, emergency management and highway)? How often will training take place? Is there a point at which training would end? If so, what is that point?
- Will Kinder Morgan supply emergency responding personnel with Pipeline Safety Education to the level of Technician? Training in accordance to meet or exceed OSHA 1910.120.
- Are you providing Trench Rescue and Confined Space rescue training for all personnel along the pipeline corridor? Is there a maximum number of personnel you will train or will all currently employed and/or volunteer workers be trained
- What kind of Special protective gear is needed for first responders at an incident? Please list any and all specific equipment. Will Kinder Morgan provide and maintain it or replace if damaged, as long as it is needed?
- How many personnel will respond from Kinder Morgan in case of an incident?
- What security monitoring will be implemented during the construction along the length of the pipeline (alarms, fences, manpower, cameras, and patrols)? How many systems? Who will monitor them? Where will tapes and images be kept? How long will they be kept? Who will assess them? Will information be available to all departments?
- What access will the Emergency Responder's have to the pipeline and compression stations? Will they have access 24 hours a day seven days a week? If not, how will access be conducted and by whom? Who will be the immediate contact?
- Will Kinder Morgan provide an ATV or like vehicle for access to the pipeline by emergency responders? Will we have keys to unlock newly installed gates or other restrictions at the Eversource Row and Kinder Morgan row to have emergency access?
- Will evacuation routes be maintained during construction? What plans are there for the Town due to the

fact that three major evacuation routes out of town are crossing over the pipeline during construction?

- How often will meetings with compressor pipeline operator or designee be held?
- How often will you supply a detailed site plan?
- Will Kinder Morgan provide Medical equipment for a mass casualty incident?
- 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)?
- How is the lack of 24 hour police coverage going to be addressed?
- The all fire department and EMS services are call departments with minimal manpower during the day-time. This needs to be addressed.
- Will Kinder Morgan maintain road access to the compression stations 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? Who will be contacting the state departments in case of an incident?
- Where the closest service field rep located and what is the response time to any individual town?
- What are the plans for a wide spread emergency affecting more than one town at the same time?
- Where does funding come from to reimburse for emergency response (including alarm activations 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?
- Access for Emergency Agencies into homes and neighborhoods that have one way in and out. That the pipeline will directly under the only access to these places.
- Warning Systems Locations, How are they activated and what is the time lapse for activation?

20151013-5033

Nancy Carney, Fitzwilliam, NH.
Docket no. PF14-22

Kinder Morgan Proposed Natural Gas Pipeline

From

Fitzwilliam Fire Department and Emergency Management

During Operations

- Will Kinder Morgan be installing an Active (CO₂?) or a passive fire suppression system?
- Will Kinder Morgan Install gas leak detectors at the Compression station if one is installed in the town?
- Will you provide and pay for initial and ongoing Training for all first responders (police, fire, ambulance, emergency management and highway)? How often will training take place? Is there a point at which training would end? If so, what is that point?
- Will Kinder Morgan supply emergency responding personnel with Pipeline Safety Education to the level of Technician? Training in accordance to meet or exceed OSHA 1910.120.
- Are you providing Trench Rescue and Confined Space rescue training for all personnel along the pipeline corridor? Is there a maximum number of personnel you will train or will all currently employed and/or volunteer workers be trained
- What kind of Special protective gear is needed for first responders at an incident? Please list any and all specific equipment. Will Kinder Morgan provide and maintain it or replace if damaged, as long as it is

needed?

- How many personnel will respond from Kinder Morgan in case of an incident?
- What security monitoring will be implemented during the construction along the length of the pipeline (alarms, fences, manpower, cameras, and patrols)? How many systems? Who will monitor them? Where will tapes and images be kept? How long will they be kept? Who will assess them? Will information be available to all departments?
- What access will the Emergency Responder's have to the pipeline and compression stations? Will they have access 24 hours a day seven days a week? If not, how will access be conducted and by whom? Who will be the immediate contact?
- Will Kinder Morgan provide an ATV or like vehicle for access to the pipeline by emergency responders? Will we have keys to unlock newly installed gates or other restrictions at the Eversource Row and Kinder Morgan row to have emergency access?
- How often will meetings with compressor pipeline operator or designee be held?
- How often will you supply a detailed site plan?
- Will Kinder Morgan provide Medical equipment for a mass casualty incident?
- 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)?
- How is the lack of 24 hour police coverage going to be addressed?
- The all fire department and EMS services are call departments with minimal manpower during the day-time. This needs to be addressed.
- Will Kinder Morgan maintain road access to the compression stations 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? Who will be contacting the state departments in case of an incident?
- Where the closest service field rep located and what is the response time to any individual town?
- What are the plans for a wide spread emergency affecting more than one town at the same time?
- Where does funding come from to reimburse for emergency response (including alarm activations 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?
- Access for Emergency Agencies into homes and neighborhoods that have one way in and out. That the pipeline will directly under the only access to these places.
- What plans are there for the Town due to the fact that three major evacuation routes out of town are crossing over the pipeline during an incident?
- Warning Systems Locations, How are they activated and what is the time lapse for activation?
- With both the primary and secondary Emergency Shelters being within the hot zone in case of an incident, what will Kinder Morgan due to mitigate the situation and relocate the shelter out of the hot zone.

Decommissioning Comments

- What is the time frame for the use of the pipeline and what is the process of decommissioning the pipeline.
- What are the phases of decommissioning the pipeline and the time frame for each phase?
- What are the long term environmental emergencies for the decommissioning of the pipeline?

- What happens to the pipeline and all equipment following the decommissioning?

20151013-5039

Barrett S. Robbins-Pianka, Middletown, CT.
Regarding FERC Docket Number PF 14-22

I am writing to comment on the proposed expansion of the Kinder Morgan/Tennessee Gas Natural Gas Pipeline in West Hartford, Connecticut. It should not be allowed.

I am fortunate to live in Middletown, CT where an Aquifer Protection Area serves to protect our drinking water from hazardous, although always claimed to be perfectly safe, incursions by gas and oil pipelines. Unfortunately, the West Hartford MDC has no such over-riding protection for its Class I and Class II watershed lands. You do not miss your watershed water until it is contaminated. You do not miss your natural, forested landscape until the no trespassing signs are posted.

The MDC lands of the West Hartford reservoirs not only protect drinking water, they are a natural resource in close proximity to a large population that takes advantage of them for healthy, outdoor recreation. People treasure this area and want to conserve the lands for future generations of hikers, bikers and walkers. A National Scenic Trail is a prominent feature of the MDC. Photography and wildlife viewing opportunities draw large numbers of the public to these lands. To endanger this resource, taking the “easiest and cheapest” route for TNG, when alternatives have not been fully investigated, is not in the best interest of the public. Consider the costs to society when something goes amiss.

Thank you for the opportunity to comment on this proposal.

Sincerely,

Barrett S. Robbins
Middletown, CT

20151013-5040

deborah pomerleau, Londonderry, NH.
please do something. this pipeline is not needed.
future generations need us to start doing the right thing.
Do the morally right thing now.
protect the future. protect our world
everyone can see this.

Craig Altemose Executive Director, Better Future Project. Emerging Reality of Gas Infrastructure: Destination Export. Posted: 07/10/2015 2:26 pm EDT Updated: 07/10/2015 2:59 pm EDT. in Huffington Post.

from article “Over the last few weeks, we’ve gotten new evidence that the ultimate goal of these pipelines is export. Spectra and Kinder Morgan keep canceling the parts of their projects that would actually go to homes.”

from article “Kinder Morgan and Spectra swear up and down that their pipelines are desperately needed to meet local demand. But their claims simply don’t match reality.”

do something!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

20151013-5043

John J Serio, Stephentown, NY.

Cardno: Associated with, questionable, industry friendly conclusions?

The Environmental Consultant FERC is using for this project appears to be associated with a firm (Cardno ChemRisk) whose scientific analysis practices are being questioned. (Please see the web links below.)

If this is the case, for appearance purposes alone, FERC should engage a different firm to provide guidance on environmental questions prior to issuing any determination on this project.

http://www.huffingtonpost.com/cherri-foytlin/chemrisk-bp-and-purple-st_b_4095131.html

http://www.nytimes.com/2015/10/12/business/energy-environment/years-after-criticism-of-its-practices-science-consultant-pushes-back.html?hp&action=click&pgtype=Homepage&module=second-column-region®ion=top-news&WT.nav=top-news&_r=0

<http://www.wsj.com/articles/SB113530126572230084>

<http://www.chicagotribune.com/news/ct-met-flames-science-20120509-story.html>

John Serio, Stephentown

20151013-5045

Leslie J Carey, Averill Park, NY.

I am writing with grave concerns about the NED. I recently attended a public comment meeting with the Rensselaer County Legislature regarding the Drinking Water Protection Law. This law was passed unanimously in Albany County, and the people of Rensselaer County are asking our representatives to pass it as well.

Our water is at risk both directly and indirectly. We own property on both sides of the National Grid right-of-way. The proposed Kinder Morgan pipeline would be placed less than 300 feet from the stream that feeds our well. In addition, we are less than four miles away from the proposed compressor station, and pollution (blow down) would be brought by wind to our property.

Several Kinder Morgan employees attended the meeting. Of the group of who were opposing the Drinking Water Protection Law, only one had the courage to speak. This was Mitch Green, a blaster from New Hampshire. He essentially said that he opposed the law because his company would not accept liability for damaged wells or water quality.

At no point did he or the Kinder Morgan representatives ever discuss how our water would be kept safe, or how they would help landowners should a water supply or well become damaged.

Kinder Morgan is stridently lobbying our Legislators. We constituents fear the kind of influence that this billion dollar business may exert. This company is not ethical. My first experience with Kinder Morgan was when I found three surveyors on my property without permission, cutting down my trees. The project manager, Peter Crave, gave ridiculous and then conflicting excuses, was rude, and then threatening. This company is seeking to line their pockets with billions of dollars, with no benefit to New York, but a tremendous cost for the citizens.

If Kinder Morgan is not going to damage our water, then why do they oppose the proposed Law on grounds of liability?

I have many other concerns. There are a tremendous number of abandoned homes already in Rensselaer County. What will happen when property values dive and people have to abandon their homes due concerns about their health? The mental health of my neighbors is being impacted horribly as they struggle with the potential loss of lifestyle, financial stability, and health. There is significant research that reflects that the kind of industry proposed by Kinder Morgan negativity impacts mental health. The cost of mental health care is high. Those who already have a mental health challenge will have their condition exacerbated by the stress, leading to impaired functioning and mental health crises.

I implore you to work with Kinder Morgan on finding a less populated and more suitable area for their pipeline. Better yet, discourage this kind of energy project and promote green energy options.

20151013-5046

Sean Radcliffe, Temple, NH.

The Souhegan River crosses Route 31 in Wilton, NH. I suspect they will be attempting horizontal drilling to go under the Souhegan river and Route 31 in Wilton, NH. Of course Kinder Morgan have not stated what they are doing so it is hard to estimate our concerns. The Souhegan River forms a very deep valley where it crosses Rt 31. If they attempt horizontal drilling to go under the Souhegan and Route 31 in Wilton, they will have to start very far back from the road and river. What do they do if they experience granite while horizontal drilling? Will they blast under the river? What happens if the blasting under the river disturbs the river? What happens if the river begins to collapse into the horizontal channel. On the eastern side of route 31 where the power lines cross is a very steep hill that is conserved and all wooded. How will they jack up through that steep inclined hill?

20151013-5047

Sean Radcliffe, Temple, NH.

In the New Ipswich, NH and through the Mason, NH area, I have heard of sightings of Blandings turtles around the power lines. I have heard people report finding Yellow Lady Slipper orchids in this area. I don't think anyone has scientifically confirmed these are on power line lands. Could someone do study on these lands to identify the endangered species so we know what to look for and save? We certainly wouldn't want the pipeline project to injure an endangered species.

20151013-5049

Sean Radcliffe, Temple, NH.

The proposed NED pipeline would be built upon many aquifers that that serve many rural wells. How many aquifers are being crossed? How many private wells are being served by aquifers that are being crossed and/or touched by the NED pipeline construction? The aquifers can be larger than 150 feet and wells can be affected that are further than 150 feet from the pipeline. If a well is affected due to a disturbed aquifer, what is the remediation for a disturbed aquifer?

How will Kinder Morgan know of the state of wells before construction?

How will Kinder Morgan know of the state of wells after construction?

How will Kinder Morgan know of the state of wells 10 years after construction?

20151013-5050

Sean Radcliffe, Temple, NH.

If the US Congress makes a mistake, they can make a new law, change laws or remove laws. If the US Congress continues to make a mistakes, the people can choose to elect new representatives (and we have). If the US President makes mistakes, the people can elect a new president (and we have). If the US Supreme court makes mistakes, they reverse previous decisions (and they have).

What is the peoples recourse if FERC makes a mistake?

How does FERC identify when it makes mistakes?

What is the FERC's internal process of identifying and preventing mistakes of the FERC?

What does FERC do when it identifies it made a mistake?

How many mistakes has FERC made?

What governmental organization reviews the actions of FERC?

20151013-5051

John Leoutsacos, Temple, NH.

On October 5th at the New Hampshire Energy Summit, 1 minute 28 seconds into his speech, Curtis Cole, Kinder Morgan's director of business development stated that New England burns 81% of all of the fuel oil in North America.

How is he allowed to blatantly lie to our New Hampshire officials, without FERC ever saying a word?

20151013-5052

John S Leoutsacos, Temple, NH.

The light pollution from the compressor station will destroy the view of our night sky that we pay for in New Hampshire property taxes. It is our choice to pay for this peace and tranquility, and is not Kinder Morgan's to take from us.

Say no to this pipeline

20151013-5053

Peggy Huard, Hudson, NH.

I finally ended up taking a minute to do the math!! TGP/Kinder Morgan's application is promising to provide 2.2 BILLION CUBIC FEET/DAY to meet the needs of Northern US/NE. Yet when I use a converter to convert this to dekatherms I come up with approximately 2 MILLION dekatherms!! This is more than this region needs.

Liberty Utility recently asked for and was given the approval for only 100 to 115 THOUSAND dekatherms off of NED.

So where is the rest of it going????

I also pulled information on EXPORTING LNG! I found the Office of Fossil Energy authorized Boston Gas issued in 2014 along with the approval of Dominion's Cove Point to expand and reverse the flow for EXPORT of LNG.

Why is NED capacity in cubic feet and not dekatherms to begin with? Is this an indication that NED is going to be used for export in LNG form?

20151013-5055

Mary Raven, Merrimack, NH.

Dear FERC

On Thursday, October 8, 2015 the town of Merrimack, NH had a meeting with Kinder Morgan to discuss their proposed pipeline route. At that meeting, Kinder Morgan unveiled many changes to the route.

Therefore, I request that you extend the comment period by at least a month until Nov. 16, 2015 so that my town can assess the impact of this new route.

Thank You.

20151013-5058

Marsha R. Cohen, Ph. D., West Hartford, CT.

Dear Sir or Madam, I am strongly opposed to adding an additional gas pipeline at MDC Reservoir 6 and several towns in the Hartford, CT area. The map of the gas pipeline from the pipeline company shows that the section proposed for CT will act as a "lateral" or "loop". It will not replace the existing gas pipeline. What is the purpose of a lateral or loop? In some places, it has been used to move gas while the old pipeline is used to store hazardous materials. The company involved has a poor safety record. For Connecticut, there is only risk and no benefit. Construction itself will cause disruption through noise, dust, and pollution.

What would happen if there was an accidental spill or explosion? I am sharing some references that document the issues that I have mentioned:

<http://i2.wp.com/www.nofrackedgasinmass.org/notgp/wp-content/uploads/2015/08/ProjectMap-300.jpg>

<http://www.courier-journal.com/story/tech/science/environment/2015/04/09/tennessee-gas-pipeline-poor-safety-record/25543049/>

<http://www.courier-journal.com/story/tech/science/environment/2015/04/09/new-pipeline-plan-draws-fire-across-kentucky/25532167/>

Please do not approve the pipeline proposal for Connecticut from the Tennessee Gas Pipeline Company (Kinder/Morgan). It creates an unnecessary risk to my drinking water and the environment where I live. Thank you.

Sincerely,

Marsha R. Cohen, Ph.D.

20151013-5080

Andy Sanborn, Concord, NH.

RE: Docket No. PF14-22-000

Thank you for giving me the opportunity to have Mr John Keiley read my letter for the record, as I am out of state and unable to be present for this meeting.

I also appreciate the many meetings with representatives from all entities involved in this proposed pipeline, and I look forward to a continuing open dialog where we can discuss the concerns residents have, and the solutions to insure we protect this great state and the people in it.

Never the less, I do want to comment on this matter tonight before FERC due to the significant potential impact on the residents in the district and to all those who enjoy the natural beauty of New Hampshire.

This project is projected to cross miles of the most conserved, pristine, traditional land in this wonderful state, and the prospect of disturbing this habitat is alarming and appears unnecessary. The thought that to accomplish this task, people will be vacated from their family home against their will only adds insult to all those who treasure traditional NH values.

Acknowledging you will hear much tonight concerning many existing issues and challenges which need to be addressed prior to a meaningful consideration of a project like this. Due to my 3 minute limit, I wish to focus my comments on the fundamental need to protect people from eminent domain "takings" as authorized by your agency.

Frankly, there is no issue more precious than the right of people to safely own and manage their land, free of the fear that their government will come take it away. The concept of a Government empowered to take, by legislative proxy, their home, defies the most basic sanctity of "rights" of people in America.

To protect individual and property rights, New Hampshire has worked hard to create a fair, level, process where projects like this can and should be given robust consideration through existing legislative intent and the recently enacted Site Evaluation Committee.

There continues to be confusion as to what role, if any, the NH SEC plays in this project and I do believe FERC needs to clearly confirm if it intends to fully and faithfully comply with the SEC process, findings and recommendations.

I am formally requesting that FERC publically state, to what extent it will support and follow recommendations put forth through the SEC and under what conditions, if any, it may choose to preempt local statues.

Clarification of FERC's position on this issue will help NH residents better understand to what extent the federal government and its regulating agencies will respect NH laws.

I believe that it is incumbent upon FERC to clearly express its position on this critical issue.

Thank you for your time.

Best to you all

State Senator Andy Sanborn
New Hampshire Senate

20151013-5085

Alison Jaskiewicz, Mason, NH.

Please study the impact of the proposed export pipeline on the health and well being of the thousands of people impacted. Please include in that study the impact of the simple threat of the export pipeline since it was proposed, during which time people have devoted thousands of stressful hours learning about pipelines and their impacts, and opposing the export pipeline, all time and energy which otherwise would have been given to their families and communities and their jobs.

Please study the impact of an export pipeline proposal made prior to any need ever being assessed.

Realtors and property owners report that NO ONE will even look at properties which are along the export pipeline route. This means, in effect, that those property values have dropped to ZERO. For most people their homes and properties represent their largest investment. Just the threat of a proposed export pipeline has destroyed all that value in an instant. Although KM paid lackeys state that property values are not impacted, their statements, no matter how many times repeated, fly in the face of facts on the ground. Repeating falsehoods over and over and over does NOT make them true. I request that FERC research property value changes in every impacted town, comparing pre and post proposed export pipeline, and working with local realtors with absolutely no ties to KM or any part of the fossil fuel or energy industry.

Additionally please research the impact upon all affected towns of this drop in property values on their over all tax structure and the ensuing tax impact on properties not directly affected by the proposed pipeline but within pipeline impacted towns.

Laws exist as long as most members of a society agree with the benefit or are not intimidated into compliance. Once any perceived benefit no longer exist then it is the right of the people to speak up against the application of such laws and for changing the laws. I guarantee that the people of NY and New England potentially impacted by this export pipeline, and in fact already vastly impacted by even the suggestion of it being built, do not believe there is public benefit to this export pipeline or to eminent domain proceedings on the scale possible with the NED. The only benefits are to a private, for-profit company and it's stockholders. I ask that you address and study the environmental impact of citizens the length of the NED direct export pipeline project placing themselves, hand in hand, men, women and children, young and old, across the path of KM/TG destruction equipment?

The concept of mitigation is permission to destroy with the question merely being how much destruction. Prevention of destruction = the least environmental impact = NO BUILD. Please study how real estate values will rebound and tax structures of towns return to normal, stress levels will lift and people will once again be able to devote time and energy to families and communities.

I request that a detailed environmental impact study be made comparing the impact of the proposed export pipeline on all environmental factors essential to human health and well being (air, water, food, etc) vs the impact of not building the pipeline. This should include data from existing pipelines, data gathered independent of the fossil fuel industry.

I request that you study the effects of high tension electric lines on pipelines of all gauges proposed for use in this project and up to 1/4 mile away and for up to 30 years, all such studies to be completely independent of the fossil fuel industry. Please study the impact of a pipeline accident knocking out power to the region. Please study the likelihood of leaks, explosions and other accidents occurring during the 20 -30 year lifetime of this proposed export pipeline and their impact.

Please study the environmental impact of building a lateral for which even Kinder Morgan and TN Gas have

never stated any need – the Fitchburg lateral. All laterals for which there is no need should be dropped from the project.

I request that you study the environmental impact of the mythical collocation of the export pipeline with electric power lines in NH, a myth perpetuated by KM/TN Gas to try to hide the fact that this is a greenfield project for its entire length. Greenfield project impacts must please be studied for the entire length of the proposed export pipeline.

Please consider the environmental impact of FERC commissioners failing to explain in detail their reasons for their ultimate decision. Lack of explanation and justification is unacceptable.

20151013-5090

Leslie J Carey, Averill Park, NY.

In spite of the efforts of Kinder-Morgan's open houses, TV ad underwritten by them and other outreach efforts, the total e-comments sent to the Federal Energy Regulatory Commission as of the end of August numbered 5,411, 4,705 of them were opposed to the NED pipeline. Kinder Morgan's public relations offensive looks as if it is ineffective and its message viewed with skepticism in the affected communities.

The mantra of Kinder-Morgan, heard on radio, TV and in print is "we have safely provided gas to New England for 60 years." Since Kinder-Morgan was founded in 1997 by Richard Kinder, COO of Enron, it appears it is employing a form of revisionist history. Its contention, in reference to the Tennessee Gas Pipeline, which it acquired in 2012, is patently misleading..

In 2011, the U.S. Pipeline and Hazardous Materials Safety Administration (USPHMSA) 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. Close examination of USPHMSA's incident reports for Kinder-Morgan's onshore gas transmission pipelines shows that faulty infrastructure caused 45 percent of onshore gas transmission pipeline significant leaks. Failure of the pipe, cracked welds, and faulty pipeline equipment together accounted for 28.3 percent of pipeline leaks, and corrosion of the pipe caused 16.8 percent. 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.

USPHMSA found that pipelines installed since 2010 leak at a higher rate than pipelines installed before 1940. The majority of pipeline leaks detected from 2003 to 2013 came from pipes installed after 2010. Robert Hall, director of the NTSB's Office of Railroad, Pipeline and Hazardous Materials Investigations, noted in a Sept. 1 interview that the rapid construction of pipelines in the U.S. is likely a contributing factor to these leaks. It is of interest that the decade of 2010 is when Kinder-Morgan became the largest pipeline operator and builder, with 84,000 miles of pipeline. According to its annual report, it spends \$0 on research and development.

BLOWDOWN HAZARDS

Declarations of adherence to environmental health and safety standards are also misleading. The NED will carry carcinogenic hydraulic fracturing chemicals, such as benzene, toluene and formaldehyde, along with methane. At the very least, these chemicals will gain access to the environment during compressor operations called blowdowns, which release large volumes of pipeline contents when lines are depressurized for maintenance and in emergencies. Published studies by Dr. David Carpenter, director of the Institute for Health and Environment of SUNY Albany, and colleagues, have shown that these chemicals are found in high concentrations in the air at distances as high as 355 m from compressor sites in a five-state study (Environmental Health 2014, 13:82). Compressors of 41,000 hp are to be located in Windsor and Northfield, and Nassau, N.Y.

During construction, blasting with high explosives will be employed to create the 6' trenches in which the pipeline will be buried. High explosives contain perchlorate, and blasting carries the risk of releasing of perchlorate into ground water through disruption of rock structure and aquifers. According to the Environ-

mental Protection Agency, perchlorate is considered a “likely human carcinogen” and can affect the thyroid gland by inhibiting the uptake of iodine. A guidance value of 6 ppb has been suggested by Health Canada. For the NED, blasting will occur in proximity to the water supplies of several communities. The presence of perchlorate in drinking water aquifers and its toxicological properties make perchlorate an emerging chemical of concern.

The pipes are subject to cathodic degradation and corrosion due to the strong electromagnetic field surrounding high-tension lines along which NED is proposed to run. An explosion from an undetected leak has the potential to disrupt the main electrical transmission trunk from New York to New England.

Kinder-Morgan also states there is insufficient gas to meet demand. Yet U.S. gas supplies are at maximum capacity and prices are at historic lows. The electricity price spike of last winter was a false alarm, caused by anticipation of a gas price increase which never materialized and was relieved by Liquid Natural Gas (LNG) tanker shipments.

In a March 23 Boston Globe article, Greg Cunningham, director of the clean energy program at the Conservation Law Foundation and Frank Katulak, chief executive of Distrigas, in Everett, stated that its facility could supply the entire demand in New England with LNG. Even Kinder-Morgan likes LNG tankers — it bought five convertible tanker ships for \$961 million in 2014. It has not disclosed whether these are intended for export use.

Since Kinder-Morgan appears to be welcoming closer scrutiny of NED, it might start by explaining to the public what chemicals exactly, and in what quantity, are to be carried in the pipeline besides methane gas. And, how does it propose to provide safe services with the troubling facts of hastily and poorly constructed infrastructure. These are critical issues for the health of all of us in.

20151013-5092

Mary Mahoney, Lynnfield, MA.

I want to voice my opposition to the proposed natural gas pipeline planned to be built by Kinder-Morgan through various towns in Middlesex and Essex Counties of Massachusetts. I have been a resident of Lynnfield, Massachusetts since 1977, and I believe that one of the benefits of living in my neighborhood has been the absence of any natural gas pipeline. Other areas of Lynnfield have gas pipelines and many years ago there was a leak in one which was dangerous to the people in the area, most of whom needed to be evacuated until the problem was fixed.

In addition to my personal objection relative to my hometown, I believe this pipeline is not only unnecessary but is not the appropriate energy source for the country at this time.

The gas that would flow through this pipeline is obtained from several states through “fracking” and the “fracking” process has been implicated in contamination of groundwater and destabilization of the soil. Some of that destabilization has resulted in earthquakes in parts of the United States which had never been prone to earthquakes.

The route of the local pipeline in Middlesex and Essex counties runs through or close to our water supplies. Clean, drinkable water is essential for life and in communities in which water was contaminated, normal life is not sustainable. Water must be rationed and imported.

Furthermore, building such a pipeline is a giant step in the wrong direction for our nation’s energy policies. Fossil fuels such as coal, gas, and oil should be phased out and emerging technologies such as solar, wind, or even hydroelectric power should be promoted.

It seems that the major beneficiaries of the construction of this pipeline are the owners and stockholders of the Kinder Morgan companies. Enriching corporations while destroying water supplies, natural wetlands, animal habitats, and the comfort to the people living and enjoying their chosen surroundings is abominable and should not be permitted.

Please vote to terminate this project before it goes any further in its destruction of our local cities and towns.

I do not know the Docket number for this Kinder Morgan gas pipeline, but I hope my comments can be applied to the appropriate case. I have selected two dockets that may be related to the issue about which I am writing.

Mary G. Mahoney, 20 West Tapley Road, Lynnfield, MA 01940 (mary.mahoney334@gmail.com)

20151013-5093

Lisa McLoughlin, Northfield, MA.

I am a landowner who will be within hearing distance of the compressor station once built (based on proposed sound levels at the compressor station property line and distance to my property), and who also will hear the construction and maintenance of the pipeline and compressor station (based on my ability to hear the construction of new high tension wire poles in the co-located right of way for the proposed pipeline).

1. I would like to know what affect the compressor station and pipeline (during construction and once built) will have on the monetary value of my land (using neutral studies which have not, e.g. been sponsored by the gas industry), and including the fact that I live off-grid, and anyone wanting to buy my property would likely also place a premium on seclusion and quiet.
2. Light and noise pollution from the running of the compressor station and the construction/maintenance of the pipeline and compressor station would interfere with the peaceful enjoyment of my property and the freedom of my religious practices which require natural sounds and dark sky. In 2007, UNESCO (the United Nations Educational, Scientific and Cultural Organization) affirmed that: “An unpolluted night sky that allows the enjoyment and contemplation of the firmament should be considered an inalienable right equivalent to all other socio-cultural and environmental rights. Hence the progressive degradation of the night sky must be regarded as a fundamental loss.” (http://www.starlight2007.net/index.php?option=com_content&view=article&id=185&Itemid=80&lang=en accessed 10/13/15)
3. If the compressor station is built within hearing or sight distance it will interfere with my work (I am a writer/researcher who works from home) and life to the extent that I will have to relocate, and I would like to know if anyone is going to reimburse me for the loss of my home and peace.
4. Further, I would like to know how I can protect my forest so that it will still be here once the pipeline and compressor station have been decommissioned (even if I will not still be here), and how Kinder Morgan et al are going to remove their equipment and attempt to restore the natural environment once they are done with it.
5. The native historic and pre-historic cultural resources in Northfield, MA have been characterized by the Massachusetts Historical Commission as extensive, largely unexplored, and under threat from pipeline development. (Massachusetts Historical Commission. Reconnaissance Survey Town Report: Northfield. Boston, MA: Massachusetts Historical Commission. 1982; and Massachusetts Historical Commission. Historic and Archaeological Resources of the Connecticut River Valley: A Framework for Preservation Decisions. Boston, MA: Massachusetts Historical Commission. 1984, 1988, 2007). I do not believe these resources to be adequately protected in the proposed plans.

20151013-5112

Daniel J Spilman, Nassau, NY.

United Neighbors Concerned About GE and the Dewey Loeffel Landfill (UNCAGED) implore FERC to include in its analysis for this permitting process the effects of the Tennessee Gas Pipeline Route 66 compressor station in Malden Bridge, NY has had on the landslide into the Kinderhook Creek across the street from this operation. This area that is known to locals as “Honey Suckle Rock”, has long been a summer hangout and swimming hole, but has now been fenced off with “No Admittance” signs posted after the shale gave way in this area. It is expected that this small landslide was due to the operation of the 10,000 horsepower compressor station across the street.

With this information, UNCAGED has grave concerns about the close proximity of the proposed 41,000

horsepower compressor station for Clarks Chapel Road to the Dewey Loeffel Landfill, which is a US EPA superfund site. UNCAGED has been working for a long time to get this toxic mess, that is a super fund site 50 years in the making, cleaned up by the responsible parties. Having the potential for a new compressor station located fairly close to the Dewey Landfill, and the underground toxic plume that is already moving through fractured bedrock away from the site, could expand the problem, if what has happened at Malden Road is any indication. What would be even more devastating, is if the responsible parties for the super fund clean, primarily General Electric, are given a legal avenue to escape complete responsibility for the cleanup of the site and underground plume. With GE's legal team, any potential contribution to the expansion of the super fund foot print by the compressor station, could be a potential out for General Electric.

UNCAGED would expect that the proximity of the proposed compressor station to an EPA superfund site would move this evaluation to a higher level of scrutiny, by state and federal departments. The Dewey Loeffel superfund is an unlined landfill with a 30 year old slurry wall, and a large underground toxic plume extending from the landfill. The vibration seen at the much smaller Malden Road facility could have devastating consequences on this site. The proposed compressor station should not be approved without thorough evaluation of this situation.

Sincerely,

Kelly Travers-Main
President - UNCAGED
P.O. Box 114
East Schodack, NY 12063

20151013-5133

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

October 13, 2015

Re: Tennessee Gas Pipeline Company, LLC
Docket No. PF14-22-000
Northeast Energy Direct Project

Dear Secretary Bose,

Please find below an expanded version of my testimony, with accompanying footnotes, submitted into the record at the FERC Scoping Session held in Rindge, NH on September 29, 2015.

Good evening. My name is Vince Premus, P-R-E-M-U-S, from Pepperell, MA.

I begin by saying that, Mr. Tomasi, I am disappointed to see that the issue of need is missing from your list of the top concerns raised by citizens who have submitted testimony at these scoping sessions. I have attended several of these sessions, and I know that the issue of need is the principal concern of these citizens.

The issue of need is the cornerstone of Federal Energy Regulatory Commission Docket # PF14-22-000, in the matter of Tennessee Gas Pipeline Company's Northeast Energy Direct project. Yet it plays no part in your charter to develop an Environmental Impact Statement. Need typically falls under the purview of "credentialed" industry stakeholders. The public is dismissed as unqualified to contribute, as we can be "fickle and recalcitrant," according to Ben d' Antonio, staff attorney for the New England States Committee on Electricity.[1]

The case for need is generally predicated on the winter peaking problem. Winter is a time when the weather can be dangerous. People are vulnerable.

It's a scenario screaming for exploitation by an opportunistic businessman looking to export natural gas

to global markets.

Now I am not “credentialed.” But, last month at the Lunenburg scoping session, I testified that New England’s winter peaking problem is a 1% problem.[2] One percent of the region’s annual demand of 889 Bcf. Just 10 Bcf.

It turns out that this was independently confirmed last year by ICF International 3—and as we all know, they are indeed credentialed. ICFI provides expert consulting services to public- and private-sector clients on comprehensive energy strategies. Their clients include Kinder Morgan, GDF Suez, and ISO New England.

In November, 2014, ICFI published a study for ISO New England that examined near-term, interruptible gas supply available to serve electric generation through the year 2020. They took into account twenty years of historical temperature data, planned retirements, and a model for unplanned outages. Their analysis projected the region’s median annual winter gas supply deficit through the year 2020 to be 10.7 MMDth, or 10.7 Bcf. Their worst case estimate was 22 MMDth, or 22 Bcf.

A 1% problem. Two percent worst case.

You do not build a privately owned export pipeline, capable of moving 800 Bcf of Marcellus shale natural gas each year to markets in Europe and Asia, on the backs of these New Hampshire and Massachusetts homeowners, to fix a one percent problem.

Especially when you plan to steal their land via eminent domain—while telling them it’s for the greater good—to do it.

Google “dekatherm” and you will find that it is a unit of energy equivalent to about 1,000 cubic feet of natural gas. One million dekatherms requires about 1 billion cubic feet of natural gas to produce. Google “LNG tanker” and you will find that the average tanker can hold the equivalent of 3 Bcf of gas.[4]

If ISO were serious about a Winter Reliability Program that serves the ratepayer, at the January 2014 peak average natural gas price of \$20 per dekatherm,[5] they could augment interruptible gas supplies by subsidizing 3 tankers worth of LNG each winter for the next 30 years before exceeding the cost to build this \$5.5 Billion dollar pipeline.

Not a long term solution, but a viable bridge for the few years it will take for renewable, distributed generation and battery storage to have matured to the point of serving the region’s grid-scale, base-load power demands.

The credentialed stakeholders have demonstrated that they cannot be trusted to advance a strategic energy policy that balances demand against the impact to our homes, health, and the environment. The subject of need deserves to be deliberated in a transparent and quantitative manner, with the direct participation of informed ratepayers, like us, who understand the math as well as the personal cost of this project.

FERC needs to convene a formal public hearing specifically dedicated to an assessment of the Northeast Energy Direct pipeline need. One in which the “NO BUILD” option is also on the table.

Respectfully submitted,
Vincent E. Premus, Ph.D.
Pepperell, MA

1 Ben D’Antonio, NESCOE attorney, in an excerpt from CLF Briefing on NESCOE Public Records Request, June, 2014; also see Boston Business Journal, http://www.bizjournals.com/boston/blog/mass_roundup/2014/06/critics-say-theres-too-much-secrecy-around-new-tax.html (last accessed October 1, 2015).

2 V. Premus, “Gordon Van Welie, do your job—LNG makes pipeline expansion unnecessary,” Common-

wealth Magazine, April 3, 2015; see also V. Premus comments to FERC Docket PF14-22-000 filed August 26, 2015.

3 “Assessment of New England’s Natural Gas Pipeline Capacity to Satisfy Short and Near-Term Electric Generation Needs: Phase II,” submitted to ISO New England Inc., November 20, 2014, available at http://www.iso-ne.com/static-assets/documents/2014/11/final_icf_phii_gas_study_report_with_appendices_112014.pdf (last accessed October 13, 2015).

4 <https://strausscenter.org/hormuz/lng-tankers.html> (last accessed October 1, 2015)

5 http://www.eia.gov/naturalgas/review/deliverysystem/2013/pdf/newengland_natgas.pdf (last accessed September, 10, 2015)

20151013-5154

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

Date: 8/31/15

Via Certified Mail, Return Receipt Requested

Re: Denying Property Access

As the owner of the property located at:

25 North Hill Dr

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 forward will be considered unauthorized, and treated as trespass.

Roy L. Pincus

20151013-5172

Members of FERC

As a land owner where the NED pipe line is planed as being “ co-located with the power transmission lines Right of way” I would like to inform you what the term to be co-located means to be 60 to 65 feet from the transmission lines. And then have the vegetation as in trees remove 50 feet either side of the pipe line.

This would put the pipe line as close as 15 feet from my home and effectively remove all the trees from my property leaving it with out shad in the summer that aids in keeping my home cool thus raising the price I need to pay to keep my home comfortable.

It will also adversely effect the appearance of my property and lower its value making what I have worked so hard for over 20 years worthless.

Add to the fact that the gas that is being transported through this line would primarily be used for export make this pipeline an unnecessary inconvenience and would violate my rights to enjoy my land and the land of any one that this pipe line crosses.

There are other pipeline projects in the northeast that have have already received approval and supply all the gas that this area needs and more.

I therefore recommend that FERC rejects this project

20151013-5181

September 29, 2015

RE: Quicker, cheaper solution to the 50-day winter energy crisis - it is Yankee Ingenuity.

Many propose new gas pipelines will reduce electric and natural gas rates.

A few weeks ago, the NH PUC suggested electric ratepayers should have tariffs to pay for all the proposed new pipelines. That same week, a company named Skipping Stone released a report stating no additional pipelines are needed. Moreover, additional pipelines would be not cost effective to ratepayers.

The Skipping Stone report claims, “The most important fact to remember about New England’s ‘gas problem’ is that it is a Deep Winter, peak demand deliverability problem, not a year-round capacity crisis. As a result, building more pipelines, which would provide a year-round supply of gas—whether it is needed or not—and is simply not a cost-effective solution.”

The report demonstrates using imported LNG during deep winter peak demand is cheaper for ratepayers. “... building more pipelines, which would provide a year-round supply of gas — whether it is needed or not ...is simply not a cost-effective solution.” The report includes all the details supporting this finding and looks out to the year 2030. Their suggested alternative is a “Winter LNG Pipeline” that strategically imports LNG as needed.

Who is Skipping Stone? Although they have offices around the USA and Japan, they are New England based, offering professional services in energy markets. They have done work for hundreds of energy companies such as Exelon, GDF Suez, NRG, Entergy, ConocoPhillips, Duke Energy, Constellation Energy, even FERC (Federal Energy Regulatory Commission).

Anyone can try to solve a problem by simply throwing more resources at it; more money, people and in the case of New England’s “winter energy crisis,” natural gas. Throwing resources at a problem does not guarantee a good solution; frequently it backfires and wastes those resources. The Skipping Stone Winter LNG pipeline is a true Yankee Ingenuity solution that addresses the problem without increasing rates, adding unnecessary expensive infrastructure, or taking people’s private property. We should utilize Stone’s Winter LNG Pipeline strategy this winter and put the pipeline projects on hold until proven absolutely necessary.

Sean Radcliffe
Temple, NH

Solving New England’s Gas Deliverability Problem Using LNG Storage and Market Incentives

Written By: Greg Lander

Edited By: Peter Weigand

www.skippingstone.com

Skipping Stone

Boston Atlanta Houston Los Angeles Tokyo

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Contents

EXECUTIVE SUMMARY	5
1. INTRODUCTION	7
2. THE NEW ENGLAND NATURAL GAS PROBLEM	7
3. THE LARGE PIPELINE OPTION	10
3.1 Pipeline Capacity Economics and Accurate Accounting of Pipeline Capacity Cost	10
3.2 The Amount of Gas Capacity Utilized on the New Pipeline Determines How Much the Pipeline Costs to Rate-payers	14
3.3 The Economics of a “Big New Pipeline” From an Electric Generator’s Point of View	15
3.4 Common Assumptions as to the Effect of New Pipeline on Gas Prices Are Overstated	15
4. RETHINKING THE PROBLEM: THE WINTER-ONLY LNG “PIPELINE” SOLUTION	16
4.1 LNG Can Solve Peak Winter Demand: Quickly, Reliably, and Cost Effectively	16
4.1.1 New England Has Adequate LNG Capacity to Meet Winter Peak Deliverability Needs	16
4.1.2 Creating a Winter-Only LNG “Pipeline”	17
4.1.3 Ensuring a Reliable LNG Supply	18
4.2 The Economics of a Winter-Only LNG “Pipeline” vs. a Large New Pipeline	20
4.2.1 A Real World Cost Comparison	21
5. INCENTIVIZING THE LONG TERM LNG SOLUTION	24
6. CONCLUSION	25
ABOUT THE AUTHORS	25
Greg Lander, President, Capacity Center	25
Peter Weigand, CEO, Skipping Stone	25
About Skipping Stone	26
ABOUT THE SPONSOR	26
APPENDIX A: QUANTIFYING NEW ENGLAND’S NATURAL GAS PROBLEM	A 1
APPENDIX B: THE EFFECT OF A LARGE NEW PIPELINE PROJECT	B 1
APPENDIX C: COSTS OF A WINTER-ONLY LNG “PIPELINE” STRATEGY	C 1
APPENDIX D: REGULATORY REFORM ROADMAP TO BETTER INCENTIVIZE THE WINTER-ONLY LNG “PIPELINE” SOLUTION	D 1
APPENDIX E: CASE STUDY: WINTER 2014 VERSUS WINTER 2015 IN NEW ENGLAND	E 1

Charts

Chart 1: Deep Winter Demand and Supply Shortfall for 2020	9
Chart 2: Deep Winter Demand and Supply Shortfall for 2030	10
Chart 3: New England Pipeline Capacity plus LDC LNG and Propane Deliverability Overlay for 2020	11
Chart 4: New England Pipeline Capacity plus LDC LNG and Propane Deliverability Overlay for 2030	12
Chart 5: 2030 Load Duration Curve and Load Factor Use of New Pipeline	13
Chart 6: Load Duration Curve New England 2020 75 Peak Days Demand with LNG Overlay	18
Chart 7: Load Duration Curve New England 2030 75 Peak Days Demand with LNG Overlay	19
Chart 8: New England, 2020	A1
Chart 9: New England, 2030	A2
Chart 10: New England Pipeline Capacity plus LDC LNG and Propane Deliverability Overlay for 2020	A3
Chart 11: New England Pipeline Capacity plus LDC LNG and Propane Deliverability Overlay for 2030	A3
Chart 12: Deep Winter Demand and Supply Shortfall for 2020	A4
Chart 13: Deep Winter Demand and Supply Shortfall for 2030	A5

Chart 14: Indicative LDC-1 10 Year Sendout with PL and LDC LNG Capacity	A7
Chart 15: Indicative LDC-2 Calendar Year Sendout	A8
Chart 16: 2014 New England LDC Load Duration Curve with Overlay	A9
Chart 17: 2030 Load Duration Curve and Load Factor Use of New Pipeline	B2
Chart 18: Forward NBP Prices through 2020 with Winter Avg LNG Landed Prices	C1
Chart 19: Algonquin Citygate Forward Prices and Winter Average Prices	C2
Chart 20: 2014 LNG Receipts into AGT, TGP & National Grid Overlaid with AGT Citygate Prices	D2
Chart 21: 2015 LNG Receipts into AGT, TGP & National Grid Overlaid with AGT Citygate Prices	D2

Tables

Table 1 – Economics of New Pipeline vs. LNG Pipeline	23
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Executive Summary

For 50 days a year, New England has a gas problem – not enough natural gas is available to meet demand. In the winter of 2013-14 this problem led to dramatic spikes in the price of natural gas and the cost of electricity. How to solve that problem has been the source of political, economic and environmental debate over the past 2 years. One proposed solution is to “flood the market” with new gas via one or more new pipelines, with the multi-billion dollar cost to be borne by electric ratepayers. The other solution, one that the Conservation Law Foundation has promoted, is to maximize the use of existing infrastructure in both the delivery and storage of natural gas. This solution addresses the supply problem during that limited 50 day period in the winter, saves industrial, commercial and residential customers millions of dollars and avoids the need for costly and enormously inefficient infrastructure that will ultimately undermine efforts to meet the challenge of climate change.

As currently managed, New England’s natural gas delivery system – its pipelines, storage and import facilities do not deliver sufficient quantities of natural gas to meet demand during the limited winter peak period. During these peak periods of demand, when high volumes of gas are consumed to simultaneously meet the region’s heating and electric power generation needs, management and operation of the current system fails to make the necessary gas deliverable. Numerous corporate and governmental entities are urging a large infrastructure solution: building more pipelines into and across New England to increase regional pipeline capacity. New pipelines, they argue, are needed to address a structural problem of constrained gas supply and the high wholesale energy prices experienced during the winter of 2013-14.

But New England does not have a structural pipeline capacity problem, and not only are new pipelines not the only solution – they are also the least cost-effective one. For the majority of the year, the region’s natural gas system of pipelines and LNG deliverability already operate at less than 50% capacity. On those portions of the 50 coldest winter days each year when the near-simultaneous and high demands of regional heating and electric generation loads are not being met efficiently, New England has what in the natural gas industry is considered to be an issue of “deliverability,” or the ability to provide a certain quantity of gas to a certain location at a certain time.

Once New England’s current “gas problem” is properly understood as one of deliverability, rather than insufficient pipeline “capacity,” the solution that most efficiently and cost-effectively enhances deliverability in New England would be increased use of the region’s existing LNG infrastructure.

We reach this conclusion based upon the “cost of use” of each alternative. That is, the cost of new pipeline capacity in an area like New England, with a peak-only supply deficiency and where other peak-only supply alternatives already exist must be analyzed on the basis of use. So when additional deliverability of gas is needed over discrete days of the year rather than on a year-round basis, the overall cost of the pipeline should be measured as a cost on only the days during which it will actually be used to serve the residences and businesses who will pay for it through their gas or electric bills, rather than measuring that cost as artificially spread out across the entire year – the vast majority of which it would not be used or, if used, will cause another existing asset to go unused.

A cost of use comparison demonstrates that adding additional pipeline capacity is the most expensive and least effective means of addressing New England winter-peak deliverability. The process of building new gas pipelines takes years and does nothing to help us address winter deliverability in the interim. There is also substantial risk that a new pipeline built today will become the ratepayer-funded, stranded cost of tomorrow. Moreover, investing in a new pipeline is unlikely to produce the assumed lower gas prices, as currently stranded Marcellus/Utica gas supply and its artificially low existing prices will more likely rise as numerous planned pipelines to other regions and for export move those prices to that of the Henry Hub. Finally, environmental regulatory regimes, such as the federal Clean Power Plan and existing New England state mandates to aggressively reduce greenhouse gas emissions, create a strong disincentive for any significant increase in natural gas consumption.

For New England, the best means of solving the winter gas issue from a cost of use approach is better utilization of existing natural gas infrastructure and specifically, existing LNG infrastructure. We call this the Winter-Only LNG “Pipeline” approach. This approach suffers from none of the weaknesses of a year-round pipeline capacity solution.

New England has both LNG vaporization capacity from large import terminals as well as from LNG storage facilities owned by the local gas distribution utilities, or “LDCs.” If LDCs were to contract for a baseload level of LNG vaporization during the December 15 - March 15 winter period, and for more frequent truck refills of their existing LNG storage facilities, local gas reliability could be maintained while freeing up existing pipeline capacity for sale on the secondary market to power plants.

Not only is this approach technically feasible, a Winter-Only LNG “Pipeline” strategy would provide LNG deliverability throughout New England that would save LDCs and their ratepayers initially over \$340 Million a year and as much as \$4.4 Billion over twenty years, as compared to a new pipeline proposal, while providing peak deliverability that will lower winter wholesale electricity prices on a scale comparable to new pipeline capacity additions. As outlined more fully in Appendix E to this paper, the role that LNG can play in ensuring gas deliverability and driving down spot market gas prices was meaningfully demonstrated in New England in the winter of 2014-2015, when a 4% increase in total gas deliverability from LNG reduced spot gas prices by 43%.

For these reasons, the Winter-Only LNG “Pipeline” outlined in this paper would be less costly and more effective than new gas pipeline capacity. Such an approach requires a break from the currently prevailing pipeline-centric management and regulation of New England’s gas transmission and distribution system. Our alternative approach has the promise to address immediately the problem at hand, and to do so efficiently, effectively, and without complex regulation. Consequently, state regulators should direct LDCs to implement the Winter-Only LNG “Pipeline” option immediately. Thereafter, relatively small adjustments can be made to the market incentives and associated reimbursement rules regarding LNG storage and resale – distinguishing the winter period from the rest of the year – in order to make the LNG solution a permanent feature of the New England energy market.

{body of report (40 pages, many graphs, etc.) omitted; full report can be downloaded at: }

<http://www.clf.org/wp-content/uploads/2015/09/Solving-New-Englands-Gas-Deliverability-Problem.pdf>

20151013-5197

LANESBOROUGH VILLAGE FIRE AND WATER DISTRICT

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October 12, 2015

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

Washington, DC 20426

RE: Northeast Energy Direct – Docket No. PF14-22-000

Dear Secretary Bose:

The Lanesborough Village Fire and Water District submits the following comments on the proposed Kinder Morgan Tennessee Gas Pipeline (TGP) Northeast Energy Direct (NED) pipeline project (PF14-22). The proposed NED project would pass through the center of the Water District and would have significant impacts on the District's natural resources and public infrastructure. Through the coordination of the Berkshire Regional Planning Commission, the Water District has joined with the City of Pittsfield, Massachusetts, the Towns of Cheshire, Dalton, Hinsdale, Lanesborough, Lenox, Pittsfield, Richmond, Washington and Windsor, Massachusetts, the Dalton Fire District, Rensselaer County, New York, and the Towns of Nassau, Stephentown, and Schodack, New York to identify common impacts and requested mitigation measures. Those items are specified in comments submitted by the Berkshire Regional Planning Commission, letter dated October 15, 2015. The Lanesborough Water District endorses and incorporated herein by reference, the comments submitted by the Berkshire Regional Planning Commission.

Respectfully,

Lee Hauge

William Prendergast

Aaron Williams

Board of Water Commissioner

**PIPELINE IMPACT ON WATER DISTRICT
INPUT TO THE FERC ENVIRONMENTAL IMPACT PROCESS
FERC DOCKET # PF-14-22-000**

October 6, 2015

The Water District is impacted by the subject pipeline on several levels;

- Risk to our water source.
- Risk to our infrastructure.
- Cost to the District to protect ourselves from this threat to our resources and investments.

Specific mitigation measures we are requesting are provided at the end of this document. The preferred mitigation is to route the pipeline away from Water District assets and it is believed that there is a way to do this without adverse impacts on others. If this turns out not to be feasible, then the other listed mitigations must be accomplished.

Oral inputs were provided at the public hearing on July 28, 2015. This document is an expansion on that input.

RISK TO THE WATER RESOURCE

The proposed pipeline path crosses the zone two of the aquifer supplying both of the wells which provide all the District water. Contamination of this aquifer would leave our 850 customers (950 Equivalent Dwelling Units, 2,000 people) with no water. Also contamination of either well would create system outages and a water shortage. Concerns are for both the construction phase and the operation phase. Specifically:

- The District has two wells which both draw water from the same source, the Town Brook aquifer. The Miner Road well has a pumping capacity of 600 Gal/Min, and the Bridge St. well has a capacity of 320 gal/min. The Bridge St well capacity is not adequate to meet peak demand during the summer, so contamination of the Miner Rd. source would create an emergency shortage. The district draws approximately 70 million gallons of water per year. The zone II for the two wells is well defined, and the proposed gas pipeline crosses the middle of it.
- Protection of this aquifer is critical because there are no good options left within Lanesborough if it becomes contaminated. Ground water in the valley to the east of the Town Brook aquifer is contaminated

by the sewage plant at the Berkshire mall, in the valley to the west by the a PCB contaminated area which is a superfund site undergoing remediation (The Rose Site) as well as the abandoned Town dump which has contaminated neighborhood wells, to the north our extensive aquifer exploration has shown no suitable source, and to the south there is Pittsfield which we have connected to in an emergency, but there is not adequate supply from their reservoirs to supply both Lanesborough and Pittsfield in the long term.

- Analysis of data from pumping tests of our wells has led to the conclusion that there is a deep underground aquifer under the shallow Town Brook aquifer, and there is interchange between these two systems. Therefore it is likely that contamination of the shallow Town Brook aquifer would also lead to contamination of this deep underground aquifer which could have impacts far beyond the Lanesborough Water District.
- During construction it will be necessary to take extraordinary measures to protect the aquifer from spills or any other source of groundwater contamination. The District is not in a position at this time to suggest specifics to impose on the installer of the pipeline, rather we believe that funding needs to be provided to hire the expert help we need to either develop those requirements or to evaluate the adequacy of proposals suggested by the installer.
- During operation we believe that extraordinary measures need to be taken to protect the aquifer. One possibility is a dual containment system similar to what is used with gasoline storage systems: build a high strength pipe to carry the gas and surround it with another containment pipe and an interstitial monitoring system so that any leak will be contained and detected so it can be corrected before spills of the unknown and very suspect constituents of the fluid in the pipe are released into the ground. Again we cannot afford to provide or evaluate specifics, but need to be funded to be assured that adequate protection is being implemented.
- The composition of any material which would be released into the ground in case of a pipeline break is not known and is a primary reason for our concerns. It is crucial that knowledgeable scientists not acting in the interest of the pipeline installer be involved and be informed of the makeup of this material so they can provide credible risk assessments and guide us in designing and evaluating preventative measures to protect the resource in case of release of material being carried by the pipeline.
- Damage to the geologic structure surrounding the wells is another concern. In particular, blasting during pipeline installation could open fissures providing a path for contaminated water to enter the well water. The geology of the region is particularly susceptible to this damage, as the underlying limestone has many natural fissures, and any new ones resulting from stress during pipeline installation could have long distance impacts.

RISK TO THE INFRASTRUCTURE

Watermains, water storage tank, and the two production wells are all near the pipeline path, and clearly the construction process could endanger these infrastructure investments. Steps need be taken to protect these investments, specifically:

- The water distribution system includes many miles of watermains, some of them as old as 75 years (they were installed shortly after the District was first organized in 1938). Technologies and materials in these old mains are far more susceptible to damage than those used today. Materials used in these old lines include asbestos pipes and brittle cast iron pipes with “leadite” sealed joints which have become very susceptible to breakage when disturbed even slightly. The unusually heavy equipment traversing roads where waterlines are buried and the shock loads from nearby blasting are of great concern for damaging these old pipes. Even the more modern installations of ductile iron and PVC plastic pipe could be damaged by the severe loading which will occur during construction. The installation process must include the capability to repair breaks introduced during installation and to evaluate and repair damage which increases susceptibility to future breaks. A fund should be established which would pay for all waterline breaks which occur during installation and in the future for some period of time such as 20 years.

- The District recently invested in a new 750,000 gallon storage tank (to replace the 1930's tank which failed) and this tank is within the powerline right of way where the gas pipeline is being installed. Heavy construction in this area raises significant concerns and appropriate precautions must be taken to avoid damage or degradation to the tank or the geological structure which supports it. Access to the tank is through a right-of-way shared with Verizon and others, and this access road will undoubtedly be utilized by the pipeline installers, so an additional concern is that we continue to have access during the construction, and that it be restored to its previous condition after construction.
- The District's wells are maintained by periodic (10-15 year intervals) major refurbishment to the underground structure and surrounding minerals and gravel to maintain high yield. A significant investment of \$45,000 was made in 2014 to refurbish the Bridge St. well, and similar action was taken about 15 years ago to do the same for the Miner Road well. The disruption of the construction and blasting in the vicinity of the wells could accelerate the need for this work and possibly shorten the life of the wells.
- It is mandatory that we have two operational wells so that periodic minor maintenance can be done on one and water supplied by the other. Our long range plan is to install a third well into the deep underground aquifer to protect ourselves from loss of one of the existing wells. Now, loss of one of the wells will result in water outages during maintenance activities on the remaining well, even routine minor maintenance work.

RISKS TO PRIVATE WELLS NEAR THE PIPELINE INSTALLATION

There are many private properties in areas adjacent to the District which have wells that are probably much more susceptible to damage than the District wells because they may be closer to the blasting and some may be located in more sensitive geologic environments. Clearly the District would be obligated to expand and supply water to these properties should their water source become unusable. Such expansions would be very expensive on a per customer basis because of the dispersed locations. Monitoring of these wells must be done before and after pipeline work, and if problems arise appropriate actions to expand the District must be taken. The pipeline installer must be under obligation to take these precautions and fund corrective actions whether it is District expansion or some other remedy.

COST TO SUPPORT ACTIONS TO PROTECTING THE DISTRICT DURING THE PIPELINE PLANNING PROCESS

The Water District is a small entity with one full time employee (the superintendent), a half time assistant, and administrative staff comprised of part time and volunteer personnel. All are dedicated to providing reliable and safe water service to our members at an affordable costs. Despite the frugal management approach, our customers pay over \$500 per year for water in order to defray our \$500,000 annual operating and capital budget. Any additional costs stretch our finances and risk the financial viability of the entity.

- Because we don't have the technical resources to understand and react to threats to our system from the development of the pipeline, the District has joined with other affected municipalities and districts to fund the Berkshire Regional Planning Commission to guide us in understanding the risks to our system from this venture, and to understand what actions we can and need to take to protect the interests of our members. These costs may seem insignificant (about \$6000 per year for FY 2015 and 2016 so far) but they use up a great deal of our contingency funds. The total reserve fund for the year which is budgeted to handle unexpected costs is \$15,000. The effort also consumes an inordinate amount of the time of all District personnel which detracts from our ability to plan and manage ongoing District operations.
- It is clear to us that we need help from expert consultants to evaluate and develop measures to protect the District from potential deleterious impacts of the pipeline work.

The District has nothing to gain from this project yet we are burdened by costs to protect ourselves. It seems only fair that the entity which stands to profit from development of the project should defray costs imposed by the project on third party entities such as the Water District.

COST TO PROVIDE ALTERNATIVES IF THINGS GO WRONG

It is critical that the District take action in advance to be able to react to developments which endanger operation of the water system. The following are some specifics:

- The District has identified a site for a third well and has bought property and drilled a test well yielding positive results. This is located on Bull Hill Road near Pontoosuc Lake, and it is a deep well (500 feet) which accesses a deep underground aquifer protected by a deep impervious layer. The test well is only a 4 inch uncased hole not suitable for a production well which would need to be at least 18 inches. If the pipeline project proceeds the District must develop this well site so that the loss of one of our two existing wells or contamination of the aquifer would not leave us without resources to supply our customers.
- Damage to the ancient, and even the new watermains is likely from construction near their location. Advance action needs to be taken before and during construction, including stockpiling material needed for repair, assessment of the most susceptible lines and possibly upgrading any found to be of especially high risk. Funds need to be provided to repair breaks which occur during construction and after because of stress incurred during the construction.
- Clearly the water tank is at risk. Without expert help no specifics can be suggested at this time.

REQUESTED MITIGATION MEASURES

- **Alternate pipeline route** Require TGP to evaluate alternate routes which avoid the resource areas critical to the District. Using a route established decades ago for a powerline has little bearing on what the best route is today for a gas pipeline as the pipeline is far more disruptive to the environment, and a great deal has changed in the intervening years since the powerline route was selected. Using a straight line between the source and the destination for the natural gas would probably make as much sense as using the powerline in choosing the best path. Ideally the process should involve identification of critical resources which would be endangered by the pipeline, and choosing the path which best avoids these areas.

In this case it is likely that a more northerly route could be identified which would avoid groundwater recharge areas and our distribution system infrastructure. This is not a suggestion to just pass the problem onto our neighbors to the north, but to find a path which affects neither them nor us. Also, the Dalton Water District has suggested similar action, and they have even gone to the length of suggesting a specific route. It is likely that a northerly route through Lanesborough and Cheshire would be more compatible with the proposed Dalton route (which is north of the powerline route) than it is with the powerline route.

In the absence of success in finding an alternate route which avoids critical areas in Lanesborough, the following mitigation actions must be taken; LANESBOROUGH VILLAGE FIRE AND WATER DISTRICT

- **Funding during planning and construction phases** Provide funding so the District can hire the scientists, engineers, and legal counsel needed to ensure the best decisions are made and precautions are taken to protect our interests. This is critically important as the District does not have the resources needed to fight the massive resources available to TGP to have their way and maximize their profits at our expense. A skeptical view of the pipeline route selection process is that optional routes are identified not because of environmental impact differences between alternates, but to bypass communities which have the resources to fight TGP, so the route will be chosen primarily to pass it through communities lacking the resources or the resolve to protect themselves. This seems to at least be a factor in the latest route change which selected the powerline right-of-way instead of the more southerly path through Berkshire County. Cost estimate is several tens of thousand dollars.
- **Develop alternate well** Because of the high probability of damaging one of the existing wells and the impossibility of getting an alternate on line in a timely manner, the development of a production well on the Bull Hill test well site is required before pipeline installation. Estimated cost is \$1,500,000.

- **Water main replacement** The most susceptible of our watermains will almost certainly be damaged by the stresses caused by the heavy equipment used for pipeline installation, so when plans for the installation are developed and roads being used are identified, watermain upgrades must be performed on those mains at high risk. The Old Cheshire Road is certainly to be one of the roads used, and the asbestos/cement line in that road will have to be replaced. Estimated cost is \$800,000 for that line alone. There will likely be other mains identified as needing upgrade when the plans for pipeline installation are more completely defined.
- **Implement extraordinary measures to protect the water resource** All possible actions must be taken both during construction and operation to avoid contamination of the aquifer. A dual containment system with interstitial monitoring should be employed to provide maximum protection on a continuing basis during operation of the pipeline.
- **Implement all the requested mitigation measures for public supply distribution systems listed in the BRPC comments document.**
- **Implement all the mitigation measures for small public and private wells listed in the BRPC comments document.**

Respectfully,

Lee Hauge

William Prendergast

Aaron Williams

Board of Water Commissioners

20151013-5208

I've been interested in plant conservation since I moved to my rural property in Mason, New Hampshire over 5 years ago. I have a particular interest in trees in population decline. I've been involved with groups like The American Chestnut Foundation and spent some time collecting trees like the American Chestnut and Butternut, which are both in decline due to invasive blights. A few years ago I heard about a tree called *Torreya Taxifolia* (commonly known as Stinking Cedar). Its native range is a short stretch of the Appalachian River on the border of Georgia and Florida [1]. The tree is what's known as a glacial relic species and for an unknown reason it was unable to move northward, back into the Appalachian Mountains at the end of the last glacial period [2]. Though its range was small, it was numerous until the 1950s when the tree experienced a sudden population crash [3]. It's theorized the cause of the crash was due to climate change [4]. Some scientists believe the only way to save this tree is to plant them north of its current range [4]. With only around 500 individual trees left in its native range, it's the most critically endangered tree in North America [5]. All of the remaining trees are now only stump sprouts and are no longer able to mature enough to produce seed [6].

During my research, I came across a private conservation group called the *Torreya* Guardians who were working to save the tree from extinction. Connie Barlow founded the *Torreya* Guardians in order to organize the assisted migration of *Torreya Taxifolia* to the forests of the Appalachian Mountains because all efforts to save or even slow the decline of *Torreya Taxifolia*'s population were failing. Connie Barlow wrote a paper, which was co-authored by the late Paul S. Martin, arguing that the only sustainable solution for *Torreya Taxifolia* was to plant it north of its currently accepted native range [4]. To that end, Connie Barlow and the other *Torreya* Guardians started collecting seeds from the few trees that were planted on private properties prior to the tree's population decline. Almost all the seeds and seedlings they have collected are from trees in the state of North Carolina. They then distributed the seeds to private land owners in areas which may have been prehistorically favorable to the plant, prior to the last glacial period.

The *Torreya* Guardians are in the process of trying to discover the northern limit for *Torreya Taxifolia*. A few years ago *Torreya Taxifolia* had been planted successfully in places as far north as Ohio. Some *Torreya Taxifolia* specimens are known to have survived temperatures as low as -17°F undamaged [7]. In light of all that and considering that *Torreya Taxifolia*'s habitat during peak glacial times was much like New England today [8], I decided to get involved in the group as there was no one else in New England involved in

the project. The other *Torreya* Guardians agreed that my property would be a good place to plant *Torreya Taxifolia*. After discussing the idea with Connie Barlow, she sent me seeds. I now have *Torreya Taxifolia* seedlings planted in many different locations around my property in Mason, NH.

This brings us to the issue at hand. Kinder Morgan (KM) thinks that my property is a good property to cross with the Fitchburg Lateral. They recently altered the route slightly (in the July 24th update to their filing) to avoid my neighbor's horse farm, but according to data from KM, the pipeline will still cross my property. Both the previous route and the current route will result in the destruction of several *Torreya Taxifolia* specimens. Additionally, *Torreya Taxifolia*'s seed dispersal is thought to be assisted by box turtles (*Terrapene carolina*) [9], which are known to exist in Mason, NH [10]. Both the old and the new routes for the lateral would result in destruction of much of the wetland habitat on my land and other nearby properties, which would decrease the likelihood of box turtles being in close enough proximity to assist the *Torreya Taxifolia*'s seed dispersal. Also, if the pipeline easement is near the area *Torreya Taxifolia* resides, KM will have to destroy any new seedlings which germinate on the easement in order to protect the pipe from the tree's root system. Obviously, this is a problem. The lateral would also fragment the habitat and further reduce the likelihood of success.

Recent research indicates that global warming (exacerbated by projects like this one) has delayed or even completely circumvented the next glacial period [11]. The magnitude of the predicted warming is greater than the necessary cooling that would be needed to trigger another Glacial Period [11]. We are entering another warming period like the Earth hasn't seen since the end of the last glacial period, which is forcing many species to move even further north of their current ranges! Evidence has shown that plants like *Torreya Taxifolia* will need to migrate up to a mile north every year to keep up with the warming [12] and that will only keep up with their current range. Glacial relics like *Torreya Taxifolia* will be the hardest hit by this. *Torreya Taxifolia* is in the most critical state of all and is already way behind other species.

It's thought that the climate of *Torreya Taxifolia*'s currently accepted native range was similar to modern New England's current climate during the last glacial maximum [8]. Reflecting on that, the location of my property, being in central New England, could be of critical importance for the future survival of the species! However, saving *Torreya Taxifolia* is impossible if experimental plantings like mine are being impacted and destroyed by pipelines and other projects. On top of which my property is the only location in New England where *Torreya Taxifolia* has been planted at this time, making it and the surrounding habitat of even more critical importance to the overall survival of the species.

Considering the state of *Torreya Taxifolia*'s current population, every single tree could decide the future and ultimately the fate of the species. To put it into perspective, it would be as if the entire population of humanity on earth was reduced to the number of people in the small town I live in (less than 2,000 people). Every individual becomes very important. The actions of any individual could save or doom the species. As you can see, the purposeful destruction of any one tree is simply unacceptable! There is no way to "mitigate" the impact of destroying individual trees. If several specimens on my property are destroyed, their genetic diversity will be lost forever. On top of which replacing the trees would require receiving and germinating more of a very limited quantity of seeds, reducing the possible places the trees could be planted overall, which in turn will have a direct impact on the potential survival of the entire species.

Questions for FERC:

- 1) What is FERC's overall plan to PREVENT the destruction of ANY of these trees and their habitat?
- 2) Reflecting on the fact that EVERY individual *Torreya Taxifolia* tree matters in the long run and that some of these trees lie in the direct path of the Fitchburg Lateral, what mitigation practices or avoidance measures could KM possibly take to avoid impacting the survival of *Torreya Taxifolia*?
- 3) What mitigation measures can be taken to minimize the impact to supporting wetland habitats that may assist the propagation and dispersal of *Torreya Taxifolia*?
- 4) Taking into consideration that engaging in commerce with *Torreya Taxifolia* across state lines is prohibited by Federal law [13], that every individual tree really does matter and that any individual plant can't

simply be replaced with any amount of money; how would KM be able to offset any destruction of one or several *Torreya Taxifolia* before and after construction of the pipeline in the vicinity of the plants?

- 5) How would KM be able to measure the affect of the pipeline on each individual *Torreya Taxifolia*?
- 6) How would KM mitigate or prevent any negative effects on individual *Torreya Taxifolia*?
- 7) Considering the reproductive rate and capacity of *Torreya Taxifolia* is largely unknown, how would KM measure and compensate for any reduction in reproductive capacity of the population, including any impact on the reproductive velocity of the population and the viability of any potential future offspring?
- 8) How long will KM be required to monitor the plants for the negative effects of the pipeline?
- 9) What rules and practices will FERC set in place to insure all these variables are taken into consideration?
- 10) What penalty will be placed on KM if they disregard or are unable to follow any of the rules set down in part or fully?

- Daein Ballard, Mason NH

Email: ttlft@daein.org

References:

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- 13) Endangered Species Act Section (9)(2) <http://www.nmfs.noaa.gov/pr/pdfs/laws/esa.pdf>

20151013-5211

Please address the following regarding methane and the possibility of leakage:

What does FERC determine as the maximum acceptable leakage?

How will leakage be monitored?

What actions will be taken if emissions exceed the standard?

How frequently will emissions be measured?

What will happen if wells and wetlands and aquifers become infested with methane leakage? Will wells be tested before construction? Will the burden of proof be the responsibility of homeowners, town leaders that the leakage is the result of pipeline construction?

20151013-5313

Dear Sir or Madam,

RE: Docket Number: PF14-22-000

It was brought to the attention of the town of Merrimack, New Hampshire and the residents of Merrimack at the town meeting with Kinder Morgan on Thursday October 8, 2015 the latest change to the route of the proposed gas pipeline. This was a major departure from the previous proposed route and has left us with little time before filing occurs on Friday October 16th to make any comments and objections.

However, I have a concern about the pipeline crossing through the pristine forest and wetlands bordering the west side of the land owned by Fidelity and Pennichuck Waterworks. This proposed route will go through a large heron nesting area, which has been there for at least 40 years, to my knowledge. Also it will disrupt the protected, endangered lady slipper orchids which abound in the forested area proposed in the new route. Other fauna and flora will also be adversely impacted by the deforestation and destruction of wetlands proposed by the building of the pipeline.

Another concern that I have is the proximity of the southern portion of the proposed route to the houses along Thornton Road West, Merrimack, NH. I would highly recommend reverting to the original proposal to run the pipeline along the existing high voltage power line easements. This is a straight shot and will cause much less destruction environmentally and otherwise.

Sincerely,

Patricia Ansdell MD
17 Thornton Road West,
Merrimack, NH 03054

20151013-5361

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ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL

ANN M. RICE
DEPUTY ATTORNEY GENERAL

October 9, 2015

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

Re: Northeast Energy Direct Project, Kinder Morgan Pipeline Docket No. PF 14-22-000

Dear Ms. Bose:

Thank you for the opportunity to provide comment with respect to the Northeast Energy Direct (NED) Project (Docket No. PF 14-22-000). Please be advised that the New Hampshire Director of Charitable Trusts exercises all of the common law and statutory rights, duties and powers of the New Hampshire Attorney General in connection with the supervision, administration and enforcement of charitable trusts. New Hamp-

shire RSA 7:20.

The donation in whole or in part of an interest in real estate to a charitable organization or a governmental entity may create a charitable trust. We understand that the NED project proposal would cross land parcels with donated property interests. Accordingly, I write to make FERC aware of the existence of these donated property interests along the proposed route of the NED project that are subject to charitable trust principles. I also write to clarify the role of the Charitable Trusts Unit with respect to these real estate interests. Finally, I write to request that Kinder Morgan supply FERC with sufficient documentation to identify the location and type of charitable trust restrictions on land affected by the proposed NED project.

This letter will discuss with some specificity the two types of donated property interests encountered along the route of the proposed NED project: the conveyance of a fee (ownership) interest and the conveyance of an easement interest.

Donated Fee (Ownership) Interest

An owner of real estate may decide to donate (or to sell at a discounted price) a parcel to a charitable organization or governmental entity. Under New Hampshire law, if the deed or gift instrument contains language that the real estate is to be used for some charitable purpose, such as for preservation of wild land with unique natural features or for conservation of forest land or for park use, that conveyance creates a charitable trust. The entity that accepts the gift of property then must act in a fiduciary capacity to assure that the donor's intent is carried out.

The Charitable Trusts Unit does not maintain a database of every real estate parcel located along the proposed NED project route subject to a charitable purpose or restriction. It is aware that some properties held by the State of New Hampshire, including certain of the Rhododendron State Park parcels and the Russell-Abbott State Forest, were donated to the State and with specific deed restrictions.

In those cases where restrictions appear in a deed or in a gift instrument, the State of New Hampshire, a municipality or a land trust has a fiduciary duty to see that the land is used in accordance with the stated restriction. The Charitable Trusts Unit may investigate and take action against landowners that do not abide by the restriction. This authority even extends to departments of the State of New Hampshire that own land. Should the holder of such property seek to modify or extinguish all or part of any restriction, it must petition the probate court for cy pres relief. See, New Hampshire RSA 547:3-d. The standard for granting relief is high: the charitable purpose must have become impossible or impracticable or illegal or obsolete or ineffective or prejudicial to the public interest to carry out. The Director of Charitable Trusts is a necessary party to any such cy pres action.

The cy pres requirement is in addition to any other process that the charitable trust landowner may be required to follow in conveying an interest in the property. Therefore, the statutory process for the State of New Hampshire to dispose of any of its property, or for a landowner to dispose of property acquired in part with Land Conservation Improvement Program funds, is not a substitute for the cy pres process.

Donated Easement Interest

Similarly, an owner of real estate may decide to donate in whole or in part an easement for conservation, recreation, agricultural, historic or park purposes to a governmental entity or to a charitable organization. See, New Hampshire RSA 477:45 -- 47. These conveyances are typically referred to as conservation easements and they create a charitable trust. The donor may have also received a charitable deduction for the donation, which means that the transaction met very specific requirements under the Internal Revenue Code relating to its permanence and the absence of private benefit. The entity that accepts the gift of an easement then must act in a fiduciary capacity to assure that the donor's intent is carried out as reflected in the easement deed.

The Charitable Trusts Unit does not maintain a database of every real estate parcel along the proposed NED project route that may be subject to a conservation easement. It is aware of several, however, including the Fifield Tree Farm in Mason, upon which the Town of Mason Conservation Commission holds a conserva-

tion easement.

Again, where a conservation easement is donated to the State of New Hampshire, a municipality or a land trust, that entity has a fiduciary duty to make sure that the use of the land does not violate any of the terms of the easement. The Charitable Trusts Unit may investigate and take action against easement holders that do not enforce easements they hold. Should the easement holder of such property seek to amend the easement terms, it must first consult with the Charitable Trusts Unit. Depending on the risk level of the proposed amendment, the easement holder may also be required to petition the probate court for cy pres relief, as described above. The Director of Charitable Trusts is a necessary party in any such proceeding. The Charitable Trusts Unit has published Guidelines for New Hampshire Easement Holders that deal with the amendment process. A copy of the Guidelines is enclosed.

The consultation with the Charitable Trusts Unit and the potential cy pres requirement is in addition to any other process that the conservation easement holder may be required to follow to convey an interest in the property.

Conclusion

Some of the parcels along the proposed NED project route are subject to restrictions that create charitable trusts and therefore require the involvement of the Charitable Trusts Unit before a change of use. The restrictions donors place on land parcels vary greatly, although generally the donor wanted the land to be managed so as to preserve its natural or conservation values. The Charitable Trusts Unit cannot determine, in advance, how it will approach a specific request to amend a conservation easement or to modify or extinguish a restriction. The Charitable Trusts Unit expects that the owners of restricted parcels or the holders of conservation easements will in the first instance act in accordance with their fiduciary duties of loyalty, care and obedience in considering any such request.

To make sure that no land subject to a restriction for a charitable purpose is overlooked, the Charitable Trusts Unit requests that Kinder Morgan conduct sufficient research and submit maps showing all parcels along the proposed route that are subject to any restriction for charitable purposes, and including all supporting documentation, whether it be contained in a deed, gift instrument or probate document. The Charitable Trusts Unit also requests that the map and supporting documentation be included in the draft environmental impact statement.

Very truly yours,

Thomas J. Donovan
Director of Charitable Trusts
(603) 271-3591
tom.donovan@doj.nh.gov

TJD:ab enclosure

Amending or Terminating Conservation Easements: Conforming to State Charitable Trust Requirements

Guidelines for New Hampshire Easement Holders

This publication was prepared through the collaborative efforts of

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Amending or Terminating Conservation Easements:

Conforming to State Charitable Trust Requirements

Guidelines for New Hampshire Easement Holders

These Guidelines were prepared through the collaborative efforts of the New Hampshire Department of Justice, Charitable Trusts Unit; Paul Doscher at the Society for the Protection of New Hampshire Forests' Center for Land Conservation Assistance; and Nancy McLaughlin at the University of Utah Law School.

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Amending or Terminating Conservation Easements: Conforming to State Charitable Trust Requirements

Guidelines/or New Hampshire Easement Holders

These Guidelines are designed to define and describe the role of the Attorney General as a necessary party and, where applicable, the role of other state agencies in those situations where an amendment to or termination of a conservation easement is contemplated.

I. Introduction

- A. Conservation Easements in General
- B. Conservation Easements as Charitable Trusts

II. Amendment of a Conservation Easement

- A. Step One - Seven Principles
- B. Step Two - Review Process

1. When Conservation Easement Does Not Contain an Amendment Provision

- (i) "Low Risk" Amendments
 - a. Definition of Low Risk Amendments
 - b. Attorney General Review of Low Risk Amendments.
- (ii) "More Risk" Amendments
 - a. Definition of More Risk Amendments
 - b. Attorney General Review of More Risk Amendments
- (iii) "High Risk" Amendments
 - a. Definition of High Risk Amendments
 - b. Attorney General Review of High Risk Amendments

2. When Conservation Easement Contains an Amendment Provision

III. Attorney General Review

IV. Termination of a Conservation Easement

V. "Orphaned" Conservation Easements

I. INTRODUCTION

A. Conservation Easements in General

When a land trust or a government entity acquires a perpetual conservation easement, it promises the grantor, the community, and (if applicable) financial contributors that the easement will be upheld in perpetuity. The land trust or government entity becomes legally bound to enforce the easement according to its stated terms and purpose. Given that, how is it possible to contemplate amending perpetual conservation easements?

It is impossible to predict all the circumstances that may arise in the future. Even the most well-drafted conservation easement may need to be amended at some point, for example, to clarify terms, add land, improve enforceability, resolve disputes, or address unanticipated land uses.

Nevertheless, amendments should be rare. When they are contemplated, the holder of the conservation easement should embark on the path of amending only after becoming thoroughly informed regarding the proper legal and ethical principles and processes.

An excellent source of guidance regarding conservation easement amendments is *Amending Conservation Easements: Evolving Practices and Legal Principles*, published in 2007 by the Land Trust Alliance (“Amending Conservation Easements”). The information contained in this publication is essential reading for conservation easement holders, be they charitable organizations (typically land trusts) or government entities, before considering an amendment.

B. Conservation Easements as Charitable Trusts

The New Hampshire Attorney General considers any perpetual conservation easement donated as a charitable gift in whole or in part to a charitable organization or a government entity to constitute a charitable trust and thus to be subject to charitable trust principles.[1] The comments to the Uniform Trust Code, which was adopted by New Hampshire in 2004, explain:

Even though not accompanied by the usual trappings of a trust, the creation and transfer of an easement for conservation or preservation will frequently create a charitable trust. The organization to [which] the easement was conveyed will be deemed to be acting as trustee of what will ostensibly appear to be a contractual or property arrangement. Because of the fiduciary obligation imposed, the termination or substantial modification of the easement by the “trustee” could constitute a breach of trust.[2]

Perpetual conservation easements purchased at fair market value, exacted as part of development approval processes, or acquired in the context of mitigation may also be subject to similar equitable principles.’ Accordingly, perpetual conservation easements, regardless of how acquired, should not be amended (or terminated) without consideration of and compliance with applicable charitable trust principles. It is, therefore, the more prudent course to assume that the same notification, review, and approval principles that apply to conservation easements donated in whole or in part apply to all perpetual conservation easements, regardless of how they were acquired.

II. AMENDMENT OF A CONSERVATION EASEMENT

A. Step One - Seven Principles

As the first step in considering any proposed amendment, the holder should make sure the amendment complies with ALL of the following seven principles (see *Amending Conservation Easements* at 32):

The proposed amendment must:

1. Clearly serve the public interest and be consistent with the easement holder’s mission.
2. Comply with all applicable federal, state, and local laws.
3. Not jeopardize the holder’s tax exempt status or status as a charitable organization under either federal or state law (if the holder is a land trust or other charitable organization).

4. Not result in “private inurement” or confer impermissible “private benefit” (as those terms are defined for federal tax law purposes and N.H. RSA 7:19-a).
5. Be consistent with the conservation purpose(s) and intent of the easement.
6. Be consistent with the documented intent of the donor, grantor, and any direct funding source.
7. Have a net beneficial or neutral effect on the relevant conservation values or attributes protected by the easement.

B. Step Two - Review Process

If a proposed amendment is found to comply with each of the seven principles specified in step one, the holder should next determine whether the conservation easement contains an amendment provision. The standard “amendment provision” is a provision included in a conservation easement deed that expressly grants the holder the discretion to agree to amendments that are consistent with or further the purpose of the easement.[4] As described below, the review process for amendment proposals will differ depending on whether the holder is granted the discretion to amend the terms of the conservation easement in the form of an amendment provision, and the extent of that grant of discretion. (In some cases grantors customize the standard amendment provision to preclude certain types of amendments, such as those that would increase the level of residential development permitted by the express terms of the easement.)

In very rare cases, a holder may wish to proceed with an amendment that clearly does not comply with the seven principles specified in step one. Such an amendment is by definition “high risk” and must comply with the review process specified below for high risk amendments.

1. When Conservation Easement Does not Contain an Amendment Provision

If the conservation easement does not contain an amendment provision, the holder should consult with the attorney general regarding any proposed amendment. However, the level of attorney general review will depend on whether the amendment is appropriately characterized as “low risk,” “more risk,” or “high risk” (see *Amending Conservation Easements* at 53-56, discussing these various risk categories).

(i) “Low Risk” Amendments

a. Definition of Low Risk Amendments

Low risk amendments are those that satisfy each of the following requirements:

- The amendment clearly and unquestionably complies with all of the seven principles listed in step one.
- The amendment either does not affect or has only positive effects on the conservation purposes of the easement and the conservation values (attributes) of the property.
- The holder clearly has the commitment and the capacity to enforce the easement’s restrictions.
- There are clearly no private inurement issues (as that term is defined for federal tax law purposes and N.H. RSA 7: 19-a) because no “insider” associated with the holder is involved.
- There is clearly no private benefit (as that term is defined for federal tax law purposes) provided to any person as a result of the amendment.
- The amendment is consistent with any solicitations for donations toward the purchase of the easement made by the holder when the easement was acquired.
- The amendment is consistent with local law and meets current zoning and similar requirements.
- The amendment is simple and easily understood.
- The amendment is approved by all necessary persons, such as holders of any contingent rights or executory interests and the owner of the encumbered land.
- There is a low probability of relevant funders, the easement grantor, the grantor’s heirs, neighbors, or members of the community objecting to the amendment.

- The amendment has been reviewed and approved by the holder’s board of trustees or board of directors.
- The amendment has been reviewed by relevant experts or such review is clearly not needed.

Examples of low risk amendments include those that:

- Correct scrivener’s errors (typographical errors, etc.).
- Add more land to a conservation easement, provided such addition is consistent with the purpose of the easement.
- Add new restrictions that are clearly consistent with the purposes of the easement.
- Eliminate reserved rights (such as reserved house sites, cabin sites, access roads, etc.).
- Replace an antiquated property description with a new description resulting from a recordable survey.
- Correct boundary line errors resulting from an inaccurate property description, survey, or otherwise.

In each of the above situations, it is assumed that the proposed amendments are simple and easily understood and that there is no quid pro quo being provided in exchange for the amendment. In other words, these amendments are clearly consistent with or further the conservation purpose of the conservation easement, and the owner of the land is receiving nothing in return (other than the potential of an additional income tax benefit based on the value of a new donation).

b. Attorney General Review of Low Risk Amendments

If an amendment clearly and unequivocally falls into the low risk category, the easement holder should notify the Attorney General, Charitable Trusts Unit that the amendment is being proposed.^[5] The notification should (i) be provided to the Attorney General at least thirty days prior to the execution of the amendment, (ii) clearly describe how the proposed amendment complies with the seven principles set forth in step one, qualifies as a low risk amendment, and is consistent with the holder’s organizational amendment policy, (iii) include a copy of the existing conservation easement and the proposed amendment (including identification of all places where changes are made by color marking, through a document comparison program, or other means if the easement is being amended and restated), and (iv) include copies of any relevant maps, surveys, deeds, photos, or other documents that help explain the amendment.

Once the amendment is executed and recorded, a copy of the recorded amendment should be provided to the Attorney General.

(ii) “More Risk” Amendments

a. Definition of More Risk Amendments

More risk amendments require more review. These amendments are more complicated, may involve trade-offs, and could have the potential to create private benefit or other complications. They differ from low risk amendments in that they:

- May affect the conservation purposes both positively and negatively (i.e., some conservation purposes or attributes may benefit at the expense of others); these are generally referred to as “trade-off” amendments.
- May involve a private inurement (as that term is defined for federal tax law purposes).
- May involve private benefit (as that term is defined for federal tax law purposes).
- May not be consistent with the mission of the easement holder.
- May not be consistent with third party rights in the easement (executory or contingent interest holders).

- May be objected to by the grantor, the grantor’s heirs, or neighbors, who are either aware of the proposed amendment and have expressed concerned or have not been consulted.

Examples of more risk amendments include those that:

- Clarify ambiguous easement terms and address disputes over the meaning and intent of the easement restrictions.
- Relocate reserved rights, such as reserved house sites.
- Add new reserved rights in exchange for the termination or reduction of existing reserved rights (i.e., involve trade-offs).
- Improve easement enforceability by removing “excessive” restrictions that provide de minimis or no conservation benefit.

b. Attorney General Review of More Risk Amendments

More risk amendments present potential problems and must be carefully examined. In these situations, there is a potential that an amendment would violate charitable trust rules if not properly designed and approved. Such amendments may also violate the federal tax law perpetuity requirements.[6]

Since more risk amendments have the potential to impact the laws regarding charitable trusts, the Attorney General should review each more risk amendment proposal to assess whether the amendment complies with the seven principles listed in step one. The Attorney General may offer suggestions to the holder on how to address any potential problems with such an amendment. If the Attorney General believes the proposed amendment requires review by and approval of the probate court, this will become apparent during consultation.

When to initiate consultation with the Attorney General is a key question. In general, when a holder perceives that a proposed amendment may be more than “low risk,” the holder should contact the Attorney General as early in the process as possible. The holder should first gather all the important facts and determine that, in its estimation, the proposed amendment complies with the seven principles listed in step one. The holder should then send a letter to the Attorney General that (i) describes how the proposed amendment, in the holder’s estimation, complies with the seven principles set forth in step one and the holder’s organizational amendment policy, (ii) details the issues that make the proposed amendment more risk (as opposed to low risk), (iii) includes a copy of the existing conservation easement and the proposed amendment (including identification of all places where changes are made by color marking, through a document comparison program, or other means, if the easement is being amended and restated), and (iv) includes copies of any relevant maps, surveys, deeds, photos, or other documents that help explain the proposed amendment. If the proposed amendment is supported by the easement grantor, the grantor’s heirs or assigns, funders, the holder of any executory or back-up interest, the local government, state agencies, or other public entities, their concurrence should be indicated in the letter. (It may be necessary to later supply the Attorney General with letters of endorsement.)

A meeting with the Attorney General may be needed to clarify the facts, explain complex language or survey plans, and provide additional information.

Consultation with the Attorney General regarding more risk amendments may lead to several possible outcomes. The Attorney General may find that the proposed amendment fits within the low risk category and send the holder a “no action” letter indicating that the Attorney General will not oppose the amendment. Alternatively, the Attorney General may find certain changes that could be made to improve the amendment and, if the amendment proposal is revised accordingly and resubmitted to the Attorney General, the Attorney General will issue a “no action” letter. However, if it is determined that there are significant issues relating to the common and statutory law of restricted charitable gifts and charitable trusts, the Attorney General will likely recommend that the proposal be submitted to the probate court for review. The submission to the probate court will generally take the form of a petition for instructions (RSA 564-B:2-201(c)) or a petition for deviation (RSA 547:3-c, RSA 564-B:4-412), although in some

cases it may take the form of a petition for cy pres (RSA 547:3-d, RSA 564-B:4-413(a)).

(iii) “High Risk” Amendments

a. Definition of High Risk Amendments

High risk amendments require review and approval by the probate court under either the doctrine of deviation (RSA 547:3-c, RSA 564-B:4-412) or the doctrine of cy pres (RSA 547:3-d, 564-B:4-413), as the case may be. These amendments may involve complex issues, trade-offs of restrictions, possible harm to the conservation purposes of the easement, or removal of more than a de minimis portion of the land from the easement’s restrictions (which constitutes a partial termination or extinguishment of the easement).

High risk amendments differ from low and more risk amendments in that they may, for example:

- Result in significant harm or change to the original conservation purposes of the easement or conservation attributes of the easement property.
- Alter the basic provisions or protections of the easement.
- Involve private inurement (as that term is defined for federal tax law purposes).
- Confer a private benefit (as that term is defined for federal tax law purposes).
- Conflict with the charitable or public mission of the easement holder.
- Be contrary to solicitations made to the easement grantor or donors of funds to the holder that were used to purchase the easement..
- Be contrary to local ordinances or other requirements.
- Not be supported by the community, neighbors, the easement grantor, the grantor’s heirs, or other interested parties.
- Lack appropriate scientific or expert review that is clearly needed.
- Be highly complex and difficult to explain.

Examples of high risk amendments include those that:

- Release a restriction without obtaining offsetting conservation benefits elsewhere on the easement property.
- Remove more than a de minimis portion of the land from the easement, whether or not in exchange for the protection of other land (abutting, nearby, or elsewhere) or other compensation, and regardless of whether the removal is characterized by the parties as a swap, amendment, adjustment, boundary resolution, release, extinguishment, termination, or otherwise. De minimis means so small as to be of no consequence. No exact size can be set because a de minimis portion of a 10-acre easement is necessarily smaller than a de minimis portion of a 100-acre easement or a 1,000-acre easement. Nevertheless, for this purpose, any removal of land from a conservation easement larger than one acre cannot ever be considered de minimis, and removal of land that is smaller than one acre may be more than de minimis depending on the circumstances of the easement and land. Removal of more than a de minimis portion of the land from an easement, however characterized, constitutes an extinguishment of the easement with respect to the land removed.
- Permit prohibited subdivision or residential or commercial development of the land.
- Release a restriction as part of a proposal to settle a violation dispute.
- Are made in exchange for cash.

There are a host of potential situations that could be considered high risk. A good rule of thumb is that if the holder of the easement believes that the proposed amendment does not clearly comply with the seven principles listed in step one, or that a reasonable case could be made that the proposed amendment does

not comply with one or more of those principles, the holder should anticipate a thorough review by the Attorney General and possible review by the probate court.

Amendments that are not consistent with the purpose of a conservation easement, which may include amendments that permit prohibited subdivision and development of the land or remove more than a de minimis portion of the land from the protection of the easement (a partial extinguishment), require court approval in a cy pres proceeding. The Attorney General must be given notice of and is a necessary party to any such a proceeding.

b. Attorney General Review of High Risk Amendments

High Risk amendment proposals require consultation with and review by the Attorney General and most likely subsequent review and approval by the probate court. A holder proposing a high risk amendment should be prepared for a potentially lengthy process.

The holder should first gather all the important facts and determine that, in its estimation, the proposed amendment complies with the seven principles listed in step one. The holder should then send a letter to the Attorney General that (i) describes how the proposed amendment, in the holder's estimation, complies with the seven principles set forth in step one and the holder's organizational amendment policy, (ii) details the issues that make the proposed amendment high risk (as opposed to low risk or more risk), (iii) includes a copy of the existing conservation easement and the proposed amendment (including identification of all places where changes are made by color marking, through a document comparison program, or other means if the easement is being amended and restated), and (iv) includes copies of any relevant maps, surveys, deeds, photos, or other documents that help explain the proposed amendment. If the proposed amendment is supported by the easement grantor, the grantor's heirs or assigns, funders, the holder of any executory or back-up interest, the local government, state agencies, or other public entities, their concurrence should be indicated in the letter. (It may be necessary to later supply the Attorney General with letters of endorsement.)

A meeting with the Attorney General may be needed to clarify the facts, explain complex language or survey plans, and provide additional information.

The better job the easement holder does in preparing the amendment proposal letter for the Attorney General's review, the less likely it is that there will be substantial delays in the review process. High risk amendments are, however, questionable by their very nature, and no holder should expect that the Attorney General will consent to such an amendment or issue a "no action" letter, or that the court will approve such an amendment.

2. When Conservation Easement Contains an Amendment Provision

If a perpetual conservation easement contains a provision granting the holder the discretion to agree to amendments that are consistent with or further the purpose of the easement, it will not be necessary for the holder to obtain Attorney General review in low risk and many more risk cases. If the holder determines that the proposed amendment (i) complies with the seven principles set forth in step one, (ii) is consistent with the holder's organizational amendment policy, and (iii) clearly falls within the discretion granted to the holder pursuant to the amendment provision included in the easement deed, the holder may agree to the amendment. Once the amendment is executed and recorded, the following should be provided to the Attorney General: (a) a copy of the original conservation easement, (b) a copy of the recorded amendment or the recorded amended and restated easement (including identification of all places where changes are made by color marking, through a document comparison program, or other means if the easement was amended and restated), and (c) a letter explaining the holder's determinations with regard to (i), (ii), and (iii) in the previous sentence.

In the case of high risk amendments, Attorney General review (and, where appropriate, court approval) should be obtained regardless of the presence of an amendment provision in the easement deed pursuant to the procedures described above.

Should the holder have any doubts regarding whether a proposed amendment (i) complies with the seven principles set forth in step one, (ii) is consistent with the holder's organizational amendment policy, (iii) falls within the discretion granted to the holder pursuant to the amendment provision included in the easement deed, or (iv) is high risk, Attorney General review is advised.

III. ATTORNEY GENERAL REVIEW

The recommended process for communicating with the Attorney General regarding amendments is for the easement holder to write a letter addressed to:

Office of the Attorney General
Charitable Trust Unit
33 Capitol Street
Concord, NH 03301-6397

Attn: Conservation Easement Amendment

The letter should include all of the information requested in the relevant section above.

The Attorney General Division of Charitable Trusts oversees thousands of charitable organizations in New Hampshire. While there will be times when case load may result in longer response times, it is the intent of the Division to respond to most amendment review requests within twenty-one days. Proposals that fall into the high risk category, otherwise have complex issues, or lack the required supporting documentation may require a longer review period. A land trust or other easement holder that does not receive a response within four weeks should contact the Division to determine the status of the review request.

The Attorney General can most efficiently and effectively review an amendment proposal if the holder gathers all necessary information, follows its organizational amendment policy, satisfies itself that the proposed amendment complies with the seven principles listed in step one, and provides sufficient information to the Attorney General to support the holder's determination that the amendment is necessary, prudent, and otherwise appropriate. The more clearly and precisely the holder states its case in the letter to the Attorney General, the more timely, efficient, and effective the Attorney General's review will be.

When contemplating proposed amendments, easement holders should bear in mind that it is better to seek review than ask for forgiveness after the fact. *The Attorney General has the authority to petition the court to request that an improper amendment be invalidated and will do so in appropriate cases.*

The Attorney General cannot provide legal or tax advice to private parties or warrant that a proposed amendment will satisfy (or not be in violation of) the requirements under federal tax law. Holders should consult with competent legal counsel regarding the federal tax law ramifications of a proposed amendment, including possible loss of taxexempt status or status as an eligible donee of tax-deductible conservation easements.

IV. TERMINATION OF A CONSERVATION EASEMENT

The release, extinguishment, or other termination of a conservation easement, whether in whole or in part, requires court approval in a cy pres proceeding. The Attorney General must be given notice of and is a necessary party to such a proceeding.

V. "ORPHANED" CONSERVATION EASEMENTS

An orphan conservation easement situation can arise when an easement holder abandons its responsibility to monitor the easement or when a land trust organization dissolves without transferring its easements to another party for monitoring and enforcement. This situation should be reported to the Attorney General as soon as possible.

For more information contact:

Terry M. Knowles, Assistant Director, Division of Charitable Trusts Office of the Attorney General
Charitable Trusts Unit
33 Capitol Street

Concord, NH 03301-6397

Telephone (603) 271-3591

Fax (603) 271-6221

terry.knowles@doj.nh.gov

TDD Access: Relay NH 1-800-735-2964

Normal business hours are 9:00 a.m. to 5:00 p.m. Monday through Friday.

- 1 Perpetual conservation easements are donated in whole or in part as charitable gifts to charitable organizations and government entities to be used for a specific charitable purpose—the protection of the particular land burdened by the easement for the conservation purposes specified in the deed in perpetuity. In New Hampshire, a gift made to a charitable organization or government entity to be used for a specific charitable purpose creates a charitable trust. See, e.g., *Trustees of Protestant Episcopal Church v. Danais*, 108 N.H. 347 (1967) (testamentary devise to the trustees of a designated church of certain premises to be used as a rectory for the parish of such church and “to be occupied by the rector ... and his family and by them only” created a valid charitable trust); *Keene v. Martin*, 96 N.H. 504 (1951) (bequest to pay for and establish a set of chime bells to be installed on the public library or some other building in the city constituted a charitable trust); *State v. Federal Square Corp.*, 89 N.H. 538 (1938) (land and buildings thereon conveyed to a city to be used as a public library created a charitable trust); RSA 7:21 (defining a charitable trust under New Hampshire law as “any fiduciary relationship with respect to property arising under the law of this state or of another jurisdiction as a result of a manifestation of intention to create it, and subjecting the person by whom the property is held to fiduciary duties to deal with the property within this state for any charitable, nonprofit, educational, or community purpose.”). See also Restatement (Third) of Trusts (2003) § 28, cmt. a (“An outright devise or donation to a ... charitable institution, expressly or impliedly to be used for its general purposes, is charitable but does not create a trust A disposition to such an institution for a specific purpose, however, such as to support medical research, perhaps on a particular disease, or to establish a scholarship fund in a certain field of study, creates a charitable trust of which the institution is the trustee “). Even in jurisdictions in which a gift made for a specific charitable purpose is not characterized as a technical “trust,” the substantive rules governing the administration of charitable trusts, including the doctrine of cy pres, nonetheless apply. See, e.g., *St. Joseph’s Hosp. v. Bennett*, 22 N.E.2d 305,308 (NY 1939); Restatement (Second) of Trusts § 348.1, cmt f. (1959).
- 2 Uniform Trust Code § 414, cmt. The sections of New Hampshire’s Uniform Trust Code concerning the modification or termination of charitable trusts for the most part merely codified or replaced already existing New Hampshire common and statutory law. Michelle M. Arruda, *The Uniform Trust Code: A New Resource for Old (and New!) Trust Law*, 46 N.H.B.J. 6, 9 (2006). See also Uniform Conservation Easement Act, § 3, cmt. (“because conservation easements are conveyed to governmental bodies and charitable organizations to be held and enforced for a specific public or charitable purpose—i.e., the protection of the land encumbered by the easement for one or more conservation or preservation purposes—the existing case and statute law of adopting states as it relates to the enforcement of charitable trusts should apply to conservation easements”); Restatement (Third) of Property: Servitudes § 7.11 (2000) (recommending that the modification and termination of conservation easements be governed by a special set of rules based on the charitable trust doctrine of cy pres). See also Nancy A. McLaughlin & W. William Weeks, *In Defense of Conservation Easements: A Response to The End of Perpetuity*, 9 Wyo. L. Rev. 1 (2009).
- 3 See *In re Village of Mount Prospect*, 522 N.E.2d 122,125 (Ill. App. 1988) (land dedicated to Village “for public purposes” was held upon an express charitable trust and could not be sold without court approval in a cy pres proceeding).
- 4 See Amending Conservation Easements at Appendix C-2 for sample amendment provisions.

- 5 The term “Attorney General” as used herein refers to the Attorney General’s Charitable Trusts Unit. To the extent that any parties including the N.H. Fish and Game Department, the Council on Resources and Development, the Division of Cultural and Historical Resources, etc. are represented by another bureau, the appropriate Attorney General representative from that bureau should also be contacted.
- 6 In a 2005 report on The Nature Conservancy (TNC), the Staff of the Senate Finance Committee explained that “[m]odifications to an easement held by a conservation organization may diminish or negate the intended conservation benefits, and violate the present law requirements that a conservation restriction remain in perpetuity.” See United States Senate Committee on Finance, Report on The Nature Conservancy, Executive Summary at 9 available at <http://finance.senate.gov/sitepages/TNC%20Report.htm>. The Staff noted that modifications made to correct ministerial or administrative errors are permitted under present federal tax law. *Id.* at 9 n. 20. But the Staff expressed concern with regard to trade-off amendments, which both negatively impact and further the conservation purpose of an easement, but on balance are arguably either neutral with respect to or enhance such purpose. See *id.* at Pt. II 5. The Staff provided, as an example, an amendment to an easement that would permit the owner of the encumbered land to construct a larger home in exchange for restrictions further limiting the use of the land for agricultural purposes. *Id.* The Staff explained that trade-off amendments “may be difficult to measure from a conservation perspective,” and that the “weighing of increases and decreases [in conservation benefits] is difficult to perform by TNC and to assess by the IRS.” *Id.* {end of 20151013-5361}

20151013-5397

Nancy Hann, Winchester, NH.

I would like to have you research if there a link to natural gas fracking and honeybees. Colony Collapse Disorder, especially in the states of Pennsylvania and Oklahoma, are two states that have the highest incidence of CCD, 60% in the past two years, are also the states where most natural gas fracking is extracted in the United States. Is this “the canary in the coal mine”?

“If the bee disappeared off the surface of the globe then man would only have four years of life left. No more bees, no more pollination, no more plants, no more animals, no more man.” – Albert Einstein

Thank you, Nancy Hann

20151013-5432

Maria Cruz, Dalton, MA.

Dear FERC,

As a resident of the Town of Dalton in Western Massachusetts I am writing to you in opposition to the Northeast Energy Direct project that would send a natural gas pipeline through Western Massachusetts (Tennessee Gas Pipeline Company, L.L.C. under New Docket for Tennessee’s Northeast Energy Direct Project under PF14-22.).

There are two main reasons that I oppose this project. The first relates to the possible contamination of our regions water, soil, and air from a very possible leak in this system and from normal daily functioning of the system. The pipeline would pose a risk to our health via respiratory issues and through our food and water supply. The proposed geographical path for the pipeline runs through our town of Dalton’s only organic food CSA. This land is invaluable to our health as it supplies high quality nourishing food, and compost to grow food, to our community. Not only could the pipeline chemicals, which may leach into our soil, ground water and air, potentially harm people, but also the lawsuits could astronomically damage our daily quality of life. As a dietitian I have dedicated my life to promoting health through nutrition, and organic locally grown food is imperative for all people to remain as disease free as possible, as well as a human right. It’s old news that toxins in our food and water cause disease. That’s why we are trying so hard to change the way we create and use energy, because our current fossil fuel based systems are making the Earth and us sick.

This brings me to my second reason for opposition, and that is the pipeline goes against all of the alternative energy efforts that our region, and our government, have been trying to promote and implement for years. It goes against common sense to create another system to use fossil fuels when we are facing global warming at catastrophic levels. Have you read the book *The Sixth Extinction* by Elizabeth Kolbert? If you haven't, it will be well worth your time. It's about how humans are causing the 6th extinction of our planet. It only makes sense that a living organism, such as the Earth, can only stand so much of its insides sucked out, and spewed as toxic chemicals over its surface before it dies. Unfortunately, we won't just kill us, and everything that lives on top of the Earth; we will kill the Earth as well.

So, please reject the Northeast Energy Direct project that would send a natural gas pipeline through Western Massachusetts proposal, for the betterment of a small community that is committed to finding ways to create alternative energy sources to fossil fuels, and to growing nourishing, chemical free food that will keep us healthy and using fewer resources all together; and for the health of our planet. Remember, it is your responsibility to protect the communities of this country from environmental hazards and harms.

Sincerely,

Maria Cruz, MEd, RDN, LDN
260 N Mountain Rd.
Dalton, MA 01226

20151013-5466

SEBASTIAN E BARTHELMESS, New Ipswich, NH.

How does Kinder Morgan / Tennessee Gas Pipeline Company, LLC plan to mitigate mental and emotional distress and resultant higher stress levels of those within 1/2 radius of the compressor station in New Ipswich, NH? Keep in mind these are consequences which need no baseline to hold up in the court of law as harassment.

Thank you.

Regards,

Sebastian Barthelmess

20151013-5468

Richard J Goettle, IV, Fitzwilliam, NH.

Kinder Morgan (KM) justifies the need for the NED Project by creating a large imbalance between New England's (NE's) demand for natural gas and its access to and supply of it. The peak shortfall, measurable in months rather than days, arises from their overestimation of demand and their underestimation of supply. In a KM-commissioned analysis (http://www.kindermorgan.com/content/docs/NED_CapacityOutlook.pdf), ICF, Inc. projects increasing natural gas demands from NE's households and businesses that are generally in line with those from the US Energy Information Administration's (EIA's) Annual Energy Outlook 2015 (AEO 2015). [It should be noted that NE's residential, commercial and industrial demands in 2013 and 2014 are only marginally higher than in 1997 so both ICF and EIA could well be overestimating future demand.] ICF next projects an unprecedented 0.8% per annum growth in NE's electric load. This is more than three times NE's annual average growth of 0.23% from 1990-2013 and twice the projected annual average growth of 0.4% per annum in AEO 2015. Neither KM, ICF nor ISO New England (ISO-NE) provides details on just how much of this future load will be fueled by natural gas. What is clear is that these three project future NE demands for natural gas across all users that are well in excess of the historic high of 2.55 billion cubic feet per day (bcf/d) annual consumption observed in 2011. ICF's overestimations lead to peak gas demands in 2035 of 6.7 to 8.3 bcf/d depending on weather conditions. In analyzing winter peak NE gas demands, ICF projects supplies in the range of 4.0 to 4.5 bcf/d including LNG. This is implausibly low. EIA places current net inflow capacity into NE from New York and Canada slightly in excess of 3.9 bcf/d. Add to this 2.0 bcf/d from current and projected peak-shaving resources and better physical and contractual use of Distrigas' Ev-

erett MA LNG import potential (as well as generally unused offshore LNG import terminals) and almost 0.5 bcf/d from Algonquin Gas Transmission's AIM and Atlantic Bridge projects and the overestimated demand shortfall virtually disappears. Under more plausible demand estimates, winter peak demands easily could be met even in weather extremes. There are two competing analyses from Energyzt Advisors, LLC that firmly reject NE's need for the NED Project. In contrast to KM's supporting analyses, the Energyzt assessments are more richly detailed, thoroughly documented and logically and compellingly argued. I urge FERC to take a hard and serious look at: <http://nepga.org/2014/10/energyzt-report-on-winter-reliability/> and http://www.gdf-suezna.com/media/files/files/908b26be/ENERGYZT_Report_Winter_Reliability_Analysis_FINAL_082015.pdf

20151013-5475

Richard J Goettle, IV, Fitzwilliam, NH.

Kinder Morgan (KM) contends that the NED Project is “not anticipated” to “negatively impact property values outside the proposed pipeline ROW” (Resource Report 5, Socioeconomics, p 5-17). Please note that the studies cited in support of this claim are seriously flawed. The PGP Valuation Inc. (2008) analysis link is no longer active. In comparison to those discussed below, the Diskin et al (2011) analysis is without detail or rigor. In Allen et al (2001) and Hansen et al (2006), the pipelines in question had been operational for 30 to 40 years prior to their sample periods. Thus, any effects – negative or positive – would have long since been capitalized into observed asset prices. So their conclusions of no impacts should not be surprising. Fruits (2008) is the only citation whose sample period examines property values pre- and post-pipeline construction. However, his hedonic pricing model omits independent variables that would measure any direct effects on the levels of prices, including only those that interact with distance from the pipeline. While the latter are statistically insignificant, they are negative. But because Fruits' model specification is incomplete so too is any conclusion derived from it. Hansen et al (2006), methodologically the best among the citations, show econometrically that property values are adversely affected by a pipeline accident, the statistically significant impacts decaying with distance and time. The latter helps explain why current adverse price effects are not observed for pipelines constructed many years prior to the valuation assessments. In the end, KM offers no evidence that property values or marketability will not be negatively affected by the NED Project. Moreover, no evidence of adverse price effects is vastly different from evidence of no adverse price effects, the latter of which is what homeowners most want.

20151013-5500

SEBASTIAN E BARTHELMESS, New Ipswich, NH.

How does Kinder Morgan / Tennessee Gas Pipeline Company, L.L.C retribute for lost lives from pipeline accidents - both of workers and non-workers? Recall restitution is the principal of paying back for losses in excess of that which was destroyed, stolen, or damaged. We would like to know the exact price of human life for the record. Also does this value differ for children? Yes, we are asking for an exact USD amount, a variable answer or range will be considered unanswered.

20151013-5522

SEBASTIAN E BARTHELMESS, New Ipswich, NH.

Kinder Morgan / Tennessee Gas Pipeline Company, L.L.C. have publicly stated that the alternative route along the “Massachusetts Turnpike” (herein referenced as Mass Pike) is longer than the original proposed New Hampshire route. We ask this now be revisited due to MULTIPLE changes to the route through New Hampshire. Even if it is still determined the route is longer, it has been undeniably determined, the Mass Pike route will have less impact to landowners and will not involve eminent domain from private citizen landowners and taxpayers. Furthermore access to the pipeline for repairs and rescue and egress due to imminent pipeline failure will be safer and more accessible with close access to the highway. Lastly both Boston AND Worcester medical centers are within proximity to the Mass Pike and the route which will aid

in the case of catastrophic pipeline or compressor failure.

We firmly request the route be provisioned back to this route as the safest, overall cheapest, and most maintainable pipeline route if the need is determined to build this pipeline at all. If this is not the case, then a thorough and complete cost analysis and rebuttal is required.

20151013-5525

Katie Padalino, Averill Park, NY.
10/13/2015

I strongly oppose the proposed pipeline in Rensselaer County (PF14-22-000). As a homeowner of 2 homes in the area that would be involved I fear for the safety of my two small children. As a school nurse of one of the local elementary schools that would be affected, I fear for the safety of my 400 students I care for daily. I thank you in advance for considering my opposition.

Sincerely,

Katie Padalino
Sand Lake Resident
School Nurse Miller Hill/Sand Lake Elementary school

20151013-5532

Lisa M. Senus
594 Sand Pit Rd.
Mason, NH 03048

October 13, 2015

Mr. Eric Tomasi
Environmental Project Manager
Office of Energy Projects
Federal Energy Regulatory Commission
888 First Street, NE, Room 1A
Washington, DC 20426

Re: Tennessee Gas Pipeline Company/Northeast Energy Direct Project
Docket No. PF14-22-000

Dear Mr. Tomasi:

After reviewing the (rather copious) material in Kinder Morgan/Tennessee Gas Pipeline's most recent resource reports, I would like to comment further on Resource Report 10, Alternatives.

In light of the fact that the vast bulk of gas transported in this pipeline would either be exported or be used in the lower tier of New England, I believe that alternatives which place the infrastructure closer to its intended users would be a better alternative. To that end, Proposed Alternate Routes along the I-90 (Mass Pike) and Route 2 corridors in Massachusetts present a much more direct route and place the burden of the infrastructure on the state accruing the largest benefit. I would strongly encourage FERC to insist that these alternatives be fully vetted – as thoroughly as the current NY/NH Powerline alternative has been – before being dismissed by the applicant. Simply dismissing these two alternatives out-of-hand is hardly what any reasonable person would consider “due diligence”. One would think that locating the ROW along a major roadway would be a net benefit in terms of access.

In terms of the Fitchburg lateral, the alternate route of following NH Route 31 also requires full vetting. The Route 31 corridor represents a pre-existing right-of-way with largely commercial/industrial use. It would be far more appropriate than a greenfield route which crosses difficult terrain, exposed bedrock, mature forest, wetlands, and a stratified drift aquifer. These properties include LCHIP (state-funded) conservation lands, land in Current Use, and residential properties which would require a raft of eminent domain takings.

As with the I-90 and Route 2 alternatives above, a major benefit of the Route 31 alternative is access to the ROW. As proposed, the Fitchburg lateral would be largely located in forested areas with poor access in case of an emergency, or even for required maintenance. The ROW would become inaccessible during the winter months (except, perhaps, by snowmobile or dogsled). Locating along the Route 31 corridor would provide year-round access to the ROW.

Thank you for your attention to this matter.

Sincerely,

Lisa M. Senus

Cc: Norman Bay, Chairman, FERC
FERC Docket PF14-22 (eFile)

20151013-5539

Lisa M. Senus
594 Sand Pit Rd.
Mason, NH 03048

October 13, 2015

Mr. Eric Tomasi
Environmental Project Manager
Office of Energy Projects
Federal Energy Regulatory Commission
888 First Street, NE, Room 1A
Washington, DC 20426

Re: Tennessee Gas Pipeline Company/Northeast Energy Direct Project
Docket No. PF14-22-000

Dear Mr. Tomasi:

These comments are regarding the socio-economic impact of the Northeast Direct (NED) pipeline project, and need to be thoroughly addressed in the appropriate section of the EIS.

The applicant, Kinder Morgan/Tennessee Gas Pipeline (KM/TGP), has consistently stated that the presence of a pipeline does not cause a diminution in property value for the affected landowners. Common sense dictates otherwise. Anecdotally, local realtors have stated recently that it has become nearly impossible to sell properties that are at risk of being encumbered by easements for the NED project. Directly, I can attest that I have watched in dismay as the monthly report on my property from Zillow shows that its value has been steadily decreasing since June 2015.

Regarding the right-of-way easements and eminent domain takings, it is important to remember that the easements include not only the permanent 50-foot wide pipeline easement itself, but also any temporary easements used during construction. This renders the effective easement at least 75-150 feet wide, leaving a much larger scar on the affected properties than the applicant would acknowledge for purposes of determining compensation. Undisclosed internal construction "Requirements" on the part of the applicant obscure the true amount of property encumbered by the formal easement.

Further, I direct your attention to the attached decision by the US Court of Appeals for the First Circuit in the case of *Portland Natural Gas v. 19.2 Acres of Land in Haverhill* (No. 02-1369, decided January 31, 2003). That decision determined that the portion of land subject to the permanent easement was devalued by 75 percent of its market value. Further, the additional temporary easement areas required for construction, according to the gas pipeline company's "Requirements", were devalued by 10 percent. The judge in this case determined that any rational purchaser, given a choice of two equal properties, one encumbered by a pipeline easement and the other not, would either select the unencumbered property or use the presence of

the easement to negotiate a significant discount on the purchase price.

All of the above is an indication that there will be significant economic impacts to the landowners being asked to host the pipeline. One's home is frequently one's single largest investment, the foundation of the retirement nest-egg. Devaluation of this investment could easily jeopardize a landowner's financial security. Thank you for your attention to this matter.

Sincerely,

Lisa M. Senus

Cc: Normal Bay, Chairman, FERC
FERC Docket PF14-22 (eFile)

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318 F3d 279 Portland Natural Gas Transmission System <http://openjurist.org/print/540961>

318 F3d 279 Portland Natural Gas Transmission System

318 F.3d 279

PORTLAND NATURAL GAS TRANSMISSION SYSTEM; Maritimes & Northeast Pipeline, L.L.C.,
Plaintiffs, Appellants,

v.

19.2 ACRES OF LAND, More or Less, in Haverhill, MA; 11.36 Acres of Land, more or less, in Haverhill, MA; 9.92 Acres of Land, more or less, in Haverhill, MA; WBC Extrusion Products, Inc.;

Fleet Bank of Massachusetts, N.A., Defendants, Appellees.

No. 02-1369.

United States Court of Appeals, First Circuit.

Heard October 9, 2002.

Decided January 31, 2003.

James T. Finnigan, with whom Rich May, PC was on brief, for appellants.

James D. Masterman, with whom Richard D. Vetstein and Masterman, Culbert & Tully, LLP were on brief, for appellee WBC Extrusion Products, Inc.

Before BOUDIN, Chief Judge, TORRUELLA, Circuit Judge, and CYR, Senior Circuit Judge.

TORRUELLA, Circuit Judge.

1

The Fifth Amendment permits the federal government to take personal property for public use, but requires payment of "just compensation." Plaintiffs-appellants, Portland Natural Gas Transmission System and Maritimes & Northeast Pipeline, L.L.C. ("the Pipeline Companies"), took by eminent domain temporary and permanent easements on land in Haverhill, Massachusetts owned by defendant-appellee, WBC Extrusion Products, Inc. ("WBC"), to construct, operate and maintain a pipeline as permitted by the Natural Gas Act, 15 U.S.C. § 717f(h). A bench trial was held in the United States District Court for the District of Massachusetts to determine the amount of compensation due. The court determined that WBC was entitled to \$152,677 plus interest. The Pipeline Companies appeal, claiming that the amount is not justified by the evidence produced at trial. We affirm.

I. Background

2

The facts of this dispute are detailed in the district court's opinion, *Portland Natural Gas Transmission Sys. v. 19.2 Acres of Land*, 195 F.Supp.2d 314, 316-19 (D.Mass. 2002), and we repeat only those necessary to our decision. At the time of the taking, WBC owned two parcels totaling approximately

seventy-six acres. Parcel 1 was divided into eight lots to be used for an industrial park; Parcel 2 was a non-buildable vacant lot. WBC occupied Lot 7 in Parcel 1, and the other seven were empty and for sale. The permanent gas pipeline easement is fifty feet wide and runs through Lots 1 and 8 on Parcel 1 and through Parcel 2, encumbering approximately 2.37 acres total. The temporary easement ran along a similar path, reaching approximately 2.10 acres total.

II. Standard of Review

3

We review the district court's findings of facts, including the amount of compensation due, for clear error. Fed. R.Civ.P. 52(a); *S. Nat. Gas Co. v. Land*, Cullman County, 197 F.3d 1368, 1372 (11th Cir.1999) ("This court reviews the district court's determination of just compensation for clear error."); *Puerto Rico Ports Auth. v. M/V Manhattan Prince*, 897 F.2d 1, 3 (1st Cir.1990). Our job is not to weigh the evidence anew, but simply to determine whether the decision reached by the trial court is "plausible in light of the record viewed in its entirety." *Anderson v. City of Bessemer City*, 470 U.S. 564, 574, 105 S.Ct. 1504, 84 L.Ed.2d 518 (1985). The fact that the ruling was substantially based on physical or documentary evidence, rather than credibility determinations, does not alter our deferential analysis. *Id.* Any rulings of law are subject to de novo review. *United States v. Mass. Water Res. Auth.*, 256 F.3d 36, 47 (1st Cir.2001).

4

As this case is fact intensive, we note that the appellant has a difficult task of overcoming the trial court's findings. Determining the value of real estate is not a science, and the decision of a lower tribunal is ordinarily not disturbed unless "grossly inadequate or excessive." 4A Julius L. Sackman, *Nichols on Eminent Domain* § 17.1[4], 23.01 (rev.3d ed.2001) (hereinafter *Nichols on Eminent Domain*).

III. Discussion

5

The land taken by the Pipeline Companies is in Massachusetts, and the district court applied Massachusetts law to determine the just compensation to which WBC was entitled. As the parties do not contest this choice of law and there is no indication that it makes any difference as to any of the contested issues, we accept this premise without necessarily endorsing it.¹ Under Massachusetts law, just compensation is defined as

6

the value [of the land] before the recording of the order of taking, and in case only part of a parcel of land is taken there shall be included damages for all injury to the part not taken caused by the taking or by the public improvement for which the taking is made.

7

Mass. Gen. Laws ch. 79, § 12 (2002). Therefore, although the easement did not abrogate all of WBC's bundle of rights, WBC is entitled to compensation for the decrease in value of the land encumbered by the easement as well as the decrease in value of the other land on the lots, or the "remaining land." In addition, WBC is entitled to compensation for the temporary easement, or the two years when the Pipeline Companies were using part of WBC's land for construction of the pipeline. The compensation awards for these three areas — the encumbered land, the remaining land, and the land temporarily taken — are the subject of this appeal.

A. Encumbered and Remaining Land

8

In 1998, the Pipeline Companies promulgated "Requirements for Construction On or Near Company Facilities" (the "Requirements") to protect their pipelines from encroachment and disturbance caused by

construction activity on or near the easement. WBC claimed that the easement together with the Requirements rendered the permanent easement area worthless.² The Pipeline Companies' expert testified that the encumbered land was still useful and retained fifty percent of its value. The district court found that the Requirements diminished the value of the encumbered land beyond the Pipeline Companies' suggestion of fifty percent. The court found that "a potential buyer who has read [the Requirements] would be likely to fear a substantial degree of infringement on the land encumbered by a permanent easement," and determined that the encumbered land was reduced in value by seventy-five percent. *Portland Natural Gas*, 195 F.Supp.2d at 324. The court also determined that the Requirements reduced the value of the remaining land by ten percent because "[a] reasonable buyer, after reading the [Requirements], would almost certainly anticipate that building in the vicinity of the easement areas of Lots 1 and 8 would involve extra administrative 'hassle,' and possible extra construction expenditures." *Id.* at 324. The Pipeline Companies argue that the diminution of the encumbered land is only fifty percent and that there is no diminution of the remaining land. The Pipeline Companies claim that (1) the damages theory employed by the district court was not litigated and therefore constituted unfair surprise, and (2) there was no evidence that the Requirements diminished the value of the encumbered or remaining land.

1. Unfair Surprise

9

The Pipeline Companies claim that the effect of the Requirements on the value of the land was not litigated and was not considered an issue by the Pipeline Companies, and that they were therefore unfairly surprised and prejudiced when the district court awarded damages based on the Requirements. Appellants assert that the unfair surprise necessitates a new trial and that the district court lacked authority to enter judgment on the issue because it had not been squarely litigated.³

10

The record indicates that the parties addressed the Requirements issue in their motions and papers before the court. WBC stated that the Requirements diminished the value of the land in question, while appellants emphasized that the effect of the Requirements can only be determined on a case by case basis. A motion in limine discussed and included the Requirements.

11

The Requirements issue also consumed extensive time at trial. In his opening statement, WBC's counsel stated that the Requirements would be discovered by a reasonably prudent buyer, and that the "nub of the dispute" was what that buyer would do when faced with the Requirements. The Requirements were introduced into evidence without objection and outlined by Franklin Gessner, a witness for appellants. The Pipeline Companies' expert, Steven Foster, had not been provided with the Requirements before making his estimation of damages, and stated that his figures might have been different had he considered the Requirements. The judge directly asked Foster several questions about a possible diminution associated with the increased construction costs and the hassle of dealing with the Pipeline Companies due to the Requirements. Foster responded that "on a rational level... there would be [diminution]," although stating that he did not have market data to verify the judge's intuition. Finally, during appellants' closing argument, the judge stated that "the ordinary and reasonable person reading [the Requirements] would read them and say: I've got to worry about them." With the plethora of evidence to the contrary, the Pipeline Companies' argument that they were prejudicially surprised when the court determined diminution in value based on the effect of the Requirements must fail.

2. Impact of the Requirements

12

Under Massachusetts law, WBC is entitled to recover for all incidental effects of the public improvement that impair the value of its land. *Roman Catholic Bishop v. Commonwealth*, 378 Mass. 381, 392 N.E.2d 829, 831 (1979). This includes not only the lost value of the encumbered land, but any "damages

to the remainder that are to be reasonably anticipated from use of the property for the purpose for which the condemnation is made.” Nichols on Eminent Domain § 14A.06[3]. Eminent domain is a concept of equity and fairness, and the law attempts to make the landowner whole. Id. at 14.02[1][a].

13

The district court found the encumbered land to be diminished by seventy-five percent, based in part on the effect of the Requirements. The court also determined that the Requirements reduced the value of the remaining land on Lots 1 and 8 by ten percent. This was based on the court’s view that “[p]otential buyers may reasonably fear that the presence of underground pipelines on their property may make commercial construction more costly and inconvenient on the adjacent land.” Portland Natural Gas Transmission Sys., 195 F.Supp.2d at 325. Appellants claim that there was no basis for determining by what precise amount or percentage the Requirements adversely affected the value of the land.

14

The trier of fact is “authorized to determine damages in an amount to which no expert testified by rejecting the precise amounts to which each expert testified.” Nichols on Eminent Domain § 17.1; see also *Loschi v. Mass. Port Auth.*, 361 Mass. 714, 282 N.E.2d 418, 419-20 (1972) (upholding a jury verdict in excess of expert testimony because fact-finder could also consider photographs and other witness testimony). The judge was entitled to reject the experts’ valuation and to use her independent judgment to determine value. *Piemonte v. New Boston Garden Corp.*, 377 Mass. 719, 387 N.E.2d 1145, 1152 (1979). The court considered the Requirements themselves, photographs, and expert and lay testimony in determining that the value of the Requirements had a negative impact on the value of the land. Its decision as to the extent of the resulting diminution in value was not clearly erroneous.

15

A reading of the Requirements supports the court’s determination that the Requirements would decrease the price a reasonable buyer was willing to pay for the land. The Requirements provide that the encumbered land may not be used for structure, storage, or trees. Further, a landowner must submit proposed plans to the Pipeline Companies for authorization before beginning any work on or near the easement. Approval is also required for many other uses that would commonly be undertaken on a vacant industrial lot, including grade reduction, movement of heavy equipment across the easement, installation of electrical cables, power lines, and telephone lines, and blasting and excavation. Finally, the Pipeline Companies “reserve[] the right to set forth additional requirements if deemed necessary.”

16

The Pipeline Companies assert that the Requirements do not impact the land’s value because prospective buyers may choose to use the land in a way that conforms with the Requirements. We find the existence of such a buyer doubtful given the breadth of the Requirements and appellants’ discretion to modify them as it wishes. In addition, prospective owners would have to deal with the added burden of obtaining approval from the easement holder before undertaking any work on the vacant lot. The inference that the Requirements impact the property’s value is common sense: if a similarly-situated industrial lot exists that is free from the pipeline easement and the Requirements that go along with it, a potential buyer will likely forego the WBC lot in favor of the unencumbered lot. Therefore, WBC must lower its price to attract buyers. This is a logical consideration, and the fact that no expert spelled out this exact argument does not mean the judge could not arrive at it on her own.

17

The court heard conflicting evidence regarding the extent of the impact of the easement and Requirements on the land. The Pipeline Companies’ expert testified based on “experience and judgment” that the encumbered land was reduced in value by fifty percent, although he admitted that there is no standard in the industry for determining diminution and that he had heard of different valuations in other cases, ranging from forty to seventy-five percent. This expert, however, did not have the benefit of the

Requirements when making his estimate, as they were not provided to him by the Pipeline Companies. A witness for WBC stated that he believed the Requirements negatively impacted the land. Witnesses also debated what administrative burden the Requirements would place on a landowner.

18

In light of all the evidence, the district court, acting as fact-finder, “made its determination[] based on its reasonable assessment of the conflicting evidence before it.” *Northeast Drilling, Inc. v. Inner Space Servs., Inc.*, 243 F.3d 25, 34 (1st Cir.2001). The court’s determination was not clearly erroneous.

B. Temporary Easement

19

WBC’s expert opined that the temporary easement effectively delayed the sale of, and any development on, the lots for the full two-year period. He testified that developers had verified this hypothesis, stating that so long as unencumbered lots were available, buyers would go elsewhere. The Pipeline Companies urged the court to simply award the rental value for those sections of each lot taken temporarily. The court did so but also awarded six months rental value for all of Lots 1 and 8. The Pipeline Companies challenge this additional award.

20

Compensation for a temporary taking is generally determined by “(1) ascertaining the value of the property for the period it is held by the condemnor; (2) ascertaining the difference in the value of the property before and after the taking; or (3) looking at the fair market rental value of the property during the time it was taken.” *Nichols on Eminent Domain* § 12E.01[1].

21

We find the district court’s determination a reasonable ascertainment of the value of the property taken. The court heard testimony that prospective buyers desire to begin construction within twelve months, and the court found that construction on WBC’s land generally would begin within eighteen months of purchase. Because the Pipeline Companies required access to a portion of the land, development likely could not begin until the end of the temporary easement. Thus, a potential buyer would wait until six months after the temporary taking had begun before purchasing the property, or would adjust his offer to reflect this waiting time.

IV. Conclusion

22

We affirm the decision of the district court determining just compensation. Costs are granted to appellee.

Notes:

1

The federal eminent domain statute involved here provides that “[t]he practice and procedure in any action or proceeding for [eminent domain] in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated.” 15 U.S.C. § 717f(h). Perhaps surprisingly, several circuits have read the phrase “practice and procedure” to encompass state substantive law as well as formal practice. See, e.g., *Columbia Gas Transmission Corp. v. Exclusive Natural Gas Storage Easement*, 962 F.2d 1192, 1194-99 (6th Cir.1992). For the reasons indicated, we need not pursue this interesting subject in the present case.

2

The district court’s determinations that the highest and best use of Lots 1 and 8 is industrial use, and the highest and best use of Parcel 2 is open land, as well as its determination of the per acre value of the land, are not challenged

3

We note, without reaching the issue, that appellants’ failure to ask for a continuance may be fatal to their

claim of unfair surprise See *United States v. Díaz-Villafañe*, 874 F.2d 43, 47 (1st Cir.1989) (suggesting that unfair surprise may usually be cured by a request for a continuance).

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20151013-5540

Aimee Petras, West Hartford, CT.
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)

I strongly oppose the proposed Tennessee Gas Pipeline (TGP) Project that will be going through the Class I and II Protected Watershed lands of the Metropolitan Commission' lands. TGP has proposed the installation of a 24" inch diameter pipeline next to the existing 16" pipeline across the MDC's watershed land in West Hartford and Bloomfield. The pipeline will stretch across 5.7 miles of MDC land (and, of course, through many other private, municipal, and public lands in surrounding communities as well). With a construction Right of Way (RoW) of 90 feet, the project will disturb over 62 acres of Class I and Class II watershed land at the MDC.

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. To 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.

I strongly believe that is is not worth the risk of exposing 400,000 people to contaminated drinking water (the number of customers that MDC provides drinking water for) just to increase the amount of natural gas flowing through Connecticut. Federal tax dollars would be better spent helping the consumers of electricity to be more efficient.

This proposal is foolish. We already have a pipeline, and we don't need any more gas.

20151013-5589

SEBASTIAN E BARTHELMESS, New Ipswich, NH.

Two questions regarding the compressor station:

- 1) Please give a detailed explanation as to why an Electric Compressor station has not been considered to reduce pollution and noise in New Ipswich, NH and the other stations along the proposed NED route? This would include total ROI, maintenance cost, fatality rates at compressor stations in the industry between gas vs electric stations, and overall cost and efficiency comparisons (both in installation and at 10, 20, and 30 year increments).
- 2) What is the exact makeup of the proposed gas under normal operating conditions, that will pass through the pipeline. This should include but not limited to any dyes or odor additives, methane, trace benzene and formaldehyde, etc. We request BOTH PPM and overall percentage readings. If NED is approved and KM

can actually afford to build it and make it operational, we request daily reporting on content and spectrometer readings of all gas entering and leaving the compressor station.

20151013-5637

Heather Grieco, Averill Park, NY.

Regarding Docket Number:#PF14-22 Northeast Energy Direct Docket

I OPPOSE the NED pipeline and Compressor station in Nassau, NY!!!

A comprehensive health assessment should be conducted before any new pipeline infrastructure is permitted in NYS.

Studies are now indicating that natural gas is not as clean as once thought and is contributing to climate change. Fracking, storage of methane gas, and the operation of the pipelines and compressors are associated with the delivery of natural gas have serious health, environmental, and safety consequences. The noise pollution, light pollution, and toxic emissions threaten health and safety and the value of property.

Kinder Morgan has not indicated who will receive the gas piped through Nassau, and, in fact, it's likely to be exported, which would likely drive up the cost of natural gas in the US. Studies have now shown a correlation between the toxins released from compressors and respiratory illness, cancer, birth defects, and a variety of other health conditions. Toxins from pipelines and compressor stations could leak into the ground water contaminating our wells and lakes. Pipelines Explode. The standards for pipelines in rural areas are less stringent than those applied in urban areas.

Please, for our environment and our lives. DENY them entry to this area!!!

20151013-5641

Farmington River Watershed Association, Inc.

749 Hopmeadow Street, Simsbury, CT 06070

(860) 658-4442 Fax (860) 651-7519 www.frwa.org

October 12, 2015

Comments to FERC in response to scoping meeting for the Northeast Energy Direct Project

The Farmington River Watershed Association strongly opposes the proposal by Tennessee Gas/Kinder Morgan to install a natural gas pipeline through the Class I and Class II watershed land owned by the Metropolitan District Commission (MDC). A gas pipeline installation on this land has potential to impact a high quality drinking water source. Also, granting permission for a new pipeline through this land undermines Connecticut's current protections for drinking water.

CT General Statute 25-32 requires a change of use permit from the CT Department of Public Health for projects like this one. Furthermore, it restricts the use changes that are allowable. The existing gas pipeline and easement on the MDC property pre-date the statute. A proposal now, to install new pipeline and enlarge the permanent right-of-way, is inconsistent with the letter and intent of CGS 25-32.

Regardless of the degree of threat posed by this particular pipeline, allowing an exception to the statute sets a dangerous precedent, paving the way for other encroachments on water supply land. Connecticut's standards for drinking water quality are second to none in the country. They are important in maintaining public health and quality of life in our state. While other regions face increasing threats from contaminants in their drinking water sources, Connecticut's protective legislation stands out as a model and should not be compromised.

The first drafts of the NED Environmental Reports submitted to FERC contained an erroneous statement that the proposed pipeline route is not located within any public drinking water or aquifer protection areas. In the recent public forum held by Kinder Morgan in West Hartford on October 7 (held after an emphatic request by the MDC) it was clear that Tennessee Gas/Kinder Morgan has every intention of putting more pipeline through the MDC's drinking water supply area. During the question and answer session, alternate

routes were dismissed as impracticable.

FRWA urges FERC to require a description of alternate pathways for this pipeline before considering approval of the route through the MDC's land. That said, we realize that alternate routes will have their own share of impacts on the Farmington River watershed. As a private, non-profit watershed protection organization, FRWA is concerned with a wider array of issues than protecting the MDC's drinking water supplies. We will no doubt comment on the impacts of alternate routes as well, including (for example) possible impacts to wetlands, forest cover, and other aquifers.

If this pipeline goes forward along any route, impacts to the Farmington River Watershed's land and water resources are inevitable. We urge FERC to consider, early on, whether the entire project is necessary; the legality and safety of a route through Class I and II watershed land; alternate routes and their impacts; and what mitigation projects in the watershed would be appropriate to require as offsets.

Thank you for this opportunity to comment.

Eileen Fielding
Executive Director

20151013-5643

Attilio J Qualtieri, Lynnfield, MA.

The Kinder Morgan Gas Pipeline is an ill-conceived plan set forth by a company that is run by a former high-ranking executive on now-defunct Enron Corporation, Richard Kinder. Although the main argument is that the pipeline is providing a great benefit to the citizens of the Northeastern United States, the Lynnfield/Peabody Lateral is an "export pipeline" as opposed to being a pipeline that benefits public use. I ask that this matter be investigated thoroughly and that the true intent be revealed by Kinder Morgan, in detail. To the extent that eminent domain is taking land from property owners for public use, an export pipeline being disguised by Kinder Morgan as being for the citizens of New England is just plain wrong. Furthermore, this action would be unconstitutional under the Fifth Amendment.

Kinder Morgan has a terrible track record with safety and soundness. According to an article from the Wall Street Journal, an investment analyst charged the company with starving its pipelines of routine maintenance spending to increase shareholder dividends/buybacks. This is poor prioritization of capital from Kinder Morgan, and it has shown through in its poor accident and safety results. From 2003-2014 alone, Kinder Morgan experienced 36 "significant incidents", resulting in fatalities or hospitalization, fire, explosions or spills. There are countless examples through the years on a state-by-state basis.

It has come to my attention that there is a concern about not having enough natural gas in the Northeast. However, by avoiding redundancies and using already established pipelines – many of which are not nearly being utilized to capacity – part of this concern can be alleviated. With this in mind, redirecting flow on existing routes is an option, as well as energy efficiency, fixing gas leaks, renewable resources, etc. Indeed, according to ISO New England, electricity use from the grid has plummeted by almost 6% from 2015 to 2014 due to greater efficiency of TVs, light bulbs, etc. These advancements should only continue.

One final point: additional gas is already on the way to New England. This includes the Williams Rockaway Lateral, scheduled for completion in 2015, as well as the Spectra NJ-NY expansion and the KM Northeast Upgrade. There are a flurry of other projects that are FERC/NEB-approved including expansions Marcelus to Canada, Constitution/IRQ/PNGTS, Algonquin Incremental Market, and gas storage in Nova Scotia (2018).

I live at 18 North Hill Drive in Lynnfield, MA and am directly impacted by the pipeline. My wife and I purchased the home in late 2014, and now find ourselves in the path of this enormous, dangerous, carcinogen-inducing pipeline. Regardless of where we live, the KM pipeline (and in IN PARTICULAR the Lynnfield/Peabody lateral) is absolutely flawed and needs to be viewed at critically by FERC on behalf of the citizens of Massachusetts and New England.

Thank you for your consideration,
Attilio Joseph Qualtieri

20151013-5649

Marilyn S. Griska, Rindge, NH.

Please note, while this letter was originally addressed to the Governor of N.H. and sent to N.H.'s legislative body and the local news papers. Most importantly, it is aimed at KM/TGP and FERC. South Western N.H. has a long memory, we will remember who brought us this pain.

The two sides of Maggie Hassan:

The words of Governor Maggie Hassan regarding our environment and fighting against pollution are impressive. The following statements were made by her upon learning the NH Supreme Court had upheld a 236 million dollar fine imposed two years ago on gas giant Exxon Mobil for contaminating thousands of ground water wells with the additive MTBE. It will result in the state receiving its biggest cash payout from an environmental law suit ever. "New Hampshire's natural resources and beauty are critical to our high quality of life and our economy, a defining characteristic of what makes our State a special place to live, work and visit." Further she went on to state, "Today's decision is an example of the State's vigilance in fighting pollution that damages and threatens the health of our people."

We the people of Southwestern NH feel abandoned by our Governor, and elected Federal officials regarding their stand on the looming NED natural gas pipeline. Asking for studies and calling for transparency are a tight rope walk and stand for all of them. No one on that level, except two Executive Counselors, have come out in sheer opposition of this very egregious and polluting project. The rhetoric of Kinder Morgan is nauseating when they plan to place a Compressor Station with known harmful emissions but a 1/2 mile from the Temple Elementary School.

Former Massachusetts Governor Duval Patrick took a definitive stand against having this monster in his State, even though they are the ones who truly need the energy. With all of the opposition there, the project was moved further north and is now planned in our State.

Now our Governor has declared her candidacy for US Senator. As we gather to go to the polls next fall, let's hope all voters in Southwestern NH will remember her hollow words.

We are the sad recipients of a project from which we'll receive no benefit, but will indeed take our lands, pollute our air, and endanger our children, our future.

Good luck, Maggie and all other tight rope walkers seeking reelection, we, who are screaming from under the bus, will remember!

And beware Kinder Morgan! Our next Governor may well go after you if your pollution damages and threatens the health of our people. Presently, Southwestern NH is teaming with natural resources and beauty which makes it a fine place to live, work and visit. That's why we chose to live here.

Marilyn Griska,
Rindge, NH

20151013-5689

SEBASTIAN E BARTHELMESS, New Ipswich, NH.

There are several stone walls on our property that have been here for centuries. These will be repaired if there is any damage during construction or blasting?

There will be no blasting, only drilling at all for the NED pipeline or compressor station through New Hampshire correct? We have to protect the brownfield lead from being disrupted which is well within 1000 feet from the proposed compressor station. This is non-negotiable. This has all been mitigated and accounted for correct?

Who currently owns the option to exercise on the SKAT property where the proposed compressor station is cited. How is Kinder Morgan / Tennessee Gas Pipeline Company, L.L.C. going to handle the brownfield mitigation on that property which has been estimated may cost in excess of \$1,000,000?

Who is responsible for any health effects that occur within 1yr, 2year, 5 year, and 10 year timeframes from initial construction of the pipeline and compressor station? This includes pets and animals effected, property and land effected, plants and fauna, and any humans effected. We require a corporate name, address, telephone contact information, and named person to speak with directly.

We have buried several pets on our property, the current proposed path may interfere with these, we require assurance in writing that they will be carefully removed and buried elsewhere at cost to Kinder Morgan / Tennessee Gas Pipeline Company, L.L.C.

20151013-5721

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

10-13-2015
Robert A. Maiocco
3 Comstock Dr.
Milford, NH 03055

RE: Comment on a Filing

Project Docket No. PF14-22-000

Dear Ms Bose;

This letter is being provided to voice our opposition to the installation of the NED Kinder Morgan Inc. / Tennessee Pipeline Co which is designed to be installed through southern New Hampshire.

This pipeline was not originally designed to help provide an alternate source of energy for the people of New Hampshire.

One must remember that the original location for this pipeline was rejected by the Governor of the Commonwealth of Massachusetts and its' residents for all the same concerns that we, the residents of New Hampshire, have.

Kinder Morgan has no concern for the people of New Hampshire. Kinder Morgan has no concern for the natural beauty of our state. Kinder Morgan has no concern for the natural habitats of the many species of wild life that abound in this region of our country.

Their only concern is to get the pipeline from point A to point B with the least resistance from the people whose lives this pipeline will forever change.

No towns along the path have access to the NLG being transported in this pipe. These towns are being forced to give up their home land and way of life so that this very powerful company can expand this pipeline system for its' own benefit and the benefit of the gas and oil companies whose product will be transported to points outside of the United States.

It is not now nor ever was designed to benefit the people of New Hampshire.

Therefore we request that this be taken into consideration to REJECT the proposed pathway of this pipeline through New Hampshire.

Sincerely,

Robert A. Maiocco
Marji L. Maiocco

20151014-0026

PENNICHUCK
25 MANCHESTER STREET

PO BOX 1947
MERRIMACK, NH 03054-1947
(603) 882-5191 FAX (603) 913-2305
WWW.PENNICHUCK.COM
VIA FEDERAL EXPRESS

October 13, 2015

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

Re: Comments on Docket PFI4-22-000 - Tennessee Gas Pipeline Company, LLC, Proposed Northeast Energy Direct Project

To Whom It May Concern:

Thank you for the opportunity to comment on the proposed Northeast Energy Direct Project (“NEDP”). These comments are submitted by Pennichuck Water Works, Inc. (“PWW”), a regulated water utility headquartered in Merrimack, New Hampshire. PWW maintains water resources, distribution systems and customers in southern New Hampshire, including the Towns of Amherst, Hollis and Merrimack, through which the NEDP pipeline would run under recent versions of the proposed NEDP pipeline route. Accordingly, PWW has a strong interest in the NEDP as it is proposed to pass the pipeline through its regulated utility franchise service territory and the Towns of Amherst, Hollis and Merrimack, New Hampshire.

The proposed location of the NEDP has the potential to impact PWW’s water supply and facilities as follows:

- I. NEDP proposes to locate its pipeline through parts of the Pennichuck Brook Watershed. The Pennichuck Brook Watershed provides approximately 70% of the drinking water supply for 39,000+ customers (over 150,000 people) in the greater Nashua, New Hampshire region. PWW believes that the NEDP pipeline can be installed and operated in a manner that is not harmful to the water quality of the surface and ground water supply of the Pennichuck Brook Watershed, but only if the following concerns relating to construction, operation and maintenance of the NEDP pipeline are addressed as part of the approval of the pipeline by the Federal Energy Regulatory Commission (“FERC”):
 - (a) Ground disturbance associated with the trenching required for the NEDP could result in erosion of the ground surface and the release of sediments into the surface water. Best management erosion and sediment control practices need to be specified, installed and maintained throughout the construction process. The erosion and sediment control devices must be properly maintained until an erosion proof ground cover has been established over the areas disturbed during the installation of the pipeline by the NEDP. PWW requests that if the NEDP project is constructed that it have the opportunity to review and comment on the proposed erosion control plan and that it be allowed access to the ongoing construction, in the presence of NEDP staff, to inspect and confirm the proper installation and maintenance of the erosion control facilities.
 - (b) Any portion of the NEDP pipeline crossing of a surface water resource or a wetland and any associated buffers shall be accomplished using directional boring technology, as opposed to open cut trenching, in order to eliminate any disturbance of surface water resources and wetlands. Surface water and wetlands crossings shall have the natural gas pipeline installed inside a carrier casing. The purpose of the carrier casing is to:
 - (i) allow for future pipeline replacement without disturbance of the surface water, wetlands and buffers; and
 - (ii) ensure that should a pipeline leak occur that the leaking gas be released to soil and the atmosphere above the ground water table which is outside of the surface water and/or wetlands.

Where any natural gas leakage from the pipeline above the ground water table will be released to the atmosphere through the soils, rather than into the ground or surface water, the threat of contamination of the water supply will be minimized provided all NEDP pipeline crossings of wetlands and surface waters are installed in carrier sleeves that extend a minimum of 50' beyond the edge of the high water mark of the surface water or wetlands.

PWW is very concerned, based upon discussions with the NEDP representatives, who have indicated that the pipeline would be bored under wetlands and surface waters and not sleeved, whereby the representatives have stated that "natural gas is not soluble in water."

The statement that natural gas is "not soluble in water" is not factual and, we believe, is incorrect. Natural gas contains approximately 3.2% (mole %) of ethane. Ethane, while not highly soluble in water does have a degree of solubility (see attached solubility curves) of about 100 parts per million (ppm) in water with a temperature of about 50 degrees Fahrenheit. Ethane, when combined with chlorine (which is used by PWW as its primary disinfectant), forms I, I-dichloroethane and 1,2-dichloroethane which are both on the Safe Drinking Water Act's Candidate Contaminant List. These contaminants over time, and in the presence of chlorine, convert to 1,1, I-trichloroethane and I, I, 2- trichloroethane. Both the trichloroethanes referenced above are regulated as primary contaminants under the current Safe Drinking Water Act at maximum contaminant levels of 0.2 ppm and 0.005 ppm, respectively. A release of natural gas into surface or ground waters that are chlorinated and used as a drinking water supply could result in contamination of the drinking water supply that would exceed the Safe Drinking Water Act standards by 500 to 20,000 times the current Maximum Contaminant Levels for the trichloroethanes. In order to protect the drinking water supply of the greater Nashua region. it is imperative that the installation of the NEDP under any wetlands or surface water be installed in a carrier casing.

- (c) The construction equipment used to install the NEDP operate using fuel and hydraulic fluids. The leakage of fuel and hydraulic fluids from the construction equipment presents a threat to both the local groundwater and surface water. In order to protect against this threat of contamination, all construction equipment should be inspected daily for leakage. When not in use, all construction equipment should be stored as far away from standing water and wetlands as possible. No temporary fuel tanks should be stored within the watershed boundaries unless the tanks are properly diked and aproned to keep any leakage from entering into the groundwater or surface water regimes.
 - (d) The maintenance of the pipeline right of way should be accomplished by mowing. There must be no defoliant or herbicides used to control growth within the pipeline right of way that are located within the Pennichuck Brook Watershed.
2. The NEDP is proposed to cross the Merrimack River about 5,600 feet up river from PWW's Merrimack River Intake which provides the remaining 30"10 of the drinking water supply to the greater Nashua, New Hampshire region. PWW believes that the NEDP Merrimack River crossing can be installed and operated in a manner that is not harmful to the water quality of the Merrimack River provided the following concerns in regards to construction, operation and maintenance of the NEDP are addressed:
- (a) PWW concurs with the entirety of comments submitted by the Lower Merrimack River Local Advisory Committee (LMRLAC) in its August 24, 2015 letter to FERC about the NEDP Merrimack River crossing relative to the "Construction Issues" of the pipeline under the Merrimack River. A copy of the referenced letter is attached for quick reference purposes. PWW requests that FERC incorporate all the recommendations made by the LMRLAC regarding potential construction issues into its findings regarding the NEDP application.
 - (b) The sleeving of the NEDP is essential to avoid the contamination of the Merrimack River should a leak develop in the pipeline under the Merrimack River. The impact on the water quality of

natural gas leaking up through the River in the event of a leak under the River is as defined in paragraph I(b)(ii) above and is a great concern to PWW.

3. The NEDP is proposed to be located in close proximity to PWW's Bon Terrain water storage tank located in Amherst, New Hampshire. This tank provides the storage of domestic and fire protection water for the Town of Amherst in the vicinity of Route 101A. The current proposed location of the NEDP is about 740' from the Bon Terrain Tank. This is the minimum distance of the NEDP from the Bon Terrain tank that PWW would not object to. If the proposed location of the NEDP were closer to the tank, a failure of the NEDP pipeline would likely result in a failure of the Bon Terrain storage tank and a loss of stored fire protection water at a critical point in time. PWW has included the following information regarding the impact of the NEDP on the Bon Terrain tank for FERC's information, in support of PWW's concerns:
 - (a) a study performed on its behalf by H.L. Turner Group Inc. dated August 2015 and titled "Letter Report on Kinder Morgan Proposed Natural Gas Pipeline;" and
 - (b) a memo from SFC Engineering Partnership, Inc. updating the H.L. Turner Group letter report based on a proposed relocation and design change to the NEDP that occurred after the initial letter report had been completed.
4. The NEDP is proposed to pass through PWW's property within an easement in the Town of Merrimack adjacent to Continental Boulevard. PWW does not object to the proposed installation of the NEDP across its land adjacent to Continental Boulevard in Merrimack, but only under the following conditions:
 - (a) that the criteria for the installation of the NEDP and for the maintenance of the NEDP easement be in accordance with paragraphs I(a), I(b), I(c) and I (d) detailed above; and
 - (b) that the pipeline does not cross the conservation easement granted by PWW and/or Pennichuck Corporation to the Society for the Protection of New Hampshire Forests ("SFPNHF") unless the SFPNHF freely consents to allow the NEDP to be installed through the conservation easement.

Conclusion

PWW appreciates the opportunity to provide these comments on the NEDP. PWW believes the conditions expressed in this letter are absolutely required to protect the fundamental interests of PWW, its water supplies, and the health and safety of its customers. PWW respectfully requests that any consideration of the NEDP by FERC expressly incorporate the conditions set forth above in order to protect the interests of PWW, its water resources and its customers.

If you have any questions regarding this letter or any of the attachments, please do not hesitate to contact me at 603-913-2330 or via email at donald.ware@pennichuck.com.

Very truly yours,

Donald I. Ware
Chief Operating Officer
Pennichuck Water Works, Inc.

cc: Town Administrator, Town of Amherst, NH
Town Administrator, Town of Hollis, NH
Town Manager, Town of Merrimack, NH

"Solubility of Gases in Water" 50 degrees F = 10 degrees C: Solubility of Ethane - C₂H₆ - in Water
Graph extracted from: www.EngineeringToolBox.CQm

{ Graph omitted but can be found at }

{ http://www.engineeringtoolbox.com/gases-solubility-water-d_1148.html }

**Lower Merrimack River
Local Advisory Committee(LMRLAC)**
77 Concord Street
Nashua, NH 030&4

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 0)(2),16 USC sections 824a-30)(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 Yo 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 114 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 looationjust 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 stream-bed.

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 TGPIKM 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. [1]
 - 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

[1] ORNL/TM-2012/411 “Studies for the Requirement of Automatic and Remotely Controlled Shutoff Valves on Hazardous Liquids and Natural Gas Pipelines with Respect to Public and Environmental Safety” October 31, 2012

NATURAL GAS PIPELINE
Bon Terrain Water Tank Risk Assessment
Amherst, New Hampshire

for

Pennichuck
25 Manchester Street
Merrimack, New Hampshire
TTG Project No. 4259
August 2015

The H.L. Turner Group Inc.

27 Locke Road Concord. NH 03301 t: 603.228.1122 hltUmer.com

August 5, 2015

Mr. Donald I. Ware, P.E.
Chief Operating Officer
Pennichuck Corporation
25 Manchester Street
Merrimack, NH 03054

SUBJECT: Risk Analysis Due to Proposed Natural Gas Pipeline
Bon Terrain Water Tank
Amherst New Hampshire

Attached please find the result of our engineering team's risk analysis to the Pennichuck Water Works (PWW), Bon Terrain Water Tank located in Amherst, New Hampshire due to a natural gas (NG) pipeline failure. The NG pipeline is being proposed by Kinder Morgan (K-M) and is estimated by K-M to be 36 inches in diameter with an approximate working pressure of 1,800 pounds per square inch.

The attached report evaluates various risk scenarios and resultant probable damage to the water tank at various distances to the natural gas pipeline. Also identified in the report is the risk to the buried water pipes that feed to and discharge from PWW's Bon Terrain Water Tank.

The results of the risk analyses determine that based on the location of the natural gas line relative to the water tank, significant and likely irreparable damage to the PWW water tank will occur due to a rupture and subsequent fire at the NG pipeline. We therefore recommend that Kinder Morgan be contacted with the results of this report and that follow-up discussions occur with respect to the precautions that KM need to provide in the NG pipeline infrastructure to minimize if not eliminate damage to the PWW water tank and pipes.

The Kinder Morgan Project Manager that our team has communicating with is Barry Duff. He is reachable by cell phone at 832-833-1751 or by e-mail at [barry_duff@kindermorgan.com](mailto:atbarry_duff@kindermorgan.com).

Please contact me if you should have any questions

Sincerely,

THE H.L. TURNER GROUP INC.

Gerard R. Blanchette, P.E., LEED® AP
Sr. Vice President - Principal

GRBlbg wI attachment

DWare KM Report 5Aug2015 4259

SFC ENGINEERING PARTNERSHIP, INC.
"FROM VISION TO REALIZATION"

Bon Terrain Water Tank

PENNICHUCK WATER WORKS

AMHERST, NH

Fire Modelling Report

AUGUST 2015

PREPARED FOR THE H.L. TURNER GROUP

27 LOCKE ROAD CONCORD, NH 03301

PREPARED BY

SFC ENGINEERING PARTNERSHIP, INC.

66 GOLD LEDGE AVENUE AUBURN, NH

August 4, 2015

Site Location

Pennichuck Water Works
Bon Terrain Water Tank
Amherst, New Hampshire

Scope

SFC Engineering Partnership, Inc. (SFC) has been engaged to complete a review of risk scenarios that have the potential to adversely impact the operation of the Bon Terrain water tank in Amherst, operated by Pennichuck Water Works (PWW). The storage tank is a 900,000 gallon welded steel plate, dome-roof 'standpipe' tank that provides water storage and head pressure vital to fire suppression systems in the local area. The as-built drawings for this tank indicated it was built by Hydrostorage Inc. in 1984. In light of the recent proposal to construct a natural gas pipeline in the vicinity of the tank, this report will discuss the possible impact a rupture of this pipe, and subsequent fire, may have on the water tank.

Heat model at 80 feet

In order to assess the possible heat damage a rupture of the proposed natural gas (NG) pipeline could do to the PWW Bon Terrain tank, a thermal radiation heat transfer model has been used.

The methodology for this assessment is based on industry standard modelling developed by C-FER Technologies outlined in the paper A Model for Sizing High Consequence Areas Associated with Natural Gas Pipelines. Stephens, M. J. 2000. The methodology outlined in this paper forms the basis for the calculation of a pipeline's potential impact radius (PIR) appearing in 49 CFR 192 Subpart 0, which is the governing regulation for large gas pipelines.

Some of the parameters and assumptions associated with this model:

- The fire is modelled as a steady state heat source.
- The NG pipe assumed to fail with a fissure size approaching the diameter of the pipe, with gas flowing to the fissure outlet from both directions. Historic data has shown that use of this mode of failure in modeling is most accurate to gas release rates observed in previous incidents.
- The heat flux calculation simplified to allow for calculation of a single point value.
- Model considers application of this heat flux to a 1 meter by 1 meter area at the thinnest point on the PWW water tank.
- The model does not account for heat transferred from the steel to water contained within the tank (assumed tank is empty). Note: The reason for this is that the hottest part of the tank will be at the top of tank where the wall joins the roof. This part of the tank does not contact the water stored within. 'The roof of this tank

forms a structural diaphragm. As such any failure of the roof, or the joint between the roof and the wall could result in significant integrity loss.

- Model assumes steel absorbs the 95% of the heat flux calculated based on absorption factors for steel and painted steel.

The input parameters for the model are such that the pipe is a 36 inch NG line, operating at 1,200 psi, at 80-ft away from the tank surface. For the purposes of this study, a value of 959°F (515°C) is considered as the point at which the steel in the water tank would begin to soften and lose integrity. The model estimates that the jet plume associated with an ignited pipeline rupture would apply a heat flux of 3.8 BTU/s.~ (43.1 kW/m²) on the water tank. This will result in sections of the water tank (likely at the top of the tank facing the fire) to reach 959°F in under 5 minutes. Please see the attached spreadsheet containing this numerical assessment (Appendix A).

This 5 minute time frame may seem short, and it is conservative, but considering that the PIR for this NG pipe rupture fire is 854 feet (this is the radius at which human death, injury and ignition of wooden structures is probable). The NG pipeline would cause a large, high-energy fire. Once sections of the water tank have reached 959°F (or near it) structural movement due to heat, plastic deformation and loss of functionality are probable.

Distances beyond 80 feet

The following considers the effect of placing the NG pipeline at distances larger than 80 feet from the PWV tank in order to evaluate probable effects on the PWV tank at these distances.

200-ft

This is the distance that would be applicable if the NG pipe was placed on the opposite side of the power line right-of-way. At this distance the heat flux model shows that sections of the water tank will begin to reach integrity-loss temperature in 29 minutes.

350-ft

At this distance the model predicts that it will take 85 minutes for the water tank to reach integrity loss. It will also take approximately 85 minutes for a 36" NG pipe rupture to release 515.5 ton (467.7 tonne) of gas (assuming steady flow and behaving as an ideal gas). This is the maximum amount of gas that would reside between two valve stations that are 8 miles apart. The significance of this is that this is the distance at which an NG pipe rupture will run out of gas before the integrity-loss temperature is reached at the PWV Bon Terrain tank.

Note 1: this assumes the valve stations shut-off immediately at the time of pipe breach. A delay in valve shut-off will increase the volume of gas available to the fire, increasing the potential for tank damage.

Note 2: for a 13 mile separation between valve stations, this volume limited separation goes to 450-ft.

854-ft

This is the potential impact radius calculated as per the methodology described in Title 49 CFR 192. At this distance wood and plastics will potentially be damaged. However major damage to the steel water tank is unlikely in this scenario.

Damage from pressure wave

Modeling the pressure wave (shock from blast) associated with a natural gas plume ignition resulting in explosion or deflagration is difficult to give realistic figures for. Wind, gas flow rate and many other variables can widely vary the outcome of plume ignition; however empirical methods relating blasts to TNT equivalent explosions can be performed. It is possible that a gas release could rapidly ignite and create a pressure wave that would mechanically damage the Bon Terrain tank. Having stated this, the likelihood of an explosion or deflagration producing a pressure wave of a magnitude that would damage the tank is very unlikely even in the event of a full rupture and fire.

Regardless, the rapid pressure release at the point of a natural gas pipe rupture would significantly mechani-

cally damage any equipment of infrastructure that is close to the rupture point. As such, it is deemed that a NG pipe rupture will definitely dislodge and/or otherwise fail the adjacent underground water pipe as currently proposed. This is likely to result in a rapid emptying of the water tank.

SFC ENGINEERING PARTNERSHIP, INC

Doug Fountain Project Engineer

Appendix A - Ruptured Gas Pipe Heat Model

Gas Pipe Flam. Jet Calculations (Natural Gas!

{2 pages of formula & calculations omitted; full report can be downloaded at }
{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14013294> }

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Project Memorandum

To: Gerry Blanchette

From: Nick Cricenti, Doug Fountain RE: Fire Modelling

CC: File

Project: PWW Bon Terrain

Date: 09122/15

This memo is to serve as an update to SFC's previous report, dated 10/04/15, regarding the proximity of Pennichuck Water Works (PWW) Bon Terrain water tank to a proposed natural gas pipeline. We have been asked to reassess the fire analysis that featured in the original report in light of the following new information:

- Clearance between gas pipe and water tank moved from 80-ft to 740-ft.
- Gas pipe diameter reduced to 30 inches from 36 inches.

The model developed for the previous assessment is based on industry standard modelling developed by C-FER Technologies outlined in the paper A Model for Sizing High Consequence Areas Associated with Natural Gas Pipelines, Stephens, M. J. 2000. The methodology outlined in this paper forms the basis for the calculation of a pipeline's potential impact radius (PIR) appearing in 49 CFR 192 Subpart 0, which is the governing regulation for large gas pipelines.

At 740-ft clearance, the fire model developed to assess the close range radiation heat transfer is no longer a good indicator of material damage caused by a rupture in the gas pipe. The distance is too large. This is because, relatively, the heat radiation reaching the tank will be low in magnitude and therefore difficult to reliably gauge over a large distance. The effect of confounding factors such as air movement and ambient temperature differences are larger at this range, reducing the accuracy of the model significantly. Additionally, this proposed gas pipeline position creates a 40-ft vertical clearance between the PWW tank and the

pipe itself. This will mean that a significant quantity of heat radiation is absorbed by the hill upon which the tank rests. This will further reduce the accuracy of the model's predictions.

Considering this, a qualitative assessment can be made by looking at the potential impact radius for the pipe. The PIR is a conservative estimate of the significant impact area in the event of a release. The PIR for a 30 inch diameter pipe at 1,460 psi maximum operating pressure is 791 feet. This means that the PWW tank would be approximately 50 feet inside the rim of this calculated impact zone.

It is reasonable to say that at this range, light wooden buildings and people may be at risk from a pipe release; however the damage to the Bon Terrain tank would be minimal. Possible blackening of paint or damage to plastic components on the tank are probable outcomes. But, it is our opinion that significant deformation of the tank's steel due to heat absorption is implausible.

For any questions concerning this work, please contact us.

Douglas C. Fountain Project Engineer

(Nicholas J. Cricenti Jr., PE Principal

66 Gold Ledge Avenue. Auburn, NH 03054 • Phone (603)647-8700. fax (603)647.8711 www.sfceng.com

20151014-0028

October 8, 2015

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

Re: Tennessee Gas Pipeline Company's Northeast Energy Direct Project
DOCKET NO. PF14-22-000

ENVIRONMENTAL IMPACT STATEMENT ISSUES

Dear Ms. Kimberly Bose,

Dear FERC Commissioners,

It would be beneficial and prudent to both the applicant and the communities of Southwestern New Hampshire if FERC seriously evaluates the environmental and socioeconomic impacts of gas pipeline project PF14-22-000 and own up to the fact that the project is NOT in the public interest, convenience, or a necessity to the people of southwestern NH. I have been a resident of the Monadnock Region for 30 years and a licensed subsurface designer and wetland scientist in the southwest region of NH for twenty years. I prepare environmental permit applications, plans, and reports on behalf of residential property owners to the State of NH Dept of Environmental Services regarding how a landowner's construction project has been designed to avoid and minimize impacts to the environment. What has flabbergasted me the most about FERC's due process and procedures regarding proposed Gas Pipeline projects is that they do not require the Gas Line Company (the applicant) proposing a construction project of this magnitude and risk across land that they do not even own to provide the most basic preliminary research on the environmental impacts and consequences of the construction and maintenance. Instead, you expect the landowners being victimized to provide this information.

1. Soils, Geology, and Topography

NH is called the Granite State. What that means is that we have granite bedrock and glacial tills. "Ledge" and "rock outcrops" are a problem. We have shallow soils to bedrock. Where we do have soils they are predominantly "perched water table soils" which means that 2—2.5' below the surface is a hardpan. The hardpan resulted from glacial forces in the past. The seasonal high water table from precipitation (rain and snowmelt) sits on top of the hardpan and follows the topography- it is not static. If the water table is not at the toe of the slope it is also not at the sides and top of the slope. The water table is always there within 2' of the surface. We

are a mountainous region. We have stony soils and glacial erratic boulders. And although you might find it laughable- NH still experiences seismic activity and tremors. We do not have “artesian wells”- we have bedrock drilled wells. The average drill depth is 300’500’ or household use. The southwest region of the state is on private wells. Most municipal water supplies (the few that exist) are town wells or surface water reservoirs. After a well is drilled 350’ and still no water —the well is Sacked to create fissures. This creates problems for other private wells in the vicinity because the fissures in the bedrock feeding their wells are impacted whether it be in yield or carrying contaminants. The construction of a gas pipeline in this region will necessitate blasting which will severely impact the private drinking water wells.

Regarding further discussion related to soils: 9(P/o of the people in the southwest region of the state are on septic systems. No one is allowed to build or develop property until they can meet all the state and local regulations around private wells and septic systems. These regulations are to protect public health and groundwater supplies. The construction of a gas pipe line poses just as much risk if not more risk to groundwater and drinking water supply and contamination.

In addition, due to the topography, slopes, and soils in this region, any construction and excavation poses tremendous erosion control risks. Flash Flooding is a frequent problem. Due to topography and water runs downhill, any swathes of excavation and deforestation will cause sedimentation into our lakes and streams impacting water quality and aquatic life. Our groundwater and surface water supplies are interdependent.

What erosion control methods has the applicant proposed during construction of this pipe line and for the maintenance and stabilization of the site after work? In NH we use vegetation to stabilize the site. It is my understanding that these gas pipe line routes cannot have vegetation. What is Kinder Morgan proposing as an alternative?

It is obvious to me that the proponents of this proposed path have done no research into the soils topography, and geology. There is not an inch of soil here that they can put their gas pipeline through that will not require blasting through bedrock or sitting in the seasonal high water table contaminating our groundwater. How can the federal government even consider an application of a project of this magnitude and not require any research into the suitability of the landscape for its construction?

2. Water Resources and Wetlands

Since I have already discussed groundwater, drinking water wells, geology, soils, topography and erosion, I will mention surface water and wetlands in southwestern NH. The definition of a wetland here is if the water table is within 12” of the surface for two consecutive weeks out of the year which is determined through soils vegetation and hydrology. Our rainy seasons are the spring and the fall. The southwest region has more lakes ponds streams and rivers than the Lakes Region of the State. The Lakes Region is simply more accessible to the urban areas on the coast via Interstate Highways. The NH Department of Environmental Services oversees and permits all applications regarding surface water and wetland impacts. Shoreland Water Quality Protection Act (SWQPA) regulates all construction and ground disturbance within 250’ of public waters. Forested vegetated buffers are required within 150’ of surface waters. Our waterfurnishing properties and water quality of our lakes is important as a tax base for our small towns since property values are the sole tax base for revenue in NH. Tourism (especially in our region) is the 2~ largest “industry” in the State of NH. Our tourism is dependent on maintaining the clean water quality and aesthetics of our region. Many people come here just to see the covered bridges. Guess what, our covered bridges are over our streams and rivers. In addition to SWQPA, DES passed new stringent stream rules in 2012. It includes seasonal streams. The level of engineering and hydrological analysis required to get a permit regarding crossing a stream is based on watershed size. Again, this is a mountainous region, water goes down hill. Do you have any idea the size of the watersheds our streams carry? As mentioned previously, Flooding and flash flooding is a very big problem here. What will the proponents of this pipeline do to prevent that? In NH applicants have to hire an engineer to do hydrological and watershed analysis to just put in a culvert. Our state government requires residential property owners to do hydrological analysis on what impact a culvert might have on water resources and aquatic life. Shouldn’t an Energy Company proposing construction of 7 miles of a gas pipeline be required to do

some hydrological impact analysis? The NH Department of Environmental Services wetland regulations are very strict. Out of state people who move here are often shocked at how heavily regulated we are and how difficult it is to obtain wetland permits. Because the southwest region is one of the most undeveloped areas in the State, we have pristine environments and clean water and it is important to us to keep it that way. Are you going to require NED to obtain all state and local approvals and respect our regulations? You are the federal government. How can you not in good conscience respect our State and local regulations that were founded in the Clean Water Act?

For that matter, why are you allowing a gas pipeline to go through a pristine out of state mountain region to transmit gas to Dracut MA instead of an already developed and accessible route like Route 2 and the Massachusetts Turnpike?

3. Vegetation, Wildlife, and Aesthetic Impacts

We are heavily forested. It is our heavily forested mountains and fall foliage that not only protects our water quality and our soils but provides habitat for the wildlife in this region and is the mainstay of our tourism and quaint New England charm. The Society for the Protection of NH Forests was formed originally to protect the deforestation of our mountains and the visual and aesthetic impacts when tourism to the state decreased due to clear cutting swaths on the mountains in the late 1800's. Today, around Mount Monadnock, the surrounding towns need to be notified if any town proposes any development that might impact the views to the surrounding towns of the mountain.

The proposed gas pipeline "path" is right through the Wapac range and in New Ipswich, the Wapac Trail and a cross country ski resort. Not to mention Rhododendron State Park and several conserved lands. Do you really think people are going to come to NH to hike the gas pipeline route or gaze upon the aesthetic beauty of its path from the surrounding mountains and consider it a wilderness experience or connecting with Nature?

I am assuming that you will hear from the wildlife conservation groups in our areas and the diversity of wildlife habitat in our region that will be affected but I am shocked that you do not even require the proponents of this pipeline to do the most preliminary screening of the state and federally ~species before a pathway is proposed. Residents here have to screen every permit applied for with the Natural Heritage Bureau. Federally there is IPaC to screen too, this is US Fish and Wildlife. Have you even required them to screen on IPaC the miles of the 150' wide "path" they intend to deforest for the gas pipeline not to mention the access roads they will need to construct to determine what wildlife habitat they are destroying and impacting? The day of the Tuesday night public scoping session in Rindge NH, I received two phone calls from the Boston Regional Office of Army Corps of Engineers inquiring if a town wetland permit to repair an existing culvert in an existing road would require cutting any trees because the area has long eared bat habitat. I was chastised for not checking IPaC first to address this issue. Do you mean to tell me that the federal government needs to know if one single tree is cut for a culvert repair project but doesn't need to know if a 7 mile gas pipeline project is going to cut down any trees that destroy long eared bat habitat for a 150' wide gas pipeline swath throughout our region??

4. CULTURAL AND SOCIOECONOMIC RESOURCES

I simply can't write any more about the Environmental Issues that you intend to ignore and pretend do not exist. It is incomprehensible that a gas transmission pipeline that has NO market demand in rural NH is being constructed through southwestern NH, called a "Market Path" by Kinder Morgan when it is to provide peak energy demands to the east coast and overseas for export. It is even more incomprehensible and reprehensible that if these landowners don't "submit" and FERC approves this that you will take these people's land away through eminent domain and give it to the gas company. We bear the costs of construction, the permanent impacts to our environment, our economy, our property values, our way of life, our health, our safety, our children, our farms, forests, water,... Rural lives and Rural Landscapes Matter. We are not collateral. Most of our livelihoods are dependent on this land and preserving and maintaining the aesthetics and natural resources. Our culture and economics are all land based to our surroundings whether it be through organic farms, apple orchards, eco-tourism, foliage tours, maple syrup, inns, tourism, bird watching, deer hunting,

clean lakes, forestry and logging, snowmobiling, hiking, artist and meditation retreats, excavation and home building etc etc. You cannot impact our land without impacting our livelihoods economically. We are a people who have deep socioeconomic interdependent roots in the land and with one another.

The southwestern part of NH consists of 40 towns that surround Mount Monadnock in Jaffrey, NH and consider themselves the Monadnock Region. We are intelligent, compassionate, hardworking, caring, creative communities who respect the natural environment and one another. We are Yankees into permaculture and sustainable living, holistic health and traditional health, we embrace diverse viewpoints, insist on aesthetic, artistic, and personal freedoms, we do not lock our doors, we believe in free range chickens and free range children. We are a people who recognize our interdependence with the land and being a part of the community. We know that WE are the Cultural Resource that will be permanently impacted if you approve this gas pipeline project through our region.

Mount Monadnock in Jaffrey, NH is our namesake. Mount Monadnock is the most climbed mountain in the world. Why is it the most climbed mountain? Because there are no auto roads. For that matter, there are no cell towers or transmission lines etc. The Vision Statement for Monadnock State Park is "To Maintain the Integrity of the Natural Environment and Respect the Cultural Landscape". People in the Monadnock region share that vision. It is what attracts them to live here and brings tourism to our region. Mount Monadnock means "the mountain that stands alone". It is the geologic reference for what a monadnock is. The geological definition for a monadnock is "an isolated hill or ridge or erosion resistant rock rising above a peneplain." Like the glaciers did in geologic past, I suggest you chose an alternate path for the pipeline that is not through our region and leave us alone. We will resist.

I have included two of our local newspapers, The Monadnock Ledger Transcript dated October 1 and October 6. To be included in the official record of comments on Environmental Impacts to Cultural Resource. Why the newspapers? Well, I want you to know who we are through pictures, names, places, events, whether it be the police log, our weekly calendar of what's happening where, our viewpoints, our news articles, advertising etc. Our local newspaper only comes out twice a week and the subject matter is solely local news so it is a very accurate portrayal of our culture and way of life.

FERC, Please do the Job you were appointed to do. Do not approve the Tennessee Gas Pipeline Company's Northeast Energy Direct Project. Docket PF-1422400.

Sincerely,

SHARON MONAHAN
SITE SUCCOR DESIGN LLC
3 CENTRAL STREET, PETERBOROUGH, NH 03458
www.sitesuccordesian.com shrnmonahan@gmail.com
Certified Wetland Scientist Certified Subsurface Designer
BS Forest Management (WI) BS Geology (NH)
Telephone (603) 924-8774

Cc: President Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

20151014-5000

Diane Hebenstreit, West Hartford, CT.

I am very concerned about the proposed installation of a pipeline going through the Class 1 and Class 2 watershed lands of the West Hartford Reservoir. This is the source of drinking water for myself and the rest of West Hartford. I believe these lands should receive special protection for this reason.

I am also concerned about the impact on wildlife living in that area.

Who is this proposed pipeline serving? I have heard that Connecticut already has an adequate supply of natural gas. I urge you to table this proposal.

20151014-5002

H John Fisher, Plainfield, MA.

My name is H. John Fisher. I live at 268 West Street in Plainfield, Massachusetts on a property that abuts the proposed path of the NED pipeline, which I oppose for a number of reasons – not the least of which being its potentially destructive effect on an area that is one of our state’s most significant natural resources and the lack of any proof that the proposed pipeline would constitute the most effective and least costly mechanism for meeting the region’s energy needs.

I am writing today to expand on the brief testimony that I gave at the Scoping Hearing sponsored by Massachusetts Senate President Stanley Rosenberg in Greenfield, Massachusetts on September 10, 2015.

At the time I spoke briefly about how quickly the field of alternative energy has changed over the past few years, taking me by surprise – as underlined by the dramatic change in my personal energy costs since my wife Sebern and I have realized since we installed solar panels. To perhaps underline what I said then, I am appending a recent Bloomberg News article on the economic changes brought about by the growing role played by “alternative” energy sources in our overall energy picture.

I would also direct you to a Boston Globe article reporting on a recent Harvard University study of methane leaks from gas lines and gas storage facilities in the city of Boston that estimated that 2.7% of the natural gas delivered to the region was being lost to leaks – a figure that is significantly higher than previous state estimates of 1.1% (see <https://www.bostonglobe.com/metro/2015/01/22/natural-gas-leaks-boston-area-are-far-more-extensive-than-thought/5BykQrnaGRr2XLtxpHqLIM/story.html>)

Quite simply, if the state’s utility ratepayers are going to be forced to pay for the shortfalls of an ageing infrastructure, it would be far more desirable for us to upgrade that infrastructure as a means of addressing occasional winter gas shortages than it would be to construct an unneeded and disruptive pipeline to bring in more natural gas to be leaked into the environment. I would also suggest that the jobs created by moving aggressively to upgrade an existing infrastructure would have more value to the local economy than the few temporary jobs that might be briefly created by the destructive process of building the proposed NED pipeline.

In light of these shifting realities, I also suggest that it might be time for you to take a deeper look at your role as a regulatory agency. When you were created, the best approach for meeting the nation’s energy needs was clearly the long-distance distribution of centrally-produced energy sources. Today’s reality is, however, rapidly changing to a more energy-efficient, distributed model. In effect, by applying yesterday’s assumptions to today’s needs, you run the risk of encouraging existing providers to continue wasteful and increasingly-outmoded practices that can create both immediate and long-term degradation to the environment. Might this not be the time for FERC to move to truly become an energy regulatory agency by denying this ill-considered project outright?

Here’s the Bloomberg article:

Solar and Wind Just Passed Another Big Turning Point

Tom Randall, Bloomberg Business, 10/6/2015

Wind power is now the cheapest electricity to produce in both Germany and the U.K., even without government subsidies, according to a new analysis by Bloomberg New Energy Finance (BNEF). It’s the first time that threshold has been crossed by a G7 economy.¹

But that’s less interesting than what just happened in the U.S.

To appreciate what’s going on there, you need to understand the capacity factor. That’s the percentage of a power plant’s maximum potential that’s actually achieved over time.

Consider a solar project. The sun doesn’t shine at night and, even during the day, varies in brightness with

the weather and the seasons. So a project that can crank out 100 megawatt hours of electricity during the sunniest part of the day might produce just 20 percent of that when averaged out over a year. That gives it a 20 percent capacity factor.

One of the major strengths of fossil fuel power plants is that they can command very high and predictable capacity factors. The average U.S. natural gas plant, for example, might produce about 70 percent of its potential (falling short of 100 percent because of seasonal demand and maintenance). But that's what's changing, and it's a big deal.

For the first time, widespread adoption of renewables is effectively lowering the capacity factor for fossil fuels. That's because once a solar or wind project is built, the marginal cost of the electricity it produces is pretty much zero—free electricity—while coal and gas plants require more fuel for every new watt produced. If you're a power company with a choice, you choose the free stuff every time.

It's a self-reinforcing cycle. As more renewables are installed, coal and natural gas plants are used less. As coal and gas are used less, the cost of using them to generate electricity goes up. As the cost of coal and gas power rises, more renewables will be installed.

The virtuous cycle has begun.

Source: Bloomberg

Wind and solar have long made up a small fraction of U.S. electricity—about 5 percent in 2014. But production has been rising at an exponential rate, and those two energy sources are now big enough to influence when coal and natural gas plants are kept running, according to BNEF.²

There are two reasons this shift in capacity factors is important. First, it's yet another sign of the rising disruptive force of renewable energy in power markets. It's impossible to brush aside renewables in the U.S. in the same way it might have been just a few years ago. "Renewables are really becoming cost-competitive, and they're competing more directly with fossil fuels," said BNEF analyst Luke Mills. "We're seeing the utilization rate of fossil fuels wear away."

Second, the shift illustrates a serious new risk for power companies

20151014-5003

William Moylan, Temple, NH.

This is a request to DENY the application of Tennessee Gas Pipeline Company's Northeast Energy Direct Pipeline.

The current application has significant environmental, health and safety issues for this pristine, rural area of the East Coast. It would severely alter our ecology and quality of life.

Further, the location of the compressor station so near our elementary school places our children in peril. As the building is also our emergency shelter, it places our small town in a position of needing to identify and establish a new shelter, at considerable expense. Further, the emissions from the compressor station is toxic; to expose our children to this is unthinkable.

I urgently request FERC's support of our region by denying this proposal as it currently exists.

If this pipeline is truly needed--and many believe it is now, after considerable research--I respectfully request a new route for the pipeline be established. A more direct route through Massachusetts is far more appropriate, and would place the pipeline in the state that stands to benefit from the arrival of this gas.

Thank you for your consideration of the people of New Hampshire, our environment, our schools and our future. Please vote NOT TO APPROVE this application.

Thank you.

Kathy Chapman, Mason, NH.

On February 26, 1972, the Buffalo Mining Company allowed enough coal sludge to be dumped onto a valley in West Virginia to destroy homes, lives, and whole communities. The owner of the Buffalo Mining Company, the Pittston Coal Company, tried to limit its liability by hiding behind the corporate veil of the Buffalo Mining Company. In other words, Pittston tried to protect its assets, and meanwhile shortchange the affected individuals, by limiting the victims' recovery to the assets of the Buffalo Mining Company. After many years elapsed and much money was spent in legal fees, the victims were able to recover a small sum from the Pittston Coal Company. It is unlikely that any of the victims would consider \$13,000 a sufficient compensation for the loss of loved ones, homes, businesses, and general life disruption, and they were considered to have WON!

Fast forward thirty-eight years. In 2010, BP dumped millions of gallons of oil into the Gulf of Mexico. BP's first line of defense was to hide the real story, and in doing so they increased the environmental damage by an untold amount. Then BP tried to blame its contractors. Finally, when BP was held accountable, the company spent years in court attempting to limit its liability, which it has so far successfully done. True compensation to the citizens, the businesses, and especially the environment will never happen.

A quick glance at the Securities and Exchange Commission's Kinder-Morgan listing provides a bewildering array of businesses. Since the Buffalo Creek Disaster, and since BP, companies such as Kinder-Morgan seem to have gotten smarter about fancy organization systems that will almost certainly be effective at limiting Kinder-Morgan's liability for any mass casualties to zero. Any reliance on the large company, Kinder-Morgan, to make things right is probably misplaced. This fact of corporate denial should be weighed carefully before entering into a potentially hazardous deal involving a corporation that has no real interest in the well-being of the citizens where the corporation is pillaging the environment.

From the two Open Houses, the two scoping sessions, and the town meeting with Kinder-Morgan I have attended, I can say unequivocally that Kinder-Morgan and Tennessee Gas Pipeline have no real or even feigned interest in the well-being of me or my town, Mason, which is projected to have both the large pipeline and a smaller lateral pipeline. Questions about disruption of aquifers, private wells, wetlands, and sugar bushes have been summarily dismissed. One Tennessee Gas Pipeline person said to me, "we've been to this rodeo before, the pipeline will get approved and we'll run pipe through the wetlands". To call this statement and attitude a callous disregard for everything from my attachment to my town to the livelihoods and tranquility of me and my neighbors is an understatement.

So my concern stands. If something bad happens, who will be there to hold accountable? Who will replace buildings, businesses, roads, bridges, and other infrastructure that falls in the path of an exploded pipeline? You can bet that Kinder-Morgan has covered its corporate rear mightily, and Tennessee Gas Pipeline has done the same.

There are other options to fulfill the energy needs in New Hampshire: use reduction, renewables, and other projects that are in the approval process. Spending the money that would be used to build the pipeline on patching the leaks in existing pipelines, providing cost-saving LEDs to homes and businesses, and strengthening the incentives to use renewables (e.g. solar panel tax rebates) would clearly go a longer way to reducing electric bills NOW than some speculative future supply of natural gas that MIGHT be used to generate electricity. Reminder: there are NO electricity generators in New Hampshire signed up to receive the gas from the NED pipeline, so ANY claim of reduction in electricity costs is PURELY SPECULATIVE. Reminder #2: based on that pure speculation, Allen Fore of Tennessee Gas Pipeline stated in the Monadnock Ledger that people would see a 40% reduction in electric bills. Do you think a company that condones what could arguably be found to be fraudulent will actually come forward to foot the bill for the recovery from a mass casualty? The answer to that question is simple: no.

20151014-5005

Timothy Somero, New Ipswich, NH.

We have practical experience when drilling wells in town that shallow wells run dry.

My grandfather dug an 11-foot well on the adjacent property to mine and this well served the house that he built for nearly 100 years.

During the drilling process of an artisan well nearly 1/4-mile away, my grandfathers well ran dry.

When the construction process begins along the entire NED pipeline, please measure the refresh rate of all shallow wells within 1/4- to 1/2-mile because as I understand the construction process, there is a process for drilling deep holes for the technical earth grounding system.

We didn't ask for this project, so the company should assume all the costs for evaluating the flow of water to each shallow well before, during, and after construction including any remediation needed.

By the way on the topic of remediation, if the company has to pig in water as a remediation and a house water tank is empty prior to a snow storm, what will they do if a family has no water for up to 5- to 7-days when the roads are impassable? Will the company be liable for any health and medical problems when a family has no potable water?

We are routinely seeing natural events such as snow storms like these. This is practical experience, indeed.

20151014-5006

Timothy Somero, New Ipswich, NH.

How about weather inversion that we see regularly through practical experience?

The opportunity for photography is marvelous on winter days when smoke from wood burning stoves does not pass above the tree line for hours and days. It's a precious day to experience a sunrise on a day like this in the woods. These happen all the time, from practical experience.

Tell me, how will the company reconcile the fact that formaldehyde, toluene, benzyne, and a plethora of trade-secret, toxic substances from fracking will be gassing our children, wildlife, elderly, and American citizens during a weather inversion?

Seems reasonable to me that all gas transport should cease and desist during a weather inversion, because I would not imagine that gassing humans is an intention of the company that is trying to invest in the states, communities, and American people along the pipeline route.

20151014-5007

Timothy Somero, New Ipswich, NH.

Out of state guests, tourists who fuel much of the economy in New Hampshire, marvel when they look into our forests and gasp, 'Look at those rock walls!'

We teach our children to not disrupt the walls and when they ask why, 'Some of these rocks and stone walls were commissioned by the King of England centuries ago.'

Tell me, what will the company do to preserve, respect, and honor the tradition of stone walls that traverse the wilderness along the entire NED path? Is there no legal standing for the protection of disruption of our historical artifacts?

From practical experience, we stop our children from using these ancient stones from our age-old walls for their playful construction.

It's illegal.

20151014-5008

Timothy Somero, New Ipswich, NH.

I hope that you get the point, dear readers, Mr Tomasi and the guy who noticed that I write with sharpies

“We the people of America do not support this project.”

I tried. I tried mightily. Why in my back yard? I’m a WIMBY.

We prefer a reduction in fossil fuel use in a rebalancing so that consumer-based, non-essential energy is served from renewables such as solar energy.

Disrupt and recreate the concept of net metering. Let a free market help us invest personally in solar so that we charge our electronic devices from the sun, not the fossil fuels.

Let critical infrastructure use fossil fuels.

Why would technology giants want to compete for fossil-fuel based energy needed for their data centers with their customers?

Their investors demand growth, why would they compete against their customers?

Let’s support job creation, real job creation, by adding an extra 6- to 8-inches of insulation in all of our attics or replacing windows with air-tight ones?

The alternative that I’m proposing is not a different patch of America to steam roll through and devastate men, women, and children - compressor stations built today cause nose bleeds in children, do I need to say any more?

Let’s reduce demand pressure on existing infrastructure.

Let’s face the obvious that the fossil fuel supply is being rapidly depleted.

We are asking a simple question, ‘When will we the people turn the faucet off on fossil fuels?’

How bad do things have to get to see that the Dick Cheney contrived consumption dynasty turned the faucet on too far for fossil fuel use? Unrestricted and unregulated and horrible for all of us?

This comment is for a socio-economic concern with a simple alternative that I previously stated.

The alternative is to separate all energy use into two categories: critical infrastructure and non-essential.

Renewables supply non-essential.

Fossil fuels supply critical infrastructure.

Do the world-wide math and see that the rebalancing affects all companies in the entire industry and the current infrastructure is over-capacity. I could just imagine KM/TGP pounding the table when this proposal makes sense to its investors.

Net result for us who are bewildered by the NED project?

No build.

There is no reason for building NED. Go away.

20151014-5009

John Leoutsacos, Temple, NH.

The blasting necessary to install this pipeline will forever damage or destroy the wells and aquifers for miles around the actual blast site.

Remember this is the granite state.

20151014-5010

John Leoutsacos, Temple, NH.

The Weirs Times

Brendan Smith

mailboat@weirs.com

To the editor

I'm writing to my fellow New Hampshire neighbors concerning the proposed Kinder Morgan NED pipeline. The Lakes and Monadnock regions BOTH heavily depend tourism as critical elements of their local economy's. Tourism rooted in a fundamental connection to nature and the enjoyment of outdoor activities in a pristine wilderness. The proposed NED project would threaten all of these values and more. Construction would destroy thousands of acres of forest, wetlands and conservation land. During operation both deliberate and accidental release of carcinogenic and radioactive fumes pose serious risk's to people, animals, water and the environment.

New Hampshire needs to stand STRONG together in opposition to this pipeline.

Please write your elected officials and make your voice heard!

20151014-5011

John Leoutsacos, Temple, NH.

Why is it up to the citizens of New Hampshire to educate FERC on the fact that this pipeline is dangerous on several levels? And we don't need or want it!

FERC in particular (the FERC counsel), being appointed never should have allowed it to reach this level if they or their elected; appointing officials even remotely listened to the thousands of voices vehemently opposing this project.

20151014-5063

{skip to end of 20151014-5063}

NRPC

NASHUA REGIONAL PLANNING COMMISSION

October 15, 2015

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

Comments of the Nashua Regional Planning Commission, Merrimack NH

Re: Tennessee Gas Pipeline Company, L.L.c. ("TGP")

Docket No. PF14-22-000: Proposed Northeast Energy Direct ("NED")

Dear Ms. Bose:

The Nashua Regional Planning Commission (NRPC} serves 13 municipalities in southern New Hampshire, including Nashua, Hudson, Amherst, Brookline, Hollis, Litchfield, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, Pelham, and Wilton. The Commission focuses on developing and implementing innovative planning strategies that preserve and improve the quality of life of the residents and is dedicated to promoting the orderly development of the region.

Nine of the 13 NRPC member communities are directly impacted by the Proposed Northeast Energy Direct ("NED") pipeline. Many of these communities have taken a position or made a public statement to oppose the proposed pipeline. NRPC needs to obtain more information to help our communities to evaluate risks and potential benefits of the NED proposal and impacts to the orderly development of the region. Attached please find a copy of the NRPC "Status Report and Summary of Findings as of September 16, 2015 Relative to The Proposed Northeast Energy Direct Pipeline" which sets forth some of the issues that we believe must be addressed by Kinder Morgan and considered by FERC going forward. In addition, we respectfully request the project applicant address and FERC consider the following questions and concerns.

1. The proposed co-location of the pipeline in Pelham and Hudson, New Hampshire is in direct conflict with an approved expansion of Eversource electric transmission lines known as the Merrimack Valley Reliability Project. Please have Kinder Morgan provide alignment sheets or other design drawing that describe exactly how the pipeline will be "co-located" along the permanent electric utility right-

of-way as it will be laid out to accommodate the Merrimack Valley Reliability Project.

2. Please have Kinder Morgan quantify the reduction in electric rates that residential, commercial and industrial consumers will realize should the proposed project go online. In addition, please have Kinder Morgan evaluate implications of the reduced electric rates in attracting economic development. Particular attention should be paid as to how well New Hampshire will compete with other areas of the country, in terms of lower energy costs, due to the presence of additional natural gas supplies in the region.
3. Please have Kinder Morgan justify the need for a lateral through the town of Mason, New Hampshire. The proposed lateral is intended to provide gas to the Fitchburg Massachusetts area, however it is our understanding that no end-customer has committed to purchasing the gas at this time. NRPC strongly urges FERC to require that Kinder Morgan justify in detail this lateral or see that gas needs in the Fitchburg area are met through other projects in Massachusetts. NRPC further requests that Kinder Morgan justify the need to locate this lateral through undisturbed land as opposed to existing right of ways through the area.
4. Require Kinder Morgan to provide a detailed assessment of the ability of local emergency services to respond to incidents involving gas pipeline facilities, and to outline resources needed to keep their training, supplies and equipment up to an adequate standard to respond to those incidents.
5. Kinder Morgan should quantify and FERC should consider the direct economic benefits to the communities in New Hampshire along the proposed pipeline route. For instance, in Hillsborough County, NH the proposed pipeline is anticipated to provide little benefit to the communities directly impacted since the region is largely unserved by natural gas supplies for home heating or businesses. To our knowledge, Liberty Utilities is the only LDC in NH that has contracted for capacity on the NED project. It has committed to purchase 115 dekatherms per day from Kinder Morgan which represents only approximately 8.8% of the 1.3 Bcf/day of pipeline capacity.
6. Kinder Morgan should provide and FERC should consider a detailed analysis of the tax revenue impacts as a result of the construction of the pipeline. The methodology utilized for developing the revenue figures should be clearly explained.
7. The proposed pipeline would cross a variety of types of roadways, including un maintained "Class VI" roads. While "Class VI" roads in New Hampshire are not maintained, it is critical that they not be viewed as "not used". Any roadways in NH, including those classified as "Class VI" can be - and in some cases are regularly - used by fully-loaded logging trucks which are of substantial weight. The NRPC concurs with the 15 towns of the NH Municipal Pipeline Coalition and request's FERC require that Kinder Morgan:
 - Use construction techniques across all roadways in New Hampshire, including all unmaintained "Class VI" roads that will account for the heavy loads presented by logging trucks or emergency vehicles.
 - We ask that, at a minimum, this includes using pipe under all roadways consistent with that required of a state road.
8. Finally, the NRPC requests Kinder Morgan provide and FERC consider a thorough explanation of the need for the project and the justification for the project to be located in New Hampshire.

Given the unprecedented scale of the project and magnitude of potential impacts to the region the NRPC respectfully requests a response to the questions and comments outlined in this letter.

Sincerely,

Tim Roache, Executive Director

Michael Fimbel, Vice Chair-Town of Mont Vernon

Dan Kelly, City of Nashua

James Battis, Town of Hudson

Karin Elmer, Treasurer-Town of Merrimack

Susan Ruch, Town of Amherst

Thomas Young, Town of Litchfield

**Status Report and Summary of Findings
As of September 16th, 2015**

Relative to:

**The Proposed Northeast Energy Direct Pipeline
A Project of Tennessee Gas Pipeline Company**

**Nashua Regional Planning Commission
Energy Facilities Advisory Committee**

NRPC

**Nashua Regional Planning Commission
Energy Facilities Advisory Committee (EFAC)
Status Report as of 09/16/2015**

TABLE OF CONTENTS

EXECUTIVE SUMMARY 1

INTRODUCTION 2

 Background..... 2

 EFAC Charge 2

 EFAC Membership..... 3

 EFAC and NRPC Summary of Activities..... 4

THE FERC DECISION-MAKING PHILOSOPHY 5

DEMAND & NEED..... 6

 The Broad Picture..... 6

 Liberty Utilities..... 6

 Access Northeast and AIM..... 8

 Portland Natural Gas Transmission System (PGNTS) Expansion Potential 8

 Demand and Need, In Summary..... 8

AREAS OF IMPACT 10

 Economic 10

 Construction 11

 Historic Resources 12

 Infrastructure and Safety 13

 Environmental Impacts - General..... 15

 Environmental Impacts - Rivers as a Special Concern..... 17

 Impact on the Orderly Development of the Region 17

PLAN-NE AND GENERAL PUBLIC OPPOSITION..... 18

SUMMARY OF MUNICIPAL ACTIONS TO DATE 19

ONGOING STATE AND FEDERAL PROCESSES 20

 Federal FERC Process 20

 NH Public Utilities Commission (PUC) Hearings..... 22

State of NH SEC Process	22
BIBIOGRAPHY.....	24

EXECUTIVE SUMMARY

NRPC convened an Energy Facilities Advisory Committee (EFAC) in response to the proposed Tennessee Gas Pipeline Company’s proposed Northeast Energy Direct (NED) natural gas transmission pipeline that would traverse eight towns in the NRPC region. EFAC is comprised of representatives appointed by each town’s elected board who are charged with general fact-finding in order to inform recommendations to the full Commission.

EFAC began its schedule of regular weekly meetings on February 27, 2015. During that time, EFAC has completed an extensive review of published information, had conversations with industry subject matter experts, and hosted a number of speaker presentations from Kinder Morgan, Liberty, other competing utilities, FERC, the NH SEC, academia, industry, and public opposition groups.

The working draft whitepaper is essentially a factsheet reflecting the information gathered during these activities. The FERC decision-making philosophy is presented for overall context. Next is a brief examination of natural gas need from the point of view of industry and academia, which is then contrasted with relative to key impact areas related to economic factors, construction, historic resources, infrastructure and safety, general environmental impacts, and rivers. During the course of its involvement EFAC has captured anecdotes that summarize the groundswell of opposition to the NED, which is also reflected in the relative unanimity of opposing actions taken by municipalities. Lastly, EFAC is closely monitoring processes at the federal and state levels that will initiate at the close of the FERC pre-filing stage. It should be noted that EFAC began its process from a neutral standpoint. On June 5th, 2015, the EFAC passed a motion to issue the following opinion statement:

The Nashua Regional Planning Commission Energy Facilities Advisory Committee (EFAC) has significant concern that the impacts of the proposed Northeast Energy Direct project outweigh its perceived benefits based on the information received to date.

Over time, EFAC strengthened its articulation of various concerns and drafted a draft Resolution of Opposition for consideration by the Full Commission at the September 16th, 2015 meeting. This whitepaper, therefore, should be considered direct supporting documentation for the conclusions made in the Draft Resolution.

INTRODUCTION

Background

At the request of the NRPC Executive Committee the NRPC formed an Energy Facilities Advisory Committee in late winter 2015. This Committee was a response to our communities’ collective concerns regarding the challenges of obtaining objective and trustworthy information relative to the proposed Tennessee Gas Pipeline Company’s (TGP) Northeast Energy Direct (NED) project. The proposed NED pipeline project would introduce approximately 35 miles of 30/1 transmission main through eight communities in the NRPC region as well as five miles of a smaller 14/1 lateral that would flow south from the mainline through Mason into Massachusetts.

EFAC Charge

The formation of EFAC stems from the NED project, however the EFAC charge is written without reference to any particular energy project. Therefore, the EFAC could reconvene as necessary to consider other energy initiatives as they are brought forward.

NRPC Energy Facilities Advisory Committee

Established:

There is hereby established a temporary, Energy Facilities Advisory Committee (EFAC).

Membership:

Membership of the EFAC shall consist of a maximum of 13 members: one representative from each of the Commission’s member municipalities including a chairman.

The representatives shall be appointed by their respective governing bodies. In the absence of a new appointment from a governing body, the Executive Committee will appoint an NRPC Commissioner to represent that community’s interests.

Members should be able to fully participate in committee meetings, and are expected facilitate the flow of information and ideas between the committee and their respective communities.

Charge of Committee:

To conduct fact findings regarding the impacts of construction and operation of energy facilities in the region will have on local land use, economy, and employment, and the effects on the orderly development of the region; and to report findings and recommendations to the full NRPC Commission. Energy facilities could include proposed construction or retirement of natural gas facilities such as pipelines, electrical facilities such as transmission lines, or other energy facilities including but not limited to wind, solar, hydro, or geothermal renewable sources.

Duties:

The duties of the EFAC shall include the following:

1. Identify the issues related to energy facilities impacts and benefits to local land use, environment and economic development.
2. Obtain information through in-person meetings, reports or other sources, from industry, citizen groups, and appropriate government agencies.
3. Analyze the information with respect to consistency with the Regional Plan.
4. Provide a progress report to the Full Commission at its March 18, 2015 meeting.
5. Provide a compilation of the information collected, with an executive summary of the analysis.
6. Develop a white paper of findings that analyzes the impacts of the energy facilities on the orderly development of the region, including the impacts the project will have on local land use, economy and employment that includes recommendations or next steps for consideration by the Full Commission.

Timeline:

The EFAC will meet between February and June of 2015 and report progress at the June 17, 2015 Full Commission meeting. The Executive Committee will conduct a special Full Commission meeting if action is needed prior to June 2015.

Meetings:

The EFAC shall meet as often as necessary to fulfill their duties. Meetings will be posted per NRPC public meeting protocol under RSA 91:A. The proceedings of the subcommittee are open to the public.

Quorum:

A quorum for committee action shall be a majority of its members. The Committees shall take action by vote of a simple majority.

EFAC Membership

<u>Town</u>	<u>Member</u>	<u>Lead Responsibility</u>
Amherst	Eric Hahn	Infrastructure and Safety Impacts
Brookline	Tad Putney	Economic Impacts
Hollis	Kat McGhee	Demand Need Analysis
Hudson	Elvis Dhima	Infrastructure and Safety Impacts
Litchfield	Thomas Young	Construction Impacts

Lyndeborough	Vacant	
Mason	Steve Wells	Demand Need Analysis
Merrimack	Tim Thompson	Historic Impact
Milford	Mark Bender	Construction Impacts
Mont Vernon	Vacant	
Nashua	Sarah Marchant	Economic Impacts
Pelham	Hal Lynde	Historic Impacts
Wilton	Kermit Williams (Chair)	

Additionally, the NRPC staff of Tim Roache, Sara Siskavich, and Karen Baker provided support for EFAC admin, GIS, and analysis of environmental impacts.

EFAC and NRPC Summary of Activities

- Subscribed to FERC docket to keep up with project changes, other inputs.
- Created lead teams to focus investigation on areas of concern. The teams were staffed by EFAC members as described in the table, above.
- Established a Dropbox for EFAC members to store and share information and documents with each other.
- Joined bi-weekly agency conference calls with FERC to track progress of project.
- Consulted with various agencies and bodies including:
 - o Kinder Morgan (presentation)
 - o Liberty Utilities (presentation)
 - o Eversource and Spectra Gas (presentation)
 - o Portland Natural Gas Transmission System (PNGTS) (presentation)
 - o NH Office of Energy and Planning (meeting)
 - o NH Public Utilities Commission (meeting)
 - o FERC (conference calls and on-site presentation)
 - o ISO-New England (meeting)
 - o Prof Mike Mooiman, Franklin Pierce University (presentation)
 - o Ken Hartlage, NH Pipeline Awareness Network (presentation)
 - o New Hampshire Business Association (BIA) (meeting)
- Passed a motion to articulate a statement of concern that that the impacts from the NED pipeline outweigh any perceived benefits, based on information gathered to date. This statement of concern has been further developed into a detailed Draft Resolution for consideration for adoption by the Full NRC Commission.
- Applied for a US Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) Technical Assistance Grant (TAG) to potentially bolster the activities of EFAC, specifically in the areas of public process involvement and pipeline safety awareness related to the permitting and operation of new and existing pipelines in the region.
- Publicized the EFAC document collection as an online public-facing resource using Zotero.
- Submitted a letter to FERC on the NED docket requesting an extension of the formal comment period.
- Created a Quick Guide to Commenting on the FERC Docket for distribution at Old Home Days and for publication on the NRPC Pipeline webpage.
- Distributed comment cards at Old Home Days, Town Halls, and Libraries to offer a direct communications channel between NRPC and the general public.

- Attended and testified at both the Nashua and Milford FERC scoping meetings.
- Partnered with Massachusetts Regional Planning Agencies and Southwest Region Planning Commission to author technical justification language for for additional scoping studies to be considered by FERC during FERC's drafting of their Environmental Impact Statement (EIS).

THE FERC DECISION-MAKING PHILOSOPHY

- The Federal Energy Regulatory Commission (FERC) is an independent federal regulatory agency that:
 - o Regulates the interstate transmission of natural gas (siting & rates);
 - o Regulates electricity and oil (rates only);
 - o Reviews proposals to build interstate natural gas pipelines and liquefied natural gas (LNG) terminals, and natural gas storage fields.
 - o Licenses and inspects non-federal hydropower projects. [1]
- Energy Policy Act of 2005 names FERC lead agency for National Environmental Policy Act (NEPA) review and coordinator of all federal authorizations. [2]
- The phases of FERC project review include:
 1. Marketing and Preliminary Project Design: the applicant working on its own
 2. Pre-Filing: FERC staff work with the applicant and stakeholders before the filing of an application.
 3. Application Review: FERC prepares NEPA document that is reviewed by cooperating agencies prior to public issuance for comment
 4. Post-Authorization: FERC works to ensure compliance with conditions to the FERC approval. [3]
- Currently the NED is in the Pre-Filing stage of project review. A Notice of Intent is imminent, after which scoping meetings will be scheduled. FERC expects TGP to file the application in the October, 2015 timeframe. [4]
- FERC follows analytical steps to balance the public benefits against the potential adverse consequences of an application for new pipeline construction. In summary these steps are:
 - o Whether the project can proceed without subsidies from their existing customers
 - o Whether the applicant has made efforts to eliminate or minimize any adverse effects the project might have on the existing customers of the pipeline proposing the project, existing pipelines in the market and their captive customers, or landowners and communities affected by the route of the new pipeline.
 - o If the project has no adverse effects relative to the three interests above, no balancing of effects is necessary and the Commission would proceed to issue a final order or preliminary determination;
 - o If the project does have any adverse effects Commission will proceed to evaluate the project by balancing the evidence of public benefits to be achieved against the residual adverse effects. This is essentially an economic test. If the result of the balancing is a conclusion that the public benefits outweigh the adverse effects then the next steps would be the same as for a project that had no adverse effects. [5]

DEMAND & NEED

The Broad Picture [6]

- The factors that should be considered in any energy policy or recommendation operate at a geography beyond anyone city or town, planning region, or even the entire state.
- There is general agreement on the fact that there is a natural gas crunch in New England.
- The characterization of need is intertwined an increasing call for natural gas power generation in New

England.

- Failure to not complete energy projects will lead to increased consumer costs, particularly electric default rates.
- The gas crunch will likely be solved through the intersection of various major factors including
 - More pipelines to provide more capacity
 - Regulatory changes that will influence changes in planning
 - Market changes that will influence pricing
 - Influx of Canadian hydro
- Counter-measures such as the following may not play a significant factor in solving the immediate gas crunch
 - Energy efficiency measures: rely on individual altruism, generally unlikely on a broad scale
 - Renewables: have their own sets of challenges relative to permitting, manufacturing, and pricing.
- Over-reliance on a single energy source would be prevented with a portfolio approach that is more balanced.
- The New Hampshire Business and Industry Association is New Hampshire's statewide chamber of commerce. The BIA has chosen not to endorse or oppose particular energy projects. Their energy policy acknowledges an energy crisis in New Hampshire and encourages both short and long-term cost-reducing energy solutions. [7]

Liberty Utilities [8]

- Liberty Utilities has electric and gas distribution companies; the natural gas distribution company has 87,000 customers serving 31 communities.
- In the NRPC region, the Liberty Utilities gas service territory includes the towns of Milford, Amherst, Hollis, Merrimack, Litchfield, Hudson, and the City of Nashua. There are a total of 38,437 Liberty gas customers in the NRPC region, 72% of which are in the City of Nashua.
- The majority of gas servicing the NRPC region is supplied by the Concord Lateral of the Tennessee Gas Pipeline system (106,833 Dth/day) that originates from the hub in Dracut, MA; Liberty's portfolio also includes LNG (22,800 Dth/day), propane (34,600 Dth/day), and gas for the Berlin, NH service area from the Portland Natural Gas Transmission System (1000 Dth/day).
- Liberty projects that ahead of NED, they will have a deficiency of resources to serve customers in NH by winter 2016/2017.
- Under the initial NED petition Liberty would replace 50,000 Dth/day of supply sourced from Dracut; 65,000 Dth/day would be incremental supply devoted to system growth.
- Under an executed Amendment to the Precedent Agreement negotiated by Liberty and NHPUC staff, Liberty would be authorized to exercise a no-cost option to reduce the 115,000 Dekatherms commitment down to 100,000 Dth/day if projected growth doesn't materialize, leaving 50,000 Dth/day for growth. It also puts in place target growth incentives that if met would ensure Liberty's cost-recovery for costs from the NED pipeline through the Company's winter rate. [9]
- To tap NED directly, Liberty will need to site new metering facilities along the NED route; the new metering location(s) has not yet been determined.
- Liberty cites the following benefits of NED:
 - With an alternate feed, the reliability of the Liberty system will improve
 - Gas sourced from Dracut is expensive; NED gas would be cheaper, and those savings would be passed on to existing Liberty Utilities customers
 - Additional gas capacity could potentially avoid a growth moratorium.

- o Additional gas capacity could allow growth in the Liberty system without an expansion of the Concord Lateral (which is at capacity).
- In terms of system growth in the NRPC region, Liberty’s growth is driven somewhat organically through developer interest; Liberty does have strategic interest in supplying natural gas to its propane air system in Keene.
- Several new development projects in the NRPC region will be on the Liberty system (note, units are Dth/year)
 - o Merrimack Commercial Conversion (47,213 Dth/year)
 - o Merrimack New Two Phase Residential/Commercial Development (25,925 Dth/year)
 - o Nashua New Two/Phase Residential Commercial Development (47,000 Dth/year)
- Until growth on the system is achieved, the excess gas capacity on the Liberty system will be sold to gassupplied electric generators who do not enter into long-term supply contracts.

Other pipeline expansion projects are in various stages of FERC process to address the region’s demand for additional gas:

Access Northeast and AIM [10]

- Access Northeast is a partnership between Spectra, Eversource, and National Grid to increase the capacity of the Spectra System. The project would increase natural gas supplies to power plants by .9 Bcf/day, with a planned in-service date of November 2018.
- As opposed to using “greenfield construction,” the Spectra Access Northeast project would install a 42/1 pipe within the existing spectra pipeline trench; 70% of the project is co-located within existing gas pipeline ROW.
- Access Northeast is distinctly different from the TGP NED project in that the design of the project is to meet the growing needs of gas-fired electricity generation.
- As the NED appears to be positioned to address the needs of LDCs, the Access Northeast project is not necessarily a directly competing project, as their markets are distinct.
- Additionally, Spectra Energy’s Algonquin Incremental Market (AIM) project would expand their existing Algonquin Gas Transmission system pipeline from 24 to 42/1 and enhance compression to deliver an additional 342,000 Dth/day to the Algonquin City Gates, just south of Boston, by an in-service date of November 2015.

Portland Natural Gas Transmission System (PGNTS) Expansion Potential [11]

- The Portland Natural Gas Transmission System operates approximately 300 miles of 24/1 and 30/1 pipe through NH, MA, and ME. All pressure is provided upstream by TransCanada. Currently PNGTS’ major markets are located outside of the NRPC region.
- The traditional supply area for PNGTS is western Canada; however the lower cost of Marcellus shale supply is causing a shift in emphasis for connecting gas to markets.
- IIC2C/I is a IINo Build” expansion project on the Portland Natural Gas Transmission System. Through an increase in upstream compression, the increased volume on the PGNTS system is planned for 100,000 Dth/day. C2C lists an in-service date of November 2017.
- Because the PGNTS system is not yet operating at maximum, the Company says it could theoretically ramp up to as much as 500,000 additional Dth/day in 100,000 Dth/day increments along the existing pipeline from Wright, NY to Dracut, MA via Canada and Pittsburg, NH. PNGTS added that one benefit of this potential capacity is that it would require no construction or looping; it would be accomplished by adding compression facilities along the route.

Demand and Need, In Summary

- FERC relies on an applicant's secured contracts to demonstrate demand.
- EFAC has been working to document the perceived need for NED at a regional and overall domestic level. The three largest anchor shippers in New England have filed requests for approval for the following incremental and replacement gas commitments.

LDC	Regulatory Authority	Filing	Incremental	Replacement gas	Total firm commitment
National Grid	MA Department of Public Utilities	3/31/15 [12]	0.108	0.079	0.187
Liberty Utilities	NH Public Utilities Commission	12/31/14 [13]	0.065*	0.050	0.115*
Columbia Gas	MA Department of Public Utilities	3/31/15 [14]	0.061	0.052	0.114
Total			0.234 bcf/d	0.181 bcf/d	0.416 bcf/d

- Liberty is the only NH LDC that has made a firm commitment to the project. Project demand includes commitments all along the pipeline, not just NH.
- Export of natural gas is allowed by FERC, but it is unclear if that demand is given the same consideration as domestic demand.

* Under an executed Amendment to the Precedent Agreement negotiated by Liberty and NHPUC staff, Liberty would be authorized to exercise a no-cost option to reduce the 115,000 Dekatherms commitment down to 100,000 Dth/day if projected growth doesn't materialize, leaving 50,000 Dth/day for growth.

AREAS OF IMPACT

Economic

- With respect to real estate valuation, sale data indicates that property values may decrease in the short-term due to construction impacts; over longer timelines, the pipeline must be very close to an external structure for significant impact on property values to occur. For neighboring property owners (i.e. the pipeline is within 100-ft of the property boundary), impact is minimal to negligible. [15]
- In the region there is historical evidence of disagreement between pipeline operators and municipal assessors as to the rate of depreciation of pipeline assets over time; a court found in favor of the municipal argument that depreciation is more modest than was argued by the pipeline operator. [16]
- Pelham and Hudson are the communities in the NRPC region that have pipeline assets. [17] Neither town received additional fire or safety equipment upon installation of the pipelines; however Hudson receives free annual fire safety training from the pipeline operator. [18]
- Job creation and economic stimulus related to the project would be likely felt only in the shortterm due to construction; TGP will add three permanent jobs as a result of the project. [19]
- It is possible that the availability of more low-cost natural gas may encourage growth in the manufacturing sector or other high energy use businesses, but EFAC at present has no information to support this.
- The following table is an NRPC summary of the estimated annual tax revenue from the NED pipeline; these estimates were provided by Kinder Morgan [20] the basis of this estimate is undocumented, and the numbers may not reflect what a town may actually receive annually.

Town	Proposed Mileage	KM Estimated Annual Tax Revenue
Amherst	4.03	\$510,000
Brookline	2.73	\$441,472
Hudson	2.48	\$260,033
Litchfield	2.68	\$281,153
Mason	8.98	\$492,000
Merrimack	4.49	\$530,000
Milford	3.11	\$428,000

Pelham 5.45 \$495,000

Construction

- The following table describes the NED Project road crossings in the region and their associated mile-posts. [21]

Town	Road Crossings	Cul-de-sacs and dead-ends	Class VI roads
Mason	n=4		Mitchell Hill Rd MP 11.3
Mason	n=7		
Lateral			
MilfordW	n=1		Mile Slip MP 12.1
Brookline	n=3		Hutchinson Hill MP 13.5
Milford E	n=6	Bear Ct MP 16.7; Wildflower Way MP 16.9	
Amherst	n=9	Sunshine Way MP 18.5	
Merrimack	n=12		Gauthier Rd MP 22.5; Old Kings Road MP 23.5
Litchfield	n=3	Hamel Ct MP 27.3-4	
Hudson	n=6		
Pelham	n=7	Tina Ave MP 38.8	Briarwood Rd MP 40.1

- The proposed NED will cross the F.E. Everett Turnpike at MP 25.5
- The proposed NED will cross the F.E. Everett Turnpike at MP 25.5• Particular areas of concern noted by our communities include the potential for general damage from the construction process including damage to wells and roads, traffic control and communication during construction, and general landscape disturbances.
- Specific recommendations to concerned parties include the following:
 - o Request TGP bond all roads, bridges, and railroad crossings
 - o Monitor TGP’s evaluation and proposed use of epoxy coatings, abrasion-resistant overlays, concrete coatings, cathodic protection, etc.
 - o Request that the pipeline be protected within a tube that extends under the entire roadway including shoulders at all road and railroad crossings completed with either standard open cut or conventional boring methods.
 - o Monitor TGPs proposed locations of remote controlled valves (RCVs) and sectionalizing block valves as they relate to protecting neighborhood locations
 - o Request TGP designate all residential neighborhoods along the route as Class 3 locations, which would require an incremental increase in wall thickness for the pipe.
 - o Plant fast-growing trees to restore tree-lined borders along ROW.
- All pipeline project facilities must comply with FERC and USDOT regulations under the Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards and Siting and Maintenance Requirements. [22]
- Additionally, Tennessee Gas Pipeline Company, L.L.c. has stated in the March 2015 Environmental Report, Northeast Energy Direct Project, Resource Report 1, General Project Description [23] that they would comply with The Upland Erosion Control, Revegetation and Maintenance Plan; The Wetland and Waterbody Construction and Mitigation Procedures; Unanticipated Discovery Plan for cultural resources; Waste Management Plan; and typical construction workspace layout drawings.
- Despite these regulations and assurances, many construction details are IITBD - to be determined” as

noted in the March 2015 Environmental Report, Northeast Energy Direct Project, Resource Report 1, General Project Description (ER RR1). Many of these details will be resolved as surveys are completed and the route, if the project is approved, is finalized.

Historic Resources

- The Federal/Section 106/1 project review is the process of assisting federal and state agencies and their applicants in determining whether or not their projects will affect significant historic properties. This process allows for consideration of alternatives that may avoid or reduce any potential effect while the projects are still in the planning stages. [24]
- The following table describes historic sites and locally-designated scenic roads near the NED Pipeline. [25]

	Mile		
Town	Post	Item	Notes
Mason	8.4	Pickety Place - 1786 cottage	1800' south of pipeline
Mason	3.54	Jackson Rd crossing	Scenic road
Milford	12.1	Mile Slip Rd. crossing	Scenic road
Milford	15.2	James Johnson House - historic building, circa 1800	0.25mi north of pipeline
Milford	16	Timothy Coburn House - Historic building - 1803	0.48 mi south of pipeline
Milford	16.34	Federal Hill Rd. crossing	Scenic road
Milford	16.34	Moses Foster Homestead -Historic building - 1788	600' north of pipeline
Milford	16.4	Daniel Goodwin house - historic building - 1790	850' north of pipeline
Milford	16.4	Nehemiah Barker Homestead - Historic building - 1782	1200' south of pipeline
Milford	17.14	Ponemah Hill Rd. crossing	Scenic road
Amherst	18.32	Hollis Rd. crossing	Scenic road
Amherst	20.5	Boston Post Rd. crossing	Scenic road
Merrimack	23.5	Old Kings Hwy	Historic road
Litchfield	26.1	Cromwells Trading Post	0.25 mi south of the pipeline
Litchfield	26.27	Smoll Site	2000' south of pipeline
Litchfield	26.3	Nesenkeag Site	0.25 mi south of pipeline

- Specific recommendations to concerned parties include the following:
 - o Ensure that local heritage commissions, historic district commissions, or historical societies are aware of the proximity of historic or potentially historic resources to the proposed pipeline route;
 - o Ensure that all appropriate local public hearing processes and state statutory requirements for construction impacts to state-designated scenic roads are adhered to; and
 - o Monitor and provide feedback as applicable to the Federal+Section 106/1 project review, which is the process of assisting federal and state agencies and their applicants in determining whether or not their projects will affect significant historic properties. This process allows for consideration of alternatives that may avoid or reduce any potential effect while the projects are still in the planning stages (The review process is administered by the Advisory Council on Historic Preservation, an independent federal agency, with assistance from the State Historic Preservation Office).

Infrastructure and Safety

- Existing pipeline assets in the NRPC region include a 20" and a 12" main along an approximately seven-mile trench in Pelham, and four miles of 8" main in Hudson. [26] There have not been any significant failures along the existing TGP pipelines in Pelham and Hudson. [27]
- The proposed pipeline now calls for a 30 inch-diameter pipe that will carry gas at a pressure as high as fourteen hundred (1,400) pounds per square inch. The proposed depth of the pipe will vary based on soils and will have a minimum cover of two feet over ledge area and three feet over soils other than ledge. The projects calls for automatic pressure sensor shut offs along the route, which would be in-

stalled at (twenty) 20, twelve (12) and eight (8) mile increments based on the population density. The construction and pipe thickness will also vary based on population density. [28]

- Particular areas of concern noted by our communities include how the proposed pipeline will clear existing utilities such as sewer, water, and drainage, the strategies communities should use to replace/repair infrastructure adjacent to the proposed pipeline, the risk of material failure and associated safety consequences, and how to obtain Emergency Response Plans and Evacuation Route plans in case of failure.
- Specific recommendations to concerned parties would be:
 - The towns should be allowed to witness construction within their right of way.
 - A sleeve should be installed if the proposed pipeline is installed over existing utilities.
 - Towns should request traffic control and detour plans prior to construction.
 - TGP should be required to submit bonds for every right of way crossing.
 - Towns should request contact information during construction and post-construction.
 - Towns should request that TGP provide Emergency Response Plans and Evacuation Route Plans in case of failure.
- The following table describes schools and daycares within the vicinity of the NED Pipeline. [29]

Town	Mile Post	Item	Notes
Amherst	18.36	Sonshine Inn - pre school	300' south of pipeline
Amherst	19.28- 19.34	RFSC Academy/Summit school	200' west of pipeline at closest point
Amherst	20.5	Souhegan HS, Amherst MS	1000' east of the pipeline
Litchfield	27.65	Tiny Turtles Child Care	1700' south of pipeline
Pelham	39.12	Perfect Place Day Care	1100' SW of pipeline

Environmental Impacts - General

Major impacts to the NRPC communities vary across the proposed route of the NED. Noted issues of concern range from proximity to neighborhoods and schools (Litchfield, Milford, Amherst), impacts to natural resources (Amherst, Merrimack), impacts to water supplies (all towns and particularly Merrimack, Pelham), impacts on town-owned land (all towns and particularly Brookline), and disproportionate overall pipeline mileage (Mason).

Specific impacts to the region with respect to environmental impacts include, but are not limited to, the following: [30]

- Within a 660-ft corridor along the NED route there are 283 structures, all but a handful of which are classified as residential structures in the NRPC GIS.
- The proposed NED pipeline would transect stratified drift aquifer resources in every town along the route in the NRPC region.
- The proposed NED pipeline would transect town-owned land in every town along the route in the NRPC region.
- There are over 200 private wells within 300-ft of the route
- There are two public drinking water wells and 13 wellhead protection areas within 300 ft. of the proposed alignment
- There are 16 Natural Heritage locations within a .25 radius of the alignment, plus the route transects two prominent and large nature preserves.
- The route makes five Designated River Crossings in the NRPC region.
- Both new and existing pipeline facilities in the region traverse areas of high population density.

- An NRPC growth model based on zoning predicts suggests that certain areas along the proposed NED route, particularly Southern Merrimack, Hudson, and Pelham, NH have a high potential to support future residential growth and development, in terms of number of new structures.
- The following table describes detailed environmental impacts in the vicinity of the NED Pipeline in more detail. [31]

Additionally, the NH Office of Energy and Planning noted that the lands permanently protected by the LCHIP program are impacted by the current route in Amherst, Mason, Try, and Richmond. These lands are held in public trust and the State law specifies that the sale, transfer, conveyance, or release of such land is prohibited, absent legislative action. [32]

{full page complex chart omitted; full report can be downloaded at: }

<http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14012838>

Environmental Impacts - Rivers as a Special Concern

- In the NRPC region, both the Lower Merrimack River and the Souhegan River are “Designated Rivers” under New Hampshire’s Rivers Protection and Management Program (RMPP) per RSA 483 [33]
- Artifacts of construction and operation of a pipeline may compel revisions of the affected rivers’ Corridor Management Plans (CMPs).
- Concerns expressed by the Lower Merrimack River Local Advisory Committee (LMRLAC) that pertain to both the Souhegan and Lower Merrimack Designated Rivers include potential river contamination with drilling fluids, gas release under the river and disruption to the river bed and shoreline, effect of riverbed and shoreline scouring on the pipeline’s structural integrity, the fact that temporary work sites will not be replanted after construction is complete, and potential restrictions on access to and use of the river. [24]
- It is clear from the literature that Horizontal Directional Drilling (HDD) provides far better environmental protection for the River Corridor than does alternate construction techniques; the most recent NED Environmental Report establishes the NED project’s intent to use HDD to cross the Merrimack and Souhegan rivers. [35]
- On the issue of Rivers, the EFAC suggests the following:
 - Clarify the timing of the release of FERC-required construction plans for water crossings
 - Request TGP’s construction process includes the use of carrier sleeves for the full-length of the HDD bore.
 - Monitor the adequacy of pig launch and exit locations to ensure the rivers have successful in-line inspections at a frequency consistent with industry best practices.
 - Facilitate emergency planning with Pennichuck Water who operates a secondary water supply in close proximity downstream from the proposed alignment.

Impact on the Orderly Development of the Region

- NH RSA 162-H:16, IV (a)-(c) compels the NH Site Evaluation Committee to determine that a project: *Will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.*[36]
- “Orderly Development” is not formerly defined under NH State Law. Under the SB99 Rulemaking a working group attempted to clarify criteria to define “orderly development” but failed to reach a consensus. [37]
- The NRPC Regional Plan highlights the problem of high electricity costs being a barrier to economic growth and suggests that the expansion of natural gas pipelines should be balanced in an energy

portfolio which includes renewables. The Plan also suggests that many residents in the region would be interested in greater access to natural gas, presumably for home and/or commercial use. At the same time, the Plan underscores that the region places high value on the preservation of natural, agricultural, recreational, and historic resources. [38]

- Planned Developments within .5 miles of proposed route include the following: [39]

Town	Planned residential subdivisions	Planned commercial or industrial developments
Wilton	none documented	Area is within Research and Office Overlay is designed to attract Research, Office, and light manufacturing activities
Amherst	16-unit affordable housing unit development abuts the route	none documented
Merrimack	none documented	four large commercial developments planned including Anheuser Busch additions, Merrimack Outlets Phase II and Pad site, and Eversource Eagle Substation
Litchfield	Hamel Ct Subdivision Map 15	none documented
Pelham	Garland Woods, 46-unit subdivision; 8-unit development on Dutton Road	Mixed Use Zoning Overlay District represents a significant percentage of remaining developable land in Pelham for large commercial projects

PLAN-NE AND GENERAL PUBLIC OPPOSITION

- PLAN-NE, of which NHPLAN is a part, is a multi-state citizen group that opposes NED. PLAN-NH is an intervenor on the NHPUC Liberty docket for approval of its “precedent agreement” with TGP. [40]
- NHPlan speculates strongly that excess NED capacity is destined for liquefaction and export, based upon Kinder-Morgan’s interests in the LNG industry. [41]
- In NH only 25% of impacted landowners have granted survey access to TGP and this percentage has been relatively stable; as some landowners have recently approved access, about an equal number have rescinded prior approvals. [42]
- FERC has indicated that the NED Pre-filing docket may set a new record for total comments filed, [43] the overwhelming majority of which are critical of or state outright opposition of the project.
- Sentiment from the public and elected official at both the Nashua and Milford FERC scoping meetings agrees with the docket filings, with testimonies in favor of the project extremely few. [44][45]

SUMMARY OF MUNICIPAL ACTIONS TO DATE

Town	Municipal Task Force Exists	Crosses any Town-Owned Land?	Actions on Permission for Survey Town Land	Expression of Board/Council Position	Regular Warrant Articles	Experts Retained
Mason	Y	Y	Explicitly denied	Board unanimously opposes Signed coalition letter	1) \$80K funding 2) Resolution of Opposition	In process
Brookline	In process	Y	Explicitly denied	Board unanimously opposes Signed coalition letter.	\$80K funding for • Env. Impact • Land appraisal	Env. experts

- Hydrological
- Legal

Milford	Y	Y	Denied, then rescinded to allow access	Opposed 4-1		
Amherst	Y	Y	Board opposes current route	Become an Intervener		
Merrimack	N	Y	Prelim v, negotiating on terms	Opposed; Signed Coalition Letter	None	<ul style="list-style-type: none"> • Drummond/Woodsum -Atty • Env. consultant for CC • Engineering consultant for Wastewater Division • Eng/Geotechnical consultant for District
Litchfield	N	Y		Opposed; Signed Coalition Letter		
Hudson	N	Y		BOS Opposed		WSE analysis of public well impacts
Pelham	N	Y		Opposed; Signed Coalition Letter		

Note: The City of Nashua has not taken any formal position on the NED project.

Federal FERC Process [46]

- FERC has extended the pre-filing Formal Comment Period to October 16, 2015.
- FERC has scheduled their final project scoping meeting in Rindge, NH on September 23, 2015.
- At this point Tennessee is expected to file their formal application with FERC on October 23, 2015. [47] The formal application ends the pre-filing period. At that point the Pre-filing Agency calls will end.
- FERC will continue to accept public comment through eComment and eFiling throughout the duration of the project.
- FERC will hold additional public meetings and accept comments on the draft Environmental Impact Statement (EIS) on a schedule TBD.
- Details on filing for Intervener Status: [48]
 - o Parties who are materially-affected by FERC decision
 - o Parties are then granted the right to challenge FERC in court.
 - o Must serve the other intervening parties in the case
 - o Deadline is 10 days following FERC’s Notice of Application; FERC allows interventions for a limited time after it releases Draft EIS.

NH Public Utilities Commission (PUC) Hearings

- In order to issue a “Certificate of Public Convenience and Necessity” FERC requires binding “Precedent Agreements” between the pipeline applicant and “Project Shippers”, These longterm agreements to ship specific quantities of gas are used as evidence of a “need” for a pipeline. Kinder Morgan/Tennessee Gas Pipeline has listed Liberty Utilities in New Hampshire as one of the “Project Shippers” for its NED project. [49]
- Public utilities require approval of their state Public Utilities Commissions before they can sign such binding Precedent Agreements. The state PUC determines whether such an agreement would be in the best interests of the consumers. In the case of Liberty Utilities, the New Hampshire Public Utilities Commission (NH PUC) is the relevant commission. [50]

- The PUC hearings on the market path component of the project concluded in early August; Pipeline Action Network (PLAN), the Office of Consumer Advocacy, and the PUC staff attorneys all stated their cases. [51] The Commission is still in deliberations and therefore the PUC decision is pending. [52][53]
- The PUC hearings on the supply path component will follow in September/October timeframe. [54]
- The NH Municipal Pipeline Coalition may intervene on hearings relative to the supply path component of the project. [55]

State of NH SEC Process [56]

- The National Gas Act likely grants federal pre-emption over authority over state-level permitting; however, FERC encourages applicants to comply with state-level energy permitting processes. [57]
- Kinder Morgan/TGP has indicated they will seek application with the NH SEC concurrently with their application to FERC.
- Once initiated, the NH SEC process will involve Pre-Application Public Information Sessions, Post-Filing Public Information Session, and Post-Filing Joint Public Hearing with other “agencies with interest.” Like FERC, the NH SEC will also accept written public comments throughout proceeding.
- Details on Become an Intervener
 - o Rights, duties, privileges, immunities or other substantial interests might be affected by the proceeding. NH CODE OF ADMINISTRATIVE RULES, SITE 202.11
 - o Interests of justice and the orderly and prompt conduct of the proceedings will not be impaired. NH CODE OF ADMINISTRATIVE RULES, SITE 202.11

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20151014-5065

**CONNECTICUT
Land Conservation Council**

October 14, 2015

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

Re: Proposed Northeast Energy Direct Project, Tennessee Gas Pipeline LIC/Kinder Morgan (FERC Docket No. PF14-22-000)

On behalf of the Connecticut Land Conservation Council (CLCC), thank you for the opportunity to submit the following comments on the above-referenced project (referenced herein as “the proposed project” or “the proposed pipeline”).

As the umbrella organization for the state’s land conservation community, CLCC works with land trusts (now numbering over 137), other conservation and advocacy organizations, government entities and land-owners to increase the pace, quality, scale and permanency of land conservation in Connecticut while assuring the perpetual, high quality stewardship of conserved lands in the state. Consistent with our mission, ensuring the permanent protection of lands valuable for conservation purposes is a priority for our organization.

It is our understanding that the route of the proposed pipeline will cross: (1) critical and highly protected public water supply watershed land near drinking water reservoirs on the property of the Metropolitan District Commission (MDC) in Hartford; (2) land owned and preserved by the Wintonbury Land Trust in Bloomfield; and (3) the New England National Scenic Trail in several locations. For the following reasons, CLCC shares the concerns raised by conservation organizations and individuals about the potential adverse impacts from the project to each of these valuable natural and recreational resources.

Impacts to Highly Protected Class I and” Watershed Lands

According to the MDC (letter dated June 26, 2015) and maps of the project area, the pipeline could potentially disturb 250+/- acres of MDC property, running 5+ miles through the Class I and Class” water company land. Pursuant to state water policy and law, such lands are protected and preserved to safeguard the quality of our state’s water resources. Accordingly, transactions involving Class I lands are severely restricted and those involving Class II lands are limited. The law furthermore provides that because these are lands

located closest to water supply sources they require a state Department of Public Health permit to transfer or change their use.

Permitting the project to move forward will serve to undercut the strict protections on these lands currently accorded under state law, not only posing a risk of adverse impacts to highly valuable water supplies, but also setting a dangerous precedent for further erosion of such laws in the future.

Impacts to the Wintonbury Land Trust's Speer Preserve

We are also concerned about the potential adverse impacts of the proposed project on the Speer Preserve in Bloomfield. Donated by private landowners and The Nature Conservancy to the Wintonbury Land Trust, this 13.9 acre preserve, featuring a mix of evergreens and hardwoods, some of which are upwards of 150 years old, is considered by the land trust as its most treasured upland preserve.

It is our understanding that the project's expansion of the existing gas right-of-way on the Speer Preserve will result in a clear cutting of a width of 90' for the entire 390' length of the Preserve, severely diminishing the existing habitat and leaving the land vulnerable to erosion and invasive - species.

Perhaps more critically, the Speer Preserve was donated with the intent that it be permanently preserved and held in public trust by the Wintonbury land Trust, a charitable land trust. Expanding the existing pipeline to the extent proposed would, at a minimum, undermine that charitable intent and the associated public purpose and trust in permanently protecting the land.

Impacts to the New England National Scenic Trail

The New England National Scenic Trail (NET) is a 215-mile hiking trail route that has been in existence for over half a century. The NET travels through 41 communities in Connecticut and Massachusetts featuring long-distance vistas, historical landmarks, and a diversity of ecosystems and natural resources. With the route of the proposed pipeline crossing the NET in several places (Bloomfield, Farmington, Simsbury and West Hartford), CLCC shares the concerns raised by the Connecticut Forest & Park Association regarding the nature and extent of disruption to the recreational and scenic purposes for which the NET was created.

For the foregoing reasons, we contend that a project of this magnitude, proposed in an area rich with protected natural, scenic and recreational resources, should be subject to the highest and most comprehensive degree of scrutiny.

Thank you for your consideration.

Very truly yours,

Amy Blaymore Paterson

Executive Director

Connecticut Land Conservation Council (CLCC)

20151014-5074

Roberta S. Echelson, West Hartford, CT.

To: FERC

From: Roberta S. Echelson

143 Haynes Road

West Hartford, CT 06117

RE: Docket #PF14-22-000

Date: October 14 2015

I stand with the West Hartford, CT Town Council in opposing FERC docket #PF14-22-000 proposed by Kinder Morgan/TGPC for a gas pipeline that would run from Granby, CT through Bloomfield and West Hartford, CT. The 5+ miles of MDC property within W. Htfd. are directly contiguous to vital public drinking water as well as invaluable public recreation and wildlife habitat areas.

The pipeline would result in major clear-cutting of wooded land adjacent to the reservoir, 1) presenting visual pollution in a natural, relatively unspoiled area widely enjoyed by the public, 2) possible erosion affecting the reservoir, wildlife, and the recreational use, and 3) the potential for serious contamination of the public water supply.

The project would also have a major negative effect on the Metacomet Trail, an integral part of the New England National Scenic Trail that includes areas of unique ecologic, historic, and geologic interest.

Kinder Morgan/TGPC's record of safety incidents and pipeline spills leads me to believe that allowing them to build a major pipeline through these valuable lands presents a substantial danger to our public drinking water as well as wildlife and the environment.

I also object to the manner in which this proposal has been handled with regard to informing the public. There has been a near-complete lack of publicly available information. Only one public hearing was held in West Hartford (10/7/2015), with less than a week's notice to the town. I received the information only one day in advance through news media, and was unable to attend due to a prior commitment. With so much at risk for so many, the lack of public information and outreach is appalling. It leads me to believe that Kinder Morgan/TGPC may be interested in keeping this project out of the public eye until it would be too late to take any action.

It also seems disingenuous that the initial environmental survey "incorrectly states that the project area is not located within any public drinking water or aquifer protection areas." according to MDC President and CEO Scott Jellison. The MDC is Central Connecticut's primary public water utility. Their concerns need to be appropriately addressed. Clearly an accurate accounting of the situation is needed for discussion and consideration.

The communities that would be majorly affected by PF14-22-000 deserve better treatment than this. The disruption, the destruction, and the threat to our resources and lifestyle are immense. And for what? We are as a country in the midst of an enormous change in our approach to energy production and use. As renewable energy technologies blossom, projects like this one present increasingly greater risk and less reward. Wreaking havoc on the environment and endangering vital resources is a long term negative representing an old-fashioned & outmoded response to our energy needs. Other than profit for the few, this project provides little in the way of benefit and a great deal of high risk for the communities affected.

20151014-5087

Zellene Sandler, Bloomfield, CT.

I am writing to strongly oppose the proposed Kinder Morgan pipeline through West Hartford and Bloomfield CT for the following reasons:

The proposed pipeline would go through the Class 1 protected watershed of the Metropolitan District Commission. This could adversely affect the drinking water of 400,000 residents.

The MDC reservoirs provide habitat for many species of birds, plants and animals. For example, the Blue-winged Warbler, a species of special concern, breeds in the unique habitat of the reservoir. A major population of this bird breeds in this location and destruction of its habitat could result in major decline of the species.

The proposed pipeline would go through the Wintonbury Land Trust's Speer Preserve. Two community wells are within close proximity. Disruption of groundwater through blasting and/or excavating could pollute our wells and render our neighborhood without potable water.

I frequently hike the Metacomet trail in this area. This national scenic trail will be affected by construction if the pipeline runs through the reservoir.

Although I am writing as an individual, I am past president of the Hartford Audubon Society, a member of the Bloomfield Conservation Committee and a hike leader for the Appalachian Mountain Club.

Thank you for the opportunity to comment.

20151014-5097

Kathryn Deane, West Hartford, CT.

I am a concerned resident in West Hartford, where the Tennessee Gas Pipeline is potentially going to be placed through our MDC reservoir, by which our town drinking water supply is located. I'd like to express my opposition to the TGPC project in its current form and request that alternative options are explored and further research conducted to ensure that this proposed project in West Hartford guarantee protection of drinking water, the impacted lands, and our West Hartford community. This company has a noted history of safety issues and spills with other projects and at the meeting in West Hartford on Oct. 7, TGPC acknowledged that it has had safety incidents and pipeline spills at sites throughout the country. This is extremely disturbing considering it will directly impact our drinking water here in West Hartford. Additionally, back in June, the MDC President and CEO Scott Jellison sent a letter to the Secretary of the Federal Energy Regulatory Commission (FERC) stating that the initial environmental survey indicates "incorrectly states that the project area is not located within any public drinking water or aquifer protection areas." This shows not only a lack of safety and awareness on the part of TGPC, but also indicates that they are not operating in an ethical manner if they are not even acknowledging the truth about the safety implications of this project. Lastly, I'd like to state that this project has been not been made public until it is almost too late for residents to understand it or express any concerns or ask questions. The fact that our town government has no legal say in the approval of something like this is highly disturbing as well. I respectfully urge you to put a hold on this project until further research can be conducted to ensure the safety of our drinking water and environment. Thank you for your consideration of this matter.

20151014-5110

Marianne Horn, Bloomfield, CT.

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)

October 14, 2015

Dear Secretary Bose:

I am a member of the Wintonbury Land Trust in Bloomfield, CT and a former legal director (retired) for the Connecticut Department of Public Health. I am writing in my capacity as a concerned citizen of Connecticut to strongly oppose the proposal by Tennessee Gas/Kinder Morgan to install a natural gas pipeline through the Class I and Class II watershed land owned by the Metropolitan District Commission (MDC). A gas pipeline installation on this land has potential to impact a high quality drinking water source. Also, granting permission for a new pipeline through this land undermines Connecticut's current protections for drinking water.

Connecticut General Statutes section 25-32 requires a change of use permit from the CT Department of Public Health for projects like this one. Furthermore, it restricts the use changes that are allowable. A proposal to install new pipeline and enlarge the permanent right-of-way, is inconsistent with the letter and intent of CGS § 25-32.

Regardless of the degree of threat posed by this particular pipeline, allowing an exception to the statute sets a dangerous precedent, paving the way for other encroachments on water supply land. Connecticut's standards for drinking water quality are second to none in the country. They are important in maintaining public health and quality of life in our state. In my role as a public health lawyer for over 22 years with the state of Connecticut, I am aware of how carefully Connecticut regulatory agencies have protected Class I and II lands. While other regions face increasing threats from contaminants in their drinking water sources,

Connecticut's protective legislation stands out as a model and should not be compromised.

As a member of Bloomfield's Wintonbury Land Trust I oppose the route proposed through the Speer Preserve. It is my understanding of the total impact of land taking for this proposed pipeline that the WLT will end up with a clear cut swath through our Speer Preserve of 90' across by 390 feet long. There must be serious consideration of the impact of defacing this old growth preserve in the FERC's determination.

I urge FERC to consider, early on, whether the entire project is necessary and the legality, safety and impact of a route through Class I and II watershed land and the Speer Preserve.

Thank you for this opportunity to comment.

Marianne Horn

20151014-5122

Kaitlyn A Qualtieri, Lynnfield, MA.

Dear Ms. Kimberly Bose,

I am writing in respect to Project Docket PF-14-22-000, the Tennessee Gas Pipeline Northeast Energy Direct (NED) Project. This project includes the Lynnfield Lateral, which will essentially run through my backyard and neighborhood alike in Lynnfield, Massachusetts.

I have significant concerns about this project such as the potential destruction through my neighborhood and those that are surrounding, the destruction of woodlands and farms and of course the safety, health and environmental risks that cannot be alleviated. Furthermore, I worry about the devastating effects on home owners and home values.

The pipeline will run near our existing electrical lines, dramatically increasing the amount of usable land which we pay very high taxes for already. Not only that, this right of way will be treated with herbicides and being so closely located to our water supply, can be so harmful to the hundreds of thousands who depend on water from the Ipswich River Water Shed. Polluted wells, polluted soil, and the spreading of toxins can easily occur through the digging and implantation in this right of way. Water quality can also be affected as blasting can disturb wells and water tables.

Kinder Morgan has a poor safety record to add as well. In 2011, Kinder Morgan was cited for a few of the following safety violations: failing to maintain updated maps showing pipeline locations, failing to inspect its' pipelines as required, failing to adequately monitor pipe's corrosion levels. Most notably, underground gas pipes can explode and spread fire quickly. In Texas from 2003 to 2014, Kinder Morgan experienced 36 significant incidents resulting in fatalities or hospitalization, fires, explosions, or spills. Throughout the United States, 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 town of Lynnfield already has the most number of gas leaks in the state per square mile. Digging up our streets is only going to make these matters worse. Explosions do happen and can happen easily.

Furthermore, what will the value of my home now be, having a high powered gas line abutting? A pipeline that could explode, whose wells and soil can be contaminated, which is also near a compressor station, (this station that is to be located on a street lined with multi-million dollar homes). Who will pay for these hazard-related illnesses as well as the devaluation of my home?

Pipeline construction and maintenance can cause property values to decrease for numerous reasons. The pipeline company is not required to restore the property to anything close to its original condition. The destruction of any curb appeal is imminent, as many trees will be removed, leaving us little if any privacy from our neighbors who live behind us. Although trees can be restored (after decades of maturation) most of the easement must be kept clear of any deep-root vegetation such as shrubs and trees.

My husband and I plan on starting our family soon, and are terrified at the thought of the retributions of this pipeline being so close to our home. Although the main argument is that the pipeline is providing a great benefit to the citizens of the Northeastern United States, the Lynnfield/Peabody Lateral is an "export pipe-

line” as opposed to being a pipeline that benefits public use. I ask that this matter be investigated thoroughly and that the true intent be revealed by Kinder Morgan, in detail. To the extent that eminent domain is taking land from property owners for public use, an export pipeline being disguised by Kinder Morgan as being for the citizens of New England is just plain wrong. Furthermore, this action would be unconstitutional under the Fifth Amendment.

Could you please review all facts and findings for this case? What Kinder Morgan is doing seems morally wrong. I am not so sure they would be selling the pipeline so vehemently if it were running through one of their properties.

Thank you very much,

Kaitlyn A. Qualtieri, Lynnfield MA.

20151014-5125

Elisa Benincaso
11 Farrar Road
Rindge, NH 03461

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

October 14, 2015

Re: Tennessee Gas Pipeline Company, LLC
Docket No. PF14-22-000
Northeast Energy Direct Project

Dear Secretary Bose,

I have been following the proposed Northeast Energy Direct project, PF14-22-000, for about a year now. I have attended five FERC scoping sessions for this project that were held in my home state of New Hampshire and in the neighboring state of Massachusetts as well. I have observed as a record number of comments, nearing 6,000, have been submitted on this docket number.

I have noticed that too many of these comments have been misfiled or assigned to incorrect states, towns, entities, etc. I have subsequently been informed that all of these comments are administrated by a third party contractor based in Australia. As it has been explained to me, there was a Texas based contractor who was initially administrating the comments on this docket number but the contract was reassigned to an Australian contractor after a request was filed under the ‘Freedom of Information Act’. Please confirm or correct me on this issue.

Numerous New Hampshire legislators and government officials have themselves made comments on docket number PF14-22-000 calling for transparency and engagement in the process. How are we to believe that our comments have any import with your commission based upon the less than stellar administration of them thus far?

I have reviewed copious comments on this docket regarding threatened watersheds, aquifers, flora and fauna. After much careful consideration, the most threatened aspect in this entire permitting process is the public trust in the FERC and the hundreds of thousands of citizens who have found that your commission may very well be yet another instance of regulatory capture.

I respectfully suggest that the denial of Kinder Morgan/TGP’s application for the Northeast Energy Direct project would be a significant first step in regaining some of the public trust that has been lost along the way.

Cordially,
Elisa Benincaso

CC:

Congresswoman Annie Kuster
Congressman Frank Guinta
Senator Jeanne Shaheen
Senator Kelly Ayotte
Executive Councillor, David Wheeler
Executive Councillor, Colin Van Ostern
Governor Maggie Hassan

20151014-5158

Steven and Niki McGettigan
PO Box 101
Temple, NH 03084

October 12, 2015

Mr. Norman C. Bay, Commissioner
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Project Docket Number PF14-22-000

Dear Chairman Bay:

We are writing to you regarding the Northeast Energy Direct (NED) pipeline being proposed by Kinder Morgan/Tennessee Gas Pipeline.

We are extremely concerned that FERC approval process is rigged in favor of the oil and gas companies that fund the commission. FERC has apparently only denied one pipeline project, ever. Citizens in New Hampshire alone have put in thousands of hours over the past months educating themselves and writing and speaking to FERC about the negative health, financial, and environmental problems this project would create. But, with a track record of approving almost all past pipeline projects, history demonstrates that FERC doesn't in all honesty weigh both sides equally. We fear that FERC will not give any real credence to all these public comments during its hearings. KM/TGP have submitted incomplete plans filled with "To Be Determined" information, yet the public comment period will close before we learn what those new TBD points will be. How is this process fair and impartial?

New Hampshire citizens are extremely frustrated with the ongoing dishonesty of Kinder Morgan/TGP officials who continue to smile and tell us that we have nothing to be concerned about, hoping we will eventually believe them if they repeat it enough. We are concerned that almost all the fracked gas this pipeline would carry would never be used in New Hampshire, but would instead be exported to Canada where it would be converted into Liquid Natural Gas and exported to European and Asian buyers at higher prices.

Yet, company officials claim there is a shortage of supply here and that our electric bills will be lower. It makes no economic sense to us that if there is a smaller supply of fracked gas remaining after having exported most of it, that the companies will sell it to us at a lower price, or that our electric rates will be lower once we start paying an additional new tariff to cover KM/TGP's costs for building this pipeline. Why aren't they paying for their project? New Hampshire is already a net exporter of electricity to the rest of New England and our state currently has several environmentally sound energy proposals on the table for hydro, wind, and solar with virtually none of the frightening long term health and environmental issues the KM/TPG fracked gas pipeline would bring.

We are extremely concerned about the noise and health hazards that the proposed 40,000 to 80,000 horse-

power compressor station would bring to our particular area. This compressor station would regularly blow off poisonous gas and toxic carcinogens into the air, all within shouting distance to our elementary school, hazardous emissions that never have to be disclosed to the public by the company. The company officials just tell us they are highly regulated and that even though they have never built a compressor station this large, they know the compressors really won't produce that much noise and that the emissions during daily operations and blow-offs are really nothing for us to worry about. We wonder why the company will have no personnel working on-site if it's so safe. If a major explosion or disaster occurs, how long will it take for the company to first realize it and then to send response crews from Texas?

It's incredulous that in America five FERC commissioners have the power to allow a for-profit company to take over hundreds of both longtime family owned and publicly conserved properties using the eminent domain process that was once strictly reserved for truly public sector projects such as interstate highways. After our state and communities have worked for decades to protect environmentally fragile lands for perpetuity, how can just five people have the power to approve a project that will forever negatively impact our lives, property, and environment all for the purpose of steering billions of dollars of profit to corporations whose leaders have repeatedly shown us they have no intentions of doing "what's right"?

We respectfully ask that you, Chairman Bay, and each commissioner of FERC conduct this project review with the utmost integrity, honesty, understanding, and empathy for those of us who do not have deep corporate pockets, but who have instead, put our hearts and souls into doing "what's right" raising our families and bettering our communities in this beautiful unspoiled part of America. We are the people will be forever negatively affected by this project.

Respectfully,

Steven and Niki McGettigan

20151014-5162

Jennifer Scillia, West Hartford, CT.

Regarding docket #PF14-22-000 Tennessee Gas Pipeline coming through Metropolitan District Commission watershed area. My concerns are simple: we are expanding the pipeline exponentially via a company that has known accidents on its record, with poor response. All of this through a large population's watershed area. My understanding is that a large number of trees would need to be cut down. There are wetlands impacted by this. Not enough concern has been given to the natural surroundings nor the potential impact on the drinking water of tens of thousands of homes.

20151014-5174

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

October 14, 2017

Re: Tennessee Gas Pipeline Company L.L.C/ Kinder Morgan
Docket No. PF14-22-000
Northeast Energy Direct Project

Secretary Bose,

I'm writing this letter to let you know that I strongly oppose the Kinder Morgan pipeline through our town of Merrimack and through the state of New Hampshire.

Report after report shows that there is no energy shortage in New Hampshire. In fact our energy prices have dropped significantly this year. NH has smart, innovative people working to be sure we don't need to rely on fossil fuels.

Report after reports shows that the gas pumped through the pipeline is not for New Hampshire, the majority of it will be exported and sent to foreign markets. To say that the people of New Hampshire will benefit from this is an untrue marketing ploy.

The proposed pipeline goes through our town well heads, I have concerns about that. One sink hole and 80% of the town will be dry. After a taste test of New Hampshire tap water last week, Merrimack Village District Water Works placed first for best public water of 17 contestants from around the state. I fear that if a pipeline goes through our water supply, we will lose this distinction as well as the town's water supply. A dry town is not a town that most people would want to move to or even continue living in.

I have a well, granted I live a few miles from the proposed pipeline but I still have concerns about whether my well will be affected by the constant blasting that will occur as a result of sinking a 30 – 36 inch pipeline in a state that is nicknamed “The Granite State.”

The current proposed pipeline path comes within 1000 of an elementary school's playground in Merrimack. As a Special Education Advocate I have great concerns about school years filled with blasting for those students who have sensory issues.

In order to place the pipeline, Kinder Morgan is going to have to cut a 71 mile swath through New Hampshire – over 4 miles of that in Merrimack. I have concerns about the wildlife, the plants, and water runoff once that many trees have been removed.

I have concerns about my neighbors who are going to have their personal property seized by a private corporation. I was at the scoping meeting in Nashua when an older man broke down in tears – he was counting on selling his house for his retirement. Who would buy a house near a pipeline? He asked the panel.

I know I wouldn't.

I'm concerned about the fact that Kinder Morgan tried to pass off outdated maps of the Merrimack route at a recent Merrimack open house. They seem to specialize in being deceitful and withholding information.

I'm concerned about leaking gas and “incidents” (read explosions.) Our town is not equipped to handle an explosion and it worries me that leaks are common and yet undetected and perhaps more importantly aren't fixed.

I worry about the quality of our air if a meter station is put in our town.

I worry about the culture of our community which will move from a rural to an industrialized town.

I am also dismayed and greatly alarmed to learn that FERC is funded by the companies it regulates. When Kinder Morgan pays your paycheck, it seems like a very pro-Kinder Morgan decision will be reached. I question the authenticity and fairness of FERC.

I have now seen at least 7 versions of the proposed pipeline through Merrimack. Every single pathway affects private home properties, town properties, town water supplies, private wells, conservation land and public streets and highways.

The town of Merrimack is too populated to put in such a devastating transfer pipeline. We have aquifers, wetlands, massive amounts of ledge, schools, neighborhoods/cul-de-sacs, historical buildings, and businesses that will all be adversely affected by this pipeline.

But perhaps the biggest reason the pipeline should not be here is because there is no documented need for this pipeline in NH.

Consider me yet another voice among many who say that the Kinder Morgan pipeline gives all of the risk to New Hampshire without any benefit (and plenty of disadvantages.) From what I can see, New Hampshire is simply being used as a highway for a private company to gain profit.

Wendy Thomas
10 Wildcat Falls Road
Merrimack NH 03054

20151014-5175

Mark Ziarnik, Hartland, CT.

I strongly urge you to prevent the Kinder Morgan/Tennessee Gas Pipeline Company from constructing a natural gas pipeline through Class I and II lands owned by the Metropolitan District Commission (MDC) in West Hartford. Allowing this pipeline to be routed through MDC lands would set a terrible precedent that would put Connecticut's drinking water sources at risk.

As President of The Hartland Land Trust and resident of Hartland Connecticut, I have a strong vested interest in this matter. Hartland is home to a substantial portion of the MDC Barkhamsted Reservoir which is the primary source of drinking water for the city of Hartford and its surrounding communities. As such, one of our top priorities is the protection of both Class I and Class II lands to ensure our reservoirs do not become contaminated. Allowing the construction of pipelines or other industrial projects within these and similar protected zones puts our state's entire drinking water protection system in jeopardy. Please do not let that happen.

20151014-5177

Kathleen Gauvin, New Ipswich, NH.

Part 1 of 2 Filed for Will MacPhee, my grandson, as he asked me to handle this for him.

Dear Governor Hassan,

My name is Will MacPhee. I was born in Temple, NH and eventually ended up living in Peterborough, NH from the seventh grade through the end of high school. My family currently resides there, with my sister Allie a junior in high school, as I attend Harvard College in Cambridge, Massachusetts. I am extraordinarily honored to be one of the few representatives of our fine state at this institution.

For me, it has always been not just a fine state but a great state. New Hampshire is the quintessential place in which one would want to safely raise a family. The high sense of security that even causes some to leave their cars and doors unlocked, the wonderful sense of community that resonates in neighborhoods, and the beautiful diversity of summer, autumn, winter, and spring cause many to see New Hampshire as a wonderful home.

But there's this problem. The people of our state are being threatened by an alien entity, an alien entity that seeks corporate profit at the expense of ordinary people. The Kinder Morgan/Tennessee Gas pipeline that is set to snake through southern New Hampshire is this entity. Naturally, as a corporation in our industrialist, consumerist, and capitalist society, Kinder Morgan/Tennessee Gas is seeking to make a profit by supplying a service to the greater people of this planet. In doing so on American, and specifically New Hampshire land, it is supposedly true they would be supporting our domestic economy. Furthermore, you specifically have claimed that our state needs more fuel, notably in the form of natural gas .

However, it seems clear that this natural gas provided by the Kinder Morgan/Tennessee Gas Northeast Energy Direct pipeline would be benefitting other areas much more than it would be benefitting New Hampshire. And particularly, it would be benefitting the people inhabiting the lands most affected by the pipeline even less.

In an 1859 speech at Cincinnati, Ohio, Abraham Lincoln proclaimed that slavery was wrong, "morally and politically". This plain declaration made the moral wrong parallel with the political wrong. This parallel was a necessary step in the elimination of slavery. Slavery was such an ingrained aspect of southern culture that it seemed impractical, perhaps even impossible, to eradicate. Politically, economically, and socially it was an extremely daunting task, and still today the problem has not been solved completely. But when Lincoln decided to boldly put this political issue on moral grounds, just as Senator Gene McCarthy did with the Vietnam War in his 1968 presidential campaign, the conversation changed. People became empowered to not just see an evil in our world but to seek change, regardless of how politically and economically difficult, how politically and economically impossible, it may have seemed. This process of putting politics on a moral level is beautiful to me.

So, I continually hope we can solve these moral problems in the political sphere, but time and time again find flaws in our society that we avoid fixing. A common flaw I observe is how we seem to often value corporations over people. This flaw was evident in the Citizens United vs. FEC Supreme Court case (2010) that ruled corporations may donate unlimited funds to support political campaigns due to their right to free speech, thus overpowering the true free speech of citizens. This flaw is evident in the horrid ways factory workers are treated and paid as corporate executives rake gluttonous profits. This flaw is evident, finally, in our pressing issue of the Northeast Energy Direct pipeline that is invading the homeland of many New Hampshire citizens, people whose homes will be desecrated in the name of corporate freedom.

As someone who will probably end up majoring in Computer Science, Applied Mathematics, Economics, or Physics, I am generally all about the analysis of numbers. I could go into detail with numbers that display why I strongly dislike the pipeline project in southern New Hampshire, but I'd rather focus on a couple personal situations instead.

My great grandmother lives in New Ipswich, as she has since the 1930s. Her home is a house where she spent 60-odd wonderful years with her husband and is just down the street from where she was raised during World War II. In this house, she has raised four children and hosted many grandchildren and great grandchildren in their youth. I remember kindergarten days when I'd be in her living room playing with her special blocks and I'd suddenly hear the rumbling of a truck coming down the road. I'd sprint over to the picture window and boost my eyes over the sill, without an inch to spare. It would be a plain old Waste Management truck, but it would mean so much more to me – it displayed their logo that conveyed my very own initials. Now I sometimes contentedly sit in Nana's living room, looking at that window, and smile as I recall these passed times. They are an essential part of me, these moments with family; they are what got me to where I am now. Many of these moments with family occurred in that house. Many more occurred nearby.

20151014-5178

Kathleen Gauvin, New Ipswich, NH.

Part 3 of 3

with its even more famous beaches and cultural life.

Hopefully, I won't need to look outside of New Hampshire. Hopefully, Peterborough, the Monadnock Region, and New Hampshire as a whole will retain its beautiful image of community and prosperity surrounded by the leaves of peak foliage. Hopefully they will retain the images that draw my two Californian suitmates to a New England college like Harvard – the image of auburn and crimson leaves settled on a green yard, the image of a fluffy quilt of snow covering the steps of our redbrick library. They were not drawn by the image of muddy snow scraped into an icy pile alongside Massachusetts Avenue with its blue industrial salt providing an alien color. Nor one of the brown, polluted Charles River running nearby amongst the eternal smell of sewer, nor one of the snakes of smoke rising in the background above the city, nor one of the trash that litters the Yard.

Please keep New Hampshire New Hampshire.

Please stop the pipeline.

Thank you ever so sincerely for all you do in service to our citizens and state. I am extraordinarily grateful.

With best regards,

Will MacPhee

20151014-5179

Town Council of West Hartford, CT, West Hartford, CT.

On October 13, 2015 the Town Council of West Hartford, Connecticut adopted the following resolution.

By request of the Town Council, the verbatim minutes of their debate will also be transmitted as a separate

eComment.

RESOLUTION OPPOSING TENNESSEE GAS PIPELINE COMPANY PROPOSAL

WHEREAS, the Tennessee Gas Pipeline Company (“TGPC”), a subsidiary of Kinder Morgan Energy Partners, has proposed the expansion of a gas pipeline in response to increased demand for natural gas in Connecticut; and

WHEREAS, the proposed project includes 14.8 miles of pipeline from East Granby to Farmington, including 5.7 miles routed through Metropolitan District Commission property; and

WHEREAS, TGPC hosted a public forum on the project in West Hartford on October 7, 2015; and

WHEREAS, TGPC acknowledged that it has had safety incidents and pipeline spills at sites throughout the country; and

WHEREAS, TGPC representatives expressed that the project can be implemented without impacting local wildlife, recreation areas and watersheds for drinking water, among other concerns; and

WHEREAS, many members of the public have expressed skepticism about the project, including representatives of the Metropolitan District Commission (“MDC”), Connecticut Sierra Club and the Connecticut Forest and Park Association; and

WHEREAS, members of the West Hartford Town Council share similar concerns about the potential impact of the project and whether TGPC has performed adequate due diligence, including exploring the possibility of alternative locations that do not impact Class 1 and 2 watershed lands; and

WHEREAS, local municipalities, including West Hartford, have very limited zoning oversight with respect to this project, with the project only requiring wetland approval from the West Hartford Town Plan and Zoning Commission, meaning that the project will never be subject to review by the West Hartford Town Council; and

WHEREAS, the proposal will be officially filed with the Federal Energy Regulatory Commission (“FERC”) within the next few months, and FERC is accepting public comments on the proposal until October 16, 2015.

NOW, THEREFORE, BE IT RESOLVED, that the West Hartford Town Council hereby expresses its opposition to the TGPC project in its current form and requests that TGPC representatives explore alternative options and conduct further research to ensure that this and any other proposed project in West Hartford guarantee protection of drinking water, the impacted lands and our West Hartford community.

BE IT FURTHER RESOLVED that this resolution be communicated to TGPC, Kinder Morgan Energy Partners, FERC, MDC, the Connecticut Congressional delegation and the Office of the Governor.

Certified true copy adopted by the Town Council of

West Hartford at its meeting on October 13, 2015.

Which remains unchanged and in effect as of this date.

/s/Essie Labrot
Town Clerk

20151014-5224

TO: Federal Energy Regulatory Commission

RE: Tennessee Gas Pipeline Company, L.L.C./Kinder Morgan, Docket No. PF 14.22.000, Northeast Energy Direct Project (NED)

DATE: October 14th, 2015

We support our Merrimack, NH Town Council’s opposition of proposed Northeast Energy Direct (NED) pipeline project. While Kinder Morgan has repeatedly asserted that the NED pipeline “could” ultimately save New Hampshire and New England residents billions of dollars in energy costs, we firmly believe

the adverse impact of any such pipeline, including its construction, its compressor stations, the products it would be used to transport (including its overwhelming volume capacity), and its long-term structural integrity far outweigh any existing or long-term energy needs the state or the region may have or purported benefits it may bring to our community.

FERC has been and will no doubt continue to be in receipt of commentary and data regarding the broad range of impacts the proposed NED pipeline stands to have upon southern NH communities, business and private property owners, natural resources such as wildlife, water resources including those for human consumption, nature preserves and landscape impacts due to the necessary clearing of trees, etc. Locally, we applaud the on-going efforts our Merrimack Town Council, Conservation Commission, Village District (water), and related local governing entities have tirelessly undertaken attempting to communicate transparently and factually with Kinder Morgan. Unfortunately, following our Town Council's recent public hearing with representatives from their firm on October 8th, 2015, it has become crystal clear that it is not Kinder Morgan's practice to cooperate in kind, and instead operates solely in its own self-serving interests.

We were shocked and dismayed, as were most attendees, when Kinder Morgan presented themselves at the aforementioned meeting, which was purposely designed to discuss recent modifications to re-route the NED pipeline through our community, by displaying a map with even further modifications to the route; modifications to which no one in the room besides themselves had been privy. Their explanation, naturally, was that the route planning process is fluid and will continue to be so even as they move into formal project filing during the 4th quarter, but as the already extended comment period for the pre-filing process draws to a close (October 16th, 2015), how are well-intended entities such as our Town Council and similar governing bodies supposed to coherently respond, much less conduct a meeting, when they are essentially tasked with nailing Jell-O to a tree? Never mind newly affected businesses and private landowners who, once again, have been unwittingly placed at a tremendous disadvantage in terms of becoming informed to where they can sufficiently address their interests in a timely manner regarding this constantly changing proposition.

In 2012/13, the Town of Merrimack engaged in drafting its latest Master Plan, as required once every 10 years by NH RSA. Formally adopted in early 2014, it now seems unfortunate this document had to be crafted prior to any insight into the challenge currently laid before us in the form of the proposed NED pipeline. NED certainly would have become part of the dialogue during the drafting process, and perhaps even a consideration which impacted certain outcomes in the final report. We can only begin to hope that parties from Kinder Morgan and FERC take time to review public documents like Merrimack's Town Master Plan, as the components comprising it are extensive and were not undertaken lightly. In fact, they were quite intentional and purposeful. As detailed in the opening Community Vision (1.1) and Land Use and Community Design Goals (1.2), Merrimack does, indeed, cherish its rural character, provide an excellent environment in which to raise a family, encourage proper balance between residential, commercial and industrial development while protecting historic, environmental, and rural interests, and seeks to protect existing residential neighborhoods, among other things. In 2013, the year the Master Plan reached its final draft, Merrimack was listed as #23 on CNN Money Magazine's list of the best places to live in the United States--a concept to which the community remains committed.

That said, Merrimack is a unique New England community; one that has more than quadrupled in size since the 1960s. Now the eighth largest municipality in NH, we are still ultimately a bedroom community nestled between NH's largest cities (Manchester to the north and Nashua to the south); one which does not have a traditional downtown area or town center. We are largely residential (41% + 3% of land for single and multi-family residential use, as per Master Plan Figure 2-1), therefore heavily reliant upon the economic base we do have situated on existing commercial, industrial, and mixed use zoning areas (less than 12 % combined, as per Master Plan Figure 2-1). This balance is focused largely along the Daniel Webster Highway corridor through town, as well as the length of Continental Boulevard and its adjoining juncture along Highway 101A, the latter of which the NED pipeline is presently proposed to almost entirely traverse. This stands to impact a major portion of Merrimack's largest business entities and employers, including but not

limited to PC Connection, Home Depot, Fidelity Investments, the Merrimack Premium Outlets, Elbit Systems, Anheuser-Busch InBev, as well as countless other smaller businesses and some residential areas. If so much as one of these large commercial or corporate entities were to become sufficiently alienated by the proposition, much less the construction of the NED pipeline, to the point of reconsidering their commitment to Merrimack resulting in departure, the negative economic impact to the Town, its residents and its property owners would easily become far-reaching and perhaps long-lasting.

While it is true Kinder Morgan has recently exercised to consult with several large businesses such as Fidelity Investments, the Merrimack Premium Outlets and Anheuser-Busch InBev in an effort to amenably relocate the proposed pipeline within and/or adjacent to those properties, that which is “preferable” is not necessarily desirable so much as it is the lesser of evils. Anheuser-Busch InBev is not only a long-standing, major local employer with potential plans to expand, they are also a tourist attraction, being home to only one of two US locations housing their iconic Clydesdale horses. Yet every re-route thus far proposed by Kinder Morgan seems fixated on crossing the Merrimack River via that industrial parcel for unknown reasons. New re-routing efforts publicly presented October 8th across the Fidelity Investments campus may lessen the project’s impact to that firm’s existing and potential future structures, but in no way lessens the impact to the adjacent 3-acre parcel of property owned by the Merrimack School District; a parcel which Merrimack voters approved to transfer to the Town in November 2009 for the express purpose of building a much-needed larger south fire station. In its current form, the proposed pipeline route would completely preclude construction there, and ultimately would require taxpayers to find and fund another parcel for south station—a station which would surely prove essential in the event of an accident, leak, or incident with the pipeline along that corridor.

It is further distressing that Kinder Morgan--by its own admission--is neither in the natural gas nor energy business--only in the transmission of such products--therefore they do not have direct impact on such energy costs, yet they continue to speak openly of the cost savings the NED pipeline stands to bring consumers. While their statements may be based upon experience, they cannot guarantee NH or New England residents any resulting energy cost-savings in either the short or long term, or even that transported product will remain in New England, meanwhile the expense of this proposed project stands to be incurred by consumers via their energy bills. While our household is presently a consumer of natural gas, we firmly believe endeavors designed to meet existing and future energy needs for NH and New England should be focused on clean and renewable resources. We further find it concerning that Kinder Morgan has publicly stated that, once constructed, the NED pipeline, while initially intended for the transmission of natural gas, could someday be repurposed (Merrimack public hearing, March 26th, 2015); a statement their representation managed to contradict on October 8th, acknowledging that the “writing is on the wall” regarding fossil fuels like natural gas, offering up that future repurposing of such a pipeline would almost certainly be cost prohibitive anyway. If they themselves foresee the long-term viability of natural gas use as relatively limited, NH residents and officials must inherently question Kinder Morgan’s motivation behind this project.

In short, we strenuously oppose the NED pipeline either through our community, our state or frankly any other, and believe the greater good would be served by seeking long-term solutions vested in clean and renewable energy sources. Thus far, the pre-filing process alone for this proposed pipeline has cost our community representatives and those of many neighboring southern NH communities untold amounts of time and energy, our taxpayers and property owners their hard-earned money, and has created a palatable level of stress because the onus seems to be on the unwitting residents impacted by this proposed project to provide testimony, documentation and cooperation rather than upon Kinder Morgan to conduct adequate due diligence and research in advance, much less cooperate professionally with local officials. As of October 8th, the concept of trust over this project proposal has largely gone out the window in Merrimack, NH. We do not wish to pay to become a transmission corridor which “could” potentially save money on energy bills, but will certainly cost us dearly in other respects, even though it stands to make billions for entities like Kinder Morgan and the energy industry. Although on October 8th Kinder Morgan representatives publicly maintained they are not trying to ram their proposal down anyone’s throat, as far as those NH citizens pres-

ent during that meeting were concerned, nothing could be further from the truth.

Thank you for your time and consideration.

Respectfully,

Gerald B. & Tracy L. Bull & family
Merrimack, NH

20151014-5231

Elizabeth Forrest, West Hartford, CT.

I have a few concerns over the Northeast Expansion Pipeline that Kinder Morgan/TN Gas is constructing in our town of West Hartford, CT. My main concern is that this pipeline (which will increase capacity by 200%) runs right in our drinking water supply watershed -- literally feet away in some places. This new pipeline would also directly permanently create a much wider treeless swath that coincides with several stretches of the recreational Metacomet trail. In addition to losing trees, it affects the local bird population, especially the Blue Warbler. Additionally, Kinder Morgan pipelines have a history of leaks which can affect our drinking water -- and isn't it true that fracked gas has a much greater likelihood of leakage than liquid NG? Since the big driver appears to be money, as can be construed by Kinder Morgan choosing this path, alongside a current pipeline, I worry that they will cut other corners when it comes to environmental safety. It came out at the public meeting that Kinder Morgan failed to report to the Federal Energy Regulatory Commission that this project goes through a public drinking water watershed/ reservoir area - MDC ACTUALLY CALLED THEM OUT ON THIS. One of the attendees presented a 30 page list of incident reports attributed to Kinder Morgan! This really doesn't bode well for the future of our town, state, etc if it goes through as proposed.

20151014-5264

{skip to end of 20151014-5264}

TOWN OF ERVING

Board of Health

12 East Main Street

ERVING, MASSACHUSETTS 01344

Tel. 413-422-2800 Fax. 413-422-2808

boh@erving-ma.org

Cyd Scott, Chair
Michael J. Gralenski
Leo Parent, Jr.

July 15, 2015

Mr. Jon Gavin

Agent, Tennessee Gas Pipeline Co., LLC The NLS Group

1616 Suffield Street

Agawam, MA 01001

Mr. Allen Fore

Vice President, Public Affairs

Kinder Morgan Energy Partners

8 Anngina Drive

Enfield, CT 06082

Dear Mr. Gavin and Mr. Fore,

Please be advised that, on June 2, 2015, the Erving Board of Health voted unanimously to hold an open meeting regarding immediate health concerns and long term health impacts to the residents of Erving, regarding the proposed High Pressure gas line and Compressor Station Kinder Morgan/Tennessee Gas Pipeline Co. plan to operate within Erving and close proximity lands in Northfield MA.

You are asked to adhere to this decision, and we respectfully request that Kinder Morgan appear before us

on Thursday, September 24, 2015 at 7 p.m., for a public hearing at the Erving Senior/Community Center, 1 Care Driver, Erving, MA. To confirm that you will appear at this meeting, please contact Betsy Sicard Board of Health Clerk at 413 4222800 X 101.

The format for this meeting will be as follows:

- An opportunity for Kinder Morgan representatives to present information on this project as it relates to the health and the science around and studies on carcinogens and toxic output, noise, spills and odor complaints from the proposed High Pressure gas line and Compressor Station.
- Questions and comments for Kinder Morgan representatives from members of Erving's Board of Health.
- Questions and comments from any Erving and Northfield resident, who wishes to speak that evening.
- In advance of this meeting, the Erving Board of Health would also like to request from you GIS data associated with the proposed pipeline route through our town and Northfield.
- Any material data sheets on toxic disbursements. Location map of Compressor station and proximity to Erving.
- Lists of any and all gas, releases, time, duration, amount of disbursements and impacts to air quality, within 7 miles.

Sincerely,

Erving Board of Health

Cc:

U.S. Senator Elizabeth Warren
U.S Senator Edward Markey
U.S. Congressman James P. McGovern
State Senator Stanley C. Rosenberg
State Rep. Susannah Whipps Lee
Northfield Board of Health
The Recorder
The Montague Reporter

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September 2,2015

Via Certified & First Class Mail

Town of Erving Board of Health
12 East Main Street
Erving, Massachusetts 01344

Donna L. MacNicol, Esq.
393 Main Street
P.O. Box 471
Greenfield, Massachusetts 01302

Re: Board of Health June 17,2015 Letter

To Whom It May Concern:

This firm represents Tennessee Gas Pipeline Company, L.L.C. ("Tennessee") in connection with the portion of the proposed Northeast Energy Direct Project (the "NED Project") located in Massachusetts. I am writ-

ing in response to your July 17,2015 letter to Tennessee. We have been attempting to set up a meeting with your Town Counsel to discuss the contents of your July 17,2015 letter but have not been able to schedule a meeting as of the date of this letter. We are hopeful that after you have reviewed this letter, we can discuss the issues raised herein with you and/or Town Counsel.[1]

The Federal Energy Regulatory Commission (“FERC”) will be the government agency responsible for reviewing Tennessee’s application for a certificate of public convenience and necessity to construct the NED Project located in Massachusetts. As part of the review process, FERC will, inter alia, evaluate the proposed siting of the pipeline and the proposed construction methodology.

It is Tennessee’s position that the Town of Erving Board of Health lacks authority to issue health regulations concerning the siting or construction of the NED Project, a federally regulated natural gas pipeline project. Under the authority vested in FERC by the Natural Gas Act, 15 U.S.C. § 717 et seq., the federal government through FERC maintains “exclusive jurisdiction over the transportation and sale of natural gas in interstate commerce for resale.” *Schneidewind v. ANR Pipeline Co.*, 485 U.S. 293, 300-01 (1988). FERC exercises this jurisdiction through the permitting authority vested to it by Congress, including the requirement that a petitioner obtain a certificate of public convenience and necessity prior to commencing construction of facilities in connection with an interstate natural gas pipeline. 15 U.S.C. § 717f(c)(1)(A). Multiple state and federal courts have held that state and local government regulations concerning siting or construction of an interstate pipeline are preempted because jurisdiction is exclusively occupied by FERC’s permitting authority. See, e.g., *Islander E. Pipeline Co. v. Blumenthal*, 478 F. Supp. 2d 289,294 (D. Conn. 2007), quoting *Nat ‘I Fuel Gas Supply Corp. v. Pub. Servo Comm ‘n of the State of NY*, 894 F .2d 571, 579 (2d Cir. 1990) (“Because FERC has authority to consider environmental issues, states may not engage in concurrent site-specific environmental review”); *N Nat. Gas Co. v. Munns*, 254 F. Supp. 2d 1103, 1110 (S.D. Iowa 2003) (“The breadth of [federal statutes and regulations governing environmental and land use issues], when combined with extensive safety regulations applicable to pipeline construction, compel the conclusion that Congress has occupied the field of interstate gas pipeline regulation, including land maintenance and restoration standards”).

The FERC permitting process facilitates state and local authorities raising concerns about a proposed project. As such, the Town of Erving and its citizens may participate in the FERC review of the proposed NED Project during the pre-filing process and the certificate application process by, inter alia, submitting comments to FERC and attending open houses conducted by Tennessee and scoping meetings conducted by the agency. We encourage the Town of Erving to raise any concerns it may have regarding the NED Project with FERC.

Additionally, to the extent the siting and construction of the NED Project is not within the exclusive jurisdiction of FERC, it is Tennessee’s position that Erving does not have authority to issue health regulations concerning the siting and construction of the NED Project because Chapter 164 expressly delegates the regulation of natural gas pipelines to the Department of Public Utilities (“DPU”). See G.L. c 164, § 1 et seq. Municipalities such as the Town may only adopt local ordinances to exercise “any power or function which the [Legislature] has the power to confer upon it, which is not inconsistent with the constitution or the laws enacted by the [Legislature] in conformity with the powers reserved to the [Legislature] by [Section 8 of the Home Rule Amendment].” *Town of Wendell v. Attorney Gen.*, 394 Mass. 518,523 (1985) (internal notations omitted). See also G.L. c. 43B, § 13 (“Nothing in this section shall be construed to permit any city or town ... to exercise any power or function which is inconsistent with any general law enacted by [the Legislature] ...”). The Legislature has delegated to DPU the authority and responsibility to regulate and oversee natural gas pipeline companies, to the extent that regulation is not within the exclusive jurisdiction of federal authorities. G.L. C. 164 §§ 72, 75C, 75D. See also *Boston Edison CO. V. Town of Bedford*, 444 Mass. 775, 781 (2005) (“We have stated that the purpose of [Chapter 164] ... is to ensure uniform and efficient utility services to the public. We have also concluded that, given the comprehensive nature of [Chapter 164], the Legislature intended to preempt local entities from enacting legislation in this area.”) (internal citations and quotations omitted).

Lastly, the Board of Health does not have authority to issue an order concerning the siting or construction of natural gas pipelines under G.L. c III, §§ 31 or 143. Section 31 only permits a Health Board to issue “reasonable health regulations,” not to make siting decisions of infrastructure projects, much less infrastructure projects that reach beyond a municipality’s geographic reach. Similarly, Section 143 only permits a Health Board to assign trades or occupations to a particular site, or prohibit them entirely. Section 143 does not permit a Health Board to make siting decisions of infrastructure projects that reach beyond a municipality’s geographic reach.

In light of the foregoing, Tennessee is electing not to participate in the pipeline hearing scheduled for September 24, 2015 and expressly reserves all of its rights. Tennessee certainly encourages the Town of Erving and its citizens to participate in the FERC process and to provide its input through that interactive deliberative process. Tennessee is available to discuss the NED Project with town officials or appear at an informational town meeting and I would appreciate the opportunity to meet with your Town Counsel prior to the scheduled September 24th hearing.

Please feel free to call me.should you have any questions.

[1] This letter is not intended to comprehensively address the grounds set forth herein, or to identify all of the reasons Tennessee contends that the Town of Erving Board of Health may not regulate the siting and construction of the NED Project. Tennessee reserves all rights and remedies to set forth additional grounds and reasons.

Sincerely,

James L. Messenger

cc: Randall Pais, Esquire

TOWN OF ERVING TOWN MEETING
Thursday, September 24, 2015 at 7:04 p.m.
One Care Drive
Erving, Massachusetts

Reported by: Jennifer A. Doherty, CSR
REAL TIME COURT REPORTING

Springfield:

One Monarch Place
414 Main Street, 11th
Floor
Springfield, MA 01144

Worcester:

Hammond Street
Worcester, MA 01610
P: 508-767-1157

APPEARANCES

SPEAKERS:

Cyd Scott
Rosemary Wessel
Curtis Norgaard, M.D.
Ariel Elan
Bill Bembury, Selectman
David Brule, Conservation Commission

PROCEEDINGS

(Video demonstration.)

MR. SCOTT: As we’re looking at that scene that you just saw is the technology used to put the pipe under

the rivers. That particular pipe -- these are done out in the Midwest. This is a company video. There's your swah and the flat land, so that's the amount of space they're going to be looking at.

There is also an access road on the side that as you can see. So this is them in the process. Obviously this is after they've been approved by FERC. They obviously commenced to digging. And then this large capacity pipeline that we're talking about. There's the welder guys that show up and pick it. So this gives an idea.

Now, the diameters change, right, so as we hit ledge, they'll go wider. As we hit water and we have the land area, they go wider. It will depend on the parameters that FERC sets for them and in accordance answer with how the project is determined in the environmental impact statement. We'll come up with all of that.

You can see the access. They need to still lay that pipe in a real flat area. So my plan was to kind of show, like I said, ten minutes of video. Hopefully we'll get the conversation kind of started at least if we can ask the questions. If we watch the video and it comes up with a question and we ask the question here on the record. The Board of Health thought it will be a great opportunity to get that sent to FERC you as citizens of the town are being impacted by this specific project are the ones that need to be heard by FERC.

A lot of people didn't go on-line. A lot of them people didn't have the opportunity to go to a meeting. I figured I would take it upon the Board of Health shoulders to do our job and basically inform you as best we could.

Could you look up Titan 250 compressor?

As I searched around trying to find information on out-gassing, blowdowns, all the stuff that the Board of Health is concerned about, I came across and was just looking at these videos. There's a hundred of them. Most of them are really long, especially watching blowdowns. It's too long for me to watch.

What I did find is the Titan 250 compressor station. The Titan is what is proposed for Northfield. That is the model. These guys are very proud. I was pointing out to somebody today that it's probably the best device ever devised by man to move liquefied natural gas from one place to another. It's an amazing machine. Is it a machine you necessarily want in your backyard.

So this is their sale video to industry professionals to hopefully -- that's the inside of it.

(Video demonstration.)

That's the inside of the building. That's the outside or some of the outside. I would like you to hear this gentleman speak so you're getting an idea of the size of the compressor station.

Now, the compressor station obviously is a unique compressor station in that it's also a power generating station, so it's not just a compressor station. They actually make a model, it sounds like from what I've done my research on, that they made a model that actually is just a power station. So it's kind of a unique and interesting machine. I wish I could show you a little more. Has everyone seen a blowdown?

AUDIENCE MEMBER: No.

MR. SCOTT: Let's go back into basic YouTube. This is about a minute video.

(Video demonstration.)

MR. SCOTT: You get an idea of how loud it is going to be. We didn't touch the volume. We need to turn it down.

As the pipelines move liquefied natural gas through the pipeline, there's all sorts of chemicals from the fracking process. There are chemicals that are actually leached out of the ground. Naturally occurring chemical that has been studied is radon. Radon is naturally occurring in the ground pulling out of the ground, and the natural gas starts to accumulate.

So what happens is what better place than where you're building up a lot of pressure to let it all accumulate. Some of them are unknown. They're proprietary chemicals used in the extraction process of the

natural gas, and we're not allowed to know what they are because they're trade secrets.

We don't know what those chemicals are. We do know that the Titan measures its out-gassing in a yearly operating procedure in tons of gas. So the CO₂s are in the realm of 380 tons per year, just CO₂. Then the list goes down through carcinogens of certain sizes of five microns and larger or 2.5 microns or smaller, which are very, very dangerous. They're really, really small.

As the Board of Health, right? We are here in Erving and the things may not even be in our town. Kinder Morgan told us that. It was not going to be in your town. That's one of the reasons we're not talking to you.

The air is the air, right? What is in the air in Northfield is in the air in Erving, so that's a silly kind of argument, but I really want them to say, Hey, there's nothing to worry about. Check out the signs behind these compressor stations, and they blew me off, so I had to do my own research, and the more I did I saw blowdowns and started to do research on what was coming out of these things.

The list is massive. I can't pronounce most of the names and as soon as that happens, it scares me a little bit. I run into brick walls. And I made the joke today to Curt.

Do you want to see if Curt is home on Skype?

MS. WESSEL: When Kinder Morgan came with all the guys in blue shirts at JCC. Maybe a year or so ago we asked the question specifically, What's coming out of there? How much? And they said, Oh, it's within federal limits.

MR. SCOTT: Right, and here is the interesting thing. When I first got on the conservation commission, I had my role mixed up, and I contacted -- not to pick on Erving Paper, but I was new to town and I thought it was really nasty smelling and I really wanted to know why it smelled like it did, and I kind of pushed my way up into the offices in Boston by phone using -- I'm a conservation person, and I think they humored me and let me talk to them, and they basically said, We have three sniffer trucks in the state of Massachusetts that's smelly air.

I'm not picking on Erving Paper. It turned out to actually not be Erving Paper. So I thought it was them. They said, Here's the deal. You call up Erving Paper and you say, Hey, I want to test your smoke-stack. They get 72 hour's notice to say whether they let you on their property or not.

If they decide to, wouldn't they clean up their act? Then on that three days, you come in and put your thing in their smokestack and you test what is coming out of the smokestack for a day or whatever. Then you bring that science back to the lab and analyze it. You say, Okay, these 15 carcinogens came out.

Now you got to come back to the air in Erving. Now we got to suck some air up and test that air. Then I got to prove that those particles are the same particles that came out of the smokestack when they could easily have somebody argue it was Rodney Hunt. It's not us. It's the factory right down the road. The wind is blowing.

So when you come up against the federally -- I hate it pick sides on this whole thing, but I feel like federally bulldozed project we don't have any say, and they pull it away from you. It's almost like the carrot. Hey, can you give us some comments? Can you be involved?

Then you go, Yeah, we want to know. Then they go, Wait, no. I feel like the tobacco industries. It's like, What's coming out of them? Well. Keep the balls in the air.

So when I did the research on the Titan -- the Titan runs in different ways, so that's depending on cubic feet of gas per minute. So if it's 8 billion cubic feet of gas per minute that travels down the line, then X number of carcinogens are going to drop out, theoretically. Then X number of carcinogens would be out-gassed, theoretically, at a certain interval. Right? But you're never going to run at full capacity, so now we're going to run it at half capacity. Now we're running at a quarter.

So never will you get accurate, 100 percent science because never is the whole system going to be run-

ning at 100 percent or 30 percent or 40 percent all the time. It's going to be variable. That's when you get into the whole lot of ball of wax dealing with the Nescos of the world. So they're kind of controlling who is generating what and how much power.

MS. WESSEL: The point I want to make is Senator Rosenberg at the last hearing listened carefully and I respect him, but he was not going to focus so much on health and safety. He said the most important thing to prove is no need.

MR. SCOTT: Right, and I get that argument, and here's why. If you can nip it at the bud, so that's where he's like, why fight health impact, because that's sort of giving in? Let's say there is absolutely no need for it and stop it before it's built. I get that. I totally get that. That's why I think many of us have to attack this bohemia. What was of the old Arabic saying? "Death by a thousand cuts." I'm totally fine with that, and that's the way it has to be, because you just keep slicing away at this big monster that's rolling through your town that isn't going to listen, and that's when I get upset because I felt like we didn't demanded anything of Kinder Morgan.

They didn't have to send their spokesperson, maybe just a couple of scientists. I can't find the scientists. I spent weeks on the phone. I talked to UMass in Worcester and in Amherst and I can't find a scientist one way or the other to say it's really good or really bad. The science is inconclusive.

We were able to get Curt here. What I said just recently to you in the past few minutes that him and I talked about today, and it's one of those things that someone like him -- he had an issue. I knew that he's a resident, an on-call resident pediatrician on-call at Boston City Hospital. It's highly possible he got called in to work.

AUDIENCE MEMBER: He's on-line.

MR. SCOTT: Great. Why don't you dial him?

(Curtis Nordgaard, M.D. attends via Skype.)

MR. SCOTT: We have a small crowd here, but we have an enthusiastic crowd. We were talking and the question was, What comes out of one of those blowdowns?

DR. NORGAARD: Have you answered that question already?

MR. SCOTT: No. You're just in time. First of all, just for the record, because we have a stenographer here, can you introduce yourself and give us your credentials and then kind of move into what comes out of the compressor?

DR. NORDGAARD: My name is Curt Nordgaard. I'm nearing the end of my training as a pediatrician at Boston Children's Hospital and Boston Medical Center. I have a medical degree and Master's degrees in biology and psychology, and I'm here to help us talk about the possible health consequences of compressor station emissions.

So in Massachusetts we have a state law which is similar to the Freedom of Information Act, and through that we can request the records from the Department of Environmental Protection, and I did that and requested the records relating to emissions from the Hopkinton compressor station.

And so what I do know is that these stations, simply looking at that, they release carbon monoxide, ammonia, nitrogen oxide, sulfur oxides, particulate matter and something called.

AUDIENCE MEMBER: We can't hear him.

MR. SCOTT: Volume better now?

AUDIENCE MEMBER: Yes.

DR. NORDGAARD: So I was able to obtain records from the Massachusetts Department of Environmental Protection, and they reported that the compressor in existing compressor stations in Hopkinton on another Kinder Morgan pipeline releases carbon dioxide, ammonia, nitrogen oxide, sulfur oxides, particulate matter, and volatile organic compounds.

So what I've been doing since I learned about those emissions are studying a couple of them in particular. Particulate matter, volatile organic compounds and to a lesser extent nitrogen oxides, they all have implications for health, but those are the ones that I think there's a lot of data on, and particulate matter is especially something that I'm working to measure from existing compressor stations.

So I'm happy to either talk about those things or anyone has specific questions about those emissions, I can answer them.

MR. SCOTT: Is there a specific question? I know one person had signed up to speak. Do you have a question.

AUDIENCE MEMBER: He's answering it right now.

DR. NORDGAARD: Let me start by addressing the question of how much of these pollutants are coming out of the compressing stations. The Massachusetts Department of Environmental Protection keeps track of annual releases that they measure in tons.

If you already talked about blowdowns, then you know that annual report in tons doesn't tell you very much about what's happening on a day-to-day basis. And, in fact, to know how many tons are being released by the station doesn't even tell you how those pollutants are being distributed.

A lot of what we know about the health implications of pollutants are measured in concentrations and not in terms of tons released per year. So it's very hard to draw a parallel between the data they get from regulatory agencies and what we know about the health consequences of these pollutants.

You can also get data from the Department of Environmental Protection on-line, and I looked at few of their compressor stations and compared them to the data from Hopkinton compressor and what you can see is there is a lot of variation between compressor stations and between the same compressor station from year to year, and that is not an area of expertise.

I think my understanding is that it probably has to do with the properties of the gas being burned by the compressor station, as well as obviously things like the size of the compressor station.

Another thing that I noticed is that between 2009 and about 2013, the emissions from the Hopkinton station increased dramatically between three and six fold, and during that time, Kinder Morgan had secured new contracts to transmit more gas through their pipeline.

So that's another factor, that compressor stations will have compressors of certain capacity, and they may or may not be releasing at their full capacity and it all depends how much gas they're sending through in the contracts.

So one thing that people have tried to do is measure not just in terms of the annual tons that we get in the reports, but actually go to the compressor station and measure what is being released.

There's a huge shale play in Texas, the Barnett shale, and some of the monitoring there shows benzene in particular and can be detected at very high levels some distance from the compressor station. The data that I'm thinking of, although I don't have it for that particular measurement and exact distance, is probably on the order of 500 meters.

The other thing that people have done -- there is a group in Pennsylvania which has tried to measure the particulate matter and volatile organic compounds near the compressor stations, and they didn't find quite elevated levels of formaldehyde 800 meters from the compressor stations.

And for both the benzidine and formaldehyde, these are compounds that fall in the class of all organic compounds, and both of those things at high concentrations have both general health consequences in terms of respiratory symptoms and neurological symptoms and also cause cancer.

The other thing that this group has done is try to measure levels of particulate matter. What they found in a study in New York that was recently completed by them is their level of particulate matter over the course of a couple of months were significantly elevated above federal standards, and they measure them one-to one-and-a-half kilometers. Really that's about the limit of the data that I've been able to find in

terms of what is measured that's released from compressor stations.

The other approach a few people have taken is to try and take what we know about the annual releases of different pollutants and use complicated atmospheric modeling systems and try to provide an estimate of where the pollutants might go and how far out it might spread. Again, there have been only a couple of studies about that and some of them have been criticized for their methods, so I think it's very challenging to use those data to try to answer the question of how far pollution from a particular station that might travel.

Another thing that people have done is to try to measure health symptoms in people living near compressor stations. I've only been able to find one study that used this approach, but the residents who took part in this community survey did report a number of symptoms that were based on pollutants, including headaches, sinus irritation, nose bleeds, and that was on the order of distance from 500 meters to 1500 meters from the compressor station.

So as far as I've been able to tell, that's the limit of data that we know that is specific to compressor stations. And so what I can talk more about is what we know about the pollutants themselves in a general sense, and those are things like the particulate matter.

At the beginning of this, did you talk at all about what the different pollutants are? I can get back to that.

MR. SCOTT: Please do. I'll be honest with you, a lot of them are beyond my vocabulary range. Some of those chemicals are multi syllabic.

DR. NORDGAARD: I can break here, so if people have questions about the studies I mentioned, the releases from different compressor stations, or those studies. Does anyone have a question?

MR. SCOTT: I think you're shocking us all. We'll think of them all in the car home.

So here is something, when I was looking at what this compressor, more specifically at least at this point talking about is this Titan 250 compressor generator, the idea that they're going to tap into the liquefied natural gas, use that to run the compressor itself and generate its own power.

In those blowdowns which are periodical, as you said, covers a wide range of chemicals, when we talk about microns, sizes -- right? Those are the size of the particles, but can you talk a little about the 0.5 micron size and the 2.5, and the very, very tiny below 2.5 micron size?

DR. NORDGAARD: I'd be very happy to. We're talking about microscopic particles. If you think about smoke or a cloud of dust, these things are obviously not microscopic. Those are suspended particles in the air, and those larger particles, especially something on the order of dust, when you breathe those in, because they're so big, relatively speaking, they can be trapped at the beginning of our airway which actually starts at the entry to our nose.

And so those larger particles will get filtered out through nose hairs, all of the structures inside your nose. The air goes down in your throat. Even as the air keeps going down your throat towards your chest, that is still our main airway and the lining of that airway is also filtering out larger particles, but the smaller ones, because they're so finely suspended in the air, they are able to travel farther down into our lungs. The smaller the particle, the farther it gets into your lungs.

So the different sizes that people use are like the ten micrometers, which is like the coarse size particles, the 2.5 micrometers which is the fine particulate matter, and then there is the 0.5, the ultra fine particulate matter.

And, again, because I am interested in measuring the level of 2.5 micrometers particulate matter, and it also seems to be very wrong for our health. I spent most of my time reading about that.

There was a very extensive scientific literature on this topic. It's very well studied because, again, there are very clear relationships between these very small microscopic particles and human health. Those particles, depending on what generates them, they may have different elemental carbon or iron or other metals in them. They might have harmful pollutants in them. Like benzene, for example, if the particles

are generated from burning fossil fuels, like natural gas.

Then the particle delivers itself down into the lungs and gets absorbed into the body. So a lot of the health consequences of breathing in high levels of particulate matter, whether it's from burning fossil fuels, like a fixed industrial source or even from traffic -- cars release particulate matter -- or from some other industry process.

Some of the things that have been associated with particulate matter, for a longer term exposure, diabetes, different kinds of heart disease, like stroke and heart attack and asthma.

Within the studies of particulate matter, there are those that look at the long-term consequences and those that look at what happens if there is a short-term burst in the level of the particulate matter. That's really relevant for compressor stations because during a blowdown, there will be much higher levels of particulate matter.

The other thing is even when the station is operating on a basic level, the distribution of pollutants will vary a lot depending on the weather. So at some point in time the weather will really distribute the pollution widely and the other is when the air is still, the pollution will stay concentrated within the compressor station and then the level will be higher.

It turns out that if there are peaks in the particular matter, then it's more likely to lead to emergency room visits or asthma attacks and heart attacks. A lot of studies take the approach of asking if we look at the relationship between levels of particulate matter and different measurements of health, like Health. Coms and you can create estimates, and say if the levels of particulate matter go up by X amount, what are the consequences?

And some of the studies that I reviewed which are published in the peer review scientific literature shows that if you increase the levels of particulate matter by ten, which just the unit is ten micrograms per cubic meter, then -- this one study found that the level of death due to heart disease goes up by one and a third percent from a lung condition called COPD or chronic obstructive pulmonary disease. Lower respiratory infections like pneumonias go up one and a third percent.

The other thing that's concerning is pre-term birth and low birth weight are also associated with levels of particulate matter, so using a similar approach.

I know another study showing that if the level of this 2.5 micrometers particulate matter goes up ten micrograms per cubic meter, then the odds of low birth way go up by 5 percent and all pre-term birth goes up 5 percent.

MR. SCOTT: Can I ask you to put context ten micrograms per cubic meter? How can I get my mind around what that is? Do you know what I'm saying?

DR. NORDGAARD: Yes. So it is hard because, again, the measurements that we get are often on the order of the tons released per year, but there is a group in Pennsylvania doing the research that I referred to earlier, and some of the peak levels that they measured were on the order of one or two hundred micrograms per cubic meter. The background levels at several homes near compressor stations ranged from six to 20 micrograms per cubic meter.

The federal standards right now, the annual average of the acceptable limit for the 2.5 micrometers particulate matter is 12 micrograms per cubic meter. So then this home that I referred to where it had a measurement of 20, that exceeds the federal accepted standards. And, again, some of piece they measured were going up to one and two hundred.

There are consumer level devices you can buy to measure particulate matter. I recently purchased one, and if you cook in the house, actually the particulate levels go up quite high, and that's simply a matter of fact that cooking or frying releases aerosols, and what's in those little particles are not the same as what you get from burning natural gas. It's not quite the same, but even something like cleaning your house can raise levels of particulate matter, not for a persistent period of time, obviously. Does that help at all?

MR. SCOTT:· It does.· I want to quickly introduce Rosemary Wessel from No Frack Gas in Massachusetts.

MS. WESSEL:· It's great to see you through Skype again.· What I hear from you is very much in line with a study that was just published in Litany Reader last week about the Minisink compressor station in Minisink, New York. Particulate counts up there when it's high is 460 at times, but they tended to hove around 17 to 20 micrograms per cubic meter of the particulate matter of 2.5.

And aside from the other problems you cited, there was also an increase in autism from women who were exposed in the third trimester. Their children had an increase in autism.· And there is a high level of nose bleeds in children in that area as well that lived within a mile of the compressor station.· So that basically corroborates a lot of what he's just given you.

DR. NORDGAARD:· The thing that we can't answer is, What were the levels before?· So in these studies the levels measured are about 20 and beforehand they were ten.· Then we're talking about the order of magnitude of the study I just referred to where they look at changes of what happens if you increase the level or the concentration by ten micrograms per cube meter.

MS. WESSEL:· The study went further out, a couple of miles further out, and the average was 6.3 per micrograms as opposed to 17 to 20 within a mile of the compressor stations.

DR. NORDGAARD:· The other thing anyone can do is if you are able to find the right EPA website, which I'm happy to point it to you. You can request a public access account which allows you to download the data from any of the federal air quality monitoring stations.

And so I just got access myself and I was looking over a period of a couple months in the Boston metro area the levels were around the order of six, which is well below the federal standards, but certainly much lower than what we're talking about near some of these compressor stations.

MS. WESSEL:· Another thing that's possible that would happen here in Erving is a main line valve in the pipeline which has a remote blow-off valve as well, so it would be off-gassing unburned natural gas.· I was wondering if you have any insight as to the particulate matter of unburned natural gas versus the burned natural gas from the compressor engines.

DR. NORDGAARD:· My expectation is that before it's burned, you would be looking at more compounds release fewer particulate matter or less particulate matter.· The reason is that some of the volatile organic compounds are consumed through the consumption process by burning the gas in the compressor.· So when you just have a straight release of the gas, then you're potentially getting more of those, which are also quite hazardous and less of a particulate matter.

And, again, some of the things that have been measured from gas that's produced by the fracking process are the venting formaldehyde, Ethel, things that are very well-established to be toxic and carcinogenic.· From the little bit that I've been able to understand about volatile in a compounded gas, I believe the process is that as the gas comes out of the fracking well it's probably the site that has the highest level of volatile organic compounds.

Some compressor stations have something that's called -- where they take off the volatile organic compounds and store them in tanks. It's the methane that burns as our natural gas and not things like benzene even though that might be consumed in the process.· A whole other issue about compressor stations is not just the engine itself but what is on the property along with it.

The compressor station at Hopkinton at one point had a fuel source chain that was, I believe, used in case they needed to use a back-up generator, and a lot of the ones in Pennsylvania and Texas have these condensing tanks that release in some cases the level of benzene that are well over a hundred times the limit.· That's known to increase the risk of cancer.

And so we focus mostly on the engines themselves because that is what is releasing a lot of the pollution, but that's not the only thing. You mentioned the remote blow-off valve.· There are other things that come along with the industrial infrastructure that are also potential sources of pollution.

MR. SCOTT:· It gets you thinking, right?· So when you talk about the micron sizes, there is different

micron sizes, those can be any of the chemicals, right? Can they all break down into different sizes or certain chemicals, like can benzene be of those very tiny particles as well as some of the proprietary chemicals that we don't know about yet that are trade secrets? Can those also be of that size?

DR. NORDGAARD: Yes. And what I do know about particulate matter is, as I said, some people break it down to, again, the elemental and the organic carbon, which is just a way of saying like metallic kinds of components of the particulate matter and the complex molecules. They really are a mixture, and so the particulate matter will have pieces of both, and that's part of why scientists think that they're harmful to us because they're delivering both the levels but also the toxic chemicals that produce in the body.

In order to sort out what is in those particles takes pretty specialized equipment and that research is being done in general for particulate matter, but we're very far away from having that kind of knowledge about compressor stations.

There is just such an absence of almost any kind of data on what's coming out of the compressor stations and how those pollutants are being distributed and across what distance. We know far less about them than I would like. It makes me very uncomfortable.

MS. WESSEL: One of the few studies that I know of that was done on compressor stations emissions was done in Dish, Texas. It's the town of Dish. I actually gave a copy of that report to Cyd. It did find a tremendous amount of chemicals, but, of course, there's some they were not allowed to report because of the gag rule on natural gas companies from natural gas companies.

MR. SCOTT: Those chemicals aren't trade secrets.

MS. WESSEL: Right.

MR. SCOTT: When I was talking to Curt earlier today, I feel like as an elected health official, I get the low end of the ladder here, but I feel like we're the ones who are cautious because we're concerned about the implications and yet the industry moves forward and looks at maybe there will be some implications. We'll worry about that later.

There's a two-tier approach to the same problem, and one is cautionary and one is kind of haphazard. I'm kind of probably preaching to the choir here, but can you just share your own personal opinion about how this whole process plays out?

DR. NORDGAARD: You know that I am a pediatrician. I have taken care of many sick babies at Boston Children's Hospital and Boston Medical Center and Brigham. I've taken care of many children with bad asthma. You know that's hard for me. Of course, it's my job and I love taking care of children, but that's tough and I'm not even a parent, and I'm not the parent whose child is affected by this. I'm also not the adult whose parents has had a heart condition or has a stroke or has a heart attack.

This is real, and I can't tell you exactly what anyone's risk will be because the data are not good enough, but I do know what's being released by compressor stations, and I do know these chemicals that are very well known have health consequences. In my position as somebody who is interested in protecting health and not just treating people after they've already gotten sick, I'd much rather try and prevent some of these illnesses that I'm seeing.

I just don't see that building this infrastructure justifies the risks that we're talking with our health. What we do know is there is just such a huge spectrum of what is being released and we really just don't have the data to really understand and to answer the question, Is this going to harm us or not? We just don't know that.

I think talking to people who live near sites that are developed or are scheduled to go through development. They're often very concerned. I think that's very reasonable to be concerned. It's possible that the levels of pollutants are low enough that there may not be any significant consequence for any individual. That's possible, but I just don't see the risk of things that we're talking about justify building this pipeline when we can't even answer the question if we even need the gas in the first place. For me, it's a frustrating topic.

MS. WESSEL:· That's one of the worst reasons why this is a bad project.· It is the impact to health and also to environment.· Once you start digging up that trench, you can't put soil back once you dig up a trench.· You can't put soil back the way it was.· You can't fix that kind of damage and it takes years for those kinds of chemicals, as far as I understand, to process and leave.· I don't know how much they leave the environment after facility is shut down.· How long do they stay in our air or water?

We do live in an area where there are temperature conversions.· One of the favorite things that engineers like to say about blow-downs is methane is lighter than air.· It just goes up into the atmosphere.· We have temperature conversions where the cooler air pushes down and traps things at ground level from time to time and that's when blow-off facilities, blowdown facilities can trap these gases right at ground level.· They're heavier than air elements in them and that gets into ground water and gets into the soil around these areas.

MR. SCOTT:· I would ring that bell again because that came up at one of the Board of Health meetings was that.· Today, for example, if anybody was out this morning, which I had the pleasure to bring my daughter to school early this morning, it was thick fog, those kinds of barriers that stay in those nooks and crannies and valleys.

If you've ever been on a hike to the location where the compressor station is going to go, it overlooks the great swamp and it overlooks Great Swamp Road.· That's a serious little valley. I've seen that many times very, very foggy, and my question is -- we don't get the answer -- but I have to look and go, What happens when that hits that fog?

MS. WESSEL:· Of course, Northfield has the distinction of being at the top of the watershed too.· It's on top of a mountain.· It's at the top of the entire watershed that comes into this valley as well.· So anything that gets trap in the air and water comes right downstream and ends up here eventually.

MR. SCOTT:· Then we're talking about buildup in the body, right?· Then we are talking about prolong exposure, because that is one of the concerns I had asked Kinder Morgan -- I'm addressing you Curt -- that, you know, I said to Kinder Morgan, Can you talk to us about long-term and short-term? We get the short-term.· Okay?· It's gas in the air. It's toxic.· What about long-term, cumulative effects?

Now, in your research, has that come up where we can say, Well, hypothetically, because I don't have any research, but an increase of compressor stations and an increase of illness around those compressor stations, could they potentially be grafted out to maybe show a correlation?

DR. NORDGAARD:· So you're talking about doing a study of some sort to look at the long-term effects of the compressor stations?

MR. SCOTT:· Yes.· So if you live next to a compressor station for 20 years and you have a kid there for 20 years and that kid ends up staying four years and has another kid so you got generations now, that buildup in the body, especially the mother, is that something we can could draw a line maybe just at some point, this may be just speculative, but over time the accumulative factor could be a serious, cancer-causing agent, right?· If you're ingesting carcinogens over a long period of time, theoretically you're chances of getting cancer would go up, right?

DR. NORDGAARD:· So, again, if I go back to some of the volatile organic compounds like benzine, some of the studies have measured levels of benzine that are in the order of -- let me go to a slide to get the exact number here -- 46 parts per billion of benzine that is like some distance removed from the compressor station, and what you would need to know is what is the kind of background level of benzine.· If the level of benzine is 45 and those units are micrograms per cubic meter.

If a population of \$10,000 people are exposed to a low level of benzine at 45, then one out of those 10,000 individuals will get cancer from the exposure to benzine.

For formaldehyde, for the same numbers, it's a level of eight and the units are somewhat arbitrary here, but my point is these are federal data from EPA data base of toxic substances and disease registry that say if from what we do know about the published science on these chemicals, if you expose a certain

number of people over a lifetime, here's what we would expect for additional cases of cancer.

There are similar data about short-term and long-term exposures to chemicals. For example, again, with benzene, it is well-known benzene damages the bone marrow where a lot of our blood cells are made, and that is not cancer per se but it's a side effect. It's a toxic effect of benzene. So if you're exposed to that over a long period of time, it's more likely to happen. Is that the kind of thing you're thinking about?

MR. SCOTT: Yes. It's speculative science because we don't know firmly, but my question, again, was only to Kinder Morgan, because they're the holders of the keys, what research did they have for long-term health effects? Because, like I said, we can talk about what's happening in the air, but there has been compressor stations for 15 years now, so somebody must have compiled that research at some point. Like we're talking to big tobacco whose like, We know that's smoke. Well, no, it doesn't. Maybe it's just a little bad for you.

MS. WESSEL: A little aside, Kinder Morgan's PR guy used to work for tobacco.

MR. SCOTT: It doesn't shock me at all.

MS. WESSEL: That and the Heritage Foundation. So, yeah, but I think some of that would be based on whether or not there were base level studies before the compressor station to see what the difference was once they started operation, and that's one thing that we're hoping to get done with air quality and water quality in communities, if we can find a way to do it to get a base level of what is going on now, so if this is built and becomes operational we know what the difference is so we can say, Yes, it's probably coming from there.

And I wonder if there's any evidence that you found, Curt, of the change in health rates from communities that didn't have compressor stations that later on had them.

DR. NORDGAARD: No, I don't. I think the companies themselves -- I think it's very likely that they have data about the pollutants that they're releasing. They may have some circumstantial evidence about the health effects that arose in communities where compressor stations had been built. I don't think they would have gone out of their way to do any health-related measurements.

Again, they might have been interested in looking at pollution levels. I just don't give them credit to think much or care much beyond that. And in terms of before and after studies of health symptoms, I can only find one good study or one reasonable study of health symptoms and that was in a place where a compressor station had already been built.

What they tried to do there is look at the pattern of symptoms people report based on how far away they live from the facility as kind of a way to get at the question of: The closer you live, the more pollution you get exposed to. So the people who live closer report more symptoms. That part did hold true if you lived within 750 meters of a compressor station. People report more of the symptoms, you would expect, from exposure to compressor station emissions.

MR. SCOTT: Just out of curiosity, this just popped into my head, we watched the video on the Titan 250 on-line on YouTube, and that particular facility was in Ontario, Canada, I think. It was extremely remote and they used that term specifically, and they said, Well, we also do air quality testing but we're extremely remote.

And I wondered if that's almost a way to limit exposure. So if you choose a very remote location that doesn't have a lot of population, now your tests are very hard to even compile. You can't compile data necessarily on four or five families that live within a mile of a house.

So all of a sudden it dawned on me why that part of Erving was potentially or Northfield potentially so valuable because it's in the middle of really nowhere.

David Brule walked into the room. David and I have hiked that mountain and it's out there. You're either hiking on the M&M trail or you're out there. So in order to limit their exposure, not exposure like us, their liability exposure. They put themselves potentially in a remote location.

MS. WESSEL:· I've been to the site in Windsor as well.· There's another compressor station also 41,000 horsepower.· It's in Windsor, Massachusetts.· It is very remote.· There is one unfortunate house directly across the street.· Otherwise, you're looking at about a quarter mile, at least, to any other houses.· Most of the other houses are a half mile or more away.· The hardest part for them is Massachusetts is the third most populous state in the country.· We have a really high per square mile percentage, which is why they're running through these rural communities.· It's the least dense amount of population, which let's them build a cheaper pipeline.· They only need class one pipeline through most areas.

There are more places like these to site compressor stations, but the difference between the Northfield compressor station and the one in Canada is it's probably not sitting on top of somebody's watershed.

MR. SCOTT:· Absolutely.· My point is none of this stuff happens by accident.· There are individuals who sit in offices who get big, fat paychecks to figure out what we in this room are potentially going to do and either head us off or nip it in the bud before we even get rolling.

Just as you're pointing it out and I'm thinking about volatile organic compounds in the air.· If a tree falls in the woods and nobody hears it, right?· So if a compressor station blows down in the woods and nobody hears it, did it really blow down?

MS. WESSEL:· Probably be at least a mile away they're pretty loud.

MR. SCOTT:· I mean, I guess from the video we saw it was pretty loud.

AUDIENCE MEMBER:· What was the distance on that video?

DR. NORDGAARD:· My answer to that it's possible.· It seems like Kinder Morgan is doing a better job -- trying to build one in North Weymouth which to me is ludicrous, but my rebuttal to that is, Don't we all matter?· Isn't each of us a meaningful and worthwhile individual who deserves our concern, and I don't care if it's ten people or a hundred or thousands.· I don't think anyone should be exposed to air pollution that is avoidable.

MR. SCOTT:· We had two questions.

AUDIENCE MEMBER:· In the blowdown video, how far away was the person filming that with that sound?· I have no idea.

MR. SCOTT:· I showed a video of a blowdown I found on You Tube.· It looked to me to be about a hundred yards away.· What I had done is I looked at multiple videos to find one that would at least go with the size compressor we're looking at, because I also had another video which was actually kind of funny.· It was like a guy with a GoPro in, I swear to God, a backyard compressor station surrounded by a big fence and he's walking around and the video is the compressor shuts down and I had the starter, and so he goes out, fires this thing up, opens up a valve and he out-gassed the thing and then you hear the sound of the out-gassing kind of change, and then he walks over and turns it off because now I guess the volatile VOCs are gone and now it's just natural gas.· It makes a different noise.

So he shut it off and he went over and fired up the machine and then made some complaints about the fact that the thing was in rough shape, when I looked down on the comment on You Tube channel.· It was just very matter of factly.· I mean, it was just an amazingly, casual job, and to look at that very small machine, one guy on a wrench, to then look at the Titan 250, which you guys saw that video.· They're inside a three-story warehouse.· They have huge piping coming in that.· Were you here for that, Bill?

MR. BEMBURY:· Yes, I was.

MR. SCOTT:· So we're not talking about a small backyard compressor.· This is much larger.· When I got that video, I was wanted something that looked like that, so that was about a hundred yards away.

MS. WESSEL:· There's another video that somebody just brought to my attention last week of a couple in Florida that lived near a main line valve which is what you probably have off of Old State Road if this gets built.· They drove up to it, sort of a square of a block.· You start hearing it when they're probably about three-quarters of a mile away, and by the time they passed it, it's maybe -- I would say based on

the length of my driveway -- a good hundred feet away from the road. It's a deafening noise. It was the second blowdown within three months.

That's the other thing about it. We tried finding out if there was a regular period which these things tend to off-gas, or when they need to blow down. It depends on so many different factors you can't predict. They are supposed to notify, but they seldom do. The folks in this neighborhood had no idea this was going to be happening until they heard the jet engine sound of gas escaping from the main line valve.

MR. SCOTT: Did you have a question, Bill?

MR. BEMBURY: I did.

MR. SCOTT: This Bill Bembury. He's a select board member of Erving.

MR. BEMBURY: Can the state or cities and town require Kinder Morgan to do testing of pollutants as it comes from compressor stations or remote blow-off valves? And if they can't, can the town do it and require Kinder Morgan to pay for that kind of testing?

MS. WESSEL: There are a lot of ways you can approach it. Right now is a good time to try to demand that because it's the scoping period. The scoping comments are due on October 16, so now would be a good time to file.

MR. SCOTT: They're actually happening right now as you speak. That's why we have our stenographer here. Everything you say is going into the record. So if you want to say that right at this minute.

MS. WESSEL: It should be something that they need to monitor. They're the ones bringing these chemicals and infrastructure into your community.

AUDIENCE MEMBER: But the problem is is that government can roll over the state and community and it happens. It's there.

MS. WESSEL: You start by making --

AUDIENCE MEMBER: You still need to do something to protect yourself.

MS. WESSEL: You start by making the request of FERC to make that a condition of their permit, so if the permit gets built and if FERC listens to you and insists, that becomes a condition of the permit, that they need to do the testing so that they know when it's time to mitigate. Of course that doesn't happen because we know FERC isn't the most responsive agency out there, put it very lightly. Then it could be a case of the town going ahead and then suing the company to try and recover those costs.

MR. SCOTT: Any other questions?

MS. WESSEL: There's also another legislative way to do it to try for force changes with the way FERC operates and the way PHMSA, the Pipeline and Hazardous Materials Safety Administration -- they oversee safety on pipelines -- and change the rules at that level, but that takes a lot of pressure our Congress people because it's at the federal level that needs to be done long-term so it applies to all pipeline, unless you play wack-a-mole with each pipeline and say, We managed to get it for this and these folks are struggling with these awful rules.

MR. BEMBURY: So do we know of any way that successfully stops the compressor station because of health issues?

MR. SCOTT: Here's the way, and you guys can correct me if I'm wrong. I have found in my homework no one has successfully stopped a pipeline; however, pipelines have been withdrawn from the FERC process. So once they're approved, their bulldozer, forget it, they're not turning around, but if you can stop them in the process that we're at right now; comments, the science, prove the need, all the stuff that we've been talking about tonight, it's possible to stop it.

Cooler heads can prevail if we use our time wisely, because I feel like the support or the support against this pipeline is incredible -- if I can be oxymoronic there for a minute -- but it is incredible and I think that even Kinder Morgan was surprised in their response. This meeting had gotten redesigned from the letter sent to the Erving Board of Health from Kinder Morgan's attorney just asking for the informa-

tion, and in that letter they basically point out -- and this answer is slightly to your question, Bill -- we are non-jurisdictional. They're a federal project. Get off my -- you know, and I feel like that is kind of where it's at.

MS. WESSEL: Interesting point. I submitted my scope and comments to 22 different elected leaders. It's great to cc'd them. They know what your concerns are as well. Nothing is worse than doing all this fighting and then hear from your representative or the Governor, Oh, I never heard anything about it. So I sent a letter and got one back from the Governor saying, Thank you for your concern on this. I understand your concern, but this is a federal project and it isn't in our purview. It's not a federal project until Kinder Morgan gets a certificate for public convenience and necessity. That's why the letter they sent to you was ridiculous saying there is no point in challenging this because we have the ability to override state and local regulations.

MR. SCOTT: I couldn't believe it.

MS. WESSEL: Not until they have that certificate and go through the eminent domain process, do they?

MR. SCOTT: Are they a federal project? Right. So this showed, and I said this to Stan Rosenberg, and I also put a quick shout-out to Stan Rosenberg and Mr. McGovern's office, that had it not been joint letter -- I believe Representative Ripley was involved -- they followed up because we cc'd them on the letter. They followed up with Kinder Morgan, and we're really, I think, the hammer that forced Kinder Morgan to go to those attorneys and write us that letter. Go ahead.

MS. WESSEL: You were also not the only community that got that tone of letter. Nearly identical letters went to at least three other communities usually for denial of survey permission on town land. Yours was the most ridiculous because all you did was ask them to come talk. You got a threatening letter: Give up all hope. We're going to come in any way. So nothing you can do will stop us.

MR. SCOTT: Which I felt and like others in my family and as well as the community were like, Isn't this a public relations nightmare? Isn't this the kind of thing that you just don't want to tell us to take a flying leap? Even the platitude of just sending a spokesperson here to say, Well, we have this. It's inclusive. Even to just pay the guys or the women to come here and sit and instead go to the extreme of paying the attorneys, probably not small money, more than I probably made this week, and they write us this letter to threaten us, to sort of scare us away.

I think what it did and I think what it did for others, when I said that to Stan Rosenberg, is that it drove home the idea that -- I said this to Stan -- that elected officials, and it doesn't seem to matter. Like if you look at elected officials as rungs in the ladder, president, all the way to the top, we're way on the bottom. Right?

If we don't count, okay, we go up one rung, and then if they don't count, we go -- okay? We keep going up. At what point in that ladder does some elected official matter, that they actually go, Hold on, hold on, you tell me what's going on? And they listen.

And the sad reality is I think Stan Rosenberg admitted it. Nobody knows. No one has any idea who that individual is, and I don't think they exist. I it's like my best buddy, Jonathan, says, It's the okie dokie. A couple guys go in a room and say, Okie dokie, we're going to do this. To hell with everybody else because they made the deal and the chips will fall where they may.

So I think it just kind of made us a little bit more aware of how Kinder Morgan was willing to play, and that's why I wanted to have this meeting, and the rest of the Board agreed that we would have the meeting anyway and enter everything into the record as our scoping process.

So your questions and everything that we said tonight will now be sent to FERC, which we hope they'll listen, and, you know, listen to our elected officials to just ask for the information, and if we don't get the information, ask for some jurisdiction. If we don't about get some jurisdiction then tell us why we don't have any jurisdiction and follow through completely from beginning to end. That is a pretty simple process, I think, but that's my many soapbox. Do you have anything you'd like to add, Curt?

DR. NORDGAARD:· No.· I had a couple of my choice statements.· Unless there are more questions, I'd be happy to answer more questions.

MR. SCOTT:· I think the room is quiet.· Curt, I want to thank you so much for taking time out of your day or your evening to come Skype with us.

DR. NORDGAARD:· It's a pleasure. There's some benefits and also some challenges to doing this by Skype.· Of course because of work, I couldn't come in-person, but certainly if anyone wants to pass on to you any questions or to get in touch with me, I would be happy to follow up on anything.

I am going to be coming either late October or November to speak in Northfield, and then Rose, I'll probably be in touch with you too.

MS. WESSEL:· I think there are a couple other towns that may want to hear from you while you're out here.

DR. NORDGAARD:· Windsor is on the list.

MS. WESSEL:· Great.

MR. SCOTT:· You're going to be on tour.

DR. NORDGAARD:· I'm well overdue to visit the Berkshire area.

MR. SCOTT:· Thank you very much.

DR. NORDGAARD:· Good luck everybody.

MS. WESSEL:· Thank you.

MR. SCOTT:· Do you have anything you want to end with?

MS. WESSEL:· It sounds like we covered pretty much everything we need to know about.

AUDIENCE MEMBER:· Can we talk about what the Town of Erving's position, what is the Board of Health's role, what is the conservation commission's role at this point?

MR. SCOTT:· Sure.· The conservation commission and let me talk and David can follow up because David is the chair, we're a permitting body, right?· Our whole role in the process of you coming to your building a house is you make up your plan. You buy your property.· You do all the stuff that you almost have done just before you put a nail in a hole in the ground, and then you come to us and say, Hey, maybe I got some wetland.· Maybe you don't.· We sign off on it and you build your house.· How do I build my house around this wetland without violating the Wetland Protection Act and still get my house? Sometimes the answer is no.

Like when Haddie first interviewed David and I way back when -- and I love watching that video because I'm so naive -- I said to her, Oh, this is ridiculous.· I said, How could they possibly come and just -- they're going to pound some pipe under the river.· I said, We would never permit that.· That's crazy talk.

And then I started to do homework and I found out they had done it all over the country. And then when I talked to an engineer in a room with an engineer, I said, Hey, what do they do when they come to these places that are like impassable?· You can't get passed it.· The guys, they start drooling. They can't wait to get into the room and figure out how they're going to get from Point A to Point B, under the swamp, over the swamp, through the river, through the rocks.· It doesn't matter.· It's Point A to Point B.· It's a challenge.· If I was an engineer, I totally would get that.· I understand that.

MS. WESSEL:· I noticed when I went to a scoping meeting in Sandersfield for the Connecticut expansion and I asked them how they planned to cross the river there, whether it would be horizontal drilling or it would be wet trenching where they block off half of the river, start digging out underneath, and when they get that part finished, block off the other half of the river and work through there, or sometimes they just scoop through the river and lay down pipes into the wet trench.

As soon as I those out those terms, they just lit up.· Have you ever seen horizontal drilling?· We have to go way back thousands of feet, up the hillside, and then start burrowing down under, and they really lit

up.

So to an engineer, this is a great puzzle and it's hard to impress on them that this is our lives. This is our homes. And when you try to say, If that was your yard that was being drilled into -- most of the time it bounces right off. Sometimes you see it sink in for a second because that's the kind of level of conversation that I've seen people bring up, and it's a courageous one to take up. Sometimes you see this little glimmer but their job is on the line there, not to quote the union's favorite catch phrase. It's in their interest to keep going even though they know somewhere in the back of their mind --

MR. SCOTT: Let me just finish one second. Let me finish her question. The Board of Health, right? Slightly different, right? So as the conversation commission is a permitting body, the Board of Health is kind of more like a clean-up crew. Do you know what I'm saying? We don't run around and look for problems. A problem occurs and then the Board of Health responds, right? So again, like the conservation, we don't go out looking for project to do. They come to us, right?

So we're the Board of Health. The pipeline rolls into town and that kind of just lands on our plate, I could, as the elected official, like I think a lot of elected officials do, and just go, It's out of my jurisdiction. And I'm done, right? Maybe I get re-elected the next year because I didn't make any waves. Or I can look myself in the mirror and say whatever, the 55 people that voted for me actually deserve me to do my job.

MS. WESSEL: Preemptively. Preemptively is the hard part. If we didn't get out in front of this when we did, we'd never stall things as much as we already have.

MR. SCOTT: Yet we're not really supposed to do that because this FERC process really whitewashes us out, right? I think it made me angry, personally. It offends me personally, so that makes me want to get out there and have a meeting where I can say, Let's look at the science. I said this also at one of the scoping meetings. I say, Hey, comments? FERC says, Give us your comments, right? My comment can be, This thing sucks, and that's the end of it. Okay? All right. Well, good for you. The guy is real smart. Or you can get up and say, I think this thing is wrong. Here's the science. Here's the health implications. Here's the need factor. Here's the reasons based on reason, not to be redundant, why we don't need it. Not just because I don't like it. That's easy.

I felt like at some of those meetings there was almost an element of just get up and stay you don't like it. That's really all we want to hear. That's all that really matters because we're just going to move on anyway. Giving you the science just encourages you. Do you know what I'm saying?

MS. WESSEL: You mean the open house?

MR. SCOTT: Yes. It just encourages you to continue bothering us and asking us for information.

MS. WESSEL: The open house meetings are definitely a sales pitch. When you go, there is a pipeline staff there and they always talk fuzzy aspects, generally pleasantries basically of the positives. This is going to bring jobs. They don't tell you how many jobs. They estimate a high number, but we've already known a hole bunch of those aren't from people in the area, so that's not a real number.

When you talk about health implications, there were never problems with health. We've been operating for 60 years and there's never been a health problem. Well, how did they know? They don't track those numbers.

MS. WESSEL: And if they do, they're not telling us.

MS. WESSEL: Exactly.

MR. SCOTT: Do you have a question?

AUDIENCE MEMBER: I want to make a couple comments. One is that the town of Deerfield has some real good serious lawsuits going on, and one of them they decided through the Board of Health that they are not going to allow Kinder Morgan into their town because the process would be a hazard to the people of Deerfield. As far as I know, I have not heard they have gone into the town at all.

Northfield adopted the same language that Deerfield did to keep the surveyors out. And at first Northfield came out with trying to keep the surveyors out and Kinder Morgan's lawyers came back with, These are all the reasons that you can't. And the town counsel for Northfield says, Yes, we can.

Now, they are not allowed to go into Northfield as of now. They haven't challenged it yet, so the Northfield police would have to arrest them if they came into the town.

MR. SCOTT: I thought about that myself.

MS. WESSEL: Actually, the town of Andover early on had a restraining order against Kinder Morgan people going door to door trying to get surveys. They'd become so aggressive in trying to get phone calls repeatedly, knocking on doors repeatedly that they had a Cease and Desist Order.

AUDIENCE MEMBER: They can't knock on the door. They really can't literally do anything. So there's some rights that towns have and they got to find those avenues to pursue. So today we were going back and forth. They can't come into the town, so they're doing aerial stuff.

The other thing is that Stan Rosenberg, yes, he has done a couple of things, but he has never gotten to the place where -- and there's plenty of evidence that we do not need this gas there. Is if he did nothing but fix the leaks, we're there. We don't need this gas, and that is documented. That's coming out of the City of Boston. The biggest leak is next to the corner of the State House and in the Boston Globe it's just well-known, but Stan Rosenberg, we got him to tour Northfield. We got him up in a cabin at Alexander Hill where the national scenic trail is, which is going to be if it goes -- and all different commissioners from the town spoke to him about the watershed, the sacred sites, whatever you can think of. Everything was there, and they were there with maps and all kinds of back-up.

And at the end of that -- there were eight of them that testified to him. And at the end of that he said to the people there, You have to prove to me that we don't need this gas. That is totally absurd. We don't have to prove it. It's proven.

The other thing is Maura Healey is doing a study, which we hope will come out showing we don't need this gas. If we do, fix the damn leaks before anything. Fix those leaks. And Stan Rosenberg has not said anywhere publicly, that I have heard, we need to wait for Maura Healey's study.

MS. WESSEL: I think he did say that. When it broke, Kinder Morgan filed the resource report in the middle of the scoping hearing schedule. Not only did he say we need more time to absorb, but we really should wait until that study comes out. That he did say.

MS. WESSEL: But that is something we should real be demanding. Our Attorney General is somebody.

MR. SCOTT: You think that would be a rung in the ladder that would matter.

AUDIENCE MEMBER: Something like that. The other thing is the Attorney General and the Conservation Law Foundation -- I'm not here on suing the DPU, but the DPU really should be representing us.

MS. WESSEL: Actually the Attorney General isn't suing the DPU. She is going ahead to FERC and trying to fight it there. Conservation Law Foundation and Plan for the Northeast are suing to be able to --

AUDIENCE MEMBER: We have to support those lawsuits. Why is our DPU doing this? Why in the world? Our DPU really has to be outed in every way possible, and the Attorney General is doing that just by saying we have to bypass them and go directly to FERC.

So I don't think we should feel we are powerless, and I think that Stan Rosenberg really reacted to a lot of pressure from us. We wrote letters to the editor and the Greenfield Reporter headlined it: Senator, where are you? Because he was not anywhere. He was not opening his mouth.

And letter after letter with that kind of headline: Where are you, Senator? We need your voice. And so he did do something. It's not enough. It's really, you know.

MR. SCOTT: I think we have to pressure them.

AUDIENCE MEMBER: What I always say to people is write to Stan Rosenberg and also support and thank Maura Healey and Representative Coolick and Representative Paul who are there. Coolick is putting

something into the legislature -- he may have already -- to say to the DPU, You can't do this.

MS. WESSEL:· It's to just change the rules so DPU can't automatically shut out elected officials when they're trying to get into --

AUDIENCE MEMBER:· Our intervenors, our elected officials by the DPU, you know, saying no.

MS. WESSEL:· Do you have a question?

AUDIENCE MEMBER:· I have a comment.

MR. SCOTT:· Can you say your name for the record so it gets into the FERC record?

MS. ELAN:· This is going to FERC? Part of this discussions seems to be more private and strategic.· Anyway, my name is Ariel Elan from Montague.· So the question is, because everyone here knows I'm a stickler for accuracy, one of the things you said, Haddie, let's say a while back.· Which was it?· Sorry.· It just left my mind.

Anyway, the other that I was going to say about DPU is it's very clear -- so it's really not just the DPU.· Governor Baker has been getting away with pretending to be neutral and a little bit discouraging about the pipeline in a lot of general public comments, but I've track his energy secretary around to all of these semi-public, elite policy-making utility kinds of forums and panels and conferences, and some of them are private.· You can't track them there.· You can track them at these semi-public gatherings.

And, honestly, the energy secretary is saying that he's speaking for the Governor.· It is always the gas, all the pipelines, full steam ahead, gas, gas, gas.· The people should not take seriously any statement from the Governor and his press secretary that he's really not in favor because within the policy-making elites, he's totally in favor of all of the pipelines.

MS. WESSEL:· He actually went up to Canada to a panel up there to talk about creating more jobs for Canadians in the natural gas sector with New England energy policy.

MS. ELAN:· By exporting to Canada.

MS. WESSEL:· Exactly.

MS. ELAN:· So, yeah, we have to call his bluff.· But there was a question about something you had said before, Northfield.· My understanding was that Kinder Morgan cannot go on Northfield owned public property, but not that they cannot enter the community of Northfield on a public roadway. I never saw or heard that.

AUDIENCE MEMBER:· That seems to be what Deerfield has, that they can't go into the town.· In Northfield they can now, as of today -- I got this e-mail from the select board -- they can't survey on the public land, which up until today they were saying they had the right to do.· I want to get that clarified.· They can still walk into Northfield and have a coffee.

MS. WESSEL:· The state law says they can be on public roadways.· Anyone can be on public roadways, but Deerfield does take things a notch further.· That's why they're considered a little rogue by other communities.

AUDIENCE MEMBER:· I have a friend in Deerfield.· The land engineer was there every third day.· Now he calls her and says, Would you meet me in Greenfield because I can't go into Deerfield?

MS. WESSEL:· That's conducting business for the pipeline going onto private property and knocking on doors.

MR. SCOTT:· I just want to shift gears for just a minute.· I sent an e-mail and I don't know if you have had an opportunity to look it up.· Did anyone catch the fact that there was a New York legislature who, I guess, passed through the house of limit on blasting near Brownfield.· Okay? This struck me as I was driving down Route 2.

I picked on Erving Paper a minute ago, maybe a few minutes ago.· Erving Paper Mill is in charge of the dump on the edge of the Millers River, which is on the slope hanging over the Millers River which

is less than a quarter of a mile from where the blasting will be through the bedrock and on both sides of Millers River as well as into Erving and coming from Millers. Now, this struck me as yet another opportunity to focus on a legislator, whether it's Rosenberg or whoever, to introduce --

MS. WESSEL: Ask her to take one step further in this direction

MR. SCOTT: This is what we need. As I'm looking at that landfill, it's absolutely precarious as it is, and there is one on the other side in Wendell as well. They're like these two twins.

MS. WESSEL: There's a few along the route in New Hampshire as well that I've been familiar with.

AUDIENCE MEMBER: It's not safe.

MR. SCOTT: That guy, Mr. Housen -- is that guy going to be liable when or if, hypothetically, they shook the ground, that thing slid into the Millers River. God knows what's in there. Right? Is that going to be the land owner? Is he the guy who is going to be on the hook?

MS. WESSEL: A few points of perspective. New York has a different political structure than we do. They have county legislatures which are like mini state legislatures and that was voted in by the Albany County legislature. It's a big deal there. It's like getting statewide here. Rensselaer County is looking to adopt the same sort of blasting protections, and Paul Mark is looking at those examples to see if he can get something put in statewide. That's one point.

As far as Mr. Housen, he's also on the Board for the coalition to lower energy cost. I don't know if you are familiar with that organization.

MR. SCOTT: I'm not.

MS. WESSEL: If you've seen commercials about how the pipeline will solve all our problems, they fund that. It's a coalition put together by Kinder Morgan's lawyer that represents them in Maine, and they're basically a pro-pipeline marketing agency and he's on the Board for that.

AUDIENCE MEMBER: He's on that but --

MS. WESSEL: It doesn't mean you shouldn't talk to him.

MR. SCOTT: As the town representative, as I'm listening to this radio interview with this guy, I'm thinking, Well, we have one of those dumps. Is that a Board of Health issue? Is it a Mr. Housen issue? Is it a Kinder Morgan issue? Is it a let's-wait-and-find-out-if-something-happens issue? And that's what I felt like as I was driving down the road. That's going to be the response, Oh, you know, nothing has fallen in the river yet. Do you have a question?

AUDIENCE MEMBER: Are we talking about that sludge field on Route 2?

MR. SCOTT: Yes. That the power line that goes over your head is the pipeline road.

AUDIENCE MEMBER: I was going to ask that. There's three different sections where there are transmission lines, and I have not been able to figure out which one they're heading towards; i.e., how far are they going to go up Old State Road.

AUDIENCE MEMBER: The west end, I believe.

MS. WESSEL: I just sent you the detailed maps earlier today. There's like five maps of aerial shots. You can see where it's supposed to go. They are a little disorienting because they only take, I think, a half mile or a mile for each map and they're all turned different ways. They don't point north in the same direction each way, but you can see the satellite view of the town and see where the route goes.

MR. SCOTT: Just if you're interested, if you go up into Millers and head up from Millers Falls towards the Wendell State Forest, just as you come around, there is like a section where there's a number of houses in there. You kind of come out around those houses, someone has painted a yellow marker on the road that will show you where the pipeline is actually going to be, and then you could actually move up a little farther from where that yellow marker is and you'll be able to look directly down the powerline route and see where the pipeline is going to go.

Also, do you remember the town forest you asked me about?

AUDIENCE MEMBER:· That's what I mean. I thought what part of the town forest.

MR. SCOTT:· If you went up to the top of the hill in the town forest, right?· You would have that powerline that cuts?· Right there.

AUDIENCE MEMBER:· I thought that's conservation property at the top of the ridge there.

MR. BRULE:· David Brule for the conservation commission.· If you are on Route 2 going towards Boston and Erving Center, the very first powerline after Christina's Restaurant, that's it.· That is where it's going to go.

So Cyd and I and a couple of other people have a couple of comments just to throw in the mix because Cyd is going to be really thorough. So we went up to the top of the conservation land that we own and we hiked up the top looking for both -- as conservation commission people and historic commission people, we were looking for Native American sites, and so we found sites up there, but then we came down the hill to where the maintenance road for the powerlines are.

So anecdotally, we are walking towards the Millers River, we get to a ledge that was about 30 feet high and the road ended because you look down and way down you can see Route 2, and what we were talking about with the engineers, they're just rubbing their hands together.· This is going to be so cool to solve this problem because the powerline comes up across the Millers River up the hill and then you've got a 30-foot ledge, and how are they going to get their pipeline through that?· That's one thing that they're going to have fun with but to localize it.· That's where we are at.

MS. WESSEL:· They're going to blast. They're going to destroy --

MR. SCOTT:· Absolutely.

MR. BRULE:· And the hydrology, which is right over there.· So we're talking about --

MR. SCOTT:· It's just over this hill.

MR. BRULE:· -- and the elementary school, for example.· And so Cyd did leave that message on my phone this afternoon about Brownfield, but we have had, as conservation people, concerns over of the years because there was an active sludge up there, and then as he pointed out kind of obliquely across the river in Wendell there is a dump there that actually was migrating towards the Millers River and about to just shut the Millers River out.· It is very unstable until the DEP stepped in and tried to mitigate some of that. So you do have twin dumps there within a half mile of each other.· When I wrote my comments to DPU, I pointed out that I know from some of the old timers in town here that when blasting was going on for the Northfield Mountain Project that we had on Mineral Mountain on the Montague side, we had landslides.

So the shock waves and this fall carried over to the ridge line on the Montague side had collapsed part of that hill down a rock.· So there is a ridge line.· There's fault lines we're talking about.

The thing I just would toss out here is Cyd and I were involved in this.· What I've been trying to keep track of is what the federally recognized tribes are doing about this, so just for your information.· You may or may not know.· But there is whenever federal permits and dollars are involved, there is a thing called Section 106, which means that federally recognized tribes have the right to be present and consulted on whether or not there are sacred burial or ceremonial landscapes. It's called Section 106.

As far as we know there has been a real runaround that firsthand and secondhand information FERC has been really reluctant to actually respect that process.· It's a federal law, but they have kind of pussy foot around it by saying, We're a commission.· We're not an agency, so that doesn't really apply.

So Cyd and I and some people who know what we were looking at found significant Native American stone landscapes.· We found stones that carried a lot of religious significance in a very important spot right along the route.

So we had our camera, GPS information, that is now in the hands of the Narragansett Indian tribe who

have taken it where it is supposed to go. There's that kind of information out there. The tribes are very reluctant. They cannot say they're against the pipeline, but they can be in favor of protecting their cultural sources, so that's where some of us are. That's the direction we're going in.

MS. WESSEL: That's the same tone of the discussion I've had with some other tribal members, so, yeah.

MR. SCOTT: "Death by a thousand cuts." Did somebody say that?

MS. WESSEL: As of federally recognized other nation, they have to be careful about the stance that they actually take. There are some folks as well that work with federal agencies protecting rivers and they have to be careful to just talk about the river itself and not a political stance on approving or disapproving of the project. It's very frustrating, but that's the reality.

MR. BRULE: We were told by the president we cannot get up and publicly declare a pipeline stance because, as you said, we were -- eventually, for what it's worth, they're going to have to come to Erving conservation commission with their request for permits, and they let us know that they didn't really have to obey it, these whole wetland laws or any state laws if they didn't feel like it, but what we're trying to do in the scoping process is to make sure that they look at what the concerns are at least FERC. My understanding is that FERC puts pressure on the proponents to respect what we're talking about.

AUDIENCE MEMBER: Is the newly acquired piece up there in the pathway?

MR. SCOTT: As far as the Erving Forest?

MR. BRULE: Part of it, yes. So when we went up off of Old State Road, climbed up all the trails laid out, you get up to the top, which is quite a stiff climb, they found standing stones, found manatee stones up there. Then we came down to where the access road is and we walked that land and over that, so it's going to be on the west side of the high tension, I guess.

So we started scoping that out and it was good. We're going to go back to do that. That's on the downslope coming this way. We have checked out Popular Mountain, and the parcel that Mount Grace owns is on the other side also of that place where we haven't --

AUDIENCE MEMBER: But not in the direct pathway?

MR. BRULE: It would be in the direct pathway, yes, but that remains to be investigated by us.

AUDIENCE MEMBER: That should be under the Chapter 97 protection then?

AUDIENCE MEMBER: I don't believe it is a conservation restriction, is it?

AUDIENCE MEMBER: The town forest is Article 97. The added piece of property is about Grace.

MR. SCOTT: They fulfill all their obligations to do that paperwork?

MR. BRULE: Whatever they have in their possession, I'm not sure right now, but I'm sure there's protections that should be in place. It might be 97. I know there's no conservation restriction on it right now, yet because we obtained the land prior to the 50 acres at Mount Grace had its home in, because that was under a self-help program, that meant that this Chapter 97 kicked in, so that's covering that.

I always thought we should put a conservation restriction on it also, but I was told what I've already gotten protection, but I just assume to pursue that, but whatever Mount Grace has obtained in the last three or four months, I mean, they know what we have and I don't.

AUDIENCE MEMBER: They took a hike up there.

MR. BRULE: Yes. We went up with Matias.

MS. WESSEL: But the Native American says that's not a matter of Article 97. That's a whole other set of protections, actually stronger protections.

MR. BRULE: If we can get the FERC commission to really enforce that. A lot of people, probably the same people that you know as I know, have been working really, really hard to get them to understand and accept the responsibilities under Section 106, and my sense is it's been convenient for them to really not know too much about that section.

So you can look it up. It's on-line. Basically the first couple of paragraphs is all you need to know; otherwise, there is a lot of legalese. It's kind of under the radar because this is the tribes trying to deal with FERC but also trying to protect their actual resources.

And as we know and you may have heard the history starting with the Farley Cliffs all the way to parts of Northfield that has significant cultural landscape for tribal people going back to just after the glaciers. There's all kinds of legends about the caves and the bad breath coming out of the caves because there's the giant in there who slayed the beaver at Mount Sugarloaf. All this is intricately tied in.

MS. WESSEL: Do you know which tribe?

MR. SCOTT: Pocumtuc, but Hobbamock appears throughout.

MR. BRULE: Abenaki. You name it.

MR. SCOTT: That's funny, that particular story. One particular group of people find him as a benevolent protector spirit, another group not so much. So it's very interesting to see how the same name is culturalized by individuals.

MR. BRULE: What's interesting is Cyd turned up stories about this person in Farley up on cliffs, and the people in Northfield that we connected with had the same kind of story and we had never talked to them about that. So we've been talking to the Nipmucs who are still here and probably were the Pocumtucs. There are a lot of Indian names kicking around, but the stories are all the same and the locations recount similar stories. It's pretty fascinating.

MS. WESSEL: It will be great to know that we reached out to each individual organization because I know, for instance, the Nipmucs have two different organizations within their own tribe versus the Nipmuc and historical Nipmuc that each have their own organizations. If every one of them is interacting with FERC, that becomes a stronger pushing point, and Pocumtuc, of course, as well.

MR. BEMBURY: Bill Bembury, Town of Erving selectman/chair. I want to add that October 6 at the Town of Erving town hall at 7 p.m., we have a special town meeting, and one of the articles on the agenda is an article for \$13,750 to fund the legal issues addressing the pipeline. So if people want to see that article pass and go through, we need bodies there, people who are interested in that.

Not everybody is interested in it, not everybody really cares about it, and I, like everyone else, has to be enlightened and come to a point where you have to listen. You have to listen to your conservation commission, your historical commission. That's what they're there to do, give us information and guide us and help us, help us along the road, but we do need people, if you're an Erving resident, to come out.

If you're concerned about this issue and you know people that are concerned about the issue, you need to come to that meeting, and that is a special town meeting and vote that article forward so that we do have legal funds to the towns and communities to fight. Thank you.

MS. ELAN: I want to clarify something being from Montague. Ariel Elan from Montague. We have a similar article, two articles on our special town meeting on October 1. The one you're describing is not so much to fight it's to get legal and consulting services through the counsel of government, the county government, in order to present the most thorough kind of information that you're talking about into the process and ultimately if the pipeline is forced upon communities to protect communities to the maximum, to mitigate. So it is important. I'm not saying it is not important, but it is not quite accurate to say it is to fight the pipeline. There are other processes afoot to just plain say no.

MR. BEMBURY: We're all on the same page.

MS. ELAN: Yeah.

AUDIENCE MEMBER: October 25, it looks like Sunday afternoon at three o'clock, we are having Curt come to Northfield and everybody will be invited, and we're putting out that information and finalizing it. And I don't know if anybody doesn't know what No Frack is in Mass., cards, please take one and support Rose and the No Frack people who have really generated a movement in this state with their

expertise and their website and always being available for information.

MS. WESSEL: The important part of that card is the website address. We compile all the information we can. Right now there's a process of breaking down the resource report by town and putting a town page up with all the information that I can find that applies to that town. So I just uploaded the next for Erving before I got here and I'm plowing through Northfield and going west from there after that, so you should have stuff up in a few days on the Erving page.

MR. SCOTT: I want to thank you for coming. I know I goofed up and didn't give you the accurate directions or even tell you where to go, so it is one of those things. I'm a juggler. I can do four balls, but then I get to six and drop them, so I apologize. If anybody else has anything that they want to add into the FERC record, let's do that now or we can let the stenographer go. Does anybody have anything specific to enter into the record?

That said, thank you for coming out to Erving we appreciate your time and energy.

(Whereupon, the town meeting was concluded at 9:06 p.m.)

C E R T I F I C A T E COMMONWEALTH OF MASSACHUSETTS Worcester, ss.

I, Jennifer A. Doherty, Certified Shorthand Reporter and Notary in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing Pages 1 to 85 to be a true, complete and accurate transcript of the testimony of the aforementioned hearing held at the time and place hereinbefore set forth, to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THIS 4TH DAY OF OCTOBER, 2015.

Certified Shorthand Reporter

CSR No. 1398F95

My Commission Expires: November 4, 2016

{end of 20151014-5264}

20151014-5280

Tim Winship, Temple, NH.

Kimberly D. Bose

Secretary

Federal Energy Regulatory Commission

888 First Street NE

Washington, D.C. 20426

October 14, 2015

Re: Tennessee Gas Pipeline Company, LLC

Docket No. PF14-22-000

Northeast Energy Direct Project

Dear Secretary Bose,

Our family has a commercial vegetable and blueberry farm located about one mile from the proposed compressor station in New Ipswich, NH that would be a part of the NED pipeline. We have been operating this farm for 30 years following organic practices.

First, I want to state my complete opposition to this project. As has been amply demonstrated, this pipeline is unneeded. Only the most compelling public benefit could justify the environmental destruction and degradation, the endangering of people's lives, including the lives of the children, teachers and staff in the Temple Elementary School, which is located in dangerous proximity to the proposed compressor station in New Ipswich, and the taking of private property. Kinder Morgan has in no way shown that their pipeline satisfies a profound public need. Lacking that, FERC has no justification to approve their application and I

trust they will not.

However, as FERC is still seeking information about the environmental impact of the proposed pipeline, I submit the following.

Inasmuch as there is sufficient documentation that compressor stations emit various toxins and possible carcinogens I request that FERC require Kinder Morgan and Tennessee Gas Pipeline to show how they will prevent the accumulation of toxins in our soils, air, and water, and in the event that such a build-up should occur, KM/TGP should show how they will mitigate such accumulation and prevent any further accumulation in the future.

To accomplish this, prior to the construction of the pipeline and compressor station, Kinder Morgan and Tennessee Gas Pipeline should be required to have soil samples taken from several agreed upon locations on our farm prior to the construction of the pipeline. These samples should test for the presence of those substances known to be emitted by similar compressor stations to establish a baseline for comparison in future years after the construction and operation of the compressor station in New Ipswich.

A timeline should be established, such as every three years, when KM/TGP will test our soils to monitor for a build-up of emitted toxins and possible carcinogens in our soils. If toxins are found then KM/TGP should be required to implement their mitigation plan and demonstrate how they will prevent further accumulations.

In addition, our farm and our livelihood are dependent on clean air as well as clean soil. Right now the air quality in our town and region is very good. This is essential to the health of the plants, animals (above and below ground), and people who contribute to the success of our farm. KM/TGP should be required to test the air quality over a period of time prior to the construction of the pipeline, the results to be used as a baseline against which to measure air quality after the construction and operation of the compressor station and pipeline. KM/TGP should be required to maintain the air quality at the same level as it now. Any degradation in quality that results from the compressor station should lead the station to be shut down until the air quality can be returned to its known condition prior to operation of the station and only be restarted when the means to prevent the lowering of air quality are put in place by whatever means necessary.

Finally, our farm is also dependent on clean water from a pond for irrigating and on a shallow dug well for washing produce as well as drinking water. FERC should require that KM/TGP take water tests prior to the construction of the pipeline and compressor station to establish the baseline presence or absence of those toxins and possible carcinogens known to be emitted from compressor stations and then perform tests periodically in following years to assure that there is no harmful build up in our pond or well. In the event a build up is found KM/TGP should be required to mitigate the accumulation and prevent any further build-up.

Our living depends in good measure on our vegetable farm. Right now we have clean air, clean water, and clean soils that are essential for the success of the farm. KM/TGP, if they gain approval to lay a pipeline and construct a compressor station in our region, **MUST BE REQUIRED** to maintain the high quality of our air, water and soil. Anything less is unacceptable.

Thank you for your consideration,

Tim Winship

20151015-0007

**Town of Weymouth
Massachusetts**

Susan M. Kay
Mayor
75 Middle Street
Weymouth, MA 02189

Office: 781-340-5012
Fax: 781-335-8184

www.weymouth.ma.us

October 7, 2015

Franklin S. Gessner
Right-of-Way Project Manager
Engineering tk Construction
Algonquin Gas Transmission, L.L.C.
Suite 100
Norwood, MA 02062

Re: Request from Algonquin Gas Transmission, LLC for Access to Municipal Property; Proposed Pipeline Facilities for Proposed Access Northeast Project

Dear Mr. Gessner

Thank you for your letter dated September 17, 2015, in which you request that the Town reconsider its previous decision not to grant Algonquin access to Town land.

The Town appreciates the differences in scope and purpose between the Atlantic Bridge (AB) and the Access New England (ANE) projects. However, the ANE project is nevertheless dependent upon the construction of the Weymouth Compressor station as part of the AB project. If FERC elects not to permit the AB project, the ANE project will have to be redesigned and reconfigured. Specifically, the ANE project does not include construction of a compressor facility at the Weymouth site, but rather an increase in the total capacity of the facility constructed as part of the AB project. By segmenting these projects and ignoring the links between them, Algonquin is able to mask the true environmental consequences of constructing the Compressor.

As I noted in my September 8 letter, Algonquin's efforts to move ahead with the Access Northeast project are contrary to the Town's best interests, and I will not agree to facilitate those efforts by providing access to Town property as requested.

Yours truly,

Susan M. Kay
Mayor

20151015-0008

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

Date: 10/7/2015

Via Certified Mail, Return Receipt Requested

Re: Denying property access

As the owner of the property located at:

55 Green Farm Rd
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.

Sherry Peaslee

20151015-0010

Hand written letter, Susan Jones, 23 Winterberry Rd, Pelham, NH 03076: opposing

20151015-0011

Hand written letter, David Rudat, 18 Mulberry Ln, Pelham, NH 03076: opposing

20151015-0012

Hand written letter, Paul Jones, 23 Winterberry Rd, Pelham, NH 03076: opposing

20151015-0013

September 30, 2015

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

To Whom It May Concern:

I received the following message from a friend in Deerfield, Mass. yesterday which says,

“After a year and a half of fighting the construction of a natural gas pipeline that Kinder Morgan threatens to traverse through eight towns in my immediate locality (including across my yard, contaminating my well and my now valueless (that is, unsellable) property, which is well within their proclaimed “incineration zone” of 900 feet (!am less than 300 feet)), I just heard (when I was writing this a few days ago) from a concerned neighbor, that yet another house has exploded (yesterday) due to a natural gas “incident.” She didn’t know where it happened, but when I Googled “explosion today,” I found this: <http://www.cbs19.tv/storv/12618303/second-deadlv-uas-oioeline-exnision-in-2-davs-intexas> —I know not whether it was “today-today” or whether it was September 22 of another year, but I do know that there have been 358 natural gas pipeline “incidents” since 2000. We really need to stop this hazardous intrusion into our lives and livelihoods. Conservation land (even that which is protected under Massachusetts Article 97), organic farms, wetlands, aquifers, private properties, businesses, historical archeological digs, tourist attractions, private schools, rivers, are all threatened by this 5- billion-dollar monstrosity. And they tell us that the gauge of the pipeline will be of thinner material than it would be in an urban setting, because there are fewer of us that would be killed (prematurely incinerated) out here in the boonies.

This is in regards to Docket 1 PF 14-224!00 and it is the “Northeast Knerav Direct Project” !!I

Please note there must be other options than to go forth with this project k, possibly destroy land 4, lives! Ask yourself this.....Would I want this pipeline uoiuu through my nronertv???? The reasonable response would be ‘NO’!!! Please stop the insanity before it’s too late!

Thank you,

Mrs. Sondra E. Dailey
Drsondra4msn.com
Payson, UT 84651

20151015-0030

September 30, 2015

15 Goodwill Trail
Avon, CT 06001

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

Dear Secretary Bose:

Please accept this letter as a statement of serious concern regarding the Kinder Morgan proposed Northeast Extension Pipeline project (FERC docket #PF14-22.) The environmental, health, and safety risks associated with this dangerous project are many and documented, and I would like to formally add my name to the list of all who oppose it.

There are many reasons to oppose this ill-conceived and dangerous Northeast Extension project, and I trust you have heard them all over and over again, beginning with the fact that the need itself is suspect. We know from permit applications that much of this gas is destined to be exported, that little of the fracked gas will actually serve New Englanders. We also know that by fixing the many known leaks in the existing distribution system of pipelines and by moving toward newer sources of clean renewable energy, there is no urgent shortage of energy in New England. To continue with these invasive pipeline projects locks us into many more years of reliance on fracked gas and the pipelines that carry it. These pipelines do not serve as a mere bridge to renewable energy systems; they serve to line the pockets of shareholders and investors. This particular project, with its miles and miles of pipeline and numerous compressor stations invades acres and acres of conserved land, threatens our water supplies, and endangers the health of many citizens.

Chemical exposures and VOCs: Beyond the question of need is the concern with chemical exposures. It is my understanding that the turbines from the compressor stations alone produce enormous quantities of exhaust fumes and noise, that the raw gas that would be vented from the stations and possibly leaked by the pipelines contains in addition to methane many VOCs, and that the methane turns into formaldehyde, a known carcinogen. To move forward with this project puts thousands of people at risk of exposure to these chemicals. I am a poster child for what can happen to those of us who are exposed. Ten years ago, I was an active, successful college professor. In August of 2005, I used a can of Interior oil-based paint to paint our cottage in Northfield, Massachusetts that, unknown to me, contained toxic amounts of VOCs, including the very same benzene and formaldehyde that will be emitted from the compressor station. The paint came with the typical obligatory warnings in very small print that overexposure could cause damage to the central nervous system. The clerk at Sherwin Williams handed me the can with a paint stirrer, never mentioning any danger. Immediately after using that can of paint, I became ill and have never recovered; I had to take early retirement. In 2007, the regulations on the paint toxicity were changed and it can only be sold in small quantities. It is now considered hazardous waste. That was too late for me. I am unable to work or drive as I continue to have seizures when coming into contact with petroleum-based products, which are ubiquitous in our lives. Again, the very toxic chemicals in the paint that have harmed me are the same toxic chemicals that would be emitted from compressor stations. I URGE you to seriously consider my experience. The dangers to human health are real. The only way to lessen any environmental impact from this project is to prevent it from happening at all. Focus on fixing the leaks in the existing distribution system and work to support conservation and renewable sources of energy. How many pipelines do we need? You have promised to take a hard look at these proposals: I urge you to stay true to your word.

Thank you for considering my comments

Francena Dwyer

20151015-0031

Rindge, New Hampshire

October 14, 2015

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

Re: Kinder Morgan Proposed Northeast Energy Direct (NED) Pipeline Project
Docket No. PF14-22-000

Dear Secretary Bose:

Please find enclosed the September 2015 Rindge Pipeline Task Force Report regarding impacts of the above-described proposed pipeline upon the Town of Rindge, New Hampshire.

Very truly yours,

Jane H. Pitt

Rindge Town Administrator

Cc: Allen Fore, Director

Public Affairs

Kinder Morgan

3250 Lacey Road, Suite 700

Downers Grove, IL 60515

Tennessee Gas Pipeline Company, LLC

1615 Suffield Street

Agawam, MA 01001

**RINDGE PIPELINE TASK FORCE
REPORT — SEPTEMBER, 2015**

Members of the Rindge Pipeline Task Force:

Jane Pitt, Town Administrator

Todd Muilenberg, Chief of Police

Ricard Donovan, Fire Chief, Emergency Management Director

Mike Cloutier, Director of Public Works

Dave DuVernay, Assessing Clerk

Kirk Stenersen, Planning Director

Bill Preston, Conservation Commission

Professor Catherine Koning, Franklin Pierce University

Holly Koski, Community Representative

Bill Thomas, Community Representative

The Task Force Charge:

To gather information regarding the proposed Kinder Morgan/Tennessee Gas natural gas pipeline for the purpose of assessing its potential impacts on the Town of Rindge.

- To assess the public safety impacts of the pipeline both during and after construction.
- To assess the impacts of construction of the pipeline on the Town's roads and traffic patterns.
- To assess the impacts of the pipeline on land use patterns.
- To assess the impacts of construction and operation of the pipeline on Rindge's environmental assets including wetlands and aquifers.
- To assess the economic impact of the pipeline on the Town of Rindge

Impacts of NED Pipeline on the Public Safety and Infrastructure in Rindge, NH

By Chief Todd Muilenberg, Chief Rick Donovan, Mike Cloutier

Construction:

The proposed pipeline route in Rindge, as described in the most recent Tennessee Gas Pipeline Environmental Report, crosses the entire width of Rindge covering eight (8) miles. There are a minimum of 10 road crossings including crossings of US Route 202 and NH Route 119 which are major transportation routes running north to south and east to west. These road crossings will involve traffic delays and road closings. The Town imposes weight limits on roads for approximately six (6) weeks in the spring to minimize damage during "mud season". These weight limits must be honored by KM/TG. The Town should also consider

requiring road bonds from KM/TG so that any damage to roadways will be repaired at KM/TG's expense. KM/TG construction vehicles should be prohibited from crossing the Wellington Road Bridge.

Given the substantial presence of bedrock in Rindge along the route of the pipeline, blasting will be inevitable. Security for blasting areas to ensure the safety of the public will require Police/Fire details, warning signage, public notification of blasting schedules and road closures. Safe transport of blasting materials and secure storage of these materials will be required.

New Hampshire is known for high levels of arsenic and radon in well water. Blasting may increase the frequency of this problem. In addition, detonators and explosives do not fully combust with blasting and residue could leech into the groundwater. KM/TG should conduct pre and post blasting well testing of all wells within 400 - 500 feet of the blasting area. There should also be arrangements made for the emergency provision of potable water in the event wells are damaged.

Hours of construction should be regulated so as to minimize noise and disruptions to residential neighborhoods. Proper procedures should be put in place for dust control. KM/TG must inform the Town of its construction schedule and routes as well as where construction staging and stockpile areas will be located. Appropriate security should be provided by KM/TG for these areas.

The pipeline construction will result in an influx of workers who do not reside in Rindge. A plan for housing these workers as well as transporting them to and from the job sites must be developed by KM/TG in consultation with the Town. Pipeline construction in other parts of the country has utilized "man camps" which are group workforce complexes to house pipeline workers. The presence of "man camps" in other parts of the country has resulted in the need for more police protection.

Emergency Management During Construction:

As set forth above, blasting will be inevitable if the pipeline is to be buried. Police and fire details will be necessary as well as warning signage, public notification of blasting schedules and road closures. During construction, police details may be necessary for traffic control.

Emergency Management After Construction

It will be imperative to have an up to date emergency contact list of all KM/TG responsible parties as well as outside resources and logistical support in case of a pipeline accident/emergency. In addition, the Town should develop an emergency evacuation plan which includes primary and secondary shelter points. HAZMAT training should be provided for all emergency personnel, including highway personnel. There should be also close coordination with the Keene, Nashua and Fitchburg HAZMAT teams. The pipeline must be accessible during all seasons thereby necessitating the use of 4x4 vehicles, quads and snow mobiles.

It will be necessary to establish an effective public emergency notification system which will include electronic message boards, sirens or horns and telephone contact.

Impact of the NED Pipeline on Rindge's Environmental Assets

Environmental Impacts on Groundwater and Wells:

By Catherine Owen Koning, Ph.D., Professor of Environmental Science, Franklin Pierce University

Existing Resources: The proposed pipeline route, as outlined in the Environmental Report Northeast Energy Direct Project Resource Report (ER), will run directly across two important stratified drift aquifers in Rindge (one near Abel Rd., and another south of Hubbard Pond). The proposed pipeline will run directly adjacent to a large, high-transmissivity aquifer near Converse Meadow, which has been identified as a potential future water source for the town. Most of the town's residences and businesses depend on private wells, and many of these are bedrock wells. Over 200 private wells are within 1/4 mile of the pipeline route shown in the ER.

Impacts: According to Brandon Kernen, of the NHDES Drinking Water Source Protection Program, the pipeline would not affect the direction or quantity of flow in these aquifers, since even if installed under-

ground, the pipeline is too small to impede flow because, by definition, aquifers are thick and have a lot of flow, so a narrow pipeline wouldn't have much impact. Because the pipeline carries natural gas, a spill would not affect water quality (no pollutants would be released into the water). Natural gas leaking into the air would contribute to global warming, since methane is a heat-trapping gas, and climate change is expected to have negative effects on water quality, particularly water temperature and dissolved oxygen.

However, there are other sources of contaminants that may come from the operation of a natural gas pipeline. One source reports that, inside the pipeline, "Exotic mineral-based scales may also form zinc, lead, arsenic or mercury. Furthermore, if the gas is even slightly wet and sour conditions are present, sulfide scales will form" (Wylde, 2011). Hydrostatic testing of the pipeline, using pumped water, can lead to accidental release of these contaminants. Cleaning of these contaminants during pigging may lead to an accidental release of these materials. Chemicals such as co-solvents, surfactants, dispersants and other chemicals are used during pipeline cleaning (Coastal Chemical 2005), and any of these could be accidentally released if a leak occurred. If the pipeline carried other materials, such as fuel oil or hazardous hydrocarbons including benzene, then a spill would contaminate the groundwater. NHDES wellhead protection guidelines state that 400 feet around any public well should remain free of contaminants, and the sanitary protective radius for bedrock wells serving the public is 1300- 4000 ft. (NHDES 2009).

The construction of the pipeline could contaminate the aquifer if fuel oil or other construction fluids were spilled from vehicles and equipment involved in the installation process. In addition, because the bedrock is very close to the surface throughout most of the Town of Rindge, blasting would be needed to install the pipeline in many locations. Blasting may cause contamination from blasting chemicals (NHDES 2010), particularly nitrate, nitrite, and volatile organic compounds. It may also cause small particles and solids to enter into the well (total suspended solids, also known as turbidity), making the water appear cloudy. There may also be an increase in metal ions, which are found in the bedrock. Changes in the amount of gases or trace elements may also occur (including methane, carbon dioxide, helium, hydrogen sulfide and radon), major ions (sodium, potassium, calcium, magnesium, sulfate, chloride, fluoride and bicarbonate) and trace elements (mercury, radium, uranium, lithium, strontium and barium) (Gascoyne and Thomas 1997). In rare cases the blasting may open or close fractures in the rock, thus affecting the amount of water flowing into the well (Hawkins 2000), although some sources indicate that the blast would have to be very close to the well for this to happen (35 feet) (Geosonics, Oregon Dept. of Transportation). Many of these effects are temporary.

Recommendations:

- The draft ER should include all of the aquifers (it does not mention any of them), and the location of all of the private wells.
- The draft ER should make it clear whether this pipeline can be used for transport of other materials besides natural gas.
- The pipeline should not be routed through or within 400 feet of any major aquifers.
- The pipeline should not be located within 50 feet of any private well.
- Private wells within 400 feet of the pipeline installation should be tested before, and several times after, the pipeline is constructed. Testing parameters should include suspended solids, nitrates, nitrites, iron, sulfate, lead, arsenic, mercury, acidity and any of the chemicals that are typically used during cleaning/pigging of the pipeline.
- Best management practices for rock blasting should be followed (for example, see NHDES 2010).

Coastal Chemical. Pipeline Pigging and Cleaning. 2005. Available: <http://c.y.mcdn.com/sites/www.houston-pipeline.com/resources/resmgr/meetingresentations/pipelinepiggingandcleaning.pdf>

Gascoyne, M. and D. Thomas. 1997. Impact of blasting on groundwater composition in a fracture in Canada's underground research laboratory. JOURNAL OF GEOPHYSICAL RESEARCH, VOL. 102, NO. B1, PAGES 573-584, JANUARY 10, 1997

Geosonics. 2015. Frequently Asked Questions about Blasting. Available: <http://www.geosonicsvibratech.com/faqs.html>

Hawkins, J. 2000. Impacts of Blasting on Domestic Water Wells. Workshop on Mountaintop Mining Effects on Groundwater, May 9, 2000. Available: <http://www.osmre.gov/resources/blasting/docs/WaterWells/HawkinsBlastingWells2000.pdf>

New Hampshire Dept. of Environmental Services. 2009. Wellhead protection basics. Available: [http://des.nh.gov/organization/commissioner/pip/publications/wd/documents/wellhead Ssteps.pdf](http://des.nh.gov/organization/commissioner/pip/publications/wd/documents/wellhead%20Steps.pdf)

New Hampshire Dept. of Environmental Services. 2010. Rock blasting and water quality measures that can be taken to protect water quality and mitigate impacts. NHDES Drinking Water Source Protection Program. Concord, NH. Available: <http://des.nh.gov/organization/commissioner/pip/publications/wd/documents/wd-10-12.pdf>

Oregon Dept. of Transportation. No date. Rock Blasting and the Community. Available: [http://ftp.odot.state.or.us/techserv/geonvironmental/Material%20Sources/Resources/Blasting and Community.pdf](http://ftp.odot.state.or.us/techserv/geonvironmental/Material%20Sources/Resources/Blasting%20and%20Community.pdf).

Wylde, J. 2011. Chemically Assisted pipeline cleaning for pigging operations. <http://www.pipelineandgas-journal.com/chemically-assisted-pipeline-cleaning-pigging-operations>

Environmental Impacts on Streams, Wetlands and Wildlife:

By William C. Preston, Ph.D., Ecologist, Rindge Conservation Commission

Existing Resources:

Wetlands: The proposed pipeline route, as described in the most recent Tennessee Gas Pipeline Environmental Report, crosses the entire width of Rindge along an open “U-shaped” pathway. There are a minimum of 17 wetland areas, as listed by the National Wetlands Inventory, which will be crossed along this pathway. Most are open areas, with varied proportions of emergent and shrubby wetland vegetation. Several are at the margins of stream sections that have been dammed by beavers or human agency. In addition to these recognized wetlands, there are numerous smaller pockets of standing water which appear seasonally. These are currently being evaluated for their status as “vernal pools,” which are significant breeding habitat for several local amphibian species. There also appear to be 4 streams, all part of the Millers River watershed, that will be crossed by the pipeline route. The only ponds to be impacted are dammed sections of these streams, as described above.

Wildlife: In the southwestern part of town the pipeline will run through wetland and upland habitats ranked by the NH Wildlife Action Plan as having highest value in the state or highest value in the biological region, as well as supporting habitats for these areas. Several rare and threatened species of reptiles (wood turtle, Blanding’s turtle, spotted turtle) have been observed here, and this area deserves the maximum protection that we can achieve. At least 2 nesting sites of Osprey occur along the pipeline route. While Osprey populations have recovered significantly in recent years, they are still sufficiently rare to be actively monitored by wildlife agencies. None of the impacted streams seem to support widely exploited fisheries, in part because of lack of public access and/or navigability, although both warm-water and cold-water species of gamefish have been reported. Some of the wetlands support waterfowl hunting in season. No rare or imperiled plant species are reported from the wetlands areas.

Streams: The proposed pipeline route will cross two named streams, Tarbell Brook and Lord Brook, and three unnamed streams, one below the west side of Town Hill and one below the south side of the hill, and another from the outlet of Crowcroft Pond to Lake Monomonac. Populations of native brook trout have been reported in some of these streams.

Impacts: Wetlands are fragile ecosystems with high value in terms of ecological services. One of the primary impacts of pipelines in wetlands is alteration of surface and subsurface hydrology. In forested wetlands, for example, a pipeline may block normal water flow, thus raising the water table on the upslope side and altering tree growth and/or survival. Soil compaction in the pipeline trench and the associated work corridors alters hydrology and water storage capacity. Effects such as higher bulk density, lower depth of

refusal and lower soil moisture have been measurable at least 8 years post-construction (Olsen & Doherty, 2012). Disturbances associated with pipeline construction have also been shown to alter the structure of wetland plant communities in terms of species diversity and quality. Occupation of disturbed wetlands by invasive species is another likely impact, despite efforts to control them. Species such as Reed Canarygrass, can colonize wetlands and convert them to virtual monocultures (Marlor, et al., 2012). Comingling of soils extracted during excavation of the pipeline trench would affect the regeneration of wetland structure and function. Disposal of material from the de-watering of the pipeline trench or from hydraulic testing may create problems of siltation in wetlands.

Wildlife impacts: The pipeline will create more fragmented habitat in an area that has already been chopped up with roads and developments. Forested areas will have additional strips of open habitat, which may benefit “edge” type species such as deer, raccoons, and skunks, but will have a negative impact on more sensitive species such as broad-winged hawks, pileated woodpeckers and fishers. In addition, once opened up, these areas are more likely to be used by all-terrain vehicles and snowmobiles, which have a negative impact on plants and wildlife. Rare turtles are more likely to experience difficulty in moving through their home range, as they are more exposed due to the lack of vegetative cover. They will also encounter more disturbances from invasive species, off-road vehicles,

Streams: Stream crossings, which might be accomplished by any of several methods cited in the Resource Reports, do not seem likely to create significant or long-lasting impacts for wildlife during construction. This assumes that the BMPs described in the TGP Resource Report are actually followed. However, post-construction issues with significant erosion and alterations of stream channels have occurred very frequently following storm events and before streamside vegetation has regenerated (Robson 2015). Erosion and ensuing sedimentation can harm fish populations according to the American Fisheries Society. Both Lord Brook and the outlet of Crowcroft Pond flow into Lake Monomonac, which is an impaired water as a result of excess phosphorus. Any additional sedimentation resulting from construction or subsequent erosion could exacerbate these conditions.

Recommendations:

- The wetlands along the pipeline route and several hundred feet on either side, should be evaluated in terms of their ecosystem functions. The survey, classification and documentation of vernal pools should be completed.
- In wetland areas, removal of plant material from the construction corridor should be limited to above ground materials to avoid disruption of root systems outside of the actual pipeline trench.
- If at all possible, the highly ranked habitats should be avoided by rerouting the pipeline, particularly areas with rare turtle species or other prey. Adequate mitigation for damage to these areas is problematic, since there are no comparable areas in town to be protected. However, several large tracts of land in town have been identified as conservation targets, and funds to obtain and protect one or more of these target parcels might satisfy mitigation requirements.
- Pre-construction surveys for invasive plant species should be done along the entire pipeline corridor, but are especially critical in wetland areas where monocultures can become established quickly in disturbed sites. Post-construction monitoring and management should be employed to make sure invasive species do not invade the wetlands, and to remove them if needed.
- Special attention should be paid to the restoration and monitoring of stream banks at crossing sites. A monitoring and management plan should be in place, and funds should be placed in escrow for future repair of streams damaged by pipeline crossings.

“AFS Policy statement 112:Construction and Operation of Oil and Gas Pipelines,” American Fisheries Society, available at http://fisheries.org/docs/policy_statement/policy12f.pdf.

Boelter, Don H., and G. E. Close. 1974. Pipelines in Forested Wetlands: Cross Drainage Needed to Prevent Timber Damage. *Journal of Forestry*, 72: 561.

Marlor, K. M., C. R. Webster and R. A. Chimner. Disturbance and Wetland Type Alter Reed Canarygrass Cover in Northern Michigan.

Olsen, Erik R. and J. M. Doherty. 2012. The legacy of Pipeline Installation on the Soil and Vegetation of Southeastern Wisconsin Wetlands. *Ecological Engineering*, 39: 52-62.

Robson, Michael A. 2015. In-stream pipeline exposure repairs with restoration of aquatic resources: Maintaining ecological function of streams and wetlands. Presentation to the Society of Wetlands Scientists Annual Meeting, Providence RI.

Planning and Land Use Impacts:

By Kirk Stenersen, Planning Department

Blasting may impact properties within 500 feet. All structures within that area should be surveyed and all wells within that area should be tested before and after blasting. The Town should consider enacting a blasting ordinance to establish best management practices for this activity.

Consideration should be given to establishing setbacks from the pipeline for new development. The Town should also consider whether certain uses should be prohibited within a certain distance of the pipeline.

Economic Impacts:

By Dave DuVernay, Rindge Assessing Clerk

A major economic impact on the Town of Rindge will be the payment by KM/TG of local property taxes. A review of *Tennessee Gas Pipeline Company v. Town of Hudson* (12/28/2000), No. 97-862, provides us some idea of the level of taxes which may fall to the Town of Rindge if the pipeline is constructed here. The Hudson pipeline was only 3 miles long and only 8" in diameter; Hudson also had a metering station and 20 acres of easements; it was assessed in 1995 at \$900,000.

The Rindge pipeline is approximately 9 miles in length and is now 30" in diameter. The current KM/TG plans show a mainline valve facility at mile 22.6 which is adjacent to Robbins Road. The pipeline promises to carry 2.2 billion cubic feet of gas per day (AECOM 1/26/15 letter). We should be able to tax the land over which the pipeline travels except for land held by private owners which we can tax as the pipeline company's easements. We also may have to abate some taxes to land owners who are forced to grant easements to TGP. Additional study will be necessary to determine the valuation method for the mainline valve facility.

In the above cited case, the Supreme Court allowed Hudson to assess Tennessee Gas Pipeline Company (TGP) at replacement/ construction cost less physical depreciation, denying TGP any offset for functional or economic depreciation. The Court also allowed Hudson to tax TGP for property easements over which the pipeline ran, but might have allowed the owners themselves to file for tax abatement.

We should not jump to the conclusion that our 9 miles of pipeline will be valued at only \$2.7 million (3 times Hudson's 3-mile stretch) because our pipeline is 30" in diameter (Hudson's was 8") and construction costs may be considerably higher.

20151015-0034

Hand written letter, 2 pages, Mr. Joseph Torney, PO Box 51, Franklin, NY 13775: opposing

20151015-0035

Hand written letter, Norma Thibodeau, Richmond, NH: opposing

20151015-0036

Hand written FERC Comment form: Catherine S Waitt, 369 Page Hill Road, New Ipswich, NH 03071: opposing

20151015-0037

Eric Tomasi

October 2, 2015

First

I am addressing the change in the NED route in Pelham NH. The route changed from the West side to the East side at section 39.5. This route now will directly affect the 31.3 acre primewetland on lot 11- 103. The uplands are important in keeping the integrity of this wetland intact. The state requires that a primewetland must have significant value that is worthy of extra protection because of its uniqueness, fragility, and unspoiled character. It must have over 50% hydric A soil and meet many other criteria. I will not go into all the criteria here. After this report was completed the town voted to have this wetland be listed as a primewetland and the state agreeing with the report then gave it primewetland status.

In this study it states that the wetland benefits from its natural transition into large upland areas on the South, West, and Northern boundaries. The transition is completely natural and uninhibited. A wildlife benefit is the proximity to the powerline easement which provided much field and brush habitat to various wildlife species. It is listed in the report that the land is in an unspoiled state. This will of course now be destroyed because the route was changed. If this pipeline goes to the east of the powerline, the uplands will be deforested and the wetland itself will be destroyed at section 40.2 and 40.3. The impact will be the greatest in this area. I have kept my land at 11-100 in a natural state to protect the wetland and was on the conservation commission to keep this land protected. Please be aware that a new line of electric lines will be on the West side and now both sides of the powerlines will be deforested instead of just one side on the West which is the way it was up until the last week of September.

I am requesting that an explanation be given as to the reasons for this change.

Second

The birdfoot violet is stated as being imperiled, and threatened by (state's criteria). It has only 9 sites in the state and is located on lot 7-11. There are three distinct areas where the plants are located on lot 7- 11. Each area has about 20-30 plants on lot 7-11. See the NH Natural Heritage site for the exact locations. Sections were verified by John Viera PWS senior project - Company Vanasse Hangen Brustlin Inc.

Thank you for your consideration in these matters.

Alice Symonovit
Dave 5star@gmail.com
71 Dutton Road
Pelham, NH 03076

{map omitted}

20151015-0038

Hand written FERC Comment form, 2 pages: William Monahan, 1 Damon St, North Reading, MA 01864: opposing

20151015-0039

Typed FERC Comment form:

08-27-15

Dear People:

I'm writing to object to the Kinder-Morgan pipeline route through our town of Lanesboro, MA — and to strongly urge you to reject this project.

There are many reasons to reject the project — but the most important one for the town of Lanesboro is the almost certain probability of destroying our town aquifer system — effectively destroying the town.

All the residents of Lanesboro depend on water from a large, high-quality aquifer — whether the water is delivered through town wells or individual wells. Pollution of the aquifer would literally leave the town high and dry, with no effective replacement alternative — except for trucking in water individually to each home and business.

The KM pipeline design guarantees that in the event of a pipeline leak, no response would be possible in time to prevent the complete pollution of the town's aquifer.

Obviously, this would destroy the property values and tax base for the town, make homes unsaleable, and require millions of dollars from the State of Massachusetts.

Allow me to make it more specific by putting a dollar cost on this. What is the financial value of our water? Hydro-geological surveys show that Lanesboro can pump at least 1.2 million gallons per day with no negative impact on our aquifer system. This is 4,380,000 gallons per year of high-quality water. “High-quality” means no need to filter or treat the water.

A nearby international bottling company would pay 1 cent/gallon today for this water — \$4.38 million dollars per year. This is today's sales value of this resource.

To look at it from the other side, replacement cost — the nearest truck-water source cost today would be 5 cents/gallon — or \$22,000,000 per year. This is what the State of Massachusetts would have to assume if the aquifer is polluted.

Kinder-Morgan has a terrible track record nationwide for design, construction, supervision and maintenance of its other pipelines — and also a terrible record for its responses to previous pipeline disasters.

There are many reasons to reject this pipeline — but for the town of Lanesboro, destruction of our sole water source is the most important deal-breaker.

William W. Matthiesen
33 Stormview Road
Lanesboro, MA 01237
413442-9172
billRbfv.com

20151015-0040

August 23, 2015

Gas Branch 3, PJ-11.3

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

Re: DOCKET # PF14-22-000

Kinder Morgan/Tennessee Gas Pipeline Co. Northeast Energy Direct Project

To Whom It May Concern,

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'afety 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,

William & Nancy Buckley
62 Colonial Drive
Dracut, MA 01826

20151015-0041

FERC Comment form; Mr. Robert F. Fink, 1264 N? Averill Park Rd, Nassau, NY 12123: opposing.

I purchased this property almost 20 years ago when I was married. We liked it so much because it was out of the way from things, nice & quiet, & had plenty of wildlife around. And now, they want to drop a Compression Station right across the road from my house which will destroy every reason I bought the house for in the first place. Deer run back & forth from my property & the property across the road. Turkeys roost almost every night right across the road & walk across my yard constantly. Seen several bears in my yard too. I hear the frogs & lots of owls at night from across the road all the time & there are several different species too, mostly the Great Horned Owl. The nights are beautiful. The sky is so clear & it's nice & quiet. In the past several years I've noticed the grand appearance of Bald Eagles. Never saw one around this area before in my life. (I'm 52 & born & raised here). Most of the times when I've seen them, they either came from the other side of the road or are flying to the other side of the road. I have a feeling they maybe nesting over there somewhere. One day I saw one chasing a hawk out of that area, usually it's the other way around, the little bird chasing the bigger bird and also is a sign there could be a nest in the area. If that Compression Station goes in, you can kiss most of those animals good-bye & what a loss that would be. I heard it will go right through one of the top Nature Preserves in the state too. It'll do that area wonders. Bye-bye to the nice clear sky at night. With the light pollution that's going to give off I might as well move to the city. There goes the quietness too. From what I hear, these things are very loud. Animals are not going to put up with that & I sure as Hell don't want too. Let's not forget the wonderful gases this station will be spitting into the air for all around to breathe in. They will tell us that they are at safe levels though. So comforting. No level is safe in my book if I have to live near it, especially these gases. I guess after the Benzene gives me Cancer, the undertaker won't need a real lot of Formaldehyde, one plus.

So what this does for us in the area is pollute our air with chemicals & noise pollution. Flood the night sky with light pollution. Won't see those stars or hear those owls anymore. Probably drive most of the wildlife away. Drive property value down, who's going to want to live near that thing. I know I won't & I will get a lot less for my house if I'm able to sell it. So far, nothing but pluses. It doesn't benefit anyone around it because it's just passing through to go to MA, & then over seas to make money for the corporation who don't care what they do to people & their lives as long as they get the Almighty Green Bucks in the end. Why not put it where it's already noisy & bright all the time, like near a city. Oh wait, it's too dangerous for that incense it explodes some day, that's right. That's just wonderful. Why is NY even considering this if we'e

supposably a state against fracking7!?! 12!7 At least that's what I hear from good old Mr. Cuomo. I'm sure there must be quite a few people about to make some big money on this, that's why. Too bad it just screws the little guy along the way. I'm sure the State government will make out too, they always do.

20151015-0042

Hand written request card, Christine Miller, 609 A Central Ave, Needham, MA 02494: Owner of Summer cottage in NH, opposing and also requesting a paper copy of draft EIS;

20151015-0043

Hand written request card, Marie Reggio, #17 Pollard Dr, Millis, MA 02054: Owner of Summer cottage in NH, opposing and also requesting a paper copy of draft EIS

20151015-0044

Hand written request card, Miller,/ Reggio Family, 106 East Shore Drive, Bradford, NH 03221: opposing and also requesting a paper copy of draft EIS;

20151015-0045

Hand written request card, Karen Miller, Hair of the Dog Farm, Inc., 161 Ashburnham Rd, New Ipswich, NH 03071: requesting a paper copy of draft EIS; have not had time to do their own environmental impact studies;

20151015-0046

Hand written letter, Lawrence J. Zradi, PO Box 248, Madden Rd, Stephentown, NY 12168: opposing.

20151015-0047

Attn: OEP-DG2E —Gas 3, PJ-11.3
Federal Energy Regulatory Commission (FERC)
888 First Street NE
Washington, DC 20428

August 8. 2015

CC: Amherst Board of Selectmen

Dear FERC,

I am a resident of Amherst NH in the rural neighborhood of Ponemah adjacent to the Bon Terrain Industrial Park at the south end of town. I know that you have received an environmental assessment from our town's Conservation Commission which highlights potential environmental concerns associated with the construction and operation of the North East Direct natural gas pipeline proposed by Kinder Morgan. There are several issues raised in this document including disturbance of the Ponemah Bog Sanctuary, two public conservation lands, wetlands, and four crossings of the meandering Souhegan River through fluvial soils.

This report, also had a discussion of the importance of the large aquifer comprising an area of 13.1 square miles or 39% of the town's area and preserving water well yield and quality. What it does not include, however, is the information that the current path of the NED pipeline crosses a primary recharge area of the aquifer. This land was denuded of topsoil and a stream crossing it several decades ago by the owners and exhibits surface soil that appears to be sand above the aquifer.

The Bon Terrain Industrial Park is in the middle of this recharge area and has been cited by our Board of Selectmen as the location of a metering station for the pipeline.

I believe you should include the details surrounding the location of the pipeline relative to the aquifer recharge area and soil studies there in your environmental impact study.

Thank you for providing an avenue for citizen input.

Best regards,
Jack Conaway
24 Ponemah Hill Road
Amherst, NH 03031

20151015-0048

Marjorie Feathers
P. O. Box 1042
Hancock, Massachusetts 01237

August 31, 2015

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

Docket Number PF14-22-000

Tennessee Gas Pipeline Company's Northeast Energy Direct Project proposed by Kinder Morgan

During careful, ongoing study of the Northeast Direct Pipeline & Kinder Morgan's first proposed route in New York State and Massachusetts through the current proposed route that also includes New Hampshire, it has been very obvious that this gas pipeline would be of benefit primarily to Kinder Morgan and that the these northeastern states and towns are expected to accept Kinder Morgan's plan; should trust the company's "studies"; not worry about potential destruction of individual and public water supplies & leaks or the fact that rural towns would have diminished safety regulations involving pipeline gauge or distance between shut-off gates; and not even question the need for the gas. Regarding need, recently Kinder Morgan has been forced to realize that they have not been able to receive commitments from enough users in these states to support the type and size of pipeline they had originally proposed. Exportation of the gas would be their savior, as was probably planned to begin with. There are other routes & which they can export.

Opposition to this pipeline is not a nimbby event. Across all three states, a large number of federal senators and representatives, state senators and representatives, and whole towns, all of whom have studied the proposal in its 'vague presentation and/or have met with Kinder Morgan representatives, have stood in strong opposition to this pipeline. Representatives have requested extension of scoping meetings for time to study the very recently changed proposal. Northeast Energy Solutions and others have challenged the financial model of the project. ISO's original forecast of New England's electricity load for 2015 was so inaccurate that New England Power Pool voted not to support it. New Jersey-based Northeast Energy Solutions recently rightfully questions why UIL Holdings Corp., parent company of Berkshire Gas Company, is enforcing a moratorium on adding new natural gas customers in parts of its coverage area while pledging to lift the moratorium if the gas pipeline is built, without disclosing their own financial investment in the pipeline. This certainly is cause for concern about public interest and public trust of a utility subject to regulation. Will the expense of building this project be passed on to National Grid customers, keeping energy costs high? Is National Grid's parent company also making financial investment in the pipeline or have they made secretive deals?

A look at settlement in the rural town of Hancock, MA, using the U. S. Geological Survey map, reveals that within 1/2 mile (mostly within 1/4 mile) of the proposed route lies the closest concentration of homes in the town — the whole village: 72 dwellings, the town library and the town's only church. Three of the town's earliest, stately homes, eligible for listing in the National Register of Historic Properties, would be within yards of the rural-regulation thinner-gauge pipeline. Safety concerns about destroyed individual water wells and springs from possible gas leaks, and possible explosions from a weaker pipeline than is required in cities are of high priority. In fact, Hancock is only one of the many small towns expressing these worries.

Wide-spread safety and possible drinking water contamination concerns across all the involved states must be weighed heavily against the supposed but questioned need for gas & this proposed pipeline. It is these

utmost conctxns that have united a whole region that seldom agrees as strongly as this on, any topic or. project. Yes, the northeast is a more expensive place to live and do business when it comes to the cost of energy. Has it not always been? Are individuals, tjowns, and representatives clamoring to create shor-term jobs and to get the energy cost down with a pipeline? No. Are renewable energy projects blossoming'? Yes. The excuse for building this pipeline came &om elsewhere, not &om these affected states. For the sake of the people living in New York, Massachusetts and New Hampshire and not for the pockets of Kinder Morgan and its investors, please reject this pipeline proposal

s/Marjorie Feathers

20151015-4001

Mr. Mills and Mr. Tomasi,

I am writing to add my name to the list of Franklin residents who have bee requesting a community meeting for our town. Several New Hampshire [Milford, Rindge, Mason] and other New England towns located along the proposed NED pipeline have had community meetings, or are scheduled for one.

We feel that Franklin also should have such an information meeting with Kinder-Morgan. Especially since Franklin has been selected as a potential site for a compressor station and a purchase agreement has been entered into with the landowners on the proposed NED supply pipeline.

The meetings held in this area of New York State were only "open house" type meetings where questions were answered one-on-one at display tables. We are requesting an open meeting format where questions are asked and answered so all attending can hear the same answer. It is obvious that not everyone will have the same questions!

FERC should refrain from acting upon the Kinder-Morgan filing until all communities proposed for locating a compressor station have an opportunity to openly ask questions about industrial developments [pipeline, compressor station, control valves, radio towers, etc.] that could greatly impact the rural nature of the community.

Thank you for your time, and I hope Kinder-Morgan as a responsible company can have the courage to honor our request.

Donald Hebbard
558 Otego Road
Franklin, NY 13775
607-829-8664

20151015-4004

FEDERAL ENERGY REGULATORY COMMISSION

Meeting Summaries

Massachusetts, New Hampshire

Tennessee Gas Pipeline Company, LLC

Docket No: PF14-22-000

NORTHEAST ENERGY DIRECT PROJECT

October 15, 2015

Meeting Summaries

On **September 28, 2015**, Office of Energy Project staff, and members of its third-party contractor Cardno, met with council members from the Town of New Ipswich, New Hampshire. The meeting included a visit to the proposed compressor station site for the Northeast Energy Direct (NED) Project near New Ipswich and a tour of the area to view other sites proposed for the project route. OEP staff attended the New Ipswich Town Council Meeting after the site visits and answered questions from the Council regarding the FERC process and status of the NED Project.

FERC-OEP and Cardno attendees: Eric Tomasi (FERC), Jennifer Wallace (Cardno), Sara Holmes (Cardno), Oliver Pahl (Cardno), Bruce Hart (Cardno), Lindsey Postaski

On **September 29, 2015**, Office of Energy Project staff, and members of its third-party contractor Cardno attended a meeting with the Southwest New Hampshire Regional Planning Commission in Keene, New Hampshire. Topics discussed regarding the NED Project included the FERC Environmental Impact Statement (EIS) process, pipeline construction and routing, and information sources for the project.

FERC-OEP and Cardno attendees: Eric Tomasi (FERC), Oliver Pahl (Cardno)

On **September 30, 2015** Office of Energy Project staff, and members of its third-party contractor Cardno the FERC attended a meeting with the Berkshire Regional Planning Commission in Pittsfield, Massachusetts. Topics discussed regarding the NED project included the FERC EIS process, involvement of federal, state, and local agencies in the process, regional planning concerns, and post-construction compliance monitoring.

FERC-OEP and Cardno attendees: Eric Tomasi (FERC), Jennifer Wallace (Cardno), Bruce Hart (Cardno), Jason Dickey (Cardno), Doug Mooneyhan (Cardno)

20151015-4008

{skip to end of 20151015-4008}

frcog

Franklin Regional Council of Governments

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

September 23, 2015

RE: Kinder Morgan - Tennessee Gas Pipeline - Northeast Energy Direct (NED) Project - Docket # PF14-22-000

Dear Secretary Bose:

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 the 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 environmental, safety and socioeconomic 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, coldwater fisheries, public infrastructure, and historic resources. The short and long-term impacts that the proposed project would have on our communities and region are profound.

It greatly concerns us that our rural communities, which are more reliant on natural resources and have less income and resources to address impacts, are being targeted for the proposed NED pipeline project. The economic and public health of rural residents is closely tied to the health and viability of the natural resource base that will be negatively impacted by the proposed pipeline. Further, the NED pipeline project is proposed to be sited in several Environmental Justice (EJ) Areas, according to a study recently completed by the FRCOG, which are areas of high poverty or minority populations. These EJ Areas include the Northern portion of Deerfield, Western portion of Erving, Non-Urban Area of Montague, and the Northern portion of Northfield.[1] Consequently, the proposed NED project in Franklin County raises a serious Environmental

Justice issue if rural low income or minority populations are impacted by a project that is expected to have adverse air and water quality impacts and which may have a depressing effect on property values given health and public safety concerns.

We ask 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. Alternatives to the proposed pipeline should be seriously considered by FERC and we hope that the DE IS process will fully explore these alternatives to meet electricity generation and natural gas demand in New England 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 request that a detailed analysis of these alternatives be included in the Draft Environmental Impact Statement (DEIS) to be developed and published for public comment by the FERC.

The FRCOG has attached detailed Study and Information Requests prepared jointly with other Regional Planning Agencies in Massachusetts and New Hampshire for inclusion in the Draft Environmental Impact Statement. In addition to the alternatives analysis requested above, our Study and Information Requests focus on the following areas:

- Protection of Water Resources (public & private drinking water supplies, rivers, lakes, ponds & wetlands)
- 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 being 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, public safety, historic resources, 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 request that FERC include the data, information and findings of these Study and Information Requests in the DE IS. However, if FERC does not conduct or require TGP to perform all of these studies, we ask that FERC so notify the Regional Planning Commissions listed to provide us with adequate time to commission these studies, if funding can be secured, in advance of release of the DE IS.

Thank you for this opportunity to provide comments and submit Information-Study Requests on the proposed Kinder Morgan Tennessee Gas Pipeline NED Project. Please contact Peggy Sloan, Director of Planning & Development (psloan@frcog.org) if you require additional information or have questions on our

requests.

1 Regional Transportation Equity Analysis for Franklin County; Franklin Regional Council of Governments; July 2015; Environmental Justice Areas are defined as areas where minorities comprise 9% or more of the block group's total population or where at least 12% of the area's population lives below the poverty level (see Tables 1 & 2 and Narrative; Pages 6-8); These definitions have been in use by FRCOG since 2012 for compliance with Title VI of the Civil Rights Act and while the minority percentage figure is lower than the Statewide average, it is the Franklin County average reflecting our rural region; www.frcog.org

Sincerely,

Linda Dunlavy
Executive Director

cc.: US Senator Elizabeth Warren
US Senator Edward Markey
US Representative James McGovern
US Representative Richard Neal
MA Senator Stanley Rosenberg
MA Senator Benjamin Downing
MA Representative Stephen Kulik
MA Representative Paul Mark
MA Representative Susannah Whipps Lee
Secretary Matthew Beaton, EOEEA
Mr. Brian Harrington, MADEP
Ms. Brona Simon, Mass Historic Commission
FRCOG Executive Committee
FRPB Executive Committee

FERC NOI SCOPING SESSIONS - PF14-22

**STUDIES AND INFORMATION REQUESTED AS PART OF THE
ENVIRONMENTAL IMPACT STATEMENT (EIS)**

Kinder Morgan Northeast Energy Direct Project

September 23, 2015

The following Study and Information Requests have been prepared for submission to the Federal Energy Regulatory Commission (FERC) as part of the scoping process for the Northeast Energy Direct (NED) PF14-22 project. The proposed studies and information requests pertain to information that should be included in either the Resource Reports that will accompany Kinder Morgan - Tennessee Gas Pipeline's (KM- TGP) Application for the NED project, or evaluated as part of the environmental review process in connection with preparation of the Draft Environmental Impact Statement (DEIS).

This request for studies and information has been prepared jointly by the:

*Berkshire Regional Planning Commission, Berkshire County, MA;
Franklin Regional Council of Governments, Franklin County, MA;
Northern Middlesex Council of Governments, Greater Lowell Region, MA;
Montachusett Regional Planning Commission, Western Worcester County, MA;
Pioneer Valley Planning Commission, Hampshire County, MA;
Southwest Region Planning Commission, Southwest NH; and
Nashua Regional Planning Commission, Southern NH.*

These Regional Planning Agencies serve the impacted municipalities along the proposed route of the NED project in Massachusetts and New Hampshire. The Resource Report references are to the July 2015 Resource Reports submitted by Tennessee Gas Pipeline Company (TGP) to FERC.

By way of background, these Study and Information Requests have been prepared to ensure that both KM-TGP's application and FERC's environmental review evaluate issues of significant concern to the Regional Planning Commissions, impacted communities and landowners. KM-TGP's pre-filing application lacks sufficient information about anticipated project impacts to either fully inform the public or to allow for meaningful comment on and participation in the process consistent with the National Environmental Policy Act (NEPA) and general principles of administrative decision-making.

While the study list appears extensive on the surface, it bears noting that some of the information requested and studies sought are already required of KM-TGP by FERC as part of KM-TGP's application, pursuant to Part 380 of FERC's regulations and FERC's Guidance Manual for Environmental Report Preparation, online at <https://www.ferc.gov/industries/qas/enviro/erpman.pdf>. It is our expectation that FERC will strictly enforce its regulations and deem KM-TGP's application deficient if it lacks the level of detail set forth in some of these requests, consistent with FERC regulations.

Some of the other studies that we have requested are not expressly covered by FERC's regulations, but nonetheless, are critical to fully evaluating the environmental impacts of the project. Because KM-TGP is sponsoring the NED Project, we believe that it should be responsible for either performing these studies on its own or funding studies by qualified third parties. Nevertheless, if FERC does not conduct or require KM-TGP to perform all of these studies, we ask that FERC so notify the Regional Planning Commissions to provide them with adequate time to commission these studies, if funding can be secured, in advance of the release of the DEIS.

1. Conduct detailed Alternative Route Analyses to Avoid Permanently Protected Open Space, Federal and State Rare & Endangered Species Habitat, Water Resources, Forests, and Farmland

Goal:

The goal of this study is to conduct detailed analyses of alternative routes that will reduce impacts on environmental resources and protected open space.

Context:

In Massachusetts and New Hampshire, the "Preferred Route" proposed by KM-TGP NED project will impact significant environmental resources including Permanently Protected Open Space, rare and endangered species habitat (e.g. MA Priority Habitat Areas), unfragmented forests, active farmland, coldwater fisheries, and water resource areas. The proposed route will alter and/or disrupt over 3,800 acres in Massachusetts and New Hampshire (Resource Report 1; Pages 1-45 & 1-46), including many important natural and cultural resource areas, an increase of over 35% from the amount of land reported to be impacted in March 2015 KM-TGP Resource Report 1. The project will impact roughly 8,800 acres for the overall project (Resource Report 1; Page 1-40), an increase of 25% from the amount reported in the March 2015 Resource Report 1. The Preferred Route does not appear to prioritize the protection of environmental resources, as one would expect in order for the project to be in compliance with National Environmental Policy Act (NEPA), but rather emphasizes "constructability" and avoidance of urban congestion. As stated in Resource Report 10, Page 10-19, "The main determinants used to select the proposed route for the Project's pipeline facilities rather than the alternative routes pertained to minimizing the number of affected landowners, constructability issues and Tennessee's goal to limit the extent of disruption on the communities that will be potentially affected during construction." This statement indicates a bias against siting to protect environmental resources. It also suggests that rural low income populations and communities, that are more reliant on natural resources, are given less consideration than suburban or urban areas that may have greater income levels and resources. The economic and public health of rural residents is closely tied to the health and viability of the natural resource base that will be negatively impacted by the pipeline including groundwater, farmland, and forests. Further the alternative analyses presented in Resource Report 10 do not include key resource areas including acres of Federal or State Identified Rare, Threatened or Endangered Species Habitat, acres of Permanently Protected Open Space, miles of coldwater fisheries streams, acres of public water supply recharge areas

or the number of vernal pools. While urban congestion and the number of residences are cited as key reasons why the pipeline must be sited in rural environmentally sensitive areas the Tables do not provide the number of residences only TBD (to be determined).

Requested Information:

- a. Conduct a detailed analysis of “Alternative” routes along existing pipeline routes and major highway Rights of Way (e.g. 1-88, Mass Pike) in comparison to the Preferred Route. Alternative routes that are co-located along existing gas pipeline systems or in existing major highway R.O.W.s should be prioritized for study as the preferred pipeline route rather than electric transmission lines that traverse environmentally sensitive areas or “greenfield” locations.
- b. Present a comparison of the environmental impacts in the Resource Report 10, as well as in the DE IS and FEIS of the proposed NED Wright to Dracut Preferred Route versus the proposed Spectra Energy Partners expansion of its existing system that will also serve the New England market.
- c. Conduct an assessment of the quality of the resources impacted for the Preferred Route and all alternative routes along major highways and existing pipeline routes. For example, are the wetlands along alternative highway routes well-functioning natural systems or are they already impacted by road runoff and other pollutants, or isolated man-made wetlands resulting from the construction of the road? The Resource Reports simply compile statistics on the miles, acres or lineal feet of different resource areas impacted, rather than describing the quality and integrity of the resources. The Applicant should contact State resource agencies for additional information.
- d. Provide documentation on the sources of the resource statistics and how they have been compiled. Table 10.3-4, a comparison of expanding KMTGP’s Existing 200 Line pipeline route to the “Preferred Route,” suggests that there will be more impacts to wetlands, forest and farmland by expanding infrastructure along an existing pipeline route than along the new Preferred Route from Wright to Dracut. Although the existing 200 Line pipeline route is a longer route in terms of miles (approx. 38 miles longer) than the Preferred Route, if the comparisons are based only on “desk top” data for the Preferred Route obtained from aerial photographs and/or publically available GIS datalayers, the resource impacts are likely significantly underestimated. A more thorough study is needed and impacts on critical resources including acres of Federal or State Identified Rare, Threatened or Endangered Species Habitat, acres of Permanently Protected Open Space, miles of coldwater fisheries streams, acres of public water supply recharge areas, and the number of vernal pools impacted should be included in the alternative analyses tables in Section 10.3.1 Major Route Alternatives. Land use impacts to forest, farmland, recreation areas and developed areas should be presented in terms of the acreage affected during construction rather than the number of miles.

In addition, the Cumulative Impact Analysis presented in Resource Report 3 is deficient and provides no quantitative assessment of water quality, critical wildlife habitat, or rare and endangered species impacts caused by construction and clearing of forested areas (e.g. erosion and sedimentation impacts on water quality and cold water fisheries, increased stormwater runoff and nutrient loading to water bodies, estimated increase in water temperature in cold water fisheries streams as a result of forest land cleared, acres of rare species habitat lost, etc.). Approximately 8,800 acres of land will be disturbed by the project yet on Page 3-113 of Resource Report 3, the proponent states that “The geographic extent and duration of disturbances caused by the construction of the Project will be minimal ... “.

Finally, the Cumulative Impact Analysis should be conducted at the HUC 12 subwatershed scale to provide a better assessment of the cumulative impacts not at the HUC 8 scale as presented. The HUC 12 impacts could then be aggregated within the HUC 12 and at the HUC 10 or watershed scale, as necessary. For example, impacts to the major tributaries of the Deerfield River

should be evaluated at the HUC 12 subwatershed scale. The cumulative impacts to the Deerfield River Watershed (HUC 10) would be the total of the impacts to each of the HUC 12 subwatersheds. The HUC 8 watershed scale does not provide adequate data to provide a meaningful assessment of the impacts.

- e. Provide cross sections of exactly how the pipeline will be “co-located” along the electric utility R.O.W. for the Preferred Route. Resource Report 10 states that the Preferred Route is generally co-located with Tennessee’s existing pipeline or other electric utility infrastructure. Once the proposed pipeline route departs from the existing “200 Line”, 77 miles will be co-located along electric transmission lines. According to Resource Report 1 (pg. 1-2) adjustments may be needed based on ongoing discussions with the electric utility which “may result in the centerline of the pipeline to be located within an existing powerline easement, less than five feet from the existing power line boundary or further than five feet from the existing powerline boundary.” The Resource Reports should clearly define what “co-located” means and should provide a diagram showing the separation of the pipeline R.O.W. from the high voltage electric transmission lines that will be required for safety reasons. Such separation could result in a “greenfields” project with significant additional forest fragmentation and natural resource impacts. Identify the environmentally sensitive areas, including coldwater fisheries and habitat areas with rare and endangered species that currently exist along the electric transmission lines. In addition, the proposed co-location of the pipeline in Pelham and Hudson, New Hampshire is in direct conflict with an approved expansion of the electric transmission lines known as the Merrimac Valley reliability project. Identify the additional impacts on natural resource areas that will occur when the pipeline is rerouted from the current proposed route to avoid conflicts with the Merrimac Valley reliability project.
- f. Conduct a detailed delineation of wetland resources including an assessment of vernal pools along the proposed route. Wetland resources, particularly forested wetlands and vernal pools may be hidden by the forest canopy and are not readily identified by interpretation of aerial photographs. This can result in serious under-reporting of significant wetland resource areas.
- g. Conduct a detailed assessment of impacts to forest habitat areas that support a variety of rare, threatened or endangered species and identify specific impacts on wildlife including the threatened Northern long-eared bat.
- h. The Connecticut River is a federally designated American Heritage River and the River and its tributaries play a central role in efforts to restore Atlantic salmon runs. The Deerfield and Westfield Rivers and their tributaries in Massachusetts are designated “Coldwater Fisheries,” critical to maintaining rare, threatened, or endangered fish species. Coldwater Fisheries are particularly sensitive habitat areas and changes to land or water can reduce their ability to support coldwater fish. In the Southern New Hampshire, both the Lower Merrimack River and the Souhegan River are “Designated Rivers” under New Hampshire’s Rivers Protection and Management Program (RMPP) per RSA 483.

Specific construction techniques must be used that will avoid potential river contamination with drilling fluids, subterranean gas releases that will disrupt the river bed and shoreline, and fluvial erosion that could compromise the pipeline’s structural integrity. FERC should require specific conditions to ensure that temporary work sites will be replanted after construction is complete, and ensure that there is no restriction on access to and use of the river as a result of this project. In addition, the DEIS and FERC should address the following issues:

- i. Clarify the timing of the release of FERC-required construction plans for water crossings.
 - ii. Require that TGP’s construction process includes the use of carrier sleeves for the full-length of the HDD bore.
 - iii. Evaluate the adequacy of pig launch and exit locations to ensure that the rivers have success-

ful in-line inspections at a frequency consistent with industry best practices.

- iv. Facilitate emergency planning with all community and public water suppliers nearby rivers where HHD will occur including Pennichuck Water which operates a secondary water supply on the Merrimack River in close proximity downstream to the proposed alignment.

2. Conduct a Comprehensive Analysis of the Need for the KM- TGP NED Pipeline Capacity to meet Natural Gas Demand in New England

Goal:

The goal is to conduct a comprehensive analysis of the need for the KM-TGP NED pipeline project to support natural gas demand and electricity generation in Massachusetts, New Hampshire and New England.

Context:

To date, the proponent (Kinder Morgan) has not demonstrated that the proposed pipeline capacity is needed. According to Kinder Morgan's (KM-TGP) Resource Report 1, they have commercial commitments for 500,000 dekatherms/day versus 1.3 Bet/day of pipeline capacity. The commercial commitments represent only approximately 38% of the capacity of the proposed pipeline. Given the low amount of capacity committed to be purchased from the KM-TGP NED pipeline, if the proposed project is allowed to proceed, a significant portion of the natural gas will likely be exported and will not be used in the United States, depleting scarce domestic resources to meet overseas demand. If the pipeline is expanded to its originally proposed size of 2.2 Bet/day of pipeline capacity, there are commitments for only approximately 23% of the proposed KM-TGP. Either figure for commercial commitments represents only a small amount of the NED pipeline capacity and raises a serious issue about whether the construction of this pipeline will result in "overbuilding" in direct contradiction to FERC's established policy not to overbuild (Resource Report 10; Page 10-13).

- a. We understand that the Algonquin Incremental Market (AIM) project, an expansion of an existing Spectra Energy Partners gas pipeline, was recently approved by FERC and is expected to provide an additional supply of natural gas for electric power generation in New England, one of the key reasons ISO New England identified the need for additional gas pipeline capacity. Further, KM-TGP appears to have only one electric utility, National Grid, signed up for long term firm transportation capacity according to their list of Shippers. The other purchasers are LDC's and could be served by LNG facilities and/or could invest in reducing the leaks in their distribution systems. CLF reports (CLF; Into Thin Air; Pg. 7) that between 8 and 12 Bet of methane is leaked annually in Massachusetts alone. In its Alternative Analysis presented in Resource Report 10, KM-TGP acknowledges that the proposed capacity of alternate systems (Table 10.2-1, Pg. 10-17) also will serve the same general market. Other projects such as the Spectra Access Northeast will provide up to 1,000,000 Dekatherms per day and is expected to serve the electric utility generation market which is cited as the primary reason that additional pipeline capacity is needed by KM-TGP. In contrast, the commercial commitments for the TGP NED project will provide gas to the LDCs for residential and commercial heating and industrial uses. Further, on Page 10-2, Resource Report 10 states "Existing natural gas delivery systems may be readily expanded to meet increased demand, while minimizing impacts to the environment." This statement indicates that existing pipeline systems can be readily expanded to meet demand thereby eliminating the need for a new pipeline route that will have significant impacts on natural and cultural resource areas. A detailed analysis of the "No Action Alternative" should be conducted as part of the DEIS.

Requested Information:

- a. Conduct an independent evaluation of the proposed construction of the KMTGP NED pipeline and the expansion of the Spectra Energy pipeline system to determine if the construction of both will result in excess pipeline capacity for Massachusetts and New England.

- b. Conduct a quantitative analysis of the potential for LNG storage facilities, renewables (solar and hydro), and energy conservation to provide an alternative to the construction of the KM-TGP NED pipeline for 500,000 dekatherms of energy. Resource Report 10 provides no quantitative analysis of the potential for Energy Conservation, Renewables (solar, hydro) and LNG facilities to meet energy demands for heating and electricity. The broad conclusion that additional gas pipeline capacity is needed is unsupported by the data in Resource Report 10. This analysis should take into account each State's Clean Power Plan goals required by the EPA as well as State and regional Clean Energy & Climate Change plans such as the Massachusetts Clean Energy & Climate Plan for 2020.
- c. Quantify the benefits to the communities along the proposed pipeline route. For instance, in Franklin County, MA the proposed pipeline is anticipated to provide little benefit to the communities directly impacted since the region is largely unserved by natural gas supplies for home heating or businesses. Only two towns along the pipeline route (Deerfield and Montague) have access to natural gas for home heating and business uses. Only five Franklin County towns are served by Berkshire Gas, which has an agreement with Kinder Morgan to purchase 36,000 dekatherms per day, or only approximately 2.8% of the proposed 1.3 Bcf of pipeline capacity. In NH, the situation is much the same with little benefit anticipated for communities impacted by the pipeline as these predominantly rural towns are unlikely to be provided with access to the natural gas being transported through their backyards. Liberty Utilities is the only LDC in NH that has contracted for capacity on the NED project. It has committed to purchase 115,000 dekatherms per day from Kinder Morgan which represents only approximately 8.8% of the 1.3 Bcf/day of pipeline capacity. In the Southwest Region planning district, none of the seven pipeline corridor communities is served by Liberty Utilities.
- d. Quantify the length of time the Marcellus Shale deposits will be able to supply gas for the proposed NED expansion project and evaluate the public benefit of investing in a costly infrastructure project that may be obsolete in a relatively short time frame. In 2011, the U.S. Energy Information Administration reported that the Marcellus Shale deposits contained 410 trillion cubic feet of unproved technically recoverable natural gas, but the following year revised the estimate downwards to 141 trillion cubic feet, only an estimated six years' worth of natural gas consumption in the U.S. (Sources: U.S. Energy Information Administration; Annual Energy Outlook 2012 & Geology.com; Geoscience News and Information). An in-depth study being conducted by petroleum engineers and economists at the University of Texas in Austin is reporting even more conservative estimates with the four big shale plays, including the Marcellus, peaking in 2020 and then declining thereafter (Nature; Volume 516; December 4, 2014).

3. Conduct an Analysis of Air Quality Impacts & Greenhouse Gas Emissions Related to the Construction & Operation of the Pipeline

Goal:

The goal is to conduct comprehensive analyses of the air quality impacts of the proposed pipeline during the construction and operation of the entire facility, including the pipeline, compressor stations, metering stations and venting stations and all construction equipment.

Context:

There are serious concerns about air quality impacts during the construction and operation of the pipeline and compressor stations. The proposed project is expected to have a significant impact on air quality and some locations in the project area are already "non-attainment areas" for ozone. Although the compressor stations will likely require permits from the state regulatory authority responsible for administering the Clean Air Act, that another agency has jurisdiction over a project does not absolve FERC of its obligation to conduct an independent review to determine whether the project is in the public interest. As such, FERC requires information about air quality to be included in an application as part of Resource

Report 9. A comprehensive assessment of the cumulative impacts on air quality related to the construction and operation of the pipeline and related facilities is needed, as well as the identification of potential mitigation strategies and testing requirements that will be followed to protect public health and safety.

Requested Information:

- a. Identify local, state and federal air quality standards that must be complied with and the monitoring requirements and other testing required to determine compliance during the construction and operation for the pipeline, compressor stations and the metering and venting stations, including monitoring required during venting of gas for maintenance procedures, accidental releases, and emergencies.
- b. Provide a detailed explanation of the air quality modeling that will be conducted and provide maps of the areas that are expected to be impacted by emissions from construction equipment and during the operation of the pipeline, compressor stations, and the metering and venting stations. The air quality modeling should be conducted under different meteorological conditions, particularly for Fall/Winter months when inversion occurs, for summer months when there are often high ozone events, and also for different times of day.
- c. Provide maps and a numerical comparison of existing and projected air quality conditions during construction and operation of the facility reflecting cumulative impacts from all of the facilities (e.g. Construction Equipment, pipeline, compressor stations and the metering and venting stations). Such maps and air quality information should provide information on existing and expected conditions during different times of day, different meteorological conditions and during different times of year.
- d. Identify all hazardous pollutants that will be emitted and the air quality monitoring and testing that is proposed to be completed on a daily, weekly or more frequent basis at the compressor stations, metering stations and venting stations during the operation of the facility to protect public health and safety.
- e. There are currently only two air quality monitoring stations in Adams and Greenfield that are somewhat near the proposed pipeline route in Massachusetts. Additional air quality monitoring stations should be installed, at least one in each community where the pipeline is proposed to be sited, with locations selected in consultation with City or Town officials, including local Boards of Health. Additional air quality monitoring stations should be located adjacent to each Compressor Station and all venting and metering stations if the NED Project proceeds. Such ambient air quality stations should be installed at least a year prior to the construction and operation of the pipeline in order to establish baseline conditions. Air quality reports should be provided to Municipal and State officials on a monthly basis. Testing should include O₃, CO, NO₂, NO_x, VOCs, SO₂, PM₁₀, PM_{2.5}, GHGs, and HAPs (Hazardous Air Pollutants).
- f. Conduct an analysis of the greenhouse gas emissions expected to be generated by the construction and operation of the proposed KM-TGP NED pipeline. Quantify the impacts of the project on each state's Climate Change initiatives and GHG reduction goals.
- g. Provide a comparison of the air quality impacts and greenhouse gas emissions expected to be generated by an electric-powered compressor station.

4. Archeological & Historic Resources Study of Pipeline Route

Goals:

The goals of this analysis would be: (1) to ensure preservation values are factored early into FERC planning and decisions, and (2) to avoid, minimize, or mitigate adverse impacts to historic properties.

Context:

Relative to cultural and historic resources, communities have noted that too often Section 106 is initiated

late in the N EPA process, which threatens opportunities to avoid, minimize, or mitigate adverse impacts to historic properties and cultural resources. In addition, FERC offers guidance on evaluation of cultural resources in its Guidelines for Reporting on Cultural Resources, available online at <http://www.ferc.gov/industries/gas/enviro/culresor.pdf>.

Requested Information:

The applicant and FERC should include in Resource Report 4 of its application as well as in the DEIS:

- a. A summary of the correspondence between applicant and local heritage/historical commissions which have local knowledge of sites potentially eligible for Historic Register consideration. Although Applicants frequently file this information as “privileged,” we note that the FOIA provisions ordinarily governing inter-agency communications do not apply where the comments transmitted pertain to the environmental assessment of the project (see 18 C.F.R. §380.9).
- b. A summary of correspondence between Applicant and State Historic Preservation Officers (SHPOs), particularly in states that do not maintain comprehensive historic inventory databases.
- c. Provide more detail on the predictive model for archaeological site locations including: how the model is validated; how the model results are used specifically; and how river locations, which have a high probability of pre-historic findings, are specifically incorporated into the predictive model.
- d. For the tables of previously-identified sites, many are reported to have “Insufficient Information to Evaluate” or “Unknown.” The Applicant, working in coordination with SHPOs, should conduct additional studies to determine eligibility for National Historic Register listing. For sites that are listed as Not Eligible, the Applicant should identify the entity making that determination and the reason why each is not eligible.
- e. Provide documentation of compliance with state statutory requirements for construction impacts to federal and state-designated scenic roads.
- f. Provide detailed information on the procedures that will be followed if buried historic or prehistoric resources are uncovered during construction including notification of state agencies and Native American Tribal representatives.

5. Analysis of Private Property Real Estate Values, Homeowner and Municipal Insurance, and Municipal Tax Revenues

Municipal Tax Revenues

Goal:

The goal of the analysis is to accurately quantify the expected impact of the NED project on local tax revenues.

Context:

As part of their meetings with local communities, representatives of Kinder Morgan provided estimates of expected tax revenues that will be realized from the construction of the pipeline and related infrastructure and facilities. In Massachusetts, the Department of Revenue (DOR) establishes the actual value of the pipeline and local property tax rates are then applied to the value. The figures cited by Kinder Morgan appear to be inconsistent with data provided by DOR on existing pipelines. These numbers can be viewed through an Excel file, which shows the assessed property value of pipelines and related infrastructure in each town in the Commonwealth. It can be found on this web page: www.mass.gov/dor/local-officials/assessor-info/centrallyvalued_utilities/fY2015_PiPeline.html.

Requested Information:

- a. KM-TGP should provide a detailed analysis of the tax revenue impacts as a result of the construction of the pipeline. The methodology utilized for developing the revenue figures should be clearly explained. A detailed accounting of the property tax impacts in every community along

the main line and proposed laterals should be provided. Any previous inaccuracies or misstatements made by the proponent should be corrected and explained. The calculations should include the pipeline and all related infrastructure, including the compressor stations, and metering and venting stations. To the extent that KM-TGP is unable to quantify tax benefits to communities, it should be precluded from including any contrary statements in its application and supporting materials.

Residential Property Values

Goal:

To clearly quantify and understand the impact of the proposed project on future property tax revenues and residential property values in each community along the proposed main line and laterals.

Context:

Kinder Morgan asserts that the presence of the pipeline will not negatively impact local property values. However, there are a number of paired-sale studies that suggest that there may be long-term loss of property value due to the presence of a natural gas transmission line. It is difficult to determine the extent to which those published studies reflect transactions involving knowing buyers, who were fully aware of the presence of the pipeline. According to the Pipeline Safety Trust, one reason that there is limited available information about changes in property values is that, in the settlement of eminent domain cases, operators typically require a confidentiality agreement from the affected landowner, promising not to disclose the amount of the payment received by the landowner for the loss in value of the property. Moreover, public awareness of pipeline safety has been elevated as a result of serious accidents in September 2010 in San Bruno, California and in February 2011 in Allentown, Pennsylvania, creating a stigma relative to living in close proximity to such facilities.

According to the Forensic Appraisal Group, Ltd., the effect of a gas pipeline easement is measured by the market. Depending on the size of the pipeline, size of the easement, how it is located on the property, the size of the property, property use, etc., the impact range could be nominal to substantial.^[1] It could be as little as 50% of the easement land value, or up to 30% or more of the whole property value. The more intrusive the easement on the land (runs diagonal across the whole property vs. just down the property line), the more impact it will have. If the property were purchased at market value with consideration for the pipeline, the owner may be able to resell it for the price previously paid; assuming overall market conditions do not diminish. Clearly, this will not be the case for most current property owners along the proposed NED right-of-way. There does not appear to be an upside to having a pipeline easement on a property. Inconvenience, restrictions on use, unsightly paths cut through wooded areas, other negative visual impacts, and potential stigma could have an adverse impact on property values.

Requested Information:

- a. The Applicant should provide in the DE IS and FEIS tangible, substantiated data to support claims made regarding the proposed project's negligible impact on local property values. Hard data should be provided outlining the impacts that other projects of this magnitude have had on residential property values and marketability. The Applicant should also disclose a list of right-of-way use restrictions that may apply to the pipeline easement which may impact property values. An assessment of the potential property value impacts in each community along the main line and laterals should be clearly outlined, and the methodology for arriving at the calculations should be thoroughly explained.

Insurance Issues

Goal:

The goal is to assess the impacts of the project on the ability of homeowners to purchase property insurance; to quantify any potential increase in premium costs for property owners; and to assess liability exposure for municipalities.

Context:

Recent anecdotal evidence provided to the Pipeline Safety Trust suggests that insurance underwriters are responding to the presence of gas transmission lines near residential properties, and raising rates, or in some instances, suggesting that insurance might not be available for a new buyer of a property where a transmission line was recently constructed.[2] While it may be true that some underwriters do not consider the presence of a transmission line to be a rate factor, some do.

Gas pipeline line development also has the potential to involve municipalities in lawsuits related to the installation and operation of in-ground pipelines. Municipalities need information on the insurance coverage carried by the gas pipeline company and any exposure that the municipality may have.

Requested Information:

- a. The Resource Reports and DEIS should document the potential insurance impacts of the project on private property owners including an independent assessment by a qualified firm of whether property owners will have difficulty purchasing insurance and if insurance premiums will increase due to the presence of the pipeline. This analysis should be verified by assessing the insurance impacts on private property owners in other parts of the United State that have recently been impacted by the construction of a gas pipeline of this size and scale.
- b. Evaluate the liability exposure for every municipality along the pipeline and determine municipalities affected by the proposed project including abutting communities. Require Kinder Morgan 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.

6. Analysis of Potential Safety Impacts Including Identification of Hazard Zone(s) if Pipeline Fails**Potential Safety Impacts During Construction:****Goals:**

The goals of this analysis are to: (1) determine the level of impact of construction activities on emergency response times in and around the project area; and (2) determine and quantify potential threats to public safety due to construction activity.

Context:

Construction will occur along a long corridor involving suburban towns, rural towns, and significant areas of protected open space in state and non-profit ownership. Much of the road network consists of rural two-lane highways and local roads with limited means of access for relatively large portions of the communities. Much of the existing development pattern consists of scattered rural homes, interspersed with agricultural and forested land and State parkland. Fire protection is provided primarily by local volunteer fire departments, with forest fire support from State agencies, and many areas do not have public water systems that provide fire protection. The preferred route crosses public drinking water supply wellhead protection and drinking watershed areas.

Requested Information:

- a. Provide an analysis of the roads that will be impacted by construction activity, such as requiring partial or complete temporary closure, in all communities including abutting communities. Determine the amount of delay or additional travel time and distance created for each impacted road for emergency vehicles to respond to incidents.
- b. Provide an analysis of the impact of construction related activity on each impacted road's condition and its ability to continue to serve local emergency management vehicles responding to emergencies due to the impact of construction related activity on the road's surface, structure, culverts and bridges. Quantify the "worst case" impacts on emergency response times if the road condition deteriorates to a level which makes it impassable for emergency response vehicles.

- c. Provide an analysis of the impact of construction related activity on each impacted road's condition and its ability to continue to serve natural resource based economic development including forestry and any other existing commercial or industrial development. At a minimum pipe materials and construction under any roadway regardless of class should be at the same standard as required of a State road.
- d. Assess the capacity of local fire departments and other public safety personnel to respond to wildfires created by construction activities, or to respond to a construction site accident where workers may be injured. Capacity should include assessment of staffing levels, training, materials and supplies, and equipment.
- e. Determine what hazardous materials and petroleum products will be used during construction and identify threats to public health and safety that these hazardous materials potentially create.
- f. Analyze the impact of blasting necessary to remove rock for the construction project. Clearly identify areas which will be subject to blasting. Determine the area of potential concern regarding rock throw and seismic impacts due to blasting activities. Determine the people, structures and other facilities located within that area of concern. Describe the types of blasting materials that will be used. Require that the "blasting" firm hired not use perchlorate products to avoid potential contamination of drinking water supplies.
- g. Identify the locations of public drinking water supply infrastructure and determine the impact of construction activities on wells, reservoirs, aqueducts and dams, given the age and condition of the infrastructure and possible impacts due to pipeline construction activities. Identify any private wells that may be impacted by the project as a result of construction.
- h. Analyze the noise impacts of construction activities and assess those against State and local noise regulatory standards. To establish baseline noise levels, measure the existing ambient noise levels along the construction path for both daytime and nighttime and provide quantified assessments of the expected increases in noise and the potential public health impacts resulting from the increases in noise. Noise impacts analyzed should include the operation of machinery used for clearing and construction, for mechanical fracturing of rock, and for blasting necessary to remove rock.
- i. Assess the potential safety risks of trenches and the measures to be used to ensure compliance with, at a minimum, the Massachusetts Excavation & Trench Safety Regulation (Jaclyn's Law).
- j. Assess areas of steep slope for slope failure potential during construction. Determine all areas potentially impacted by slope failure and identify risks to the public using those areas for a variety of purposes. All structures and other facilities or areas used by the public or by private property owners in such areas should be identified.
- k. Identify and require the use of pipeline construction techniques and operation procedures designed to withstand the increased frequency of heavy rainfall events.

Potential Safety Impacts During Pipeline Operations

Goals:

The goals of this analysis would be to: (1) to reduce the possibility of a catastrophic failure of the pipeline or related facilities (compressor stations, meter stations, and main line valves); (2) to minimize risk to the public resulting from catastrophic failure; and (3) to ensure the adequacy and appropriateness of emergency response to all major and minor incidents.

Context:

The pipeline will be operated in an environment where some rural and suburban development already exists along considerable portions of the route, and homes and businesses are in close proximity in a number of instances. There will be additional development which occurs in proximity to the pipeline over the multiple decades during which it will operate. Much of the route is in communities that rely entirely on volunteer fire departments as first responders; they have limited training and equipment, and

turnover in membership necessitates ongoing training and replacement of out-of-date specialized supplies and equipment.

Requested Information:

- a. Serious pipeline accidents can result from weld failures. Clearly identify the protocols for inspection of welds during construction. What is the sample number of welds to be subject to inspection by radiological testing? If radiological testing finds weak welds, will the sample number be increased along the pipeline?
- b. Since many pipeline explosions involve excavation activities by third parties, provide a detailed explanation of the measures that will be taken to clearly identify the pipeline corridor, to regulate/authorize construction activities in the corridor, and to monitor on a frequent basis for unauthorized construction in the easement.
- c. Clearly identify the location of and safety risks associated with all pipeline above ground facilities including compressor stations, valve stations, main line valves, and pig launchers and receivers. Provide a detailed explanation of the measures that will be taken to protect against those safety risks.
- d. Clearly identify the potential impact radius for potential explosions for the entire pipeline infrastructure, based on the proposed size and pressure of the pipeline, including the pipe, each compressor and valve station, each main line valve, and any potential blast hazard at pig launchers and receivers. Document the “High Consequence Areas” and the method used to determine them, including quantification used as the basis for each HCA. Identify all structures located along the pipeline and laterals, including their use, highlight public facilities and areas commonly used by the public (trails, playfields, schools, churches, parks, camping and picnic areas, etc.) within the potential impact radius.
- e. Clearly layout the ongoing inspection protocols for the pipeline once in operation. What will be the frequency of monitoring for methane and where will the natural gas be odorized? What will be the frequency of internal and external inspections for corrosion or other damage to the pipeline? What will be the standards used for determining when inspections reveal potential issues for further investigation and repair?
- f. Clearly layout the protocols for the ongoing inspection of the condition of the cathodic protection used. What will be the standards used to determine when inspections reveal potential issues for further investigation and repair?
- g. Since much of the pipeline is proposed to be in proximity to high voltage electric transmission lines and overhead (as well as underground) power lines can induce harmful disturbances on nearby metallic pipelines, assess the:
 - i. Capacitive coupling disturbances for any above ground sections of pipeline that are electrically isolated from the ground. The evaluation of this disturbance should be performed for steady-state operation condition of the power line, assuming the line operates at its maximum operational voltage.
 - ii. Inductive coupling disturbances for any pipelines facilities which are located below-ground. This disturbance should be evaluated taking into account the maximum anticipated levels of steady-state and short-circuit currents.
 - iii. Conductive coupling disturbances for underground sections of the pipeline and for any grounded above-ground sections of the pipeline. This evaluation should be performed only for short-circuit condition of the power line and taking into account the maximum anticipated level of short-circuit current.
 - iv. Under short-circuit condition, the disturbances due to inductive and conductive coupling occur simultaneously.

- v. Assess the adequacy of proposed cathodic protection against corrosion given current research as traditional pipe-to-soil potential measurements do not guarantee efficient protection and identify the frequency of maintenance required to ensure these systems are preventing corrosion of the pipeline.
- vi. What other anti-corrosion methods can be utilized?

References: "Electrical Risks in Transmission Line-Pipeline Shared Rightsof-Way": Jose R. Daconti, Power Technology, Newsletter Issue 96, October 2004.

"AC Corrosion Induced by High Voltage Power Line on Cathodically Protected Pipeline": Ouahdah M'hammed, "Zergoug Mourad, Ziouche Aicha, Touhami Omar, Ibtlouen Rachid, Bouyegh Saida, and Dehchar Cherif, International Conference on Control, Engineering & Information Technology Proceedings, 2014, ISSN 2356-5608.

- h. Conduct an analysis of the appropriate depth to which the pipeline should be buried to minimize the potential of a pipeline failure based on the climate conditions for Western Massachusetts and Southern New Hampshire given its location under a high voltage electric transmission line. As outlined in Table 1.3- 1 of Resource Report 1 (Page 1-78) in normal soil conditions, only 36 inches, and in areas of consolidated rock, only 24 inches of fill is proposed to be placed on top of this high pressure gas pipeline. This depth is well above the frost line in New England and Western, Massachusetts and a significant portion of the pipeline will be above the frost line. Will KM-TGP's "minimum" specification for depth cover which the company states it will use provide adequate protection to the pipeline from temperature changes or frost heaves? We note that failure of welds can lead to a catastrophic explosion that at the proposed pressure could impact homes, businesses and wildlife habitat areas including cold water fisheries and endangered species habitat within approximately 800 feet of the pipeline (30 inch pipeline at MOP of 1,460 psig). Not only would the gas pipeline be damaged but a major electric transmission line critical to the region could be rendered inoperable.
- i. Provide detailed information about the materials used for interstate gas pipelines constructed under electric transmission lines over the last 30 years including the type and gauge of the pipeline and materials used for cathodic protection against corrosion.
- j. Provide a summary and analysis of the safety record of interstate gas pipelines located under electric transmission lines for a period of at least 30 years. Provide examples of at least 10 interstate gas pipelines constructed within 100 feet of an electric transmission line and include their safety record.
- k. For the sections of pipeline that are proposed to be co-located with electric transmission lines, assess the impact a catastrophic pipeline explosion may have on the region's electric infrastructure.

7. Analysis of Training, Equipment and Facility Needs for Local Emergency Responders

Fire Protection

Goal:

The goal of this analysis is to assess local firefighting capabilities in relation to fighting a fire caused by an incident on the proposed pipeline or at a compressor station.

Context:

Fire departments in most of the towns crossed by the pipeline rely on a volunteer call force. This creates difficulty in scrambling a sufficient number of firefighters even for routine house fires. Because these firefighters have "day jobs," they often don't have time to participate in trainings and exercises to keep up their skills. Purchasing large pieces of firefighting apparatus to fight even routine fires for small, rural towns is proportionately more expensive than in larger cities because the same base level of equipment is needed regardless of population size, but the tax base in a rural town is smaller.

Requested Information:

- a. Provide a detailed assessment of the ability of local emergency responders to respond to incidents involving above ground facilities and outline resources needed to keep their training, supplies and equipment up to an adequate standard to respond to those incidents.
- b. Provide a time frame for completing a plan for multi-year training and exercises for local first responders, which include provisions for offering trainings in the evenings and on weekends so volunteers may participate. The training should include training on the proper use of gas monitoring equipment.
- c. Provide a list of specialized apparatus, equipment, and personal protective equipment that local fire departments will need if the pipeline is permitted by FERC and constructed.
- d. Provide a list of all substances that will potentially be transmitted through the pipeline and the Material Safety Data Sheets for those substances. TGP should be required by FERC to notify municipal officials and local fire departments when pipeline contents change so they will have up to the minute information on what hazards they may need to respond to.
- e. Provide information on what methods will be used to ensure that the actual rights of way are delineated on the ground once the pipeline is constructed if approved by FERC and provide local Emergency Management Directors with detailed maps showing the exact location of all pipeline facilities, especially all shut off and venting valves.
- f. Clearly identify the proposed distance between valves and identify which valves will be manually, remotely, or automatically operated in the case of a pipeline system failure. Document how much fuel would be released given the type of valve and the distance between valves in the case of any failure.
- g. Provide information on how long it takes to stop a leak based on the proposed spacing and method of operation (e.g. remote or on-site) of the valves and how long it will take for all of the gas to evacuate from the pipe and dissipate to safe levels under different atmospheric conditions.
- h. Assess the ability of local fire departments to access water from lakes, fire ponds, etc. along the proposed pipeline route in the event of a large fire where water is needed to supplement the water initially brought by the fire trucks.
- i. Assess the capability of the local and regional hazardous materials response team to respond to any incidents involving hazardous materials and petroleum products?

Police Monitoring**Goal:**

The goal of this analysis is to determine what kind of security measures will be taken in relation to the pipeline and the compressor stations if they are constructed.

Context:

Unlike rural fire departments, rural police departments do not rely on volunteer labor, but they have small forces.

Requested Information:

- a. Provide an outline of what security measures FERC will require TGP to undertake to prevent terrorism or vandalism events.
- b. Provide information about what routine patrolling of the gas pipeline and compressors station will be required by FERC and carried out by TGP.
- c. Provide information about whether the compressor stations will be manned or remotely monitored. If remotely monitored, specify the length of time that it will take a representative to arrive on-scene if there is an incident.

Planning for Emergency Events

Goal:

The goal of this analysis is to determine what kind of emergency planning process will be conducted before construction and in the long-term if the pipeline and compressor station are constructed.

Context:

With the lack of local public safety resources mentioned above, it is imperative that good emergency operations plans be in place and be regularly exercised with local responders if the pipeline is approved by FERC. Regional emergency planning committees and public health coalitions are integral partners in assisting local responders in preparing for emergencies.

Requested Information:

- a. Provide a time frame for completing a comprehensive emergency operations/response plan and an outline of the contents of the plan if the proposed pipeline is approved by FERC. The plan should be created with input from local and regional public safety entities and they should receive copies of the plan when it is complete and whenever it is updated. Provide a schedule for how often the plan is proposed to be exercised with local responders.
- b. Provide a time frame and information on what kind of an evacuation plan will be created if the pipeline is approved by FERC. This should include local and regional input and be exercised with local responders.
- c. Provide information on what measures will be taken to plan for evacuation of residents that will be isolated or trapped if an incident occurs.
- d. Provide information on what measures will be taken to notify the public in case of an emergency. The public notification plan should have redundant communication methods built in, especially in areas where cell phone service is not available or reliable.
- e. Provide information on how frequently contact lists, which include TGP emergency contacts and local responder contacts, will be updated and distributed to municipal officials and local responders.

8. Analysis of Impact on Heritage & Recreational Tourism and Forestry~

Temporary Disruptions to Heritage & Recreational Sites during Construction

Goal:

The goal of this analysis is to identify all heritage and recreational sites and determine if temporary construction impacts will significantly harm the site's viability as a destination for all types of visitors.

Context:

Rural economies are supported by the region's natural, scenic, historic and open spaces resources. Certain recreational aspects of the proposal are discussed in Draft Resource Report 8, submitted by Tennessee Gas Pipeline Company. Parks, trails, tracts of land, tourist destinations, vistas, and other sites under all types of ownership exist throughout the study area. Direct economic patronage to and indirect expenditures associated with visits to these sites may be disrupted by construction activities associated with a pipeline construction project.

Requested Information:

- a. Provide an inventory of heritage and recreational sites and Federal and State Scenic Byways and National Scenic Trails along the proposed route, including their locations and extents.
- b. Provide the locations, total areas, and durations of impacts, such as temporary road closures in the vicinity of each inventoried site.
- c. Determine how the operation of sites will be disrupted as a result of temporary construction impacts through a fiscal impact analysis quantifying loss of revenue due to required closures,

decreased patronage, and other disruptions.

- d. For each site impacted by the proposal, provide a mitigation plan to ensure their continued operation during any construction activities.

Long-term Disruptions to Heritage & Recreational Sites and Forestry Businesses

Goal:

The goal of this analysis is to identify all heritage and recreational sites and determine if the presence of a natural gas pipeline, its associated facilities, or rights of way will significantly harm the site's continued viability as a destination for all types of visitors. A second goal is to assess the potential impacts on forestry related business.

Context:

Direct economic patronage to and indirect expenditures associated with visits to these heritage and recreational sites may be permanently disrupted by the proposed project and its associated facilities. Changes to scenic vistas, the physical character of the land, and liabilities/restrictions on certain activities near the facilities in question will impact these sites and their public benefit. Additional fragmentation of forested areas may impact businesses relying on this resource.

Requested Information:

- a. Determine whether a site's operations and visitor attractions, Federal and State Scenic Byways or National Scenic Trails will be disrupted as a result of permanent installation of a natural gas pipeline, its associated facilities, or its rights of way.
- b. Summarize the acreage of heritage and recreational land that will be permanently impacted by the proposed facilities.
- c. Determine the occupancy of recreational and heritage sites throughout the year, and during appropriate peak times where number of visitors and human impacts on an area may be significantly higher than normal.
- d. Determine how the operation of heritage and recreational sites will be disrupted as a result of permanent construction impacts through a fiscal impact analysis.
- e. Provide a mitigation plan for heritage and recreational sites to address potential losses in views, changes to the physical character of the land, and any potential hazards due to pipeline activities.
- f. Address impacts on the safety of visitors to each heritage and recreational facility, and to assets of the facility, including insurances, emergency preparedness, and increased liabilities associated with the proposed facilities.
- g. Conduct an economic impact study showing the potential negative impacts on recreational and heritage tourism and forestry businesses in terms of lost revenue, income, and jobs as a result of the pipeline.

9. Analysis of Impacts on Private & Public Water Supplies and Water Resources related to Construction (blasting & drilling), Pipeline Operation and Hazardous Materials Storage & Use

Goal:

Conduct a comprehensive analysis of the water quality impacts of the proposed pipeline during the construction and operation of the entire facility including the Pipeline, Compressor Stations, Metering Stations, Venting Stations, Pig Launchers and Receivers and construction equipment.

Context:

There are significant concerns about potential impacts to drinking water supplies and water resources related to the construction and operation of the proposed pipeline, compressor stations and related facilities. A comprehensive assessment of the surficial geology along the proposed pipeline route, identification of potential impacts to public and private drinking water supplies, and plans for monitoring of water

quality is needed to protect public health and safety and environmental resources. This includes identification of potential mitigation strategies and testing requirements. There are locations along the proposed pipeline route where there is a shallow depth to bedrock and homes and businesses in those areas rely on bedrock wells that could be negatively impacted by blasting. There is also concern that any hazardous materials transported in the pipeline or used during the construction and operation of the pipeline and compressor station could be released and contaminate groundwater and other water resource areas.

Requested Information:

- a. Identify local, state and federal water quality standards that must be met and the monitoring and testing requirements proposed to determine compliance during the construction and operation of the Pipeline, Compressor Stations, Metering and Venting Stations, and Pig Launchers and Receivers.
- b. Conduct a hydrologic analysis and provide a description, inventory and analysis of existing groundwater conditions and an assessment and mapping of surficial and bedrock geology, including location of bedrock faults and high transmissivity fractures. This analysis should include consultation with the State Geologists in NY, MA and NH. This analysis should focus on both surface water and groundwater and include a discussion of potential impacts to these resources as a result of the construction and operation of the pipeline, compressor stations and other above ground facilities. Identify measures to reduce or mitigate the identified impacts.
- c. Based on the assessment of the surficial and bedrock geology along the pipeline route, clearly identify locations where there are public water supply recharge areas, including Zone II areas and Interim Wellhead Protection Areas mapped and defined by State agencies (e.g. MassDEP Source Water Assessment Program), Outstanding Water Resource areas, and/or high or medium yield aquifers within Y:z mile of the proposed pipeline and compressor stations. Outline methods and testing proposed to protect public and private drinking water supplies particularly if blasting or drilling is required during construction.
- d. Based on the assessment of surficial and bedrock geology, identify locations where there is shallow depth to bedrock and identify and map all residences and businesses that rely on bedrock wells within a Y:z mile of the proposed pipeline and compressor stations. Outline methods and testing proposed to protect public and private drinking water supplies relying on bedrock wells, particularly if blasting or drilling is required during construction.
- e. In accordance with State standards for proper sampling and laboratory protocol, identify pre-construction and post-construction water quality analysis and flow rate (gpm) testing that will be conducted for each existing public or private groundwater well within 750 feet of the pipeline unless surficial geology warrants a greater testing area. Water quality testing should be completed by an independent State certified water testing laboratory and parameters to be tested should include, but not be limited to: methane, chloride, sodium, TDS, pH, arsenic, barium and strontium, radon, and a subgroup of the volatile organic chemicals (VOCs) called BTEX (benzene, toluene, etc.).
- f. Identify the locations where water quality testing will be conducted on an annual or more frequent basis to ensure that public and private drinking water supplies are adequately protected from potential impacts from the pipeline and related facilities during their operation and identify remediation strategies that will be undertaken if contamination is found.
- g. Identify all hazardous materials that could be contained in the pipeline and all hazardous materials that will be used during construction of the pipeline including drilling and blasting materials.
- h. Provide a hazardous materials handling and response plan that proposes methods to ensure that releases will not occur and identifies methods to mitigate accidental releases. Specify how the plan will be implemented by the operator, contractor and subcontractors utilizing or storing hazardous materials in excess of household quantities during the construction and operation of the pipeline

and related facilities, including training that will be required for their employees.

- i. Identify FERC's requirements for the applicant, operator and or construction contractor(s) to replace or remediate contaminated drinking water supplies or to remediate releases to water resource areas (lakes, ponds, streams, and wetlands) caused by the construction or operation of the pipeline and related facilities.
- j. Identify potential contamination pathways resulting from drilling underneath rivers and between aquifers or from Brownfield sites located along the pipeline route that could adversely impact surface and groundwater resources.
- k. Describe the water quality testing required for the water used for hydrostatic testing of the pipeline, disposal alternatives for this water, and permits required before it is released to any surface water or to groundwater.

10. Analysis of Impacts on Rare & Endangered Species

Goal:

The goal of this requested analysis is to identify what impacts the construction and operation of the pipeline will have on the vitality and long term sustainability of rare and endangered species and their associated habitat. The study should look beyond just localized impacts and consider cumulative impacts to the species' statewide or ecosystem-scale habitat.

Context:

The proposed NED right-of-way is slated to mostly fall alongside existing utility ROW corridors. In areas where this occurs, the result will be a widening of deforested areas or potential fragmentation of contiguous forestland. In other segments, the pipeline is slated to cut through undisturbed habitat supporting state and federally listed endangered species.

The Resource Report submitted by Tennessee Gas to FERC in July 2015 notes that areas converted from forest to open grassland areas due to de-vegetation "will naturally re-vegetate in 1-2 years" and will "provide additional open land habitat" (Page 3-51). It is important to note that the regeneration of a full-canopy forest takes well more than 1-2 years. The Resource Report also notes that some species are "adaptive to changing habitat conditions" (Page 3-52), but does not specify which and whether they include endangered or rare species. TGP acknowledges that its project will create the displacement of habitat and thus alter the cascade of species that depend on them: "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 (i.e., those that primarily rely on forested habitats). However, following a relatively short period of regeneration within TWS and permanently maintained ROWs, there will be more terrestrial grassland and PSS habitats that provide important cover and a greater diversity and density of food sources for a different complex of wildlife species." (Page 3-51).

State regulatory agencies are charged with protection of and overseeing the recovery of rare and endangered species due to their importance to ecosystem health and biodiversity, not simply exchanging them for new types of habitat and wildlife. Because this project will remove old habitat and create new ones, studies are needed to understand how these new types of habitat, and the wildlife they support, will influence the recovery of any rare and endangered species within the counties affected.

Requested Information:

- a. Determine the location and abundance of rare and endangered species communities that will be immediately displaced by the proposed project.
- b. Determine the impact of loss of habitat on these rare and endangered species, and the potential for these impacted communities to adapt to new types of habitat.
- c. Determine the impact on new types of habitat and the wildlife they support on displaced rare and

endangered species.

- d. Determine the cumulative impacts of the proposed project on the statewide or ecosystem-scale health and recovery of rare and endangered species.
- e. Determine how the loss of impacted rare and endangered species in the proposed project area will affect other sensitive wildlife or vegetation communities in adjacent areas.
- f. Outline the mitigation that will be implemented to avoid or minimize the project's impact on rare and endangered species. Identify locations where the project will result in a "take" of a rare or endangered species and outline what mitigation will be pursued to compensate.

11. 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

Goal:

The goal of this analysis is to avoid, minimize, or mitigate impacts and adverse effects from pipeline construction on existing infrastructure (which includes access roads and staging areas).

Context:

Particular areas of concern noted by municipalities include the potential for general damage from the construction process including: damage to roads, particularly rural and Class VI roads not suitable for heavy equipment; traffic control and communication during construction; general landscape disturbances; and impacts to existing utilities, such as sewer, water, and drainage. These issues will dictate the strategies communities will need to use to replace/repair infrastructure adjacent to the proposed pipeline.

Requested Information:

The following information should be provided in the DEIS and FEIS:

- a. A table listing the new and modified access roads that are proposed for use, including the location by milepost, the size, and the type of modification required on existing roads.
- b. The expected construction start date for each segment of pipeline, pipeline lateral, and compressor stations, discuss the number of spreads and workers per spread required for the proposed laterals; clarify whether the construction workers and timeframes provided for compressor and meter stations are those required for each individual facility, or for each type of facility combined; provide the number of permanent staff anticipated during operation; and provide locations for the new operations offices or district offices that would be required for operation, or clarify that none would be needed.
- c. Specify the distance between the existing and proposed permanent rights-of-way and indicate the potential for further overlap that would allow abutting of the permanent rights-of-way. In addition, specify the maximum overlap of existing rights-of-way allowable by the law, as stated throughout Resource Report 1.
- d. Include a discussion and consideration of direct pipe trench less pipeline installation technology.
- e. Identify any deviations from the FERC Plan and Procedures, if applicable, and include the section of the Plan or Procedures for the requested deviation, the deviation itself, justification for the deviation, and how the deviation would provide equal or greater mitigation. If major modifications to the FERC Plan and Procedures are proposed, the Applicant should provide its own modified versions of the documents that would be used during construction and operation of the Project.
- f. Provide a more detailed discussion on the environmental training that would be conducted for construction personnel, if the Project were approved. Specify which construction personnel would receive training, when and how often the training would occur, and what documents would be provided (e.g., the FERC Plan and Procedures, or the TGP Plan and Procedures, as appropriate). In addition, discuss measures to ensure contractor compliance with the required mitigation including provision of an independent project monitor.

- g. Specify whether power, water, or other utility lines would be constructed for the proposed above-ground facilities.

12. Quantification of Benefits of Reduced Natural Gas Prices as a Result of the NED Pipeline Capacity

Goal:

The goal is to determine the impact of the proposed project on future electricity costs for residential, commercial and industrial customers in New England, and to quantify the project's impact on economic development throughout the region.

Context:

Kinder Morgan has asserted that construction of the NED pipeline will relieve gas supply and transmission capacity deficits in the region during the winter months. This relief will lead to lower wholesale gas prices for electric generators, reducing electricity costs for businesses and residents. Kinder Morgan further contends that winter peak gas shortages cannot be addressed using any other means.

Requested Information:

- a. Quantify the reduction in electric rates that residential, commercial and industrial consumers will realize once the proposed project goes online. In addition, the implications of the reduced electric rates in attracting economic development should be evaluated. Particular attention should be paid as to how well Massachusetts and New Hampshire will compete with other areas of the country, in terms of lower energy costs, due to the presence of additional natural gas supply in the region.
- b. Provide documentation as to why market reforms, clean energy investments, energy conservation measures and the availability of LNG are not adequate to meet our future energy needs.

This past winter, a more diverse fuel supply mix reduced price volatility despite harsher weather. Over this time period, wholesale electric prices were 43% lower on average from December 20 14-February 2015, when compared to December 20 13-February 2014 (ISO New England).

- c. Assess the potential impacts of overbuilding pipeline capacity, and assess the volatility of the natural gas market, as seen in the recent unexpected plunge in the price of LNG and oil on the global markets.

Taken together with the Access Northeast project, New England could see its pipeline capacity increase by 78%. Will electric customers be saddled with the cost of constructing the pipeline? Adding this much capacity could mean that New Englanders will pay for infrastructure largely used to transport gas to Canada and other export markets. Kinder Morgan has already stated that they intend to reverse the direction of the Maritimes and Northeast pipeline for this purpose. Many experts have stated that increasing exports in this fashion will result in much higher natural gas prices in New England, as we suddenly find ourselves competing with consumers in other countries. Kinder Morgan should evaluate the potential impact of such an export plan on energy prices in New England and outline how they expect to finance the construction of the proposed pipeline.

13. Quantification of the Increase in Natural Gas Service that will be provided to New England as a result of the NED Pipeline

Goal:

The goal is to determine benefits of the proposed project within states, regions and municipalities as a result of natural gas availability to residential, commercial and industrial customers and associated cost savings.

Context:

One of the benefits asserted by the Applicant of the NED project is that it will increase the quantity of natural gas available in New England. It is suggested that this, coupled with the lower cost of natural

gas in comparison with other energy sources, will reduce energy costs and make us more economically competitive. Recent winter seasons, in particular the winter of 2013/14, demonstrate that parts of New England run the risk of severe spikes in energy costs due to shortages of fuel used to operate power plants. The NED pipeline proposes to address this situation by providing enhanced supplies of dependable, lower-cost natural gas as fuel for power plants and LDCs. Furthermore, it has been suggested that LDCs, such as Liberty Utilities in New Hampshire and Berkshire Gas Company in Massachusetts, can construct additional lateral lines from the main NED pipeline to provide fuel for indoor heating and to benefit economic development activities in certain communities within proximity to the pipeline. It is unclear what factors drive decisions for constructing these additional lateral facilities.

Requested Information:

To assist in quantifying the benefits to be provided by installation of the NED pipeline proposal, Kinder Morgan should be required to:

- a. Provide data which indicates the natural gas demand anticipated for each New England State versus the current available supply, and describe why the proposed infrastructure project will serve the need identified better than other pipeline projects now under development or other energy alternatives, such as LNG or renewables.
- b. Indicate locations in which additional lateral pipeline facilities (beyond those identified in the proposal) are anticipated, including the geographic areas they would serve.
- c. Provide data indicating the volume of fuel anticipated for each additional lateral pipeline identified in item 13.b. above, for use in corresponding geographic areas.
- d. Conduct a cost benefits/savings analysis of reduced fuel costs via pipeline distribution for each of the above, including cost breakdowns for each geographic area along the proposed NED pipeline corridor and along the laterals it would serve.

14. Analysis of Noise Impacts from Pipeline Construction & Operation and Compression Stations (to be provided)

Goal:

Conduct a comprehensive analysis of the noise impacts of the proposed pipeline during the construction and operation of the facility including the Pipeline, Compressor Stations, Metering Stations, Venting Stations, Pig Launchers and Receivers and construction equipment.

Context:

There are significant concerns about noise impacts from the proposed pipeline given the proposed location in very rural areas with varied topography. Many towns have very low ambient noise levels (est. 20-40 dBA) and contain critical habitat areas for rare, threatened or endangered species including the Northern Longeared bat. A comprehensive assessment of the noise impacts on humans and wildlife and potential mitigation measures should be undertaken.

Requested Information:

- a. Identify local, state and federal noise standards that must be met and the monitoring requirements proposed to determine compliance during the construction and operation of the Pipeline, Compressor Stations, Metering and Venting Stations, and Pig Launchers and Receivers.
- b. Conduct studies to determine ambient noise levels at the nearest property line of a residence and any public building, school, hospital, or other High On-site Population location or at 300 feet from the nearest residence or public building, hospital, or other High On-site Population location, whichever point is closer to the pipeline and related facilities. High on-site populations are defined as the following: retirement housing; assisted living facilities; congregate living facilities; convalescent services; parks; detention facilities; day care services (commercial); hospitals; and educational facilities (public or private). Ambient noise level should be measure

at a minimum every % mile along the proposed route. “Ambient” is defined as the background A-weighted sound level that is exceeded 90% of the time measured during the quietest part of the day or night. All testing should be done by a qualified licensed professional acoustical engineer in accordance with the professional standards of the appropriate accrediting agencies and the sound level meter used in conducting any evaluation shall meet the American National Standard Institute’s standard for sound meters or an instrument and associated recording and analyzing equipment.

- c. Conduct modeling of expected noise impacts during construction and operation of the pipeline based on the topography of the proposed pipeline route and identify potential impacts to humans and sensitive receptors such as wildlife, including Northern long-eared bats.
- d. Identify measures that the Applicant will undertake to mitigate sound levels for humans and sensitive receptors. Identify what devices or other equipment the Applicant will employ, including the use of electric motors at the compressor stations, to mitigate sound levels to ensure that the noise level standards at residential or public buildings, hospitals or other High On-site Population locations are not exceeded and sensitive wildlife receptors are not adversely impacted.
- e. Identify noise monitoring that will be conducted once the facility is operational and a process to address noise complaints so the facility will remain in compliance with noise limits.

15. Analysis of Invasive Species Impacts during Construction & Operation of the Pipeline

Goals:

The goals of this study is to determine the types of invasive species likely to become established along the corridor and associated access roads; their impacts on surrounding habitat, particularly those of unique quality, special concern, or supporting rare or endangered species; and the long-term monitoring and control strategy needed (past construction and restoration) to combat the establishment or spread of invasive species. The impacts of any control strategies, such as application of herbicides and/or pesticides, on cold water fisheries, water resources and drinking water supplies should also be studied.

Context:

Tennessee Gas acknowledges that there is potential for the introduction of invasive or noxious weeds through this project (Page 3-116, July 2015 Resource Report 3). The disturbance of soils due to foot and vehicle traffic, as well as altering the soil composition of forest areas through clearing and compaction, can aid the establishment of invasive species, which are then notoriously difficult to eradicate or control. Japanese knotweed, for example, can lay dormant for years after applications of herbicide before rebounding in growth, and thus requires years of vigilant attention in order to suppress regrowth. It is widely known that invasive species spread and thrive along utility corridors due to soil disturbance, increased light, and increased dispersal opportunities (such as foot traffic). Invasive species may be present along the utility corridors with which this project will co-locate. The continued spread of invasive species into forest cores and other habitats through which this project will traverse is concerning, particularly in light of a 2015 study by the New England Wildflower Society that finds 21 % of New England’s native plants are already rare or endangered, and 31 % of plants are non-native.[3]

A project of this scale and breadth can accelerate the loss of plant diversity, which is already being fueled by climate change and pesticide use, through the introduction of invasive species on land that was previously untouched or resilient. Furthermore, as this project intersects with habitats of special concern or value, the potential impacts of invasive species on these unique areas should be studied. The potential for invasive species to spread into adjacent property owned by others should also be thoroughly assessed. TGP proposes to address the treatment of invasive species through a general approach, which will meet the minimum requirements per state, Commonwealth, or local requirements. But this general approach may not adequately prevent and control individual invasive species or their effect on wildlife. In addition, the July 2015 Resource Report 3 only addresses the use of herbicides when needed to

control invasive species in the new ROW and states “New areas permanently maintained during operation of the Project facilities will be maintained in an herbaceous/early successional stage of vegetation. Tennessee will not use herbicides as part of routine vegetation maintenance along the ROW except when required for the control of invasive plant species as permitted ... “ (Page 3-79). Pursuant to 18 CFR 380.15, a company can use herbicide/pesticide only with consent of landowner. The Applicant should also be required to provide a “Plan B,” if a landowner refuses use of herbicides, such as an organic farm within the vicinity of the pipeline. Measures should also be planned to monitor and control invasive species that may enter nearby forested or other areas outside the edge of the ROW.

Requested Information:

- a. Create a predictive model and analysis of likely invasive species establishment along the corridor, based on existing invasive species in the project area as well as soil types, using GIS or other modeling techniques.
- b. Identify impacts that anticipated invasive species will have on surrounding habitats, with particular study of impacts on habitats of special concern or those that support rare and endangered species.
- c. Identify impacts that anticipated invasive species will have on wildlife populations along the corridor, particularly rare and endangered species.
- d. Identify necessary prevention, monitoring, and control techniques tailored to anticipate invasive species that extend beyond the edge of the new ROW and persist after construction and restoration.
- e. Evaluate and quantify the potential impacts of any control strategies such as application of herbicides and/or pesticides on cold water fisheries, water resources and drinking water supplies along the proposed pipeline route.

16. Analysis of Impacts to Agricultural Lands and Economy

Goal:

The goal of this study is to understand the impacts of the pipeline on the productivity of agricultural lands and the local and regional agricultural economy.

Context:

The July 2015 Resource Report 7 submitted by TGP outlines several prevention and mitigation measures to protect soil compaction and loss of agricultural productivity. Approximately 16% or roughly 300 acres of prime farmland along the proposed route is anticipated to be permanently lost to construction and overall 1,900 acres will be impacted by construction (Page 7-14), which is a significant amount. After several decades of declining farmland and with the current scarcity of agricultural land available for new generations of farmers, the loss of any additional farmland (particularly prime) is extremely detrimental to the agricultural economy.

TGP plans to engage in compaction prevention techniques (Page 7-11), topsoil segregation practices (Page 7-13), drainage/erosion issues, and prevention of bedrock migrating to topsoil (Page 7-9). Despite these mitigation activities, it is important to provide an analysis of potentially lost agricultural land (i.e. pipeline ROW located amid other active crops, grazing areas, rotational fields, etc.) and to evaluate the impact of the lost acreage on the viability and economy of scale of agricultural crops. Long-term crop-specific and livestock impacts of the pipeline and related activities that will impact the productivity of agricultural lands should be understood. For example, mature orchard trees lost to construction or ROW may not be replaced, despite achieving restored soil conditions.

Requested Information:

- a. Identify the types of agricultural land directly and indirectly impacted by acreage, number of owners, and soil types and anticipated radius of impact.

- b. Identify impacts of soil disturbance, altered drainage patterns, and mitigation activities on the various types of agricultural activities, including disruption of economies of scale.
- c. Identify impacts of the pipeline itself to long-term soil productivity, due to increased temperatures, altered drainage, and/or anticipated maintenance activities (such as applications of herbicides).
- d. Provide a fiscal impact study showing the value of lost agricultural productivity on the local and regional economy, in terms of lost revenue, income, and jobs.
- e. Provide an assessment of the potential impacts on access to local food for area residents.
- f. Provide an assessment of impacts on organic farms potentially impacted along the pipeline route.
- g. Provide an assessment of the potential loss of tourism revenues for farms that host visitors (e.g. agri-tourism).

1 http://www.forensic-appraisal.com/gas_pipelines_q_a

2 Pipeline Safety Trust, Landowner's Guide, p. 27

3 <http://www.newenglandwild.org/conserve/state-of-the-plants>

{end of 20151015-4008}

20151015-4009

Transcript of Scoping Meeting, Wednesday, July 15, 2015, Castleton-on-Hudson, NY, see separate file:

Transcripts of Scoping Meetings at: http://www.Mason-NH.org/FERC_Scoping_Transcripts.pdf

20151015-4010

Transcript of Scoping Meeting, Thursday, July 16, 2015, Schoharie, NY 12157, see separate file:

Transcripts of Scoping Meetings at: http://www.Mason-NH.org/FERC_Scoping_Transcripts.pdf

20151015-4011

Transcript of Scoping Meeting, Thursday, July 16, 2015, Oneonta, NY 13820, see separate file:

Transcripts of Scoping Meetings at: http://www.Mason-NH.org/FERC_Scoping_Transcripts.pdf

20151015-4012

Transcript of Scoping Meeting, Thursday, July 29, 2015, Greenfield, MA, see separate file:

Transcripts of Scoping Meetings at: http://www.Mason-NH.org/FERC_Scoping_Transcripts.pdf

20151015-4013

Transcript of Scoping Meeting, Thursday, July 30, 2015, New Britain, CT, see separate file:

Transcripts of Scoping Meetings at: http://www.Mason-NH.org/FERC_Scoping_Transcripts.pdf

20151015-4014

Mr. Eric Tomasi
Federal Energy Regulatory Commission

Re: PF 14-22

Dear Mr. Tomasi,

It is imperative that FERC understand New England's energy needs accurately, rather than as they have tended to be portrayed since 2013/14.

New England's energy needs have already been met for the next 10 years.

New England's winter peak demand will be covered by 10 year LNG contracts with Distrigas, already signed by utilities. No additional energy is needed!

Last winter's high electric rates were not due to scarcity. They were set in the fall, assuming a scarcity based on the 2013/14 winter's problems. But those deficiencies were caused by poor preparation and grid mismanagement by ISO-NE which gave the false impression that there was a lack of adequate energy.

A month after the rates were set, last fall, prices fell. In spite of an even colder winter than 2013/14, by January wholesale prices fell 60%....without a single new pipeline and after the retirement of 2 more power plants!

In April, ISO-NE reported the lowest demand for electricity in 12 years....and electricity wholesale prices were lower than they've been in 16 years!

That was without any new pipelines and with the retirement of 4 major power plants, VT Yankee, Mt Tom, Salem Harbor, and Norwalk Harbor!

The "energy crisis was overblown"- president of the NE Power Generators Assoc.

Additional – EXTRA - natural gas projects are already in line for NE:

1. Portland Natural Gas Transport System – less costly for rate payers.
2. AIM and TGP/CT pipelines, already approved by FERC could begin construction in 2016- less costly than NED
3. Access Northeast/Spectra/Eversource/National Grid - also less costly than NED

Each project above would be in service sooner, cost ratepayers less, and not bring the level of harm to the environment and health of New Englanders that NED would.

Therefore, I request that FERC deny the Certificate of Public Necessity and Convenience for the Northeast Energy Direct proposal.

Beverly Edwards, Temple, NH

20151015-4015

fyi

it has been impossible to file online this afternoon. There has been a temporary technical issue for more than an hour. For that reason, I am sending this comment via email:

15 October 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,

Park Watershed is a 501c3 urban-suburban watershed stewardship organization for Park River regional watershed, which stretches east of the Metacomet Ridge through MDC reservoir properties to the Connecticut River. West Hartford, Hartford and Bloomfield as well as parts of Newington, New Britain, Farmington and Wethersfield are within the Park River watershed. Our organizational goal is to improve the water quality and ecosystem health of water courses and water bodies that enhance neighborhood character even within high-density urban development. Park Watershed is currently focused on green infrastructure for stormwater management, as we work on implementation of the North Branch Park River Watershed Management Plan, which was approved in 2010 by US Environmental Protection Agency.

The Northeast Energy Direct (NED) project (FERC Docket No. PF14-22-000) proposed by Kinder Morgan

would cross through headwaters of the Park River regional watershed. Park Watershed is opposed to new pipeline construction through Class I and Class II land that protects our exceptionally pure drinking water. With a population that exceeds two hundred and fifty thousand, the seventy-eight square mile Park River regional watershed is one of the most densely developed metropolitan areas in the state of Connecticut. Well-managed landscapes of the MDC reservoir system have considerable cultural and recreational value, because most other areas of the Park River watershed have been extensively developed. The landscapes along the Metacomet Ridge also host habitat for wildlife and migratory birds, and significant cultural heritage features, such as the New England National Scenic Trail.

In addition, Park Watershed seriously questions the ethics of a pipeline for gas extracted with problematic “fracking” methods that negatively impact human, environmental and community health. In the future, clean water will surely increase in value. The NED project threatens to undermine the integrity of the historic MDC reservoir system and the clean water that it provides to Connecticut residents. As a federal agency, we recommend the Federal Energy Regulatory Commission prioritize preservation of local cultural assets, especially our drinking water reservoirs.

Sincerely,

Mary Rickel Pelletier
Founding Director

--

Mary Rickel Pelletier
Director, Park Watershed, Inc.
cultivating urban-suburban watershed stewardship
www.parkwatershed.org

20151015-5000

Kathleen Gauvin, New Ipswich, NH.
61 Beechwood Rd.
New Ipswich, NH 03071

October 14, 2015

Dear Governor Hassan,

We have been told to let the FERC process take place. You asked that FERC be transparent. You asked that you were keeping an eye on how the FERC commenting period would unfurl.

Last Friday, Eric Tomasi, project manager for the NED pipeline project sent his NED Draft Resource Report comments to Kinder Morgan/Tennessee Gas. This took place on October 9, 2015, 7 days before the final closing of FERC comments by the public.

Is this an example of how the FERC process works?

Sincerely,

Kathleen Gauvin

cc Senator Shaheen
cc Senator Ayotte
cc Representative Kuster
cc Executive Councilor Kenney
cc Executive Councilor Van Ostern
cc Executive Councilor Pappas
cc Executive Councilor Sununu
cc Executive Councilor Wheeler

20151015-5001

Joy Stevens, Lynnfield, MA.

I wish to express my extreme opposition to the Kinder-Morgan Tennessee Gas Pipeline Company's, Lynnfield Lateral. This project would cause extreme damage to the environment, wetlands (which are supposed to be protected) and local neighborhoods. The company is definitely not considering any of the above issues based on their proposed route for the pipeline. A pipeline of this size (24") would be under high pressure yet would be going through residential areas which would be destroyed in case of a leak or explosion. The damage to wildlife and waterways would be extensive. The pipeline is going to the coast which means at some point the gas would be exported providing the company with a profit but the area of the pipeline with nothing but destruction of property values and long term environmental damage.

20151015-5005

pegviglione@comcast.net, Greenville, NH.

As a resident of Greenville, NH I am aware of the issues surrounding the proposed Kinder Morgan/Tennessee Gas/NED Pipeline project. I have educated myself about pipelines, compressor stations, fracked gas and FERC, the federal agency and process by which these projects are evaluated and approved. I attended four FERC Scoping sessions and one Kinder Morgan Open House. I won't repeat the numerous "concerns" as FERC labels them dealing with health and environmental risks, safety hazards, legal and financial questions. Others more eloquent have laid these out.

I wish to express my anger and frustration at both Kinder Morgan and FERC. I suspect when KM looked for an alternative pipeline route to the original northern MA option they saw a vast, forested, thinly populated area ripe for plundering. They anticipated little if any resistance from what they mistakenly saw as an unsophisticated, uneducated array of small towns. What they didn't see was the depth of passion New Hampshire citizens have for our land, our love of pristine wilderness, our fierce independence and sense of fairness. They forgot that NH was one of the original 13 colonies who refused to bow to oppression, and that our state motto is "Live Free or Die." Maybe they assumed we took that off a coffee mug. Well, they hit that bee's nest with a stick! To date this project has the highest number of anti-pipeline comments recorded by FERC in its entire history. We held the only Scoping session at which not one comment in favor was registered. There is continued and growing massive resistance along the entire proposed pipeline corridor.

As I watched I became absolutely convinced that the process is rigged in favor of the gas companies. FERC is charged to "address" every concern registered - but what does address mean? Essentially nothing. They are obligated to listen but not to actually do anything. Scoping meetings only pay lip service to the requirement for public input. They result in an Environmental Impact Statement which FERC can ignore, make token changes or offer inadequate "mitigation." Since 1935 they have denied only two submitted pipeline applications. Meanwhile Kinder Morgan is fronting an invasion they have designed, waged and won for decades. They move into a target area, join the local Chambers of Commerce, make civic donations to court favor. They wage a carefully calculated media campaign of misinformation and deception, promising lower energy costs and access to natural gas. They submit a plan full of items "to be determined" which serves as a shell game to deliberately confuse. I had a KM rep tell me at their Open House that "there is nothing harmful in the pipeline gas. It's all scrubbed at the well heads." They showed carefully crafted drawings of park-like compressor stations surrounded by lovely green grass and foliage - so opposite from the reality of the scarred, blighted sites they create.

I was recently made aware of the term "regulatory capture," a theory associated with George Stigler, a Nobel laureate economist. Regulatory capture happens when a regulatory agency, formed to act in the public's interest, eventually acts in ways that benefit the industry it is supposed to be regulating, rather than the public. <http://www.investopedia.com/terms/r/regulatory-capture>. The big energy corporations have become so powerful that our state politicians sidestep direct opposition despite the deafening outcry from their constituents. They call for transparency and more Scoping meetings - a token resistance designed to appease voters, and guaranteed not to jeopardize their future big energy campaign contributions.

I feel a deep sense of betrayal as this fight goes on. First from our federal government for allowing FERC to become subverted to serving companies like Kinder Morgan rather than acting for the common good of the people. The government has failed to adapt national energy policy to reflect the need for and facilitate the transition to clean, renewable energy strategies. Instead it continues fostering the creation of unnecessary fossil fuel infrastructure. Second, betrayal by our elected state officials, with a few notable exceptions such as David Wheeler, who have refrained from blocking this project. New Hampshire cannot afford to allow a flawed federal agency following obsolete energy strategies to usurp private land for corporate profit, inflict devastating damage across our state and then require us to pay for that project with no benefit to us. Please write or call your legislators and demand that they oppose the pipeline now.

20151015-5007

Suzanne Martin, Averill Park, NY.

I live within 1 mile of where the NED compressor station is said to be placed by Kinder Morgan. I am sincerely scared of the effects of the station and this pipeline to my family, local community, environment, and it's wildlife. Not only are the health effects bad for us, but they will be dire to those in PA.

I am very opposed to this pipeline running through NY State. I don't understand why this is happening when fracking was banned in our state and should be banned nation wide. It is detrimental to our environment and it's people. Maybe the idea is that since it's the pipeline portion running through NY it is not breaking the law, but regardless the risks associated and negative health effects from a pipeline and compressor station are also not good.

Please help us keep our water clean, our wells safe, our people and animals healthy, our lakes and rivers swimmable, etc.

In the end, I am realistic that pipes and stations may have to be run...but there is no reason this should ever happen in a residential neighborhood. There are houses directly across from the site, and hundreds of homes within just 1 mile. It is absolutely immoral and wrong.

20151015-5009

Christine Kossuth, Merrimack, NH.

As a concerned resident of the Town of Merrimack, NH, I am writing to document my opposition to the natural gas pipeline.

I am one of the many homeowners whose property is in the path of the proposed pipeline route who rely upon private wells for water. One of the reasons for my opposition to the pipeline is because of the risk to our well water from blasting, natural gas leaks, and the repeated application of chemicals to prevent trees from growing along the pipeline.

I am also opposed to the pipeline due to the risk of odorless leaks and explosions, as documented in Congress's 2013 study which can be found at the following link: http://www.markey.senate.gov/documents/markey_lost_gas_report.pdf. My health, my life and my property should not be endangered.

Finally, I am opposed to the pipeline for fiscal reasons. The decrease of property values and the increase of home insurance costs will cause a significant financial loss to homeowners.

I have a question: How will leaks be classified and which classification of leaks will be repaired?

Sincerely,

Christine Kossuth

20151015-5012

Mark Bastille, Peterborough, NH.

I am writing to express my concern about routing a gas pipeline through NH. Specifically I am writing to express my objection to the pipeline purposed in Docket No. PF14-22-000 Northeast Energy Direct Project,

Tennessee Gas Pipeline Company, L.L.C.

Emissions

I am very concerned about the emissions that would come from the compressor station. It is my understanding that the volume of material would be unregulated and contains many nasty chemicals that are known to be very hazardous to the environment and our health.

The proposed location of the compressor station is very near a school in Temple and is just on the other side of the ridgeline from my home. I cannot imagine a worse place to put something like that. Such a careless disregard exemplifies to me that profits and not the well-being of our communities is driving this project.

I live in NH because the air is cleaner up here. I live in NH because I want to get away from pollution. To have pollution exported to my backyard and so near a school for someone else's profit really makes me mad.

Beautiful Spaces

I am very concerned about the potential devastation to our natural treasures here in NH. NH is blessed with beautiful natural spaces that people come to enjoy from around the world. Mt. Monadnock is the second most climbed mountain in the world and that is just one of the many treasures we have in this area. Tourism is significant part of our local economies and is driven by the ability to experience these beautiful settings. It is my understanding that the proposed pipeline route will affect 8 miles of state forest/park lands, 18 rivers, 116 bodies of water and 155 wetlands.

Again the careless disregard for affects that this pipeline would have on communities is appalling.

Renewable Energy Sources

As a single planet, as a country and as a region we are clearly better off in the long run pursuing renewable energy solutions for our growing needs. It makes common sense, financial sense and it is the right thing to do. There has been a lot of momentum gained in this region over the last few years. Wind farms are popping up everywhere. Solar panels are becoming common place on residential homes.

Creating this pipeline would only encourage more use of non-renewable energies, drive more money towards the horror show that is fracking and drain valuable resources away from renewable energy movement that is beginning to work.

We don't need this pipeline. We don't want this pipeline. The pipeline is neither a good short term nor long term plan for this region and will only serve to put profits in the hands of people that don't need them at the cost of our kid's health, our beautiful scenery and our local economy.

Please don't allow this project to continue.

Thank you,

Mark Bastille
717 Wilton Road
Peterborough, NH

20151015-5013

joseph padalino, averill park, NY.

10/14/15 in regards to PF 14-22-000 I am strongly opposed to this pipeline traveling through our area. I own 2 properties, 1 with a well, and 1 with drinking water from Glass Lake. The thought of contamination is very scary. I have 2 small children and do not want them exposed to unknown chemical that could be seeping into our ground water. Our local elementary school is also on a well close to the area in question, putting 400 plus young children in danger. If our Local Lakes, Burden, Glass, Crooked, were affected what would happen to our great fisheries. We have moved to the country setting to avoid noise pollution. How would a 90,000 horsepower compressor station add to peace and quiet of our neighborhood? We have lots of bird life, even sometimes a bald eagle, my concern with all this new noise from the compressor station it would scare away the beautiful creatures. As an avid hunter, fisherman, and bird watcher, how would this

company not disrupt the land surrounding our great natural resources?

Thank you for this opportunity to be heard

Joseph Padalino
Sand Lake Town Resident

20151015-5014

Katherine Wadsworth, Farmington, CT.

October 14, 2015

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

PF14-22 - Morgan Kinder, Tennessee Gas Pipeline Proposed Project
Hartford County, Connecticut.

For Kimberly Bose,

I am a very concerned citizen when it comes to compromising clean air, clean water and clean dirt in our environment. We in Connecticut, and in other parts of the Northeast, are being threatened with a high potential for the contamination of our water resources. Our local public water supply provider, the Metropolitan District Commission, is so concerned for its property, which contains several reservoirs and a large watershed to supply them for the 400,000 citizens it serves, that it called for and publicized a town hall meeting in West Hartford, CT last Wednesday the 7th of October. I'm sure the Commission felt that most people whose water supply is under threat were not hearing about the so-called informational meetings being held around Connecticut this past year... I am a person who pays attention to this kind of issue and I had not heard of any. And, there were two in my home town of Farmington, CT. the first was not very well attended, not sure about the second.

It is not surprising that the general public does not trust a corporate energy giant like Morgan Kinder which tells them all they want to hear about the safety of their project while being installed and while up & running (60 years of history in our neighborhood); about their concern for & protection of the environment as they install & maintain their pipelines; and about how they adhere to all regulations and requirements pertinent to the work in sensitive areas, whether they be wildlife habitats, residential neighborhoods, historical & cultural sites or, as in this case, designated Class I and Class II public drinking water resources (reservoirs and their watersheds). Morgan Kinder, in order to install this 24" high pressure gas pipeline through this highly sensitive area says it is "only" asking to expand an existing 30' easement to a 60'+ permanent easement AND, on top of that, a 'temporary' easement of another 25' or so as a work area. That's a big swath of disturbed land with most of it staying a big swath into perpetuity. But, the most frightening of all is that this new pipeline trench will have to be blasted along this entire length of reservoir property which is located on a trap rock ridge. The distance between the existing gas line & the new 24" line is not all that great and that existing line, from what I understand, is 60 years old. Morgan Kinder has said it is co-locating this new pipeline on an easement it already holds. No, it is asking for another easement to make a new line for natural gas transport. Back when that first line was installed in the 1950s there weren't the regulations or restrictions covering such installations & disturbances of these irreplaceable and life sustaining resources that the State of Connecticut has in place currently. I cannot believe that the Federal Government would over-ride this State's laws protecting its own natural resources by eminent domain or other mechanism.

I have taken a look at the reports regarding presentations made to certain business focused and economic development organizations or associations over these past months about the positive impacts this project will have on those concerns here in our State. That may or may not be true, depending on who would get the contracts for the labor, materials and transport in the end. Statistics have been offered that our energy needs in Connecticut could be more efficiently & less expensively served with more 'natural gas' coming our way.

Some people say we don't need to add any more, they have studies too. Some people saying that enough energy can come from more sustainable technologies. That is yet to be seen. But one thing is for sure, a contaminated water system because of a mishap, or worse, adversely effects the health and welfare of hundreds of thousands of individuals.

Just because this can be done, & bigger powers than us are pushing for it with all kinds of corporate founded salesmanship type justifications, doesn't mean it has to be done. Especially when the public welfare would be so obviously at risk.

Thank you for your consideration.

Katherine Wadsworth
Farmington, CT

20151015-5015

Michael J Dailey, Merrimack, NH.

Ferc Comment submitted on 10/14/2015 @ 10:06PM (est)

I'm generally opposed to the proposed PF14-22 Pipeline project for the following reasons:

- (1) Its construction is paid for whole or in some large part by the electric ratepayers of NH. If Kinder Morgan is so keen on completing this project then they should pay entirely for it from their own funds. Otherwise NH RatePayers, are in effect, are being taxed without representation.
- (2) A large % of the gas transported by this pipeline will be sold offshore, and therefore will NOT, on the whole, benefit those NH residents which use natural gas nor will it be primarily used to benefit Gas Turbine Electric Generation utilities, and therefore will not benefit NH electric rateholders. This contradicts how Kinder Morgan had been pitching this project as beneficial to NH electric rateholders, including vague statements made at a televised Merrimack Town meeting.
- (3) Its construction and continued long term presense will cause degradation to adjacent properties. This proposed pipeline requires a 50' wide right of way that must be logged and cleared. This same right of way will, if past practices of Kinder Morgan are followed, will be maintained with chemical defoliant rather than mechanical means. Such defoliant will be of detriment to sensitive wet lands and forest areas adjacent to the right of way. Even if mechanical means were used to maintain this right of way, it will leave a scar upon our NH lands.
- (4) It will lower residential property values of real estate adjacent to the pipeline's right of way. Whereas commercial property owners have financial means and legal representation to ensure that their interests are understood and preserved, the same is not true for those of us holding private, residential property that is some short distance from this proposed pipeline.
- (5) Some right-of-way land must be seized from private property owners by eminent domain proceedings.
- (6) Finally, safety is a concern, as having a 30" high pressure natural gas pipeline situated in a residential area and through densely traveled highway: NH Route 101A.

I thank you for your time and kind attention.

Regards,

Michael J Dailey

20151015-5016

Roy Pincus, Lynnfield, MA.

Why is it that Kinder Morgan has not agreed to meet with those who will be directly impacted by the pipeline in Lynnfield, MA until after the comment period with FERC has passed? The deadline to submit comments to FERC is Oct 16th. Kinder Morgan has not agreed to meet with the Lynnfield residents for an open forum until Oct 29th. How convenient! What are they trying to hide and do not want us to know until it is

too late to comment about it?

I am outraged by their lack of transparency and the shadiness in which they operate.

20151015-5017

Susanne Riemer, New Ipswich, NH.

Dear FERC,

I am opposed to this project and request that you deny this application for the following reasons:

1. The emissions from the proposed compressor station are exempt from the Clean Air Act, yet are known to have carcinogenic emissions, among other toxic/poisonous components.
2. The compressor station is to be located less than 1/2 mile from a public school.
3. The compressor station will be disturbing the peace and quiet of our small, rural town with an unacceptable noise level.
4. Contrary to Tennessee Gas statements, this project will not benefit New Hampshire, as New Hampshire is an energy exporting state.
5. The proposed pipeline is expected to use 30 inch pipe because it will be traveling through a rural area. However, southern New Hampshire is the most populated part of the state, so contrary to Tennessee Gas statements, the danger of pipeline explosion would actually endanger many people.
6. The proposed pipeline construction will destroy wetlands, conserved lands, and recreational lands, all of which drew my family to live in this area in the first place. We are concerned about destruction of aquifers and how this will affect wells and drinking water in the area.
7. We do not want this pipeline, and do not endorse the corporate greed that is driving this project.

Thank you.

20151015-5018

David Baram, Bloomfield, CT.

Dear Sir,

As State Representative for Bloomfield and Windsor, CT, I am writing to ask that the comment time and investigation period be extended to allow residents, municipalities, and organizations an opportunity to learn more so they can comment intelligently.

I also ask that the Applicant, Tenn. Gas Pipeline Company, LLC and Kinder Morgan be required to submit all applications to the State of CT for a complete review, and to the local municipalities for zoning and wetland permitting.

Furthermore I ask that a complete environmental and toxicological study be conducted to determine any risks to public health and the environment, particularly in light of the fracking extraction that has led to documented health hazards and detrimental environmental impacts.

It is also requested that information be made public verifying what the capacity is of the existing Tenn. Gas Pipeline in CT, how much is being used, and what the unused capacity consists of that might accommodate expansion without a second pipeline.

All routing and construction plans need to be made subject to local permitting by the applicable zoning and in-land wetland's commissions and to obtain building permits. All public safety hazards, road and train crossings, underground and above ground water reservoirs/aquifers, and environmental habitats must be identified and analyzed.

Finally, I ask that Tenn. Gas provide alternate route options that avoid populated areas and sensitive environmental habitats.

The above information is necessary to determine if a Certificate of Need is appropriate and justified. Con-

cerns need to be addressed, and routing should be reviewed to avoid populated areas and protected/sensitive environmental habitats.

At this time, based upon the criterion referenced hereinabove, it does not appear that a Certificate of Need is justified. This project should be carefully scrutinized without regard to timetable established by the Applicant. Much more review and analysis is required. Safety must always be the paramount priority.

David A. Baram
State Representative
15th Assembly District

20151015-5019

Catherine Masi, Roxbury, CT.

Not only is this proposal a threat to the environment, it is a gross injustice to the rights of private property owners. Private property ownership is the foundation for this country and these rights need to be protected ... period!

20151015-5020

Kathy Chapman, Mason, NH.

It's not right, nor is it legal, for the Federal Energy Regulatory Commission (FERC) and a private company to set a timeline for taking property from people by eminent domain and providing them no opportunity to mount a defense. If a project's scope changes, i.e. different people are affected than in the original proposal, then the scoping period should be extended, period.

I'm speaking, of course, of the imminent end of the scoping period (October 16, 2015) for the Northeast Direct Pipeline (NED) that is proposed to cut across and through 17 towns in southern New Hampshire. Because the pipeline route can change AFTER THE SCOPING PERIOD ENDS, the pipeline could be moved anywhere and the affected people would have had no chance to prepare for this event.

The way it is now, there is every incentive for the pipeline's proponent, Kinder-Morgan (KM) (a spin-off of Enron) and the like to do what has been done in the case of NED, i.e. a line was drawn across southern New Hampshire (when Massachusetts put up resistance to having the line drawn there) based on old maps. This became the proposed pipeline route -- through houses, schools, aquifers, and LCHIP properties. Clearly there was little, if any, work done by KM to prepare even a rudimentary site plan that would avoid even these most obvious of obstacles. By using very old maps, KM didn't give our area the dignity of even a decent first evaluation.

Last December, it became the problem of each and every individual in those 17 towns along that randomly-drawn line to defend his or her property. Over the months, people and towns have organized to raise a host of reasons that the pipeline shouldn't be built at all. The 17 towns and the people in them had very little time to come up to speed on what all this was to mean to them, but they knew a few things for certain: (1) a company with a lot of money was going to take their land, and (2) the federal government was going to stand behind the company. Could this get worse? YES!

Somehow, FERC's rules do not make any accommodation in dates when a project's scope changes. The town of Amherst has managed to have the pipeline shifted to Merrimack and Hollis, and yet the date that scoping ends remains the same. The good people of Merrimack and Hollis have had less than a month to react to this change.

The scoping period needs to be extended for every single move of the pipeline to train KM and others that a reasonable proposal needs to be presented, the people being impacted need to be given the time and consideration they deserve from an agency of the federal government. (Unfortunately, we have come to learn that FERC is not funded by our tax dollars at all, but instead is funded by the very people it regulates, for example, KM. Can corruption be far behind?)

In any case, the scoping period must be extended until the pipeline route is settled.

The 14th Amendment to the US Constitution says as much: it forbids states from denying any person “life, liberty or property, without due process of law” or to “deny to any person within its jurisdiction the equal protection of the laws.” Not only will the property owners such as those in Merrimack and Hollis have been denied property without due process of law, they have also been denied equal protection under the law because other similarly-situated property owners have been accorded more time to mount a defense against the taking by eminent domain of their property.

20151015-5021

John Leoutsacos, Temple, NH.

Why hasn't the route 90 (mass Pike) alternate route been thoroughly explored? It has been mentioned many times to Eric Tomasi in my presence, the last being September 28, 2015. In that meeting he acknowledged it but didn't appear to want to pursue it. That would be the cleanest, safest, shortest route with the least personal and environmental impact.

I believe you are aware of it but for some reason unknown to the citizens of southern New Hampshire, are unwilling to consider it a valid option.

20151015-5022

John Leoutsacos, Temple, NH.

On September 28 2015, in a meeting at the New Ipswich New Hampshire town hall, FERC representative Eric Tomasi stated that both he and his crew would be driving the previous proposed Massachusetts rte 2 path to gain perspective into it being an alternate route for the NED pipeline. To my knowledge, nothing more has come of this?

20151015-5023

John Leoutsacos, Temple, NH.

New Ipswich New Hampshire, does not want to become another Minisink New York!

Minisink

In March 2012, a 78-page report prepared by the staff of the Federal Energy Regulatory Commission (FERC) found the project “with appropriate mitigation, would not constitute a major federal action significantly affecting the quality of the human environment.”

“The most urgent problem in New York right now is the expansion of pipelines bringing Pennsylvania natural gas across New York to New England,” said David Carpenter, director of the Institute for Health and the Environment at the University at Albany, who spoke during a press conference in Albany at the state Capitol.

Unsafe emissions can occur up to a mile or more from the stations or other parts of pipeline infrastructure such as metering and regulating stations, Carpenter said. Such pipeline components also leak methane, which can convert to formaldehyde when exposed to sunlight.

Currently, air pollution emissions from natural gas pipelines are reported by energy companies, which project emissions based on formulas, but do not conduct continuous emissions testing.

The only way the above statement could be possible (and I believe it to be), is by a term called regulatory capture. FERC is an example of this term and needs to be held accountable because of it.

20151015-5054

October 12, 2015

Docket No. PF14-22-000

David and Jennifer Pychewicz

24 Crestwood Dr.

Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

North Reading, MA 01864

To the Federal Energy Regulatory Commission,

We are property owners concerned about the proposed Lynnfield lateral pipeline for the Northeast Energy Direct Project by Kinder Morgan. The planned pipeline would be cutting through our property adjacent to the existing powerlines. In addition to obvious safety concerns, we are worried about the impact of a lowered property value. Other foreseeable issues are restrictions on any planned future additions and improvements to the property due to the pipeline and the buffer zone. For example, the buffer zone may reach our existing swimming pool area. Crestwood Drive residents in particular, have nothing to gain from this pipeline, as the street does not have gas in the first place.

If the pipeline must be built at all, then it should be located along the other side of the power lines, at the edge of Cedar Swamp. This would at least minimize the effects on homeowners. It makes no sense to cut through private property and all that entails when there is another option available a few hundred feet away. In addition, it would be helpful if Kinder Morgan held more public hearings around North Reading or immediate surrounding towns affected by the pipeline in order to make it easier for citizens to have their voices heard.

Sincerely,

David and Jennifer Pychewicz

20151015-5069

nofracked
gasinmass.org

A Program of
Berkshire Environmental Action Team

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

October 14, 2014

Rosemary Wessel, Founder
90 Trow Road, Cummington, MA 01026
(413) 634-5726
nofrackedgasinmass@gmail.com

Kinder Morgan / Tennessee Gas Pipeline Co
Northeast Energy Direct
FERC Docket #PF14-22

IMPACT OF EXPANDING PIPELINE INFRASTRUCTURE ON JOB OPPORTUNITIES

As stated in the newly released study, "The Clean Energy Future: Protecting the Climate, Creating Jobs, Saving Money" (enclosed in this filing), far more jobs are created in the clean energy and energy efficiency fields than in fossil fuel industries. In recent discussions with union members who would gain temporary jobs during pipeline construction for the Northeast Energy Direct project, a couple of them have stated that their union LiUNA, also trains for these fields, so why not do both. The trouble is that energy dollars development dollars are not unlimited.

At this stage, investment in more fossil fuel infrastructure means that less will be available to put into clean energy and efficiency, thus gaining a few thousand jobs on the pipeline for a year or 18 months, but losing an opportunity to create tens if not hundreds of thousands of long-term job opportunities in clean energy and energy efficiency development. The job-stifling effect of fossil fuel infrastructure investment coupled with public social costs associated with health impacts for those living near compressor stations, new gas-burning electric plants and blow-down sites along a pipeline make further build-out of natural gas pipelines an economic burden that could flatten an otherwise growing regional economy.

We need to focus on developing jobs for the future, not jobs of the past. The numbers already show that it is the more prosperous path to take. Combined with the lack of environmental devastation to a region largely

reliant on tourism and agriculture, the “No Build” alternative is the only sensible choice for Northeast Energy Direct.

See full report attached in this filing

“The Clean Energy Future requires much larger numbers of workers, however, in energy efficiency programs, renewable energy production, and auto manufacturing (making electric cars). The net effect is an average gain, above the reference case, of more than 550,000 jobs per year from 2016 to 2050, as shown in Figure 2.

{figure 2 omitted, see below for full report}

Net job gains increase over time, starting at a little under 200,000 per year in 2016-2020, and rising to 800,000 per year in 2046-2050.

Four major categories of new jobs can be seen in the graph. Starting at once, hundreds of thousands of jobs are created by expanded energy efficiency programs. The existing electric system is inefficient, investing far too little in cost-effective efficiency programs. Rather than burning more fuel, it is often cheaper to install more insulation, better lighting, newer appliances and motors, and countless other energy-saving measures. A second wave of new employment arises in the 2020s, as renewable energy programs take off. Numerous workers are employed in producing, installing, and maintaining wind turbines, solar panels, and other renewable energy equipment, the core technologies of the Clean Energy Future.

Next, after about 2030, employment expands in the auto industry, as production of electric vehicles becomes essential to the later stages of the scenario. Finally, in the 2040s, jobs are created by net energy savings, which are spent on other purchases. (Each category combines direct, indirect, and induced employment. In auto production, for example, direct employment refers to jobs in the auto industry; indirect employment means jobs in industries that sell parts and supplies to auto companies; induced employment is created when auto workers and auto parts workers spend their paychecks, stimulating other industries.)

Net job creation in the Clean Energy Future, averaging 550,000 jobs per year for 35 years, may sound like a large number. It is, however, only about 0.3 percent of the expected size of the U.S. labor force from now through 2050. Still, it is enough to ensure that there are jobs available for workers displaced from coal and other non-renewable energy industries – as well as opportunities for many other workers to launch promising careers in construction, manufacturing, and other industries required for the transition to clean energy.”

{16 page report omitted; full report can be downloaded from:}

{ <http://synapse-energy.com/sites/default/files/Clean-Energy-Future-15-054.pdf> or }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14014090> }

20151015-5071

10/14/2015

RE: PF 14-22 Kinder Morgan Tennessee Gas Pipeline Northeast Energy Direct

Formal Complaint

I hereby request that FERC consider Kinder Morgan’s subsidiary Tennessee Gas Pipeline not in compliance with the requirement to provide federal in person public scoping sessions for the Northeast Energy Direct pipeline Project. In PA and NY, and specifically in my area, Bradford County PA, the federal public scoping session was held at Towanda PA prior to the issuance of a a major draft environmental resource report for its proposed Northeast Energy Direct pipeline project. This report consists of over 6500 pages of data in the form of 79 different volumes. It represents a revision of plans filed March 13.

I testified at the Towanda, PA hearing. I did not have the opportunity to see the documents that I was there to provide input on, as they had not been issued yet. This situation is also true for the other persons who provided comment in other locations in PA and NY, and those in the general public who may not have testified because they did not have access to this major revision to the report detailing the plans.

I hereby request that FERC should consider Kinder Morgan's federal public scoping sessions as incomplete and not in compliance with the letter or intent of federal public scoping sessions. You've got to have the scope published BEFORE the public scoping sessions in order to meet the intent of the sessions.

Kinder Morgan should be required to hold additional public scoping sessions in the areas where the sessions were held prior to the issuance of the environmental resource report revisions, and specifically, require Kinder Morgan to hold an additional public scoping session in Towanda PA.

I found it somewhat amusing that I was invited to the last scoping meeting which was held in New Hampshire. I feel that this invitation was specifically aimed at trying to prove (via a technicality) that those like myself who were shortchanged of a true opportunity to input in person had been invited to another session after the environmental resource report was issued. I do not feel that being free to attend a session approximately 6 hours of driving distance away meets the intent of providing an opportunity to the public to attend a scoping meeting. I feel that my rights, and the rights of the others in PA and NY who did testify before the environmental resource report was published, have been violated. In addition, the rights of other PA and NY residents who might have testified had the report been issued prior to their local sessions were also violated.

The only possible remedy is to hold more public scoping sessions for the areas who were deprived of a true opportunity to provide scoping input at a federal scoping session. Certainly we are aware of the extension of the timing for written input. I do not feel that the extension of this date for all input to be received remedies the situation totally, although it does help for those people who prefer the written input mode.

Kinder Morgan plans to submit final filings to FERC on November 20th. FERC should reject any such filings since Kinder Morgan has not provided the public with a true opportunity to provide in person scoping input based on their plan.

Thank you in advance for following the only legitimate course of action for FERC to take - that being summarily rejecting Kinder Morgan's final filings until the base requirement of obtaining in person public scoping input has been met in all areas affected by the Northeast Energy Direct pipeline project.

Diane Ward
902 Grove School Road
Wysox PA 18854
pekin_2@yahoo.com
570-268-0978

20151015-5089

Alternatives

In Kinder Morgan's last (Jul 24th) filing they listed a number a different alternatives to their current plan in Resource Report 10. They gave a reason why they rejected each alternative. However many people don't agree with their reasoning. They ignore some of the advantages of the alternatives as well as ignoring some of the disadvantages of the current plan. Also it seems Kinder Morgan has neglected alternatives in general in favor of the "cheaper option". So I decided to write this letter to take a harder look at some of the alternatives from Resource Report 10.

No Build and System Alternatives

These two alternatives are functionally the same thing. Kinder Morgan does nothing leaving the other companies in the region to provide the needed gas. Kinder Morgan argues the environmental impact will be very nearly whether NED is built or not. Since other companies have to build infrastructure to compensate. However Kinder Morgan acknowledges that none of these pipelines are booked to capacity, including their own proposal. So they admit their own argument is incorrect. In fact all these pipelines would result in a huge excess in capacity for the foreseeable future. If all the current contract agreements were all with one pipeline the supply would be much closer to the demand. It seems their biggest reason for rejecting the No Build/Systems Alternatives is that they won't get a piece of the New England Energy pie.

With this in mind at least one (if not more) pipeline projects should be eliminated. Logically this should be the project that has the biggest negative impact. With the route changes in Kinder Morgan's Dec 2014 filing they claim their project is lower impact due to co-location with other easements. However if you look at the alignment sheets you can see much of the route they claim to be co-located aren't actually close enough to the other easements to be considered co-location. So the majority of their project is actually green field. Considering the other pipeline projects use their preexisting easements Kinder Morgan's project is clearly the most impactful one. And considering that the excess gas that will be available in New England from all these pipeline projects exceeds NED's capacity the No Build option seems like a better plan than their currently proposed plan.

Alternative Energy

Kinder Morgan rebuts each technology from almost every energy alternative on a case by case basis, for both "clean" and "dirty" solutions. They do this in order to avoid having to look at them as a whole. There are currently many other non-natural gas projects on the table. Together they could meet much if not all of the energy demand of New England. Considering them together rather than one at a time eliminates the need for NED. Additionally Kinder Morgan ignores emerging technologies that would be truly transformative like Grid Energy Storage, which would make all other technologies more reliable. A diversity of energy technologies is also a better more reliable solution than a one energy source solution.

Existing 200 Line Alternative

Kinder Morgan argues this alternative would have greater impact than the current route. Also the laterals would need to be longer and more disturbing. The impact during construction could very well be greater; however the lasting impact would be much lower. This is because Kinder Morgan would not need new permanent easements. There wouldn't have to be any additional permanently maintained ROWs. Also the Fitchburg Lateral could be completely eliminated since they already have a line connecting to their existing system going to Fitchburg. Worst case scenario they would have to upgrade it. However since the existing lateral to Fitchburg is not at capacity this probably would not be required either. With the exception of the West Nashua metering station the other laterals originate from or near their existing system. So the actual amount of rerouting would be minimal.

Kinder Morgan's competitor Spectra has chosen this solution for their projects and those projects are recognized as having lower impact to Kinder Morgan's project. Spectra's lines run through similar (if not denser) population areas as Kinder Morgan's 200 line. A glance over the FERC dockets show that the opposition to Spectra's projects is also much lower than to NED. You can only conclude Kinder Morgan rejected this alternative because it's more expensive. In spite of the fact that it's impact will be much smaller in the long run.

Massachusetts Route 2 Alternative

Kinder Morgan has similar arguments against this alternative as they do the Existing 200 Line Alternative, with the addition of working around traffic. Similarly the permanent impact to this alternative is much lower than the currently proposed NED route. Since the areas it's crossing are already permanently disturbed by Rt2. This alternative would also eliminate the Fitchburg lateral since this route would intersect their current lateral leading to Fitchburg. Worst case scenario here is they have to upgrade a small portion of their existing lateral. However as discussed before this would most likely not be required since that lateral is not at capacity. The West Nashua metering station could be connected through a lateral co-located with Rt13 which also intersects Rt2. As discussed before the other lateral would remain mostly undisturbed. As for the traffic during construction of the pipeline, it could be done at night as almost all major road construction is done today to avoid effecting traffic. This route is clearly a better alternative than the currently proposed NED route. Again the only real incentive for not choosing this plan is the cost to Kinder Morgan.

Fitchburg Lateral Alternative – Proposed Fitchburg Lateral

Kinder Morgan argues simply that construction complications of installing a pipeline in a highway ROW outweigh building the lateral on completely green field properties. The Rt 31 alternative, like the Rt2 alternative, has far less permanent impact than the currently proposed route. Kinder Morgan argues that it's more difficult to build near a road. However the Rt31 alternative would require much less green field construction on unaffected properties. Also, at least in Mason NH, Rt31 is the only place industrial construction is allowed is on the Rt31 corridor. So this alternative increases the potential for utilization of the Fitchburg lateral for future projects. Again the construction impacts could be mitigated by working at night.

- Daein Ballard
- Mason, NH

20151015-5092

nofracked gasinmass.org

A Program of
Berkshire Environmental Action Team

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October 15, 2014

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

Kinder Morgan / Tennessee Gas Pipeline Co
Northeast Energy Direct
FERC Docket #PF14-22

*"In considering the impact of new construction projects on existing pipelines, the (FERC) 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."*¹

NORTHEAST ENERGY DIRECT PIPELINE IS NOT NEEDED:

THE DEFINITION OF OVERBUILD

As has been evidenced by the nearly 6,000 comments so far on this docket², the areas of concern are numerous and broad-based: schools, senior housing, etc within the blast radius; homes within the compressor station impact zones that are not "directly affected" by pipeline infrastructure entering their property, thus precluding any compensation while at the same time bearing the same impacts to home value and possible loss of insurance and/or mortgage; effects of blasting on water wells, the predominant source of water along much of the pipeline route; lack of specific information on horizontal drilling plans under major regional waterways; effects of methane released for pipeline systems on global climate - the list could go on for pages.

The environmental damage caused by hundreds of miles of green fields construction, hazards to drinking water, agricultural and conservation land are not warranted for a project tied to a shale play that is projected to start declining as early as next month³. As pointed out by Seeking Alpha, Marcellus well production declines faster than originally expected, and current drill rates are shortening the estimated life-expectancy of the shale play and dropping profitability to zero as soon as 2019.⁴

Specifying all of these individual areas of concern is of little consequence compared to the overriding fact that this pipeline is unnecessary to the energy needs of our region.

The need for more capacity driving this proposal 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, on the coldest 10-27 days a year.⁵ The commonly used phrase "pipeline capacity constraint" has itself been misleading. It's been a crisis of peak demand prices on electric generators that have been forced to purchase gas capacity on the spot market, not actual physical pipeline capacity

shortfall. This peakdemand price crisis has been easily influenced by regional energy policy, and can be set to avoid these crises in the future. The last two winters have already shown us the difference.

One alarming document from ISO-NewEngland was a report to FERC on their Winter Reliability Program for 2013-2014. ISO-NE offered incentives to oil burning electric generation plants to purchase extra fuel ahead of the winter peak to cover the few peak demand days, when the need to generate was especially high. But they refused to do the same for natural gas powered plants, leaving them with no reserves for peak demand hours when electric and heating demands were both high. On page 7, paragraph 3 of this report, they stated the following:

“a solution that provided incentives to natural gas suppliers or generators to ensure incremental gas supply would affect wholesale electricity prices ... For example, if an ISO solution reduced the opportunity costs priced into the gas market during a time of high gas demand, this would lower gas prices and send the wrong signal about the relative scarcity of natural gas. These lower prices would also be reflected in the electricity market.” 6

This past winter, 2014-2015, ISO-NE caved to criticism and pressure and allowed the same incentives for gas-powered electric generation plants. The results? The “crisis” caused by capacity constraints during peak demand didn’t happen - at all.

» *See Conservation Law Foundation’s analysis* of this simple change in policy⁷, attached in this filing.

With “capacity constraint” already relieved by this one policy change, and demand for electricity remaining flat if not slightly declining⁸, even as the regional economy continues to grow, we have time to further increase efficiency and build out renewable sources and storage in anticipation of the scheduled closings of obsolete power generation plants.

» *See Acadia Center’s three-part series: “The Missing Energy Crisis”*, attached in this filing.

Other simple, “shovel-ready” energy conservation and generation projects such as requiring all leaks in existing gas infrastructure to be fixed, maximizing currently unused gas storage facilities, and restoring, modernizing and maximizing local hydro capacity at already existing dams can be implemented just as quickly as expansion of solar capacity on rooftops, brownfields and utility and transportation corridors (similar to solar fields currently going up along the Massachusetts Turnpike right of way⁹) and expansion of existing energy efficiency programs. All of these solutions are far less expensive to the ratepayers who would be taxed to pay for new pipeline capacity, and can be implemented and completed more quickly than the Northeast Energy Direct’s increasingly questionable November 2018 completion date

Even if the political will to implement enough of these solutions did not exist, studies on LNG solutions have shown that the delivery mechanisms and capacity exist to resolve any winter peak demand needs at less cost than a new pipeline¹⁰.

THE PEOPLE DEMAND BETTER SOLUTIONS

During Scoping Meetings held throughout the region where the pipeline would be built, FERC staff identified the desire for renewable energy among the chief themes of comments from the public. This will was already in place before these hearings, as evidenced by petitions circulating affected states and by countless letters to elected officials, letters to editors and op-eds in local press and by the following means:

COMMUNITY RESOLUTIONS TO BAN NEW GAS TRANSMISSION PIPELINES

The 77 communities that have passed resolutions to ban new gas transmission pipelines such as Northeast Energy Direct, and stand in favor of energy efficiency and renewable energy solutions are:

MASSACHUSETTS

BERKSHIRE COUNTY

* Becket — July 15, 2015

Cheshire— June 8, 2015

Dalton – June 30, 2014

MIDDLESEX COUNTY

§ Ashby – May 3, 2014

Dracut – January 13, 2015

Dunstable – October 20, 2014

Groton – June 30, 2014

Hancock – May 4, 2015
Lanesborough – June 9, 2015
§ Lenox – May 1, 2014
* North Adams
§ Pittsfield – November 12, 2014
Peru – June 6, 2015
§ Richmond – July 9, 2014
Sandisfield – May 16, 2014
Washington – December 15, 2014
Windsor – May 19, 2014
* Williamstown – May 19, 2015

HAMPSHIRE COUNTY

* Amherst – May 20, 2015
* Chesterfield – May 12, 2014
* Cummington – May 2, 2014
* Middlefield – MAY 29, 2015
* Northampton – May 15, 2014
* Pelham – October 16, 2014
Plainfield – May 3, 2014
* Worthington – May 3, 2014

FRANKLIN COUNTY

Ashfield – June 3, 2014
* Buckland – June 19, 2014
Conway – May 12, 2014
Deerfield – August 20, 2014
Erving – June 30, 2015
* Gill – August 25, 2014
Greenfield – August 20, 2014
* Leverett – May 3, 2014
Montague – July 14, 2014
Northfield– August 28, 2014
§ Orange – August 21, 2014
Shelburne – May 6, 2014
* Sunderland – May 2, 2015
Warwick– May 5, 2014
§ Wendell – June 7, 2014

WORCESTER COUNTY

§ Ashburnham – October 28, 2014
§ Athol – October 20, 2014
Berlin – September 9, 2014
Bolton – August 28, 2014
§ Royalston – November 21, 2014
§ Templeton – July 28, 2014
§ Winchendon – August 4, 2014

(* Not directly on the route — § Formerly on the route)

Note that not all of these communities are on the proposed pipeline route. Other communities have passed them in solidarity with the intent of expressing their wishes for a renewable energy future instead of further fossil fuel infrastructure expansion.

FURTHER ACTIONS BY COMMUNITIES

§ Pepperell – June 30, 2014
Townsend – July 31, 2014
§ Tyngsborough – October 8, 2014
Wilmington – January 12, 2015

ESSEX COUNTY

Andover – May 12, 2015
Lynnfield – September 10, 2015
Methuen – July 6, 2015
Wilmington – October 13, 2015

NORFOLK COUNTY

* Brookline, MA – Nov. 18, 2014

NEW HAMPSHIRE

CHESHIRE COUNTY

* Chesterfield – March 24, 2015
Fitzwilliam – March 10, 2015
Richmond – March 14, 2015
Rindge – March 10, 2015
Troy – March 11, 2015
Winchester – March 10, 2015

HILLSBOROUGH COUNTY

Amherst – March 10, 2015
Brookline – December 22, 2014
Greenville – March 14, 2015
Hollis – September 19, 2014
Hudson – June 24, 2015
Mason – March 14, 2015
New Ipswich – June 2, 2015
Pelham – February 17, 2015
Sharon – August 21, 2015

ROCKINGHAM COUNTY

Londonderry – July 22, 2015

NEW YORK

RENSSELAER COUNTY

Nassau – May 14, 2015
Sand Lake – Spring, 2015
Schodack – Spring, 2015
Stephentown – April 20, 2015

RENSSELAER COUNTY LEGISLATURE

The County Legislature also voted in three articles opposing the Kinder Morgan pipeline, adding additional opposition beyond the 77 communities

- Ashfield and Buckland, MA have also passed “Community Rights” resolutions, in response to FERC’s ability to override local and state regulation, and to grant eminent domain to private, for-profit corporations.
 - On May 5, 2015, the town of Berlin, MA passed an additional resolution to ban release of lands from Article 97 protection, and other lands for purposes of building pipelines and related infrastructure, in accordance with the Massachusetts State Constitution.
 - The towns of Mason, Rindge and Brookline, NH Select Boards voted to deny KinderMorgan and any affiliates from having access to Town owned properties.
 - The town of Rindge, NH voted to oppose taking of land for pipeline construction by eminent domain.
 - Mascenic and Conval School Districts in New Hampshire have voted to officially oppose the pipeline.
 - The towns of Peterborough and Salem New Hampshire have written letters of opposition to the pipeline.
- As many copies of officially passed resolutions as could be obtained by this date are enclosed with this filing.

— PETITIONS:

There have been numerous petitions against the Northeast Energy Direct pipeline and further fossil fuel expansion, and in favor of expanded energy efficiency and renewable energy development. The results of the one attached to this filing (See three documents with titles prefaced by “NED-PETITION”) are for the petition stated below. Started in February of 2014, it has garnered 13,822 signatures as of October 10, 2015, mostly in small towns along the pipeline route with populations in the hundreds or low thousands.

PETITION TEXT:

**Background for Petition To Ban Natural Gas Pipelines
and To Champion Sustainable Energy**

“Fracked gas” necessarily travels at high pressure, which increases the likelihood of leaks, ruptures and explosions causing damage to property and lives. Our existing natural gas infrastructure is in need of repair, not expansion: 2012 study identified 3,356 separate natural gas leaks under the streets of Boston alone. At least 99 billion cubic feet of natural gas was “lost and unaccounted for” in Massachusetts from 2000-2011; Massachusetts ratepayers paid between \$640 million and \$1.5 billion during that period for gas that never reached their homes and businesses.

The U.S. Department of Transportation reports over 990 “significant” natural gas transmission line accidents since 2000. Major effects of these accidents vary from collapsed structures, injuries, and sustained fire (in the case of explosions), to environmental contamination and health impacts from volatile chemical additives (in the case of non-exploding leaks).

High-pressure natural gas pipelines bisect family farms, protected wooded areas, wetlands, and wildlife habitat. They also negatively affect property values and aesthetics for countless parcels of land.

Beyond the inevitable local environmental impacts and potential for disaster, fracking can be devastating to the health of people who live in areas near gas extraction. Fracking uses hundreds of chemicals including EDCs (endocrine disrupting chemicals, which affect fertility and hormone regulation), known carcinogens, and neurotoxins. These chemicals are pumped into the ground, and have been found in the water supply near drilling sites.

On a global scale, natural gas contributes to climate change. Adding more natural gas to our energy production would increase greenhouse gas emissions and prevent us from meeting the reduced emission requirements under the GWSA. While natural gas has lower carbon dioxide emissions than other fossil fuels, leaks in extraction and transmission emit methane, which is a far more potent greenhouse gas than carbon dioxide. Natural gas is not a “clean energy” source.

More natural gas is not needed to meet our heating fuel needs, nor our electricity needs. In Massachusetts, natural gas accounts for 67 percent of the state’s electricity generation. As a starting point, natural gas currently used in electricity generation could be shifted over to heating uses, since it is easier to use non-fossil

fuel energy sources for electricity than heat. In a study projecting out to 2022, ISO-New England has projected that we already have enough infrastructure in place to meet future annual energy needs. Improvements in energy efficiency will help us to meet future needs.

Increasing small scale, “distributed energy” or on-site energy generation resources, such as rooftop wind and solar, is a more ecologically sound solution to provide energy beyond what improvements in efficiency will yield. Small scale projects would also create more long-term local jobs than massive pipeline projects, which are likely to involve out-of-state workers on a short-term basis.

PETITION FOOTNOTES:

- 1 “Study Details Natural Gas Leaks in Boston,” November 20, 2012 (<http://www.bu.edu/cas/2012/11/20/thousands-of-natural-gas-leaks-discovered-in-boston>).
- 2 “America Pays for Gas Leaks: Natural Gas Pipeline Leaks Cost Consumers Billions,” a report prepared for Sen. Edward J. Markey by the Conservation Law Foundation, Released July 2013 (<http://www.clf.org/wp-content/uploads/2013/08/Markey-Gas-Leaks-Report-2.pdf>).
- 3 Markey-Gas-Leaks-Report-2.pdf).
- 4 “Significant Pipeline Incidents,” U.S. Dept. of Transportation, Pipeline & Hazardous Materials Safety Administration (http://primis.phmsa.dot.gov/comm/reports/safety/sigpsi.html#_ngtrans) (visited 2/9/2014).
- 5 “Hormone-Disrupting Chemicals Found At Fracking Sites Linked To Cancer, Infertility: Study,” Dominique Mosbergen, The Huffington Post, December 20, 2013 (http://www.huffingtonpost.com/2013/12/20/fracking-chemicals-cancer-study_n_4468243.html).
- 6 Id.
- 7 “Air sampling reveals high emissions from gas field: Methane leaks during production may offset climate benefits of natural gas,” Jeff Tollefson, February 7, 2012 (<http://www.nature.com/news/air-sampling-reveals-high-emissions-from-gas-field-1.9982>).
- 8 “Utilities seek boost in region’s natural gas: Pipeline capacity jump could lower power costs,” Erin Ailworth, Boston Globe, November 5, 2013, <https://www.bostonglobe.com/business/2013/11/05/agreements-with-utilities-moving-pipeline-expansion-forward/8uyv2tJ9dqhXReB3BxgkYN/story.html>.
- 9 ISO New England Final 2013 Energy-Efficiency Forecast 2016-2022, Energy Efficiency Working Group, February 22, 2013, Holyoke, MA.
- 10 “Report: More Than 110,000 Clean Energy, Clean Transportation Jobs Announced In 2012 – CA, NC, FL, Ill., Conn., AZ, NY, Mich., Texas and Ore. lead country in 2012; But Job Growth Being Threatened in Statehouses Nationwide,” March 14, 2013 (http://www.distributedenergy.com/DE/Articles/Report_More_Than_110000_Clean_Energy_Clean_Transpo_20873.aspx).

Other petitions that have gathered around 1,000 - 2,000 signatures each:

- Stop New York Fracked Gas Pipeline: http://petitions.moveon.org/sign/stop-new-york-fracked.fb52?source=s.fb&r_by=1479552
- Save communities throughout Massachusetts; Deny this pipeline: <https://www.change.org/p/save-communities-throughout-massachusetts-deny-this-pipeline>
- New Hampshire Petition to our Congressional Delegation: <http://nhpipelineawareness.org/petition-time/>
- StopNED; 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: <https://www.change.org/p/governor-charlie-baker-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>
- Close the Halliburton loophole and restore the EPA’s rightful authority to regulate hydraulic fracturing. Require the oil and gas industry to disclose the chemicals it uses: http://petitions.moveon.org/sign/peal-the-halliburton.fb51?source=s.fb&r_by=10732377

This level of opposition already shown by communities across the region, combined with the high numbers of landowners refusing to allow survey for the project, foretells of risk of a high dependence on eminent do-

main may be necessary to complete the project. This works against FERC's goals as stated at the beginning of this document.¹¹

Given the will of the people who would bear the cost, risk to health and safety and environmental damage, there is no other sensible approach to this pipeline proposal than the "No Build" Alternative.

Rosemary Wessel

Founder, No Fracked Gas in Mass

Cc:

President Barack Obama

Massachusetts Senators Elizatbeth Warren and Edward Markey

Massachusetts Congresspeople Jim MacGoverns, Richard Neal, Niki Tsongas, Seth Moulton

Massachusetts Governor Charles Baker

Massachusetts Attorney General Maura Healey

New Hampshire Senators Jean Shaheen and Kelly Ayotte

New Hampshire Governor Margaret Hassan

New York Senators Kirsten Gillibrand and Charles Schumer

New York Governor Andrew Cuomo

Footnotes:

- 1 FERC Docket No. PL99-3-000: <http://www.ferc.gov/legal/maj-ord-reg/PL99-3-000.pdf>
- 2 Analysis of comments to FERC Docket #PF14-22 show that of nearly 6,000 comments, only 7.25% are in support of the project. http://www.nofrackedgasinmass.org/notgp/wp-content/uploads/2015/10/FERC-eComment-Analysis-09_30_15.pdf
- 3 EIA Marcellus Region Drilling Activity Report, October 2015, <http://www.eia.gov/petroleum/drilling/pdf/marcellus.pdf>
- 4 Marcellus Shale: Through A Glass, Darkly, <http://seekingalpha.com/article/2118153-marcellus-shale-through-a-glass-darkly>
- 5 http://www.iso-ne.com/static-assets/documents/2014/10/seasonal_peak_data_summary.xls
- 6 ISO New England's Filing to FERC (Docket partially referenced as #ER 13-____-000), Re. Winter 2013-14 Reliability Program, http://www.iso-ne.com/static-assets/documents/regulatory/ferc/filings/2013/jun/er13_1851_000_winter_2013_2014_6_28_2013.pdf, page 7, paragraph 3.
- 7 "As Cold Sets In, the New England Winter Energy "Crisis" Fizzles" CLF Scoop, Conservation Law Foundation <http://www.clf.org/blog/clean-energy-climate-change/cold-sets-new-england-winter-energy-crisis-fizzles/>
- 8 ISO New England Energy Efficiency Forecast Report for 2018 to 2013, http://www.iso-ne.com/static-assets/documents/2014/08/eef_report_2018_2023_final.pdf, page 42
- 9 MassDOT Solar Photovoltaic Energy Program Overview <http://www.massdot.state.ma.us/energyinitiative/Solar.aspx>
- 10 "Anaylsis of Alternative Winter Reliability Solutions for New England Energy Markets" Energyzt, Advisors, LLC, August 2015, <http://nebula.wsimg.com/bb7e738fbf3b67cfc923f218fbedd118?AccessKeyId=0CF32B0C493F619624BA&disposition=0&alloworigin=1>

ENCLOSURES: *{ 936 pages of enclosures omitted ,but can be downloaded from: }*

NED-PETITION-1_NED_AffectedStates_COMPLETE.PDF 498 pages, 2 MB

<http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014130>

NED-PETITION-2_NED_AffectedStates_INCOMPLETE.PDF 41 pages, 172 KB

<http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014131>

NED-PETITION-3_Non_NED_AffectedStates.PDF	6 pages, 42 KB
http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014132	
Community_Resolutions.PDF	78 pages, 10.3 MB
http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014133	
ConsLawFound_New-England-Winter-Energy-Crisis-Fizzles.PDF	11 pages, 840 KB
http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014134	
Energzyt_NEPGA_Final_Report.PDF	35 pages, 877 KB
http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014135	
The-Missing-Energy-Crisis_Part-I.PDF	7 pages, 1.6 MB
http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014136	
The-Missing-Energy-Crisis_Part-II.PDF	7 pages, 1.8 MB
http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014137	
The-Missing-Energy-Crisis_Part-III.PDF	7 pages, 1.7 MB
http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014138	
ISO-SendWrongSignal_6-28-2013.PDF	246 pages, 3.1 MB
http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14014139	

20151015-5093

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

October 14, 2015

Re: Tennessee Gas Pipeline Company, LLC
 Docket No. PF14-22-000
 Northeast Energy Direct Project

Dear Secretary Bose

I would like to submit the following comments for review for the EIS scoping for project PF14-22-000, the proposed Northeast Energy Direct (NED) project. I have a background in the education and natural resource planning fields, and my family has owned property in east Northfield, Massachusetts for twenty five years. I have many concerns about the proposed TGP's NED pipeline, and in particular, the environmental impacts of the proposed 41,000 HP compressor station on Gulf Road, which would be sited only two miles from a densely populated area of town. Our concerns include toxic air emissions, both intentional and unintentional, erosion and stream sedimentation, drinking water contamination, flooding, noise and vibration, leaks and fumes, forest fires, inadequate emergency response personnel, destruction of ecologically important wildlife habitat and conservation land, and lowered property values. Of particular concern to me are on the impacts that this proposed compressor station would have on the Millers Brook Watershed, and my comments are focused that. I respectfully request that Tennessee Gas Pipeline Company address the following concerns in their environmental impact statement.

Richard Wheatley, a spokesman for TGP's parent company Kinder Morgan, has stated that "the unmanned compressor stations, which operate around the clock, are typically located on sites that average about 25 to 30 acres." This is very concerning when taken into consideration with the geology of this site and the resi-

dences within close vicinity. Various reports done by the town point to the steepness of slopes in the uplands of east Northfield which are very vulnerable to erosion. The proposed site of this compressor station is a heavily forested and mountainous area in one of the highest elevations in the town. If built here, this compressor station would be perched at the top of a sensitive watershed at the headwaters of the Millers Brook, a state cold water fishery resource and one of the five sub watersheds of the Connecticut River in Northfield. The Massachusetts Division of Fisheries and Wildlife has identified cold water fisheries as important habitat for a number of cold water species, including trout. These are typically more sensitive than other species to alterations to stream flow, water quality and temperature within their aquatic habitat. The Millers Brook is a high quality water resource and town master plans have pointed to the need for its protection. Logging operations and storm water runoff along Gulf Road have caused some serious problems with erosion and sedimentation in this watershed, but the scale and magnitude of this compressor station facility would result in problems of a much larger scale to wildlife and to people living downhill and downstream.

The deforestation of ten or more acres, followed by blasting and trenching through waterways and the disturbance of the soils during construction, will lead to soil and debris being quickly washed away, and this will inevitably result in stream degradation. Once construction is complete and the vegetation and soils that are crucial for absorbing and slowing water flow and providing a pollution control function are removed, this will lead to even greater potential for flash flooding and contamination of ground and surface water. Both the quality and quantity of water will be affected, and stream beds will be silted in. Added to these concerns is the lower safety standards for this class of pipeline, increasing the risk for accidents. The disturbance and clearing of such a large tract of forested land could also permanently alter the hydrology and result in redirecting water and possibly drying out stream beds. According to the state geologist who I consulted with, it is important that spatial data and water well completion reports be looked at for towns effected by the pipeline. He advised that a comprehensive study of Mass GIS maps and the water well completion report database be undertaken and overlaid along the pipeline route, looking at hydrogeologic factors such as water level and depth to bedrock. To date, this has not been done.

Traffic and construction along Gulf Road would also seriously impact this waterway, and one of the branches of the Millers Brook flows downhill from the compressor station site along Gulf Road and then discharges into the Millers Brook less than a mile upstream of Pratt Hollow. The impact from storm water runoff from Gulf Road is a significant problem in this location. The building of a large compressor station will intensify the amount of runoff being discharged into the brook and increase the likelihood of flash flooding, endangering the residents living downstream from the compressor station.

The proposed site also lies within a town drinking water recharge zone, and well water contamination from normal operations, leaks, and application of chemicals at the site is a serious concern. The 2015 Northfield Water District Consumer Confidence Report states that “Water is a valuable resource for any community. If something threatens that resource, then the community is threatened.” The report states “There is no evidence of a confining (protective) clay layer in the vicinity of the well” in the area served by this water supply. It also states that “Wells located in an unconfined aquifer are considered to have a high vulnerability to potential contamination due to the absence of hydrogeologic barriers (i.e. clay) that can prevent contaminant migration into the aquifer from the surface.” The compressor station site is within the recharge area for this public water supply. In addition, numerous private wells downstream and downhill are vulnerable to ground and surface water contamination.

In addition, the Millers Brook borders a number of residents’ homes where it meanders through the town, and the FEMA maps show that along this waterway from around Pratt Hollow Road down to Main Street is designated as a flood zone. The National Flood Insurance Program’s maps show 100 year flood plains occur along the Millers Brook from its confluence with the Connecticut River upstream to approximately one quarter mile past the intersection of Gulf and Alexander Hill Roads.

The impact to the flora and fauna need to be addressed in the EIS. The Millers Brook is listed by the state as upstream Forest Core Habitat and part of the extensive Connecticut River Core Habitat. It goes on to state that “Forest Cores are the best examples of large, intact forests which support many bird species sensitive to

the impacts of roads and development and help maintain ecological processes found only in unfragmented forest patches.” The 2012 Town Open Space Plan for Northfield also contains information on wetlands, geology, and listed rare, threatened and endangered species “along the banks of Millers Brook from its headwaters to approximately the intersection of Alexander Hill Road and Gulf Road, including tributaries along Alexander Hill Road and Gulf Road.”

In conclusion, the construction and operation of a compressor station in this location, only three miles from Main Street and the center of town, would be a serious threat to the community. I request that Tennessee Gas Pipeline Company fully address the concerns relating to the siting this compressor station in this environmentally sensitive area, and that the need for this pipeline and any alternatives be considered. In addition, please consider that scientists’ estimates of shale gas reserves are lower than industry analysts are projecting, and fracked gas, which is hugely damaging to the environment, is not a long term solution to our energy needs. Gambling with our precious water and other resources and putting our homes and communities at risk for a pipeline that is not needed does not make sense economically or environmentally. I believe that the evidence that has been carefully presented by many citizens proves that this pipeline is ill conceived, and this evidence has been very thorough and compelling. In a recent letter to federal regulators, the state Attorney General’s Office wrote that the proposed Northeast Energy Direct Pipeline “makes it more important than ever” that federal regulators conduct a comprehensive examination of the need for the project and of any and all alternatives to it. The letter also criticizes the state DPU’s review of long term agreements for Berkshire Gas, National Grid and Columbia Gas to buy gas from the NED pipeline. Also, former Attorney General Ann Berwick has said this pipeline is not needed and that it would actually have negative consequences for rate payers and for our energy future. More and more evidence keeps mounting on how ill conceived this project is. The Attorney General’s upcoming report should also shed more light on the “need” for this pipeline, and I urge you to consider its findings.

Thank you for this opportunity to comment and for your taking into consideration my concerns.

Martha Rullman
29 Pratt Hollow Rd.
P.O. Box 21
Northfield, MA 01360
Also sent by U.S. Mail

20151015-5096

Katy Shea, Lynnfield, MA.
Kimberly D. Bose, Secretary
Federal Energy Regulation Commission
88 First Street NE, Room 1A
Washington, DC 20426

Regarding Northeast Direct Pipeline, Kinder Morgan/Tennessee Gas Pipeline L.L.C.
Project docket number (PF14-22)

Dear Ms. Bose,

I am writing in regards to the Lynnfield Lateral with great concerns regarding the proposed Kinder Morgan Pipeline. This pipeline will be the largest and high pressure pipeline Lynnfield has ever had installed through our town. In addition, the fracked gas will be under such high pressure, it will not be in a state to be delivered to our homes, but serve as a transport highway to an undisclosed demarcation point. Although Lynnfield Center Water District has done an outstanding job rerouting this 24” high pressure pipeline, it is still running dangerously close to our homes, through our protected wetlands and close to our water supply (which services approximately 9,700 residents of our town.) Despite the movement of the pipeline away from our water supply and the current route being within legal distance from our current and future wells, I

am opposed to this project for the following reasons:

- 1) At the drilling sites, I have read benzene is used in the fracking process. Benzene is a carcinogen and is reported to be filtered out before transport of the fracked gas. To date, I have not been able to receive information of how this filtration is done and the continuous monitoring process along the transport route.
- 2) I am concerned about the residents that have this high pressure pipeline running dangerously close to their homes. What monitoring systems will be installed to ensure their safety? If there is a leak or a natural shift in the land where this pipe is installed, what assurance do we have these families will be safe?
- 3) Shut off valves for this pipeline are said to be a mile or more apart. The burn off rate, in case of a disaster, could take an hour or more. I am very concerned about the destruction a high pressure line of this magnitude could have on our town.
- 4) The need for this fracked gas is in question. Lynnfield is one of the top communities with natural gas escaping our lower pressure pipelines. Many government officials are questioning this need and additional studies should be done before this project is approved.

Strong consideration for the safety and wellbeing of all the residents along this pipeline is imperative. It is my hope you do not support this pipeline project. Thank you for your time and consideration to this matter.

Regards,

Katy Shea

20151015-5097

Lisa D Oden, New Ipswich, NH.

I was in a meeting with Kinder Morgan and NH Farm Bureau. We asked Kinder Morgan where we could see a compressor station the size of the one slated for New Ipswich, that we wanted to go visit one. Kinder Morgan offered a site in Wellsboro, PA. It turned out that compressor station was 32,000 HP and not 41,000. We said we wanted to see one of equal size or larger. They did not provide us with a location, though we indicated we would travel anywhere in the US. In follow up email, they also understood that we wanted them to provide a location. They have not yet done so. This is disturbing. If I am to make realistic choices about my personal future, I want to see what kind of choice I'm making by visiting a compressor station of equal size or larger. This is not a transparent process and Kinder Morgan is not timely in its responses.

20151015-5098

Ashby Board of Health, Ashby, MA.

October 15, 2015

VIA ELECTRONIC FILING

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission (FERC)

888 First Street, N.E.

Washington, DC 20426

RE: Tennessee Gas Pipeline Company, L.L.C., PF14-22-000

Dear Secretary Bose:

The Ashby Board of Health (ABOH) of the Town of Ashby MA, appreciates the opportunity to submit these comments regarding the Tennessee Gas Pipeline Company's (TGP) proposed Northeast Energy Direct pipeline (Project).

The original proposed pipeline route extended across the full width of Ashby. This route has been retained as an alternative route for the pipeline.

The proposed route and the route through Ashby target numerous small towns. These towns, like Ashby, are almost entirely served by private water supply wells, and the proposed project will alter hydrology

and present threats to water supply quality and quantity. Much of the route in Ashby is through shallow bedrock, so blasting will be required and will undoubtedly alter water quality and quantity in bedrock and surficial aquifers, as well as surface water characteristics and fisheries

There are no adequate safeguards in the construction protocols to ensure reasonable setbacks from wells, septic systems and houses. There are no adequate setbacks from cultural resources. The blast zone associated with an accident in Ashby encompasses the Town Hall, the elementary school, the grange, both churches, and the library.

The proposed project presents threats to public health associated with construction, operation and monitoring/maintenance of a large-diameter high-pressure pipeline in residential areas.

The Project is not consistent with regional and State energy and sustainability plans that call for an increase in energy efficiency and renewable energy to meet electricity and heating demands rather than an increase in fossil fuel use.

The project is unnecessary. Whatever natural gas demand exists can be met with existing pipelines, smaller scale expansions already proposed separately, conservation and LNG. FERC should consider all proposed expansions collectively, not each one separately as if the other proposed pipeline projects did not exist. Such evaluation would demonstrate that NED is unnecessary to meet regional demand. Most of the gas in the pipeline will be exported out of the US. Eminent domain cannot be used to take the land of US citizens to support the profits of a corporation that will be generated by selling gas to international customers.

We urge you to deny approval of the NED pipeline

Sincerely,

The Ashby Board of Health
Cedwyn Morgan, Scott Leclerc, William Stanwood
Members of the Ashby Board

20151015-5101

Sherry Peaslee, New Ipswich, NH.

As the owner of the property located at 55 Green Farm Road, 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 to perform surveys, or for any other purpose. Any physical entry onto my property will be considered unauthorized, and treated as trespass.

Sherry Peaslee
55 Green Farm Road, New Ipswich, NH 03071

20151015-5103

Morning Star Chenven, Erving, MA.

I am not going to give technical details about why this pipeline is not needed by the citizens of Massachusetts. There are many people who have articulated that well. 55 towns in my region and many more oppose the building of this pipeline.

I speak to you, members of FERC, as a person that could be your neighbor. A person who lives in the same human community that that we are all a part of.

Would you want a pipeline running through your land? through your home? Would you want to live close to a 90,000 horsepower compressor station?

Would you want to live in fear that your children might contract lung disease or tumors, that your water might become undrinkable, that you would have to move, but be unable to afford to move anywhere?

I don't think you want that for yourself or for your neighbors.

Tomorrow it could be you that gets a knock on the door saying your home is no longer your own.

Much has been spoken about the decisions that people faced when the Nazis came to town and started rounding up all the Jewish people.

They had to decide whether to turn their faces away and pretend not to see- or to go way out on a limb - and try and save someone.

I'm asking you to prevent this pipeline from coming through our beautiful community. I'm asking you to help save our home - our land, water, air, and peace of mind!

THIS IS YOUR CHOICE!

“If not us, then who?”

If not now, then when?”

20151015-5104

James R. Warnow, Allegany, NY.

I am retired and live in a high unemployment area with very high energy costs. The pipeline would help to create good paying jobs for the Unions. It would also help to lower energy costs for the area and the entire Northeast. It would also help to lower the taxes and would improve the quality of life for all of New York State. Thank you very much.

20151015-5106

Everett A. Shock, Wellsburg, NY.

We need pipeline for energy and jobs for local 785. Our economy is bad right now. We also have a Union of workers to do the job. We hope you will give your help to our area. Please.

20151015-5107

Derek Madison, Lisle, NY.

I think that we really need these jobs to stimulate our economy in a major way. Right now we don't have any good paying jobs out there for us to be able to do. This will also improve our tax base so that we can get some additional taxes coming in to the tax base. Please help us get this work.

20151015-5110

**Office of Board of Selectmen
Town of Mason**
16 Darling Hill Road - Mann House
Mason, New Hampshire 03048
(603) 878-2070 (603) 878-4892 Fax

*Bernard J. O'Grady, Chairman
Louise M Lavoie, Selectman
Charles V. Moser, Selectman*

October 15, 2015

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

Comments of the Board of Selectmen, Town of Mason 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 Mason, Board of Selectmen respectfully submits the Town's official comments related to the proposed NED and Fitchburg lateral pipeline. Our comments diligently address several areas of concern raised by the Residents, Board of Selectmen, Conservation Commission, Pipeline Advisory Committee and our Environmental Consultant.

Please feel free to contact the Board of Selectmen with any questions you may have.

Regards,

Bernard J O'Grady, Chairman

Louise M. Lavoie, Slectman

Charles V Moser, Selectman

General Request

1. In order to assess potential Affected Environments, the degree and severity of Environmental Consequences and proposed Mitigation (40 CFR 1508.20) actions for the proposed NED Pipeline, adequate detail is necessary (40 CFR 1501.2(b)). Therefore, special studies (40 CFR 1502.25), conducted by those with special expertise (40 CFR 1508.26) are necessary as part of the NEPA planning process for this project. To meet these requirements, please include as part of the Environmental Impact Statement:

- Quantitative Pipeline Risk Assessment (Department of Transportation);
- Social Impact Assessment;
- Engineering Study on Infrastructure Impact; (NH DOT regulations as condition of approval)
- Cultural Resource Surveys;
- Environmental Due Diligence Reports, including Phase I reports for any identified impacts;
- Wetland Delineations by Environmental Protection Agency (EPA) and Army Corps of Engineers 1987 manual which is the most common delineation standard that all NH Certified Wetland Scientists are required to know how to follow. We suggest requiring the ACOE. Standard, and requiring a NH Certified Wetland Scientist do the actual field work.
- Air quality Studies (EPA);
- Water quality Studies (EPA);
- Sole Source Aquifer Assessment, (EPA);
- Natural Resource Study; to include a Natural Resource Inventory
- Endangered Species Study (U.S. Fish and Wildlife Service & NH Natural Heritage Bureau) NHHNB is clearing house for vast majority of rare plant and animal species tracked by the State of NH including, rare natural communities which are tracked by NHHNB.

Geology and Soils

Forest

Productive forest soils may be impacted during the construction of the proposed pipeline. Please identify the areas of productive forest soils to be impacted and identify mitigation efforts in light of removing this resource for future use as productive soils for our forests.

Frozen Ground During Winter

Our soils in the winter are to know to experience various levels of freezing and thawing, which can affect a variety of types of infrastructure. Please provide information on how the proposed pipeline will be installed that will not be affected by periodic freezing and thawing.

Horizontal Directional Drilling (HOD)

Since HDD or other types of drilling may be used for pipeline installation under wetlands and stratified drift

aquifers please provide a thorough description of all drilling processes to be used, including the types of equipment, processes, and material used.

Steep Slopes

Please identify all steep slopes along the pathway of NED and the Fitchburg lateral and provide a mitigation plan for erosion control.

Farmland

1. Please assess the long-term impact on crop yield from soil disturbance and increased ground temperature in farmlands adjacent to pipeline.
2. Significant farmland soils may be impacted during the construction of the proposed pipeline. Please identify the areas of significant farmland soils to be impacted and identify mitigation efforts in light of removing this resource for future use as productive farmland.

Blasting

1. Please locate on a map all potential blasting areas and list the anticipated depths and composition of the explosive charges.
2. Please assess the affects and impacts of blasting to soils, vegetation, wildlife and local hydrology within 1500 feet of the centerline of blast site.
3. Please compare the technology of hammering versus blasting to trench for pipe in bedrock. Determine which method has the least risk to water quality and quantity, especially on the quality and stability of aquifers and water supplies.

Faults

Please explain the measures being taken to minimize the consequences to the covered segment of the pipeline from outside force damage due to future potential seismicity associated with the Campbell Hill Fault Zone.

Water Resources and Wetlands

Water Quality, Aquifers, Wetlands, Surface Water

1. We are requesting that private well owners within 1500 feet of the proposed NED and/or Fitchburg lateral pipeline have their wells tested at Kinder Morgan and their affiliates expense by a state certified laboratory for flow rate, general water quality parameters, dissolved metals, and oil and hazardous materials likely to be used in the installation, maintenance, and future monitoring/operation of the pipeline. Given the seasonal variations that affect groundwater hydrology in the Northeast, initial testing to establish background concentrations should include testing representative of all 4 seasons. Well testing should occur before, during and after construction.
2. Please identify the oil and hazardous materials likely to be used during the installation, operation, maintenance and monitoring of the pipeline. With regards to herbicide use along the pipeline route, please detail targeted species, the amount to be applied and the location and frequency of application. Please describe what steps will be taken to ensure that non-target species are protected and impacts to groundwater will be avoided.
3. Please develop a conceptual site model that portrays the current understanding of the hydrologic and geologic setting of the pipeline.
4. Please determine how bedrock aquifer characteristics such as storativity, transmissivity, hydraulic conductivity and fracture density may be affected by blasting.
5. Please determine how bedrock well characteristics such as flow (measured in gallons per minute), discoloration, recharge and water quality may be affected by blasting.

6. Please define required mitigation measures for the substantial loss of well water to residents that occurs as a result of blasting.
7. Please define required mitigation procedures if, after blasting, water begins to
 - a. taste different
 - b. my clothes start to stain
 - c. water-using appliances begin to clog
 - d. water becomes cloudy after blasting
 - e. sand deposits in drinking water
8. Please explain how impacts from the pipeline will remain below the NH State antidegradation thresholds (WQS regulation (40 CFR 131)).
9. In order to accurately assess the direct effects of hydrostatic water withdrawals and discharges, please evaluate the hydrogeologic dynamics (infiltration, aquifer communication and specific capacity) along the pipeline routes affected. For water withdrawals, please include estimates of drawdown and radius of drawdown and describe any potential impacts (water loss, water quality degradation, etc.) to private well owners. For discharges please include aquifer mounding calculations and breakout distance assessments, as applicable.
10. Please assess the wetland functions and values for all wetlands impacted by the construction of the pipeline using the Method for Inventorying and Evaluating Freshwater Wetlands in NH (Stone and Mitchell 2013). We ask that all impacted wetlands be fully restored to background conditions and that restoration plans be designed and implemented by restoration experts from the USDA Natural Resources Conservation Service

Storm Water Management

Since during the construction of the proposed pipeline the natural flow of storm waters will be rerouted please prepare a comprehensive Storm Water Management Plan showing proposed methods of protection for surface and ground water resources, including wetlands. This Plan should include how storm water will be stored/managed during and after construction.

Riparian Buffers

Loss of riparian buffers will result from the construction of the proposed pipeline. As such, please provide a detailed plan that includes specifics on riparian restoration planting and maintenance to ensure success of the restoration effort. Only native plants should be used for the riparian restoration.

Non-point Source Pollution

Pollutants and sediments introduced during and after construction will have detrimental effects on watersheds and their associated water bodies and wetlands. Please provide a Watershed Management Plan that identifies construction areas, staging areas, and access roads, and how each watershed will be protected from the introduction of pollutants and sediments.

Vernal Pools

Vernal pools should be mapped and verified using standards set forth in NH Administrative Rules Sections Env-Wt 101.106 Vernal Pool, Env-Wt 101.75 Primary Vernal Pool Indicators, and Env-Wt 101.86 Secondary Vernal Pool Indicators. All verified vernal pools should be mapped within 1,000 feet of all areas of disturbance, including pipeline installation, staging areas, and access roads. A construction schedule is requested to show seasons of activity and timeline for each phase of construction.

Wetlands Mapping

1. It is well known that the National Wetlands Inventory (NWI) is inadequate in its efforts to map all

wetlands along the route of the proposed pipeline. All wetlands along the proposed route should include a jurisdictional wetlands delineation.

2. Describe barrier construction techniques used to prevent cross-connection of separate aquifers / watersheds via axial leakage along trench fill.

Vegetation and Wildlife

1. Wildlife and plant surveys should be performed during all seasons of the year sufficient to understand the presence and distribution of all species and natural communities present that are tracked by the State of New Hampshire. These surveys should be performed in the field, by professionals with specific knowledge of, and experience with the species/natural communities in southern NH / northern MA. Additionally, a new request for data from the NH Natural Heritage Bureau should be submitted to determine what new records if any have been added since the last request.
2. Detailed information should be submitted on the potential direct and indirect impacts due to the proposed pipeline during construction, maintenance and monitoring/operation, and how these activities may impact these resources into the future.
3. All locations of invasive plants should be mapped within the vicinity of the proposed pipeline, including adjacent areas outside the right-of-way. Please describe steps to be taken to ensure that invasive species aren't introduced or spread during construction, including the removal of invasive plants during and after construction, as well as soils containing roots and seeds of invasive plants and to ensure invasive species are not established and are not present on or near the construction activity for a period of five years following the construction activities.
4. A plan should be developed to demonstrate how construction activities will avoid all direct and indirect impacts to NH State-listed species and natural communities. In the event that such impacts are completely unavoidable, design, implementation and monitoring of plant restoration activities should be performed by qualified professional botanists experienced in the restoration of rare plant populations and natural communities.
5. The cumulative impact on wildlife habitat and fisheries from the loss of mature forest cover along the proposed pipeline pathway should be assessed. This assessment should specifically include reference to the effects on coldwater trout populations in all streams located within 50 feet of the proposed pipeline maintenance corridor/right-ofway We .ask. that the mitigation by avoidance be the preferred mitigation strategy for potentially impacted cold water trout streams.
6. The construction and installation of the proposed pipeline will contribute further fragmentation of the landscape, affecting native plants and wildlife and promoting the introduction and spread of invasive species. Please prepare a plan that demonstrates how increased fragmentation will be minimized as a result of the pipeline.
7. Identify areas of wildlife corridors and prepare a plan that demonstrates how the pipeline construction will avoid disruption of these natural corridors.

Cultural Resources

1. Please require mitigation procedures for artifacts of the 18th and 19th century settlements such as stone walls, old cellar holes, wells, historic mill foundations and granite quarries, Native American settlements or burial grounds when they are encountered during construction.
2. Please describe means used to establish and record the precise location of boundary walls (which often define legal parcel boundaries in New England) prior to disturbance and to re-establish these legal boundary monuments after construction.

Land Use Recreation and Visual Resources

1. Please describe the mitigation measures to minimize the impacts to residents' quality of life from the

destruction of the vegetative visual buffer that currently separates many property owners from the existing power line right-of-way,

2. Several parcels crossed by the proposed route are conservation properties funded through state-sponsored funding programs (LCIP and LCHIP). State laws that authorize these programs specifically forbid activities such as pipeline construction within these properties (New Hampshire RSA 227-M:14 and RSA 162-C:10). We request that you mitigate the impacts to these properties via re-routing to avoid them.
3. The Mason RR Trail is proposed to be crossed by the main pipeline and by the Fitchburg lateral. Please describe how impacts to the trail from pipeline construction and operation will be mitigated, the trail restored, and/or equivalent land provided. This recreational trail was acquired with a grant from the Land and Water Conservation Fund, which requires that equivalent property be provided if there is any loss of recreational land.
4. Please require KM to place high-quality gates at all pipeline road crossings, unless specifically requested not to do so by landowners. Utility rights-of-way are vulnerable to unauthorized trail use by OHRVs causing erosion and sedimentation damage.

Socioeconomics

1. Please statistically assess the near and long-term impacts of pipeline rights-of-way on re-sale and investment value of real estate crossed by the pipeline .
2. Identify all potential impact to town infrastructure including roads, culvers and bridges. We request Kinder Morgan and their affiliates fund an independent engineering study to assess and baseline the current condition of roads and byways in the Town of Mason. The engineering study shall include an estimate of the daily traffic counts and vehicle weights both empty and loaded to capacity. The engineering study shall include a plan for Kinder Morgan and affiliates to restore road beds, surfaces, culverts and bridges impacted by construction and construction traffic.
3. Please provide a compensation plan for the full or partial loss of income from landowner sugar bush, orchard and forest resources as a result of both temporary and permanent pipeline construction activities.

Air Quality and Noise

1. Please assess the long-term impacts on residents' mental and physical health from noise and fugitive emissions at pipeline appurtenances and compressor stations. We request that the best available technology for noise reduction and containment be used such that nighttime noise levels are at or below historical ambient background levels of 35 dB.
2. Identify the number and locations of all blow down valves and pigging stations planned in the Town of Mason describing the processes and what substances will be discharged in the form of gas, liquid or solid. Provide a written plan on how these processes will be monitored, how frequently these processes will be monitored, how substances will be disposed of and what are the potential health risks to the local human, wildlife and plant populations
3. To maintain compliance with the National Ambient Air Quality Standards (NAAQS) and New Hampshire's Env-A 1002 regulations, we request that air quality monitoring be conducted during the implementation of the entire project. Specifically, monitoring should include a filter-based PM2.5 federal reference method (FRM) device; a beta attenuation monitor (BAM) PM10 (federal equivalent method) FEM monitor; periodic metals testing; and, a meteorological station for wind direction and wind speed. Further, we request that the best available technology for fugitive emissions reduction and containment be used.
4. To comply with the new federal rule to cut methane emissions by up to 45 percent of 2012 levels by 2025, please determine the expected methane emissions from all NED facilities and ensure that these

facilities use the best technology to minimize emissions.

Alternatives

1. Please consider requiring relocation of the proposed Fitchburg lateral to be co-located with existing right of ways State Route 31 or State Route 13 for the following reasons:
 - Less impact on private property
 - Less eminent domain
 - Less deforestation
 - Eliminate wetland impacts and aquifer and further maintenance-to wetlands
 - Less negative visual impact to landscape
2. In Resource Report 10, KM fails to address no-action alternatives for the proposed laterals. It asserts that these laterals “will accommodate delivery point requests of certain Project shippers.” But no shippers, nor the amounts they want delivered, are identified. Without this information, how can the need for each lateral be established? Please require that KM demonstrate the need for each lateral individually so that its public necessity can be determined.
3. Resource Report 10’s overview of alternative energy sources for the no-action alternative is seriously substandard. Please require KM to develop a meaningful analysis of energy alternatives to NED, with facts and figures on the projected contributions from the full diversity of energy sources now or soon to be available to New England, including energy efficiency, wind, solar, hydro, geothermal, and LNG. A comprehensive no-action alternative should quantify a diverse set of energy sources against the NED proposal, comparing benefits and costs over the project’s proposed lifetime.
4. NH’s 2014 10 Year Energy Strategy finds that “Energy efficiency is the cheapest, cleanest, most plentiful energy source. U (page 23) Yet RR10 dismisses energy conservation’s contribution to supply as “not feasible in the short-term.” (Page 10-3) without providing any evidence. An immediately implementable conservation measure to increase gas supply is to fix the numerous leaks that have been discovered throughout the distribution system. Please require KM to quantify the contribution to supply that would result from fixing natural gas pipeline leaks, using recently developed data for Massachusetts.

Cumulative Impacts

1. In order to continue to assess the cumulative impacts from the installation of the pipeline and confirm ongoing compliance with Federal and State soil gas and groundwater standards relative to potential future releases of oil and hazardous materials and/or flammable gasses for the protection of public health and safety, we are requesting follow up testing of soil gas and groundwater to be conducted over the useful lifetime of the pipeline. Please scientifically determine the frequency of such testing that would be protective of public health and safety via scientific methods that include factors related to the migration potential and velocity of oil and hazardous materials and/or flammable gasses in the subsurface.
2. To avoid segmented review and over-building, please combine the pipeline proposals from Kinder Morgan, Spectra Energy, Portland Natural Gas, and their various partners into a single regional Environmental Impact Statement and one coordinated FERC process. Taken together, these pipeline projects are proposing to double the amount of natural gas coming into New England, far beyond the most aggressive demand forecasts. Because these projects share a common geography and timing, the National Environmental Policy Act (NEPA) review requires such a comprehensive analysis, as stated in the Council on Environmental Quality’s (CEQ) guidance on programmatic NEPA reviews, issued December 18, 2014. Please undertake a combined NEPA review to determine which project, if any, would satisfy the need with the least impact to the environment and affected land owners.

Public Safety

- Please list the pollution likely to be generated by the proposed action. We request that pollution prevention be included in all alternatives, whenever feasible. Where actual pollution prevention methods cannot be instituted, recycling, energy recovery, treatment and disposal actions should be employed as much as practicable. (Pollution Prevention Act,1990)
- Please evaluate the vapor intrusion pathway for vapor forming chemicals and flammable gasses associated with the installation, maintenance and use of the pipeline.
- Explain how subsurface leaks of flammable gasses and/or oil and hazardous materials will impact soil gas and specify mitigation techniques to address this.
- Explain how subsurface leaks of oil and hazardous materials will impact identified wetland soils and biota and specify mitigation techniques to address this.
- Given the proximity of the pipeline to occupied structures, explain how (a) the installation of a pipeline does not create a critical exposure pathway (310 CMR 40.0006) to human receptors for vapor phase emissions of measurable concentrations of oil and hazardous materials in the living or working space of pre-school, daycare, school or occupied residential dwelling; or (b) ingestion, denmal absorption or inhalation of measurable concentrations of oil and hazardous materials from drinking water supply wells located at and servicing a pre-school, daycare, school or occupied residential dwelling.
- Identify and require mitigation plans for any potential condition of substantial release migration via the soil gas pathway.
- Define the procedure for mitigating imminent hazard releases.
- Please create a conceptual site model that includes the geologic and hydrologic factors that are anticipated to contribute to the cumulative risks associated with the installation, operation and maintenance of the NED and Fitchburg lateral pipeline. Please quantify those risks along the pipeline and present the data using a risk-based approach. Please include a similar risk assessment for all alternative routes.
- Please require appropriate security measures are planned and in place to prevent and deny Internet hackers from taking control of the direct and remote controlled computer systems at compressor stations and pipeline appurtenances along the pipeline.
- Please require the identification of an existing adequate alternative drinking water source that will meet the consumptive, hygiene, and firefighting requirements of the town's population for at least six months (49 CFR 195.6 (5)(c)), in the event of aquifer contamination from the NED or Fitchburg lateral pipeline.
- Please evaluate added costs to town for extra police work and training, etc. required by the presence of the pipeline, and describe how these costs will be repaid by the pipeline owner.
- Please require a comprehensive public safety plan is developed by Kinder Morgan and its affiliates for the Town of Mason and neighboring mutual aid towns which provides clear line of sight on emergency planning, training, preparedness, accountability for cost of training and acquiring necessary capital equipment to successfully respond to pipeline emergencies/failures.

Facts:

- Mason is a small town with a limited tax base, total operating expenses \$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 who also run with volunteers and have limited budgets.
- 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 and surrounding mutual aid communities will suffer irreparable harm in the form of burdensome increased property taxes if forced to absorb the future cost of training and acquiring necessary public safety equipment to adequately support potential pipeline failures/emergencies.
- The Town of Mason property owners unaffected by direct impact on their property by the proposed NED and/or the Fitchburg Lateral pipeline will suffer undue harm by having to absorb additional property taxes as a result of impacted property owners demanding property tax abatements for devalued properties along NED and/or the Fitchburg lateral pipeline.

Request:

We are requesting Kinder Morgan and its affiliates provide a public safety plan for the Town of Mason and neighboring mutual aid towns.

- 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 homeowners potentially blocked in on dead end roads, cui-de-sacs, etc., during a pipeline emergency?
- Who is responsible for providing resources 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 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/provide personnel training and equipment necessary or the Town of Mason to successfully respond to a pipeline emergency?

20151015-5113

Karl Klein, Angelica, NY.

Being a New York State Resident I favor this project as it will help the domestic energy and create new and more jobs. Ny state needs all the help it can get. please help. Thank you.

20151015-5122

Stephen A. Sears, Dalton, MA.

15 October 2015

To: FERC

RE: Comments regarding the proposed Northeast Energy Direct project to construct and operate a natural gas pipeline through Western Massachusetts (Tennessee Gas Pipeline Company, L.L.C. under New Docket for Tennessee's Northeast Energy Direct Project under PF14-22.)

Berkshire County in Massachusetts is currently in the path of the proposed project. The population of Berkshires has continued to decline over a long period of time. This area was strongly supported for the about 100 years from a manufacturing that now is only very small fraction of what it was 30 years ago. I have 30 years of experience in the paper industry having been involved in producing United States Currency. As part of my duties over the years I was in charge of the planning, use and procurement of all types of power for Crane & Co. Crane at the time was the 2nd largest consumer of electricity for WMECo, a subsidiary of Northeast Utilities. Crane was also a major customer of Berkshire Gas Co. utilizing natural gas for both production and heating. A third major source of energy, steam, was from a local trash to energy plant created

in about 1981.

It is important to note a couple of significant points regarding manufacturing in Berkshire County and Crane energy usage over the past 35 years:

1. Since the early 1980's Crane was able to significantly reduce dependency on fossil fuel through the use of steam produced from local trash. This is a clear example of local efforts to reduce the use of fossil fuel and help the local economy. Today this is still the case. Since the early 1980s one of the few remaining manufactures in the area has continued to distance its need for fossil fuel based energy.
2. Historically Crane was serviced with interruptible gas from Berkshire Gas Co. Natural gas was used rather than oil, due to emissions restrictions. The gas supply could be cut off at any time to allow for residential heating use in preference to industrial use. This was typical in years prior to the mid 1990s during the colder periods of winter. Since the mid 1990s this stopped happening. And, in the early 2000s Crane was allowed to move to a quasi-fixed gas contract. These changes were due to the fact that the combined industrial and residential demand was decreasing: there was and is plenty of supply.
3. The large scale electrical generation facility located in Pittsfield MA required an increase in gas delivery. I believe this was constructed in the 1990's. Since opening, this facility has been extremely underutilized. This further points to the excess capacity locally and regionally as this power producer provides natural gas based electricity to ISO New England. Please verify the utilization of this facility and the amount of gas supply that is not used when due to low utilization. My guess is that this plant is uses the equivalent or potentially more than the combined regional domestic use. Since it barely runs, the capacity is already significantly more than is needed. And, when is called to operate by ISONE, it is typically on the hottest days of summer when the domestic demand is at the lowest.
4. Continued decline in Industrial base – the local economy will never see an increase in large industrial users and likely no significant residential demand. Please review the demographics and it will clearly indicate the reduced future need.

Due to the limiting process for these comments, here are summarized questions that I feel need to be fully addressed:

1. Concern regarding the protection of our air, water & food source – how will we be protected from ongoing emissions and guaranteed equitable compensation due to exposure of any type?
2. Concern over blasting to local foundations and drinking water wells – please address how nearby homeowners will be protected against damage caused by blasting.
3. Concern regarding intrusion into significant environmental areas – how will these areas such as Chalet Wildlife Management Area be protected in all phases of this project?
4. Economic feasibility & eminent domain – how is the general public protected from a private business setting rates for a non-public utility? Our electrical power lines are utilized by 99% or more of the people living in the areas in which they pass through. The local population in Berkshire County does not need the natural gas, will be exposed to its pollution and will reap no or little benefit from this energy source. A single payment to local communities is completely unacceptable as compensation. Please demand that a portion of ongoing gross revenue is paid to all municipalities that have to be exposed to this non-public utility. Eminent domain was designed to help all of us as citizens, and I believe this use, while allowed, was not the intent of these laws. The burden of ongoing fiscal responsibility to each municipality should clearly be on the proponent through the lifetime and until the final removal of infrastructure.
5. Pipeline removal – please have an escrow account established and fully funded prior to operation that allows for the full cost of removal. The amount needed should be periodically reviewed and adjusted as needed.

In conclusion, please explain how FERC (as is required by the US Government), with approval of this project, will clearly bring down carbon emissions to the levels prescribed by scientists that are necessary to avert catastrophic climate change. Further explain, with consideration to jurisprudence, how the US Govern-

ment and FERC can approve this project and at the same time clearly protect my right to a safe and healthy planet. We as citizens hold inalienable environmental rights to ensure the habitability of our community and are responsible for upholding the enduring natural endowment that demands we protect our environment for future generations. It is incumbent upon FERC to clearly provide proof that these rights are upheld.

Stephen A. Sears
260 North Mountain Rd.
Dalton, MA 01226

20151015-5123

COUNTY OF RENNSSELAER

Kathleen M. Jimino
County Executive

Ned Parrison Government Center
1600 Seventh Avenue
Troy, New York 12180
Phone: (518) 270-2900
Fax: (518) 270-2961

October 15, 2015

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

Re: Northeast Energy Direct
Tennessee Gas Pipeline Company, LLC
Northeast Energy Direct Project FERC
Docket No. PF14-22-000

{note: careless mis-aligned scanning at FERC results in many OCR errors in following text }

Dear Sirs:

As the county Executive of Rensselaer County, New York, I have been and continue to be duty bound to preserve the health, safety and welfare of County residents who may be affected by the above-referenced project and to preserve the physical grounds of our County for the benefit of future generations. To that end, I have organized and overseen a large group of County workers who were assigned to perform due diligence on behalf of Rensselaer County to discern and discover what is being proposed by Tennessee Gas Pipeline Company, LLC, a wholly owned Subsidiary of Kinder Morgan, a Corporation having its offices in Houston, Texas.

The proposed location of a compressor station in Rensselaer County took our due diligence investigation to a higher level, as the potential effects of such a facility upon our population significantly escalates our already heightened concerns. To that end, the purpose of this correspondence is to focus in on potential issues so that your Commission may account for these when making its determination. The poignancy becomes even more crucial in light of the fact that during 2014, 283 “self-reported” pipeline incidents occurred nationwide and resulted in 17 deaths, 94 injuries and over \$270 million in property damage. In fact, over the past ten years, there has been an average of more than 310 incidents per year without any indication of significant efforts to reduce the number of incidents. Thus, it is crucial for the applicant to address all issues to the satisfaction of your Commission before construction begins, so that the potential damages and hazards are minimized.

Our County’s rural setting (population of approximately 160,000 people over 665 square miles) means that most of our affected residents and properties receive their potable water by water wells (artesian wells, spring boxes and drilled wells) serving both communities and single homeowners. Thus, potential contamination of sources of drinking water is a major concern. The applicant has been unwilling to disclose a complete list of the chemicals, compounds, potential contaminants, etc., that will be contained in the natural gas

to be transported through this proposed pipeline. Hence, our County and other local communities are unable to fully assess the impact of potential contamination that may occur if a leak were to happen.

Additionally, in light of the substantial ongoing rural residential development, it appears that the applicant looks solely at the status quo of development rather than the planning, already approved projects and partially developed projects that are in existence. Thus, we have a great concern that applicant may be myopic in its proposals regarding the depth and thickness of piping, location of shutoff valves and monitoring equipment that it proposes to use. This is further illustrated by the failure of Tennessee Gas Pipeline Company, Inc. to submit drawings for its compressor stations depicting the affected properties within a 1,000 foot radius of the station sites. This makes it much more difficult to fully assess and comment on this project as it would impact the current residents and render it impossible to assess the impact as the area grows, unless, by default the commission and applicant assume that little to no future growth would occur near the pipeline as a result of the pipeline being constructed.

Thus, to the degree possible, our County raises the following concerns regarding the possible gas line ..

1. Drinking Water (public and private): There is great potential impact to private wells (Le. artesian wells, spring boxes, drilled wells, etc.) from construction of the pipeline (maintaining safe setback distances during construction phase and temporary work areas) and related pyrotechnics (blasting). There appear to be no less than three miles of pipe section (spread throughout the County) which necessitate blasting in order to meet the minimum pipe depths (based on USGS mapping data). There could be impacts not only on private water supplies but also on the 15 public water supply wells within one half mile of the proposed pipeline. The proposal of Tennessee Gas Company, LLC for a well monitoring program for identified wells within 200 feet of proposed blasting is insufficient due to the geography and geology of the land.

In addition, the 10 mile distance between shutoff valves will allow for long periods of gas release exposing nearby water supplies to contamination, should the pipeline leak.

2. Compressor Station Z act (noise traffic, as and chemical release): Air Quality monitoring in the area of compressor station is of great concern as to its close proximity to a highly populated area. The New York State Department of Environmental Conservation (NYSDEC) regulations do not go far enough to sufficiently protect public health (infrequency of a monitoring program and reliance on “self-reporting”). Radon levels from compressor stations receiving predominantly Marcellus Shale unconventional natural gas have radon levels between 28.8 & 58.1 pCi/L. (From PA DEP report January 2015). Stricter oversight is necessary to assure the safety of those who reside in the area surrounding the proposed compressor station.

Noise pollution during operation of the compressor station is of great concern as those who reside in the vicinity of the proposed site have developed their homes to reflect the peace and quiet of a rural setting. This quiet atmosphere should continue after the compressor is constructed. The NYSDEC has set a limit of 55 decibels at the nearest receptor (no limits on site). The background in this area is below this limit (in the area of 35 to 40 decibels) and therefore this compressor station will significantly increase the ambient noise level, which does not factor in “blow down” events that are anticipated to be at higher sound levels. One alternative to reduce noise is for Tennessee Gas Pipeline Company, LLC to utilize electric turbine motors rather than gas powered power plants.

The rural setting of the proposed compressor requires that lighting be kept to an absolute minimum so residents of the surrounding properties is minimized. station site also that the impact on residents of the surrounding properties is minimized.

Facility operations: RR-9 Section 9.1.3.2, which discusses air dispersion modeling, fails to mention four important items. Firstly, air dispersion modeling for compressor stations in New York require the preparation and presentation of a modeling protocol to NYSDEC, and approval of such protocol by the State agency prior to performing dispersion modeling. Secondly, compliance with State and National Ambient Air Quality Standards (NAAQS) must be demonstrated on the entire property line for the compressor station, as well as on lands outside the station parcels.

Thirdly, in addition to the criteria pollutants mentioned in RR-9 Section 9.1.3.2 for air impact analysis, Hazardous Air Pollutants (HAPs) must be analyzed as part of the air permit application in New York. As part of a New York air permit application, Guideline Concentrations dispersion modeling must show compliance with Annual (AGC) and Short-Term Guideline Concentrations (SGC) air concentration limits for HAPs. As part of a Massachusetts air permit application, dispersion modeling must show compliance with Acceptable Ambient Level (AAL) and Threshold Exposure Limit (TEL) air concentration limits for HAPs. EPA's AP-42 emission factor database lists 11 HAPs emitted by a gas-fired turbine, including formaldehyde, PAH and benzene. The emissions inventory for stationary fuel combustion sources (turbines, gas heaters, emergency generators) must include a HAPs emissions inventory, and dispersion modeling needs to demonstrate compliance with the State HAPs limits.

Finally, since Rensselaer County is a Nonattainment Area for the 1997 federal ozone standard, any new major source of NO_x emissions (which may include the Market Path Mid Station 1 in the Town of Nassau, New York) is subject to the provisions of Non-Attainment New Source Review. If applicable, the applicant will have to demonstrate through air dispersion modeling that the cumulative impact of all stationary source NO_x emissions will comply with the EPA Significant Impact Level (SIL) of 1 µg/m³ for NO₂ on an annual basis to demonstrate that the facility will not contribute to an existing violation of the ozone regional air quality standard.

Construction: Section 9.1.4.1 of RR-9 states "Exhaust emissions from diesel and gasoline fueled construction equipment and vehicle engines will be minimized by federal design standards imposed at the time of manufacture". That provision is inadequate since the Project could simply use old construction equipment and off-road vehicles with minimal emission controls. The Project should be required to meet current EPA Tier 2, 3 or 4 emission standards for new equipment, as applicable for each type of construction equipment. In addition, the Project should be required to install diesel particulate filters on all diesel-powered construction equipment to minimize inhalable PM.

Noise: Facility Operations Section 9.2.1.2.2 of RR-9 states:

"There are no known noise regulations in the State of New York that are applicable to the Project. The NYSDEC produced an environmental guidance document called 'Assessing and Mitigating Noise Impacts' in February 2001. The document does not set any environmental noise goals or limits."

Rensselaer County disagrees with this characterization of the DEC's Program Policy DEP-OO-1, "Assessing and Mitigating Noise Impacts," which does set noise goals, and which states (Policy p. 4) that "In the review of an application for a permit, the Department of Environmental Conservation is to evaluate the potential for adverse impacts of sound generated and emanating to receptors outside of the facility or property." The Policy requires measurement of ambient (Leq) sound levels at adjacent residential parcels (Policy pp. 11-13), and states that in a non-industrial setting, such as the residences surrounding a compressor station, that the new sound level should not exceed the ambient level by more than 6 dBA at the receptor (Policy p. 14). The Policy goal of ambient + 6 dBA applies to noise from the Market Path Mid Station 1 in the Town of Nassau, New York.

Section 9.2.2.6 of RR-9 lists existing nighttime sound levels of 43.7 dBA to 51.0 dBA, which are unusually high for a rural area. The reference to wind-generated noise in Section 9.2.2.6.1 suggests the measurements were taken on a windy night, and thus do not represent the lowest nighttime ambient sound levels for the Market Path Mid Station 1 in the Town of Nassau, New York. In addition, measurements were made in the month of May when (noise from wildlife native to the area is at its peak, and thus these measurements do not represent the quietest nighttime conditions. The sound level measurements must be retaken on a night with a more typical noise level.

Finally, as required, the applicant and to implement all source at the facility, part of the noise analysis for a new facility, DEP or DEC to perform a Best Available Noise Control Analysis (BANCA) cost feasible sound mitigation measures for each noise

Section 9.2.2.7 of RR-9 only lists existing Leq sound levels, which cannot be used in the DEP Noise Policy

impact analysis. One week of continuous 1- hour L90 measurements must be taken at each of the three nearby residential properties (NSA-1 through NSA-3) during a week with calm winds to document the lowest I-hour L90 level at each receptor.

Construction: Section 9.2.4 of RR-9 states that “[c]onstruction equipment will be operated on an as-needed basis and mostly during daylight hours.” Whereas construction activity can create high levels of noise, the Project should commit to only daytime construction, or if construction is done after 7:00 p.m., that any construction activity must meet the operational noise limits (FERC, NYS DEC). Do we want to reference rna at all?

3. Public Safety (emergency delineates what should be addressed by both and FERC. resEonse) : The following list delineates what should be addressed by both Tennessee Gas Pipeline Company, LLC and FERC. The current project plan depicting a 10 mile distance between shut off valves on the pipeline is insufficient for fire and EMS personnel to respond and assist those in the area of any mishap.

Further, none of the’ mutual aid fire departments or ambulance squads in the area of the project are sufficiently trained or equipped for natural gas related problems that may arise in and about the project site.

Tennessee Gas Pipeline Company, LLC intends to utilize pyrotechnics (dynamite related blasting operations) in construction of the pipeline. These must meet OSHA and NFPA regulations including placards and proper storage of blasting materials. Notification must be made to the local fire departments and ambulance squads.

Clearly, trenching for natural gas piping will be utilized. It is necessary for Tennessee Gas Pipeline Company, LLC to follow the OSHA regulations to include a plan for trench rescue and name a trench rescue team. In addition, confined space work must follow the OSHA regulations to include a plan for a rescue team. There are two teams in the greater capital district, to wit: Colonie Village Fire Department and the NYS-PFPC: NY Task Force 2 regional team. In either case, it would take between two and three hours for either to respond.

The compressor station site plan must include a plan to warn the population in the zone of danger. Tennessee Gas Pipeline, LLC has neither proposed nor proffered such aO plan. It is also necessary for it to provide information to the local responders during all phases of the construction and operation of the compressor site. Safe storage of welding supplies during construction must follow NFPA.

Location, placarding and notification made to the local responders.

All excavation work must use the “Dig Safely New York” system at 1- 800-962-7962, before any work is done. There are a number of incidences where problems including personal injuries, occurred because this was not done.

Outreach for NY Alert must be made to the community. This includes mailings to residences and businesses in a one mile radius from the pipeline to insure all telephone and cellular telephones of the community will receive warnings and evacuation notices. This should be coordinated so that it is facilitated by the Rensselaer County Bureau of Public Safety which operates the local E 911 system. Local fire departments in municipalities crossed by the pipeline rely on a volunteer call force. This can create difficulty in gathering a sufficient number of firefighters for all emergencies. Because these firefighters have “day jobs,” they often don’t have time during the day to participate in trainings and exercises to keep up their skills. Purchasing large pieces of firefighting apparatus to fight even routine fires for small, rural towns is proportionately more expensive than in larger cities because the same base level of equipment is needed regardless of population size, but the tax base in a rural town is smaller. Thus, it”is requested that Tennessee Gas Pipeline Company, LLC provide 1) a time frame for completing a plan for multi-year training and exercises for local first responders, which include provisions for offering trainings in the evenings and on weekends so volunteers may participate. The training should include training on the proper use of gas monitoring equipment; 2) ~ list of specialized apparatus, equipment, and personal protective equipment, that local fire departments will need if the pipeline is permitted by FERC and constructed; 3) a list of all substances that will potentially be

transmitted through the pipeline and the Material Safety Data Sheets for those substances. TGP should be required by FERC to notify municipal officials and local fire departments when pipeline contents change so they will have up to the minute information on what hazards they may need to respond to; 4} Provide information on what methods will be used to ensure that the actual rights of way are delineated on the ground once the pipeline is constructed if approved by FERC; 5) provide information on the proposed spacing of the valves . and whether they will be operated remotely or will require TGP staff to physically close them on-site; and 6) provide information on how long it takes to stop a leak based on the proposed spacing and method of operation (e.g. remote or on-site) of the valves and how long it will take for all of the gas to evacuate from the pipe and dissipate to safe levels under different atmospheric conditions.

Tennessee Gas Pipeline Company, LLC should share its knowledge and information regarding the amount of fire protection, water resources that are available, as in most. areas surrounding the pipeline there is no public water supply. There has been no contact by Tennessee Gas Pipeline Company, LLC other than the minimum necessary in an attempt to placate those who may oppose the project. Costs as stated above must be estimated and underwritten by this company.

4. Water Resources (wetlands, water crossings) and Erosion Control:

There are several areas where temporary workspace, access roads, pipe yards, etc. are located within wetlands. This should not be allowed to minimize the impacts on these protected areas, which was noted in both the reports of the u.s. EPA and the u.s. A.C.O.E.

The proposed Environmental Impact Statement (EIS) filed by Tennessee Gas Pipeline Company, LLC contains incomplete soil data. U.S.D.A. soil maps only identify soil conditions down to a maximum depth of 5 feet. Given the 30" main (which may be increased in size to the original 36" diameter initially proposed), the minimum depth of the trench will need to be 4.5' deep. This is based on two feet of cover. The standard cover is to be three feet and therefore a trench depth of 5.5' would be required. For road crossings and agricultural areas (which there are significant portions of this project) a minimum of 5' cover is required. This would require a trench depth of 7.5'. The EIS needs to better identify minimum cover throughout the project to assure this is being followed and then better identify soil conditions and determine method of trenching to be utilized. This is vital in order to accurately determine environmental impacts. In addition, the EIS fails to map and depict all private wells. As a result FERC will be unable to examine the potential impact upon drinking water supplies.

Mapping of private wells in the EIS is incomplete and does not allow for adequate examination as to potential impacts of drinking water supplies. The EIS needs to better identify all drinking water supplies and show locations so that potential impacts can be determined based on construction methods being utilized in the immediate area as well as soil and ground water conditions in this same area. Related to that is the fact that throughout this project area there are a number of known groundwater aquifers that will be transected by this project. This report does not identify or characterize these resources. It is necessary to identify and characterize (consolidated/unconsolidated, depth ...) all potentially affected aquifers in order to determine risk of contamination and further identify mitigation measures to assure the protection of the potable water sources.

Significant concern exists for the protection of the Hudson River.

Chemical contamination from the boring process must be addressed by the EIS, as the boring location and the resulting slurry will be between two valuable cultural and natural resources within Rensselaer County (Schodack Island State Park and the Papscaene Island Natural preserve), given the tidal nature of the River in this area impacts to both of these natural resources needs to be addressed.

The impact of stream crossings also affects the Hudson river. The EIS must specify surface water crossings as open trenching is the chosen construction technique. This would be a significant impact not only to the local water body but in some cases these water bodies are tributaries to the Hudson River (either directly or indirectly). Disruption of the water body or the immediate banks should be avoided (US Army Corps of Engineers have also indicated their concern of open trenching of streams in previous comments to FERC) .

The apparent testing technique for the finished pipeline will be by hydrostatic pressure that requires the use of a tremendous amount of water (approximately 14,700 gallons per 100 feet of pipe). The ars must address where this water will come from as well as discharge of this water. Will this water be discharged directly to the environment and if so how, and are there water quality concerns (chemical contamination from the construction and coating process) and potential erosion.

5. Transportation/Traffic: The construction of the Northeast Energy Direct Project has the potential to negatively impact the Rensselaer County highway infrastructure. Potential impacts to roads, bridges and culverts include damage caused by the movement of heavy trucks and equipment along State, County and local roads. Statistically, trucks on the nation's highways cause more damage to roads and bridges than passenger cars. One 80,000 pound truck is equivalent to 9600 cars. Most county roads in Southern Rensselaer County experience traffic counts of less than 1000 cars per day. The construction activities will be spread across the southern portion of the County through the Towns of Schodack, Nassau and Stephentown. Access to construction sites including the pipe installation and the compressor station will require the use of the eXisting transportation network and temporary roads.

The following locally numbered routes under the jurisdiction of the Rensselaer County Highway Department are crossed by the pipeline or are contiguous to the construction of the pipeline:

- County Route 33 - East Road (Town of Stephentown)
- County Route 31 - West Road (Town of Stephentown)
- County Route 26 - Garfield Road (Town of Stephentown)
- County Route 23 - South Road (Town of Stephentown)
- County Route' 21 - Dunham Hollow Road (Town of Nassau)
- County Route 18 - Hoags Corners Road (Town of Nassau)
- County Route 15 - Nassau-Averill Park Road (Town of Nassau)
- County Route 7 - East Schodack Road (Town of Schodack)
- County Route 4 - Van Hoesen Road (Town of Schodack)
- County Route 6 - Maple Hill Road (Town of Schodack)
- County Route 8 - Stoney Point Road (Town of Schodack)

The condition ratings of Rensselaer County highways and bridges vary across the county. Each year the County Highway Department assigns numerical values to each roadway segment. These ratings represent the observed condition of the pavement. The numerical ratings range from 10 down to 1. A 10 represents a pavement in excellent condition and a 1 represents a pavement in extremely poor condi'tion. Most roads in the project area are rated in the middle range between 5 and 8. Most roads are posted with a weight limit of 10 tons and travel by heavy or oversize vehicles on these roads is restricted. Weight exc l.us i on permits are granted on a case by case basis. The additional truck traffic on County roads would have a significant impact on the integrity of the pavements and accelerate their deterioration. Other factors which need to be considered are the safety, geometry and environmental considerations. Many rural county roads have sharp horizontal and vertical curves with limited sight distance. Roadway widths generally range from 20-22 feet with narrow or no shoulders. County roads are classified as collector roads and are not meant for high traffic volumes with a high percentage of trucks. County roads become increasing difficult to navigate during the winter months due to ice and snow conditions. Recent winters have taken a toll on county roads with extreme freeze thaw cycles on roads with poor soils as a foundation. Trucks travelling on thawing roads in the spring cause exponential damage to susceptible rquadways.

The condition rating of all bridges is determined by biennial inspections conducted by NYSDOT. Bridges with a span of twenty feet and over are inspected. Bridges are rated 1-7 with most County bridges falling into the 4-6 range. A bridge rated 4 is considered structurally deficient and one rated 6 is in good condition. Weight restrictions on bridges are based on the biennial inspections and are legally enforceable. Proposed transport routes may need to be altered to avoid bridge structures with weight restrictions. The county roads listed above with weight restricted bridges are CR 26 - Garfield Road, CR 33 _ East Road and CR 21 - Dunham Hollow Road.

Structures less than twenty feet in length, are considered large culverts and are inspected by the municipality having maintenance jurisdiction on a periodic basis. The County rating system for large culverts is somewhat different than for bridges. Culverts are rated good, fair or poor and evaluated for maintenance treatment based on these ratings. There are several large culverts in the fair or poor category that would be negatively impacted by increased truck traffic.

Roughly one third of the county's roads, bridges and culverts are in less than good condition. Available funding at the Federal and State level has significantly diminished in the last few years and is not expected to increase over the next several years. Increased costs to build and maintain roads and bridges have significantly impacted Local governments' ability to keep up with maintenance. The NED project will have a significant impact on the condition of roads and bridges further exacerbating the problem of keeping up with maintaining roads and bridges to make them safe for the residents of the area.

Several years ago, our County instituted a policy to seek compensation from users of its roads for damage caused by unusual and extraordinary use. We expect that in light of its location this project will require heavy and extreme truck and equipment traffic to cause substantial damage to our County roads would be unduly burdensome for the residents and taxpayers to bear the cost of damage to highways that were not designed to withstand this unanticipated use. Part of the plan to be submitted by Tennessee Gas Pipeline Company must be to hold the County residents and taxpayers harmless from this unexpected use and expense.

Quality of Life: This project is proposed to intersect the southern end of the Rensselaer plateau. While it is co-located within an existing utility ROW the increased land that will be required will have a significant impact. For purposes of this document I refer to four separate reports specific to these impacts completed by Dr. David Hunt (1/25/2015, 3/12/2015, 3/21/2015, and most recent one for the Town of Nassau NRC)

6. Rensselaer Plateau: Rensselaer County is home to the Rensselaer

Plateau The Rensselaer Plateau is one of the largest and most ecologically intact native habitats in New York State. The preservation of this landscape for future generations is the vision of the Rensselaer Plateau Alliance. The Plateau covers about 118,000 acres in the towns of Berlin, Brunswick, Grafton, Hoosick, Nassau, Petersburg, Pittstown, Poestenkill, Sand Lake, Stephentown and the Village of East Nassau. The ecologically significant site was noted as a success story by the USDA for the conservation efforts taking place. The proposed pipeline would cross directly through the lower portion of the designated area.

Ecosystem evaluations have been conducted by Dr. David Hunt for both the Towns of Nassau and Stephentown. Of specific concern is the potential impact that this project will have to the Rensselaer Plateau. The Rensselaer Plateau is New York's fifth-largest contiguous forest. The EIS should consider alternate routes that will avoid this ecologically sensitive and culturally important area.

Closing: In addition to the comments submitted herein, our County has participated in the Pipeline Working Group. Through the coordination of the Berkshire Regional Planning Commission, the Pipeline Working Group, which consists of representatives from the City of Pittsfield, Massachusetts, the Towns of Cheshire, Dalton, Hinsdale, Lanesborough, Lenox, Pittsfield, Richmond, Washington and Windsor, Massachusetts, the Dalton Fire District, the Lanesborough Village Fire and Water District, Rensselaer County, New York, and the Towns of Nassau, Stephentown, and Schodack, New York, has identified common impacts and requested mitigation measures related to the proposed pipeline. Those items are specified in comments submitted by the Berkshire Regional Planning Commission on or about October 15, 2015, which comments our County endorses and incorporates herein by reference.

FERC and Tennessee Gas Pipeline Company, LLC must address each of the concerns specified above before the NED is to be considered for approval. In light of the substantial financial mandates imposed upon our County by the State of New York, only 10 cents of each local tax dollar are available to spend on County programs. In addition, the statutory tax cap which according the Comptroller of the State of New York is being reduced from two percent to less than one percent, will bar any unforeseen County expenses as a result of the

Tennessee Gas Pipeline Company proposed project and may result in a violation of the tax cap ceiling. That violation has the potential of causing an inability of taxpayers to receive deserved State tax refunds.

Thank you for your consideration.

Respectfully Submitted,

RENSSELAER COUNTY, NEW YORK

Kathleen M. Jimino

County Executive

20151015-5124

Kurt Pecor, Addison, NY.

Im all for the pipeline so jobs are made for my Union brothers and sisters. we really need these jobs bad. Please allow us to get this work for all of us who are hurting right now in NYs. Thank you.

20151015-5125

Eric Zaenglein, Amherst, NH.

How is this project — in any way — either a public benefit or public necessity for New Hampshire? The answer is, it is not. Every single town that is effected by this abomination, that only makes Kinder Morgan richer and destroys forever our way of life, has demonstrated the adverse effects to their public and private lands, environment, safety, emergency response abilities and lifestyle. Every single town has voted against this proposal at their town meetings which for reason no longer matters. We are a state that is proud of our local government and believes we control our own destiny. Apparently not in the case of blatant robbery by Kinder Morgan. There is no question about the negative impact this “project” will have on the state of New Hampshire, nor is there any question about the opposition the people of this state have made clear over and over. What more do you need to make the only responsible decision? Deny the permit.

20151015-5127

Cody Odell, Canisteo, NY.

Create jobs for our hall, it will also create income for our small towns that are suffering. it will also create more jobs for people around our area for the natural gas companies..

20151015-5129

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

July 14, 2015

Re: Tennessee Gas Pipeline Company, LLC
Docket No. PF14-22-000
Northeast Energy Direct Project

To Secretary Bose:

We are physicians practicing in the Commonwealth of Massachusetts. We would like to submit comments for the EIS scoping for project PF14-22-000, the proposed Northeast Energy Direct (NED) project. We are especially concerned about the effects that the NED project would have on local and regional air quality if approved, and subsequently on the health of adults and children in the Commonwealth as well as the rest of New England and New York state.

Compressor stations are well known to release multiple pollutants including carbon monoxide, nitrogen and sulfur oxides, volatile organic compounds, and particulate matter, some of which are also ozone precursors.

Unfortunately, even below National Ambient Air Quality Standards, these pollutants exert toxic effects:

Particulate matter: Particulate matter has been associated with a wide variety of adverse health outcomes. In one multi-city study, mortality (deaths) from cardiopulmonary and respiratory causes increased up to 5.3% following days with particulate matter increases of 10 µg/m³ (1). In another study, asthma diagnoses in children were 10-12% higher after days with a 10 µg/m³ increase in particulate matter (2). An evaluation of particulate matter in the eastern US identified 2100 premature deaths attributed to particulate matter in one summer alone (3).

Volatile organic compounds: Benzene and formaldehyde are two of many volatile organic compounds associated with the fracking process. Both are known carcinogens according to the EPA (see IRIS database). Both have been detected in air samples near pipeline infrastructure. Benzene was measured 270 meters from a pigging launch facility, at levels that increased cancer (leukemia) risk. Formaldehyde was measured at between 230-790 meters away from several compressor stations, at levels that increased squamous cell cancer risk and in some cases exceeded acute toxic exposure limits (4). Benzene levels near condensate tanks with VOC emissions have been measured as high as 1100 parts per billion (5), which is especially concerning considering that long term exposures to less than 1 ppb of benzene increase leukemia rates (6).

Radon: Radon is a radioactive gas naturally co-occurring with methane in shale plays such as the Marcellus shale, where gas for the NED pipeline would likely originate. Radon is the most frequent cause of lung cancer, after tobacco smoke. Produced waste water from fracking wells contains >500 times the federal drinking water limit of the radon precursor radium. The mean radon level in gas produced from a sampling of Marcellus shale fracked wells was measured at 1369 Bq/m³, far above the EPA action level of 148 Bq/ m³ (reviewed in 7). Proximity to fracking wells in the Marcellus shale is also associated with increased indoor radon levels, with radon increases of 2.8% for every well within 20 km (7).

Fetal effects: Air pollution also affects fetal growth. One systematic review of 62 studies found the odds of premature birth and low birth weight increased between 3%-10% for small changes in carbon monoxide and particulate matter concentrations (8).

While fracking products are summarily described as “natural gas”, they actually contain hazardous components either as by-products of the fracking process, co-occurring substances such as radon, or fracked gas combustion products such as particular matter, nitrogen oxides, and carbon monoxide.

This brief review only highlights a very limited sample of peer-reviewed studies documenting the health risks associated with the fracked gas that would be transported by the proposed pipeline, released as fugitive emissions, and emitted as combustion products from compressor stations. Given the risk these air pollutants pose to human health, I am requesting that Tennessee Gas include the following in their Environmental Impact Statement:

1 Modeling.

Modeling of compressor emission distributions should be performed with AEROMOD and account for the unique topography of the pipeline route. The modeling should include a maximum capacity scenario that assumes compressor stations are operated at the maximum permitted capacity. This would enable evaluation of the range of possible emissions exposure in surrounding communities, since compressor station emissions are clearly variable over time (data obtained from MA Dept of Environmental Protection).

Modeling should also take into account local topography and inversions. Nitrogen oxide peaks are known to occur during inversion events (9), and are likely to concentrate other air pollutants as well. For example, the compressor station being planned for Northfield, MA would place it at a high elevation where its emissions could become trapped in lower lying areas nearby during inversion events. Concentrated emissions would subsequently increase the exposure risk for nearby communities. The EIS therefore needs to provide data that address inversions, either through measurements or modeling.

2 Radon.

Since radon is known to co-occur with methane produced through fracking, the EIS needs to identify the sources of gas that would be transported through the proposed pipeline. The EIS then needs to provide measurements of radon, either from wells or collection pipeline systems, for those potential sources of fracked gas. Finally, the EIS needs to provide estimates or measurements of radon within homes that receive gas from these sources.

3 Baseline local air quality measurements.

Regional air quality monitors are wholly inadequate to understand air pollutant concentrations within communities that are tens of miles away. Emissions with significant effects on individual, community, and public health can dilute substantially between the time of exposure and their detection at a regional air quality monitor. Therefore, the EIS should include actual baseline air quality measurements in communities surrounding proposed pipeline infrastructure sites prior to construction. These data would be used to evaluate the existing air pollutant exposure burden and be used for post-construction comparisons if the project is approved.

Monitoring should be done at a minimum for total VOCs, particulate matter (coarse and fine), carbon monoxide, and nitrogen oxides since these have well established health impacts and are clearly documented as compressor station emissions. The EIS should provide the rationale for its monitoring approach, but should minimally include multiple monitoring sites near each of the proposed infrastructure sites (especially compressor stations) due to variation in prevailing winds. Furthermore, pollutant concentrations vary by season so measurements should be collected during winter and summer.

4 Emissions from metering and regulating stations, condensate tanks, and pigging facilities.

Please provide detailed descriptions of the proposed locations for the above facilities, as well as relevant technical details such as pressures, storage volumes, frequency of monitoring, type of monitoring, details and frequency of maintenance, etc. Please include references, documentation, and/or data related to measurements of volatile organic compounds (VOC) and radon near these infrastructure sites. Please provide an estimated range of anticipated VOC and radon emissions, as well as modeling to predict anticipated exposures among nearby communities. Given that radon and many VOC compounds are known carcinogens, please be sure to include these details in the EIS.

Summary

These are substantial requests, but the data requested are necessary to adequately understand the health risks from the proposed pipeline and its associated infrastructure. We can only make decisions about approving this and similar projects when we understand the actual need for them compared to alternative options, their effects on health, and their effects on climate change and the environment.

Cited works:

- 1 Samoli et al (2014). *Environment International*, v67, 54-61.
- 2 JK Wendt et al (2014). *Environmental Research*, v131, 50-58.
- 3 X Hou et al (2015). *Environmental Research*, v137, 475-484.
- 3 Macey et al (2014). *Environmental Health*, v13, 82-100.
- 5 Texas Commission on Environmental Quality (2010). *Barnett Shale Formation Area Monitoring Projects report*. Accessed July 2015.
- 6 US EPA, IRIS database, Benzene Quickview. http://cfpub.epa.gov/ncea/iris/index.cfm?fuseaction=iris.showQuickView&substance_nmbr=0276, accessed Oct 2015.
- 7 JA Casey et al (2015). *Environmental Health Perspectives*, advance pub. Apr 2015.
- 8 DM Stieb et al (2012). *Environmental Research*, v117, 100-111.
- 9 Schmool et al (2014). *Environmental Research*, v13, 28-44.

Thank you for addressing these health concerns related to air pollution from fracked gas infrastructure.

Signed,

Stephen A Martin, MD

UMass Dept of Family Medicine
Barre Family Health Center
Curtis L Nordgaard, MD MSc
Pediatrician
Boston, MA
Ruth A Potee, MD
Valley Medical Group
Greenfield, MA

20151015-5130

John Orourke, Newfield, NY.

Good paying jobs. Increase the tax base. Increase Union memberships. We really need these jobs badly. please help us to get these jobs. Thank you very much.

20151015-5132

John and Constance C. Kieley, Temple, NH.
Secretary Kimberly D. Bose
FERC
888 First St, NE, Room 1A
Washington, DC 20426
Docket PF 14-22

Dear Ms. Bose;

We are residents of Temple, N.H. and are extremely concerned about the KNOWN HEALTH EFFECTS of the compressor station planned for New Ipswich which would be approximately one-quarter mile from our town's Elementary School and in close proximity to many of our town's residents.

While that compressor station is now officially planned to be 41,000 HP, Kinder Morgan has repeatedly said in recent weeks that they are considering increasing its size to the original 80,000 HP.

In 2012 FERC was asked to consider a 12,260 HP compressor station in the town of Minisink NY which is very similar in population and geography as the Temple/New Ipswich area. There were warnings then that, if built, there would be severe human health consequences. The FERC Commissioners were split in their decision but, in the end, it was approved, built and put into operation. Today ninety percent of residents within three miles of this facility are experiencing health problems associated with the emissions from this facility.

Frankly, we hope that FERC has learned an important lesson from Minisink. The compressor station in New Ipswich would be seven to thirteen times the size of the one in MINisink, emitting up to 400,000 tons of toxins, VOC's and green house gases a year thus causing a tremendous degradation of human health over a much wider area.

Kinder Morgan is obviously expert in convincing elected and appointed officials as well as the general public that this pipeline is needed domestically and that it will lower domestic energy costs. The local distribution companies attempting to show need have a financial interest in this pipeline and thus a conflict. Similarly, studies by the Department of Energy have consistently showed that this export project will drive up the price of energy domestically.

This project is bad for New Hampshire and the United States. We urge you to deny this application.

Sincerely;

John and Constance C. Kieley
37 Holt Lane
Temple, N.H. 03084

20151015-5133

Clinton H. Stewart, Endwell, NY.

I live locally and this pipeline represents good paying jobs. It will help meet the energy demands with domestic energy. Union members are a highly skilled and trained workforce that we need on our jobs in this state more often. these are good paying jobs and we need them as much as possible.

20151015-5134

Wessley Corby, Elmira, NY.

it is good to hear that the projects sponsor Kinder Morgan signed with LIUNA and that Union help will be used exclusively. 344 miles makes a lot of Union jobs. It is sure to help many families pay for food fuel and taxes. I support this project and hope that it starts soon. Thank you.

20151015-5136

Savino Ferrara, Ithaca, NY.

I am in Favor of this project because this area needs fobs and our Union is highly recommended to train for this job. We want to help our local Union People. Hopefully we can get these jobs and get going on this project.

20151015-5138

October 15, 2015

To the FERC Committee,

My name is Jarrod D. Cronin. I am a resident of Merrimack, NH and I staunchly opposed to Kinder Morgan’s proposed pipeline Docket PF14-22-000. The proposed route results in a disruption and risk to the local water quality and conservation land.

Additionally, the route is slated to bring a substantial amount of Natural Gas to a region where projected demand does not appear to support the need for additional infrastructure. As Elisa Wood so effectively points out in her August 18, 2015 article “Energy Efficiency Instead of a New Natural Gas Pipeline for New England?”[1] on EnergyEfficiencyMarkets.com, the projected demand simply is not there. The vast majority of New Hampshire and New England in general is not serviced by Natural Gas. Additionally, the region is seeing a big shift towards alternative energy sources. With this in mind, I hope take these facts, along with the potential impact to our water and conservation areas, into consideration and deny Kinder Morgan’s request under Docket PF14-22-000

Respectfully,

Jarrod D. Cronin

[1] <http://energyefficiencymarkets.com/energy-efficiency-instead-of-a-new-natural-gas-pipeline-for-new-england/>

20151015-5142

To: Federal Energy Regulatory Commission

From: **Town of Berne, NY, Conservation Board**

Kathleen E. Moore, Ph.D., CCM, Chair

Susan Hawkes-Teeter

Jon Kusler, Esq., Ph.D.

Nancy Engel

Subject: Review of Tennessee Gas Proposed Pipeline Construction

Docket Number PF14-22-000

Date: 14 October 2015

These comments reflect the views of the Conservation Board of the Town of Berne, and not necessarily the Town Board, or the Planning Board. A copy of this report has been provided to those boards.

Introduction

The Tennessee Gas Company, Inc. proposes to add a natural gas pipeline to an existing pipeline right-of-way in the Town of Berne. This is part of a much larger project, which extends natural gas transport from Pennsylvania to New Hampshire.

Conservation Board Review***On-site evaluations***

The Town of Berne Conservation Board (CB) did a number of site visits, walking most, but not all, of the length of the pipeline ROW in the Town (Figures 1 and 2). These site visits are summarized below.

4 May 2015

Members of the CB visited the DEC-recognized wetland AL-26, north of Warner's Lake on 5/4/15 (Figure 3). This wetland had a Great Blue Heron rookery, and a variety of other wildlife observed, including a Great Horned Owl, hunting at the water's edge, near where the pipeline crosses. The pipeline goes under the water in the southern third or so of the wetland (Figure 4).

11 May 2015

Members of the CB walked the section of the pipeline to the west of Pitcher Lane, almost as far as the DEC-designated wetland AL-27 (aka "Lake South America") (Figure 5). The terrain is a series of ridges and swales, with wetlands of varying sizes in the swales. Several of these wetlands are drainages, with running water draining to the southwest, toward the Fox Creek.

A section of the existing pipeline had been repaired earlier in the year (as was learned from one landowner). This repair took place in one of the swales, which contained a wetland, and was bordered on either side by steep slopes. The repaired pipeline was covered with a type of articulated mat (Figure 7), evidently to keep erosion in the drainage from exposing the pipe again. Berms that had been constructed originally to prevent erosion on the slopes next to the swale had been destroyed (leveled) during the repair process, potentially exposing that slope to erosion (Figure 6).

25 May 2015

Members of the CB walked the section of the pipeline from Route 157 to the DEC-designated wetland AL-27 (Lake South America"), and then walked into the wetland itself. Although the surface of the wetland appears dry, there is fairly deep water less than 6" below the surface. This -26-acre wetland appears to be a bog; although the wetland itself is not within the pipeline ROW it is directly adjacent to it. The wetland represents a major water detention area for the Fox Creek watershed.

3 July 2015

Members of the CB walked along the pipeline ROW from Long Road, west to within about 0.25 miles of Saw Mill Road. Again, the terrain is a ridge-and-swale type, with wetlands within each swale.

3 September 2014

The CB did a site review in September of 2014 for a proposed subdivision on Saw Mill Road. The following is excerpted from the memo for that review:

"A gas pipeline runs through the lot on the northern side. The field has typical old-field vegetation, with goldenrod (*Solidago*), the invasive species knapweed (*Centauria*), and native bee balm (*Monarda*) dominant."

Review of Environmental Documents filed with FERC

The CB obtained the environmental review documents prepared for the entire pipeline project, via the website at:

http://elibraryJerc.gov/idmws/file_list.asp?accession_num=20150724-5061

Several copies of the relevant documents (more than 1 Gb) were made on DVD, one of which was left at the Berne Town Hall.

Wetlands Inventory Maps

The Tennessee Gas documents include detailed maps superimposed on aerial photographs marked “VolIII-Appendix F-Aerial Alignment Schohairie and Albany Counties.pdf”. These mark the wetlands we found in the ridge-and-swale terrain, and they give an idea about the plans for staging areas, temporary workspaces, etc ..

The document titled, “VolIII-Appendix K-Environmental Construction Plan for New York.pdf” contains some information about the plans for crossing waterbodies and wetlands.

Water Use and water discharge

The document titled, “RR2 Water Use And Quality.pdf” does not contain sufficient information concerning the use of water during the pipe-stringing phase of the operation; the table titled “Potential Sources of Hydrostatic Pressure Test Water for the Project” has only “TBD” in the Manifold Discharge Location and Water Quantity columns. We echo the FERC Staff comments regarding the lack of sufficient information about important aspects of this project.

Erosion Control

The document titled, “Vol_II-Appendix HUpland Erosion Control Revegetation Maintenance Plan.pdf” has information about the practices and standards that the company says they are going to employ.

Conservation Board Concerns

The Conservation Board has concerns about several environmental aspects of this project. We appreciate that many of these concerns are addressed in a generic way by the plans outlined in the environmental review documents. However, the CB also echoes the comments by the FERC staff, where there was insufficient detail provided.

1. Wetlands

Much of the pipeline ROW in Berne is in the Fox Creek watershed. Our onsite observations, the maps of wetlands and hydric soils constructed by Mr. Joe Cleveland (Figure 10), and the Tennessee Gas maps all indicate the presence of wetlands in the swales along the pipeline. Several of these wetlands are connected to surface drainage toward the southwest, i.e. toward the Fox Creek itself.

Wetlands and hydric soils play a key role in detaining or retaining water and mitigating floods, such as those that occurred after Tropical Storm Irene. Loss of wetland is known to exacerbate flooding; conversely, where wetlands have been maintained or restored, the severity of flooding is reduced. The CB is strongly advocating a position consistent with federal wetlands policy, that there be no net loss of area or function of wetlands in the Town.

The CB is concerned about chemicals used in construction of the pipeline, and the possible contamination of wetlands thereby. There is not enough information in the documentation provided by TG concerning the disposal of waste materials.

2 Erosion Control

As noted above, some erosion-control berms were already destroyed in the process of repairing the pipeline last winter, around Milepost 10.5. It is vitally important that erosion control be implemented on the steep slopes in the ridge-and-swale system.

3. Habitat/Species of special concern

The DEC-recognized wetland (A1-26) to the west of Route 157 was observed on 5 May to contain a Great Blue Heron rookery. This species is dependent on wetlands for feeding, and on relatively undisturbed areas

for breeding.

We also observed a number of other aquatic and upland birds (e.g. sapsuckers) nesting in the area. This wetland is a significant ecological site in addition to playing an important part in the hydrology of the area, being a water source for Warner's Lake.

To the west of Pitcher Lane, the ridges had tall grasses by the date of our visit on 5/11/15. Bobolinks were nesting and singing in these areas. This species is in decline in North America, chiefly due to loss of nesting habitats.

The New York Natural Heritage program did not list any species of concern in this area.

4. Invasive Species

Movement of soil by equipment poses the risk of introduction or distribution of invasive species. A list of invasives in NYS has been updated by the DEC: http://www.dec.ny.gov/docs/lands_forests_pdf/islist.pdf

Invasive species often out-compete native species, cause habitat degradation and loss, and may cause crop damage and livestock disease.

5. Karst

The area of the pipeline ROW in the Town is known to be an area of karst, where underground drainage is important. This poses a significant risk of the contamination of groundwater from any spills, in addition to contamination of surface water, where groundwater re-emerges (resurgence).

Recommendations

The CB's goal is to protect, and require the restoration of, wetlands and related ecosystems. Our best judgment is that there will be substantial impacts to the ridge-and-swale system; the aggregation of these impacts is likely to affect the many ecosystem services that derive from these systems.

1. The CB recommends that a landscape-level or watershed-level approach be taken to impacts, particularly when it comes to a) the impact on flood resilience, b) impacts on water quality of the whole watershed and c) mitigation and restoration of any impacts.
2. The CB recommends that Tennessee gas must provide a detailed plan for water use and wastewater disposal in their environmental review. We concur with the FERC staff comments that there are too many places where "TBD" appears instead of the needed information.
3. Further, we recommend that impacts be viewed cumulatively, instead of as occurring to individual elements of the watershed.
4. The CB recommends that habitat that has been disturbed during construction (e.g. grasslands on ridges) be restored following construction.
5. Last, we recommend that long-term monitoring of a designated set of reference sites within the Fox Creek watershed be undertaken. The Conservation Board should help determine the reference sites. Student interns identified by the Town could do the monitoring. We believe they should be paid for by Tennessee Gas as part of its impact mitigation activities. The following areas of concern should be monitored:
 - a. Water quality: pre-and post- construction water quality monitoring in Warner's Lake and Fox Creek should be done. We would expect a baseline assessment prior to construction and monitoring monthly for the first two years.
 - b. Revegetation: The success of revegetation efforts should be monitored.
 - c. Water detention/retention capacity: any alteration of flood storage capacity-not just in wetlands but in riparian settings as well--should be examined with care, through long-term monitoring. One or more stream-gauging stations should be installed in the watershed.
 - d. Erosion control on steeper slopes of the ridge-and-swale terrain. Given that we observed that erosion mitigation standards were already violated in the last few months, following a repair in the existing pipeline, it is imperative to have independent monitoring.

References

- FERC Staff Comments on Resource Reports, October 8, 2015. Available at <http://cdn.nhpipelineawareness.org/wp-content/uploads/2014/09/ferc-staffcomments-on-resource-reports-10-8-15.pdf>
- Tennessee Gas Environmental Review Documents, found at <http://lelibrary.jerc.gov/lidmws/filelist.asp?accessionnum=20150724-5061>

Figures *{figures omitted - 1 map, 7 photographs, 1 map}*

- Figure 1 Sections of the pipeline ROW walked by members of the CB in May 2015.
- Figure 2 Section of the pipeline ROW walked by members of the CB on 3 July 2015.
- Figure 3 DEC wetland AL-26, looking north from the point where the pipeline crosses.
- Figure 4 DEC wetland AL-26 at the point where the pipeline crosses underneath.
- Figure 5 DEC wetland AL-27 (“Lake South America”), adjacent to the pipeline ROW.
- Figure 6 Pipeline ROW in the section west of Pitcher Lane, showing the path repair equipment took, and the ridge-and-swale terrain. Drainage is from left to right, toward the Fox Creek.
- Figure 7 Site of pipeline repair about 0.5 miles west of Pitcher Lane. The white material is an “articulated mat”
- Figure 8 Pipeline in the section west of Long Road, showing (red arrows) wetlands in the swales These are designated in the TG map TE SEG F-012 as AL-D-W014.
- Figure 9. Wetland vegetation in one swale section of the pipeline ROW west of Long Road, looking toward the next ridge.
- Figure 10. Potential Detention Areas within Berne, NY (Areas not already defined as recognized wetlands)

Appendix A.

A. List of Birds observed on May 11

Oriole
Bobolink
Red - winged Blackbird
Yellowthroat
Ovenbird
Catbird
Song sparrow
Chipping sparrow
Rose breasted grosbeak
Flicker
Cardinal
Robin
Wood thrush
Red-eyed vireo
American crow
Wild turkey

B. Birds and mammals observed on May 4

Great Horned Owl
Great Blue Heron
Common Merganser
Yellow-bellied Sapsucker
Beaver

20151015-5145**Town of Pelham, NH Conservation Commission, Pelham, NH.**

Pelham Conservation Commission
6 Village Green
Pelham, NH 03076-3723

The Town of Pelham requests that the formal environmental scoping comment period shall not close prior to the final filing of the Northeast Energy Direct project by Tennessee Gas Pipeline Company / Kinder Morgan. The Pelham Conservation Commission has hired an environmental consultant to do a comprehensive study to investigate land that will in any way be impacted or affected by this project. This study will give the town of Pelham an Environmental Impact Statement (EIS). In order to have a complete and accurate EIS prepared to help the Federal Energy Regulatory Commission understand the environmental impact to the town of Pelham, and to make appropriate comments for the scoping period to which Tennessee Gas must respond, we must have an exact location for the pipeline route through town. We understand that such a location will not be accurate until Tennessee Gas Pipeline Co. / Kinder Morgan has submitted their final filing of the project sometime in October or November. Therefore, as stated above, the town of Pelham requests that the scoping comment period does not close before the final filing of the project with your agency. As a result of the final filing, more precise maps will be available to the consultant as a basis for the study. We also request that the scoping comment period must be extended to allow another cycle of the seasons for time to evaluate the area and to perform studies for a thorough analysis of impact to the environment by this project in the town of Pelham.

20151015-5146**TOWN OF WINCHESTER**

INCORPORATED JULY 2nd, 1753

1 Richmond Road • Winchester, New Hampshire 03470

Voice: (603) 239-4951 • Fax: (603) 239-4710 • TDD Access: Relay NH 1-800-735-2964
selectmen@winchester.nh.gov • www.winchester-nh.gov

10/9/15

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

Subject

Scoping comments by the Winchester Board of Selectmen and the Winchester Conservation Commission related to proposed Alternate Routes in Winchester, NH for the proposed Kinder Morgan natural gas pipeline. FERC PFI4-22-000

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, Chairman
Winchester Board of Selectmen
1 Richmond Road
Winchester, NH 03470
Phone - 603 2394951
Email- swalker@winchester.nh.gov

Background

The Town of Winchester filed Scoping comments before the original 9/1/15 deadline. At that time one proposed pipeline route through Winchester, NH had been filed with PERC by Kinder Morgan (KM.) The town's previous filing to FERC recounted the history of meetings between the town and representatives from KM. Although a route had been filed with the Town of Winchester in November 2014 and with FERC in December 2014, Kinder Morgan responded to concerns expressed at a public meeting between town residents and Kinder Morgan representatives. On July 1, 2015 KM proposed a new route crossing the Winchester stratified drift aquifer further east of the original route. However, KM declared the original route was still considered an alternative route.

When KM met with town representatives to discuss the first revised route, a discussion ensued concerning the impact of both the original route and the revised route on town owned, deed conserved land known as Pulpit Falls and Pulpit Rock. The meeting is described as follows: [http://www.sentinel-source.com/news-local/kinder-morgan-reroutes-pipeline-path-in-winchester/rarticle-1923c480-026b-S2c2-904b-aec04673bb48.html](http://www.sentinel-source.com/news/local/kinder-morgan-reroutes-pipeline-path-in-winchester/rarticle-1923c480-026b-S2c2-904b-aec04673bb48.html) Subsequent to this meeting the Board of Selectmen and Winchester Conservation Commission (WCC) escorted representatives of Kinder Morgan through the Pulpit Falls area on July 30, 2015.

As a result of the site visit to Pulpit Rock and Pulpit Falls, Kinder Morgan notified the town on 8/25/15 of another revised route. This new route avoids town owned, deed conserved land (originally the first point of entry of the proposed pipeline in NH) and enters NH further east of both Pulpit Rock and nearby Bent Pond. The town did not receive the new route notification in time to include the route in its scoping document. The third route filed with the town is described in the Keene Sentinel as follows: <http://www.sentinel-source.com/news/local/proposed-pipeline-route-moves-again-in-winchester/article-5d090022-b770-S06d-8eld-3ac620fb02dS.html>

Neither of the revised routes is filed with FERC. Kinder Morgan has told town representatives all three routes filed with the town are considered alternatives.

Questions for FERC and Kinder Morgan

Why are the revised routes not filed with PERC?

Does FERC allow pipeline companies to select and keep on record multiple pipeline routes?

Is Kinder Morgan requesting to survey all properties on all routes?

Is the most recent route filed with the town on 8/25/15 the Kinder Morgan preferred route? Is it the FERC preferred route?

If multiple routes are allowed, how many routes are allowed? Should all property owners be prepared to be on an alternative route? Does FERC consider the community impact of multiple routes?

Does the number of routes considered raise the burden of proving need for the pipeline?

Does FERC consider the cost to landowners of defending against an eminent domain taking, especially when there are multiple routes? If so, does FERC take into account the financial, social and psychological costs to landowners of being included in such routes?

Does FERC consider the neighbor versus neighbor impact of alternative routes?

Will FERC require an analysis of threatened and endangered plants and animals on all routes?

Will FERC require an in-depth study of Native American habitat and archeology on all routes?

Will FERC examine the routes KM filed with the Town of Winchester even if KM does not file the revised routes with FERC?

If PERC allows multiple routes, will FERC consider the geography and natural resources of Winchester and propose a shorter route to Dracut MA that does not cross through Winchester, NH - - the most western location on the proposed pipeline route in NH?

Respectfully submitted,

Roberta Fraser, Chairman

Winchester Board of Selectmen
Gustave Ruth, Chairman
Winchester Conservation Commission

TOWN OF WINCHESTER

INCORPORATED JULY 2nd, 1753

1 Richmond Road • Winchester, New Hampshire 03470

Voice: (603) 239-4951 • Fax: (603) 239-4710 • TDD Access: Relay NH 1-800-735-2964
selectmen@winchester.nh.gov • www.winchester-nh.gov

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

Subject:

Additional comments to the Scoping document of September 1, 2015 from the Winchester NH Conservation Commission on the natural gas pipeline proposed by Tennessee Gas Pipeline LLC and Kinder Morgan; FERC PFI4-22-000

Conveyance:

Comments to be filed electronically with copies to Kinder Morgan and the US Army Corps of Engineers

Communications:

Gustave Ruth, Chairman

Winchester Conservation Commission
1 Richmond Road, Winchester 03470
iruth97@aol.com

Roberta Fraser, Chairman

Winchester Board of Selectmen
1 Richmond Road, Winchester 03470
Phone: (603)239-4951
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The Winchester Conservation Commission submitted a Scoping document on September 1 st, 2015. At recent meetings it was determined that there were additional issues of concern and comments that we would like to place under consideration. Members of the Conservation Commission and the Chairperson of the Board of Selectmen attended the Scoping meeting in Rindge NH held in October of 2015. The Chairperson of the Conservation Commission spoke to address issues pertinent to Winchester. Each of the speakers from towns along the proposed route presented concerns that also are pertinent to Winchester. The Conservation Commission and the Town of Winchester remain vehemently opposed to the proposed NED pipeline. The Town of Winchester has recently joined a Municipal Coalition of Town Officials and their representatives in order to further support the opposition effort. The Conservation Commission also voted to support a comprehensive document compiled by all of the Conservation Commissions along the proposed pipeline route. The document was submitted to PERC and both state and federal officials.

To further document the concerns of the Winchester Conservation Commission we would like for PERC to address the questions/concerns listed below:

1. Has there or will there be extensive research and concrete steps to study scientific information on fault lines on the Proposed route and what would be the steps taken by Tennessee Gas and Kinder Morgan should there be an event related to a seismic occurrence? Multiple fault lines exist in the proposed area which periodically experience seismic activity.

2. What specific research has been done in the area of Pulpit Falls regarding documented Native American settlements, meeting sites and artifacts found in the geological substrates as previously presented by the Conservation Commission as well as the Town of Northfield?
3. What compensation/technical support will be provided to the Town of Winchester or property owners should there be contamination of the town aquifer or town and private wells either during construction or during the life of the pipeline?
- 4.. We are asking that Kinder Morgan/Tennessee Gas provide a specific emergency management plan for any event occurring as a result of the construction or accident related to the pipeline once completed as well as a plan for security along the route.
5. What financial assistance/technical support will be provided to fund Winchester's small volunteer emergency and fire squads and what steps/plans will be taken to provide an evacuation route should there be an event that closes a major road in Winchester?
6. In view of the fact that Winchester has been presented with at least three proposed routes will the Town be given additional time for comments? Also, when will there be final maps showing landing sites and additional maintenance stations along the route as these will require additional land acquisition and present different environmental impact concerns. This will introduce the need for further response from property owners and the Town.
7. Winchester was recently presented with the current Draft: Comprehensive Conservation Plan and Environmental Impact Statement of the Silvio O Conte National Wildlife refuge. Members of the Winchester Conservation Commission attended a recent open house presenting the new draft. The Winchester Conservation Commission and the Town of Winchester had voted to support the plan for the Refuge when an initial draft was presented several years ago. We would ask that PERC review the current Draft to study the area noted as the Sprague Brook Conservation Focal Area as the proposed pipeline route passes through the area in question. It may be seen in Map 12 of the Draft Summary. This area is one of the key focal areas of interest for the Refuge for conservation and protection. Detailed information is available as to the reasons this area has a high priority in the new Plan for protection or acquisition.
8. As previously stated we are also very concerned that there have been multiple routes presented to Winchester yet are aware of only one being officially submitted to PERC. We would ask that PERC delay the scoping deadline in order for Winchester to address the potential concerns and issues raised by the various routes presented. All of the routes cross our aquifer and threaten the town water supply and present concerns for the property owners along each of the various routes. Each of the proposed routes present issues in common but have unique areas of major concern as well as impact different property owners. An additional period of time would be required for the Town and the individual property owners to address the possible impact of each of the routes presented.

Winchester remains firm in the belief that there is NO NEED for the proposed pipeline to be constructed in Southern New Hampshire, that it is a pipeline for export only and provides NO economic benefits to Southern New Hampshire. There is deep concern for the future of natural gas as an energy source given the emerging negative research on fracking. This presents the realistic possibility that the pipeline would have been constructed through our state only to be decommissioned or be considered for an alternate unacceptable use. The minimal supply of additional gas currently in discussion can easily be met by extending existing lines. The State of NH has energy plans in place which strive to use alternate energy sources that include ' hydropower, solar and proposals to build windmill farms. These incentives and proposals will more than make up for the electrical shortfalls with no fossil fuel carbon emissions.

In conclusion, the Winchester Conservation Commission remains committed to our mission statement to protect our natural resources and will continue to work diligently with our Town and neighboring towns to oppose the proposed pipeline in Southern New Hampshire.

Gustave Ruth

20151015-5148

EJ Perry, Temple, NH.

Re: PF14-22-000

After months of reading and listening, checking websites and conducting research, attending meetings, and talking with residents of towns in the Monadnock region - it appears there is no valid reason for the proposed NED pipeline through the southern part of NH to be approved. It would not benefit anyone living in this area or even the state of New Hampshire.

The gas would not serve this region.

It would not reduce our energy costs.

All the propaganda from Kinder Morgan spokespeople cannot disguise the fact that most of the gas would be for export.

There are multiple negative aspect to consider:

- o documented health concerns (verified by multiple studies)
- o safety concerns with a huge, unmanned compressor station
- o noise and light pollution, and view-scape corruption
- o damage to property values and the land itself
- o the possibility of contamination to wetlands, aquifers and private wells
- o insufficient emergency personnel and equipment to respond to a catastrophic disaster

The biggest insult to all of us who live here would be the use of eminent domain to acquire easements, solely to benefit a for-profit company. Big money business would win. We, the people, would lose.

It is beautiful here, pristine even. The magnitude of what we stand to lose is egregious and unacceptable.

To allow this project to go forward would be a travesty. Please review the evidence and be brave enough to reject the application.

20151015-5155

Dennis Gauvin, New Ipswich, NH.

While that compressor station planned for New Ipswich is to be 41,000 HP, Kinder Morgan may revert to the original 80,000 HP when all is said and done.

In 2012 FERC was asked to consider a 12,260 HP compressor station in the town of Minisink NY which is very similar in population and geography as the Temple/New Ipswich/Greenville area. There were warnings then that, there could be human health consequences. The FERC Commissioners were split in their decision with member LaFleur and chairman Wellinghoff dissenting. As can be seen from the links in the document below, the health problems were realized with the emissions from this facility.

We sincerely hope that FERC has learned an important lesson from Minisink as the station in New Ipswich would be thirteen times the size of the one in MINisink, emitting 400,000 tons of toxins, VOC's and green house gases a year over a much wider area. Please study the document below.

Not the Next Minisink!

Although this is not a KM/TGP project, the story mirrors what is about to happen to New Ipswich, Temple and Greenville.

Minisink is a town located in southwest Orange County, New York northeast of the New Jersey border between the Town of Greenville and the Town of Warwick. The population was 4,490 at the 2010 census.

On 7/17/2012 FERC voted 3-2 in favor of Minisink project. The then chairman of FERC Jon Wellinghoff and member Cheryl A. LaFleur dissented on reasons that the existing Wagoner alternative would be a better choice for the community and that air quality would suffer. <http://www.minisinkmatters.org/?p=147#comment-44>

Construction begins on 10/1/12. On 10/8/12 the US Court of Appeals issues a temporary stay on the project, halting construction. It was soon lifted and construction continued. Two 5 minute videos here show the frustration of residents. http://www.stopmcs.org/?page_id=383

The Millennium pipeline & 12,000 HP compressor station is completed in 2013. Shortly after the compressor went into operation, many nearby residents reported health issues such as, nosebleeds, headaches, asthma, rashes etc. <http://www.utne.com/environment/gas-compressors-and-nose-bleeds-zm0z15fzsau.aspx>

A brief on 7/19/13 was filed to the US Court of Appeals DC Circuit. The Initial Brief seeks reversal of the FERC Order and the deconstruction of the Minisink Compressor Station. <http://www.stopmcs.org/?p=1072>

Between 10/19/14 and 12/17/14, health consultant Dr. David Brown with the Southwest Pennsylvania Environmental Health Project (SWPA-EHP) conducted a 2 month study of air contaminants and health symptoms. 35 residents participated, they all lived within 1 mile of the compressor station. The main concern of data gathered was higher than normal elevations of fine particulate matter or PM 2.5. This pollutant has long been known to cause health issues in high amounts. During the air monitoring period, elevations were 17-20 micrograms per cubic meter, 3 times the national average of 6.3 and well above the EPA limit of 12. Multiple episodes of peaks as high as 426 were also recorded. One home had a 24 hr. period with an average of 64. VOC's were also captured in the canisters. <http://www.environmentalhealthproject.org/wp-content/uploads/2015/06/Summary-of-Minisink-Results.Public.pdf>

FLIR infrared video of Minisink Compressor Station emission <https://www.youtube.com/watch?v=RYdrSeUSxg>

A very comprehensive report by SWPA-EHP on Compressor Stations and Health Impacts <http://www.environmentalhealthproject.org/wp-content/uploads/2012/03/Compressor-station-emissions-and-health-impacts-02.24.2015.pdf>

A June 2015 study by Harvard shows health risks with PM 2.5 above 6. Each increase of 1 microgram per cubic meter increases the mortality rate by 1% for people over 65. <http://www.hsph.harvard.edu/news/press-releases/air-pollution-below-epa-standards-linked-with-higher-death-rates/>

In addition, a 12/14 Harvard study states - High PM 2.5 levels in the 3rd trimester of pregnancy double the risk of newborn autism. <http://www.hsph.harvard.edu/news/press-releases/fine-particulate-air-pollution-linked-with-increased-autism-risk/>

“Even in a big city like NY you wouldn’t see these peaks in particulate matter nor have the same chemicals in the air” said Dr. Brown. To attain permits, the pipeline companies use analysts who manipulate projected emissions levels to make them acceptable by the EPA standards, Brown says. Those standards are also weakened by industry lawsuits when the EPA tries to tighten them. “They delude themselves about emissions safety”, says Brown. <http://www.utne.com/environment/gas-compressors-and-nose-bleeds-zm0z15fzsau.aspx>

Wilma Subra’s presentation on Potential Environmental and Human Health Impacts associated with the Minisink Compressor Station shows clearly the dangers posed to the communities of New Ipswich, Temple and Greenville if a station 4 times as large is built! <http://www.catskillcitizens.org/learnmore/subraminisink.pdf>

On 5/1/14 an alarm sounds at compressor station as residents head to court in Washington. <http://www.stopmcs.org/?p=1185>

On 7/7/14 residents are warned that compressor station venting will occur & to be careful outside <http://www.minisinkmatters.org/?p=242>

On 8/15/14 the appeal is denied <http://caselaw.findlaw.com/us-dc-circuit/1675630.html>

On 9/8/14 a gas leak alarm has emergency responders waiting an hour for company officials to arrive <http://www.minisinkmatters.org/?p=263>

In 2015 a gas power plant is to be built 7 miles away from Minisink in Wawayanda NY by Competitive Power Ventures. <http://www.utne.com/environment/effects-of-air-pollution-zm0z15fzsau.aspx?PageId=3#ArticleContent>

Competitive Power Ventures purchased emission reduction credits from other companies hundreds of miles away who are not using their permitted amounts. <http://www.catskillcitizens.org/learnmore/subraminisink.pdf>

Local residents sue to block construction of the power plant. <http://midhudsonnews.com/News/2015>

20151015-5156

Denise Greenleaf, Merrimack, NH.

Kinder Morgan must not be allowed to build a fracked gas pipeline in NH. Their proposed line through Merrimack, NH is going through our aquifer, through protected lands, and through historic areas.

Fracked gas is not needed in NH, therefore it will be exported to foreign countries. Eminent domain for private gain is illegal! NH should not have to be decimated to line Kinder Morgan wallets, even though they pay your salaries.

Everyone knows that FERC is biased for the people they are supposed to protect us from. This system is corrupt and should be investigated.

No gas pipeline in NH, now or ever! Merrimack's route is through solid granite in some areas. The ulterior motives of Kinder Morgan are known in this area, and that is to expand their operations into the land currently owned by Anheuser Busch.

Kinder Morgan's safety records are atrocious!

VOTE NO TO FRACKED GAS IN NH. Have a backbone and some morals!

20151015-5158

Kathleen Manfre, Peterborough, NH.

To Whom It May Concern,

I am writing as a citizen of the beautiful "Green" state of New Hampshire. I have been going to meetings and hearing about the proposed gas pipeline that is to impact many small towns in Southern NH. I am vehemently opposed to such a project which will assuredly destroy the beautiful conservation lands, farms, neighborhoods, ridgelines, and small towns of this state. How can the government take away property when there is no real public benefit or need?

I am angry at the idea that yet another corporation feels it can move right in and take over the southern part of our state with an extremely DANGEROUS project that will, without a doubt, have catastrophic results!! This simply is evident in the FACT that there is clearly no sufficient infrastructure or manpower to be able to handle an emergency....not to mention the immoral placement of an enormous compressor station built so near to an elementary school. Kathleen Manfre

20151015-5159

Terry Nord, Rensselaer, NY.

On behalf of Save Burden Lake I request that the EIS address the points made by Dr. Sheila Bushkin at a Health Forum held on 9/30/15. Dr. Bushkin and her team of Concerned Physicians from NY along with Dr. David Carpenter have studied the health impacts in fracked gas infrastructure. We would like the EIS to address all of the material presented by Dr. Bushkin. Compressor stations are not appropriate to locate in residential areas. If this is permitted, we would ask for application of all known mitigation technology, including but not limited to electric motors, recapturing emissions, sound barriers, higher grade pipes and

welds. We would ask for rerouting the pipeline along highway options and moving the compressor stations away from residential/recreational areas.

Please use the following link for Dr. Bushkin's presentation.

<https://vimeo.com/142327653>

In addition, we would like the EIS to address the concerns of Dr. David Carpenter whose reputation is well known to FERC.

See Dr. Carpenter's comments at the following link.

https://www.youtube.com/edit?video_id=RPyXaAwHM_8&feature=em-upload_owner

20151015-5165

Amy Cabana, Temple, NH.

GOOD DAY, Based on my knowledge of how the federal government works, you are employed by us, the people of the United States of America, and your job is 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 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, but rather shipped off shore. 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 thought they would 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 motivation 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.

Arnold Piacentini

•••

PO Box 454 • Richmond, MA 01254
 Tel 413-698-2057 • Email symptrad@nycap.rr.com

October 15, 2015

Ms. Kimberly Bose, Secretary
 Federal Energy Regulatory Commission (FERC)
 888 First Street NE, Room 1A
 Washington, DC 20426

via: Electronic Submission

Re: Public Comment Period: Kinder Morgan (KMI)/Tennessee Gas Pipeline (TGP) Northeast Energy Direct (NED) proposal;
 FERC Docket Number: PF-22.

Dear Ms. Bose;

My name is Arnold Piacentini from Richmond, MA. I hold three degrees in Chemical Engineering and worked for the petrochemicals industry in several responsible forward-looking technical and commercial positions. I have 6 grandchildren, the 3 oldest of whom are granddaughters of child bearing age. My work is on a pro bono basis and aimed at helping younger and future generations.

In addition, I live in Richmond, MA where 3 TGP pipelines enter MA from New York. There is a gas hub in Richmond where passer-byes occasionally get a whiff of gas.

INTRODUCTION

Please accept and take seriously the following comments and do not be offended by their occasional bluntness. This is a serious problem. Also, please see that this document is widely circulated within FERC.

Before discussing the case against the above-referenced proposal, and indeed all other such infrastructure proposals, I would like to take a step back and to consider some background. FERC has hired hundreds of young people who may not have knowledge of the derivation of law and disastrous public policy that resulted from it. These have in turn created the unprecedented contentious situation between the citizens of our country and the most powerful Federal agency in the U.S. government. Commissioner Cheryl LaFleur acknowledged this 'situation' in her January comments to the Washington press.

A dichotomy has been created between the various States, and regional entities who feel an obligation to serve 'their regulator' FERC and their constituency, the people. A similar dichotomy exists with the people's representatives, Congress, which has passed some very poorly conceived laws. This dichotomy extends to the White House which has embraced a policy that derives from these poor laws. Citizens from all walks of life, economic strata and geographical areas are in opposition to this public policy and the laws behind it.

Many brave citizens have just completed on September 25th at their personal peril and extreme discomfort a hunger strike of from several to as many as 18 days outside of your offices. They are trying to gain the attention of FERC, the Secretary of Energy, the White House and Congress and many other government entities. Other citizens are chaining themselves to heavy machinery or devising "tree-sits" at great peril to themselves and/or undertaking other nonviolent direct action and in the process are being subjected to arrests and legal proceedings.

In my opinion the objective of these citizens and of the multitudes that write to FERC daily is to **demand that FERC cease the issuance of all new permits and revamp its procedures to be in alignment with the real needs of society.** I will provide my personal opinions of such driving forces and needs, much of this **in the context of the big picture that FERC appears to be ignoring.**

HINDSIGHT ... DICK CHENEY'S "ENERGY TASK FORCE"

A thorough discussion of this subject can be found in the literature (1). In retrospect it is clear that while the headline was to develop a National Energy Policy, the result was defined in private by Cheney and other federal agencies in concert with representatives of the fossil fuel industry. Of the 105 recommendations only 7 dealt with renewable energy (RE) sources.

The 2005 Energy Policy Act passed by Congress in essence made the minutes of all of the various closed-door meetings public. The Act contains a plethora of provisions. Most infamous among these are that this bill exempted fluids used in the natural gas extraction process of hydraulic fracturing from protections under the Clean Air Act, Clean Water Act, Safe Drinking Water Act, and CERCLA (2). It created a loophole that exempts companies drilling for natural gas from disclosing the chemicals involved in fracking operations that would normally be required under federal clean water laws — see exemptions for hydraulic fracturing under United States federal law. The loophole is commonly known as the “Halliburton loophole” since former Halliburton CEO Dick Cheney was reportedly instrumental in its passage.

Thus, emanated the birth of high-volume horizontal fracking (HVHF).

Prior to that the Oil & Gas Industry had been exempted in 1988 from the Resource Conservation and Recovery Act, known as RCRA, and in 1986 from the Community Right to Know Act. For this industry alone, chemicals such as benzene, toluene and xylenes are NOT hazardous materials!

So, you may ask why belabor these points? The existence of these exemptions is clear evidence that HVHF cannot be done in compliance with these environmental protection laws. It is also clear evidence of a major subsidy given by Congress on behalf of the society that it is supposed to represent to the profits of the fossil fuel industry including fracking and fracking-related industries, including fracked gas pipeline infrastructures.

ARE INHERENTLY CRIMINAL ACTS LESS SO BECAUSE OF THIS BAD LAW?

“Criminal law is the body of law that relates to crime. It regulates social conduct and prescribes whatever is threatening, harmful, or otherwise endangering to the property, health, safety, and moral welfare of people. It includes the punishment of people who violate these laws.” (30)

So, does the existence of a bad law make such acts as denying human and other life clean air, clean water and safe drinking water less criminal, less heinous? In my opinion, no. A bad law does not make an inherently criminal act either civilized or ethical.

The existence of this law and of the other exemptions granted to the Oil & Gas Industry have created the tragic circumstance in which our country finds itself ... citizenry of all ages on behalf of themselves and future generations are pitted against their own government and the elected officials who are supposed to be serving their needs.

It's time for our government and society to reject the corrupt and twisted principles of one discredited man in cohort with self-interested unprincipled representatives of a dying industry.

I ask that FERC act in a civilized and ethical manner and ignore the existence of this bad law as one of several reasons for not permitting these proposed fracked gas infrastructure projects, including the NED.

ENERGY SECURITY: The facts are in: peak oil is behind us; peak natural gas is behind us; peak economically-recoverable coal is behind us (46); **the cost to maintain our aged nuclear power plants is now uneconomic (47); and peak fracked gas is upon us (48).**

Many shales have peaked. Recoverable oil from the Monterey shale was downgraded by 96% last year. Most gas shales are estimated by knowledgeable sources to be over rated in their potential. Marcellus is forecast to peak in 2016; all others have already peaked. I believe that the decline in production from gas shales will be much greater than the EIA forecasts.

Such forecasts do not take into account the change in the economic and technical facts of the practice known as high volume horizontal fracking (HVHF). It is via fracking that feedstock for these proposed infrastruc-

tures would be produced. Fracking has already spread to every part of our country including New England (NE). The concentration of fracked gas in our gas distribution systems has grown to about 40% nationally, and to about 60% here in New England.

FRACKING HAS FAILED ECONOMICALLY AND TECHNICALLY

A few short years ago MLPs (Master Limited Partnerships) and equity interests in fracking companies were the darling of Wall Street. These MLPs have become toxic; investors are shunning them. Equity interests have endured significant declines in price. The debt for some of the largest fracking companies ranges from 90% to 200% of equity (4).

This occurred before the drop in crude oil prices last fall. For the 4-year period 2010 through 2013, for a universe of 20 shale operators, capital expenditures totaled 226.956 \$B while **free** cash flow totaled -79.016 \$B. The drop in crude oil prices has of course exacerbated this situation. It will take years, from 7 to 20, for some of the large drillers to pay off their long-term debt using 100% of Net Income.

Technically, about 70% of new shale production is going to offset rapidly declining production from existing wells in all major shales, including the Marcellus. **Given the financial condition of the drillers, it is logical to expect a decrease in new well count and, therefore, a decrease in production.**

Also, fracking bans are beginning to be put into effect, e.g. by the States of New York and Maryland, and by other communities across the country. Citizenry are demanding that this practice be stopped permanently. See also Reference (43).

The shale bubble is bursting. Capital destruction is underway. Contagion has spread to MLPs for pipeline companies; these, too, are being shunned by investors. KMI announced in 2014 dissolution of their MLP. Once burned, will high net worth investors again be lured by Wall Street to invest in this dying strategy? I think not.

Further, Forbes reported late last month that banks are seeking regulatory relief as their loans to oil and gas interests fall into distressed quality. Noteworthy is that Chesapeake has put their Utica shale interests up for sale.

One last point, late last month it was also reported by the worldwide fossil fuel divestment movement that so far 400 organizations have pledged to divest a total of \$2.6 trillion of fossil fuel investments. This is just the tip of the iceberg.

FERC should pay attention to all of these trends and adjust their policy to their reality.

EDCs show interest in increasing their dependence on fracked gas because they have been told by gas industry lobbyists that it will increase reliability and lower costs. ISO-NE seems likewise concerned with reliability. This metastasis of pipeline infrastructure of which the NED is just one example has emanated from a **supply-push scenario from the Marcellus shale that is now very much in jeopardy.**

EDCs, the New England (NE) States' Departments of Energy, ISO-NE and others are looking in the wrong place for reliability. FERC is leading them in the wrong direction.

Further, the claim by industry lobbyists and their parroting aides in various government agencies that more pipeline capacity would lessen the perturbations in price that seem to happen regularly at the height of the winter months has no basis in fact. A similar pattern occurs in Pennsylvania where no reasonable person could claim that there is insufficient pipeline capacity. It would be revealing if the States' Attorney General Offices (AGOs) would do some investigative work on the real cause of these price irregularities. Isn't this also one of FERC's responsibilities?

Kinder Morgan, Spectra Energy, Berkshire Gas, Columbia Gas, Boston Gas and many others with the help of self-serving gas industry lobbyists have tried to spin this into a demand-pull scenario for New England. Nothing could be further from the truth as subsequently discussed.

The other critical issue of the true cost of fracked gas will be subsequently addressed both in the context of costs and personal burdens transferred to society and the consequences of climate disruption.

IN OUR NEW PARADIGM RENEWABLES BEAT SUBSIDIZED FOSSIL FUELS

Many existing gas-fired plants are operating at low capacity levels (45). As energy efficiency (EE) programs and renewables energy (RE) investments are made, domestic energy demand will decrease further. **We are now entering a new paradigm where the cost of renewable energy sources from onshore wind and solar PV are lower than (subsidized) fossil fuel sources** (3, 44). This is where the New England and other states should focus their efforts. NE will need expansive EE and RE investment programs to replace its coal and nuclear dependence and to thereby reduce its cost of generating electricity. Why isn't FERC driving this?

It would probably be necessary to use some of the subsidies granted to fossil fuels to help get the offshore wind industry off the ground. Potential here is vast.

As touched on subsequently, if these various pipeline projects are built, and the operators are able to economically export liquefied fracked gas, as they dream of doing, the demand may increase just as the supply is diminishing, causing an increase in prices. The last time natural gas prices spiked 10-15 years ago dozens of the gas-fired power plants that had been built during the prior five to ten years were shuttered.

However, **the export strategy does not compute**. The US is a net importer of LNG. A study done by me has concluded that exported liquefied fracked gas is the marginal cost source on the world market. **Why has FERC not analyzed the export strategy?** Instead FERC approves unneeded LNG terminals such as Cove Point and dangerous salt cavern projects such as Seneca Lake!

In my opinion FERC and the public policy that is so dependent on fracking and gas overlooks the big picture. In so doing, our government is putting the energy security of our country at risk. To put energy security at risk is to put economic security at risk.

RELIABLE FRACKED GAS MODEL INDESPENSABLE TO SOUND ENERGY POLICY

The Massachusetts Attorney General's Office (AGO) is leading a regional study of needs and alternatives. The key to a reliable study whether it be done by the AGO, FERC or States' departments of energy resources is to use a reliable fracked gas cost model. This would be a gas model that includes what are sometimes euphemistically referred to as "externalities", also called "life cycle costs". I prefer to call them "**all of the costs transferred to society**". These costs are subsequently discussed qualitatively.

To arrive at a reliable regional long-term strategic plan quantification should be an input. The IMF has provided a study format (31). **For the United States in 2015, total fossil fuel subsidies have been calculated in post-tax dollars as \$699.18 B, equivalent to 3.824% of GDP, equivalent to \$2,176.53 per capita**. See also reference (38). It's necessary to input accurate comprehensive fracked gas costs into the model used for all studies used to define future energy policy.

It is their life cycle costs that are driving us away from coal and oil. We cannot allow ourselves to ignore these costs for fracked gas and build gas-fired plants. Otherwise, **we will** worsen the current situation and create a dire situation for younger and future generations.

Burning fracked gas is worse than burning coal from a greenhouse house gas (GHG) emissions consideration. From a toxicological viewpoint, one set of contaminants replaces another. Worse we are methodically distributing these contaminants into our water, air and soil. What madness! The public policy based on a bad law, the Halliburton loophole, is a tragic failure.

REGIONAL STRATEGIC ENERGY PLAN

The Massachusetts' AGO's study will help define the regional path forward with regard to energy (6) (7). While there has been a dearth of strategic thinking up to now, this study offers the hope of a sane path forward. The Low Demand Study issued in early January has been dismissed as not applicable.

USE EXISTING LNG IMPORT CAPACITY TO BRIDGE TO EE AND RE

My opinions can be succinctly stated, as follows. The LNG import facilities that are integral to the Algon-

quin system have served well to satisfy peak needs (8, 49), and can continue to do so provided that ISO-NE continues to include this flexibility in their winter reliability program, as was done this past season. Any justified minor debottlenecks should be implemented as a matter of normal business practices.

The region should continue to use this flexibility to implement a longer-term plan that meets the objectives set out in the AGO study outline. The decrease in crude oil prices widens the window of opportunity.

As the next logical step in our energy policy I favor both utility scale and distributed projects in solar and wind, both onshore and offshore. The unique opportunities in large-scale hydro sound interesting. The highly profitable energy efficiency strategy has significant potential to reduce future energy demand, to provide clean, local, reliable jobs and to stimulate the regional economy. Certainly, resiliency and security are integral components to a viable plan.

The lowest cost energy source in the US today is onshore wind. Advances in the manufacture of solar panels are driving costs down rapidly (3); solar PV costs should match those of onshore wind by about the end of 2016. Meanwhile Tesla is reported to be making advances in battery storage technology (3). The future is upon us.

As overall energy demand is reduced by energy efficiency programs and as more energy is generated from renewables, gas supplies from generation would be released for other uses, should some users such as LDCs wish to use them.

There are those who say that renewables will not serve mankind's needs forever (25). This is a valid point. I suggest that **we view renewable sources of energy as the bridge towards the next generation of energy.** This document is not the venue to discuss innovative technologies; but, there will be alternatives to both fossils and renewables available to us longer term.

CASE AGAINST FRACKED GAS INFRASTRUCTURE

The case against fracked gas and infrastructure including the NED is elementary and comprehensive. It is at the expense of public safety, public health, private and public property, economic livelihood and stable climate. And, we do not need it, and further it represents yet another shift of wealth in the wrong direction. What we do need now is to fix gas leaks and to invest heavily in energy efficiency projects and renewables' sources.

PUBLIC SAFETY

As part of the deregulated environment, corporations are allowed to write their own rules. Recall what this policy brought to us in the BP Gulf of Mexico spill.

The net result of this is that all pipelines are buried just 36 inches deep irrespective of the depth of the extreme frost zone. In rural areas, these companies allow themselves to use the cheapest pipe, i.e. the thinnest pipe, and to space the shut-off valves, used in the event of a breach, as much as 10-12 miles apart. When there is a breach, it's necessary to vent to the atmosphere more than the equivalent amount of inventory, as it takes time for the valves to be closed. If the release is ignited, the resulting explosion and fire would be spectacular and devastating.

PHMSA, a division of the DOT, compiles self-reported industry data (9). The average for the 9- year and 9-month period ending September 30, 2014 shows a significant incident rate of about 1 per week for gas transmission lines. For all pipelines, gas and liquid, transmission and distribution, the average is 4.5 per week. This rate is significantly higher than the prior ten-year period, as are damages from such incidents. Clearly, the pipeline industry in its current unregulated state is out of control, and DOT seems impotent to influence safety and left only to reporting. See Reference (42).

KINDER MORGAN TRACK RECORD IS POOR

It's worthwhile to remember that the Northeast Energy Direct project is being directed by Kinder Morgan, the parent of Tennessee Gas Pipeline Company. KMI's track record in environmental and regulatory matters has been documented in the press. It is an understatement to describe it as poor. The company has been con-

victed of felony charges and agreed to settle disputes regarding labor laws. A partial summary of their track record has been documented in reference (5), as follows:

Quote ... Kinder Morgan's safety record is far from stellar, both in our region and elsewhere. Residents of Sandisfield experienced a terrifying incident in 1981 when a boulder dislodged by blasting ruptured an existing pipeline, leading to a major gas leak and evacuation of hundreds of residents. As one Sandisfield resident wrote in the April 2014 Sandisfield Times:

“During blasting... a huge boulder flew into the air and landed on the operating first line, which was ruptured! At 760 PSI, a volcano of natural gas shot into the atmosphere. A crewmember told a reporter that if that gas had ignited, “it would have been like an atomic bomb.”... Families in north Sandisfield, Tolland, and Otis were evacuated. We were told to run for our lives leaving behind everything, including farm animals. Later, probably in the 1990s, TGP approached us to ask permission to install a “cathodic protection unit”... We were told that this measure was necessary because errors in the installation of the initial pipeline caused frost-heaving rocks to rub against the pipe.”

The pipelines proposed by KM will transport fracked gas at 1,450 psi, and therefore ruptures and explosions of these high-pressure pipelines would result in accidents of significantly higher magnitude.

One would be naïve to expect an accident never to happen. However, leaks, ruptures or explosions are all scenarios that happen regularly on similar high-pressure pipelines throughout the country.[1] According to reports from the U.S. Dept. of Transportation's Pipelines and Hazardous Materials Safety Administration (PHMSA) compiled on Wikipedia's Kinder Morgan page[2], 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.[3] The details of these events are horrific, and are certainly not scenarios we wish to see reenacted in the Berkshires.

In 2009, Kinder Morgan was cited by the PHMSA 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.[4]

In 2011, PHMSA cited Kinder Morgan for the following 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.[5]

In 2013, the headline “Wall Street Worries about Kinder Morgan's Safety Record: BC pipeline operator slashes and defers maintenance spending” (referring to KMI operations in British Columbia) was a concern to anyone who lived or worked near a Kinder Morgan pipeline.[6]

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.[7] 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%.[8]

Unquote. In my opinion, KMI is not the kind of company that we want to operate in New England and New York.

PRIVATE AND PUBLIC PROPERTY AND ECONOMIC LIVELIHOOD

Research has shown that, compared to neighborhoods with similar housing and demographic characteristics, neighborhoods within two miles of power plants experienced 3 to 7% decreases in housing values and rents with evidence of larger decreases within one mile and for large capacity plants (45).

The effect on values in proximity to compressor stations are much higher. For example, 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 (50).

The pipeline companies in the process that is set forth for them by FERC seek to receive a certificate of public convenience and necessity. With this and the various State permits, they are given the right of eminent domain. So, private citizens face losing the use of a part of their property. For this, they receive a modest one-time payment. Property values can be wiped out. The stigma effect decreases valuations of neighboring properties.

In a recent court case, a landowner was awarded a total of \$2.1 million for an easement that had been originally valued at \$79,979. The jury revalued the easement to \$282,500 and added an additional \$1,350,410 for diminishment of the remaining property value (51).

In addition, depending on whether they granted the easement they may also have liability. An industry consultant points out that pipelines are not usually mentioned as a hazard in homeowners' policies. That implies lack of coverage.

And, there may be jeopardy to one's mortgage. Fine print in some mortgagor paperwork requires a homeowner to inform them should a pipeline enter the picture.

Here in Massachusetts (MA), the proposed Kinder Morgan/Tennessee Gas Pipeline Northeast Energy Direct (NED) project would cross many miles of state conservation land, protected by MA Constitution, Article 97, put aside for future generations to enjoy.

Tourism, the arts, second home ownership and dependent businesses make up an important part of New England's economy. These activities are threatened by this fracked gas mania. Small scale agriculture, often organic in nature, is attracting many young people as a livelihood. Farmers' livelihood and our food supply is jeopardized by the specter of a toxic ecosystem and climate disruption.

PUBLIC HEALTH

Incredible decisions by FERC and the pipeline industry impact public health:

- To permit the construction of compressor stations and other pipeline infrastructure in the midst of population centers and, thereby, expose the populace to a constant dosage of radioactive and toxic chemicals.
- To ignore the distribution of these radioactive and toxic chemicals through the burner tip of the kitchen cooker and basement heater.
- To create **sacrifice zones** at the sources of the shale gas that deny our species and other life the basics of clear air, clean water and safe drinking water is unethical, uncivilized and criminal in nature.

Sacrifice zones are already growing around compressor stations, and, if this policy is left unchecked they will eventually extend over the entire ecosystem. The continuous emissions will become integral to our ecosystem.

Fracking has already spread to every part of our country including MA and NE. The concentration of fracked gas in our gas distribution systems has grown to about 40% nationally, and to about 60% here in New England.

- Compressor stations are sources of many releases of fracked gas either through purposeful releases such as "blowdowns" or accidental releases, such as releases from valves and gaskets weakened by corrosion and thermal stress. **The Interstate Natural Gas Association of America lists 21 sources of fugitive gas leaks including metering stations and pigging operations (10).**

- Gas turbines drive most of the compressors used; these run at varying degrees of inefficiency; 40% is considered to be a “high” efficiency for the 30,000 HP Titan 250 turbine/compressor systems that are currently favored by the pipeline industry for huge projects such as the Kinder Morgan NED. Smaller compressors have lower efficiency. Low efficiency results in significant quantities of energy being released to the atmosphere that is paid for by the consumer. Other releases include c2 to c4 hydrocarbons and products of combustion such as carbon monoxide, carbon dioxide, formaldehyde, sulfur oxides, and vast amounts of nitrous oxides.
- **The proposed NED project as currently envisioned will emit hundreds of tons per year of radioactive and toxic chemicals, emissions that a Kinder Morgan manager called “air” in a Richmond “information” session (37).** Nitrous oxide and sulfur oxide both cause adverse respiratory ailments and increased asthma symptoms. Formaldehyde causes eye and nose irritations, and is considered a carcinogen. There are many mechanisms for its formation.

It is the likely cause of nose bleeds experienced by children living near the Minisink compressor station. In a small study of 20 children from 10 families, 6 children were found to be suffering from nose bleeds (11). 7 of the 10 families have now moved, and many other families are trying to do so; these citizens are not being compensated for having their lives turned upside-down. A continuing citizen-lead study is encountering resistance (36).

Citizens living near compressor stations have repeatedly exhibited acute symptoms such as nose bleeds, sore throats, rashes, headaches, dizziness, nausea, depression, drowsiness, irregular heartbeat and the list goes on. Children and the elderly are especially vulnerable, as are people suffering from COPD and other respiratory ailments (24). A friend who lives in proximity to the Southeast Compressor Station in West Chester County has had her health negatively impacted and her life put at risk. Spectra refuses to provide notification of the regular unscheduled blowdowns (39).

Wilma Subra reports that 90% of individuals living and working within 2-3 miles of compressor stations report experiencing odor events and health impacts (12). Wilma is a MacArthur fellow and held positions in the EPA National Advisor Council for two decades.

Also released are residual fracking chemicals (so-called VOCs or volatile organic compounds), which are unburned in the process. These chemicals are known carcinogens such as benzene and naphthalene, neurotoxins such as toluene, ethylbenzene and xylenes, and endocrine disruptors. Dozens of chemicals have been detected in fracking fluids, in the drilling fields and around compressor stations. Dr. Carpenter and his colleagues have also documented the presence of these chemicals in one of the earliest peer-reviewed studies (13).

Chronic health effects are numerous and dire, if not deadly. 61% of health impacts are associated with chemicals present in the air in excess of Short and Long Term Health Screening Levels as reported by Wilma Subra.

Their synergistic effects with other compounds, resulting in increased toxicity, have neither been studied nor addressed in the regulatory process. For example, ground level ozone, produced by the interaction of nitrous oxide and VOCs, impacts the respiratory system, lung function and cardiovascular system, and reduces crop yields by as much as 30% (14).

There have now been upwards of 600 peer-reviewed studies that document the presence of toxic chemicals and adverse health effects in proximity to the drilling fields. Mutagenic, teratogenic and carcinogenic effects are being documented (35). Remember Love Canal.

Medical professionals in Pennsylvania and Texas have been hit with gag orders.

The fracking companies have hidden behind the exemptions and refused to identify the chemicals they use. In a recent court case, the Department of the Interior was ruled against in their suit to force disclosure (33). The “Frac Act” that would have forced disclosure and other procedures is lying dormant in committee (34). Why the big secret ... EPA, FERC, Congress, Gas Industry, Independent

Petroleum Association of America?

Hydrogeologists have opined that fracking technology that uses upwards of 500 chemicals does not make sense. The number of fracking related chemicals is staggering, about 750 according to the Congressional report. Personally, I find it implausible that HVHF constitutes a studied coherent ‘technology’ as has been touted. Imagine the logistics of preparing a cocktail with hundreds of chemicals, and then adjusting it as “produced water” is used instead of fresh.

Further, there is hearsay and speculation that unscrupulous companies may use their exemptions to hide the practice of injecting toxic chemical waste, and, perhaps, are paid to dispose of hazardous materials from other industries. Personally, I find such speculation plausible when I recall various Superfund sites. I live a few miles from the GE PCB Superfund site in Pittsfield, MA. Citizen groups, the EPA, FERC and the States’ departments of environmental conservation and public health need to do vigilant investigative and monitoring work on all of this.

Clearly our water resources are at risk and in many instances have already been poisoned. In my opinion it is also likely that the VOCs emitted by compressor stations contain trace quantities of both naturally occurring and man-made toxic chemicals from HVHF. Trace quantities add up to thousands of tons per year.

Further sources of toxic materials result from use of lubricants and corrosion inhibitors. Corrosion inhibitors are injected to scavenge for hydrogen sulfide. Pigging operations discharge sludge created from this. Such sludge would most likely also contain highly radioactive compounds, as well as heavy metals. Condensate from compressor stations also contains these chemicals. Is handling and disposition of sludge and condensate monitored?

PCBs are present in the Algonquin pipeline system, presumably only from historic use (32). This system is PCB-regulated. Due to the interactions of pipelines in the complex NE transmission and distribution systems, FERC should investigate whether the NED is at risk of contamination.

- Compressor stations are also sources of noise and light pollution. Noise levels often exceed OSHA guides for safety; decibels levels exceeding 90 have been measured at the fence-line. This in combination with 24-7 lighting interferes with routine human living practices. Compressor stations are an obnoxious neighbor and can destroy the quality of life of people in their vicinity.
- Radon is a component of shale gas. Radon concentration in Marcellus shale gas is significantly higher than in gas from all other shale deposits. The radium content of Marcellus shale measures about 3.5 times higher than the US average. Radon is the progeny of radium.

Radon has a short half-life (about 3.8 days), long enough to be emitted as airborne releases in the transmission and distribution pipeline systems. It is the second leading cause of lung cancer in the U.S. – the first cause for non-smokers (16).

When Radon decays, it decays to and is precipitated as Polonium, a deadly radioactive element with a half-life of about 6 months. When Polonium decays, its progeny is lead. We are well aware of the hazards of lead in the environment. Laws are in effect which regulate lead in gasoline and paint. The final dispositions of these compounds have not been studied.

In addition, radium can form other radioactive compounds that have a long half-life, measured in decades or longer. It is supposed that such radioactive solids accumulate as part of the sludge that is removed in pigging. Their disposition has likewise not been studied. Laws are in effect that regulate releases of radioactive materials to air and the environment. In May a study was published that shows high radioactivity in fracking waste water.

- Given the enormous quantities of fracked gas containing VOCs, products of combustion, and radioactive materials that are released to the atmosphere by compressor station and other operations, it is highly likely that these toxic materials would accumulate in water bodies and ground water. Humans, fish, birds and other wildlife would be endangered. The safeness of drinking water would be jeopardized.

dized. The maintenance of organic-type farming is highly problematical. Kinder Morgan has stated that their expectation for the NED is that, ultimately, compressor stations could be 20 miles apart (20)!

- Natural and fracked gas is piped into large population centers where distribution systems may be 60-70 years old (15). Consequently, leaks of methane and all of its contaminants abound. This same fracked gas also exits the burner tips of cooking stoves and heating units in the homes of residents at the receiving end of the pipeline infrastructure. This will increase health care costs and reduce quality of lives, as well as life expectancy.

The States' Departments of Environmental Conservation and Public Health do not test for any emissions including of these compounds, relying on "data" provided by industry operators in their own self-reporting. Industry operators serve their own interests with no regulatory oversight. They just estimate nitrous oxide and a few other emissions based on throughput.

New York State's (NYS) Department of Health (DOH) concluded "Until the science provides sufficient information to determine the level of risk to public health from HVHF to all New Yorkers and whether the risks can be managed, DOH recommends that HVHF should not proceed in NYS." (19)

I believe that this exact statement can be made and position taken relative to the effects of fracked gas pipeline infrastructures. We should cease building them.

Medical professionals have a similar view. The American Medical Association has called for a freeze on issuing infrastructure permits until an official Health Impact Assessment is conducted on the full life cycle of shale gas development. And a Medical Society of the State of New York (MSSNY) Resolution calls for governmental assessment of health and environmental harms and risks from pipelines (39) (40). Concerned Health Professionals of New York and Physicians for Social Responsibility have expressed a similar view in a recent letter to Governor Cuomo (41).

METHANE EMISSIONS ARE VAST AND NOT ACCOUNTED FOR

- The public policy of replacing coal and heating oils with fracked gas was developed with the intent of reducing carbon dioxide emissions and other contaminants. The policy has proved to be a complete and tragic failure. By doing so, we are actually accelerating global climate change because of the vast quantities of methane being released to the atmosphere when fracked gas is extracted, transported, and stored. We are replacing one set of toxic contaminants with another set of toxic contaminants. Burning fracked gas will prove to be more detrimental than burning coal.
- Methane is the main component of natural and fracked gas. Methane is a far more potent contributor to the greenhouse gas (GHG) effect than carbon dioxide on the order of 70-86 times more potent over 25 years, 25-32 times over 100 years, and 5 times over 500 years.
- Methane is leaked throughout the entire process of drilling wells, hydro fracturing, and gathering, processing, transporting, and distributing fracked gas to end uses. The liquefaction and shipment of natural and fracked gas releases further significant quantities, as gas is purposely vented in order to cool the remaining inventory.
- Many fracking wells are poorly constructed and maintained. Almost all wells leak and/or will leak methane from a 'low' level of 3% to a high level of 20+%. Many wells that have been taken out of production in Pennsylvania and also in Colorado are being left uncapped and continue to vent methane into the atmosphere.
- In addition, the vibrations from the drilling and fracking processes loosen the earth around the well-head hole; these fissures provide further routes for methane leakage.
- DPU has commissioned its own exhaustive study of LAUF gas (29) and is well aware of Senator Markey's study of gas leaks in MA (17) and Harvard's in the greater Boston area. Also, consider reference (18), "A Bridge Too Far, The Climate Case against Natural Gas in MA".

- Let us recall that nitrous oxide is a very potent GHG, 298 times carbon dioxide, staying in the atmosphere for 114 years (27).

The gas model has grossly underestimated the contribution to GHG emissions from the wellhead to the burner tip. Leaks abound. The subject of lost and unaccounted for (LAUF) gas could fill several pages. Why have FERC in conjunction with the EPA not adequately addressed this critical issue?

CLIMATE DISRUPTION:

To ignore the realities of climate disruption, caused by the enormous releases of methane and nitrous oxide from this fracked gas mania, especially on younger and future generations is careless, negligent and a potentially fatal act to the species.

To ignore the real and enormous benefits to economic activity and job creation by fixing gas leaks and by investing in energy efficiency and renewable sources is totally inexcusable.

REALITY OF GLOBAL CLIMATE CHANGE REPORTED

Two reports were issued in 2014 that confirm the reality of global climate change. The World Bank study ranks 136 cities likely to experience damage by flooding. In the top 10 were 5 US cities: Miami is ranked #2, New York #3, New Orleans #4, Tampa #7, and Boston #8. **Aggregate world-wide damages from rising sea levels could climb to \$1 trillion per year by 2050. Damages from other manifestations of climate change such as droughts, wild fires, violent storms, etc., are not included in this estimate. Nor has the toll on life, human and otherwise, been described.**

The United Nations study concludes that climate change is irreversible.

Just weeks after the largest climate mobilization ever, the People's Climate March in September 2014, the world's two biggest polluters at that time -- the United States and China -- announced their most ambitious climate action yet.

The **Clean Power Plan**, released in August 2015, by President Obama and EPA Administrator Gina McCarthy **mandated steep reductions in GHG emissions from U.S. power plants.** A combination of provisions changed from the draft plan issued last year provide an incentive for States to favorably implement renewable energy programs over fracked gas power plants. **This plan does not allow new gas-fired power plants, defined as any with a construction start-date after January 8, 2014, to qualify as a means to comply with this new law aimed to address global warming pollution.**

It's time for FERC, ISO-NE and the NE States, to integrate the realities and implications of climate disruption into their decision making.

FERC

FERC acts with powers taken from the Federal Power Act and the Natural Gas Act. You take from this the power to regulate prices and infrastructure. **You are required to comply with NEPA, the National Environmental Protection Act.**

FERC'S JURISDICTION IS LEGALLY CHALLENGABLE

The Natural Gas Act does not include fracking and fracked gas. The process of extraction, the resulting product and the environmental effects are quite different and distinguishable from those for conventional natural gas.

Commissioner LaFleur's comment to the Washington Press to the effect that FERC is not the EPA supports my belief. FERC is not empowered to regulate the environment. By proliferating infrastructure **FERC IS regulating the environment, albeit in a disastrously negative way.**

FERC should recuse itself from further decisions on pipeline infrastructures on this basis alone.

THERE IS NO NEED FOR THE NED

New England has met its needs by using the existing LNG import capacity and can continue to do so (4, 49). Meanwhile energy efficiency and renewables investments are steadily decreasing energy demand. This will release gas pipeline capacity for LDCs.

The new cost paradigm makes onshore wind and solar PV less costly than fracked gas.

The US is a net importer of LNG. Exported liquefied fracked gas is the marginal cost source on the world market.

Investing in gas pipelines now would be a gross misallocation of capital and an insult of the highest order to democracy and to all but the wealthiest citizens who would benefit financially by this further transfer of costs to society.

FERC'S MOST EFFICIENT ACTION WOULD BE TO CANCEL THIS PROJECT NOW

By cancelling the ill-conceived NED proposal now FERC would save FERC, KMI, hundreds of environmental protection and grass roots organizations and thousands of citizen-activists years of time, manpower and funds.

Should FERC continue the dance, it must comply with Court decisions and NEPA.

SEGMENTATION

The June 6, 2014 D.C. Court of Appeals faulted FERC (28) for allowing the use of segmentation by pipeline companies. This is the process by which they purposely progress a big project in so-called "small" increments, sometimes taking the position that the impact is small and, therefore, requires only an EA, an Economic Assessment, rather than an EIS. Sometimes, the pipeline companies ask for an expedited review that would require no environmental study. Kinder Morgan had the audacity to do so on the so-called Connecticut Expansion Project, CP14-529, an illegal segment of their originally proposed Northeast Expansion Project.

Kinder Morgan has recently decreased the size of the NED by eliminating a couple of laterals, reducing the diameter from 36" to 30" and staging their compressor stations. Simultaneously, their Public Relations Manager has warned that the decrease could be temporary. KMI seems to taking a cue from gas industry lobbyists and consultants that the NED is a "scalable" project. To me this is a code phrase for segmentable. Further, last year their Project Manager stated that the NED could have compressor stations every 20 miles (20).

According to the D.C. Circuit ruling, FERC should require a complete EIS for the potential project scope.

NEPA REQUIRES ALL AND CUMULATIVE ENVIRONMENTAL EFFECTS FROM THE WELL-HEAD TO THE DISTRIBUTION POINTS OVER THE LIFE OF THE PROJECT

Though FERC may not be the EPA, it is subject to NEPA. The EIS should include the following costs that the NED proposal would transfer to society:

- o Total methane, nitrous oxide and other GHGs released to the atmosphere;
 - The impact of this amount on global climate disruption
 - The cost to recover from and remediate this impact
- o Total amount of carcinogens, neurotoxins, endocrine disruptors and all other toxins by identity of chemical compounds;
 - The total costs of the adherent effect on public health in deaths, illnesses, healthcare costs, lost work time and related social costs
- o Total costs of environmental consequences due to losses in economic activity, damages to ecosystems, water sources, farms and food supply
- o Total ecosystem capital used and, therefore, unavailable for future generations

- o Total decreases in real estate values to citizens, communities and the States
- o Total damages to community infrastructure

FERC must also consider the cumulative impacts of related pipeline proposals.

FERC should refer to the foregoing discussions and References (31) and (38) to start the calculation.

FERC PROCEDURES ARE NEGLIGENT

After studying FERC's procedures I have come to the conclusion that FERC along with the industries that it serves have been negligent, and, perhaps, criminally so, in many aspects of how it progresses proposed projects.

There are engineering improvements that could be made to the design of these infrastructures that would reduce the impact on human and other life; these have been totally ignored by FERC and the industry. **Your joint optimum has been the lowest direct cost at the greatest expense to society. Change your methods. FERC must include the No-Build Option in their methodology.**

THE ALTERNATIVE IS CLEAN, RENEWABLE ENERGY, THE NEW ECONOMY AND JOB GROWTH

Should there be any doubt that **such sweet alternatives exist**, I will just summarize this subject here.

- A GIS-based study, geographical information study, assembled by the Frontier Group focused on renewable energy (RE) sources from solar and wind. The objective was to determine the glaring and large sources of renewable energy (21).

The result is stunning. **New England can meet its energy needs multiple times over:** Maine by a factor of 153 just via Offshore Wind, MA by a factor of 16 via Rooftop PV, Other Solar and Wind and CT by a factor of 1.8 via solar PV and offshore wind. **Overall, the NE factor is over 200!**

Third party studies not GIS-based including a wind study by ISO-NE conclude that high RE scenarios are achievable. This is with existing technology and at reasonable cost. Needless, to say, barriers exist and trade-offs would be required. The decisions we make now will determine when we get there.

- PERI, the Political and Economic Research Institute at U Mass completed last year a **very detailed and in-depth study** (22). This resulted in a model for how the US could transition to the NEW Economy to meet 2030 GHG emissions reductions.

The report is over 400 pages long. So, I will again have to cut to the chase.

PERI's Conclusions:

- **“Can we control climate change? Yes**
- **What will it take? Becoming 30% more energy efficient, and using renewables for 22% of our remaining energy need.**
- **What will it cost? \$200 billion per year (1.2% of current GDP).**
- **Who Pays? 25% government, 75% individuals and businesses.**
- **Who benefits? People who live on earth.**
- **What happens to employment? 2.7 million NET new jobs created.**
- **Do we have to go back to a horse-and-buggy economy? No.**

Changing our behaviors will of course improve environmental outcomes. We can continue to have improved standards of living by using energy more wisely.”

And conversion to an energy efficient and renewables based policy will increase job growth and stimulate the economy!

- o For example, PERI's model creates 3.1 times as many NET new jobs than investments in fossil

fuels.

- o Investing in the new economy creates from 3 to 7 times as many NET new jobs than peak jobs in building pipelines, and these jobs are mostly local; they are clean, ethical and steady.
- o Other metrics from PERI's work: investments in wind and solar create about twice the number of jobs per unit of investment than fossil fuels and/or pipelines. The metric for transportation and energy efficiency is +/- 4 times as many.

Here is an alternative presentation of some of the same data, a tabulation that has been reproduced from material provided by the Energy Justice Network, <http://www.energyjustice.net/files/md/PGgasplants.pdf> that shows the following:

Natural (i.e. Fracked) Gas = Fewest Jobs

	Jobs per \$1 million Invested	Jobs per \$1 million output
Mass Transit	22.3	11
Biomass	17.4	7.4
Building Retrofits	16.7	7
Solar	13.7	5.4
Wind	13.3	4.6
Smart Grid	12.5	4.3
Coal	6.9	1.9
Oil	5.2	0.8
“Natural” Gas	5.2	0.8

Unions are leading their membership in the wrong direction. They should partner with climate action advocates to lobby for higher capital allocations towards investments in energy efficiency, transportation and renewable energy sources. And, FERC should be driving this.

Should there be any doubt that we are at a turning point in our energy policy, energy, i.e. fossil, stocks have been steadily declining since June 2014. In the past year, as crude prices have fallen more than 55 percent, the nine biggest Western oil companies have shed a combined \$400 billion in market cap as of about mid-August, according to data pulled by FactSet (26). This trend is likely to continue.

IN CONCLUSION

The KMI/TGP NED is not in the public interest:

- **Gas model excludes significant costs and personal burdens transferred to society;**
- **Demand-pull scenario is a mirage;**
- **Supply-push scenario is rapidly disappearing;**
- **Alternatives are available and attractively priced;**
- **Citizens do not want it!**

By ignoring the big picture FERC is putting our country's energy security at risk. To put energy security at risk is to put economic security at risk.

Again, I ask that FERC cancel further consideration of the NED proposal.

Thank you for the opportunity to comment.

Do not hesitate to contact me with any questions, comments or requests for referenced documents.

Sincerely,

Arnold Piacentini, Pro Se

Arnold Piacentini, BS, MS and PhD in Chemical Engineering

Footnotes:

- [1] No Fracked Gas in Mass website: www.nofrackedgasinmass.org
 - [2] Kinder Morgan. http://en.wikipedia.org/wiki/Kinder_Morgan#cite_note-20. Retrieved December 1, 2014.
 - [3] PHMSA Pipeline Safety State Pages at <http://primis.phmsa.dot.gov/comm/States.htm?nocache=3971>.
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20151015-5173

Mary Tyler-Wall, Temple, NH.

Dear FERC, INSTALLING a compressor station which emits hundreds of thousands of tons of toxins annually in a beautiful rural neighborhood next to an elementary school is a TERRIBLE IDEA. Please require them to install the compressor station in an area already zoned industrial.

Thank you,

Mary Tyler-Wall

20151015-5178

Wendy Drouin, Temple, NH.

Allowing a compressor station emitting hundreds of thousands of tons of toxins annually next to an elementary school is just inconceivable! Something tells me, if your children or grandchildren went to Temple Elementary School, this compressor station and pipeline would not be approved. People's health and livelihoods are at stake. This is not a pipeline for the good of NH it is a pipeline for corporate greed. Eminent domain is supposed to be reserved for public good, not lining private pockets. Between noise, light and air pollution I am not sure how in good conscience say "Sure let's ruin THOSE people's lives. The end does not justify the means.

Thank you for your time and attention to this matter.

Sincerely,

Wendy Drouin

Docket PF14-22.

20151015-5180

**BLOOMFIELD
CONNECTICUT**

Office of the Mayor
TOWN OF BLOOMFIELD
800 BLOOMFIELD AVENUE
BLOOMFIELD
CONNECTICUT 06002
TEL 660.769.3500
FAX 660.769.359B

October 15, 2015

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

RE: PROPOSED NORTHEAST ENERGY DIRECT (NED) PIPELINE PROJECT, TENNESSEE GAS PIPELINE LLC/KINDER MORGAN (FERC DOCKET NO. PF14-22-000)

Dear Secretary Bose:

We have been following the Kinder Morgan/Tennessee Gas Pipeline proposed project with great interest. On behalf of the Town of Bloomfield, I am writing to request an extension on the October 16th deadline to accept pre-application comments in an effort to determine the answers to a number of questions concerning the pipeline that have yet to be fully answered by Kinder Morgan/Tennessee Gas Pipeline, the pipeline's prospective customers, and state and federal regulatory parties.

Before making a decision on whether to support/support with conditions or oppose/oppose with conditions the installation of the pipeline, the Bloomfield Town Council by unanimous vote felt clarification was needed on a number of issues and that the comment period should be extended. These include:

- The ability of local service providers (Connecticut Natural Gas in Bloomfield) to access additional gas supplies and if so what effect that would have on gas prices in Bloomfield;
- The ability of many Bloomfield residents to have gas delivered to their homes through the expansion of the local gas distribution system if additional gas supplies become available, which many of our residents desire and have advocated for somewhat aggressively within the past year in an effort to lower their energy bills;
- Safety issues concerning both the existing pipeline and the proposed pipeline (specifically Kinder-Morgan's safety record);
- The issues raised by the Hartford Metropolitan District Commission and our water supply (unresolved alternative route location for the pipeline if it is to proceed in a different location);
- Potential impacts on property owned by Bloomfield's Wintonbury Land Trust, the Town of Bloomfield-owned Wintonbury Hills Golf Course, etc.;
- Issues related to property restoration and right-of-way acquisition should the pipeline project proceed;
- The degree to which the additional resources have been promised or contracted for by companies outside the New England area and/or outside the United States;
- The percentage of new resources guaranteed to be available to New England, Connecticut and Bloomfield proposed customers;
- And finally the anticipated "life" of the gas sources providing the additional gas.

I understand there have been several meetings at which time some questions were answered; however, this has only heightened the need for more information before a reasonable, educated position can be taken by the Town. Further, these meetings were held within a short period of time without adequate notice and without input from the elected or appropriate leaders of all affected communities.

Lastly, I am requesting that no regulations be promulgated or published until after the comment period and all our questions are answered.

Sincerely,

Sydney T. Schulman
Mayor - Town of Bloomfield

20151015-5182

Sarah Ganong, New Haven, CT.

Dear FERC,

Drinking water reservoirs need healthy lands around them to filter and protect the water our families use. Clear-cutting and digging a trench 90 feet wide, 5.5 feet deep, and 5.7 miles long through land that protects my drinking water and that of hundreds of thousands of my neighbors is a bad idea! Natural gas pipelines nationwide have suffered alarming failures that pollute water and soil, and put people at risk. Kinder Morgan should find another place for its pipeline—or better yet, invest in renewables and stop wasting money on outdated fossil fuel infrastructure.

Sincerely yours,

Sarah Ganong
Connecticut

20151015-5186

kaela law, nh, NH.

Good Afternoon,

I live in the town of Pelham, NH along the Northeast Energy Direct Pipeline route. Coincidentally I also live along the Merrimack Valley Reliability Project's route. In fact, there is a stake in the ground right at the edge of my 1 acre property delineating the placement of a new transmission tower to hold the overhead wires. Right now I am sitting with a comprehensive paper copy of the Merrimack Valley Reliability Project's maps across my lap and the Northeast Energy Direct's project maps up on my computer screen via the Nashua Regional Planning Commission website. Both maps show a line in the EXACT SAME LOCATIONS. I repeat these maps are telling me that the pipeline and the new series of transmission towers will sit right on top of each other. It can't be both, so which project maps are accurate and which are inaccurate? Please have TGP / Kinder Morgan address the Merrimack Valley Reliability Project in their response to our scoping comments. It is unreasonable to expect the Town of Pelham can prepare accurate scoping comments when we still do not have an accurate picture of where this pipeline will be sited. Given that National Grid has presented before the Conservation Commission and is already working with NHDES on mitigation within our town, the Merrimack Valley Reliability Project's timeline is much further advanced than the Northeast Energy Direct's and so I believe that TGP / Kinder Morgan has failed to show the town of Pelham how it is proposing to site their pipeline around the M.V.R.P. Again, please have TGP / Kinder Morgan address the following in their response to our scoping comments: An updated map showing a more accurate pipeline route through the town of Pelham. Additionally please extend the scoping comment period for the town of Pelham at least 60 days after such time that we have the appropriate maps.

Here is a link that explains the Merrimack Valley Reliability Project. http://www.ma-nhsolution.com/merrimack_valley_reliability_project - At the very least I expect FERC to make a few phone calls to National Grid / Eversource to receive more in depth knowledge about the Merrimack Valley Reliability Project.

Shannon Baxevanis – Stakeholder Relations email: Shannon.baxevanis@nationalgrid.com 781-907-3289

To measure environmental impacts of the Northeast Energy Direct pipeline without factoring in the Merrimack Valley Reliability Project would leave you with an incomplete report, and that will not stand.

Additionally the Northeast Energy Direct Pipeline, as it is being presented to us right now, carves through Pelham's Aquifer Conservation District. Other towns in New Hampshire with Aquifer/Groundwater Conservation District zoning include Winchester, Rindge, Wilton, Milford, Brookline, Hollis, Merrimack, Litchfield, Windham and Pelham. Please have Kinder Morgan address these in their response to our scoping concerns.

20151015-5187

Matthew Cabana, Temple, NH.

To whom it may concern:

I am writing to you on behalf of my family and neighbors in the South West corner of the State of NH.

I have attended all of the scoping meetings to date. I am in awe at the lack of oversight that we have seen with this project to date. This project will tear a scar through untouched wilderness and overrun multiple conservation areas that were to remain untouched for eternity. All this for a project that is designed to export natural gas out of our country. It is an unheard of taking by eminent domain for private use.

Please look closely at the aquifer surrounding the area of the proposed compressor station in New Ipswich, NH. This land already has a documented presence of lead and any disturbance of the soils will affect not only the local wells, but the local water supply for the town of Greenville, NH.

Please also note that this compressor station is located within 1/4 mile of our Elementary School which also doubles as the Towns emergency shelter. Should there be an incident at the compressor station, it would effectively block our emergency services from the rest of our town.

There are so many reasons to say no to this project, it defies belief that it is still being considered. Please use great care and diligence when reviewing this application and strike it down.

Please look at the inequity of opinions for and against this project. Thank you for your time and consideration.

20151015-5189

KAthleen Gauvin, New Ipswich, NH.

WATER SUPPLIES

Most of the towns along the NED have no public water and thus all homeowners and businesses have their own private wells. As private wells depend on aquifers from which to extract their water and in that aquifers can be damaged and contaminated when blasting is done, I request that blasting be eliminated from the planned construction along the NED route.

I would also request that the wells along the pipeline be tested for water quality and quantity pre-construction and post construction. This testing shall be conducted by an independent company and results shall be made public. The wells within 500 feet of construction as well as compressor stations must be tested for water quality and quantity pre-construction and post construction.

In addition I request that prior to permitting an independent hydro geological study be conducted so that aquifers can be identified. Any impact to these aquifers during pipeline construction as well as in the area of compressor stations will be irreversible.

The springs along the pipeline route and compressor stations will undoubtedly be affected as well. These springs are requested to be studied prior and post construction by an independent hydro geologist company. Any impact to these springs during pipeline construction as well as in the area of compressor stations will be irreversible.

Please EXPLICITLY define in your reports how compromised aquifers, private citizen's wells, and municipal reservoirs will be restored as by all research I have conducted and read states that once ruined the water supplies are never reversed.

Once our water supplies are contaminated, it appears that you would offer us water tanks known as pigs. How can you guarantee that this type of water supply would work for us in the winter temperatures that we experience in Massachusetts and New Hampshire?

It is clear that this pipeline project and compressor stations located along the route was plunked down without forethought of our non-typical conditions.

We will not have any benefit from this project that will ruin water supplies. Who will insure that this doesn't

happen? Sadly, I don't see that Kinder Morgan/Tennessee Gas has ANYONE IN MIND but themselves and their profit. TO THINK THAT THIS HAPPENS IN THE UNITED STATES OF AMERICA! FERC, KINDER MORGAN AND TENNESSEE GAS SHOULD BE ASHAMED, BUT CLEARLY THEY HAVE NO SOULS, NO MORALITY, NO THOUGHT FOR THE EVIL THEY CREATE!

20151015-5191

David Johnson, Hamden, CT.

Dear FERC,

Drinking water reservoirs need healthy lands around them to filter and protect the water our families use. Clear-cutting and digging a trench 90 feet wide, 5.5 feet deep, and 5.7 miles long through land that protects my drinking water and that of hundreds of thousands of my neighbors is a bad idea! Natural gas pipelines nationwide have suffered alarming failures that pollute water and soil, and put people at risk. Kinder Morgan should find another place for its pipeline—or better yet, invest in renewables and stop wasting money on outdated fossil fuel infrastructure.

Sincerely yours,

David Johnson

20151015-5192

Attilio Qualtieri, Lynnfield, MA.

To: FERC

Re: Tennessee Gas Pipeline, L.L.C (Kinder Morgan Pipeline)

I am writing this letter in strong opposition of the Kinder Morgan/Tennessee Gas pipeline which is aiming to come into the Northeast. Regardless of my own interests or those of my family, neighbors or the environment, this pipeline is just plain wrong in principle and does not meaningfully benefit the people of New England from a supply perspective – and especially as current gas lines are not nearly being used to capacity.

In my opinion (though based on facts), this project is clearly not about providing natural gas to the New England region, as Kinder Morgan suggests. If this were the case, why would the 24” pipeline plan to head from Dracut, MA to the coastline? Kinder Morgan will spin this in whatever way they can, but I ask that diligence be undertaken in approaching this firm, which is led by a former Enron executive (Richard Kinder).

To that end, how can the firm be trusted? Trust is an important consideration in this process, I would assume. Beyond their leadership, they have a very poor performance record with safety and soundness of pipelines. This particular project puts the health and well-being of U.S. citizens at risk and must be weighed accordingly. This is not a small endeavor; this is a major, high-pressure gas pipeline!!

Please look closely and ask important questions of Kinder Morgan. This pipeline is inevitably for export and to pad the pockets of a firm that is already 700-800x the size of my town of Lynnfield, MA, and with a considerable greater degree of influence. If it is not for public use, eminent domain cannot be enacted.

All told, there is no need for a Lynnfield Lateral from Dracut, MA to the shoreline. The lateral only serves the purpose of providing gas to the shoreline to export for cash. It's not for natural gas capacity.

Please place the concerns of myself, my neighbors, our state, our country and our environment ahead of a corporation looking to increase its profit margins.

Sincerely, AJ Qualtieri

20151015-5194

Patricia Lage, New Ipswich, NH.

My name is Patricia Lage and my family moved to New Ipswich, NH in 1987 to be in a quiet, rural area away from noise, pollution and congestion. We chose New Ipswich and the Monadnock area because it had little industry and had historical homes and natural beauty. The NED pipeline and compressor station will ruin New Ipswich and the Monadnock region as we know it. Our home will be within 1 mile of the proposed compressor station and we will be exposed to carcinogens and pollution. Residents of New Ipswich and the surrounding towns rely on private wells and this pipeline puts our water supply at risk. Fumes from blow downs will impact our bodies. Our health will be compromised by the pollution from the compressor station and pipeline. The Temple Elementary School is located within the incineration zone. Should our children be exposed to toxic releases and the possibility of an explosion as they attend school? There are many organic produce and livestock farmers in close proximity to the proposed compressor station and pipeline that will be affected by air, water, noise and light pollution. We have recreational areas such as the Windblown Cross Country Skiing area that will be torn up with this pipeline. Our streams, ponds, lakes and brooks and associated wildlife will be put at risk. We have a very limited economy in New Ipswich and in the surrounding rural towns which depend on the clean air and water and the natural beauty of the area. The NED project has the potential to destroy all of it.

When I first saw signs opposing the pipeline in Groton and Dunstable Massachusetts I said “thank God New Ipswich is not being railroaded with this pipeline”. Now low and behold, the wealthier towns in Massachusetts have fought and pushed this pipeline out of their towns and onto the less wealthier towns in Southern, NH. This is so unfair. We do not have any infrastructure to provide this fracked gas as a heating alternative to our town’s residents and will not benefit from this gas, so why should we be burdened with the pollution and the destruction of our property values to benefit towns and cities that will use gas from this pipeline?

Another issue is the amount of granite ledge which runs thru southern NH. There will have to be much more blasting during construction to put a pipeline thru the Monadnock region. This will have an increased risk to our private wells, our only water supply. Shouldn’t an alternative path be chosen to minimize risk?

Also, we are a small town with a volunteer fire and emergency management department. Our town budget is already strained and property taxes are so high that we cannot increase these services to handle a potential fire or explosion that will be possible if the gas pipeline and compressor station are placed in our town. We do not have the personnel, training, or the equipment to fight a potential catastrophic event. We do not even have 24 hour police coverage in our town. Will Kinder Morgan be responsible to police the compressor station 24/7 to keep a potential terrorist or vandals from wreaking havoc here? Also, we have a limited road network and the path of this pipeline crosses our major roads. If an explosion occurs in the areas of these road crossings we may have no alternative route for travel. We only have a very small hospital in Peterborough, NH which patients will be cut off from if Route 124 is compromised by an explosion.

Please consider how our lives and the lives of our children will be irreparably harmed if this pipeline and compressor station are allowed to be built in our town. Please protect our families from this monster. Just say NO to the NED pipeline!

Thank you for considering our concerns,

Patricia Lage

20151015-5196**The Trustees**

200 High Street, 4th Floor

Boston, MA 02110

October 14, 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, please include this addendum with our August 26, 2015 comments on the Notice of Intent to Prepare an Environmental Impact Statement for the Planned Northeast Energy Direct Project (NED). 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. I have attached a view shed analysis for the proposed compressor station which illustrates that a significant portion of our Reservation, which draws over 12,000 visitors per year, is likely to be impacted. The analysis also demonstrates likely impact on adjacent public and private lands.

I request that view shed analyses be required, using tree cover and building and lighting specifics, which are not currently available. I also note that the bulk of visitors to Notchview Reservation, a Nordic ski destination, are in the winter.

Thank you for your consideration.

Sincerely,

Barbara Erickson
President and CEO
The Trustees

Cc:

US Representative Richard Neal
US Representative James McGovern
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 Joan Lovely
MA Speaker of the House Robert DeLeo
MA Representative Peter Kocot
MA Representative Steve Kulik
MA Representative Paul Mark
MA Representative William Pignatelli

{2 maps, omitted}

20151015-5201

Resolution Opposing the Expansion of the Tennessee Gas Pipeline in Lynnfield, Massachusetts

{ see 20151021-0021 below for Resolution plus cover letter}

20151015-5207

Michelle Levesque, Temple, NH.

Compressor station emitting hundreds of thousands of tons of toxins annually next to an our elementary school is a really bad idea. Our children matter!!!! PLEASE NO PIPELINE!!!!

October 15, 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:

We have not allowed Kinder Morgan to access our property and are sending them a letter officially denying permission. While we understand that FERC would prefer us to have granted permission to survey, we have a number of independent reasons for our decision. They are as follows:

- **The public need for the entire proposed Northeast Energy Direct project and the proposed “Fitchburg Lateral” which would affect our property, has not been demonstrated.**
- A cursory search of public records would show that this is an unsuitable area to cross. Our property, part of the Squannassit Area of Critical Environmental Concern, includes a Priority Habitat of Rare and Endangered species identified by the Natural Heritage and Endangered Species Program, and is part of the BioMap2 Critical Natural Landscapes.
- We have recently submitted a Forest Management Plan to protect the forest land under M.G.L. ch. 61 § 1 et seq. Our forest management plan has gone to great lengths to protect the ecological significance of our land. **There is no way to guarantee that Kinder Morgan would treat the land with the same respect –indeed, we do not see how such a project ever could.**
- **The proposed land surveying risks opening corridors for other trespassers, including ATV and other motorized vehicle traffic. Kinder Morgan appears to make no guarantee that their crews would be mindful and respectful of our wishes to protect our property, and has shown that it cannot be trusted when it comes to mitigation of such risks.** (See, e.g., James O’Neill, Gas Pipeline Left a Barren Swath, BERGEN CTY. RECORD, March 3, 2014, at 101, noting numerous erosion and revegetation problems in a New Jersey Kinder Morgan project; Bob Ortega, Controversy Coming Down the Pipeline, ARIZONA REPUBLIC, May 5, 2014 at A1, noting similar issues with Kinder Morgan pipelines in other parts of the county. The entire energy industry has shown that it cannot keep land protected after installation, especially from ATV traffic. See, e.g., Jeff Clark, The ATV Menace, DOWNEAST MAGAZINE, May 2003, noting that a Portland, Maine utility company has spent over \$100,000 a year to repair ATV damage, but “Wooden gates are chainsawed. Metal gates are torched. [The company has] hired private security firms [and] brought in heavy equipment to build boulder barricades. Without exception ATVers have gone over, around, or through them.”)
- **Finally, we have serious concerns about whether Kinder Morgan is truly interested in mitigating any potential impacts or is only looking to maximize profits.** We asked the land agent and pipeline engineer who visited our neighborhood in late June why Kinder Morgan would not just bring the proposed 12-inch line down the road in the existing roadway rather than cutting a 100-foot wide swath across the forested portions of seven private parcels in an ACEC, crossing mapped protected species habitat, and permanently removing trees atop an esker which provide essential shade to the cold water fishery stream that runs along the base of the esker. The only answer they could give is that they would have to use Class 4 pipe under the roadway, increasing their costs.

I hope FERC now understands why we will not allow Kinder Morgan access to our property. Thank you for the opportunity to share this information with you.

Sincerely,

Carolyn Sellars

Townsend, MA

20151015-5213

Jonathan Crowley, Shelburne Falls,, MA.

I am against the TGP Northeast Energy Direct pipeline. The proposed path would run through some of the states' most sensitive eco-systems including conservation lands, wildlife reserves, state parks as well as farmland, towns and even crossing over or under the Connecticut River.

This project, aside from causing environmental disruption during the construction phase, would post many hazards if there are leaks, ruptures or explosions – all scenarios that happen regularly on similar high-pressure pipelines throughout the country. A large pipeline that runs at high pressure has a large “impact radius“, in which substantial damage to structures is unavoidable.

For this reason, I urge you to stop progress on this proposal.

20151015-5225

dale bertoldi, bloomfield, CT.

CT. DEEP –Commissioners Office

Commissioner Robert Klee

Deep.commissioner@ct.gov

860-424-3001

Re- Natural Gas Expansion Plan

The Winton bury Land Trust (WLT) attended the Kinder Morgan Information session concerning the proposed Tennessee Gas Pipeline Project running through our Speer Preserve in Bloomfield.

The WLT recognizes the need to provide adequate gas demand in our region, and at first commended the efforts of Kinder Morgan to share some of the existing gas ROW where the proposed pipeline will run parallel to the existing pipe. Then we were told they will require an additional 35' ROW adjacent to their existing 30' ROW at the Speer Preserve.

This is where the Land taking proposal begins to break down. The original pipe was installed in a 30' ROW, yet an adjacent new pipe will require not 20 additional feet but 35', so where is the shared ROW? Add to this, they further informed us a lay down area of an additional 40' is required, clear cutting our forest for the entire 390' length of the preserve.

They tell us a tree replacement program will be instituted, but we have to believe only young saplings will be planted where 150' yr. Old hardwoods now stand, leaving the Land Trust with a de-faced forest, additional stewardship, and severe invasive species battles for years to come.

In summary of our understanding of the total impact of land taking for this proposed pipeline, the WLT will end up with a clear cut swath through our preserve of 75'+ the existing ROW of 30', totaling 105' across by 390 feet long.

We urge the PURA to consider imposing much stricter land taking criteria if this pipeline project is approved as a necessary public utility.

Thank You for your consideration,

Dale Bertoldi,

President, Wintonbury Land Trust

20151015-5226

shannon johnson, averill park, NY.

Dear FERC,

Please conduct a LONG TERM double-blind, non-partisan, study with scientists NOT directly working for

the energy industry on all health effects -- to humans and the entire ecosystem -- of a compressor station on inhabitants within a 10 mile radius of pipelines and especially a compressor station.

Please do not grant license to TNGP / Kinder Morgan to build a 41K HP compressor station until these studies are concluded and it has been proven beyond any reasonable doubt that there will be NO health effects of compressor stations and/or pipelines on our landscape and all inhabitants.

Please review these materials https://youtu.be/RPyXaAwHM_8 and <http://is.gd/NWFjAr> and base your long-term studies on these concerns and findings.

Thank you,
shannon johnson

20151015-5227

Polly Ryan, Plainfield, MA.
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20216

9/10/15

Re: Docket No. PF14-22, TGP Northeast Energy Direct

Dear Secretary Bose:

Senator Rosenberg, first and foremost, I want to thank you for representing us at FERC and hearing our comments for the scope of the Environmental Impact Study tonight. I have already submitted written comments to FERC and gave oral presentations at 2 other FERC scoping sessions. I've also submitted oral and written comments to the Energy Facilities Siting Board. In essence they have all had the same theme which can be summarized as follows;

- Studies have clearly identified carbon neutral and other renewable or alternative energy solutions that can meet our energy needs instead of a natural gas pipeline.
- Should a natural gas solution be deemed necessary, it can be done with improvements to existing infrastructure or LNG storage.
- Either of these alternatives are clearly less impactful on our environment and serve us better in terms of meeting the goals of our Global Warming Solutions Act.
- Please consider a "No Action" alternative. Natural Gas is not a bridge fuel to renewables. Once we commit to this infrastructure, we're stuck with it while the gas industry rides out their "Boom and Bust" export business. We should be keeping the gas here for our future generations.

I've also commented to FERC on the negative impacts this pipeline will have on landowners. In essence they can be summarized as follows;

- Increased risk to health and safety
- Depreciated property values
- Decreased property resale options
- Increases property liability
- Continued tax liability for land that can't be built on
- Increased energy costs once the gas hits Europe
- The imposed cost of a tariff on our utility bills for building the pipeline
- Loss of future home-business income.

These items can all be clearly defined in terms of their qualitative and quantitative negative impacts. So, I ask that this Environmental Impact Study demonstrate how these negative impacts relate to benefit by con-

ducting a comparative study. In fact, please define benefit. I have not heard any benefit mentioned other than “we need the gas” and “it provides jobs”. And consider please, that these impacts mentioned are just the tip of the iceberg. If such a comparative study is done, it would have to be cumulative and include all the different kinds of impacted landowners like Conservation Land Trusts, Conserved Article 97 Land, and State Forests to name a few.

Also, I’d like to mention how I have been personally impacted so far. I have had to put major life decisions on hold because I don’t know anymore the future outcome or potential of my one and only asset, my home and possibly my future business. I feel like I’ve lost a year and a half of my life while having to learn about this pipeline and stand against it. This time has been sacrificed for things I’d prefer doing like gardening, reading to my grandchildren or focusing on professional development to name a just few. It has been extremely stressful and has truly impacted the quality of my life as well as my health. Tell me Senator Rosenberg, how do you think FERC should quantify this in that study?

Through August, there have been 5,411 comments made to FERC on this NED project. Only 426 of those have been in support of this pipeline. So please, Senator Rosenberg, let FERC know that our country is supposed to be governed by the people and for the people, not by corporate lobbyists and that we the people have spoken.

Thanks you,

Polly Ryan
11 Windsor Avenue
Plainfield MA, 01070

20151015-5228

Jill Connolly, Temple, NH.

Compressor station emitting hundreds of thousands of tons of toxins annually next to an elementary school is a really bad idea. We live in a rural town so our kids can have clean fresh air. Having this next to our school not only is dangerous for there health but worries me greatly if there is an accident at the compressor station.

20151015-5229

THE EDWARD L. ROSE CONSERVANCY
P. O. Box 8.
Montrose, PA 18801

October 15, 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 # PF14-22-000

Dear Secretary Bose:

The Edward L. Rose Conservancy is a nationally accredited land trust working in northeastern Pennsylvania and the Southern Tier of New York to protect land, conserve natural resources, and preserve scenic beauty. The Conservancy owns property near the proposed Northeast Energy Direct (NED) pipeline corridor in Susquehanna County, Pennsylvania, and also holds conservation easements on private lands in the region.

The NED corridor, as currently proposed, bisects protected lands and ecologically important areas, and fragments intact forest habitats. We urge that every effort be made to avoid placement of new pipeline on permanently protected lands owned by state, federal, or municipal governments, private land trusts, and on private

lands with conservation easements. We also recommend selecting project alternatives that avoid impacts to the habitat of rare, threatened, and endangered species in the area (e.g., the northern long-eared bat), as well as wetlands and water resources, and other sensitive natural features. In addition, we strongly encourage co-locating the pipeline with existing pipelines, roadways, or other disturbed areas to minimize further fragmentation of forests in the region and reduce cumulative impacts to forest habitats and associated species.

Thank you very much for considering these comments.

Sincerely,

Patty Bloomer, President

20151015-5234

Roberta Flashman, Ashby, MA.

Dear Ms. Bose:

Thank you for taking comments on the scope of the Environmental Impact Study to be prepared by Kinder Morgan for their proposed Northeast Energy Direct Project (NED). I am a resident of Ashby, MA and have lived here for over 28 years. I have been a member of the Ashby Conservation Commission for 27 years.

Many others with far more expertise than I have already made comments about the use of fossil fuels and their impact on Climate Change and how this project only continues down that road. Others have commented on the need to study impact of the proposed pipeline on wetlands and streams that it may cross. Still others have commented on the need to study the impact of Compressor noise and light on surrounding wildlife and not so wild life (humans).

What I have not seen suggested for inclusion in the study is the alternate route and all of its resources that could be impacted. The route has been changed from a route through northern Massachusetts towns to a route through southern New Hampshire towns. The reason given for the change in preferred route was a “discovery” of an existing power line right-of-way that paralleled the proposed route through Massachusetts. I suspect that Kinder Morgan/Tennessee Gas Pipeline, LLC thought there might be less local opposition to this route. However, there has been mighty opposition to the New Hampshire route. In addition, although following the route of the power lines, the new route is still on green fields: the pipeline cannot share the cleared right-of-way under the power line.

I request that the FERC open the scope of the Environment Impact Statement to include all wetlands and streams and protected open space in the towns of northern Massachusetts which are situated along the 1st pipeline route. The rationale for this request is my concern that there may be yet another change in the route of the pipeline, back to the original route, which would result in inadequate time for an Environmental Impact Statement to be compiled for these areas.

For the Town of Ashby, these streams include all tributaries to Willard Brook and Trap Falls Brook. Protected lands include Willard Brook State Park, the Lyman property and the Wiita Conservation Area. Additionally, the original route went directly through a very large, significant wetland known as “The Great Swamp”, which is located just to the east of Main St. and just south of the center of town. Another impact that should be studied is the proximity of the pipeline and any associated blasting to the one public water source in town located just behind the Ashby Elementary School. And, lastly, the impact of a 100ft (minimum) swath across the town, wider than any road or power line clearing in town, will have on wildlife and human life, both of which are used to the quiet and relative isolation of a small New England town.

I also join the many commenters in questioning whether a new pipeline is the most permanent or lowest-cost solution to the natural gas energy supply constraints in the northeast, and hope that a rigorous alternatives analysis can answer that question. If the NED project is necessary, I urge FERC to use the Environmental Impact Study to require landscape-level considerations for avoidance (i.e., additional re-routing of the pipeline around the most critical habitats), minimization of environmental impacts through use of best practices, and identification of the most ecologically meaningful compensatory mitigation for impacts that

are unavoidable.

Sincerely,
Roberta Flashman
339 South Rd
Ashby, MA 01431

20151015-5236

Joan Pack, Northfield, MA.

My home sits on land that has been preserved forever as wetlands under the Wetlands Reserve Program (WRP). The land is "...protected, restored and enhanced wetlands.... with the goal of achieving the greatest wetland functions and optimum wildlife habitat on every acre enrolled in WRP."

I care about this land. That's why I bought it, just four months ago. My home has 29 solar panels that provide 90% of the energy I need to live here - in New England, in the Northeast - year round. I do not need fossil fuels to function comfortably. The gentleman who re-built this 1790's house made it energy efficient from the inside out, and he cared for the land such that the wildlife in the area could also live in comfort.

The pipeline and the gas it will carry is not needed here. It is not wanted here. We live a simple life. Our heads are not buried in the sand. Instead they are searching for ways to improve lives without polluting the Earth. It is more than possible.

That is where our human energies should be directed. Alternatives. Clean. Safe. Forward thinking. Long range.

Please, no pipeline, no fracked gas, no KM in Massachusetts.

20151015-5238

michael barrett, Temple, NH.

Dear Mr. Tomasi,

The proposed location of compressor station causes many more substantial health and safety concerns than other locations. The proposed compressor station is too close to an elementary school, Temple's only emergency shelter, a religious facility, endangered horses, an elderly housing complex, and a town's drinking-supply reservoir. The school, emergency shelter (the same facility), the religious center and the reservoir are all located within one half mile or so from the proposed location. The endangered Newfoundland ponies and the elderly housing facilities are about one mile or less from the compressor station. The elderly complex includes disabled adults. In aggregate, the proposed location of the compressor station creates an extremely elevated set of environmental and safety risks that must be mitigated. The proposed environmental assessment by the applicant is incomplete and does not adequately protect the school's students and teachers, the sisters, the elderly, the ponies, or the drinking water. The proposed location is the worst possible location for this area. A relocation of four miles in either direction creates many fewer hazards so the proposed location should be rejected.

Furthermore, the proposed compressor location is a tract of land that borders both route 45 and Hadley Highway which also creates a serious and unique hazard to the residents of Temple. In the event of a mishap, the possibility that the two roads adjacent to the compressor station may be rendered impassable which will result in the physical separation of the Temple Police staff from the Town and delay the rendering of any assistance. The applicant does not mention or include any information that recognizes the Temple Police Station is located in Greenville, NH and that the police staff would have to transit either Route 45 or Hadley Highway to fulfill their duties as Temple's first responders.

Many studies indicate that location of a compressor station located two miles and less from humans, plants and animals creates an unhealthy condition. In order to mitigate the hazard I respectfully request the following:

1. Replace the gas compressors with a set of all-electric compressors, and
2. Ensure all blow-down gasses are captured and not emitted into the surrounding environment,
3. If 1 and 2 above are not acceptable, I request the relocation of the proposed compressor station so that it is at least 4 miles away from any school, any endangered ponies, any religious center, any elderly complexes and any town reservoir. The four miles is a distance that is twice as far measured distance wherein the adverse health effects have been previously documented.

Other considerations

The applicant's environmental assessment irresponsibly appears to be based primarily on the use of desk-top mapping system and the knowledge of an existing power-line route. It ignores and does not adequately address the proximity to the school (and emergency shelter), the religious center, the habitat for some local blanding's turtles, the Newfoundland ponies, the elderly complex, and the reservoir. There are several highways, e.g., Route 2 and I-90, located south of the proposed compressor station which appear to have many areas that can support a compressor station adjacent to them. The careful selection of a compressor station along either of these highways would not threaten any students, elderly complexes, endangered ponies, religious centers, and a town's only drinking-water supply. Alternative locations have not been adequately offered or documented within the applicant's environmental report. Please be advised that the Newfoundland breed has been brought almost to the point of extinction already and there are reportedly less than 250 breeding capable left on earth. This proposed compressor station must be either converted to an all-electric operation or be relocated at least four miles from the aforementioned and existing structures and breads mentioned above.

Finally, the need for the pipeline appears unsubstantiated when one considers the previously approved Algonquin line to supply needed gas to New England. The Algonquin owners indicate that they already serve 70% of New England's electricity generators. Furthermore, the applicant currently lacks any sizable demand from electricity generators. Therefore the construction of another and redundant pipeline, and their associated compressor stations, creates many hazards and associated environmental degradation may be unwarranted. The applicant's apparent lack of thoroughness and demonstrated ignorance of the local environmental impacts is a ground for rejection of the proposed New Ipswich, NH compressor station.

Respectfully Submitted

20151015-5241

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 that I too feel these scoping hearings are being conducted prematurely, especially in light of Kinder Morgan (KM) having only just released their second 6,500 page resource report which still has over 10,000 To Be Determined (TBD) in it. As a directly impacted landowner on the proposed path, my continual experience to date has been to be under or misinformed of the 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 their 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 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 cannot debate that the extracted gas's inevitable destination will be in our atmosphere regardless of whether those emissions occur here or 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" (2). 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 FERC permits for any new gas infrastructure.

While the moratorium is in effect, the gas industry should be required to do repairs to existing infrastructure so there is 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 (1).

It's time for FERC to reveal the science on this subject before we are all FERC'ing fracked.

Thank you for this consideration. Polly Ryan, 11 Windsor Avenue, Plainfield MA

- 1) 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
- 2) 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

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 and the Scope of the Environmental Impact Study

Dear Secretary Bose:

These written comments are being submitted to more fully address the oral comments I made at the scoping meeting held in Pittsfield MA on July 28th, 2015.

My objective is to make a case for the study proposed in those comments concerning the cumulative effects of methane emissions over the next 10 years from the entire US gas industry on global warming.

The gas industry is responsible for 40% of methane emissions in the US (1, 2). Methane is 84 times more potent a gas than CO₂ over a 20 year period (3, 4). It's an undeniable fact that when gas is extracted from the earth its' ultimate destination is in our atmosphere. If a study were conducted to determine the amount of gas the entire US industry plans to drill over the next 10 years, one could then extrapolate potential methane emissions and correlate that to its' impact on global warming.

According to the Union of Concerned Scientist, the gas industry understands the impact of methane on global warming. These Concerned Scientists published the Climate Deception Dossiers and in it claim 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" (5). Clearly, the gas industry does not have humanity's best interest in mind and prioritizes profits over anyone's wellbeing. However, FERC has a responsibility to evaluate whether projects they permit are for the publics' convenience and necessity. FERC therefore has a responsibility to convey any perceived conveniences and necessities society stands to gain from consuming gas extracted by the industry and quantifiably show how these conveniences and necessi-

ties stand to improve our lives compared to catastrophic climate events that result from global warming. Tara Lohan, who has been writing about energy and the environment for years, comments in her article published by The Nation “The fact that we should be moving to more renewable energy and using less oil is no secret. Scientists have repeatedly warned that if we continue to burn fossil fuels with our current abandon, we risk catastrophic climate impacts, some of which we are already beginning to see. Instead, they caution, much of our oil, gas, and coal reserves should stay in the ground” (6).

Removing oil, gas and coal from the ground at a more measured and slower rate while supplementing our energy needs with alternative renewables ensures our long term energy security for future generations.

Arguments are still being made by some that renewables are not a viable energy solution compared to fossil fuels. Yet countries like Denmark aim to burn no fossil fuels what so ever by 2050. Currently 40% of their electric grid is powered by wind and they expect to be at 50% by 2020. Germany is right behind Denmark in that 30% of their electric generation is from a combination of wind and solar (8).

In the Energy Policy Forum, Deborah Lawrence states that your own agency (FERC) reported in 2015 that “total new generating capacity additions in January and February amounted to 89% renewables, 11% natural gas. March was even stronger with about 94% of new capacity coming from renewables.” (7). FERC obviously cannot deny where our energy market is trending.

The real issue with transitioning to renewable is expressed well by Justin Gillis in a New York Times article where he points out “as more of these types of power sources push their way onto the electric grid, they cause power prices to crash at what used to be the most profitable times of day.

That can render conventional power plants, operating on gas or coal or uranium, uneconomical to run. Yet those plants are needed to supply backup power for times when the wind is not blowing and the sun is not shining”.

Our energy issues are not based on an actual need for fossil fuel or because they are cheaper to consume compared to renewables. Our energy issues are really about reliability. In this capacity, fossil fuels have a role to play in our overall reliance and dependability of the energy portfolio. And tempered as such, considerations as to their impacts on our climate is of vital importance given that a renewables transition will have a much more beneficial outcome where global warming is concerned.

I conclude my oral comment by suggesting a moratorium on all new natural gas infrastructure permits while this study is conducted. We need to determine the cumulative impacts of future drilling on global warming before the gas is extracted from the ground because once extracted it’s inevitable destination is the atmosphere.

I suggest repairs to existing gas infrastructure as a bridge to our energy reliability issues in the meantime. It has been well documented that repairs to existing gas infrastructure would compensate for the gas supplied by new infrastructure. 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 (8). And fixing the leaks will in itself alleviate the global warming crisis by reducing unnecessary methane emissions while saving consumers millions of dollars on wasted unconsumed gas.

1. EPA. 2014. U.S. Greenhouse Gas Inventory Report: 1990-2013. <http://www.epa.gov/climatechange/ghgemissions/usinventoryreport.html#data>
2. Anthony J. Marchese, Timothy L. Vaughn, Daniel J. Zimmerle, David M. Martinez, Laurie L. Williams, Allen L. Robinson, Austin L. Mitchell, R. Subramanian, Daniel S. Tkacik, Joseph R. Roscioli, and Scott C. Herndon. August 18, 2015. Methane Emissions from United States Natural Gas Gathering and Processing. Environmental Science and Technology. Pages 1-10.
3. 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
4. <http://www.epa.gov/gasstar/documents/redesignblowdownsystems.pdf>

5. <http://www.climatechange2013.org/report/full-report/>
6. 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
7. Tara Lohan. AUGUST 5, 2015. Fossil fuels have become an economic liability—for both consumers and energy companies. The Nation investigating progress daily. <http://www.thenation.com/article/why-are-americans-switching-to-renewable-energy-because-its-actually-cheaper/>
8. Justin Gillis. November 10, 2014. A Tricky Transition From Fossil Fuel, Denmark Aims for 100 Percent Renewable Energy. http://www.nytimes.com/2014/11/11/science/earth/denmark-aims-for-100-percent-renewable-energy.html?_r=3
9. Deborah Lawrence. May 15, 2015. US Crude Oil Consumption Peaked a Decade Ago. Energy Policy Forum. <http://energypolicyforum.com/2015/05/15/us-crude-oil-consumption-peaked-a-decade-ago/>

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20216

10/15/15

Re: Docket No. PF14-22, TGP Northeast Energy Direct

Dear Secretary Bose:

I am an impacted landowner in Plainfield MA on the Northeast Energy Direct Project. The following comments refer to concerns I'd like addressed in the scope of the Environmental Impact Study.

Health Concerns - the following symptoms have been extensively documented by researcher for people exposed to chemical used in the gas fracking operations "burning eyes, sore throats, stomach pain and nausea, headaches, and tingling or numbness in extremities" (1). Air emissions recorded at compressor stations, metering stations, processing plants, and shut off valves have revealed chemicals that are known carcinogens, endocrine inhibitors and, neurotoxins (1).

For the EIS, please conduct a literature review on the compounds researcher have recorded at the above mentioned types of gas infrastructures and a literature review on associated health issues for the stakeholder's reference. Please have TGP conduct initial air and water (wells in addition to all water crossings) quality tests where any infrastructure is proposed along the NED route, including at regular intervals where the pipe is sited. Please have them consider a means for continued monitoring during online operations. Please employ all means possible to minimize gas emissions, noise and light pollution at compressor station, meter stations and valve locations. Please enclose all compressor stations in a buildings and require scrubbing filters on exhaust and blow down valves.

For your convenience, I've sited some pertinent literature for starting the literature review (2,3,4,5,6,7,8,9, 10.11).

Safety concerns - Myself and many others in my community are in what the gas industry has termed The High consequence Area (12). Please have TGP share their insurance certificates so stakeholders are informed of typical compensation for their lives and homes. Please have them outline in detail the terms for compensation. Please consider using class 4 pipe where any pipelines are sited within High consequence Area perimeters of habited structures.

Please consider placing Main Line Valves (MLV) every 2.5 miles. In the July RR section 1.1.2.2.3, MLV's are described as integral to the safety of pipelines and according to USDOT regulations must be placed at a minimum of every 10 miles for class 1 pipe. However, the distance between the Windsor MA MLV and the Conway MLV is approximately 15 miles. Our emergency responders in these rural areas are all volunteer and we do not have the equipment needed to contain catastrophic pipeline accidents. More closely placed

valves that can be manually operated will reduce the blow down volume and minimize potential risk. Please have TGP specify how routine blow downs will be released in proximity to utility lines without hazard under all weather conditions including high winds.

In the General Project description section of the July resource report (RR 1.0), co-located pipeline is described as generally located 5' outside the existing power corridor. The permanent easement is described to be 50' wide with 20' overlapping into the utility corridor. The most recent survey request letter I received from Kinder Morgan has a map of where the pipe centerline is proposed on my property. It appears to be co-located to the existing utility corridor as described in RR section 1.0. The Franklin Regional County of Governments hosted a pipeline workshop where an environmental engineer from Boscardin Consulting Engineers, Inc. reviewed specifics details about pipeline construction. He was surprised to hear that TGP plans to co-locate the pipe close to utility corridors and described it as not safe. He suggested a minimum distance of 1000' from the utility corridor. Please determine the soundness of TGP company's co-locations plans with documented research as to its safety for stakeholders to review.

The total NED project length is estimated to be 418 miles (July RR table 1.1-1) with 7 construction spreads proposed across its entire length (July RR 1.3.4). In section 1.3.5 of the RR, TGP suggests 1 qualified full time Environmental Inspector (EI) per construction spread. These Inspectors oversee all construction along a 60 mile corridor including that of compressor station and meter stations. Each spread may have anywhere from 500 to 1,200 construction workers. In my judgement this is not sufficient. Please consider a minimum of 6 qualified full time EI's per spread.

Please have TGP be specific about areas that require blasting and elaborate on mitigation and compensation plans for any consequential damages to properties or persons. Please determine the type of blasting material that will be used and whether any will contain perchlorate products that may contaminate drinking water supplies. Please have TGP specify the length of time required to blast through each town, the daily hours blasting will be conducted and how they plan to mitigate noise and dust pollution on impacted communities. Please confirm that TGP will relocate landowners to hotels, as stated in RR 1, if noise and dust levels cannot be tolerated.

In section 1.4.1 of the RR, please elaborate on "pipeline and aboveground facilities will be patrolled on a routine basis". Specify in detail the frequency of patrols. Please specify what "routine maintenance" is and at what frequency and for what length of time they are planned for. Please specify the frequency of regularly checked gas-leak surveys and their reporting criteria.

Impacted Property Owner concerns -

- Property value may be depreciated
- Some mortgage contracts do not allow explosives on lands they lien
- I may be held liable for fires or accidents from pipeline explosion
- KM plans to only compensate property owner monetarily based on the following formula. \$/inch of pipe circumference x number of feet crossed through the easement. (in my case \$1 x 30 x 50 = \$1,800)
- We continue to pay taxes on the easement
- We can't use the easement for growing trees or building anything on anymore
- We will be financing the cost of building the pipeline on our utility bills through an imposed tariff
- All mature trees will be cut in the easement.

Please outline standard compensation for landowner easements and timbers removed from properties.

Please research in communities where equivalent pipelines exist the impacts they've had real estate values for our reference. Specify which mortgage companies have terms concerning explosives in their mortgage contracts and detail those terms for our reference. Please have Kinder Morgan produce and publish their insurance liability certificates and include their coverage amounts for catastrophic events. Please determine

which homeowner insurance underwriters plan to elevate their insurance premiums for homes in proximity to pipelines and outline in detail the anticipated premium increase and exact conditions of clauses pertaining to explosives on properties.

For your reference, I conducted a quick Google search that substantiates property owner issues and concerns;

<http://spectrabusters.org/2014/11/116/why-accepting-a-natural-gas-easement-is-a-bad-deal>

<http://www.mineralrightsforum.com/profiles/blogs/pipeline-easement-and-right-of-way-agreements-alandowner-s-list>

<http://www.farmanddairv.com/top-stories/read-this-before-you-sign-that-pipeline-easement-lease/49966.html> <http://extension.psu.edu/natural-resources/natural-gas/news/2010/04/pipelineinfo>

<http://www.truth-out.org/buzzflash/commentary/standing-tall-for-landowner-rights-vs-oil-pipelines/17980-standing-tall-for-landowner-rights-vs-oil-pipelines>

<http://www.ufsrw.com/>

<http://www.law360.com/articles/522523/pipeline-giants-lose-ground-in-fight-over-easement-values>

Please have Kinder Morgan include in the RR a section that details the specific mitigating circumstances they've negotiated and provided impacted landowners along existing permitted and equivalent projects to date that address any and all of these concerns.

Local community requests for rural communities such as Plainfield -

Requests:

- Identify all private wells and septic systems that will be impacted by construction in our community.
- Conduct baseline tests of the water in all residential wells within ~ mile radius of pipeline center and continue to monitor wells yearly thereafter to insure public's health and safety where water contamination is concerned.
- Do the same for streams, rivers and ponds affected along path, establish baseline water quality before construction and monitor periodically during and annually after construction.
- All wells have specific flow rates (gpm). Please detail mitigation procedures for diminished flow rates should springs and streams be rerouted during pipeline construction, as a result of blasted ledge, or any other construction procedures that disrupts the present geologic surficial water patterns to wells. Please also define mitigation procedures for overall diminished well integrity as a result of any construction or blasting procedures or accidents.
- Plainfield is downwind of the compressor station proposed for Windsor. Conduct baseline air quality test and regularly monitor air quality once the pipeline is online by a contracted objective 3rd party source. Should air quality deteriorate due to compressor off gassing, please describe a detailed plan for mitigation.
- Sound will travel from the compressor station downwind as well, please conduct baseline sound tests before the compressor goes online and describe specifically how noise will be mitigated so as to not surpass the pre-compressor sound levels.
- Please provide a detailed assessment of all the timber that will be cut throughout our town and calculate compensation fees to all impacted landowners.
- Plainfield's Fire Department is entirely volunteer. It does not have the resources or man power to deal with a significant pipeline accident. We rely on local ponds for water in any fire incident. Document the High Consequence Area and its' impact radius through Plainfield. Please have KM describe in detail how they plan to respond to a major explosions and how they plan to provide us the necessary resources and skills needed for such an event. Mainline valves are only required every 10 miles. Please conduct a quantitative risk assessment of the impact that a significant incident of this nature

will have on our community with shutoff valves at these intervals. Document how much gas would have to burn off and for how long. Please conduct a comparative study of a significant event of this nature when shut off valves are located at shorter intervals and evaluate whether there would be a diminished impact. Please identify exactly where all shutoff valves are and whether they will be manually or remotely operated. Please determine the inspection cycle for methane leaks and pipeline integrity once the pipeline is in use. Please provide a list of chemicals in the gas other than methane and their Material Safety Data Sheets so our volunteers know what hazardous material they will have to deal with.

- Our community is winter sport orientated, please provide detailed restrictions imposed on these activities in pipeline easements and the reasons why they are a liability to the community. How does KM plan to enforce these restrictions and assure our communities continued safety in these easements?
- Have KM provide a quantitative tax assessment of actual revenues our town will accrue over time (so as to accommodate for depreciated infrastructure values) based on actual revenues collected in similar communities as ours and who also have similar existing pipeline infrastructure. This tax assessment should also include changes in property tax revenues that occur as a result of land value changes incurred by impacted landowners.

Construction requests:

- Provide a timeline for each phase of the pipeline construction in Plainfield and their expected start and finish dates. Indicate the number of vehicles as well as heavy and small equipment utilized in each phase of construction. Determine the number, size and locations of every TWS needed in town. Determine locations of all temporary and permanent access roads. Describe typical compensation for these access roads and easements on private properties.
- Clearly define all permanent above ground infrastructures associated with the pipeline and their exact locations in Plainfield. Detail how much of it needs to be kept accessible yet protected from vandalism or terrorism. Please describe how KM plans to keep this infrastructure protected from vandalism or terrorism. Please describe mitigation should a terrorist or vandalism event happens.
- Specifically and clearly identify areas that require blasting and the directly impact residents. Identify the blasting methods, types of materials used and the hours blasting will be conducted. Determine the length of time it will take to blast through the 5.5 mile distance the pipeline travels through our town. Describe mitigations that will be taken should noise levels adversely affects property owners. Determine the rock throw area and seismic impacts to affected properties. Describe mitigation scenarios for accidents and damages to properties. Require that contracted blasting firms not use perchlorate products that can adversely affect drinking water supplies.
- Where hydrostatic testing is concerned please indicate what permits are needed and from which agencies for water acquisition? Please determine where the water will come from and how much is needed. How does KM plan to restore original water levels to ponds and streams it draws from for this purpose? How will water quality of ponds and streams be monitored during this testing? What contaminants will be in the water after testing is completed (ie. biocides or chemical deposited on pipe surfaces during manufacturing? Where and how will contaminated wastewater be disposed of?
- Where pipeline cross roads in our town, please indicate the specific technique that will be used to bury the pipe at these crossing.
- Heavy equipment traffic on town roads - Please detail mitigation methods for road damages due to heavy equipment traffic and any bond negotiations that can be made in advance of construction to insure the costs of repairs will be met.
- Evaluate compressor integrity relative to the potential seismic activity in Windsor given there is an earthquake fault line in this town.
- Determine geologic hazards (natural, physical conditions that can result in damage to land and struc-

tures or injury to people) such as seismicity (e.g., earthquakes, surface faults, soil liquefaction), landslides, flash flooding, and ground subsidence that might affect pipe integrity and consequently pose potential safety risks to abutters along the NED route.

- Abandonment - How will abandonment be mitigated? Evaluate long term effects of abandonment on impacted communities?

Thank you for these considerations,

Polly Ryan

11 Windsor Avenue

Plainfield, MA 01070

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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 or building anything 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 ... penny less.

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

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

10/15/15

Washington, DC 20216

Re: Docket No. PF14-22, TGP Northeast Energy Direct Concerning the Environmental Impact Study

Dear Secretary Bose:

Please take into consideration the comments I submitted to the Massachusetts Energy Facilities Siting Board below:

Energy Facilities Siting Board
One South Station
Boston, MA 02110

8-5-15

Dear Stephen August;

Thank you EFSB for the opportunity to speak tonight. My name is Polly Ryan and I am an impacted land-owner from Plainfield, MA. I oppose the NED projects, FERC docket #PF14-22, and not just because it's going through my backyard. It's my opinion it shouldn't go through anyone's.

The project is going through green fields, Article 97 and other conserved lands, protected forests, endangered habitats, water reserves and wetlands ... all properties the Common Wealth and its' citizens have work hard to preserve and protect. This should not be undone or jeopardized. In addition, this list of properties doesn't even include businesses, farms, and private properties that may be taken by eminent domain, which the Common Wealth should also consider.

The question for us all tonight really is, under what circumstances would this NED be justified as being in the publics' convenience and necessity? Is this project worth this huge sacrifice of Massachusetts's natural resources? Must we make this sacrifice because we need the gas in this region and there are no viable alternatives to our energy needs? I believe the need does not exist and therefore this sacrifice is not in our best interest. I know I'm not alone in that assessment. I plan to submit written comments detailing supporting evidence for this which I can't possibly convey in just the 3 minutes allowed here. But let me just say briefly on this front that the NED project is being way overbuilt and the fact is that only a 1/4 of the gas will be utilized in New England while the rest is destined for Europe.

From a broader perspective, that is the real issue for me on several fronts. The first being global warming. We are proud of the fact that the Massachusetts legislature has implemented the Global Warming Solutions Act and we want to see this achieved. Methane is 84 times more potent a gas than CO2 over a 20 year period (1, 2,3). Regardless of where this gas is going to serve customers, its' ultimate destination is in our atmosphere. If we don't take action on this front, Boston will be under water. How can we possibly justify that as being in our public convenience and necessity? Another front is national security. There is lots of scientific evidence that indicates the amount of gas in shale regions is a lot less than predicted initially. Is it in our national interest to send this gas to Europe and not save this resource for our future generations? And finally, the bottom line for everybody ... will bringing gas in this region lower energy costs for Massachusetts residents? I think not if the gas is really destined for Europe. The price of gas will no longer be based on our national market prices, but on global market prices, and gas is 3 times more expensive in Europe than here. The utility companies will have fixed gas prices thanks to their contracts with Kinder Morgan but they will charge consumers the market price regardless of that. And consumers may even have to absorb the cost of this NED project with an implemented tariff on our utility bills while Kinder Morgan and these utility companies rake in huge profits. That's just seems criminal to me.

Again, there is lots of supporting research that's already been done for all the arguments against this NED project and our Attorney General's office is in the process of possibly contributing to that list. I will provide references for these arguments in my written comments (see below). I believe we shouldn't rush into decisions of this magnitude for Kinder Morgan's convenience and necessity and we need TIME to consider ours! Please ask FERC to issue a new Notice of Intent for the Environmental Impact Study comment period so we have sufficient time to read the latest resource report. I also ask that you comment on the segmen-

tation of the Connecticut Expansion project. I too feel it is part of the same expansion plan as NED, and should be reviewed by FERC as a single project. I also ask that you not just comment to FERC but intervene on our behalf if FERC doesn't address issues we've raised with you. And in conclusion, I ask that the benefits of a "no-action" alternative be thoroughly considered in favor of carbon neutral alternatives.

Thank you for this consideration.

Polly Ryan
11 Windsor Avenue
Plainfield, MA 01070

Dear Stephen August;

8-10-15

Above, are the oral comments I made at the Greenfield Community College Energy Facilities Siting Board meeting on 8-5-15. This portion of my written comments includes supporting evidence for the generalized statements above.

The effect that methane has on our atmosphere in comparison to CO₂ came from a study the Environmental Defence Fund initiated with over 100 other universities interested in determining "how much methane is lost across today's U.S. natural gas supply chain" (1). The gas industry is responsible for 30% of our overall methane emissions in the US. 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 (1).

If our country or even just our state were to implement already established technologies to reduce methane loss throughout the gas industry's acquisition and transportation process, there would be no need what so ever for the any new gas infrastructure in our region let alone the NED project.

"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 study, which will be published Thursday in the Proceedings of the National Academy of Sciences, relied on measurements from September 2012 to August 2013 taken by laser spectrometers at Copley Square, Boston University, Nahant, and the Harvard Forest in Petersham. The instruments found about 300,000 metric tons of natural gas leaks - about 2.7 percent of all natural gas delivered to the region" (4).

Supporting evidence for the final destination of most of the gas from the NED project comes from a report by David Gilbert Keith, a member of Deerfield's Energy Resources Committee and an independent environmental researcher. He concludes that most of the gas will likely be liquefied and exported. He based his findings on an analysis of data from the federal Energy Information Agency (5).

National Grids own projections for Kinder Morgan's pipeline is that it will bring in 15 times more gas than is needed in the region (6).

So we have gas leaking into our atmosphere in sufficient quantities to compensate for the NED supply and the NED's ultimate gas capacity is way greater than what is supposedly needed in our region. How can the EFSB justify siting the NED project anywhere based on this evidence alone? Note, the key words above are gas capacity supposedly needed!

Plenty of evidence exist to support that there is in fact no need at all and that an impression of need has been created by Kinder Morgan and utility companies just to justify this project.

Presently our grid has a capacity for 37,000 megawatts per day (6). Our all-time peak demand occurred in the summer of 2006 when we reached 28,130 megawatts (6). This amounts to 8,870 megawatts of surplus supply during our most demanding energy period on record. ISO New England requires a surplus buffer of 2,450 megawatts at any given time (6). In addition, there are 10 to 20 times per month when New England in experiencing a "Minimum Generation Emergency Warning" when ISO NE has to coordinate power plant

shut downs throughout the region to save money (6). I don't understand how this equates the 0.6 billion cubic feet of gas that NESCOE, ISO NE, Kinder Morgan and our Governors are saying is needed in our region to solve our energy shortage crisis. Kinder Morgan and our N. E. Governors justification is based primarily on the 700 megawatts loss that was supplied to the grid by the coal and oil plants that shutdown. Let me illustrate the math for you of that 700 megawatt loss. A 2,450 buffer plus a 700 loss amounts to 3150 megawatts. We in fact have a buffer of 8,870 megawatts at our most demanding energy moment on record. It appears to me there is no need at all!!!

Let's for argument sake say we have a 700 megawatt NEED for gas capacity in this region. Is the NED project the only alternative??

Massachusetts gas needs are based on supposed winter peak capacity constraints. These can also be resolved with existing LNG facility storage solutions rather than new, costly, massive pipeline infrastructure. Distrigas alone could resolve peak demand constraints simply by importing 2 11z to 3 extra tankers of gas per year. If we consider the storage of more LNG and factor in ALL renewable resources, not just those that are subsidized or part of energy programs, we have a viable, cheap, immediate, less impactful alternative to the supposed need!

Heating needs are increasingly being met with thermal solar, geothermal, and high efficiency heat pumps. Our Green Communities Act, once fully implemented, will in its' first six years the program, reduce total annual energy consumed in Massachusetts by up to 3.6 TWh. Peak summer demand will be reduced by 614 MW (7).

The only comments this siting board has heard, to my knowledge, in favor of this project are those by union members concerned for jobs. Good paying jobs exist in the renewable energy industry. And, according to Paul Cicio's testimony to the Senate Committee on Energy and Natural Resources concerning the "LNG Permitting Certainty and Transparency Act", US jobs in manufacturing will be threatened by the increased gas prices the market will command once our gas is exported to Europe (8).

There's a lot to consider in truly evaluating our energy needs and how to supply it. Relative to the impact the NED project has on my land, my community and, my children's future health and safety, I think a better solution is to fix leaking gas infrastructure (which would save ratepayers 1.5 billion dollars!) and keep up with our conservation initiatives by investing in renewable, carbon neutral, energy systems. We will meet our Global Solutions Warming Act legislation simply by increase solar capacity in our state by 10% each year, the already projected trajectory for this industry, and by 2018, the same year NED may go on line, we will have our entire energy deficit loss compensated for from the shutdown of the oil and coal plants (6).

Like I said in my oral comment, the ultimate destination for all drilled gas is our atmosphere regardless of who the customers are. Is it truly in our public convenience and necessity to have Boston under water?? Given all these arguments, it's my opinion that the EFSB should consider our real public convenience and necessity by choosing the "no-action" option to the NED project in focus on carbon neutral alternatives.

Again, thank you for this consideration,

Polly Ryan
11 Windsor Avenue
Plainfield, MA 01070

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- 2) <http://www.epa.gov/gasstar/documents/redesignblowdownsystems.pdf>
- 3) <http://www.climatechange2013.org/report/full-report/>
- 4) The Boston Globe. By David Abel. January 22, 2015. Leaks in Boston area gas pipes exceed estimates. <https://www.bostonglobe.com/metro/2015/01/22/natural-gas-leaks-boston-area-are-far-more-extensive-than-thought/5-BykQrnaGRr2XLtxpHqLI M/story.html>

- 5) David Gilbert Keith. February 3, 2015. Study on the Kinder Morgan proposed project of constructing a gas pipeline through certain towns in Massachusetts. Pages 1-10.
- 6) Dinneen O'Rourke. December 2014. No Need for N.E.D: The Ethics of Building a Pipeline. pg 1B. Hampshire College.
- 7) Paul J. Hibbard, Susan F. Tierney, Pavel G. Darling. Analysis Group, Inc .. March 4, 2014. The Impacts of the Green Communities Act on the Massachusetts Economy: A Review of the First Six Years of the Act's Implementation. Pages 1-55.
- 8) Paul N. Cicio, President of the Industrial Energy Consumers of America. January 29, 2015. Senate Committee on Energy and Natural Resources Hearing on S. 33, "LNG Permitting Certainty and Transparency Act". Pages 1-20

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20216

10/11/15

Re: Docket No. PF14-22, TGP Northeast Energy Direct

Dear Secretary Bose:

The comments below reflect those of concerned citizen residing in Plainfield wishing to address the scope of the Environmental Impact Study on the Northeast Energy Direct Project docket number PF14-22-000

Please know we are a "Right to Farm" community meaning we have adapted general bylaws that outline our support for farming within our town. These bylaws are in place so people moving into our town understand that farming is central to our economic and cultural activities. Many of our residents for this reason have placed land they own in an Agricultural Preservation Restriction (APR) program administered by our state for the purpose of "preserving and protecting 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 and to maintain APR land values at a level that can be supported by the land's agricultural uses and potential" (1).

It was with great dismay that we learned the Tennessee Gas Pipeline company is proposing to place a Contractor Yard on one of the most prized agricultural properties in our town which also happens to be in the APR program. The property is a 300 acre parcel, located at 166 Main Street, and is owned by the Waryjasz family.

In the July Resource Report section 1.2.4 it states contactor yards will be used for equipment and storing pipe, materials and, staging. In addition it may house temporary field offices and serve as a pipe preparation/field assembly area. Equipment is not defined nor are materials.

Our concern is that heavy machinery traffic and pipes places on this land will compact the soil. Mitigation methods for compaction in the ROW involve the use of a Para till and this technique can potentially loosen soils to depths that result in subsoils mixing with topsoil. In addition to soil compaction, the integrity of the clay structure in these soils may be compromised diminishing its' potential for nutrient retention. There are no remediation methods for repairing the integrity of clay once it's damaged.

Since materials are not defined we have no way to know if any of these are hazardous and could potentially risk soil contamination. There is minimal documentation on blasting in the resource report but we all know the proposed route crosses many areas of solid ledge where blasting is inevitable. We presume materials to include blasting compounds which may contain perchlorate products known to contaminate drinking water. There will be inevitable soil contamination from oil and hydraulic fluid leaks from machinery.

This land parcel also abuts Plainfield's federally registered historic district and includes the Waryjasz family's home which was built in 1793.

Our request to FERC is that an alternative site be considered for this contractor yard.

Thank you for this consideration,

The Plainfield Pipeline Opposition group
Committee Chairs; Polly Ryan, Jane Crosby, Chris Stockman

20151015-5242

Tracy McGraw, Merrimack, NH.

Dear FERC,

I know that you have received many comments and complaints. So, please let me start by saying that WE DON'T WANT THIS PIPELINE. Many people have given you reasons, but here are some additional ones. When Kinder Morgan presented at the latest town council meeting, they lied about their specific involvement in our town, promised that they spoke with affected parties (but they only spoke with some), promised not to "ram this down our throats", and refused to answer questions directly. They waited until the last minute to show proposed new routes, which they admitted having for 2 weeks. They gave Merrimack barely a week to respond and post to this site, while at the same time promising that we could post later, after the deadline.

They have acted unprofessionally, have misrepresented their actions, and artfully dodged all questions.

Their initial plan was to co-locate, but that's been thrown out. They said the only reason to put this in Merrimack was for the co-location. Now, there is no reason. They said they can't place it in the roadway medians because of vibration, but they are putting it along the roads and vibration is still an issue. This is just an example of the misrepresentations.

Credibility is everything. Kinder Morgan and their agents have none as it relates to the residents and businesses affected.

It seems that KM's intent is to force this pipeline onto the towns that have the lesser population and therefore, less funds to fight it. We may be a small town, but we love our town, and will fight as long and as possible to avert what will be a disaster.

Please do not approve this pipeline. It hurts significantly more than any possible positive outcome.

20151015-5243

Northern Middlesex Council of Governments

October 15, 2015

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

Re: Northeast Energy Direct Project, Docket No. PF 14-22-000

Dear Secretary Bose:

The Northern Middlesex Council of Governments (NMCOG) is hereby providing comments on the proposed Northeast Energy Direct (NED) pipeline project (PF14-22-000). NMCOG is a Massachusetts Regional Planning Agency serving nine communities in Northern Middlesex County, including two communities (Dracut and Tewksbury) on the preferred route, and three others (Dunstable, Pepperell, and Tyngsborough) located along an alternate route. Through construction of the preferred route, the Town of Dracut would be severely impacted with nine miles of new pipeline, three metering stations and a compressor station.

NMCOG has actively participated in the FERC process and assisted in the formation of the Northeast Municipal Gas Pipeline Coalition (NMGPC). Our agency and the communities that we represent have significant concerns about impacts of the NED pipeline project, including the direct impacts on public and private

drinking water supplies, permanently protected open space, farmland, rare and endangered species habitat, public infrastructure, and cultural and historic resources. The short- and long-term impacts of this proposed project on our communities and the region are quite profound.

We ask that FERC thoroughly evaluate the need for this pipeline, particularly given the other options that are available to address New England's energy needs. Even with the recently announced reduction in pipeline size to 30 inches and 1.3 Bcf/day, only 38% of the capacity is committed. If a larger 36-inch pipeline with a capacity of 2.2 Bcf/day were permitted, only 23% of the capacity would be committed. We are very concerned that electric ratepayers will be asked to pay for a pipeline that is likely not needed through a tariff. Furthermore, if gas is exported through the NED pipeline, we are likely to see a steep rise in gas prices in New England, given the higher prices commanded in the global market.

Given the claims made by Kinder Morgan regarding the need and demand for additional natural gas in New England, additional information should be provided in the Draft Environmental Impact Statement (DEIS) regarding end users of the gas being delivered through the pipeline, and a breakdown of uses, e.g. electricity generation, home heating, industrial uses, should be outlined. The local distribution companies should be identified, along with a list of communities that would receive the additional gas being delivered.

We are awaiting the release of an independent study being undertaken through the office of Attorney General Maura Healey. The study will assess electricity reliability and energy needs through the year 2030. This study will outline the options for meeting those needs in the most cost-effective manner possible. We hope that FERC will fully consider the findings of this report and explore more reasonable alternatives to meeting natural gas demand in New England, including energy conservation, renewable energy production, LNG storage, expansion of existing gas pipelines, and improved operational efficiencies along other pipelines to recapture leaked gas.

The DEIS should include updated aerial mapping showing all properties and resource areas that will be impacted by the proposed project. The exact location of the pipeline and all ancillary above and below ground infrastructure should be shown on the maps. All locations where clearing and excavation will be necessary should be shown on the maps, including locations where existing power line rights-of-way may be utilized.

The Merrimack River serves as the drinking water supply for many of the communities located throughout the Merrimack Valley. As articulated several times at the FERC Scoping meetings, there are serious concerns regarding the impact of horizontal directional drilling on the quality of our drinking water supply. Will the pipeline under the River be enclosed in a sleeve in the event that a leak should occur?

Additional information should be provided regarding the layout of the compressor stations, the emissions that will be generated, the location of sensitive receptors, visual impacts, and the potential impacts to groundwater and private wells. The mitigation proposed to address anticipated noise, light, odor, water quality and air quality impacts should be outlined. Information on releases/blowdowns should also be provided. The proponent should outline how this project will comply with the Massachusetts Global Warming Solutions Act and assess how it will impact the state's Greenhouse Gas reduction goals.

To date, the information submitted by Kinder Morgan through the pre-filing process has been woefully inadequate and has lacked sufficient detail to allow for meaningful public comment. There are thousands of data points in the Resource Reports released on July 24th that are missing and listed as "TBD". It is our hope that future environmental documents will be substantially complete and provide adequate detail to allow residents and municipalities to thoroughly understand the impacts of the proposed project.

NMCOG has partnered with other Regional Planning Agencies in Massachusetts and New Hampshire to collectively compile and submit detailed comments under separate cover. The comments have already been transmitted to FERC by the Franklin Regional Council of Governments and focused on the following:

- Protection of Water Resources (public and private drinking water supplies, rivers, lakes, ponds and wetlands);
- Protection of Air Quality and the project's impact on the state's climate goals;

- Public Safety;
- Protection of Critical Habitat for Rare and Endangered Species;
- Minimizing and Mitigating Noise Impacts;
- Minimizing and Mitigating Impacts on Public Infrastructure including Roads, Bridges, Culverts and Electric Transmission Lines;
- Addressing Impacts on Private and Public Property, including property values;
- Avoiding Impacts on Permanently Protected Open Space and respecting Article 97 of the Massachusetts Constitution;
- Avoiding Impacts on Historic and Archaeological Resources;
- Addressing Economic Impacts on Recreation and Tourism, and on Natural Resource Based Businesses, such as Agriculture and Forestry; and
- Addressing Fiscal Impacts on local communities.

Thank you for the opportunity to comment on the proposed NED pipeline project. Please feel free to contact me directly should you have any questions regarding NMCOG's comments or require additional information.

Sincerely,

Beverly Woods
Executive Director

Cc: NMCOG Councilors

Dracut, Dunstable, Pepperell, Tewksbury, Tyngsborough:

- Town Administrators/Managers
- Boards of Selectmen
- Planners/Community Development Directors
- State Senators and Representatives
- Congresswoman Niki Tsongas
- Congressman Seth Moulton

20151015-5251

Sten Caspersson, Bloomfield, CT.
FERC Input

I am dismayed and concerned that the new 24" pipeline will be placed on land owned by the Metropolitan District Commission (MDC), which is the municipal water provider for the Greater Hartford region. The new 24" pipeline, to be added to an existing 16" pipeline (which has been there since 1952, and was subject to less stringent siting criteria than today), will directly impact the MDC's Class I and Class II watershed lands, and therefore potentially impact our water quality, as well as impacting the New England National Scenic Trail, and sensitive habitats for the blue-winged warbler and other species.

Certainly there must be concern for the safety and quality of the MDC water supply to the Hartford area. There is no risk free construction and operation outcome. To cross Class I and II watershed properties without evaluating if this would have been allowed in 1952 with current regulations and restrictions imposed is a grave injustice. If the 16" pipeline would not meet today's siting criteria, then the 24" pipeline should not be allowed to utilize the current MDC easement, as a matter of convenience.

The new pipeline would cross 5.7 miles of MDC land and with a width of 90 feet, would disturb over 62 acres. Of course, there will also be many impacts for landowners along the course of the pipeline as well.

With respect to crossing Wintonbury Land Trust (WLT) property in Bloomfield, the original pipe was installed in a 30' right of way (ROW), yet an adjacent new pipe will require not 20 additional feet but 35', so where is the "shared" ROW? We also understand that a lay down area of an additional 25' is required,

therefore clear cutting our mature forest for the entire 390' length of our preserve.

Our understanding of the total impact of land taking for this proposed pipeline is that the WLT will end up with a clear cut swath through our preserve of 60'+ the existing ROW of 30', totaling 90' across by 390 feet long.

We urge FERC to consider imposing much stricter land taking criteria if this pipeline project is approved as a necessary public utility.

In addition, it has been necessary for concerned citizens to do considerable research and ask many questions to adequately understand this project. An item not clearly addressed is what alternate route(s) exist for the 24" pipeline around the MDC property?

I urge FERC to delay this project until all valid concerns are adequately addressed.

Sten Caspersson

Concerned Citizen

Wintonbury Land Trust Member

20151015-5255

Carol DiPirro, Merrimack, NH.

Hi,

I am writing to please grant an extension to the FERC filing period for the residents of Merrimack NH. Kinder Morgan attended a town meeting in Merrimack, NH on 10/8/15 and we were prepared to discuss the published route through Merrimack. KM presented a new route that night after talking with two major businesses in town. They made some adjustments that addressed some of the businesses concerns but are still running this pipeline at the edge of protected water, that is critical to the town, nearer to some neighborhoods. We are extremely concerned about our town drinking water. HOW is drinking water not important? Meanwhile, I am very concerned by the FERC process. It seems like you approve and "segment" all these pipelines that are connected and never really look at the big picture.

The President of the United States and countries around the world are looking to reduce the effects of climate change!

Well methane is a powerful greenhouse gas. How is it that these pipelines keep getting approved when they are releasing methane at metering and compressor stations? And this is happening all along the way from PA, not to mention all the unattended leaks in MA and NH which I already submitted. The cost of renewable energy is coming down. Please leave that gas in the ground. I understand that burning this fracked gas is than burning coal!! There are existing pipelines that are not running to capacity. Use those, find the leaks and stand with the WORLD to help fight climate change.

Kinder Morgan has a list of safety violations.

On another note, fall is a beautiful time in New England and it brings many tourists. Taking down swaths of trees will hurt our tourism economy.

They are now talking about a metering station in Merrimack, NH as well. I am terrified. I already have asthma. There are planned releases and I keep reading about "fugitive emissions". How can this be allowed. Methane will leak into the atmosphere, planned or not from Pennsylvania to Dracut. Is the legacy of a government agency to pollute our air in the northeast and increase the impact of climate change.

And then Kinder Morgan mislead the people by saying "it could reduce costs by 25-35%" and they do not discuss the cost the people will bear to build this ridiculously oversized pipeline.

Please say no- STOP NED!!!

Sincerely,

Carol DiPirro

20151015-5257

Heather Hollenbeck, Temple, NH.

NED includes a proposed 41,000 horsepower compressor station planned to be built less than 1/2 mile from my son's elementary school. I have yet to hear anyone say that pollutants from this station will NOT effect the air quality at the school.

This process is incredibly unfair. What is the point of asking lay people to point out environmental concerns? Yes, I am concerned about the environmental effects this project will have on our town, but how is it fair to expect the people that do not have degrees in biology, chemical or environmental sciences to tell YOU what the effects might be? Why doesn't that burden fall squarely on Kinder Morgan?

Please do not approve this project!

20151015-5265

NASHUA RIVER WATERSHED ASSOCIATION

Protecting our water, our land, our communities

October 15, 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; No. PF14-22

Dear Secretary Bose:

The Nashua River Watershed Association (NRWA), founded in 1969, is an environmental nonprofit whose mission is to work for a healthy ecosystem with clean water and open spaces for human and wildlife communities, where people work together to sustain mutual economic and environmental well-being in the Nashua Riverwatershed. The NRWA serves as an educator, steward, advocate, and technical provider for 32 communities in central Massachusetts (MA) and southern New Hampshire (NH). Our service area includes towns on the currently proposed routes for the Northeast Energy Direct project (NED) - Brookline, Greenville, Mason & Milford N H, and Townsend & lunenburg MA. Our service area also includes MA towns on the originally planned route - Ashburnham, Ashby, Townsend, Pepperell, Groton & Dunstable.

The NRWA submits these comments on the proposed Kinder Morgan Tennessee Gas Pipeline (TGP) North-east Energy Direct (NED) pipeline project (PFI4-22). As a participating member of Northeast Energy Solutions (NEES) we have actively participated in this FERC process. NEES is a coalition of non-profit organizations and other stakeholders working to identify the best solutions for proposed energy projects in our region. The many documents pertaining to NED and its inherent deficiencies that have been filed by NEES's attorney, Vincent DeVito of Bowditch and Dewey, can be found on-line at www.neenergysolutions.org.

Given that natural resources in our service area would be negatively impacted in both the short and long-term, the NRWA has substantial apprehension concerning environmental and other impacts of the proposed NED project: notably water resources including drinking water supplies, vernal pools and cold water fisheries.

In 2001, the NRWA commissioned the Ecological Extension Services (EES) of MassAudubon to undertake a watershed wide ecological inventory intended to identify the most important areas for wildlife habitat protection in the watershed and propose habitat protection focus areas. It resulted in a report, Focus Areas for Wildlife Habitat Protection in the Nashua River Watershed, based on a scientific "Reserve Design Theory" and the "Core-Corridor-Buffer" model (NRCS Chapter 5: Planning & Design Principles (www.nrcs.usda.gov/internetI.FSE DOCUMENTS! nrcs144p2 015046 .pdO) which states that "biodiversity at multiple levels will best be maintained in a system of large, undisturbed core areas, surrounded by buffer zones of limited disturbance, and connected by functional corridors for wildlife dispersal" (Noss et al. 1999). large, road less

core areas provide habitat for species that are extremely sensitive to human disturbance and serve as “biological fortresses” against invasion of exotic species (Continental Conservation: Scientific Foundations of Regional Reserve Networks, Soule, 1999).

The EES report identified three types of focus areas: large, medium and small. At over 12,000 acres the “Badger Hill/Spaulding Brook” -located in the Brookline, Mason, Milford, Wilton four corners - was the second largest of all the focus areas. The currently proposed NED route would cross through the very heart of this focus area for nearly five miles. The July 2015 . Resource Report submitted by Kinder Morgan to FERC does not acknowledge the impact of the proposed project on such focus areas.

The currently proposed Fitchburg lateral would also create a greenfields clear cut - over 1 Y2 miles of this same “Badger Hill/Spaulding Brook” focus area. Habitat fragmentation is one of the region’s most significant threats to wildlife habitat integrity. Despite its name, NED’s proposed co-location along existing electric powerlines will nonetheless result in a near doubling of the size of the right of way: our region on a whole needs more intact interior forest not more development-created edge habitat (“Biodiversity and Interior Habitats: The Need to Minimize Edge Effects” www.for.gov.bc.ca/hfd/pubs/docs/en/en21.pdf). Further impacts caused by forest clearing include erosion and sedimentation impacts on water quality and fisheries, increased stormwater runoff, nutrient loading to water bodies, and estimated increase in water temperature in cold water fisheries.

Once the proposed Fitchburg lateral leaves Mason, NH and enters into MA it would pass through more than 3.5 miles of Willard Brook State Forest which was identified as another focus area in the EES “Wildlife Habitat Protection” report. The impact to this specific permanently protected open space is a major concern of ours and this property is only one of several negatively impacted conserved areas in the Nahua River watershed. As importantly, NED passes through more than 6 miles of the Squannassit Area of Critical Environmental Concern. As you know, the ACEC program is under EOEEA, and ACECs are places in Massachusetts that receive special recognition because of their quality, uniqueness, and significance and create a framework for stewardship of critical resources and ecosystems. Furthermore, the several tributaries to the Squannacook River that the pipeline will cross are designated as Outstanding Resource Waters pursuant to the Massachusetts Rivers Sanctuary Act.

As originally proposed in our service area, NED’s main pipeline crossed over 2 miles in 8 medium or high-yield aquifers, 21 permanently protected conservation areas, 25 wetlands and 27 streams, 3 % miles of MA BioMap2 areas, 6 Priority Habitats of Rare Species areas, and 8 miles of the two Squannassit & Petapawag Areas of Critical Environmental Concern (ACECs).

The NED proposed routes (both originally and currently proposed) through our service area are, in our opinion, unnecessary, misguided, unwise and would undoubtedly result in significant irreversible, detrimental environmental impacts to terrestrial and hydrological resources including groundwater aquifer recharge areas.

If the project is deemed necessary, alternative routes that are co-located along existing highway rights of way such as Route 2, Route 31 or Interstate 90, or along existing gas pipeline systems, should be prioritized for study as the preferred pipeline and lateral routes rather than “greenfield” settings or transmission lines that cross environmentally sensitive areas. We have taken note of a suggested alternative route for the Fitchburg lateral, as outlined in Carolyn Sellars letter to FERC on October 1, 2015, and feel that merits exploration and assessment if the Fitchburg lateral is deemed necessary.

However, in our opinion, evidence is lacking that justifies any of the routes proposed to date. We feel that a consolidated review of all the current proposals for bringing more natural gas into New England makes sense. We ask that FERC review in one process all the current proposals. We believe that the project itself can be avoided once all options are more fully explored.

Thank you for this opportunity to comment.

Sincerely,

Lucy Wallace
NRWA Board President

20151015-5266

grace shaw, NEW IPSWICH, NH.
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 Project, Tennessee Gas Pipeline Company, L.L.C.

Dear Ms. Bose:

As a 50 year resident in the state of NH, I am asking you to please consider and respect the information and concerns of those who have intelligently opposed the construction of a pipeline through southern NH. I know you are well aware of the negative impacts that threaten our health and environment. I don't believe that I would say anything different than what has already been said.

There has been a tremendous amount of opposition for the pipeline through southern NH. It includes reports and statistics and requests by concerned parties. The data shows that our community will be at a terrible risk of pollution. Wetlands, rivers, forests, parks, bodies of water, homes, wildlife and air will be harmed or destroyed.

There are many more important things in life than money. There is nothing more valuable than peace, health and safety in the community where one resides. If you would consider your own life and that of your dearest family members, I trust we would be in agreement as to what the wisest choice is, regarding all that the proposed pipeline puts at risk. To put it simply, I appeal to you to do unto others as you would have them do unto you.

I request that FERC take a stand in support of our communities by approving projects that are in line with the local, state, and federal energy policies. Foster the development of clean energy in NH and throughout this nation.

Respectfully,

Grace Shaw and family

20151015-5267

Robert Morisse, Bloomfield, CT.

I attended a poorly advertised public hearing in the West Hartford, CT Town Hall on October 7, 2015 where Kinder Morgan presented its plans to expand the Tennessee Gas Pipeline in Connecticut. In spite of many comments from the public, representatives of Kinder Morgan took no notes to record the concerns raised by the public – leading me to believe that this meeting was a sham and nothing said at the meeting was going to change anything submitted by Kinder Morgan to FERC.

Therefore, I believe it is important for FERC to understand why I and almost everyone else at the public meeting PLUS a growing group of people in Bloomfield are against this project.

1) There was no evidence presented of a quantifiable demand for additional gas in CT. I understand that 2 companies in CT would like more gas so they can try and sell more gas and make more money. I don't think a project of this size and expense should be undertaken just to provide the potential for 2 companies to make more money.

2) The proposed route of the pipeline would take it across land owned by the Metropolitan Water District (MDC) on land designated by the State of Connecticut as Class I and Class II land. The MDC CEO Scott Jellison sent a letter (June 26, 2015) to the Secretary of FERC expressing concern that the expansion would

“potentially disturb a large area (250 acres or more) on MDC property and encompass a distance of approximately 5 miles running north and south, carving through the watersheds of MDC Reservoirs 2,3,5 and 6. The property that would be potentially impacted is highly regulated by the State Department of Public Safety in order to safeguard the water supply.”

a. The following comes from the Rivers Alliance of Connecticut:

i. 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).

ii. Protection of Class I and II lands is the highest priority in our state water policy. To 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.

3) The proposed pipeline expansion should not be approved because of Kinder Morgan’s poor safety record.

a. (Sources: www.pushbackthepipeline.org and Wikipedia – Kinder Morgan)

i. In 2011 the Pipeline and Hazardous Materials Safety Administration (PHMSA) cited Kinder Morgan for these safety violations:

1. Failing to maintain update maps showing pipeline locations
2. Failing to test pipeline safety devices
3. Failure to maintain proper firefighting equipment
4. Failing to inspect its pipelines as required
5. Failure to adequately monitor pips’ corrosion levels

ii. In 2013, the investment research firm Hedgeye Risk Management released a report claiming that Kinder Morgan’s business strategy is to starve its pipelines and related infrastructure of routine maintenance to maximize profit.

iii. In Texas from 2003 to 2014, Kinder Morgan experienced 36 “significant incidents”, resulting in fatalities or hospitalization fires, explosions or spills.

iv. Throughout the US since 2003, Kinder Morgan and its subsidiaries pipelines have been responsible for at least 180 spills, evacuations, explosions, fires and fatalities in 24 states. A list of individual accidents is available on Wikipedia – Kinder Morgan.

4) Constructing the proposed gas pipeline across Class I and Class II land, (going through the watersheds of MDC reservoirs 2, 3, 5 and 6) combined with the rate of accidents puts the drinking water supplied by MDC at great risk. One accident could seriously jeopardize the drinking water of approximately 400,000 people that are served by the MDC.

Robert Morisse
17 Arnold Drive
Bloomfield, CT 06002

20151015-5268

Rachel Harrigan, Branford, CT.

Dear FERC,

Drinking water reservoirs need healthy lands around them to filter and protect the water our families use.

Clear-cutting and digging a trench 90 feet wide, 5.5 feet deep, and 5.7 miles long through land that protects my drinking water and that of hundreds of thousands of my neighbors is not the solution. Natural gas pipelines nationwide suffer alarming failures that pollute water and soil, and put people at risk. Kinder Morgan should find another place for its pipeline—or better yet, invest in renewables and stop wasting money on outdated fossil fuel infrastructure.

Sincerely yours,

Rachel H Harrigan

20151015-5269

Ginnie Gavrin, Marlborough, NH.

I have grave concerns about the NED pipeline plan currently under consideration for southern New Hampshire.

The use of eminent domain to force land to be turned over from citizens to a private company for their for-profit use is unconscionable. The underlying assumption that gas requirements will grow to such an extent that the citizens of New Hampshire must sacrifice their environment and their land is a false assumption. In this period of questioning the efficacy and necessity of this pipeline as the best way to meet future energy needs, I am hoping that the downsides of this proposal will receive the attention they deserve.

The gas that will run through the pipeline will likely be shipped overseas and not be available to increase gas capacity in New Hampshire even though our environment may be irreparably damaged by the construction and operation of the pipeline. Natural gas production and transport are not a “bridge” to a cleaner environment. Fracked gas comes with huge costs to the areas where it is drilled, including the large amount of methane released in the process. Increasing our reliance on natural gas does not guarantee that our energy costs will not go up. Price fluctuations are determined by multiple factors and cannot be controlled locally.

Preservation of New Hampshire’s pristine water must receive adequate protection for generations to come. Kinder Morgan cannot guarantee their pipeline will provide that protection. As we have seen in other parts of the country in recent months — high pressure, high capacity pipelines do explode, spill, and leak.

I am asking that you approach this matter with an open mind and please listen to those most affected. It is on your shoulders to bear in mind the future generations and the very high price they may pay if we underestimate the dangers associated with this choice.

20151015-5270

Shirley, Brookline, NH.

I am **VEHEMENTLY OPPOSED** to the granting of the filing for this pipeline to be routed through Southern NH towns, who will receive absolutely **NO** benefit from this project. This plan will threaten the ecology of 400 acres of conservation land (and that is just in Brookline, NH). The devastation far outweighs the practical benefits of this nearly obsolete form of energy. There have been over 100 permits for solar energy applied for in our town in the last month. **THAT** is what we should be doing with the billions of dollars proposed, rather than putting our citizens at risk for illness, danger and death in granting Kinder Morgan this permit. Kinder Morgan have overstated their safety records and denied accidents. Let it be known the majority of the townspeople affected by this project **DO NOT WANT THIS PROJECT, DO NOT WANT KINDER MORGAN AND DO NOT WANT THE HEADACHES THIS WILL IMPOSE UPON US**. I am one of many who refuse to be bullied in to accepting this horrific option. Please FERC if the majority of the citizens this effects are opposed how can you approve and if you do we will be **DEMANDING** answers. We will hold you and KM accountable should this project be approved. the burde of proof is on **YOU**, not the citizens of NH.

20151015-5271

John Constantine, Hollis, NH.

This pipeline is not wanted or needed by the residents of New Hampshire that is being asked to carry the infrastructure.

A great deal of this gas isn't even destined for New England, but rather export.

Please consider this pipeline in conjunction with the other energy projects in the region.

Please consider this pipeline in conjunction with the energy plans that have been independently developed by the states the pipeline will impact.

Please do not approve this project, it is the wrong investment for the region.

Please do not approve this project, it is the wrong investment for the nation. As other nations are modernizing their infrastructure for renewables, the US seems intent on doubling down on fossil fuels in the name of dollars.

Please look a few minutes into the future and see that this is going the wrong direction.

20151015-5272

Willow Sirch, Hamden, CT.

Dear FERC,

For generations, Connecticut has relied upon pristine open space around its drinking water reservoirs to filter and protect the water our families use. Clear-cutting and digging a 6-mile-long 90-foot-wide through lands that protect our drinking water is an ill-conceived idea. No doubt the people who came up with it do not reside in Connecticut. All around our country, natural gas pipelines have experienced alarming failures that pollute water and soil, and put our children at risk. I urge you not to let Connecticut become the next site of such a serious threat.

Moreover, electric vehicles are poised to make fossil fuels for transportation far less viable than they have been for the past 50 years. Investing huge amounts of money on outdated fossil fuel technologies is a waste.

Thank you for the opportunity to express my opinion on this matter.

Sincerely,

Willow Sirch

20151015-5279

BERKSHIRE REGIONAL PLANNING COMMISSION

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CHARLES P. OGDEN, Treasurer

October 15, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Washington, DC 20426

RE: Northeast Energy Direct - PF14-22-000

NATHANIEL W. KARNS, A.I.C.P.

Executive Director

Dear Secretary Bose:

The Berkshire Regional Planning Commission (BRPC) respectfully submits the attached comments in relation to the Federal Energy Regulatory Commission Environmental Impact Statement Scoping for the proposed Northeast Energy Direct (NED) Project (PF14-22-000). These comments are submitted on behalf of the City of Pittsfield, Massachusetts, the Towns of Cheshire, Dalton, Hinsdale, Lanesborough, Lenox, Richmond, Washington and Windsor, Massachusetts, the Dalton Fire District, the Lanesborough Village Fire and Water District, Rensselaer County, New York (Rensco), and the Towns of Nassau, Stephentown, and Schodack, New York.

It is without question that the NED Project would have significant impacts on the natural resources, public infrastructure, socio-economics, and public health and safety within the region. The impacted communities within both Berkshire County, Massachusetts, and Rensselaer County, New York, without exception, have voiced their strong opposition to the NED Project. BRPC and Rensco have not analyzed the need for additional energy within the region or alternative energy sources. BRPC and Rensco do not have the technical expertise to weigh in on this issue and recognize that others with more expertise can make such arguments. These comments are intended to provide a greater understanding with regard to our region along with considerations that should be incorporated into the EIS, as well as mitigation measures for both the construction and operation of the pipeline should the project move forward.

The Berkshire region, with a population of 128,7151, consists of thirty towns and two cities located in western Massachusetts on the border of New York State. The Berkshires is a true region, well defined by physical features, geographic relationships, political boundaries, historical traditions and social organizations. Two major rivers drain the region, the Hoosic in the north and the Housatonic in the south, and the pipeline would impact both of their headwaters. Their adjacent valley lands contain the majority of the region's development and population. The region also includes small portions of the Deerfield, Westfield, and Hudson River watersheds, all of which would be impacted by the pipeline.

The Berkshire region is fortunate to have a wealth of valuable natural resources—the largest intact forests in southern New England, river valleys, clean upland streams, and abundant wetlands. These are important natural resources both ecologically and to support our tourism industry which is a critical component of the regional economy. The destruction of natural resources and fragmentation of open space inevitably degrades our landscape, and lessens economic and social values.

Rensselaer County, New York has a population of approximately 153,000 residing over 665 beautiful picturesque square miles. The quality of life as portrayed in the fourteen towns, six villages, and two cities, lends to the air of spirit and togetherness symbolic of what life should be about. The county slogan, “Life Looks Good From Here” is consistent with Rensselaer's identity. Rensselaer County strives to be an excellent place to live, to work, to shop, and to raise a family, while balancing economic, educational, and recreational opportunities.

The attached comments detail our concerns along with requested mitigation measures should the project be constructed. The comments include the following sections:

- Public Safety and Health
- Transportation and Local Infrastructure
- Compressor Stations
- Drinking Water
- Rivers, Streams, Waterbodies, and Wetlands
- Invasive Plants
- Special Species Status and Special Interest Areas
- Socio-Economic and Fiscal Issues
- Impacts to Property Owners

Key concerns and considerations include the following:

- The pipeline should avoid drinking water supply areas;
- Compressor Stations should be located within industrial areas;
- The municipalities should not incur any cost as a consequence of the project for local review processes, repair of infrastructure, emergency response or any other cost associated with the permitting, construction, or operation of the pipeline.
- Directly impacted property owners should not incur any cost as a consequence of the project during acquisition, construction or operations and should be fully compensated for unavoidable costs and impacts.

Thank you for your careful consideration of these comments.

Sincerely,

Nathaniel W. Karns, AICP
Executive Director

1 United States Census Bureau 2014 Population Estimate

Cc: The Honorable Elizabeth Warren, U.S. Senate

The Honorable Edward Markey, U.S. Senate

The Honorable Richard Neal, U.S. House of Representatives

The Honorable Charlie Baker, Governor

The Honorable Benjamin Downing, State Senator

The Honorable Gailanne Cariddi, State Representative, 1st Berkshire

The Honorable Paul Mark, State Representative, 2nd Berkshire

The Honorable Tricia Farley-Bouvier, State Representative, 3rd Berkshire

Mr. Matthew Beaton, Secretary, Executive Office of Energy & Environmental Affairs

FERC Environmental Impact Statement

Scoping Comments

Northeast Energy Direct PF14-22-000

Submitted on October 15, 2015

by the

Berkshire Regional Planning Commission

on behalf of the Berkshire and Rensselaer Pipeline Working Group

Berkshire and Rensselaer Pipeline Working Group Participants:

- Berkshire Regional Planning Commission
- Cheshire, MA
- Dalton, MA
- Dalton Fire District
- Hinsdale, MA
- Lanesborough, MA
- Lanesborough Village Fire and Water District
- Nassau, NY
- Pittsfield, MA
- Rensselaer County, NY
- Schodack, NY
- Stephentown, NY
- Windsor, MA
- Lenox, MA

- Richmond, MA
- Washington, MA

Table of Contents

1 Public Safety and Health	1
1.1. Adverse Impacts to Public Safety and Health	1
1.2. Safety and Health Impact Assessment	3
1.3. Requested Mitigation Measures to Protect Public Safety and Health During Construction ...	7
1.4. Requested Mitigation Measures for Operational Impacts to Public Safety and Health	9
2 Transportation and Local Infrastructure	11
2.1. Adverse Impacts on Transportation and Local Infrastructure	11
2.2. Requested Mitigation Measures for Transportation and Local Infrastructure	14
2.3. Requested Mitigation of Potential Public Safety Impacts from Road Delays/Closures	15
2.5 Requested Mitigation of Potential Damage to Public Roadways	16
3 Compressor Stations	17
3.1. Adverse Impacts from Compressor Stations.	17
3.2. Requested Mitigation Measures Related to Compressor Stations	19
4 Drinking Water	23
4.1. Adverse Impacts	23
4.2. Public Drinking Water Supplies	27
4.3. Non-municipal Public and Private Wells	38
4.3. Drinking Water Supply Impact Assessment	39
4.4. Requested Mitigation Measures for Drinking Water Resources	39
4.5. Requested Mitigation Measures for Surface Water Supplies	42
4.6. Requested Mitigation Measures for Ground Water Supplies	44
4.7. Requested Mitigation Measures for Public Supply Distribution	45
4.8. Requested Mitigation Measures for Small Public and Private Wells	46
5 Rivers, Streams, Waterbodies and Wetlands	48
5.1 Adverse Impacts to Rivers, Streams, Waterbodies & Wetlands	48
5.2 Requested Mitigation Measures for Rivers, Streams, Waterbodies & Wetlands.	54
6 Invasive Plants	59
6.1. Requested Mitigation Measures to Reduce Impacts from Invasive Plants	59
7 Special Species Status and Special Interest Areas	61
7.1. Adverse Impacts to Special Species & Special Interest Areas	61
7.2. BioMap2	61
7.3. Bat Hibernacula	68
7.4. Karst Geology	69
7.5. Lag Gravel Formations	69
7.6. Areas of Critical Environmental Concern	70

7.7. Wild & Scenic River	71
7.8. Appalachian National Scenic Trail	73
7.9. The Rensselaer Plateau	73
7.10 Notchview Reservation, Windsor MA	73
7.11 Requested Mitigation Measures for Special Species & Special Interest Areas	74
8 Socio-Economic and Fiscal Issues	76
8.1 Adverse Impacts	76
8.2 Socio-Economic & Fiscal Impact Assessment	83
8.3. Requested Mitigation Measures for Socio-Economic Impacts	85
9 Property Owners	87
9.1 Adverse Impacts to Property Owners	87
9.2 Property Owner Impact Assessment	94
9.3 Requested Mitigation of Impacts of the Easement Acquisition Process on Private, Non-Profit & Municipal Property Owners	98
9.4 Requested Mitigation of Construction Impacts on Property Owners:	98
9.5 Requested Mitigation of Operational Impacts on Public Health and Safety	100
Attachments	103
• Emergency Response Capability	
• Schodack, NY - Chapter 185 - Excavations Permit	
• Transportation Impact Assessment Scope of Work	
• Local Roads	
• Town of Nassau, NY Driveway Standards	
• AECOM Correspondence	
o Water Supply Impact Maps	
o Environmental Maps	
• Indiana Technical Guidance / Investigation of Manmade Preferential Pathways for Contaminant Transport	
• Town of Lanesborough, MA Water Supply Protection Overlay Bylaw	
• Town of Nassau, NY Aquifer Protection Overlay Regulations	
• Dalton, MA Stormwater Management & Erosion Control Bylaw	
• Dalton, MA Stormwater Management & Erosion Control Regulations	
• Dalton, MA Scenic Mountain Act Approved Map	
• Dalton, MA Scenic Mountain Act Regulations	
• Report on the Potential Impacts to the Natural Resources from a Proposed Natural Gas Pipeline in the Town of Nassau, NY	
<i>{ body of 258 report, omitted, but full report (15.1 MB) can be downloaded at: }</i>	
<i>{ http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14015011 }</i>	

20151015-5285

James Tyler-Wall, Temple, NH.

Dear Sirs,

Please be advised I am completely against allowing Kinder Morgan to build a compressor station in New Ipswich, NH. The proposed site is next to an Elementary School and will emit tons of toxins annually. Please do not allow this to be approved and built.

Sincerely,

James Tyler-Wall

20151015-5286

Margaret Ford, Nassau, NY.

Dear FERC:

I have been reading many of the comments submitted on the NED pipeline and it boils down to this: citizens for the most part are against this pipeline proposal and have submitted valid reasons for their opposition. As an abutter I am directly affected by this taking of my property. In addition, The siting of the Nassau compressor station is an affront to towns and villages who have enacted zoning to maintain their rural character. The taking of private property for private wealth creation is an abomination which we should not have to endure. You have heard the people and yet the cards are stacked against citizen's property rights and environmental efficacy. There are so many comments on potential problems with this project that finding it is a "public necessity" would be ridiculous since there still has not been a demonstrable need for additional capacity. Impacted states have been moving towards more renewable power to help with anticipated shortfalls. We all know that the endgame is EXPORT. This is in no way a "public necessity"! I urge you to break with your mission of approving all pipeline projects and only approve those which truly are for "public necessity". (That would be the US public if that is not obvious.)

Sincerely,

Margaret M. Ford

20151015-5290

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

October 15, 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:

Enclosed is a copy of the Ecological Assessment of the Society for the Protection of New Hampshire Forest's Bockes and Heald Reservations. As noted in our July 30 testimony regarding the Northeast Energy Direct Project, three of our forest reservation parcels are located in the route of the NED: the 55 acre Heald Tract parcels in Greenville, New Hampshire and Mason, and the 45 acre Bockes Forest in Hudson, New

Hampshire.

We have two reasons for providing FERC with this information. First, we want to insure the agency understands how the NED project will result in environmental impacts to conservation lands in New Hampshire. Second, we believe FERC must direct the applicant to undertake a comprehensive landscape analysis and field survey on the natural resources, including conservation properties, within the project corridor similar to the one performed on the Bockes and Heald tracts.

The need for this comprehensive approach is highlighted in the September 4 letter from Carol Henderson at the NH Fish and Game Department who noted the Department could not yet determine the potential impacts on many species within NH that may be impacted within the project areas. She further noted that without actual ground surveys, including the information from the finalized wildlife surveys, it is not possible to measure the amount of potential impacts to fish and wildlife species and their associated habitats.

It should be concerning to FERC that the New Hampshire state agency responsible for the protection, conservation and management of the State's fish, wildlife and marine resources and their habitats has had difficulty accessing the necessary information to appropriately analyze any potential environmental impacts of the NED project. We would therefore again request FERC to direct the applicant to undertake a complete ecological assessment of the approximately 40 conservation properties along the project route.

Thank you again for this additional opportunity to comment on this project.

Matt Leahy, Public Policy Manager
Society for the Protection of New Hampshire Forests
mleahy@forestsociety.org

**Rapid Ecological Assessment of Bockes and Heald Reservations
and Identification of Potential Impacts from Proposed
Northeast Direct Pipeline**

Kane Conservation, 9/2015

Background and Introduction

The Society for the Protection of New Hampshire Forests (the "SPNHF") has secured the services of Kane Conservation for the purpose of conducting landscape analysis and field surveys for portions of the Bockes Reservation in Hudson, NH and the Heald Reservation in Mason/Greenville, NH (the "Properties") that are situated along the proposed route of the Northeast Direct natural gas pipeline (the "NED"). The area studied is the actual proposed route of the Wright Dracut pipeline route plus a 200 foot buffer on both sides of these routes (the "Study Area"). The Wright Dracut route is currently planned to be located at the southern edge of an existing cleared power line corridor on both properties. The resources pertinent to this study are plants and plant communities, wildlife species, wildlife habitat and wetlands. The prime purpose was to locate potentially significant features which might warrant a more full documentation, and have some legal status for protection and consideration in the pipeline licensing process. This report summarizes the findings of this assessment..

{ body of 20 page report omitted, but full report can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14015067> }

20151015-5291

Commonwealth of Massachusetts
Town of Lanesborough

Newton Memorial Town Hall
Post Office Box 1492
83 North Main Street

Lanesborough, MA 01237
Tel. (413) 442-1167
FAX (413) 443-5811
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October 15, 2015

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

RE: Northeast Energy Direct - Docket No. PF14-22-000

Dear Secretary Bose:

The Town of Lanesborough submits the following comments on the proposed Kinder Morgan Tennessee Gas Pipeline (TGP) Northeast Energy Direct (NED) pipeline project (PF14- 22). The proposed NED project would have significant impacts on the natural resources, public infrastructure, socio-economics, and public health and safety within the region. The proposed NED project crosses through the Town of Lanesborough and would impact the town. Through the coordination of the Berkshire Regional Planning Commission, the Town of Lanesborough has joined with the City of Pittsfield, Massachusetts, the Towns of Cheshire, Dalton, Hinsdale, Lanesborough, Lenox, Pittsfield, Richmond, Washington and Windsor, Massachusetts, the Dalton Fire District, the Lanesborough Village Fire and Water District, Rensselaer County, New York, and the Towns of Nassau, Stephentown, and Schodack, New York to identify common impacts and requested mitigation measures. Those items are specified in comments submitted by the Berkshire Regional Planning Commission, letter dated October 15, 2015. The Town of Lanesborough endorses and incorporated herein by reference, the comments submitted by the Berkshire Regional Planning Commission.

Sincerely,

Paul Sieloff
Town Administrator

Lanesborough Conservation Commission
PO BOX 1492
Newton Memorial Town Hall
Lanesborough, MA 01237

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

RE: Tennessee Gas Pipeline Company, LLC

Proposed Northeast Energy Direct Project, FERC Docket No. PFI4-22-000

Dear Secretary Bose,

The Town of Lanesborough Conservation Commission is submitting written comments to express our concern regarding potential impacts to resource areas due to the proposed expansion of the natural gas pipeline. The Lanesborough Conservation Commission is responsible for safeguarding the Town's natural resources through the administration of the Wetland Protection Act. Some of the Conservation Commission's jurisdiction overlaps with interests that are subject to review under several federal laws including the Clean Water Act, Clean Air Act, and Endangered Species Act. The Commission also reviews projects that require review by the Massachusetts Natural Heritage and Endangered Species Program.

The proposed pipeline expansion will impact approximately 19 property owners. The impacted proper-

ties include lands that are owned by the Town of Lanesborough for the preservation of natural resources and protection of the Town wells, state owned properties for the protection of sensitive areas and endangered species habitat, State forests, and local farms. At least one of the farms that will potentially be impacted has an Agricultural Protection Restriction on file. Some of the areas within the scope of the study area are identified as Priority Habitats under BioMap II and Areas of Critical Environmental Concern.

If built, the pipeline would cross many streams, protected wetland areas, and natural ponds. The Commission is concerned about the potential loss of resource areas protected under the Wetlands Protection Act and the possible impact to wildlife due to the loss of critical habitat for amphibians, native birds, and larger mammals that thrive in our area. At this time, we have not been able to assess the potential impact to certified vernal pools located along the route. Additionally, the Commission is concerned that the post-construction right of way will negatively impact native plants and create a pathway for invasive species to gain a stronger foothold in sensitive areas.

The Commission has heard concerns from residents regarding the proposed pipeline project. Residents have raised concerns regarding the material being used to construct the pipeline and question why a lesser grade of steel would be used in our area. Concerns have also been voiced regarding the perceived safety of the pipeline, especially when our first responders and fire department are comprised of volunteers. Other issues raised before the Commission have included concerns regarding potential impacts to water quality, impacts to groundwater, questions regarding possible impacts to the Town water supply, potential impacts to private wells, possible air pollution, and construction impacts to our local infrastructure

Previous construction projects in our town have required blasting and other invasive construction practices due to the presence bedrock. Installation of a 4" waterline and local shopping area were both delayed due to the geologic profile of the area. Procedures to address any needed dewatering due to high groundwater or construction during storm events have not been discussed. The project will be reviewed in regards to the Massachusetts Stormwater Standards to ensure that water quality is not negatively impacted during or after construction. We would recommend that a full geotechnical survey be completed to fully assess the scope of work required to complete the proposed work.

The Commission has attended public meetings held by Kinder Morgan/Tennessee Gas, Berkshire Regional Planning Commission, and FERC to inform ourselves about this project. The Town of Lanesborough is working with the local regional planning commission to examine the potential impacts to our area. We expect that the applicant will be able to explain how they sought to first avoid areas protected under the Wetlands Protection Act before taking steps to minimize and mitigate the impacts of the proposed work. Unfortunately, the documents released so far by KinderMorganiTennessee Gas have information gaps that are hampering the Commission's ability to offer more specific comments. Location and size of temporary access roads, crossings, and other construction related impacts are missing. Of note, the plans do not identify the location of the proposed staging areas that will be needed throughout construction. The staging areas will result in additional impacts that will need to be considered when evaluating the full scope of the proposed project. Systems for cleaning and maintaining equipment and storage of stockpiled material will be included in our review due to the potential for contaminated material to enter waterways and other sensitive areas.

The proposed pipeline expansion would result in considerable land disturbance. If the project moves forward, ensuring that the project is closely monitored throughout all stages of the construction process will be a priority for the Commission, including monitoring for compliance with all permits and, if issued, enforcement orders. The Commission will also want to evaluate the operation and maintenance plan to guarantee that KinderMorgan/Tennessee Gas will continue to operate in compliance with all permits and regulations once construction has been completed.

The Lanesborough Conservation Commission is deeply concerned about the potential permanent impact a project of this size and scope will have on our town and the surrounding communities. We look forward to the opportunity to continue to monitor the progress of this potential project and review the work for compliance with the Wetlands Protection Act if approved to move forward.

In light of the above, the Lanesborough Conservation Commission requests to be included in the environmental mailing list for this project. We intend to become an Intervenor to the project and ask to be kept informed about the application process.

On behalf of the Lanesborough Conservation Commission,

Stacy Parsons
Chair, Lanesborough Conservation Commission

CC: Governor Charlie Baker
Attorney General Maura Healey
Senator Benjamin Downing
Representative Gail Carriddi
Representative Paul Mark
US Senator Elizabeth Warren
US Representative Ed Markey
Eugene Benson, Executive Director MACC

20151015-5300

**Tennessee Gas Pipeline
Company, L.L.C.**
a Kinder Morgan company

October 15, 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 –September 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 September 1 through September 30, 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: September 1, 2015 through September 30, 2015)**

Public Outreach

Tennessee provided the following NED Project notifications:

- o Mailed copies of a compressor station newsletter to landowners in the vicinity of the proposed compressor stations.
- o On September 9, 2015, Tennessee provided Massachusetts, New Hampshire and Connecticut stakeholders with the Tennessee press release and copy of the study by ICF International regarding the New England energy market outlook.
- o Tennessee provided New York stakeholders with the Tennessee press release announcing executed agreements with producers, local distribution companies (“LDCs”), and a New York end-use market participant on September 29, 2015.
- o On September 30, 2015, Tennessee provided applicable Connecticut media contacts with the details of its October 7, 2015 public presentation in West Hartford, Connecticut.

Tennessee conducted the following public community meetings:

- o September 9, 2015: New Ipswich, New Hampshire
- o September 10, 2015: Fitzwilliam, New Hampshire
- o September 15, 2015: Milford, New Hampshire
- o September 16, 2015: Salem, New Hampshire
- o September 17, 2015: Merrimack, New Hampshire

Environmental

Tennessee continued to work on revising Resource Reports 1 through 13 for the final Environmental Report, to be included with the certificate application filing.

- Tennessee continued field surveys during the reporting period, including cultural, environmental, and threatened and endangered species surveys. Tennessee continues to develop survey protocols and prepare for additional threatened and endangered species surveys throughout the Project area as survey protocols are finalized.
- As of September 30, 2015, biological surveys have taken place over approximately 104.17 miles, or 61 percent, of the NED Project Supply Path component route, and approximately 93.48 miles, or 37 percent, of the NED Project Market Path component route. In addition, cultural resource surveys have taken place over approximately 97.81 miles, or 57 percent, of the NED Project Supply Path component route, and approximately 52.17 miles, or 21 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 West (Supply Path)	171	C: 95.9 D: 89.0	104.17	97.81
NED East (Market Path)	248	C: 80.8 D: 76.5	93.48	52.17

	C: 42%		
<u>% Complete</u>	D: 40%	48%	36%

*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 held a pre-application meeting with the Bradford and Susquehanna Conservation Districts in Pennsylvania on September 9, 2015.
- Tennessee held a pre-application meeting with the Pennsylvania Department of Environmental Protection and Army Corps of Engineers, Baltimore District on September 10, 2015.
- Tennessee attended a meeting with the New Hampshire Department of Transportation regarding state and federal road crossing permit requirements on September 15, 2015.
- Tennessee attended a meeting with the New Hampshire Public Utilities Commission on September 16, 2015.
- Tennessee met with the New Hampshire Farm Bureau on September 17, 2015.
- Tennessee participated in a safety meeting at the Narragansett Indian Reservation on September 24, 2015.
- The Commission conducted a scoping meeting in Rindge, New Hampshire on September 29, 2015.
- Tennessee met with the Army Corps of Engineers, New York District on September 30, 2015 to discuss the format and content of the Individual Section 404 Permit application.

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 98% completed for the NED Supply Path component area.

Tennessee has received 258 calls as of the date of this report on the toll-free phone number established for the Project.

Tennessee is continuing to assemble permit application criteria for federal, state, county, and town road permit applications.

Tennessee is continuing to communicate with and seek survey permission from affected landowners.

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. For deviations that Tennessee has adopted, these revisions to the proposed route will be reflected in the final Environmental Report to be submitted with the certificate application filing. Tennessee anticipates that it will continue to review requests for deviations, and that any additional adjustments to the route that Tennessee determines are appropriate will be filed with the Commission in supplemental filings, as well as with other appropriate permitting agencies.
- 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 that were 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 in the final Environmental Report to be submitted with the certificate application filing. 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 2015 after the leaves are off the trees.

Compressor station layouts are being developed and will be provided in the certificate application filing. Tennessee is continuing to work on scheduling for geotechnical investigations for structural and permeability analysis at the sites of the proposed compressor stations.

Environmental field surveys for the sites of the proposed meter stations have been initiated where site permissions have been obtained. Permissions have been received for eight meter stations.

- Tennessee field engineers continued to identify available access roads, contractor yards, and other areas proposed for use during construction. An updated list will be provided in the certificate application filing.
- Survey activities, including identifying and staking the centerline along all routes on accessible land, continued during the reporting period. Work being performed includes staking and detailed survey along the pipeline route and surveys of supporting sites such as contractor yards and compressor stations. Tennessee continues to conduct survey activities on additional available areas where survey access has been granted.
- Tennessee continued discussions with electric utility companies regarding the co-location of proposed Project facilities with existing utility corridors. Eversource and National Grid provided Tennessee with property information for their facilities and have entered into an agreement with Tennessee to allow for surveys to be conducted on their property. These surveys were initiated during the reporting period and are continuing.
- Preliminary construction spreads have been determined.
- A preliminary hydrostatic test plan has been developed, including depicting potential water supplies and discharge locations. Tennessee will be meeting with jurisdictional agencies to review areas and gain feedback.
- Residential figures were provided based on public information for residences within 50 feet of the proposed workspace with the July 24, 2015 second draft Environmental Report. These drawings are being updated, utilizing the flown imagery for structure locations, and will be included with the final Environmental Report to be included with the certificate application filing.
- Based on discussions with the New York State Department of Environmental Conservation (“NYS-DEC”), an updated template used for a waterbody crossing analysis is being developed.
- Tennessee has developed routing for an I-88 alternative in New York. This route was reviewed for constructability issues and will be presented in the Resource Report 10 included in the final Environmental Report. Mapping has been developed to illustrate this route and NYSDEC was briefly introduced to the routing. A follow up meeting is being scheduled. The route will also be presented to the New York State Department of Transportation to provide feedback.
- Aboveground appurtenance drawings are being developed for metering, main line valve, and launcher/receiver sites. These drawings will be provided during the certificate application.

20151015-5305

LCHIP

Land & Community Heritage
Investment Program

October 15, 2015

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

RE: Northeast Energy Direct Project, Tennessee Gas Pipeline Company, L.L.C.
Docket No. PF 14-22-000

Dear Ms. Bose:

The Land and Community Heritage Investment Program (LCHIP) appreciates the opportunity to provide comments on the Northeast Energy Direct Project (NED)(Docket #PF 14-22).

In 2000, the New Hampshire's General Court established LCHIP (not to be confused with the similarly named Land Conservation Investment Program "LCIP") as an independent state authority. LCHIP provides matching grants to New Hampshire municipalities and non-profits to protect and preserve the state's most important natural, cultural and historic resources. Its legislatively mandated mission is to ensure the perpetual contribution of these resources to the state's economy, environment and quality of life. Since its inception, LCHIP has provided \$36 million of state money to support 341 grants for land conservation and historic preservation. LCHIP holds interests on behalf of the state of New Hampshire in 120 land conservation projects protecting 268,000 acres. The properties conserved through LCHIP include some of the most pristine lands in the state, as well as important open space parcels in densely populated areas of the state. The program enjoys robust public and legislative support.

The current NED proposal crosses land protected with assistance from LCHIP in the Towns of Mason and Hudson. Interest in lands acquired through LCHIP is held in public trust: State law (RSA 227:M14) specifies that the sale, transfer, conveyance, or release of any resource asset from public trust is prohibited (except for minor modifications to state highways after an extensive review process). In addition, both of these properties were acquired through "bargain sales" wherein the landowner donated a portion of the value of the property to the project. This kind of acquisition may trigger the creation of a charitable trust which comes under further jurisdiction of the Charitable Trusts Unit of the state Department of Justice.

We understand that Kinder Morgan (KM) has developed alternative routes that reduce or avoid impact on other conservation lands in the towns of Amherst and Brookline. We respectfully request that alternative analyses also be performed to avoid/minimize impacts to the lands protected with assistance from LCHIP.

Obviously, any analysis of the impact of the proposed project hinges on the presentation to FERC and other concerned parties of complete and accurate information about all relevant protected conservation lands. The Draft Environment Impact Statement (EIS) and the Environmental Resource Reports (EER) must show the location of all conserved properties with relation to both temporary and permanent impacts of the proposal along the full length of the proposed pipeline. To that end, I am including maps showing the land protected with assistance from LCHIP that is impacted by the current proposed pipeline route location as we understand it. If the proposed route alignment changes, we are willing to provide information about other properties conserved with LCHIP assistance if needed.

The LCHIP-assisted parcels and all of the conservation lands in New Hampshire were protected at substantial cost and effort by citizens because the resources on them include significant environmental, ecological, cultural or other values. The overarching question about the impact of this proposed project on conserved land is whether there actually is a need for additional gas pipeline capacity in the region and if so, what pipeline alignment best minimizes adverse impacts on conservation lands and the communities that host them. Meeting energy needs through increased efficiency in use of existing supplies has no negative impact on conservation lands.

We feel that the EIS and the EER should include an assessment of:

- alternatives that reduce or avoid impacts on LCHIP and other protected lands and their important resources;

- the impact of a no-build alternative;
- The overall impact of and need for this pipeline in the context of the several varied energy proposals currently under review for the region.

Thank you for your consideration of these comments.

Sincerely,

Dorothy T. Taylor,
Executive Director

ENC: Map of Fifield Tree Farm

Map of Hudson portion of Ingersoll Tri-Town Tree Farm -

13 West Street, Suite 3, Concord, New Hampshire 03301 (603) 224-4113 lchip.org

{2 maps, omitted: Town of Mason, NH. October 2015 and Town of Hudson, NH. October 2015}

20151015-5306

Wild & Scenic Westfield River Committee

PO Box 393, Huntington, MA 01050

www.wildscenicwestfieldriver.org

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

October 15, 2015

Re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000, Northeast Energy Direct Project

Dear Ms. Bose,

The Wild & Scenic Westfield River Committee thanks you for the opportunity to provide comments on the Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the Planned Northeast Energy Direct (NED) Project. Over 78 miles of the Westfield River's three major tributaries and headwater streams are designated as part of the National Wild & Scenic River system. The proposed pipeline project will cross the East Branch of the Westfield River and approximately 20 of its headwater tributaries. In addition, one of the proposed Compressor Stations is situated in close proximity to Westfield Brook – one of the important headwater tributaries supporting the state endangered Lake Chub which is only found in the upper reaches of the Westfield River in Massachusetts.

Our Committee, comprised of representatives from 10 communities, non-profit conservation organizations, regional planning commissions, state and federal agencies, works to preserve, protect and enhance the outstanding natural resources of the Westfield River Watershed in concert with local communities. Through a partnership model, the Committee supports an active corps of volunteers, professional planners, government officials and nonprofit organizations on conservation efforts in the region, particularly as it pertains to the National Wild & Scenic Westfield River designation.

The Westfield River and its tributaries support the top representation of fluvial, coldwater fish communities¹ in Massachusetts and one of the best opportunities for river conservation in Southern New England. The Wild & Scenic designation recognizes the river's nationally and regionally significant "outstandingly remarkable values", including extraordinary scenic and historic resources, supreme whitewater boating and fishing opportunities, large intact forests, outstanding biodiversity and exemplary natural communities. (National Park Service Wild & Scenic Eligibility Findings, 1993 and 2004)^{2,3}

The Committee has concerns about potential impacts to the National Wild & Scenic River and its headwater tributaries from the pipeline, compressor station and associated infrastructure and work resulting from the proposed project. We seek additional details and information as part of the Draft Environmental Impact Statement (EIS) to determine the extent of effects on the “Outstandingly Remarkable Values” for which the river was designated.

Outstandingly Remarkable Values

The Wild & Scenic Rivers Act (Public Law 90-542) states, in Section 1(b) of the Act:

“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 Wild & Scenic Rivers Act 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 adverse effect on the values for which such river was established.” In the case of the Westfield River, the National Park Service conducts Section 7(a) reviews of projects in consultation with the Wild & Scenic Westfield River Committee.

Based on our analysis of the static maps and local knowledge of topography and hydrology, we believe the proposed pipeline will cross or closely parallel over 21 intermittent and perennial stream segments in the headwaters of the East Branch of the Westfield River. These include:

- Unnamed Tributary to East Branch (Windsor)
- Shaw Brook (Windsor)
- Westfield Brook (Windsor)
- Unnamed Tributary to Westfield Brook (Windsor)
- Bartlett Brook (Plainfield)
- Unnamed Tributary to East Branch (Plainfield)
- Mill Brook (Plainfield)
- Meadow Brook (Plainfield)
- North Branch of Swift River (Plainfield)
- Unnamed Tributaries to Meadow Brook (Plainfield)
- Unnamed Tributaries to Bartlett Brook (Plainfield)
- Unnamed Tributary to North Branch of Swift River (Plainfield)
- Swift River (Ashfield)
- Billings Brook (Ashfield)
- Ford Brook (Ashfield)
- Unnamed Tributary to Swift River (Ashfield)

Based on Table 2.2-6 Waterbodies Associated With the Project in Massachusetts, the proponent only identified 18 pipeline-stream segment crossings. In addition, the included 3 proposed stream crossings to carry access roads to the project. FERC should require the proponent to provide GIS-based mapping as part of the Draft EIS so a thorough analysis of impacts to streams, critical habitats and outstandingly remarkable values can be conducted. Further, based on the static maps, it is unclear how closely the proposed pipeline will follow the existing electric transmission corridor right-of-way (ROW). Based on the filings, it appears the ROW will be expanded and/or a new ROW constructed adjacent to the existing ROW. Regardless, there will be potential impacts at all of these river and stream crossings.

The Draft EIS should provide an in-depth and complete analysis of the impacts during and post construction of the project to the outstandingly remarkable values for which the Wild & Scenic Westfield River and its surrounding environs were designated. These values include, but are not limited to:

- Water Quality
- Recreation
- Scenic
- Historic
- Fish and Wildlife
- Cultural
- Geologic

Analysis should include not only the footprint of the proposed project, but impacts associated with construction access via local roads. For instance, truck traffic and traffic control will have impacts on the scenic and aesthetic surroundings, as well as potentially increase the likelihood for accidents while traversing roads leading to these sensitive areas.

The following are examples of some of the Outstandingly Remarkable Values found within 5 miles of the proposed project:

Fish & Wildlife

Lake Chub (*Couesius plumbeus*): The Massachusetts Natural Heritage and Endangered Species Program list Lake Chub as a state endangered species. The only population in Massachusetts is found in the upper reaches of the Westfield River system and represents the southernmost range limit of the species.

Eastern Brook Trout (*Salvelinus fontinalis*): According to the Eastern Brook Trout Joint Venture⁴, catchment-scale study, a majority of the Westfield River watershed is considered to have intact populations of wild brook trout. The Massachusetts Wildlife Action Plan⁵ identifies Brook Trout as one of the key species in greatest need of conservation based on trout being fluvial specialists, pollution intolerant, and part of the coldwater complex of species. Habitat fragmentation was identified as one of the major impacts to brook trout and other coldwater species, especially when populations are isolated and fluvial fish are less able to cope with environmental extremes. Any activities which decrease water quality, increase temperature or cause siltation of spawning habitat are detrimental to this sensitive species. Some populations rely on springs as refuge areas during the warmest periods of the year; if the flow of such springs is altered or reduced, it may result in the loss of the population.

Coldwater Habitat: The Massachusetts Department of Fish & Game (MA DFG) has designated the East Branch of the Westfield River and many of its tributaries as high quality coldwater streams. These streams provide critical habitat to coldwater species such as Eastern brook trout (*Salvelinus fontinalis*), slimy sculpin (*Cottus cognatus*) and the state-endangered Lake Chub (*Couesius plumbeus*). The largely forested landscape of the upper Westfield River watershed provide shade cover and reduce thermal impacts from solar radiation heating, as well as inputs of large woody habitat and organic material to feed the stream aquatic biota.

BioMap2 Aquatic Core Habitat: Many of the streams crossed or in proximity to the proposed project in this region fall within BioMap 2 Aquatic Core Habitat – intact river corridors within which important physical and ecological processes of the rivers or streams occur. In addition, the river corridors are surrounded by BioMap2 Core Natural Landscapes – large natural Landscape Blocks that provide habitat for wide-ranging native species, support intact ecological processes, maintain connectivity among habitats, and enhance ecological resilience, as well as buffering land around aquatic Core Habitats to help ensure their long-term integrity.

Scenic & Recreational

Bryant Mountain and Deer Hill: Steep, wooded hills enclose much of the valley and create strong visual images, particularly in the northwest corner of the town of Cummington where Bryant Mountain and Deer Hill face each other across the river; spectacular during the fall foliage season. The Route 9 Corridor bisects this region, paralleling the river for much of its length, and would be one of the main routes for truck and vehicular traffic accessing the pipeline and Compressor Station locations.

Windsor Jamb State Forest: Includes 2540 acres of protected land. Hiking, cross-country skiing and snowmobiling are allowed on numerous trails and old roads. The East Branch of the Westfield River traverses the State Forest upstream of the proposed pipeline. It is accessed via River Road which parallels the river in close proximity for several miles upstream of the proposed pipeline crossing.

Notchview Reservation: Over 3108 acres of protected land owned by The Trustees of Reservation. The Reservation provides Nature trails, fishing, picnicking, hiking, cross-country skiing opportunities. The pipeline will cross the protected lands corridor which drains to the National Wild & Scenic River segment.

Upper Westfield River Wildlife Management Area: Approximately 315 acres of protected land owned and managed by the Massachusetts Division of Fisheries and Wildlife for wildlife, hunting and fishing. The pipeline will cross the Wild & Scenic Westfield River at this location.

Historic

William Cullen Bryant Homestead: National Historic Landmark on 207 Acres owned by The Trustees of Reservations overlooking the Westfield River valley. The homestead and surrounding area inspired many of William Cullen Bryant's poetry. The view shed from the homestead is minimally changed since the time of William Cullen Bryant.

West Cummington Village: The village includes historic evidence of the former Paper and Tannery mills and old historic buildings. The village's well system is located adjacent between River Road and the East Branch of the Westfield River downstream of the proposed pipeline crossing.

Recommendations for Draft Environmental Impact Statement

The Committee recommends the proponent provide the additional details requested above, as well as further outline measures they will take to avoid, minimize and offset impacts and effects from the proposed project. We are most concerned about:

- Pipeline Stream Crossing Construction Methods
- Clearing
- Land Disturbance
- Introduction of Invasives
- Scenic Resources and Visual Impacts
- Noise
- Encroachment into or Fragmentation of Habitat Areas

We strongly encourage the Commission to identify potential, direct, indirect and cumulative impacts of the project, especially for the resource areas and values identified above. The Commission should require avoidance measures where possible and mitigation measures where avoidance is not feasible.

The Commission should require an evaluation of the proposed methods and determine if the use of HDD, conventional bore and Direct Pipe methods for each stream crossing is feasible, and where they are not feasible provide justification of why one of the alternative methods – wet open cut, dry crossing methods, etc. – is proposed instead. The evaluation should include protective measures to limit runoff of sediment and other fluids into streams, as well as contingency plans if the proposed method fails and results in discharge of materials into the stream. Aesthetic and view shed impacts along the stream corridors should also be considered. If feasible, the methods should avoid and minimize disturbance in the stream and within 200 feet of

the stream.

We recommend field reconnaissance include a hydraulic analysis of each crossing to ensure the pipeline is buried deep enough to remain undisturbed by scour and deposition processes and accounts for any expected horizontal and vertical adjustment of the stream profile. Hydraulic analysis should be based off the NOAA Atlas 14 Volume 10: Precipitation-Frequency Atlas of the United States, Northeastern States (September 2015).⁷

Site specific erosion control and sediment management plans should be provided for each stream crossing. The plans should include site specific terrain and topography, as well as erosion and stormwater measures and a maintenance plan to ensure they are working properly.

The proponents should provide a Stream Restoration Plan for each crossing. The restored stream channel should be similar in the width, depth, slope and substrate to the upstream and downstream reaches and resemble pre-construction conditions.

We want to better understand the water needs and sources of water for this project area. If water is used from streams what measures will be taken to avoid damage to aquatic life, and prevent wastewater from re-entering stream before being properly filtered. The impacts of hydrostatic testing – pressure testing of the pipeline – on aquatic life (both fish and invertebrates) should be determined for all streams. Water withdrawals from hydrostatic testing may result in adverse impacts to stream temperature and water levels, which are critical for fish and other aquatic life. Discharge of hydrostatic testing water can also result in elevated water temperatures and sediment loads.

We strongly urge the Commission to require pre-construction monitoring to establish a baseline on existing conditions of the streams and their surround habitats. A monitoring plan should be in place during and post construction activities and consider the short and long-term impacts to the stream system and its surrounding habitat.

The upper parts of the Westfield River watershed are one of the least developed regions in Massachusetts. The topology and underlying geology are one of the main reasons many industries have not built and developed in the region. The Commission may want to require a hydrologic study for the pipeline and Compressor Station to better understand the impacts from drilling, runoff, bedrock geology, and conditions which may result by removing vegetation and exposing soils, especially on steep slopes and approaches draining to river, wetland and stream segments.

The Committee requests more details on the proposed right-of-way at the stream crossings, including distance from existing corridor and width of clearing. A Vegetation Management Plan should include an invasive management plan which monitors post-construction, but also establishes a baseline of conditions prior to construction.

Access roads, construction staging areas and appurtenance facilitates should be better geographically located to determine proximity and potential for impacts to the river and its “Outstandingly Remarkable Values.” Further, the Proponent should clarify whether the proposed construction activities will be temporary or permanent in nature. For example, Table 2.2-6 Waterbodies Associated With the Project in Massachusetts notes an access road will cross Bartlett Brook in Plainfield (42° 30’ 45.513” N, 72° 57’ 4.385” W) and the length is only 3-feet wide across the stream. If this is a permanent crossing, then it will need to follow the Massachusetts Stream Crossing Standards as outlined by the Army Corp of Engineers General Permit for Massachusetts⁸ and the Massachusetts Department of Environmental Protection’s Wetlands Protection Act (310 CMR 10.00)⁹. This would require the crossing to be 1.2x bankfull width. Based on the USGS Streamstats¹⁰ Flow Regression Equations, the estimated bankfull width of this stream crossing is 8.51 feet, thus the crossing should be 10.2 feet in width. As a result the crossing widths as reported in Table 2.2-6 Waterbodies Associated With the Project in Massachusetts would be substantially underestimated.

Future Consultation

As required by the National Wild & Scenic Rivers Act, FERC will be required to consult with the Secretary

of Interior through the National Park Service. The Commission should strongly encourage the Proponent to seek early and frequent consultation with the National Park Service and the Wild & Scenic Westfield River Committee.

Thank you for your full consideration of our comments.

Sincerely,

Robert Thompson, Chair

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- 1 Kashiwagi, Michael and Todd Richards. Development of Target Fish Community Models for Massachusetts Mainstem Rivers, Technical Report. Commonwealth of Massachusetts, Department of Fish and Game, Division of Fisheries and Wildlife, 2009.
 - 2 Westfield River, Massachusetts, Wild and Scenic Evaluation and Environmental Assessment. National Park Service, July 1993.
 - 3 Westfield River Wild & Scenic River Evaluation: Findings regarding the Commonwealth of Massachusetts' application for expansion of the Westfield River's Wild & Scenic Designation. National Park Service, December 2002.
 - 4 <http://easternbrooktrout.org/>
 - 5 Commonwealth of Massachusetts Comprehensive Wildlife Conservation Strategy, Massachusetts Division of Fisheries and Wildlife, Department of Fish & Game, revised September 2006.
 - 6 BioMap2: Conserving the Biodiversity of Massachusetts in a Changing World, 2010, Commonwealth of Massachusetts, Natural Heritage and Endangered Species Program, Division of Fisheries and Wildlife.
 - 7 The NOAA Atlas 14 precipitation frequency estimates, which are used in many infrastructure design and planning activities in the USA, supersede the estimates published in the following publications: NWS HYDRO-35 (1977), Technical Paper No. 40 (1961) and Technical Paper No. 49 (1964).
Precipitation frequency estimates with supplemental information are available for download through the Precipitation Frequency Data Server - PFDS. Accompanying documentation, describing the data used in this project and project methodology, is expected to be published in December.
 - 8 <http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/MAGPs9March2015.pdf>
 - 9 <http://www.mass.gov/eea/agencies/massdep/water/regulations/310-cmr-10-00-wetlands-protection-act-regulations.html#1>
 - 10 Bent, G.C., and Waite, A.M., 2013, Equations for estimating bankfull channel geometry and discharge for streams in Massachusetts: U.S. Geological Survey Scientific Investigations Report 2013-5155, 62 p.

20151015-5325

50 Griffin Rd.
Hudson, NH 03051

October 15, 2015

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

Re: Northeast Energy Direct Project, Kinder Morgan Pipeline
Docket No. PF 14-22-000

Dear Ms. Bose:

Thank you for the opportunity to comment on the NED project (Docket No. PF 14-22-000). I am writing as a landowner of approximately 90 acres situated in or near the path of the proposed project in Hudson, NH. The family farm where I presently reside has been owned/occupied by members of my family since approximately 1870. Located on this land is farmland of statewide significance (CpB) and farmland of local

importance (StB). There are 13.6 acres of CpB, Chatfield-Hollis-Canton complex, 3 to 8 percent slopes on my property, according to our Custom Soil Resource Report for Hillsborough County, NH, Eastern Part; by the United States Department of Agriculture and the Natural Resources Conservation Service. See attached map. A significant portion of the CpB farmland will be forever impaired if the pipeline is allowed to pass through my property. There are also 9.8 acres of farmland of local importance, StB, on my property that will be affected by the proposed pipeline. A significant portion of the StB farmland will be forever impaired if the pipeline is allowed to pass through my property. How will the landowner, state of NH and local entities be reimbursed for this forever diminishment of a shrinking resource? How will similar land be created by the proposed NED project and where will it be located? Will the pipeline pollutants and/or installation and maintenance of the proposed pipeline impact the “organic” nature of my crops?

Secondly, I am concerned about the vernal ponds and the habitats they provide for flora and fauna on my property in and near the path of the proposed NED pipeline. Two watersheds will be impacted by this proposed project, namely the Robinson Pond watershed and the Beaver Brook watershed. How will these resources be assessed and protected during and after construction of a large pipeline?

Thirdly, I am concerned about the pollinator habitat that will be interrupted at best and permanently ruined if the pipeline is allowed to pass through my property. My farmland is part of the million pollinator garden challenge. As you may be aware pollinators are extremely important at a time when some pollinators are vanishing. The plants on my land provide continuous sources of pollen throughout the growing season. Razing five or more acres of my property will certainly have an impact on the pollinators. Who will study the impact the proposed pipeline will have on the many pollinators, plants and animals currently calling my property home?

Fourthly, I have noticed what appear to be New England cottontails on my property. The New England cottontail, the only indigenous rabbit of New England, has less than a fifth of the range it had in the 1900s, according to newenglandcottontail.org. Although they may not be on the endangered species list at this writing, permanently removing a significant portion of their habitat, young forests, will not be in their favor. Will you require the NED project to maintain critical habitats already in place on my property, or will you allow them to change the land? Will the indigenous plants and animals be able to return once the land has been excavated and/or blasted to accommodate a thirty-inch diameter pipeline, or will the soil be forever different?

Fifthly, why would you allow a for-profit company to have access to my land by eminent domain? I am told that NH generates more power than it consumes and is a power exporter, so how can allowing NED access to my property at a less than non-pipeline-impacted market values be fair to landowners (myself and others nearby) within the incineration zone? What about the potential impact of a gas leak to all homes within the incineration zone? NED isn't approaching those homeowners for access, but a pipeline leak has the potential to access their properties and cause significant damage to them.

Sixthly, who will be responsible for monitoring the pipeline/NED for the possibility of pollutants escaping the pipeline during routine maintenance? Who will be responsible for cleanup of the pipeline when its functional life has ended? Who will pay to train the emergency response teams needed in the communities impacted by the pipeline?

Sincerely,

Lavinia Miller

Enclosure *{none found in FERC PDF}*

20151015-5326

PRIVILEGED

{duplicate copy of 20151015-5123 above }

20151015-5343

MACC Massachusetts Association of Conservation Commissions

protecting wetlands, open space and biological diversity through education and advocacy

Electronically filed with FERC

October 15, 2015

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

Re: Scoping comments responding to the Notice of Intent to Prepare an Environmental Impact Statement for the proposed Northeast Energy Direct project (FERC pre-filing: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000)

Dear Ms. Bose:

These are the comments of the Massachusetts Association of Conservation Commissions (MACC) on the scope for the Environmental Impact Statement (EIS) for the proposed so-called Northeast Energy Direct natural gas pipeline project of Kinder Morgan's Tennessee Gas Pipeline Company. These comments are for the portion of the project in the state of Massachusetts.

MACC, established in 1961 and incorporated in 1978, is the professional association of Massachusetts conservation commissions. The conservation commission in each of the 351 cities and towns in Massachusetts is an integral part of its municipal government. Conservation commissions are the municipal government wetlands, wildlife, and open space boards. They exercise the police power, home rule power, and public ownership of conservation, park, and natural resource properties as well as public easements, land restrictions, and other rights. Conservation commissions protect conservation lands and other natural resources in their communities under the Massachusetts Conservation Act (G.L. c.40, § 8c). Notably, conservation commissions administer and enforce the Massachusetts Wetlands Protection Act (G.L. c.131, § 40) and municipal home-rule wetlands laws and regulations. Most projects in or near wetlands require a permit (Order of Conditions) issued by the local conservation commission before work can be performed and the work must be consistent with the conditions of the permit and state and local wetlands protection requirements. Most conservation commissions also manage municipally-owned conservation lands; some hold conservation restrictions or easements on other parcels.

Massachusetts conservation commissions in the municipalities that will be affected by the NED project have been closely following the FERC pre-filing process. The proposed pipeline would be subject to their jurisdiction under the Massachusetts Wetlands Protection Act as well as under municipal wetlands laws. Some own or manage properties through which the pipeline would pass. Many attended the project open houses earlier this year. Many participated in the recent scoping meetings. Many will comment to FERC on the scope for the EIS, either directly or as a part of the comments of their city or town.

On July 2, 2015, we wrote to you, asking that the comment period be extended to allow for adequate time to review Kinder Morgan's extensive multi-volume Resource Reports, which it filed in late July, and because the comment period would occur while many people would be on summer vacation. We appreciate that FERC extended the comment period to October 16, 2015. We think FERC's extension of the comment period is consistent with and required by the Council on Environmental Quality (CEQ) regulations that call for flexibility in setting time limits appropriate to the action, 40 CFR 1501.8, considering the large scope of the project, the potential for environmental harm, Kinder Morgan's altering the proposal and not providing

important information about aspects of its proposal, the voluminous materials that require review, and the significant controversy the pipeline has engendered. We would also expect FERC to provide adequate time, at least four months, and preferably six months, to review and comment on the Draft Environmental Impact Statement.

The pipeline as proposed would cross through large numbers and many acres of wetlands, rivers, streams, and other wetland and water resource areas; large numbers and many acres of conservation lands, including lands purchased with public funds and protected as open space conservation lands by Article 97 of the Massachusetts Constitution; public drinking water supply protection areas and areas that affect residential drinking water wells; working productive farms; forests; lands protected from development by state-authorized conservation restrictions; valuable wildlife habitats; scenic vistas; and more. If constructed as proposed, there would be an underground 30 inch diameter high pressure pipeline and a surface level permanent fifty foot wide swath cut through ecologically sensitive lands on which trees could not grow and structures not be built. We are concerned that Kinder Morgan's preferred path for its large and long gas pipeline, cutting through so much protected conservation lands, will be counter-productive to the continued acquisition and preservation of important conservation areas.

We describe below state and local laws and policies on land use that are relevant to the environmental impact assessment because, as required by 40 CFR 1502.16, the EIS must include a discussion of possible conflicts between the proposed action and the objectives of federal, state, regional, and local land use plans, policies, and controls. That assessment is especially critical for this project, which may allow for federal preemption of state and local requirements. We would expect the EIS to assess the impact of preemption, mitigation for preemption, as well as alternatives to exercising preemption. In addition, the analysis of alternative routes must compare the impacts of the routes on state and local plans, policies, and controls.

Protecting Wetlands

The Massachusetts Wetlands Protection Act, MGL c.131 § 40 (WPA), adopted in 1972, was the first comprehensive wetlands protection law in the United States. It remains among the strongest and most effective such laws in the nation.

The WPA regulates activity that would remove, fill, dredge, or alter a wetland resource area. Areas subject to protection under the WPA are: 1) any bank, freshwater wetland, coastal wetland, beach, dune, flat, marsh, or swamp, providing that it borders on the ocean or on an estuary, creek, river, stream, pond, or lake; and 2) land under any of the water bodies noted above, land subject to tidal action, land subject to coastal storm flowage, land subject to flooding, and riverfront area. Activities in those area are regulated to contribute to these interests: protection of public and private water supply, protection of ground water supply, flood control, storm damage prevention, prevention of pollution, protection of land containing shellfish, protection of fisheries, and protection of wildlife habitat.

In comparison to section 404 of the federal Clean Water Act, which requires a permit to discharge dredged or fill materials into Waters of the United States, the WPA is much more comprehensive in the types of activities it regulates, the areas it protects, and the protections it affords to wetlands.

Municipal conservation commissions in each of the 351 cities and towns of Massachusetts administer the WPA through local permits. The Massachusetts Department of Environmental Protection (MA DEP) promulgates WPA regulations, adopts WPA policy and guidance, and decides appeals of municipal decisions made under the WPA. Both MA DEP and conservation commissions have the authority to take enforcement action to ensure compliance with the WPA. In short, the WPA is a state law that relies on municipal conservation commissions to implement and enforce the law, subject to review by MA DEP.

In addition to administering the WPA, municipalities in Massachusetts may adopt local wetland protection ordinances or bylaws that are stricter than the WPA, providing more protection to wetlands and wetland resources. A majority of Massachusetts cities and towns have adopted their own wetland ordinances or bylaws, also administered by their conservation commissions through local permitting.

Protecting Conservation Lands

In 1972 Massachusetts added Article 97 to the Massachusetts Constitution, providing the people with “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.” Article 97 authorizes the state to purchase conservation lands and easements to accomplish those purposes and requires the “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.” Those lands may be owned by the state or its political subdivisions. The state’s Article 97 Land Disposition Policy is no net loss of Article 97 lands and that land be removed from Article 97 protection only in extraordinary circumstances.¹ Land disposition includes a change in use, in addition to transfer or conveyance of the property, by deed, easement or lease. *Id.* Easements required by the project for crossing Article 97 land would be a change in use requiring a two thirds vote in favor by both the Massachusetts Senate and Massachusetts House of Representatives.

Massachusetts also designates lands as Areas of Critical Environmental Concern (ACEC) for special recognition because of the quality, uniqueness, and significance of their natural and cultural resources. 301 CMR 12.00. Those areas are worthy of a high level of concern and protection; activities in or impacting the areas must be carried out to minimize adverse effects. *Id.*

Massachusetts also authorizes conservation and agricultural restrictions to be placed on land to maintain such lands in conservation or agricultural use. MGL c.184, §§ 31-33. Those conservation restrictions are most often deeded by land owners and held by conservation commissions or land trusts. The restrictions can be for a specified number of years or in perpetuity. The Department of Public Utilities can authorize a taking of an easement for the purpose of utilities services under specified conditions on lands with restrictions established under MGL c.184, §§ 31-33.

In addition, conservation lands in Massachusetts have been purchased with grants from the federal Land and Water Conservation Fund (LWCF). Those state assistance grants have supported hundreds of projects across Massachusetts’ state and local parks, including trails, watershed lands, and scenic views. According to the U.S. Department of Interior, as of October 13, 2015, there have been 452 LWCF grants in Massachusetts for projects totaling 25,164.48 acres.² Those areas are protected from development under the federal program.

Protecting Drinking Water Supplies

Massachusetts has primacy for and thus administers and enforces the federal Safe Drinking Water Act (SDWA) in Massachusetts. To continue to do so, it must regularly demonstrate to the federal Environmental Protection Agency that it has state regulations at least as stringent as those promulgated by EPA under the SDWA to protect the drinking water of public water supplies.

Public potable water supplies in Massachusetts include surface water sources and ground water sources. Some systems are all groundwater, others are all surface water, and others are a combination. All those systems are subject to state regulation under the SDWA.

Groundwater supplies are protected by the Massachusetts Wellhead Protection Program, which assists communities in preventing contaminants from entering their public drinking water supply wells. The law establishes three zones of protection. Zone I, the closest protective radius around a well or wellfield, must be owned or controlled through a conservation restriction by the public water supplier and may be used only for water supply purposes. Zone II, the next area out, must have various prohibitions and restrictions on buildings and activities in the zone. Zone III, the area beyond zone II, is an area from which surface or ground water drains into zone II; it does not have state protection but can have local protection. Wellhead protection areas are used where zones have not been established. More than 120 communities in Massachusetts have adopted water supply protection laws and regulations to implement the state requirements. Some also protect more water supply areas, including Zone III.

Surface water supplies are protected through watershed management. The Massachusetts Watershed Protection Act protects the reservoirs (Quabbin and Wachusett) that provide water for the Massachusetts Water Resources Authority drinking water system.³ It established requirements for the watersheds of the reservoirs, including buffer zones, prohibitions on activities, acquisition of land, and assistance to watershed communities. Over 85% of the watershed lands that surround the reservoirs are covered in forest and wetlands. About 75% of the total watershed land cannot be built on.

The Watershed Protection Act also authorized the MA Department of Conservation and Recreation, in consultation with MA DEP, to establish requirements for the protection of the other surface water reservoirs. Those reservoirs are also protected through land management and protection requirements.

More than 400,000 people in Massachusetts rely on private wells for potable water. Those wells are not subject to SDWA requirements. The state has adopted requirements for well drilling and guidelines for private well design, construction, repair, and maintenance. The federal clean water act, state WPA, and state septic system regulations provide protections for private drinking water by regulating pollution discharges to surface water, protecting wetlands, managing storm water, and regulating the design, construction, and siting of septic systems. Municipalities have the authority to adopt local laws on maintenance of private water supplies. MGL c.40, § 21. Local boards of health use their powers to issue health regulations for private water supplies in their communities.

Protecting Endangered Species

The Massachusetts Endangered Species Act, MGL c.131A, protects both species and their habitats. Species (animals and plants) may be listed as endangered, threatened, or of special concern. Priority habitats of rare species are designated. With some exceptions, alteration of a priority habitat may be done only with the approval of the director of the Division of Fisheries and Wildlife that the alteration will not reduce the viability of the habitat to support the endangered or threatened species population involved.

BioMap2: Conserving the Biodiversity of Massachusetts in a Changing World

BioMap 2 is “a biodiversity conservation plan for Massachusetts” (quoting from the introduction) and can be used as a prioritization tool to help maximize biodiversity protection.⁴ It combines thirty years of rigorously documented rare species and natural community data with special data identifying wildlife species and habitats, and is integrated with an assessment of large, well-connected, and intact ecosystems and landscapes across Massachusetts, incorporating concepts of ecosystem resilience. BioMap 2 identifies 1,242,000 acres of Core Habitat, key areas that are critical for the long-term persistence of rare species and other species of conservation concern as well as a wide diversity of natural communities and intact ecosystems across Massachusetts. It also identifies 1,783,000 acres of Critical Natural Landscape, large natural landscape blocks that provide habitat for wide-ranging native species, support intact ecological processes, maintain connectivity among habitats, and enhance ecological resilience, as well as buffering land around coastal, wetland, and aquatic Core Habitats to help ensure their long-term integrity. BioMap 2 explains that, “protection and stewardship of BioMap 2 Core Habitat and Critical Natural Landscape is essential to safeguard the diversity of species and their habitats, intact ecosystems, and resilient natural landscapes across Massachusetts.”

Requirements for the EIS

The EIS must rigorously explore and objectively assess the environmental impacts of Kinder Morgan’s proposed action, and all reasonable alternatives to the proposed action, including the no action alternative, as required by the CEQ’s regulations. 40 CFR 15.02.14. Such alternatives analysis is the “heart of the environmental impact statement.” Id. It must be done in a comparative form to provide a clear choice among the alternatives and must include a discussion of direct effects and their significance; indirect effects and their significance; possible conflicts between the proposed action and the objectives of federal, state, regional, and local land use plans, policies, and controls for the area; the environmental effects of the alternatives and the proposed action; energy requirements and conservation potential of various alternatives and mitigation measures; natural or depletable resource requirements and conservation potential of various alternatives and

mitigation measures; historic and cultural resources; and the means to mitigate impacts. 40 CFR 1502.16. Our comments are based on those regulatory standards.

As noted earlier in this letter, the proposed route of the pipeline would cut through conservation lands, including Article 97 lands, wetlands, and public and private drinking water supply areas. The Massachusetts land and water protection programs we discuss above must be incorporated into the EIS's: 1) analysis of impacts when comparing route alternatives, including the no build option, 2) discussion of conflicts between the proposed pipeline route and the objectives of state and local land use plans, policies, and controls for the project area, and 3) determination of what mitigation is needed and appropriate. It should also aid in determining whether the pipeline route could be modified to avoid the impacts. There should be discussion of options and impacts if legislative approval is not granted for easements on Article 97 lands. Further, land purchased with state LWCF grants are not subject to federal preemption and so must be identified and alternatives discussed.

Especially important for analysis would be the impact of the reduced protection of natural resources that would occur with preemption of state and local wetlands protections, drinking water supply protections, Article 97 protections, conservation restrictions, and habitat protections. The EIS must compare impacts with preemption to impacts without preemption. In addition, the EIS should state whether the drinking water supply protections can be preempted, considering those protections are the implementation of the federal Safe Drinking Water Act program delegated to the state. It is our opinion that FERC's preemption authority would not extend to preempting federal requirements of the Safe Drinking Water Act as implemented by Massachusetts under the delegated program.

Massachusetts has two tools that may be employed in the EIS analysis. One, mentioned above, is BioMap2, which explains that the protection and stewardship of the Core Habitats and Critical Natural Landscapes it lists are essential to safeguard the diversity of species and their habitats, intact ecosystems, and resilient natural landscapes across Massachusetts. The EIS should list and discuss each Core Habitat and Critical Natural Landscape through which the pipeline preferred and alternative routes would cut, including the impact of pipeline construction, restoration of the landscape, and long-term maintenance of the easement on the values of each parcel so affected, as well as mitigation options.

The other tool that may be employed in determining and reporting on the impact of the pipeline routes on the ecological value of the lands and waters the pipeline would cross is the Conservation Assessment and Priority System (CAPS) developed at the University of Massachusetts.⁵ CAPS is an ecosystem-based approach for assessing the ecological integrity of lands and waters and subsequently identifying and prioritizing land for habitat and biodiversity conservation. It defines ecological integrity as the ability of an area to support biodiversity and the ecosystem processes necessary to sustain biodiversity over the long term. CAPS is a computer software program that offers an approach to prioritizing land for conservation, based on the assessment of ecological integrity for various ecological communities (e.g., forest, shrub swamp, headwater stream) within an area. CAPS combines principles of landscape ecology and conservation biology with the capacity of modern computers to compile spatial data and characterize landscape patterns. This process results in establishing an Index of Ecological Integrity for each point in the landscape based on models constructed separately for each ecological community. The approach is landscape-oriented and focused on a comprehensive valuation of the entire landscape. It attempts to combine many complex spatial relationships in the landscape that drive ecological processes, including population persistence and community dynamics. The CAPS approach seeks to evaluate the ecological integrity of the entire landscape mosaic, not just the rare species and community locations. It assumes that by conserving intact, ecologically-defined communities of high integrity, we can conserve most species and the ecological processes that shape and maintain ecosystems over time.

The EIS should also perform the analysis of impacts of each of the reasonable pipeline routes as was conducted by researchers at the University of Massachusetts Center for Agriculture, Food, and the Environment on the Project proponent's preferred route.⁶ That report employs a methodology that can be used to compare the various routes. That comparison can be a starting point for a more detailed analysis of impacts on each

parcel and the overall ecology of the area.

To facilitate analysis and review, the EIS should:

- Indicate and show on maps the location of each Article 97 land that the pipeline, including laterals, would cross.
- Indicate and show on maps the location of each parcel purchased with funds from the federal Land and Water Conservation Fund that the pipeline, including laterals, would cross.
- Indicate and show on maps the location of each Area of Critical Environmental Concern that the pipeline, including laterals, would cross.
- Indicate and show on maps the location of each wetland and wetland resource area, including the type of wetland resource per the WPA (e.g., bordering vegetated wetland, vernal pool) that the pipeline, including laterals, would cross. Each of those wetlands should be delineated and described.
- Indicate and show on maps the location of each Core Habitat and Critical Natural Landscape that the pipeline, including laterals, would cross.
- Indicate and show on maps the location of each land with a conservation or agricultural restriction that the pipeline, including laterals, would cross.
- Indicate and show on maps each Zone I, Zone II, Zone III, wellhead protection area, reservoir, and other public drinking water supply through which the pipeline, including laterals, would cross, and each in which the project would come within 100 yards of crossing.
- Indicate and show on maps the locations of contaminated sites that the pipeline, including the laterals, would cross.
- Indicate and show on maps each Priority Habitat that the pipeline, including laterals, would cross.
- Indicate and show on maps each cold water fishery that the pipeline, including laterals, would cross.
- Indicate and show on maps each environmental justice community through which the pipeline, including laterals, would cross.
- Visual resources throughout the route.
- Recreational resources throughout the route.
- Cultural resources throughout the route, including historic sites and buildings.
- For each of the above areas, an analysis of alternative routes and siting that would avoid those areas.
- For each area where the pipeline would be located adjacent to, and parallel with, existing utility corridors, a description of any widening or additional right of way that would be required and the location of that widening or additional right of way.

Information must be provided for each compressor station that would include the information provided for the pipeline and laterals as listed above. Other information required for each compressor station must include:

- The size and footprint of the station.
- Power to be used.
- The size and location of the parcel on which each would be located.
- The route of utilities to and from the station.
- An acoustical analysis of compressor station operation, including the level of noise the station would generate at the source, at the borders of the parcel, and at the nearest sensitive receptors, both average and highest amounts. Also, noise impacts on flora and fauna at the compressor parcel, noise mitigation measures, and a comparison to MA DEP noise standards.
- Expected air emissions data from each station, including a listing of pollutants, yearly average and highest hourly and daily amounts, frequency of emissions, including blowdowns/blowoffs, how

they would affect the concentration of priority pollutants in the ambient air at the site as compared to the National Ambient Air Quality Standards (NAAQS), and in comparison to the Prevention of Significant Deterioration increments, and the impact of its emission of toxic pollutants not subject to NAAQS. It should also quantify its expected methane emissions.

The impact of the project should be analyzed and described for each of the bulleted items, and mitigation options discussed and chosen.

Recognizing that city and town governments, not counties, are the primary local government in Massachusetts, we request that the EIS include a map of each municipality that the pipeline, including laterals, would cross, showing the precise proposed location of the pipeline, lateral, compressor station, etc., in that municipality, as well as the location of the lands and waters noted above. Similarly, charts, graphs, and other details that are provided should be at the municipal as well as county and state level.

There should be a description of the construction techniques that will be used throughout the route, and how they compare to other options that would decrease environmental impacts. Any proposed deviation from Massachusetts WPA requirements, storm water management standards, and erosion control standards related to construction should be discussed and explained.

The proposed pipeline would cross many streams, rivers, and wetlands. Each of those crossings will have environmental impacts on the resource crossed. The EIS must list each water body (river, stream, lake, pond, pool) and wetland that each pipeline route would cross, which construction technique is proposed to be used, and an evaluation of the impacts of horizontal directional drilling as compared to the use of conventional backhoe equipment. Horizontal directional drilling for each crossing, where feasible, would have fewer environmental impacts than would use of conventional backhoe equipment. For example, trenching through a wetland would have much greater environmental impacts on flora and fauna during construction, would require more ecological restoration, and would allow invasive, non-native, and unwanted species to take hold and proliferate. It is our preference that horizontal directional drilling be used wherever feasible when crossing a water body or wetland to mitigate impacts.

The cumulative effect on vegetation and wildlife during construction and restoration must be thoroughly addressed as they relate to the ecosystems through which the pipeline would pass, including forests, shrub lands, waterbodies, wetlands, and wildlife habitats. Construction impacts and inappropriate or ineffective restoration can cause or result in the introduction and proliferation of invasive, non-native, and unwanted species. A restoration plan should be adopted and implemented, with input and approval by the local municipality, to assure vegetation and habitat restoration. The type of habitat should not be altered; replanting should be with native trees and shrubs under a formal restoration plan. There must be regular third-party monitoring of the restoration paid for through a fund established by Kinder Morgan Tennessee Gas Pipeline. Long term maintenance must include a regular schedule of invasive species control.

The descriptions and analyses in the EIS must improve upon the bean counting Kinder Morgan resorted to in its Resource Reports. The EIS must discuss and analyze the ecological quality, value, and services of the lands and waters the pipeline would cross. It is not acceptable under NEPA to do little more than count and compare numbers of acres, streams, or wetlands the pipeline would cross, as was done in the Resource Report. For example, crossing a stream on the I-90 (Massachusetts Turnpike) right-of-way would have much less ecological impact than would crossing a similar stream in a pristine area yet the Resource Reports failed to recognize that essential difference and assigned each stream crossing equal weight regardless of the true nature of the impact. The EIS must include an analysis of the current ecological qualities, values, and services of the lands and waters the pipeline would cross and the impacts expected on those ecological qualities, values, and services.

The proposed pipeline's potential adverse impact on public and private drinking water supplies could be significant. In addition to the devastating impact a pipeline failure would have, the longer term impacts of an underground gas pipeline on groundwater flow must be analyzed. That would require a hydrogeological analysis be done wherever the pipeline would cross Zones I, II, or III, wellhead protection areas, and sources

of private drinking water. The purpose of the analysis would be to determine if the pipeline would have any potential impact on the quality, quantity, or availability of those groundwater sources to be used for potable water, or reserved for future use. There must also be a description of potential impacts on surface water drinking sources that may be affected by the pipeline, including wherever the pipeline would be within the watershed of a reservoir or within three miles of a potable water intake structure. Mitigation measures that will be employed should be described.

The proposed pipeline would greatly increase the amount of fossil fuel that could be burned in the region. The environmental impacts, including the increased emission of greenhouse gases that would result from adding more than 1 billion cubic feet per day of natural gas to the region, must be described, assessed, and compared to the federal Clean Power Plan, the Massachusetts Global Warming Solutions Act, and the Regional Greenhouse Gas Initiative requirements and policies. Because coal-fired electric generating facilities in Massachusetts have closed or are in the process of closing, it cannot be claimed that the pipeline would replace coal with gas. With the announcement that the nuclear power generating facility in Plymouth, MA, will close within two years, the environmental impact of bringing more natural gas into the region, as compared to providing electric generating capacity with hydro, wind, and solar must be described and assessed. Of special importance would be an analysis of whether renewable energy would be the replacement for the nuclear plant if the project were not constructed. In addition, the environmental impacts of connecting the project in Dracut to existing pipeline infrastructure to allow export to Canada and beyond must be assessed; that assessment must include

the environmental impacts of export to Canada and overseas, including increases in greenhouse gas emissions from those areas.

The Union of Concerned Scientists (UCS) recently released a report identifying Massachusetts as a state that is putting its electric consumers at financial risk because of an overreliance on natural gas.⁷ The report appears to contradict Kinder Morgan's claim that the pipeline would reduce electric rates. The EIS should assess how the project would affect the financial risk identified by the UCS report, and the resulting environmental impacts.

The proposed pipeline is a major project that will have significant short and long term impacts on the environment. Those impacts will be exacerbated by the amount of wetlands, rivers and streams, conservation lands, and other protected lands the pipeline will cross and by the additional amount of fossil fuel brought into and through the region. The EIS must provide the information and analyses necessary to evaluate the proposed preferred route and alternatives, the no build option, as well as proposed mitigation measures.

Thank you for the opportunity to comment.

Sincerely,

Eugene B. Benson

Executive Director

Email: eugene.benson@maccweb.org

Copy:

Massachusetts Secretary of Energy and Environmental Affairs Matthew A. Beaton
Massachusetts Department of Environmental Protection Commissioner Martin Suuberg
Northeast Municipal Gas Pipeline Coalition
Conservation Commissions

1 <http://www.mass.gov/eea/agencies/mepa/about-mepa/eea-policies/eea-article-97-land-disposition-policy.html> (accessed October 12, 2015).

2 <http://waso-lwcf.nrc.nps.gov/public/index.cfm> (accessed October 13, 2015)

3 MWRA is by far the largest public water system in Massachusetts. It supplies water to 48 communities: 42 communities, including the City of Boston, in the Boston metropolitan area, three communities in central Massachusetts, and back-up supply to three other communities.

4 <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/land-protection-and-management/biomap2/> (accessed October 13, 2015).

5 <http://www.umasscaps.org> (accessed October 14, 2015).

6 <http://www.umass.edu/newsoffice/article/researchers-release-assessment-proposed> (accessed October 13, 2015).

7 www.ucsusa.org/clean-energy/rating-the-states-on-their-risk-of-natural-gas-overreliance (accessed October 15, 2015).

20151016-0007

Hand written card, Christine Iltis, 270 West Rd, Temple, NH 03084: opposing

20151016-0008

Hand written card, Charles F. Iltis, 270 West Rd, Temple, NH 03084: opposing

20151016-0009

Hand written card, Mary Iltis, 270 West Rd, Temple, NH 03084: opposing

20151016-0010

Hand written card, Gary Elsworth, 840 Startch Mill Rd, Mason, NH 03048: opposing

20151016-0012

Hand written card, Geraldine Douglas, 14 N Hill Drive, Lynnfield, MA 01940: opposing

20151016-0013

Hand written card, Paula Voglino, 43 Twillingate Rd, Temple, NH 03084: opposing

20151016-0014

Hand written card, Arthur E. Douglas, 14 N Hill Drive, Lynnfield, MA 01940: opposing

20151016-0058

Date: October 8, 2015

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

Docket 1 PF 14 - 22

I have grave concerns about the Kinder Morgan Northeast Energy Direct (NED) fracked, natural gas, export pipeline. I oppose this proposal.

Christine Bunyan	Matt Currier
83 Main Street	19 Cheryl Dr
Durham, NH 03824	Concord, NH 03303

Cc: Governor Hassan
Congresswoman Kuster
Senator Shaheen
Senator Ayotte
Executive Council
Elected Officials

MERRIMACK VILLAGE DISTRICT

October 9, 2015

Federal Energy Regulatory Commission
Secretary of the Commission
888 First Street, N.E.
Washington, DC 20426

RE: Tennessee Gas Pipeline Company, LLC (NED Project)
Docket Number: PF14-22

Dear Secretary,

I would like to respectfully submit the attached press release and news article recently issued regarding Merrimack Village District (MVD) water quality. As you can see from the writings, MVD water is of the highest quality and to jeopardize such a valuable resource by allowing a pipeline through our wellhead protection area is a risk not worth taking.

I would like to quote Andrew Madison from the Granite State Rural Water Association from the attached press release:

“Clean, safe drinking water is something we often take for granted, but a lot of hard work and dedication on the part of drinking water professional goes into providing the public with this resource. “

As with previous correspondence, this submission is to reinforce the MVD’s opposition to the NED project. I appreciate you taking the time to review the attachments. Should you have any questions or would like to speak with me about MVD’s concerns I can be reached at (603) 424-9241 x103.

Sincerely,

Ronald Miner, Jr.
Superintendent

Cc: Board of Commissioners

47 Main Street
FO Box 596
Walpole, NH 03608
603-756.3670 Tel
603-756-3675 Fax
Info@granitestatewater.org
www.granitestatewater.org

FOR IMMEDIATE RELEASE

Date: Sept. 17, 2015.

Contact: Andrew Madison, Granite State Rural Water Association
amadison@granitestatewater.org
603-756-3670

Merrimack Village District wins Drinking Water Taste Test Contest

Newbury, NH- Granite State Rural Water Association held its second annual Drinking Water Taste Test contest on September 15, 2015. Merrimack Village District’s public drinking water system was declared the winner. Orford Village District’s public drinking water system was selected as runner-up. The contest was held during Granite State Rural Water Association’s annual conference, known as the Operator Field Day and Exhibit Show at Mount Sunapee Resort in Newbury, NH. Eastern Analytical Inc. of Concord, NH generously sponsored the event. Merrimack Village District qualifies to participate in the Great American Taste Test, a national contest held by National Rural Water Association each year in February, in Washington D.C.

Seventeen public drinking water systems from across New Hampshire entered the contest. Samples were judged on taste, aroma and clarity by a panel of distinguished experts representing NH Department of Environmental Services, US Environmental Protection Agency, and US Department of Agriculture's Rural Development Agency.

"The Drinking Water Taste Test is a fun way to highlight the importance of this natural resource. It's a great way to share with the public the important role that drinking water utilities play in terms of public health and safety" said GSRWA Executive Director Jennifer Palmiotto. According to contest organizer and GSRWA Sourcewater Specialist, Andrew Madison, "Clean, safe drinking water is something we often take for granted, but a lot of hard work and dedication on the part of drinking water professionals goes into providing the public with this resource." "MVD works hard every day to supply clean, quality, and great-tasting drinking water so we're very pleased to be voted 'Best Tasting Water'" said Ron Miner, Superintendent of Merrimack Village District's water system.

This year's Operator Field Day provided training opportunities for drinking water system operators with a focus on energy efficiency. Water professionals from NH Department of Environmental Services, Ever-source Energy, municipal water supplies, and companies gave presentations on how water and wastewater utilities can increase their energy efficiency. There were over 50 exhibits where vendors displayed the latest products and services for the drinking water and waste water industry.

Granite State Rural Water Association is the New Hampshire state affiliate of the National Rural Water Association and provides training, technical assistance, and legislative representation for drinking water and wastewater utilities throughout the state. For more information on the Drinking Water Taste Test please contact Andrew Madison at amadisongranitestatewater.org.

The Telegraph

It's Your Community.

Published: Sunday, September 27, 2015

Merrimack's water supply voted tastiest statewide

By TINA FORBES

Staff Writer

You may think the water coming out of the tap is all the same. You probably don't think about it much at all, but Ron Miner does, and it's earned the Merrimack Village District Water Works a little recognition and a trip to Washington, D.C. - although flying it there is out of the question.

After a taste test of New Hampshire tap water last week, Merrimack Village District Water Works placed first for best public water of 17 contestants from around the state. "MVD works hard every day to supply clean, quality and great-tasting drinking water, so we're very pleased to be voted 'Best Tasting Water' Miner, superintendent of Merrimack Village District, said in a Sept. 17 press statement.

By winning the contest, Merrimack Village District qualified to participate in the Great American Taste Test, an annual national contest held by National Rural Water Association in February, in Washington, D.C.

MVD manager fill Lavoie said they plan to send a representative with water samples to D.C. for the contest. "It's going to be exciting," she said.

Lavoie said because of restrictions on carrying water by plane, they might have to find an alternate route.

"We probably have to travel by train," she said.

For the New Hampshire contest, water samples were judged on taste, smell and clarity by a panel of experts from the state Department of Environmental Services, U.S. Environmental Protection Agency and the U.S. Department of Agriculture's Rural Development Agency.

"The 'Drinking Water Taste Test's a fun way to highlight the importance of this natural resource. It's a great

way to share with the public the important role that drinking water utilities play in terms of public health and safety,” said Jennifer Palmiotto, executive director of the Granite State Rural Water Association. The GSRW hosted the competition Sept. 15 during the group’s annual conference at Mount Sunapee Resort in Newbury. The Orford Village District public drinking water system placed second in the drinking water contest. It was the second Drinking Water Taste test hosted by the GSRWA.

“Clean, safe drinking water is something we often take for granted, but a lot of hard work and dedication on the part of drinking water professionals goes into providing the public with this resource,” said GSRWA sourcewater specialist and contest organizer Andrew Madison.

Merrimack Village District provides water for 87 percent of Merrimack, which has a population of about 25,500 people. In 2014, MVD pumped a total of 801,546,900 gallons of water for the year.

Granite State Rural Water Association is the New Hampshire affiliate of the National Rural Water Association. The group provides training, technical assistance and legislative aid for drinking water and wastewater utilities in the state.

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20151016-0061

Hand written letter, William ?, 199 Whipp? Hill Rd, Richmond, NH: opposing

20151016-0062

TOWN OF
PETERBOROUGH
SELECT BOARD

1 Grove Street
Peterborough, NH 03458
Office: (603) 924-8000 x.101
Fax: (603) 924-8001
Web: www.townofpeterborough.com

October 7, 2015

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

Re: Tennessee Pipeline LLC

Docket #4-22-000 Proposed Northeast Energy Direct -NED

Dear Members of the Federal Energy Regulatory Commission,

After in-depth research and careful consideration, the Peterborough Select Board has voted unanimously to join in solidarity with our neighbors to oppose the proposed Northeast Energy Direct / Morgan natural gas pipeline. We are writing to explain our reasoning for this decision and ask you to:

- stand with us by voicing our opposition to the pipeline .
- Issue a challenge to all businesses and municipalities in New Hampshire to ramp up their efforts with conservation, energy efficiency and lead us all on a path towards a renewable and sustainable future

Peterborough: The Greenest Town in New Hampshire

The Town of Peterborough, NH has a reputation for being a leader in renewable energy uses and conservation methods within its municipal facilities. The wheels were put in motion on a path towards energy conser-

vation and enhanced use of renewables in 1996. In 2007, after having incorporated the use of solar, biomass and “green” purchasing policies, the Select Board asked for more and issued a 5% Carbon Emissions Reduction Challenge to town administration. By 2011 the town had reduced its Green House Gas Emissions by 22% across all eleven municipal buildings. 2013 brought the upgrade to 100% purchasing of wind power. In September 2014 Our Town was awarded the EPA’s Green Power Leadership Award among the likes of such well respected institutions as Herman Miller, Inc, REI, Steelcase, Inc. Trek Bicycle Corporation and the City of Houston, TX, to name a few (<http://www.epa.gov/gm:npower/awards/winners.htm>). We are currently constructing a one megawatt solar array at our waste water treatment facility, the biggest in the state of New Hampshire. We have accomplished this with overwhelming support from voters in town. We continually avoid spending tens of thousands of taxpayer dollars with this complete energy plan. Being recognized for our forward thinking and setting this precedent in our great state, we feel comfortable touting ourselves as “The Greenest Town in New Hampshire”.

No Need for Expansion into Natural Gas

Peterborough’s intuition with conservation and conversion to renewables has not only been profitable and sustainable, but it is living proof that the need for expansion into natural gas is unnecessary. There is no documented proof of the need for this “fossil fuel” now in New Hampshire, nor will there be if our healthier, environmentally friendlier path is taken. We have laid the groundwork. Our model is easy to duplicate and in fact we have been called upon by other municipalities as well as meeting with climate change and renewable energy specialists from around the world for insight into the process. We are convinced that the real discussion should be one directed towards smart conservation, fiscally responsible energy efficiency and “focus on locally sourced renewables”.

Potential Devastation of Natural Resources

Peterborough’s Conservation Commission unanimously voted to join forces with conservation commissions state wide in signing a letter opposing this proposed pipeline. The compelling evidence regarding the potential devastation of natural landscapes, wetlands, habitats and drinking water from wells, was paramount to their decision to sign.

Violation of Trust: Confiscation of Conservation Easements

Perhaps more importantly, the danger of the Violation of Trust in which generous citizens have consigned their land convinced the group that this taking of private land for corporate profit was unacceptable.

Safety, Health and Wellbeing

The uncertainty of the safety of said pipeline draws concern for the health and wellbeing of our partner towns directly effected as it snakes its way through forests, over hills and through valleys. According to multiple studies, the large volumes of hazardous toxins that will regularly be released from the compressor station planned for New Ipswich can impair the health of citizens throughout the area. Siting this facility so close to the Temple Elementary School further demonstrates this company’s disregard for public health. If an emergency were to occur, Peterborough’s response would be certain. However we have a volunteer Fire Department, as do these other towns, and the cost for training and special equipment needed to handle such an occurrence would place an unfair burden on our already budget conscious departments region wide.

Thank: you for your careful consideration on this difficult matter.

Respectfully,

The Peterborough Select Board

Barbara Miller, Chair

Tyler Ward

Ed Juengst

CC: Anne Kuster

Peter Leishman

Andy Sanborn
Governor Hassan

20151016-0073

Housatonic Valley Association

150 Kent Road
P.O. Box 28
Cornwall Bridge, CT 06754
860-672-8878
www.hvatoday.org

1383 Pleasant Street
P O Box 251
South Lee, M 01260
413-394-9796

19 Furnace Bank Road
P.O. Box 315
Wassaic, NY 12592
845-789-1381

10/9/15

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

re: Kinder Morgan proposed pipeline

Dear: Secretary Bose,

I would like to thank you for the opportunity to present our concerns regarding the proposed Kinder Morgan gas pipeline routing. The Housatonic Valley Association (HVA) is dedicated solely to protecting the environmental health of the 2,000 squaremile watershed of the Housatonic River and tributaries. HVA is a watershed conservation organization whose mission is to protect the natural character and environmental health of the entire Housatonic River Watershed for this and future generations. Our river stewardship concerns encompasses all 150 miles of the Housatonic River mainstem and the 2,000 acres of watershed land.

Our obvious concern is over the potential negative environmental impact the gas pipeline will have on the headwaters of the Housatonic River Watershed. The intrusion of this gas pipeline during construction and the possibility of major environmental damage over its lifetime if installed, is a major cause of anxiety.

As EPA states, "headwater streams, are critical to the health of the entire river network and downstream communities. Headwater streams trap floodwaters, recharge groundwater supplies, remove pollution, provide fish and wildlife habitat, and sustain the health of downstream rivers, and lakes. Because small streams and streams that flow for only part of the year are the source of the nation's fresh waters, changes that harm these headwaters affect streams, lakes and rivers downstream. These streams also play a critical role in maintaining the quality and supply of our drinking water, ensure a continual flow of water to surface waters, and help recharge underground aquifers".

Therefore the area in question for this pipeline is a concern over the environmental integrity of this relatively undeveloped area in the Berkshires. Also, not only would there be environment impacts, but also since this area is prime hunting, fishing and tourism destination due to the pristine nature, it is also important for our local economy The area in question in the Housatonic Watershed is a pristine area that is enjoyed and utilized for its present conditions and should be protected from unnecessary, potential harmful development.

We also have very strong concerns over the possibility that this project may not need to abide by existing federal, state and local laws that are in effect to ensure protection of our environment fmm degradation by damaging development projects. In particular, this development project should follow the mandatory requirements of the Federal Clean Water Act, and the Massachusetts Wetlands Protection Act, and all local laws required by municipalities such as the Scenic Mountain Act and any Storm water town By-laws.

This pipeline will have a definite environmental cost should it be allowed to be constructed. At this time, the benefits of installing this pipeline does not seem to outweigh these environmental costs. The bottom line is that we feel that the need for this pipeline has not been proven, and that the environmental and recreational cost of this project does not outweigh the benefits to the public. Therefore, we have strong reservations

about the need and environmental cost of this development.

Sincerely,

Dennis Regan
Berkshire Director

20151016-0082

Jennie L. Hill
32 Cross Road
Richmond, NH 03470

October 14, 2015

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

Docket #PF 14-22 (Northeast Energy Direct)

Dear Secretary Bose,

Thank you for extending the Public Comment phase of this process. I appreciate your willingness to give the public additional time to voice our concerns. Kinder Morgan's posture throughout the proceedings has been as if it is just a formality for FERC to grant approval for their proposed pipeline. They have not felt the need to submit accurate or complete information to the Commission in their filings, and they have been less than forthcoming about notifying the officials here about changes to the proposed route through Richmond (New Hampshire) and elsewhere. Here are several points that I would like to bring to the Commission's attention.

Winchester/Richmond NH Town Line

Beginning with the first submission by Kinder Morgan modifying the NED route to the "New Hampshire Powerline alternate", right up until the present, the town line between Winchester and Richmond, New Hampshire is wrong. (Hatch Mott MacDonald plats accompanying the December 2014 filing and a subsequent Revision dated August 21, 2015). I would like to emphasize that it is not wrong by an insignificant amount. It is plotted about 900 feet west of its actual location. Being that the two towns were incorporated in 1753 and 1752 respectively, the town line has been a matter of public knowledge for quite some time. Every ten years representatives from each town walk the town line(s) to verify it and to refresh the markers, pins and blazes on the trees, which are all clearly visible in the vicinity of the proposed route, both on Rte 119 and on the Mountain Turnpike Road. The TIL as plotted by Hatch Mott MacDonald is to the West of Stone Mountain Road, off Mountain Turnpike Road. (yellow highlight) On Rte 119 the real TIL is at the west end of the turnout, just as the road straightens. (orange highlight - approximate) As can be seen, that is a considerable discrepancy. If this engineering firm can't even correctly plot a town line that has been in existence for over 250 years, it calls into question everything else that they have generated for Kinder Morgan. It also begs the question: Does anyone at Kinder Morgan or Hatch Mott MacDonald know where the route really is supposed to go?

FERC File 20141208-521729960502

"DRAFT ENVIRONMENTAL REPORT RESOURCE REPORT I, GENERAL PROJECT DESCRIPTION"

Another glaring omission is the use of "TBD", in the text and tables, rather than providing the information. On Page 8, the text provides a list of looping & co-location of the proposed pipeline.

"The proposed Project involves the following facilities:

- Approximately 32 miles of pipeline looping on Tennessee's 300 Line in Pennsylvania;
- Approximately 135 miles of new pipeline proposed to be generally co-located with the Constitution Pipeline Project proposed by Constitution Pipeline Company, LLC ("Constitution")³ in Pennsylvania and

New York (extending from Tennessee's existing 300 Line near Auburn Center, Pennsylvania to Wright, New York);

- Approximately 53 miles of pipeline generally co-located with Tennessee's existing 200 Line and an existing utility corridor in New York;
- Approximately 64 miles of pipeline generally co-located with an existing utility corridor in Massachusetts;
- Approximately 71 miles of pipeline generally co-located with an existing utility corridor in New Hampshire (extending southeast to Dracut, Massachusetts)"

Table 1.1-2 "Areas of pipeline looping and co-location of pipeline facilities" page 27, summarizes this information in table form.

Every single one of those areas where the proposed pipeline is looping or co-located with another line or utility corridor, there are detailed project plans and other resources which show slope, depth to bedrock, soil, terrain, etc. Yet when you scroll forward to the section on "rugged topography" Pages 67- 70, the tables are all filled in with TBD.

Table 1.3-2 Steep Slopes (15 - 30%) crossed by the project.

Table 1.3.3 Steep Slopes (>30%) crossed by the project.

Table 1.3-4 Steep Side Slopes (15-30%)

Table 1.3-5 Steep Side Slopes (>30%)

TBD for PA, NY, MA & NH in all 4 tables.

As special construction techniques for both Steep Slopes & Steep Side Slopes, and A TWS requirements for Steep Side Slopes over 30%, this is very relevant information to have when evaluating the merits of this route. All it takes to figure out slope percentages is a topographic map, a calculator and a ruler. You would think with the technology available and the resources mentioned above, Kinder Morgan's engineering department should be able to do likewise. It again speaks to the assumption that FERC is going to rubber stamp this application and neither FERC nor the public have a need to know that information. This very cavalier attitude to details can and has been the cause of various "incidents" involving Kinder Morgan's pipelines, which have resulted in loss of life and property.

Depth of Pipe Burial

My third concern is the stated intent to bury the pipe no more than 3 feet deep. Anyone who drove over any secondary road in New England last winter got to experience first hand what frost action can do. Given that when the route is not going through bedrock, it is going through unconsolidated glacial till, the pipe will be subjected to freeze/thaw activity if not below the frost line. As a safety issue, there are compelling reasons to bury the pipe below the frost line.

The burden of proof for all the many questions and concerns should be on Kinder Morgan, not on the people whose property is going to be stolen from them; not on the endangered and protected species; not on the municipalities that will have to pick up the tab for a devalued tax base and the extra expense of equipment and training to respond to a gas pipeline "incident"; and not on the quality of life and the natural beauty of the States that the line will traverse.

I am very heartened that FERC has given us this extra time to voice our concerns. It signals to me that this is going to be an open, deliberative, thorough and fair process. I appreciate the efforts of all the many staff members working on this docket.

Sincerely,

Jennie L. Hill

jenniehill@myfairpoint.net

603-239-6269

Attachment: HMM P. 68

cc: Town of Richmond, NH Board of Selectmen

20151016-0083

Jennie L. Hill
32 Cross Road
Richmond, NH 03470

October 14, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
88\$ First Street, NE, Room IA
Washington DC 20426

Docket PPF14-22-00
(Northeast Energy Direct)

Dear Secretary Bose,

Attached is a letter I sent to the New Hampshire Fish tk Game Executive Director requesting that they send comments regarding a Canadian Lynx that has been seen with some regularity in the vicinity of the proposed pipeline route through Winchester, Richmond dt Fitzwilliam, New Hampshire. At this point, they do not have “hard” evidence of the existance of this protected species in the area, however I saw it, as have a number of other people in the area. I am monitoring this (as well as carrying my camera with me at all times.) I ask that the record show that there have been sightings of this animal and that the environmental review process take that into account. In the interest of the animal’s safety, I ask that this commuunication be treated as privileged and not be open for public view.

Thank you for your assistance with this matter.

Best regards,

Jennie L. Hill
jenniehill@myfairpoint.net
603-239-6269

32 Cross Road
Richmond, NH 03470

October 1, 2015

New Hampshire Fish Jk Game Commission
Glenn Normandeau, Executive Director
11 Hazen Drive
Concord, NH 03301

RE: Kinder Morgan NED Proposed Pipeline, FERC Docket 1 PF14-22

Dear Mr. Normandeau,

I was privileged to see a Canada Lynx in January 2015 crossing Forest Lake Road in Winchester, New Hampshiie at the power lines, approx. I to 2 miles from the proposed route of the pipeline. My brother, Jon Hill saw the lynx in July on Cross Road in Richmond, less than a mile from the proposed route. A neighbor, Earl Hammond saw the lynx three weeks in a row in the spring on Richmond Road in Fitzwilliam, again near the proposed pipeline. He said his brother had informal confirmation from local Fish 1sGame personnel that there was a lynx in the area. At the FERC Scoping Meeting in Rindge on September 29, 2015, a Fitzwilliam resident who lives in the path of the proposed pipeline, in remarks to FERC said he had seen “moose and Canadian lynx” on his property. One of the FERC people said this is the type of information they need for their enironmental review, but that as reported above it is hearsay; that what is needed are pictures, scat

or some hard evidence and especially that (NH) Fish & Game file a comment verifying the presence of lynx and other threatened and endangered species to them. I understand that it can be filed as “privileged” information, for FERC access only, thereby protecting the endangered species. I am hopeful that you have already given this information to FERC.

I am especially concerned about the impact of this proposed project on all living species in its path, not the least of which are the human residents. There are so many ways that it has already negatively affected the lives of those in its path, as well as “collateral damage” that directly affects the hunting and fishing community of New Hampshire. A 2000 acre tract of land near my home was posted this summer to keep Kinder Morgan personnel and contractors off the property. Unfortunately it applies to everyone, including all the people who have used it for recreational use, hunting & fishing for generations. We look forward to seeing “old friends”, hunters who have been coming from Massachusetts to hunt in these woods every fall for as long as I have lived in Richmond. Those yellow signs that have popped up all over southern New Hampshire are going to cost the State a lot of hunting license revenue, once out of state hunters find that they can no longer hunt in their old haunts.

I appreciate your stewardship of the wildlife and open space of New Hampshire. If my testimony can be of any value in this matter, please feel free to contact me.

Best regards,

Jennie L Hill
603-239-6269

cc: Keene F&G office

20151016-0084

Martha Rullman
Pratt Hollow Rd., P.O. Box 21
Northfield, MA 01360
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:

I would like to submit the following comments for review for the EIS scoping for project PF14-22-000, the proposed Northeast Energy Direct (NED) project. I have a background in the education and natural resource planning fields, and my family has owned property in east Northfield, Massachusetts for twenty five years. I have many concerns about the proposed TGP's NED pipeline, and in particular, the environmental impacts of the proposed 41,000 HP compressor station on Gulf Road, which would be sited only two miles from a densely populated area of town. Our concerns include toxic air emissions, both intentional and unintentional, erosion and stream sedimentation, drinking water contamination, flooding, noise and vibration, leaks and fumes, forest fires, inadequate emergency response personnel, destruction of ecologically important wildlife habitat and conservation land, and lowered property values. Of particular concern to me are the impacts that this proposed compressor station would have on the Mifflin Brook Watershed, and my comments are focused there. I respectfully request that Tennessee Gas Pipeline Company address the following concerns in their environmental impact statement

Richard Wheafey, a spokesman for TGP's parent company Kinder Morgan, has stated that “The unmanned compressor stations, which operate around the clock, are typically located on sites that average about 25 to 30

acres.” This is very concerning when taken into consideration with the geology of this site and the residences within dose vicinity. Various reports done by the town point to the steepness of slopes in the uplands of east Northfield which are very vulnerable to erosion. The proposed site of this compressor slabon is a heavily forested and mountainous area in one of the highest elevations in the town. If built here, this compressor slafion would be perched at the top of a sensitive watershed at the headwaters of the Mifieis Brook, a state cold water fishery resource and one of the five sub watersheds of the Connecticut River in Norlhfield. The Massachusetts Division of Fisheries and Wikf life has identified cold water fisheries as important habitat for a number of cold water species, including trout. These are typically more sensitive than other species to alterations to stream flow, water quality and temperature within their aquatic habitat. The Millers Brook is a high quality water resource and town master plans have pointed to the need for its protection. Logging operations and storm water runoff along Gulf Road have caused some serious problems with erosion sedimentation in this watershed, but the scale and magnitude of this compressor station facility would result in problems of a much larger scale to wildlife and to people living downhill and downstream.

The deforestation of ten or more acres, followed by blasting and trenching th h waterways and the disturbance of the soils during construcion, will lead to soil and debris being qu’ashed away, and this will inevitably result in stream degradation. Once construcion is complete and the vegetabon and soils that are crucial for absorbing slowing water flow and providing a pollution control function are removed, this will lead to even greater pohvÅial for flash fkeding and conhmination of ground and surface waler. Both the quality and quantity of water will be affected, and stream beds will be silted in. Added to these concerns is the lower standais for this dass of pipeline, increasing the risk for accidents. The disturbance and dearing of such a large tract of forested land could also permanently alter the hyd and result in redirecting water and possibly drying out sream beds. According to the state geologist who I consulted with, it is important that spatial data and water well completion reports be hoked at for towns effected by the pipeline. He advised that a comprehensive study of Mass GIS maps and the water well completion report database be undertaken and overlaid along the pipeline route, looking at hydrogeologic factors such as water level and depth to bed-rock. To date, this has not been done.

Traflic and construction along Gulf Road would also seriously impact this waterway, and one of the branches of the Millers Brook flows downhill from the compressor station site akxig Gulf Road and then discharges into the Millers Brook less than a mile upstream of Pratt Hoikiw. The impact from shorm water runoff from Gulf Road is a signiflicant problem in this kication. The buikfing of a large compressor skttion will intensify the amount of runoff being tfischarged into the brook and increase the likelihood of flash fkeding, endangering the residents living downstream from the compressor station.

The proposed site also lies within a town drinking water recharge zone, and well water contamination from normal operations, leaks, and application of chemicals at the sits is a serious concern. The 2015 Northfield Water District Consumer Confkference Report states that ‘Water is a valuable resource for any community. If something threatens that resource, then the community is threatened.’ The report states ‘‘Tfitxe is no evidence of a confining (protective) day layer in the vicinity of the well’’ in the area served Qthis water supply. It also states that Wells loaded in an unconfined aquifer are considered to have a high vulrierability to potential contamination due to the absence of hydropeoigic banter (i.e. clay) that can prevent contaminant migrabon into the aquifer from the surface.’he compressor station site is within the recharge area for this public water supply. In addition, numerous private wells downstream and downhill are vulnerable to ground and surfTMacewater contsmination.

In addition, the Millers Brook borders a number af residents’omes where it meanders through the town, and the FEMA maps show that along this waterway from around Pratt Hollow Road down to Main Street is designated as a flood zone. The National Rood Insurance Program’s maps show 100year flood plains occur along the Millers Brook from its confluence with the Connecticut River upstream to approximately one quarter mile past the intersection of Gulf and Alexander Hill Roads.

The impact to the flora and fauna need to be addressed in the EIS. The Millers and Roaring Brooks are listed by the slate as upstream Forest Core Habitat and part of the extensive Connecticut River Core Habitat. It

goes on to slate that “Forest Cores are the best examples of large, intact forests which support many bird species sensitive to the impacts of roads and development and help maintain ecological processes found only in unfragmented forest patches.” The 2012 Town Open Space Plan for Northfield also contains information on wetlands, geology, and listed rare, threatened and endangered species “along the banks of Millers Brook from its headwaters to approximately the intersection of Alexander Hill Road and Gulf Road, including tributaries along Alexander Hill Road and Gulf Road.”

In conclusion, the construction and operation of a compressor station in this location, only three miles from Main Street and the center of town, would be a serious threat to the community. I request that Tennessee Gas Pipeline Company fully address the concerns relating to the siting this compressor station in this environmentally sensitive area, and that the need for this pipeline and any alternatives be considered. In addition, please consider that scientists’ estimates of shale gas reserves are lower than industry analysts are projecting, and fracked gas, which is hugely damaging to the environment, is not a long term solution to our energy needs. Gambling with our precious water and other resources and putting our homes and communities at risk for a pipeline that is not needed does not make sense economically or environmentally. I believe that the evidence that has been carefully presented by many citizens proves that this pipeline is if conceived, and this evidence has been very thorough and compelling. In a recent letter to federal regulators, the state Attorney General’s Office wrote that the proposed Northeast Energy Direct Pipeline “makes it more important than ever” that federal regulators conduct a comprehensive examination of the need for the project and of any and all alternatives to it. The IEFAR also criticizes the state DPU’s review of long term agreements for Berkshire Gas, National Grid and Columbia Gas to buy gas from the NED pipeline. Also, former Attorney General Ann Berwick has said this pipeline is not needed and that it would actually have negative consequences for rate payers and for our energy future. More and more evidence keeps mounting on how ill conceived this project is. The Conservation Law Foundation’s lawsuit and the Attorney General’s upcoming report should also shed more light on the “need” for this pipeline, and I urge you to consider its findings.

Thank you for this opportunity to comment and for your taking into consideration my concerns.

Martha Rullman

20151016-0085

{ duplicate copy of 20151015-5110 above }

20151016-4001

September 29, 2015

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

RE: Docket #PF 14-22

Dear Ms. Secretary,

My name is Josiah Barthelmess, I live in New Ipswich, directly across the street from the proposed compressor station. Hi Mr. Tomasi, it’s been awhile, but I am back. Sorry I have to keep following you from town to town at scoping meetings, but FERC refused to hold a meeting in my town even after the Governor’s request - so here I am once again. I would like to introduce you to a few people I have brought with me. These are just a few of the Kids of the Pipeline Resistance. I told you our numbers were growing. Look at our faces each and everyone. We are just a small number of the kids who will be greatly affected by your decisions.

We don’t own property, or have any money, we are not old enough to vote. But we have heart, and we have voices, and we will be heard.

We learn in school that all people have the right to life, liberty, and the pursuit of happiness. All three of these are under fire right now. How was your kid's summer compared to mine Mr. Tomasi? Have they had to fear they would lose their home, or have you had to tell them they have to move because this area will be unhealthy to live in. Do you have stranger's trespassing on your land and out-of-state contractors racing up and down your road daily? How about hearing from good friends and neighbors at the local soccer game asking you why bother, they've already been told it's "a done deal". This has become our reality, and it is unacceptable. My generation is having to grow up quicker than intended and we have Kinder Morgan to thank for that.

Let's talk about the environment where us kids live, and how it will change if this compressor station comes in. We will no longer see the stars or hear the birds chirping when we play out in our yards. Our parents chose Southern New Hampshire to raise us, away from the city, pollution and noise. If FERC approves this pipeline, we along with hundreds of other children will be breathing in methane, formaldehyde, and benzene - just to name a few of the poisonous emissions. You are more concerned with the wild animals, than the actual people who will live in this toxic environment. We will no longer be able to drink the fresh water from our wells, instead Kinder Morgan told us you'll truck in water. I know my teachers will be upset with that one if I don't shower. After all I am an 11 year old boy.

Studies are coming forth regarding the effects of living near compressor stations. Bloody noses, migraine headaches, skin rashes, respiratory issues just to name a few. This is what you are bringing to the town of New Ipswich, this is what you are bringing to hundreds of children. And do you expect my generation to thank you for the promises of lower energy costs at the sacrifice of our health. You are asking New Hampshire to take one for the team, to sacrifice the health of the children for corporate greed, with the smoke screen its for the Energy Crisis in New England. You are chancing our health and our lives and we are not pleased.

Ferc please take into consideration the intensive studies that are being done regarding children who grew up living near a compressor station. We need to slow this project down, instead of barreling forward. Bad decisions are often made during a so called crisis, and those decisions will effect generations to come. FERC needs to make every TBD by Kinder Morgan - answered and accounted for before your decision is made. If I filled in a job application with TBD's, I would either be asked to answer them directly or better yet, my application would be thrown out, and I wouldn't get the job. Kinder Morgan needs to answer all TBD's to even be considered getting the job, or better yet, I have a better idea throw the application away.

I don't see any Kinder Morgan executives or any of the people who hold the decision of whether this pipeline goes in, such as Ferc's board, moving your families and children to live across the street from a compressor station. Maybe if those people who make the decisions were to live within a half mile of a 40,000 horsepower compressor station, it would give more credit to you saying they are safe and environmentally OK. As long as it isn't your health and the environment in which you live in, you can say whatever you want. Would you sacrifice the health of your own family and children? You probably wouldn't take that chance. Yet here we are ... standing before you, Kids of Southern New Hampshire, the Kidz of the Pipeline Resistance, asking you why we don't matter? Is it because we are just a number and not a face? We are here to put a face to that number. We are just as important as your own children and I am here to say we do matter.

Thank you for your time.

Josiah Barthelmess
424 Temple Road
New Ipswich, NH 03071

20151016-4002

Hand written letter, Mark Beavn?, 451 Old Homestead Hwy, Richmond, NH: opposing

September 29, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20216

Comments RE: Tennessee Gas Pipeline Company, Docket No. PF14-22-000, Northeast Energy Direct Project

- Improper Segmentation - customers listed in the CT Expansion Project (FERC Docket No. CP14-529-000) are also listed in the NED FERC Docket (PF14-22-000), specifically Connecticut Natural Gas and The Southern Connecticut Gas Company in the amount of 35,000 Dekatherms/day and 10,000 Dekatherms/day respectively. This equates to approximately 8.5% of the NED total consisting of approximately 524,363 Dekatherms/day per the current count.

The environmental impact of the CT Expansion Project must be considered as part of the NED Environmental Impact Statement (EIS), reference NED Resource Report 1- Page 1-10 Section 1.1.1 Purpose and Need: “Connecticut Natural Gas, Southern Connecticut Gas Corporation” , or these amounts removed from the NED commitment total.

- TWS/ATWS - NED Resource Report 1- Page 1-44 Section 1.2 Land Requirements & Table 1.2-1, indicates that this “temporary” space is almost three times (2.77 to be exact) the space proposed for the permanent Right-of-Way (ROW), specifically 8,799.99 acres versus 2,329.04 acres for the total project, and similarly in Massachusetts almost three times (2.72 to be exact) the space proposed for the permanent ROW, specifically 2,450.23 acres versus 659.01 acres. The New Hampshire numbers are also approximately 3 times (2.85 to be exact) the space proposed or 1,379.60 acres versus 482.59 acres.

The use of the Temporary Work Space and Additional Temporary Work Space must be considered in the environmental impact as permanent impact, particularly when related to clear cutting of mature forests and re-growth.

- The basic question “How does FERC consider environmental impacts relative to need as projected into the future?” was raised at the August 12th FERC Scoping Session in Lunenburg. The FERC representative, who is responsible for generating the NED EIS, responded that he could not answer this question as it would involve other sections of FERC beyond his area of expertise.

The point is that the energy landscape has changed dramatically over just the past five years and shows no signs of slowing for the foreseeable future. How are these rapid changes in renewable technologies when projected forward 5,10,15 and 20 years, factored into the assessment of need and environmental impact? Massachusetts specifically already has unused infrastructure that was commissioned in 2008 and 2010 respectively (Northeast Gateway and Neptune deepwater ports), and cannot afford additional overbuild at the expense of the environment, homeowners and ratepayers.

- In May of this year, ISO-New England stated in an update “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. In a more recent draft report, that number has gone even lower (i.e. negative) for the next ten years.

Since Kinder-Morgan has substantially modified their NED route several times with regard to laterals, such as the elimination of the Keene Lateral and more recently the Worcester Lateral “due to lack of customers”, this proposal is clearly a solution in search of a perceived problem. Based on available information as per the examples above, the perceived problem does not exist now, and is less likely to exist in the foreseeable future.

- The New England region is host to several types of viable alternative renewable energy resources in-

cluding, but not limited to, on-shore and off-shore wind, solar, domestic hydro and imported hydro, hydro-kinetic and others.

Accurate and fair consideration of these renewable energy resources today, as well as their projected impact 5, 10, 15 and 20 years from now, will result in the only feasible response to this NED proposal, which is the No Build Alternative.

Respectfully Submitted,

Kenneth W. Berthiaume
52 Fryeville Road
Orange MA 01364

References:

ISO NEWSWIRE <http://isonewswire.com/updates/2015/S/S/long-term-forecasts-electricity-usage-will-remain-flat-and-p.html>

20151016-4004

Good evening Mr. Tomasi,

My name is Lou Chatel I have lived in New England all of my life with the last 23 years in New Ipswich. I suspect you've heard lots of pros and cons about pipelines in general and more than likely what I say today, may sound familiar to you as well.

But, perhaps, someone will say one thing that may capture your attention long enough to give you reason to deny Kinder Morgan's profit line in NH. It will destroy our communities, the environment and the very essence of what this State IS and what it stands for.

Other than big business profit, I've heard that our demand for energy is what's driving this pipeline of destruction.

However, I've also heard and read enough stories that say we are actually using less energy now than in recent years. I know I am. I've also read that the cost of energy is the lowest it's been since 2004.

Perhaps smarter technology, more efficient equipment or maybe it is just everyone being more conscious and less wasteful is the reason why we are using less energy. All of this makes me ask, is this a need or a want?

Unfortunately, I suspect Kinder Morgan wants the revenue that it will bring to them despite the cost to the residents of N H.

With all the known health and environmental hazards, I'd rather pay more to avoid what you and the federal government already knows. Pipelines are dangerous and unhealthy. Thousands of our residents will be affected for generations to come.

Cigarette smoking is banned just about everywhere but in this case, polluting the air, water and ruining the environment is acceptable'

How is this the right thing to do?

Would you want your family to live next to a 40,000 or 80,000 hp compressor?

We totally destroyed Hiroshima with the atomic bomb and with the grace of God, they rebuilt.

911 affected the entire world in so many ways and we are only just starting to rebuild.

If this pipeline goes through NH, we will never be able to rebuild. In fact, the devastation will likely out last most of us here today. We owe our children's future a better option.

I read this pipeline will affect:

40 conservation lands,
Cut through 17 towns

Cross through 71 miles of our beautiful state,

155 wetlands,

Go under 116 bodies of water, including 8 rivers

8 miles of state forests or parks and sadly 822 households will be affected

These households contain our families and everything we've worked for. Unfortunately they are all at risk and will be negatively affected because of big business greed and the lack of respect for the people of NH.

NH will never be the same because of this pipeline for profit. Haven't we suffered enough? We all deserve better than this. Tell them, to find a better option.

My last hero was my younger brother Bob who died last September. He was a firefighter and paramedic who dedicated his life to safety and to serving all of those in his community of Pelham NH

Mr. Tomasi, will you and your agency be heroes to the entire state of NH?

We need, no, we beg you, to support this beautiful state and deny anyone's ability to ever put a pipeline in NH.

And if you can't, will you help us look for someone that can save NH?

Thank you.

20151016-4005

Kathy Chapman

111 Emerson Lane

Mason, NH 03048

Thank you for the opportunity to bring forward concerns about the proposed NED pipeline.

Somehow, FERC's rules do not make any accommodation in dates when a project's scope changes. Some cases have ruled that an agency cannot react to every change in plans after an EIS has been completed, but the NED proposal is not at that point and yet, when the project was moved from Massachusetts to New Hampshire, no extra time was given, the people of New Hampshire had to scramble around to understand what was happening to them, and here we are.

Now, the town of Amherst has managed to have the pipeline shifted to Merrimack and Hollis, and yet the date that scoping ends remains the same. The good people of Merrimack and Hollis have less than a month to react to this change. The response from KM/TGP at last week's open house in Milford? Merrimack and Hollis should have been working with KM/TGP all along.

Wait a second! That assumes that (a) there is some benefit to working with KM/TGP, and (b) that it is in general right that people who are living their daily lives should have to respond to a threat on a timeline that they have nothing to say about. Let's take these things one at a time.

But first, why is this a concern to me, a citizen whose land is not currently intersected or bisected by the pipeline route? Because if KM/TGP under the eyes of FERC can move the pipeline less than a month before scoping ends to other towns affecting possibly hundreds of people adversely, what is to stop them from moving the pipelines in Mason over to my property at any time if they can get my neighbors to agree it's a good idea?

So let's go back to the original questions. (a) What is the benefit to me of working with KM/TGP? Of giving KM/TGP access rights to my property, for example, if my property were along the pipeline route. Oh that's simple, TGP says. At the Milford Open House, I have video recording (with permission) of TGP's answer to this question. TGP says that the benefit to me is that I can get the pipeline moved off of my property if it's in my way. On the surface that sounds great, but a short few steps into the thought process begs the question about where the pipeline will go if not on my property.

So again I ask, what is the benefit to me of working with KM/TGP? I can either agree to have the pipeline

on my property, reducing my property value and increasing my concern over safety issues, or I can carry around guilt for the rest of my life for getting the pipe moved to my neighbor.

This seems like a threat to me, I am being threatened by a private company that gives me an untenable choice for a decision for which I get absolutely no benefit. Oh no, TGP says at last week's Open House, the benefit you get is that you can turn your lights on! Excuse me? Yes, according to Allen Fore, I will unequivocally save 40% on my electric bills! How did this happen?

Today, as it stands, KM/TGP have NO electricity generating customers, not a single one. The theory is that if, 2-3 years from now, there is more gas, and if 2-3 years from now, the electric generators need gas on those particular days in winter, and if the other 4 gas pipeline projects have not already met any possible gas needs there are, then my electric rates might be reduced? Well this is happy news for sure, considering that I, and most people New Hampshire, don't heat with electricity (they heat with oil, wood, and propane, mostly), and pay the 4th lowest cost for natural gas in the country, and pay the average rate for electricity in the country. Lower my cost to heat my home, which is, on average, 79% of the energy cost of a person in New Hampshire, and maybe you'll have my attention.

So I ask, why can the US federal government in the name of FERC allow a private company to threaten a private citizen when that person has done them no wrong, in fact has had no interface with them at all until they showed up needing to build a pipeline to benefit the private company and their shareholders?

In New Hampshire, under RSA 631 :4, a person (now that a corporation is a person, this law applies) is guilty of criminal threatening when:

(c) The person threatens to commit any crime against the property of another with a purpose to coerce or terrorize any person; or

Is laying a potentially lethal pipe through my property, taking out my trees, possibly my livelihood, against my will, a crime against my property? If not, then what is it?

With respect to my second question, the answer is simple. It's not right, nor should it be legal, for FERC or a private company to set a timeline for taking property from people and providing them no opportunity to mount a defense. If a project's scope changes, i.e, different people are affected than in the original proposal, then the scoping period should be extended, period. The way it is now, there is every incentive for KM and the like to just put a line on a map any old where and then let the chips fall because it doesn't matter. Clearly from the KM Resource Reports, there was little if any work done to prepare even a rudimentary site plan that would avoid even the most obvious of obstacles -- schools, aquifers, homes, . . . These aren't wild accusations. By using very old maps, KM didn't give our area the dignity of even a decent first evaluation. Then we, the victims, get blamed for not providing access to our property? We had no time to come up to speed on what all this means, but we knew one thing for certain. A company with a lot of money was going to take our land and the federal government was going to stand behind them. Blind rage has ensued, and that is not an unexpected result.

The scoping period needs to be extended for every single move of the pipeline to train KNI and others that a reasonable proposal needs to be presented, the people being impacted need to be given the time and consideration they deserve from an agency of the federal government. Oh yes, I am well aware that FERC is not funded by my tax dollars, but that is not something that exonerates FERC from behaving properly to affected landowners because right out of the gate, the fact the FERC is funded by the very folks it regulates smells of corruption. In this case FERC must keep its nose particularly clean. EXTEND THE SCOPING PERIOD.

20151016-4006

September 29, 2015

Kimberley D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, Room 1A

Washington, DC 20426

RE: Docket #PF 14-22-000

I am filing this comment in reference to Kinder Morgan Tennessee Gas Pipeline Company's Northeast Energy Direct Project, Docket No PF 14-22-000.

I am filing this comment in reference to Kinder Morgan Tennessee Gas Pipeline Company's Northeast Energy Direct Project, Docket No PF 14-22-000. Thank you for the opportunity to share my opinion of this project.

A few months ago, after researching the reason for several "No Pipeline" signs in my neighborhood, I discovered that one of the largest compressor stations in the nation is proposed for installation within 1 mile of my family's home. This project, if approved, will poison my children. This may sound like an overreaction; a worried mother blowing circumstances out of proportion, but I assure you this is neither of those things.

This project has potentially devastating impacts on the environment, wildlife, and the quality of life for New Ipswich residents. While these are all valuable, worthy concerns, the focus of my research and energy has been on one pivotal question: "What impact does living in the proximity of a natural gas compressor station have on my young children?" The answer to this question, as evidenced below, is a disturbing and frightening reality for my children and the hundreds of other children living, playing, and schooling near the New Ipswich compressor station.

As you may know, natural gas production relies on the use of a variety of chemicals (over 600 of them) in the creation and operation of well pads, processing plants, fracking sites, and compressor stations (Steinzor, 2013, Bamberger & Oswald, 2012). Exposure to these carcinogens is linked to short and long term health effects in both animals and humans (Steinzor, 2013). Short term health impacts of the lengthy chemical list, (particularly methylene chloride) include burning eyes, skin irritation, headaches, coughing, nosebleeds, and decreased visual, auditory, and motor control, all of which generally subside after exposure (SWPA, 2015, Steinzor, 2013). Long term exposure, however, has permanent damaging effects on the human nervous system and is linked to liver and lung cancer in animals (SWPA, 2015). A Pennsylvania study of residents living near compressor stations much smaller than the one proposed for New Ipswich, cited joint pain, forgetfulness, headaches, and nosebleeds (Brown, Lewis, & Weinberger, 2015). These statistics have me gravely concerned for the health and welfare of my children, especially in light of Southwest Pennsylvania Environmental Health's (2015) note that, "Children and pregnant women are especially sensitive to pollution" (p. 12) and the fact that the pipe used near my home is of very low grade because we are in a 'low incidence' area. Why are my children less valuable than those living in the city?

Bill Thomas of Kinder Morgan reported to me that the New Ipswich compressor station will release 32 tons of NO. toxins per year (not including leaks or blowdowns, which, according to Mr. Thomas, are never regulated) (B. Thomas, personal communication, September 9, 2015). This statistic assumes that the compressor station will emit toxins at a constant rate. It assumes that the compressor will emit pollutants at an equal concentration. It assumes that all pollutants travel in the same manner. My research tells me, though, that these assumptions are not in fact the case. In reality, emissions from compressor stations vary based on operations. In reality, wind speed, wind direction, and cloud cover determine the location and speed of spreading pollution (Brown, Lewis, & Weinberger, 2015). In reality, homes surrounding compressor stations report emission instances that exceed EPA regulations (SWPA, 2015). In reality, this yearly average measurement (while deemed acceptable) is an incomplete and inappropriate picture of the actual toxic exposure my children will receive (SWPA, 2015).

The Institute of Medicine at the National Academies of Science (Steinzor, 2013) note that, "Public health was not brought into discussions about shale gas extraction at earlier stages; in consequence, the health system finds itself lacking critical information about environmental and public health impacts of the technologies and unable to address concerns by regulators, communities, and workers" (p.55). Until this crucial missing information is made evident, I refuse to stand by and let Kinder Morgan poison my children. Assumptions and generalities are not enough regarding their safety. I need specific answers to my questions:

How much will my household be exposed to on a given day? How high will toxin exposure levels climb? What is the maximum duration of exposure to methane and ethane my children can expect? What effects will surges in toxicity have on my children? Natural gas companies don't have the answers. They don't even know the extent of the harm this project will cause my children.

My children are wild and messy. They can be noisy, impatient, and impolite. But they are curious. They forgive easily. They are tolerant and accepting. They are fun loving and carefree. They are spontaneous and flexible. They are scientists and artists. They are my biggest worry and greatest joy, and they are NOT disposable.

Finally, I would like to leave you with this. Last week, the Pope addressed Congress. Among other things, he told members, "remember the Golden Rule: Do unto others as you would have them do unto you" (Pope Francis, 2015). So I ask you this: If your nieces and nephews lived near this compressor station - If your children and grandchildren were exposed to these toxins on a daily basis - What would your decision be then?

Thank you,

Carolyn Cormier
New Ipswich, NH
carolynncormier@gmail.com

References

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20151016-4007

September 29, 2015

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

RE: Docket #PF 14-22-000

I am filing this comment in reference to Kinder Morgan Tennessee Gas Pipeline Company's Northeast Energy Direct Project, Docket No PF 14-22-000. My name is Mackenzie Cormier. I live in New Ipswich, near the proposed compressor station.

A few months ago, I started asking my mom about the pipeline. I saw signs in our neighborhood and wondered what it was all about. My mom told me about the pipeline and the compressor station and about all the chemicals used in making natural gas. She said that the chemicals would be released into the air near our house during blow downs. In school I learned all about habitats and ecosystems. I am worried that the chemicals, noise, and light from the compressor will hurt the ecosystem near my house. I play in a stream behind my house and am worried that the water will be contaminated because of the blow downs.

I am confused about why Kinder Morgan is allowed to pollute our environment like this. If people get caught littering by throwing trash out of their cars, they get fined almost \$300. So, why is Kinder Morgan allowed to pollute the environment and put people in danger?

I'm also worried about breathing in the chemicals that come out of the compressor station during blow-downs. I don't like standing near people smoking cigarettes because it makes my eyes itch and makes me cough. I know that lawmakers made it illegal to smoke in a car with kids in it and that second hand smoke is more harmful to kids than it is adults. Many of the chemicals that are in cigarettes will be sent into the air near my house during blowdowns, so living near the compressor station will be a lot like living with second hand smoke everyday.

If you let Kinder Morgan start this project, chemicals will get into our air and wells and my family might get sick. I'm worried about my brother, Parker, because he is only 4 and I know that chemicals aren't good for kids. Please do not let this happen.

~~

Mackenzie Cormier
New Ipswich, NH
Age 9

20151016-4008

Dorothy Crawford
PO Box 127
Fitzwilliam NH 03447
Docket PF 14-22

My husband and I have been residents of Rockwood Pond Rd in Fitzwilliam for 8 years. Like many of our neighbors, we are semi-retired and chose this area for its peace, quiet, and natural beauty. This pipeline, if built, will go a long way towards destroying all that

According to your maps, our house is in the burn zone should an explosion occur which at least would give us time to get out. Our town fire chief has been told in one of her trainings, that if there's an explosion we are supposed to let it burn until Kinder Morgan detects the source of the problem. Is that true?

Some other questions we have ...

According to your maps, Rockwood Pond Rd (which is a dirt road with little traffic, is the access point to the construction that would take place across the Fitzwilliam rail trail, a short distance from many of our homes.

- How many trucks per day would be using this road?
- How long would the construction last?
- Whose job is it to maintain the road for such heavy traffic and restore the staging area when construction is complete ~

Since the top of 30" pipeline must be buried several feet below the ground, we understand that will require a significant amount of blasting. We are the granite state after all.

- Over what period of time would the blasting take place? How many explosions per day can be expected?
- What is the decibel level? How would wildlife be affected? How would human life be protected?
- How would the sound levels be monitored? Who would address the complaints.
- The Troy Mills superfund site is just a few feet away from the proposed route of the pipeline, The site continues to be monitored to this day. Who would oversee this area during construction to make sure that none of the buried toxins are disturbed?

According to Kinder Morgan's Integrated Vegetation Management Plan (2011-2016) a number of herbicides and pesticides are to be used on a continuing basis for controlling growth around the pipeline. Many of these

chemicals are highly toxic and known carcinogens. They are listed in my written statement along with their known side effects.

- Who would be in charge of testing and ensuring these chemicals do not spread through runoff into land that is being farmed or used for back yard gardens?
- How would Kinder Morgan prevent these chemicals from leeching into our aquifers, ponds, and wells? How will complaints be addressed?
- How would the effect on wildlife and native plants be monitored?
- Will we need to have all of our wells tested prior to construction so that we have a baseline in case of contamination?

Finally, it is my understanding that FERC has never turned down a gas pipeline proposal. Is that true? If so what would it take to turn down this one? We believe this project has set a record for comments on your website. The only positive comments I have heard at any of the meetings I have attended are from out of state construction workers hoping to be hired on. Please tell us that thousands of us who have spent the last nine months protesting this pipeline are not just toiling in vain.

FERC, just say NO!!

{3 pages re “Kinder Morgan’s Use of Chemicals” omitted, scan too poor for OCR}

20151016-4009

“Plan of Foundation Inspection”,
Tax Map 130 Lot 10606
8 Bounty Court
Salem, NH 03079

prepared for:
Anthony Derosa
9 Cypress Street
Salem, NH 03079

{2 pages plan, omitted}

20151016-4010

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing

20151016-4011

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing

20151016-4012

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: how will the disabled & elderly evacuate in an emergency?

20151016-4013

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing, no “need”

20151016-4014

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing

20151016-4015

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing, never received notice from KM

20151016-4016

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing

20151016-4017

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing, Corporate Greed, there is no need.

20151016-4018

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing, no interpreters for the deaf

20151016-4019

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing

20151016-4020

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing, burden of proof should be on KM; develop alternatives

20151016-4021

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing

20151016-4022

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing, Our Lives Matter!

20151016-4023

Hand written FERC Comment form: Gail DuFresne, 714 Old New Ipswich Rd, Rindge, NH 03461: opposing

20151016-4024

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
Washington DC

Re: PF14-22-000

The question before FERC is: Is the NED pipeline as proposed by Kinder Morgan a necessity or simply the desire of a business to grow and profit?

To answer this question, I would ask that FERC address the following:

1. Given the current economic well being of New Hampshire as evidenced by the 7th highest per capita income (www.247wallst.com) in America, the lowest poverty rate in America (www.247wallst.com) and

the 4th lowest unemployment rate in America(Bureau of Labor Statistic, 8/2015), specifically why is NED a necessity? Moreover how specifically (not in vague “trickle down” theory) will the NED pipeline benefit NH residents in terms of income growth, reduction in our poverty rate, and long term reduction in our unemployment rate? Please explain this given that other states with more pipelines e.g. Texas, Tennessee, and Pennsylvania all have lower per capita income, higher poverty rates, and higher unemployment.

2. Given that the NED has been proposed as a regional solution to New England’s energy needs, how is considering the NED pipeline in isolation without considering the region’s other current and proposed pipelines not “segmentation”? - a process that FERC is not supposed to engage in.

3. Please clarify the amount of gas that is required for the NED pipeline to carry to meet the threshold for necessity in New England, and why that threshold cannot be met in by one, or a combination of, the following ways:

- Maximize the current, various gas delivery systems already in place. Specifically, the use of two off shore LNG energy bridge terminals that sit underutilized. Two LNG terminals supported by FERC in the past; two LNG terminals that may very well be solutions that ISO New England could accept to meet our region’s need for fuel assurance and reliability.
- The repair of existing pipelines. In the Boston area alone leaking pipelines account for an approximately 15 billion cu.ft./year loss of gas (Harvard’s School of Engineering and Applied Sciences as reported in the Athol Daily News, 1/23/2015). Also please clarify what steps have been taken to determine the overall loss of gas in the New England pipeline system; the impact of this loss on the environment; and why capturing this gas is not considered as a means to meet New England’s need for natural gas.
- The upgrade of the existing pipeline infrastructure. Even Kinder Morgan seems to agree that this is a possible solution - Resource Report 10 - Alternatives, July 2015, p. 10-2 states “ ... 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 transport capacity.”

4. Given that FERC is funded by the fees of gas pipeline applications, please explain what policies, procedures, and independent oversight was in place during the NED pipeline application process to prevent, what appears to be a blatant conflict of interest from clouding FERC’s judgment.

Finally the question remains - Is the NED pipeline as proposed by Kinder Morgan a necessity or simply the desire of a business to grow and profit? An impartial review of the information before FERC makes the answer clear. There is no need for this pipeline. It is simply the desire of a business to grow and profit. To grow, to profit, to make a living are not a bad things in and of themselves- until, in order to make that profit or to make that living, you take a person’s property against their will (eminent domain); destroy their environment, cause them to be sick, jeopardize the safety of their community, and place the cost of that profit on the backs of people who will never benefit - simply for the convenience of a private corporation.

Sincerely,

Erik Durmer, NH Citizen

PO Box 456

Fitzwilliam, NH 03447

9/29/2015

20151016-4025

A Balanced Evaluation of the NED Project Please

Delivered by W. Dell/lis Eklof at FERC Scoping Session PF14-22-000, September 29, 2015

First, let me introduce myself. I am a retired PhD energy economist and consultant. Most of my 45-year career in the energy industry was spent advising corporations and government agencies on energy markets and energy infrastructure development.

I have read and analyzed hundreds of pages of documents on all sides of the NED debate. I won’t go into

details here, but I will try to put this huge body of information into perspective.

I see the originators of these studies and arguments over NED falling into one of three groups:

- Organizations that stand to reap huge financial gains from the construction of this pipeline.
- Organizations that will profit from this pipeline not being constructed.
- Groups and individuals who question the need for the project and view the construction of this pipeline as having hugely detrimental impacts on our environment and their quality of life.

We are being told by the first group that the NED project will avert an “energy crisis” in New England, reduce our electricity bills, promote our region’s economic development, create jobs, and help make America energy independent. This group generally consists of Kinder Morgan and its paid lobbyists, shale gas producers for obvious reasons, gas utilities eager to expand their customer bases, electric power generators for whom managing a gas-based generation system is far easier than a more diverse and environmentally beneficial renewable energy portfolio, and unfortunately our politicians who stand to benefit from tax revenues, political contributions, and the support of voters who buy into the propipeline rhetoric.

Unfortunately this first group has the most money and resources to promote their agenda and sell their siren song.

The second group includes LNG importers and renewable energy producers and their suppliers, all of which seek to profit from growth in their business activities.

The final group spans a broad range of environmental groups, naturalists, conservationists, and home owners who, despite their extremely limited funding, have mounted significant resistance to the NED project.

Naturally, the studies carried out by the first group and its surrogates universally conclude that the NED project is needed and will greatly benefit New England residents without undue environmental impacts.

But there are two studies I would like to cite specifically. The first was completed in August 2014 by the Bostonbased economic consulting firm Energyzt Advisors, LLC and funded by the owners of the Everett LNG terminal - clearly a member of my second group. That study concluded that existing natural gas infrastructure, along with planned and approved pipeline expansions and renewable energy projects, would be adequate to meet New England energy needs for at least the next decade. It further concluded that if NED is built, there is a real risk that New England electricity rate payers will end up subsidizing the use of the pipeline for exporting gas to Canada and beyond.

The second study I would like to mention was titled “New England’s Energy Future: The Study That Hasn’t Been Done.” I did this study in August 2014, and in it I reached the same basic conclusions as the Energyzt study a year later, a study in which I had no part.

So here we are with carefully crafted so-called facts about the benefits of the NED project to New Englanders being put forth and widely publicized by profit-seeking constituents with large public relations budgets, contrary studies from a much smaller group of corporate opponents, and many individual voices and non-profit organizations opposing NED on a number of grounds ranging from the environmental impacts to questions on the validity of long-term forecasts of abundant supplies of low-cost natural gas.

We can only hope that the Commissioners at FERC can set aside their historic bias toward energy supply infrastructure development and take a more balanced view of the NED project’s overstated benefits and underestimated risks, costs, and environmental impacts.

Dennis Eklof, 31 Ames Road, Groton, MA 01450

20151016-4026

Representative Susan Emerson

PO Box 646

Rindge, NH 03461-0646

Phone: (603)899-6529

Email: semerson435@aol.com

Submitted - Federal Energy Commission Scoping Session Franklin Pierce University
Rindge, NH

September 29, 2015

Norman Bay, Chair
Federal Energy Regulatory Commission
888 First Street, N E
Washington, DC 20426

Re: Kinder Morgan - Northeast Energy Direct Project Docket No: PF 14-22-000

My name is Susan Emerson. and I am the New Hampshire State Representative for Cheshire District 11. I represent two of the communities on the path of this proposed pipeline. I am here to give voice to the overwhelming opposition to this project in both Fitzwilliam and Rindge.

You are no doubt aware of the high rate of refusal to survey access in these towns and across most of New Hampshire. I am blessed with intelligent and well informed constituents and this project is not welcome here for excellent reasons that you have received in the thousands upon thousands of comments submitted on Docket Number PF 14-22-000.

This project offers nothing of value to my district but it carries so much liability that it is my duty, as its elected representative to oppose it.

While I am aware of the FERC's constraints, there is no good reason that the FERC should approve every large-scale commercial energy project that comes before it. Denial of Kinder Morgan's application for the Northeast Energy Direct project would be a good first step in regaining some of the public trust that your commission has clearly lost.

I urge the Federal Energy Regulatory Commission to reject Kinder Morgan's application for this unwanted and unnecessary project.

Thank you,

Susan Emerson
State Representative
Cheshire 11

20151016-4027

Hand written FERC Comment form: Alicia Ferreira, 7 Maryann Lane, Merrimack, NH 03054: concerns about well; denying survey access

20151016-4028

Hand written FERC Comment form: Andrew Finlayson, 167 Heald Road, Wilton, NH 03086: concerned about release of toxic emissions

20151016-4029

FITZWILLIAM NATURAL RESOURCES INVENTORY 2009

Table of Contents

- 1 Purpose and Scope of Study 3**
 - a. Overview of the Natural Resource Inventory
 - b. History of the Subcommittee
- 2 Acknowledgements 5**

3	Fact Sheet for Fitzwilliam	6
	maps: Roads	
	Land Use	
4	Overview of Town History	10
5	Geology and Topography	13
	a. Bedrock	
	b. Surficial	
	maps: Bedrock	
	Topography	
6	Soils	18
	a. Soils	
	map: Farmland	
7	Ground and Surface Waters	22
	a. Groundwater	
	b. Surface Waters	
	maps: Stratified Drift Aquifers	
	Watersheds	
	100-yr Floodplain and Wetlands	
	Streams, Waterbodies, and Dams	
	c. Potential Contamination Sources	
	map: Potential Sources of Contamination	
8.	Wildlife, Forests and Plants	
	a. Mammals	
	b. Amphibians and Reptiles	
	c. Birds	
	d. Butterflies	
	e. Forest Lands	
	f. Trees, Plants, Wildflowers	
	g. Invasive Plants in Fitzwilliam	
	map: Wildlife Habitats	
9.	Conservation Lands	
	a. Town Lands	
	b. Conserved Lands in Private Ownership	
	c. State Parks and Lands	
	map: Natural Resources and Conservation Lands	
10.	Planning for Fitzwilliam Open Space	60
	a. Introduction	
	b. The Natural Resources Inventory	
	c. Evaluating Potential Conservation Areas in Fitzwilliam	
	d. Conservation Characteristics	
	e. Next Steps for Open Space Planning in Fitzwilliam	
11.	Guidelines for Assessing Conservation Lands in Fitzwilliam	66
	a. Purpose and Introduction	
	b. Conservation Characteristics and a Conservation Index	
	c. Guidelines for Field Surveys	
	d. Land Conservation Characteristics Worksheets	
	maps: Unfragmented Lands	
	Large Tracts	

Purpose and Scope of Study

At the Town Forum of 2006, residents of Fitzwilliam selected a new Natural Resources Inventory as a first step in developing a plan to preserve the rural features of the town. The plan was a top priority.

Steeply rising population figures at the end of the 20th century and development in neighboring towns warn that we must have a vision of what we want to preserve and take action to insure that what we love about Fitzwilliam endures.

A Natural Resources Inventory begins as a listing and mapping of the natural features of the town, including wetlands, aquifers, soils, wildlife, habitats, views, and conservation lands. These data provide a basis for natural resources conservation, and they can be used by the town to evaluate the environmental value of various parcels, aid in land-use decisions, and protect essential surface waters, aquifers, and soils. The goals of this report are (1) to define and record the town's natural resources and (2) to outline a plan for their protection.

Fitzwilliam's ecosystems were here long before humans arrived. The town will likely grow, but by planning growth in areas that do not heavily impact natural resources, soil and water are protected for future generations. In the process, the natural beauty of Fitzwilliam will be preserved while retaining a healthy environment and a vital community.

{ body of 73 page report omitted; full report can be downloaded at: }
{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14015797> }

20151016-4030

TOWN OF FITZWILLIAM, NEW HAMPSHIRE Open Space Plan 2011

Table of Contents

ACKNOWLEDGEMENTS	1
BACKGROUND AND CONTEXT	2
Introduction	2
Purposes	3
Approach and Process	4
FINDINGS	6
Results of the Fitzwilliam Open Space Land Survey	6
Summary of Focus Area Development	9
Summary of Focus Areas	10
Laurel Lake Watershed	10
Rockwood Pond Watershed	11
Pinnacle	12
Little Monadnock Mountain	12
Gap Mountain	13
Western Corridor	13
Southern Corridor	14
Eastern Corridor	14
Agricultural Areas	15
RECOMMENDATIONS	16
Implementation Strategy	16
CONCLUSION	18
APPENDICES	
Appendix A: Fitzwilliam Focus Area Maps	19
Appendix B: Understanding Land Conservation	31

ACKNOWLEDGEMENTS

This Open Space Plan would not have been possible without the Fitzwilliam citizens who attended and contributed to the Fitzwilliam By Design forum back in 2006, attended the multitude of smaller presentations made before various town organizations since then, or completed the open space surveys. Your interest and input were integral to our efforts.

We also wish to acknowledge the professional support provided by the Monadnock Community Conservation Partnership (MCCP), a program of the Monadnock Conservancy, and staff members Pete Throop and Rick Brackett. Without them it's likely this project would have taken much longer.

We also appreciate the assistance of Amanda Stone from the UNH Cooperative Extension Service and Lindsey Webb from NH Fish & Game for their assistance in helping us to understand and interpret natural resources data and maps. Frank Bateman provided the cover design and cover photo for this Plan. The photo was taken from Route 12 at the bridge over Scott Brook looking northeast.

We also want to thank the NH Charitable Foundation for financial support that enabled us to utilize the expertise of the MCCP. This project was also supported by funding from the Fitzwilliam Conservation Fund and the citizens of the town who have repeatedly expressed their support for open space in Fitzwilliam. Thank you.

Members of the Open Space Committee

Dorothy Zug, Chair
Buzz Bemis
Carol Breault
Skip Hagstrom
Robyn Hannett
Jean Ibelle
Paul Kotila
Charlie Massin

BACKGROUND AND CONTEXT

Introduction

Open space has been directly linked to the quality of life by the residents of Fitzwilliam at a variety of forums, town meetings, and in surveys. It, therefore, becomes important for the town to undertake open space planning to define specifically the types of spaces and resources that contribute to this important community characteristic. This planning effort will then, in turn, provide guidance for the Open Space Committee, the Conservation Commission, and other town boards on how and where to focus future open space protection efforts.

Open space protection can take many forms. Traditionally, such protection has been synonymous with land conservation through purchase for town forests or parks or the establishment of conservation easements on private property (for more information on land conservation see Appendix B). While these individual actions remain important open space protection tools, more recent initiatives in many areas have taken a more holistic approach to maintaining open space.

These initiatives often provide public events, activities, and educational opportunities that focus on open space resources in a community and thus often build a more meaningful relationship between the community and its resources. These activities often take place under the guidance of an Open Space Committee, and that has been the case in Fitzwilliam over the past year and a half. Once formed, open space committees can become a significant local resource for community conservation initiatives, including aiding landowners in

the identification of land management strategies and resources available for protecting open space.

This Open Space Plan is Fitzwilliam's first step in undertaking a comprehensive strategy for protecting open space in town. It explains the mechanisms by which information was collected, summarizes that information, and makes recommendations for actions to be taken over the next few years. Focus Areas are identified to assist the Open Space Committee in directing its efforts and make the most effective use of limited resources. These areas are lands specifically identified as important to town residents, contain specific natural resources that are limited in some way, contain many resources in one location, and/or serve as important connecting corridors for recreation or wildlife. Identification of Focus Areas is not intended to exclude conservation activities in other parts of town or otherwise limit the work of the Committee.

The goals that the Open Space Committee commits itself to are outlined in the Recommendations section of the Plan. They were developed to provide the Committee with direction and to keep the Committee active in the community. Action steps are built into the goals in order to provide a framework for accomplishing the goals. Goals and action steps will evolve as the Committee refines its work and Committee membership changes. Specific strategies for protection of open space are also found in this section.

Over time, the Open Space Plan will be updated, including reviews of the focus areas and goals. As open space is protected or lost to development, shifts in the plan and the Committee's focus will occur. As the needs of the community change, so will the focus of the plan. As a general guideline, the useful life of a plan like this is approximately 5 years. If the goals and focus areas seem to be shifting drastically, it may be necessary to update the Plan before 5 years are up.

Purposes

The Open Space Plan lays out methods by which limited resources can be applied to conservation projects to protect and retain the town's rural character. The role of this document is to assist the citizens of Fitzwilliam in achieving its open space protection and conservation goals. The plan should be used as a guidance tool that focuses conservation related actions and decisions in the town.

Specifically this plan provides:

- A Summary of the Fitzwilliam Open Space Land Survey
- The location of special places and scenic areas/vistas identified by community members
- A set of conservation focus areas based on community and resource values
- Goals and Implementation Strategies to aid in protection of identified focus areas

This plan presents the results of efforts to identify and analyze the cultural and natural resources in Fitzwilliam as the basis for prioritizing land areas that should receive encouragement and support for conservation. The Open Space Committee seeks, through this plan and its activities, to:

- Protect the character of the town through strategically conserving lands identified as contributing to the community's rural character
- Further Fitzwilliam conservation goals by reaching out to land owners and providing incentives to encourage conservation of high priority lands
- Broaden the community base of understanding about land conservation: what it is, how it works, and why it's valuable

{ body of 54 page report omitted; full report can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14015816> }

20151016-4031

Eric Tomasi
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: PF14-22

Dear Mr. Tomasi,

As you know, the town of Temple, NH abuts the property where Kinder Morgan/TGP proposes to site a 41,000 – 80,000 HP compressor station in New Ipswich for its Northeast Energy Direct pipeline.

As irresponsible and reckless as it was for a US corporation to site a 41,000 HP compressor station a mere 1/2 mile from our elementary school, when Kinder Morgan/TGP recently made an adjustment to its proposed site, they chose to move it even closer. Now it's about a slim 1/4 mile from Temple's Elementary School.

Simultaneously, its new site placed the reservoir, which supplies the school's drinking water as well as the drinking water for the town of Greenville, close to the 1/2 mile "buffer zone" of the compressor station.

Our concerns for our students and staff have grown as more data and research have become available from reputable and qualified public health departments on the health impacts of living or working within a 3 mile radius of 10,000 -12,000 HP compressor stations. Of course, that radius would expand for larger ones.

The 14 + spills, fires, and explosions that have been documented in the past 11 years at US compressor stations is also alarming, and doubly so since our school serves a second function as the town's emergency shelter.

Conversations with FERC and Kinder Morgan staff members over the phone and at Open Houses are of no help. They continually maintain that any emissions and safety concerns we have are unfounded and unreasonable, repeatedly saying that there are no toxic emissions from compressor stations and that they have excellent safety records. Of course, that falls in the face of the facts. Information is readily available from PHMSA regarding Kinder Morgan's and TGP's abysmal safety records of incidents and violations. And compressor station health impacts are increasingly reported with input from top tier universities, including Cornell and Harvard.

We request that FERC provide its commissioners and staff as well as Kinder Morgan's management and staff with in-depth trainings focused on the health hazards posed by the emissions from compressor stations. In particular, they should focus on the vulnerability of children to the harmful effects of toxic pollutants. We request that the training include:

- Wilma Subra's research on the health hazards within a 3 mile radius of compressor stations.
- The Madison County, NY Health Department's report on health impacts from compressor station emissions.
- The Southwest Pennsylvania Environmental Health Project's Summary on Compressor Stations and Health Impacts
- The Minisink Compressor Station report from Minisink, NY by Jessica Cohen, published in the Utne Reader, Fall 2015.
- Mina Hamilton's document, "More than a Pipeline: A Toxic Industrial Infrastructure".

We request an investigation and report to the town of Temple on the effects of compressor station noise and low frequency vibrations on the ability of children and adults to concentrate, plus the short term and long term health impacts of blowdowns, fugitive emissions and other gas releases associated with compressor stations, including the latest data, using continuous monitoring for toxic gas levels rather than yearly averages, with a special concern for kids with asthma.

We also request a pre-construction baseline health assessment of the students and staff at our school and residents living within a 3 mile radius of the proposed compressor station, conducted by professional public health practitioners, approved by the Temple Select Board and paid for by Kinder Morgan, with a commitment to have the children's health profiles professionally monitored for 10 years.

We also request a list of pollutants that will be emitted from the Hillsborough County Compressor Station so our Health Department can evaluate whether it is safe to install in our town.

Clearly, it is NOT a priority of Kinder Morgan to responsibly site their compressor stations and contain or eliminate their emissions of toxic pollutants. When asked about emissions at the New Ipswich Informational Open House, their representatives would not even acknowledge that any pollutants are emitted during blow-downs.

For all of these reasons, plus PHMSA's safety record for Kinder Morgan including "180 incidents of spills, fires, explosions, injuries and fatalities since 2003"; their equipment and materials failures, maintenance failures, poor welds and negligent quality control of their construction process, plus the fact that their newer pipelines have had more incidents than their older pipes; along with their willingness to subject children to the health risks posed by their facilities; and their lack of transparency and honesty, in spite of continually saying that they want to be "good neighbors"... we request:

- A probing, thorough, transparent and immediate investigation of their business and construction practices,
- PHMSA oversight of a list of steps Kinder Morgan will take to correct this history of negligent endangerment of US citizens.

In the meantime, we request answers to these questions:

1. WHY would you allow such a reckless company to continue to potentially endanger more US communities?
2. Where do you draw the line? How irresponsible does a company need to be before FERC disallows their application to continue constructing infrastructure with questionable safety and quality controls in our nation?
3. Aren't the health and safety needs of our children and all US citizens a higher priority to FERC than the financial gains of an irresponsible corporation?
4. Or is FERC similarly irresponsible and reckless with our country's land and the well-being of its citizens?

Since all of the issues raised will not be able to be fully addressed and resolved in the immediate time frame, we emphatically request that FERC not authorize a Certificate of Public Necessity and Convenience for the Northeast Energy Direct pipeline at this time.

Our children deserve better.

Beverly Edwards
Temple, NH 03084

20151016-4032

My name is Dennis Gauvin from New Ipswich

I would like to address my time specifically to the dangers of the compression station sited for New Ipswich and all the surrounding towns where the wind will carry the pollutants that we all know exist.

It's expected that 2 Titan 250 compressors, @20,000 HP each, will be installed. The VOC's or volatile organic compounds estimated to be emitted are around 52 tons. In addition, approximately 36 tons of PM2.5, or fine particulate matter.

Focusing only on the PM2.5

A detailed study by the Southwestern Pennsylvania Environmental Health Project (SWPA-EHP) in Minisink, NY concluded "families living near the compressor station are exposed to elevated levels of PM2.5." "The episodic nature of health symptoms reported by residents is likely associated with the episodic high emissions that come from the compressor station." They have 2 10,000 HP compressors.

SWPA has received grant funding to extend their study into New York State with a focus on conditions near the 22,000 HP Wright, NY Compressor Station. They are currently seeking participants for the study.

Two recent Harvard University studies in December of 2014 and June of 2015 indicate elevations of PM2.5

have a significant effect on mortality in people over 65 and women exposed to high levels during pregnancy, particularly during the third trimester, may face up to twice the risk of having a child with autism than mothers living in areas with low particulate matter.

A further study by SWPA on Compressor Stations and Health Impacts is 36 pages long with 4 Y2 pages of reference data from around the country.

A report from the Environmental Health Journal states

“Congressional exemption of oil and gas operations from provisions of the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Emergency Planning and Community Right-to-Know Act, and other statutes limits data collection on the impacts of oil and gas development.”

After just the little information stated here, it's no wonder Kinder Morgan declined to meet with the Conval school board to discuss emissions and the Temple Elementary schools exposure!

I applaud the Conval school boards request to FERC that the Tennessee Gas Pipeline be denied!

A report in Reviews on Environmental Health states

“Unconventional oil and gas (UOG) operations have the potential to increase air and water pollution in communities located near UOG operations. Every stage of UOG operation from well construction to ~xtraction, operations, transportation, and distribution can lead to air and water contamination. Hundreds of chemicals are associated with the process of unconventional oil and natural gas production.”

20151016-4033

FERC SCOPING STATEMENTS Docket PF14-22 Northeast Energy Direct

9/29/2015 Rindge Scoping Session

My name is Kathleen Gauvin. I live in New Ipswich, NH.

To the F:fc Commissioners, you should be here listening to our voices, you should be here seeing our faces. We are the next sacrificial lambs that will be offered up, all in the name of big corporations and their profit making schemes. It is time that you take notice! When does the issue of what is morally right supersede the issue of passively permitting these contaminating monsters that are ravaging through our country like a cancer in its final stage?

When will you consider the people?

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

Where in this process does FERC consider We the People? or In order to form a more perfect Union? or Promote the general welfare? or Secure the blessings of liberty to ourselves and our posterity?

As I read the research into the disastrous effects of a 20,00 HP compressor station's emissions in Minisink, NY, I knew that WE THE PEOPLE was not a consideration in the permitting process. Minisink is a difficult article to read; we are now potentially the next Minisink populace. Minisink is a town inhabited by people just like us, wb” were not given the justice that they deserved, their general welfare was not protected, and most certainly, the blessings of liberty were not preserved for themselves and their posterity.

When the permitting of the Minisink, NY pipeline and compressor station was discussed by the FERC Commissioners in 2012, two Commissioners dissented. These Commissioners expressed similar opinions noting that the construction

of the Wagoner Alternative would provide numerous benefit beyond those provided by the Minisink proposal with significantly fewer emissions, thus reducing the effects on the local air quality. The other three Commissioners voted in favor and the permit was granted. The Minisink, NY residents living near the compressor station are now plagued with numerous health ailments and research shows that they are the direct

result of the emissions.

So to you, the FERC Commissioners I ask, “Will you pay attention to the dissenters’ concerns in your midst? Will you look at less harmful alternative routes? Will you make a morally right decision?”

Thank you

20151016-4034

Hand written FERC Comment form: Brian Gill, 299 Upper Troy Road, Fitzwilliam, NH 03447: Interstate 88 & 90 median strip a much better pathway.

20151016-4035

Hand written FERC Comment form: Glynn Graham, 608 Abbot Hill Rd, Wilton, NH 03086: opposing

20151016-4036

NED Project, Docket # PF14-22

FPU Scoping Sept. 29th:

I’d like to speak about my experience with Compressor Stations:

1. I was first exposed to compressor stations in Bradford, Pennsylvania They are used as gathering points for gas wells in the Marcellus Shale.
2. A compressor station in that environment is about the size of a one car garage, the compressor is driven by a large diesel engine, my guess would be no larger than 500 or 600 horse power, but I’m told they can be as big as 1,500 horse power (increased power means more noise). You can hear the small ones over a mile away.
3. My experience in Bradford, caused me to look into compressor stations as they will be used on the proposed NED pipeline.
4. Kinder Morganffennessee Gas Pipeline, when they were proposing a 36 inch pipeline were talking about a compressor station which would use compressors driven by as much as 98 thousand horse power. Because diesels can’t produce that kind of power, jet engines are used. Then because of the lack of customers in New Hampshire, they dropped the pipe’s diameter to 30 inches, which better than halved the horse power requirements for the New Ipswich compressor station (approximately 43 thousand horse power).
5. What Kinder Morganffennessee Gas Pipeline hasn’t told people here along the pipeline is, once they have their foot in our door, there is no stopping them! Do you know as the demand for gas from the pipeline increases (export demand in Europe), that they will have to add more compressor stations. The next compressor station can well be in your back yard.
6. Assuming that Kinder Morganffennessee Gas Pipeline gets their foot in the door, they will have free reign to add more pipelines “in our” energy corridor, and they can at will change the content of the pipe they have put on your property. Please research Natural Gas Liquids (NGL) on the net. What you will learn will horrify you.
7. Now where are the good guys in all this? The EPA has taken a strong position on compressor stations and how they should be run and maintained, but like the emissions from compressor stations, they have been hamstrung by the petro-dollar funded congress andFERC.
8. The EPA has made recommendations on how compressor stations should be configured, run and maintained. The sites are easily found on the Internet, the key words being EPA and compressor stations.
Please Note: One of the EPA sites identifies gases released from compressor station and Main Line Valves blowdowns and general pipeline leaks. The gases are note worthy: Methane, Benzene, Toluene, Ethylbenzene and Xylene. I’m not a chemist, but I do know that Methane is a worst green house

gas than CO2 and that Benzene is a carcinogen.

9. A gas pipeline watchdog group: Metropolitan Engineering Consulting, Forensics and Environmental Services, has published an article on the Internet, that explains what can be done reduce the emissions produced by compressor stations. The data is interesting and the changes they suggest are very do able, but before I get into that, let me tell you about the volumes of gases released in the “please note” section above:
 1. A single compressor blowdown releases approximately 15,000 cubic feet of the gases noted above.
 2. An emergency blowdown (shutting down an entire compressor station) will release as much as 1.3 million cubic feet of the gases noted above.
 3. Now for the big one, because of Cheshire County’s low density population they will space Main Line Valves 7.5 miles apart! Now picture a cylinder with a 30 inch internal diameter 7.5 miles long, venting into our atmosphere!
 4. The watchdog group’s article can be found by searching for The lowdown on gas compressor blowdown.
10. Given the above information, I felt comfortable having a one on one conversation with a Kinder Morgan representative at the Fitzwilliam’s Kinder Morgan Open House. I walked around and low and behold I found a Kinder Morgan representative who said he was qualified to talk about compressor stations:

My first question was, why do you have to blowdown a compressor when you take a compressor of-
fline? His response was that if they didn’t, it would shorten the life of the dry seals on the compressor shafts.

The next question was, why not feed the gas you would vent into the atmosphere, when you take a compressor offline, into the intake of an online compressor. His response was that would require them to install a pump in the compressor station!

By the way through all this I haven’t mentioned the exhaust of the jet engines. The colocation that Kinder Morgan is so proud of, could reduce emissions, if they used the electric power that they are co-locating with to power the compressor stations!

These are the people that say they are good neighbors! These are the people that place the cost of building and maintaining a compressor station above the our lives, the lives of our children; our live stock; our wild-life and the quality of our organic agricultural products!

As to cost benefit: We the impacted citizens of New Hampshire have to live with the costs, but Kinder Morgan Tennessee Gas Pipeline gets the benefits.

Thank You,

Jan A. Griska

Rindge, New Hampshire

20151016-4037

I am Robert A. Hamilton, a resident and **Chairman of the Board of Selectman of the Town of Rindge**. I am here to testify on behalf of myself and the majority of the residents of Rindge. Our opposition to the Kinder Morgan, Tennessee Gas Pipeline Company’s NED pipeline project is for our concerns about the following:

- Our Wildlife
- Our Wetlands
- Our Streams
- Our Plant life
- Our Ground water

Our Wells
Our Land
Our Air quality
Our Town Roads
Our Highways
Our Scenery
Our Serenity
Our Costs
Our Capabilities
Our Safety
Our Need
Our Benefits
Our Compensation and,
Our Property.

While this may not be a complete list, these are the points that have been brought to my attention. I will just briefly touch upon these concerns as I know that there are more adequately trained individuals that will expand on these topics tonight.

Our Wildlife- The worry of fragmentation of habitats and the protection of some rare and threatened species.

Our Wetlands- Disruption and possible permanent alteration to the land in and around these 17 impacted wetlands.

Our Streams- Erosion and resulting alteration of the stream channels in these 5 impacted streams.

Our Plant life- Invasive species may overwhelm and overtake the impacted native species.

Our Ground water- The risk of contamination.

Our Wells- There is no possible way to guarantee the safety of our wells from damage, pollution or contamination. Pollutants and contaminants will be present during and after the construction project. There has been no assurance that natural gas would be the only product transported in this pipeline. This town is entirely dependent on well water.

Our Land- Mitigation plans and efforts could never return affected lands to their original state.

Our Air quality- During and after construction, there is no question that local air quality will be impacted.

Our Town Roads and Our Highways- Increased traffic flow and transportation of hazardous materials. Damage from heavy construction equipment.

Our Scenery- This speaks for itself. The resulting scar from the construction will never fully heal.

Our Serenity- While already disrupted, the construction period will be a constant headache.

Our Costs- Repairs to our roads and highways, legal bills and extended training for first responders will be just the tip of the iceberg.

Our Capabilities- With a police force of 7, a volunteer fire department and our proximity to rescue and medical services makes us extremely vulnerable. This meeting alone has stressed our capabilities!

Our Safety- I am not even allowed enough time to begin to get into this topic.

Our Need- For Rindge, Our region and the state of New Hampshire there is absolutely no need for this project.

Our Benefits- None

Our Compensation- The promise of local tax payments which will be legally contested by KIM year after year. Beyond that, no compensation ..

OUR PROPERTY- This is Our Property; not Kinder Morgan's, not FERC's and not the US Government's

property and it should stay that way!

This entire process reminds me of what President Reagan said:

“THE NINE MOST TERRIFYING WORDS IN THE ENGLISH LANGUAGE ARE:

‘I’M FROM THE GOVERNMENT AND I’M HERE TO HELP’”

20151016-4038

Jennie L. Hill
32 Cross Road
Richmond, NH 03470

September 29, 2015

Docket #PF 14-22 (Northeast Energy Direct)

My name is Jennie Hill. [live in Richmond NH. Kinter Morgan’s posture has been as if FERC’s approval of the pipeline is just a formality. They have not felt the need to submit accurate or complete information to the Commission in their filings.

Winchester|Richmond NH Town Line

From the first submission modifying the NED route to the “New Hampshire Powerline alternate”, until the present, the town line between Winchester and Richmond, New Hampshire has been plotted incorrectly. Hatch Mott MacDonald December of 14, page 68 and a subsequent Revision dated August 21 show it about 900 feet west of its actual location. Town Line Signs & markers are clearly visible in the vicinity of the proposed route. This calls into question any functions performed by their software.

FERC File 20141208-521729960502

“DRAFT / ENVIRONMENTAL REPORT RESOURCE REPORT..

From the Draft Environment Report of December 2014, another glaring omission is the use of “TBD”, in the text and tables. Areas of pipeline looping and co-location of pipeline facilities are summarized in text form on page 8, in table form on page 27. Any locale where the proposed pipeline is looping or co-located with an existing line or utility corridor, there are detailed project plans and other resources which show slope, depth to bedrock, soil, terrain, etc. Yet when you scroll forward to “rugged topography” Pages 67-70, the Slope Gradient tables are all filled in with TBD.

As special construction techniques and A TWS requirements for Slopes over 30% are cited, this is very relevant when evaluating the merits of this route. All it takes to figure out slope percentages is a topographic map and a ruler or scale. You would think with the technology available and the existing plans mentioned above, Kinder Morgan’s engineering department should be able to do likewise. It again speaks to the assumption that neither FERC nor the public have a need to know this information.

Depth of Pipe Burial

Another concern is the stated intent to bury the pipe no more than 3 feet deep. Given that when the route is not going through bedrock, it will be mainly through unconsolidated glacial till, the pipe will be subjected to freeze/thaw activity. Considering what frost action can do, it seems to me that it should be buried below the frost line.

Endangered Animals in the path of the pipeline.

A Canada lynx has taken up residence in Richmond and Fitzwilliam, having been sighted by at least 3 people I know, since the beginning of the year. Canada lynx are protected by the Endangered Species Act. Bats are also a protected species. They have made homes in numerous buildings near the proposed route. These protected species should be given consideration to minimize disruption to or avoid their habitats altogether.

The burden of proof for all the many questions should be on Kinder Morgan. I am very heartened that FERC has given us this extra time to voice our concerns. It signals to me that this is going to be an open, deliberative, thorough and fair process. I appreciate your time tonight and the efforts of all the many staff members

working on this docket.

{6 maps omitted}

20151016-4039

To Kinder Morgan* and
The Fossil Fuel Industry

Kinder Morgan, let's be frank,
Are you a kinder kind of bank,
Say, like the one they call J.P.,
Adept at fleecing you and me?

Or are you fuelish, fossil-wise,
To lay a pipe of such a size,
And carry all the gas that's fracked,
From states whose country sides get whacked?

You send this gas to far off shores,
And pay the bribes of corporate whores,
Who take the money from the till,
While we the people foot the bill.

Yes, ship the gas to distant shores,
Despite the fact that corporate wars,
Have just acquired lots of oil,
That lurks beneath the Mid-East soil.

You grab oil here, and send gas there,
Kill multitudes, pollute the air,
Inject the earth with deadly stuff,
It's time to say, enough's enough!

Though fossil fuels have served us well,
Their time is over - can't you tell?
So turn your gaze to wind and solar,
And help us save the regions polar.

Save the forests and the oceans,
The life they hold, all living motions.
What good is gold and obscene wealth,
Compared with all creation's health?

Money's not the highest good,
There's life and love, and drink and food,
And laughter in a special place,
That's home for ALL the human race.

*Kinder Morgan is seeking to lay a large gas pipeline through a pristine area of Southern New Hampshire

John D. Wyndham
Peterborough, NH
August 3, 2015

Submitted by Jaya Hoesch, 85 NH Route 45, Temple, NH 03084

20151016-4040

Hand written letter, Christine Johnson, 78 Mill St, Greenville, NH 03048 on behalf of Charles W. Stickney, 137 Hollis Rd, Amherst, NH 03031: opposing

20151016-4041

Northeast Energy Direct Project
Scoping Meeting September 29, 2015
Docket No. PF14-22-000

Comments By John Kieley
Town of Temple, NH
Temple Adhoc Pipeline Advisory Committee

The 41,000 HP compressor station planned for the Town of New Ipswich would be one-quarter mile from the Town of Temple's Elementary School and in close proximity to dozens of Temple residences, several farms, a large aquifer and the reservoir for the Town of Greenville. At the scoping meeting in Milford many local residents offered comments about the inappropriateness of locating such a facility on this site. Since that scoping session, Kinder Morgan has held information sessions for the public where they unveiled new renderings, which showed the compressor station even closer to our school.

While Kinder Morgan's FERC filings provide no information regarding the types and levels of toxins, carcinogens and particulate matter that this compressor station WILL emit, studies from both Pennsylvania and New York both show that some one hundred and eighty seven different chemicals will be emitted and that the volume will total hundreds of tons per year. The known impacts on human health of these chemicals range from nose bleeds and dizziness to liver damage and various cancers.

It is unacceptable to subject our residents and particularly our school children to known health hazards particularly when these emissions will be regular occurrences from this compressor station.

This project is not about bringing energy to New Hampshire; it is about bringing fracked gas to Maine and the Maritimes for export. It just happens that in order for Kinder Morgan to use eminent domain and be allowed to pollute the air we breath, they need to partner with a distribution company to fabricate local need. They found a willing partner in Liberty Utilities and rewarded them with a \$400 million investment in the project

The residents of Southern New Hampshire are simply "in the way".

FERC needs to view this as the sham it is and deny this application.

20151016-4042

Hand written FERC Comment form: Dr. Catherine Koning, PhD, 250 Summit Rd, Keene, NH 03431: opposing

20151016-4043**Fitzwilliam Conservation Commission**

PO Box 725
Fitzwilliam, NH 03447
Paul M. Kotila, Chair

Northeast Energy Direct (NED) Gas Pipeline Testimony - 29 Sept 2015, FPU, Rindge, NH

I am Paul Kotila, Chair of the Fitzwilliam Conservation Commission. For the record I'd like to note that Dorothy Zug, whose work the Commission greatly appreciates, has not been and is not now the Commission Chair as seems to be the impression of Kinder Morgan.

The mission of the Fitzwilliam Conservation Commission is to protect the natural resources of the Town

of Fitzwilliam, New Hampshire. In regards to this mission, the Fitzwilliam Conservation Commission has several concerns that we feel the environmental impact statement must address, including the following;

1. What are the short-term and long-term impacts of pipeline construction and maintenance on the natural resources of Fitzwilliam, including but not limited to:
 - Terrestrial ecosystems
 - Surface and groundwater supplies and aquifers
 - Aquatic ecosystems, including ponds, streams, wetlands, and vernal pools
 - Air quality
 - Night-time lighting
 - Noise and sound levels
2. The impact study should examine the short and long-term environmental impacts of:
 - Construction activities
 - Road building and maintenance
 - Excavation & blasting
 - Vegetation removal and management (including herbicide use)
 - Inspection and repair activities
 - Future construction or expansion, including additional pressurization stations
 - Releases of potential contaminants into water bodies and the air, including greenhouse gases such as carbon dioxide (CO₂) and methane (CH₄)
 - Possible explosions or fires

In Fitzwilliam, we are particularly concerned about the disruptions to Scott Pond and associated wetlands, the adjacent Gaseau conservation land, and other Focus Areas along the proposed NED route that have been identified in the town's Open Space Plan. All of these have been identified by citizens as parts of town that reflect the value we place on our natural resources and the importance they play in our sense of community.

3. The impact statement should examine the environmental advantages and disadvantages of alternatives to the proposed project, including:
 - Alternative routes
 - Reduction in size of the project
 - Alternative energy sources
 - Not building the project at all

We also request that the impact statement examine the cumulative effects of this and other energy projects on Fitzwilliam's open spaces, scenic views and natural communities, particularly since the town has already experienced considerable disruption due to power line infrastructure.

Finally, we request that the impact statement examine the longterm impacts of continued and expanding reliance on fossil-fuel energy sources in light of undeniable global climate change, which will affect all of us and the natural communities we live in.

Completion of the NED project will ultimately contribute to global warming and may thus prove both unwise and unnecessarily environmentally destructive.

Thank you.

20151016-4044

September 29, 2015

Rindge Seoping Meeting

Hon. Melanie Levesque
2 McDaniel's Dr.
Brookline NH

My name is Melanie Levesque, I am a Brookline resident and served as a representative for 6 years. I have serious concerns about the proposed pipeline. We have come here tonight as citizens of NH who value our conservation land, our homes, and our way of life. We are responsible and resourceful. The great majority of us supplement our energy through sources such as pellet stoves, wood stoves and electric ductless systems that provide cooling and heating but these types of fuels are to provide heating not electricity.

The NED project is advertised as a project that will feed the NE Grid yet all of the customers are heating customers. The NED project is not about electricity it is about heating. It proposes to go through 17 towns most of which cannot use the gas. These towns will bear the burden of a pipeline without any benefit.

The Natural Gas industry has done a very good job of convincing our businesses that they need the gas when through energy efficiency and energy alternatives they can further reduce their costs in a responsible manner.

Our local legislators have listened to the people and for the most part stand with us. Yet we also hear it is a local issue. It is not a local issue when we are engaged with the Federal Energy Regulation Commission to discuss a pipeline running from Pennsylvania to NH, proposed by companies from Texas and Tennessee.

With the Citizens United Decision corporations are considered people and have an equal if not greater voice in our political system and clearly a greater voice when it comes to determining what we can do with our property.

We have heard from the Unions about their need for jobs. I have a difficulty understanding why their temporary jobs are more important than our conservation land and the property my neighbors have built their lives around.

To FERC I ask you to look at this project in its entirety, and work not just for companies to approve their pipelines but determine if this project is truly needed, which it is not. Understand how this project has violated the people of our state, and work to further our energy efficiency and renewable energy goals.

20151016-4045

“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? (The filing says participation would be limited to the 200 selected as-

sets by “implement(ing) the demand response program manually”. That means that LNG fueled generators wouldn’t even be informed that there was demand.)

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 ‘poo-hooed’ 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

Masoo, 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> Page13 #44
- (5) <http://www.ferc.gov/CalendarFiles/20130916184714-ER13-1851-000.pdf> Page14 #45
- (6) 15 U.S. Code Chapter 15B § 717c-1 - Prohibition on market manipulation
- (7) 15 U.S. Code Chapter 15B § 717a (I) and (2)- Definitions

Note: I am indebted to Vince Premus and his article in Commonwealth which brought much of this to my attention.

20151016-4046

Hand written letter, 3 pages, Ara Lynn, 202 Poor Farm Rd, New Ipswich, NH 03071: opposing

20151016-4047

Subject: Docket #PF14-22: Scoping Meeting Comment - Economic Impact page 1 of 2 Patricia Martin

Dear Ms. Bose,

I would like to draw your attention to the unprecedented plans for financing this pipeline project. don't believe the majority of electric ratepayers In New England are aware of that plan and I wonder how the FERC process will include their interests. Electric ratepayers are being asked to accept a tariff through the utilities to reserve capacity on the pipeline which the utilities "through some mechanism to be determined" will then sell to electric power generators and quite likely to exporters. This contract is expected to extend for 20 years.

The statements by the New England Power Generators Association and Unltil regarding the pipelines are summarized in a report released by the NH PUC staff on Docket IR 15-124, September 14th. The power generators, the folks who will theoretically buy that gas from the utilities, do not support these • proposals. They didn't want to take the risk of buying that gas and they don't think ratepayers should have to either! Currently New England generates over 50% of its electricity with 1 bcf/day of natural gas fired generation. By adding more than 1 bcf/day (and current plans call for adding more than 2 bet/day), New England could

produce 100% of its electricity with natural gas. Think about it! 100% Increase In pipeline capacity to address a 1% supply problem for a single fuel source?

How can this be a good thing for New England's economy? Natural gas will have a monopoly on electricity generation, while ratepayers bear all the risk.

Moreover, the entire electricity pricing crisis has been largely manufactured for the benefit of the pipeline companies and utilities with a financial interest in the pipelines. I mapped the data from the eia.gov website into a graphic representation of New England's "all sectors" retail price versus the US average.

In general, retail prices for electricity have ranged somewhere between 14 and 16 cents per KWH from 2006 through 2014. Note that retail prices in New England have been consistently 40 to 65% higher than the National Average since at least 2001. Where were these pipeline proposals in 2008 when prices peaked?

The danger of lost fuel diversity not only puts us at risk for financial disaster, but also to loss of grid reliability. With all our eggs in one basket, what could possibly go wrong?

The pipeline companies are the only guaranteed winners if these projects go through. Liberty Utilities and Berkshire Gas have also made investments in the pipeline and will share in a steady revenue stream whether or not a single dekatherm of gas is used to generate electricity. All paid for, of course, by New England's ratepayers.

{chart "History of NE retail electricity prices versus US average" omitted}

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
603-899-2894

20151016-4048

Ms. Kimberly D. Bose,
Secretary Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426
Docket # PF14-22-000
Scoping Meeting 9.29.15

To remind people here tonight - this meeting is to convey to FERC the consequences of this pipeline and associated compressor stations on the environment.

Environment can be defined as the conditions that all living things in a proscribed area share. Therefore it can be said that the environment that concerns us here is the land and air and water that surrounds the pipeline as it imposes itself across southern New Hampshire and Massachusetts.

How far that surrounding environment stretches away from the pipeline seems to be an expanding envelope. It started that only the towns actually on the route seemed to be aware of the consequences of their misfortune. Now other communities, further away from the route, are realizing the danger of their situation. In the last two weeks both Peterborough and Wilton have voted to come out in opposition to the pipeline and all its downsides and Conservation Commissions across the state have voiced their concerns over the damage.

In fact more and more people are coming to understand that the advertising and propaganda spread by the profiteers in support of the project are lies and designed to misdirect and divert people from the reality of this, for profit, proposal.

People have come to understand that they are suddenly an endangered species. We are in the way of a proj-

ect that would make huge profits for its proponents by destroying all that stands in its path.

What a strange, terrible idea to suddenly have to assimilate. We, the species that always have been the one to do all the damage, are suddenly the ones that are endangered ourselves.

So - here is an interesting situation. Under the definitions above we, as part of the environment, are something that FERC has to take into consideration. What a novel idea!

Let me say, I have already observed the effects of the imminent danger on local people. People are scared, their habitat threatened, the stress of the situation is disrupting families. People are worn and battered by the assault upon them by the twists and turns of a predator that has no sense of the value of each one of us as living beings.

So FERC - please acknowledge that we, the people, are part of the environment that you are charged to assess when Kinder Morgan makes this proposal.

S.A. Matthews
40 Settlement hill
New Ipswich, NH 03071

20151016-4049

Hand written FERC Comment form: Tony McCagg, 8 Turner Rd, Jaffrey, NH 03452: opposing

20151016-4050

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.

New England is a region of the country containing many unique environmental and historic attributes. One of these attributes is the presence throughout the rural countryside of stone walls. There once may have been 250,000 miles of stone walls in America's northeast, stretching farther than the distance to the moon. They took three billion man-hours to build and they contain a magnificent scientific and cultural story, especially about the humans who built them, in many cases as they also fought to build a new country, The United States of America. Stone walls tell nothing less than the story of how New England was formed

These walls have been in place in most cases since the seventeenth, eighteenth & nineteenth centuries as the early American farmers who settled the region moved stones from the productive areas of their fields to the edges. In many cases, and over the course of centuries, these walls came to delineate the boundaries between not only fields but between different property owners. Many deeds still describe property boundaries by referencing stone wall locations and directions. A typical property in rural New Hampshire that has been targeted to receive the NED pipeline, could potentially have a deed that describes its boundaries by the location of a stone wall. In many cases to this day those properties have changed hands over the course of centuries by referencing these boundary walls. In many cases a more accurate survey using modern methods has never been performed.

As NED is planned now, many stone walls will be removed to make way for the pipeline easement and the temporary work-zone easements. Please ensure that all deeds to properties that are crossed by either the NED pipeline or the variety of temporary work-zone easements are checked to see if the work required by NED will disturb a boundary wall referenced in a deed.

In those cases where such a wall will be disturbed, and no modern survey has been performed, a new survey must be performed and the boundaries appropriately flagged in agreement with both abutters to the boundary wall. The survey must include going back to corners on either side of the area where the wall is to be

disturbed in order to perform an accurate survey. This survey results, including the updating of property deeds with this new information and subsequent filing with the registry of deeds must be performed at no cost to the affected property owners and prior to the excavation of any walls.

The loss of these historic walls will also adversely affect the visual appeal of the New Hampshire countryside. Please also ensure that any such walls are replaced and not through the haphazard process of an excavator operator but through a craftsman skilled in restoring these historic features of our state.

20151016-4051

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. The filings are:

1. Why Kinder Morgan Isn't More Forthcoming <http://elibrary.ferc.gov/ldmws/common/opennat.asp?fileID=13657158>
2. Kinder Morgan Continues to Torture the Truth <http://elibrary.ferc.gov/ldmws/common/opennat.asp?fileID=13733951>
3. The Damage Caused By Kinder Morgan's Deliberate Misinformation <http://elibrary.ferc.gov/ldmws/common/opennat.asp?fileID=13789971>
4. How FERC Has Failed the Public on the Northeast Energy Direct Project <http://elibrary.ferc.gov/ldmws/common/opennat.asp?fileID=13941948>
5. Fix FERC First, Chapter 3: FERC Allows The Public To Be Misled <http://elibrary.ferc.gov/ldmws/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/ldmws/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 continued 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 doesn't want there to be an informed public. An informed public asks hard questions and does not 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

[Printed copies of this comment and the electronic copy already filed with FERC (<http://elibrary.ferc.gov/idmws!common!OpenNat.asp?file10=13964751>) both contain links to all of the FERC comments that I have referenced above.

I also have extra printed copies if anyone here would like one.]

20151016-4052

My name is Martin Nolan and I have lived in NH most of my life.

As a professional in the energy field I have many concerns with this natural gas pipeline proposal.

• **Leaks; should one occur**

Most home explosions that have occurred have been attributed to natural gas lines in urban areas. The leaking gas from the pipeline, which is under low pressure follows the path of least resistance underground, along other lines buried or even natural cracks through the ground at which point it finds its way into the structure. There is the real possibility that the same thing can happen on the proposed pipeline only on a larger scale. The difference is that this will be under very high pressure. This could very easily travel underground several hundred feet or more before entering a building .. While a leak under low pressure might affect a few residences a leak under or adjacent to high tension power line would have devastating consequences. The destruction would be of a horrific magnitude within the incineration zone of about 1000 feet which is what the company say it will be. The destruction will certainly be several times that area.

Commercial underground fuel tanks, as well as the piping associated with them must be double walled and continuously alarm monitored for a leak. A leak within that inner space allows time to stop pumping and removal of the products, thus protecting the environment from a leak before it hits the atmosphere. If this proposed pipeline were to be built with double walled piping and continuously monitored, while not completely eliminating the possibility of a catastrophic leak, it would surely lower the risk.

• **Need for natural gas**

I see very little need for natural gas through this region. The majority of the users are in the eastern part of NH or south of NH in central and eastern Mass. Much propaganda has been printed about saving the northeast from the high cost of fuel. The fact is most of the proposed route is so rural that there would be little economic value to convert to natural gas. Eversource is stated as being one of the end users even by the PUC; however, they haven't said they are interested. In fact to my knowledge they don't have nor are they planning any natural gas generators in

NH. There are existing pipelines already on the New England coast which if there is a need for more gas can be up graded. The end of this proposed pipeline is to be in Dracut Mass where they will tie into another line with the final point of the line at a seaport where it can be exported overseas. The cost for natural gas will be set by the demand. There seems to be a greater demand in Europe, and as such the price will be the determined by the world demand not simply by local needs. The only economic value in this pipeline as it is will be for Kinder-Morgan to make more profit at the expense of the region.

20151016-4053

My name is Nancy Nye and I have been a resident of Fitzwilliam for over 50 years. It took my husband and me 3 years to find the perfect house and town to raise our children in. In the last year and a half I have put more than \$100,000 into the house. This includes a new roof, bathroom and kitchen.

A few years after we bought our house the Vermont Yankee Atomic power plant took an acre or our land to put their power lines through. There is always a hum and a glow at night around the lines. They really sizzle

when there is any dampness in the air and during electrical storms they draw the lightning towards them. My house is in the direct route of the proposed gas pipeline as it follows the power line. I have been told by Kinder Morgan representatives that they do not take houses. Their solution is that shortly before my house they will jog under the existing powerline and then jog back out after they pass my house. (It was my understanding that the gas pipeline had to be 50' from any electrical power lines.) In the mean time they will have to remove all the organically grown apple and pear trees, the blueberry bushes that my husband has been growing since he was in high school and flower beds that have been existence since before we moved into the house. Not only will all this disappear but my septic and well will also be gone.

So that I will not be disturbed during this process they will build an earthen berm FOUR FEET from my house and down the entire length of it which is approximately 125' long. When construction is over they will replace the berm with a fence. What will that look like? like the fence along 91 down in Connecticut!

I have a letter from a Realtor I would like to read. (Marc's letter)

You have the power to take my house by eminent domain. I ask that there be more environmental studies done or to consider an existing pipeline route or one that does not take privately owned land by eminent domain.

**TIEGER REALTY
COMPANY. INC.**

603/532-8765 - FAX: 603/532--4519

Email:info@tiegerrealty.com www.tiegerrealty.com

September 28,2015

Mrs. Raymond Nye
89 Bowkerville Road
Fitzwilliam, NH 03447

Dear Mrs. Nye,

As you know I inspected your home several months ago in an attempt to establish its Fair Market Value. I was prepared to evaluate it based on the traditional method of comparing it to similar properties that have sold in a recent period of time.

However, we discussed in depth the proposed Kinder Morgan pipeline. As I understand it, their plans in relation to your property, would utilize the existing Public Service of New Hampshire easement and perhaps an expansion of that easement. As I recall, the easement for PSNH literally goes through your property. If you were to put the house on the market you would of course disclose the possibility of the pipeline coming. I'm not sure that anyone knowing that would want to buy your home except for a fire sale price. I know that you have put quite a bit of money into renovations fairly recently but I'm afraid that if the pipeline does come through, you would have a hard time recuperating the costs of the improvements, let alone selling the house.

I'm sorry to be the bearer of bad news. Let me know if I can help further.

Very truly yours,

Marc P. Tieger, President
Tieger Realty Co., Inc.

20151016-4054

{Copy of deed transferring in 1998 73.8 acres more or less from Society for the Protection of New Hampshire Forests to the New Hampshire Department of Resources and Economic Development (DRED)}

Map 301 Lot 1 Book 1213, Page 102

• The following restriction found in the deed (page 3) that transferred ownership to State of NH {9/24/87}

The Grantee acknowledges that the Grantee acquired this property with Federal Land and water Conservation Fund assistance under New Hampshire project 133-00551 and the property cannot be converted to other than public outdoor recreation use without the written approval of the secretary of the United States Department of the Interior

{map and text of deed omitted}

20151016-4055

FERC Public Comment - 9/29/2015

NED Pipeline

My name is Coni Porter and I'm an educator, a professional, and a grandmother from Fitzwilliam. My great fear is a carbon-heavy future that we are not bold enough to address "now". Right now is when we need to change policy direction in every industry that pours carbon emissions into the air. My great frustration is with elected and appointed officials who do not seem to understand that natural gas production and transportation is a heavy land and air polluter. This is by no means a "clean energy" source.

PERC's mandate is to assess the level of "public good" that will allow "eminent domain" in the taking of private property. Who constitutes this "public", and what does "good" mean?

I chanced upon a list compiled by the Pennsylvania Alliance for Clean Water and Air, of entries submitted by individual people who have had documented experience with natural gas production and transportation over the last 4 years. Do these people constitute "the public?" If not them, who? Let me read a short sampling from this list:

The List of the Harmed

First entry:

1. Pam Judy and family from PA. Compressor station 780 feet away. Symptoms: Headaches, fatigue, dizziness, nausea, nosebleeds, blood test show exposure to benzene and other chemicals
2. Darrell Smitsky from PA. Gas well less than 1,000 ft away. Exposure: Water- toluene, acrylonitrile, strontium, barium, manganese. Symptoms: Rashes on legs from showering. Symptoms (animal): Five healthy goats dead; fish in pond showing abnormal scales

Skip ahead:

626. Roy and Amy Heady and children; Glenda, Kirsten and Don Sumler, Terry and Dustin Smith; Bobby and Amanda Smith near Carlsbad, NM. Gas Facility: 30-inch gas pipeline. Explosion. 10 deaths, two injured.

Skip ahead:

6,112. Fort Berthold Reservation, North Dakota. Exposure: Brine pipeline spill, million gallons. Dead trees, dead grasses, dead bushes, dying bushes, spill went undetected for some time.

Last entry to date:

16,712. LaVerne Johnson from IA. He is being forced to allow access to his property. Johnson is opposed to the possible impacts on water and crops. "Do you want to be remembered for making the most money, however you can make it or do you want to be remembered for doing the right thing? I hope I'm remembered for doing the right thing."

I respectfully ask that each FERC Commissioner (Tony Clark, Cheryl Lafleur, Norman Bay, Phillip Moeller, and Collette Honorable) interview these over 16,000 people who have been harmed by the gas industry and FERC's past decisions. And then, do THE RIGHT THING. For the first time in the history of all of your decisions say NO, and look to the future, not the past. It's time to change direction for the sake of our grandchildren's world.

Coni Porter

List of the Harmed

Online at <http://pennsylvaniaallianceforcleanwaterandair.wordpress.com/the-list/> Compiled by Jenny Lisak

-Updated as of August 28th, 2015-

{167 page list, ending with #16,719, omitted}

20151016-4056

{ duplicate copy of 20151013-5133 above }

20151016-4057

Hand written FERC Comment form: Carl Querfurth, 8 Turner Rd, Jaffrey, NH 03452: opposing

20151016-4058

September 29, 2015

RE: Quicker, cheaper solution to the 50-day winter energy crisis - it is Yankee Ingenuity.

Many propose new gas pipelines will reduce electric and natural gas rates. A few weeks ago, the NH PUC suggested electric ratepayers should have tariffs to pay for all the proposed new pipelines. That same week, a company named Skipping Stone released a report stating no additional pipelines are needed. Moreover, additional pipelines would be not cost effective to ratepayers.

The Skipping Stone report claims, "The most important fact to remember about New England's 'gas problem' is that it is a Deep Winter, peak demand deliverability problem, not a year-round capacity crisis. As a result, building more pipelines. which would provide a year-round supply of gas-whether it is needed or not- and is simply not a cost-effective solution."

The report demonstrates using imported LNG during deep winter peak demand is cheaper for ratepayers building more pipelines, which would provide a year-round supply of gas - whether it is needed or not ... is simply not a cost-effective solution." The report includes all the details supporting this finding and looks out to the year 2030. Their suggested alternative is a "Winter LNG Pipeline" that strategically imports LNG as needed.

Who is Skipping Stone? Although they have offices around the USA and Japan, they are New England based. offering professional services in energy markets. They have done work for hundreds of energy companies such as Exelon. GDF Suez, NRG. Entergy. ConocoPhillips, Duke Energy, Constellation Energy, even FERC (Federal Energy Regulatory Commission).

Anyone can try to solve a problem by simply throwing more resources at it; more money. people and in the case of New England's "winter energy crisis." natural gas. Throwing resources at a problem does not guarantee a good solution; frequently it backfires and wastes those resources. The Skipping Stone Winter LNG pipeline is a true Yankee Ingenuity solution that addresses the problem without increasing rates, adding unnecessary expensive infrastructure, or taking people's private property. We should utilize Stone's Winter LNG Pipeline strategy this winter and put the pipeline projects on hold until proven absolutely necessary.

Sean Radcliffe
Temple, NH

20151016-4059

Hand written FERC Comment form: Linda Rogers, 402 Scotland Rd, Winchester, NH 03470: opposing

20151016-4060

{ duplicate copy of 20151013-5080 above }

20151016-4061

Hand written FERC Comment form: Mark S. Shomet, PO Box 34, Jaffrey, NH 03452: not enough time to digest proposals.

20151016-4062

Hand written FERC Comment form: Pamela Shuel, Old New Ipswich Rd, Rindge, NH: opposing

20151016-4063

Hand written FERC Comment form: Pamela Shuel, Old New Ipswich Rd, Rindge, NH: opposing

20151016-4064

Hand written FERC Comment form: Pamela Shuel, Old New Ipswich Rd, Rindge, NH: opposing

20151016-4065

Hand written FERC Comment form: Pamela Shuel, Old New Ipswich Rd, Rindge, NH: opposing

20151016-4066

FERC Scoping hearing 9/29/15

Project PF14-22

My name is Terry Silverman. I am a 30-year member of Fitzwilliam NH Planning Board and current chairman and a member of the NH Municipal Pipeline Coalition

FERC docket # PL99-3-000 issued Sept. 15, 1999, states that the commission's goals are to appropriately consider:

1. Goal 1: The enhancement of competitive alternatives
 - When considering the NED proposal, will FERC take into account no build options such as Portland Natural Gas Transmission System that ends in Dracut MA and achieves the increased supply by increasing compression upstream?
 - When considering the NED proposal, will FERC consider the expansion of the Spectra Line?
2. Goal 2: The possibility of overbuilding of infrastructure
 - Will FERC consider the dwindling resource of the Marcellus Playas outlined by Thomas Stepstone of Oilpro.com that 04 production at the Marcellus is in fact breaking down”?
 - Will FERC consider that the Constitution Pipeline to connect NED to the Marcellus Play has not yet been approved, making this a segmented project?
3. Goal 3: The avoidance of unnecessary disruption of the environment
 - Will FERC question the assumption that NED is collocated when it is in fact a greenfield project?
 - Collocation intends to locate a project along an existing corridor to lessen the environmental impact. How does NEDIKM achieve this given the number of wetlands, private wells, aquifers, vernal pools, streams, rivers and the numerous headwaters it affects?
 - Given the low expectations of FERC for mitigation cited in the Robert Bailey study of 1999, and the lower success rate of those lower standards in projects, how can FERC justify the approval of NEDIKM pipeline?

- Given the geological structure of NH, resting as it does on the African Tectonic plate, which has generous amounts of wetlands and granite, how can FERC oversee and mitigate the problems that the NED project presents?
- NH OEP (Office of Environmental Planning) has requested from the towns a Smart Growth report of how the state is doing implementing the principals outlined in NH RSA 9-B, which states, “Smart Growth also means the development and use of land in such a manner that its physical, visual or audible consequences are appropriate to the traditional and historic NH landscape Smart Growth preserves the integrity of open space in agricultural, forested and undeveloped areas.” How does the NED project adhere to this state law?

4. Goal 4: To prevent the unneeded exercise of eminent domain

- If NED were truly a collocated project, the need for taking of private and public lands would not be necessary. Can FERC justify the taking of so many parcels for a private, for profit use? NH RSA 674:34 outlines codified vested rights.

This NED pipeline, Project PL 14-22 does not come close to meeting any of FERC’s own goals for an appropriate project. No amount of compensation to communities or individuals will make up for the loss of sensible use of local lands and resources. I urge FERC to deny NED project as unnecessary and adverse in its effects.

20151016-4067

Solving New England’s Gas Deliverability Problem Using LNG Storage and Market Incentives

Written By: Greg Lander

Edited By: Peter Weigand

www.skippingstone.com

Skipping Stone

Boston Atlanta Houston Los Angeles Tokyo

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{ for Table of Contents and Executive Summary see 20151013-5181 above }

{body of report (40 pages, many graphs, etc.) omitted; full report can be downloaded at: }

{ <http://www.clf.org/wp-content/uploads/2015/09/Solving-New-Englands-Gas-Deliverability-Problem.pdf> }

20151016-4068

Southwest Region Planning Commission

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

Statement for Federal Energy Regulatory Commission (FERC) Scoping Meeting (PFI4-22)

Northeast Energy Direct (NED) Proposal

Franklin Pierce University

September 29, 2015

The Southwest Region Planning Commission (SWRPC) submits the following initial comments concerning the Northeast Energy Direct project proposed by Kinder Morgan Tennessee Gas Pipeline Company. SWRPC is the regional planning agency serving the 34-town planning district of Southwest New Hampshire. This includes seven towns located directly on the proposed pipeline corridor and two additional towns immediately adjacent and within close proximity to the corridor that will be impacted by the 37 miles of proposed pipeline route through the SWRPC Region. SWRPC is participating in review of the NED proposal in that we have worked to better understand the FERC process, created a sensitive resource inventory along the proposed pipeline corridor, collaborated with regional planning agencies in MA and NH, and intend to sub-

mit additional detailed comments throughout the course of the FERC review process.

The NED proposal represents the largest infrastructure project in Southwest NH in at least several decades and perhaps ever. The project has the potential to undermine the efforts of generations of hard-working volunteers in providing stewardship for and maintaining the quality of life in our relatively rural communities. SWRPC has significant concerns regarding the potential natural and cultural resource impacts of the proposal. Resources that would be most directly impacted include aquifers and surface waters, vegetation, wildlife habitat, conservation lands, air, farmlands, historic resources, roads and bridges, other public infrastructure, and existing and proposed development.

The need for this project must be thoroughly evaluated. Based on agreements with potential customers, only 38% of the 1.3 Bcf/day capacity of the pipeline has been committed. In the absence of a demonstration of need, FERC lacks the authority to approve the project. Furthermore, other proposals for increasing the supply of natural gas in the Northeast U.S. and New England are at various stages of development. One or more of these proposals may represent a less environmentally damaging practicable alternative as espoused by the National Environmental Policy Act than NED, which essentially represents greenfield construction through relatively undisturbed lands. In keeping with the spirit and intent of NEPA, all known proposals to increase the natural gas supply in New England should undergo simultaneous and collective review, rather than being considered individually and in isolation from one another. We ask that FERC include a detailed analysis of these alternative proposals as part of the draft environmental impact statement to be issued for public review and comment. Also with respect to the need for this project, it is prudent that other alternatives to meet electricity generation and natural gas demand be fully explored including energy conservation, renewable energy sources, LNG storage, and improved operational efficiencies of other natural gas pipelines.

Little information has been made available describing the positive impacts associated with the proposal, and that which is available is overly general in nature. We would expect to have access to clear, specific, and quantifiable information regarding the project's benefits including a breakdown for residents and businesses in our state and Southwest NH. Such information should indicate the extent of benefit in terms of dollars saved in household budgets, and specifics related to employment and wages for direct, indirect and induced economic activity. In the absence of such information, we are left with a perception that the negative impacts of the project outweigh its benefits. We also raise the issue of equity as, to our knowledge, none of the seven communities which would serve as host to the pipeline in Southwest NH would receive direct access to the natural gas it transports due to their relatively low development densities.

SWRPC intends to submit additional detailed comments requesting further information in which to adequately assess the impacts of the proposal on the resources of Southwest NH. We have collaborated with other regional planning agencies in MA and NH to develop a joint Request for Further Study and Information which addresses the following areas:

- Water resources
- Wildlife habitat
- Open space and conservation lands
- Air quality
- Agricultural and forested lands
- Roads, bridges and other infrastructure
- Noise
- Archaeological and historical resources
- Public safety and emergency response
- Recreational resources
- Construction impacts
- Invasive species

- Impacts on public and private property
- Fiscal impacts on communities
- Quantification of economic impacts
- Project need

These topics are directly related to the general headings listed in the FERC Notice of Intent dated June 30, 2015 and will provide the level of detail needed for FERC to fully evaluate the impacts of the proposed project on our natural and cultural resources. Since the information submitted by the applicant during the pre-filing period is not sufficiently detailed to allow for a full understanding of project impacts, the intent is that this Request for Further Study and Information will assist in the process of developing a filing in which the public can more fully understand and provide comment.

Finally, we understand that the FERC process is focused on the transport of natural gas and is less concerned with its production and consumption. Monadnock Region Future, the regional plan for Southwest New Hampshire, encourages us to reduce our reliance on fossil fuels and focus more on energy conservation and the use of renewable energy sources. In addition, there are many questions about effects associated with the practice of fracking as used in the Marcellus shale fields where this gas is sourced. It's important that we find a way to make these issues relevant in the FERC process during the continued review of this NED proposal.

Thank you for this opportunity to provide initial comments on the pending development of the environmental impact statement related to the Northeast Energy Direct proposal.

20151016-4069

SWPA-EHP

SOUTHWEST PENNSYLVANIA ENVIRONMENTAL HEALTH PROJECT

www.environmentalhealthproject.org

Summary of Minisink Monitoring Results

The Minisink compressor station has been in operation since the summer of 2013. Families living within a few kilometers of the station have been experiencing episodic health symptoms since the station began operation. The facility is a 12,000 horsepower compressor. At the request of the community, EHP placed 5 Speck particulate matter (PM 2.5) monitors near residences from October 19 - December 17, 2014 and collected health information from 8 families living within 1.5 kilometers of the site. Residents also collected air samples of VOCs using Summa canisters on four occasions.

Major Findings

SUMMARY OF HEALTH IMPACTS

EHP collected health information from 35 individuals, 12 of whom are children. A medical professional collected the data. Symptoms that developed after the potential exposure period (beginning summer 2013) or worsening pre-existing symptoms without a more plausible cause were reviewed. The health findings are consistent with information from other research reported in peer-reviewed literature and by other environmental health organizations. The predominant health impacts reported were:

- Respiratory problems (22, includes 6 experiencing nosebleeds)
- Neurological problems, (12, all of whom report headaches)
- Dermatological problems (10, skin rashes)
- Overall physical health self-assessments, when compared to a national standard (SF36), are below normal for 2 out of the 8 individuals who completed the SF36. Overall mental health and wellbeing levels were below normal for half of the respondents.

PM2.5 MONITORING RESULTS

Monitoring of PM2.5 outside residences near the Minisink Compressor station demonstrated the following:

- Four of the 5 Speck monitors recorded elevated PM2.5 baseline values in outside ambient air compared to regional levels of AQI PM2.5 reported from Newburgh, NY Airport. The average hourly AQI for the monitoring period was 6.4 ug/m³. The average hourly values for the Specks ranged from 4 to 20 ug/m³. The Speck monitor that recorded the lowest average PM2.5 value was separated from the compressor station by 2 valleys, likely showing the effect of topography. (Table 1)
- There were times when more than one monitor showed unusually high PM2.5 values. (Table 2)
- All residential 24-hour averages of PM2.5 outside levels were below the EPA level of concern (35ug/m³), with one exception. One home had one 24-hour period with an average of 64ug/m³. This shows how the standard 24-hour averaging time can mask peak exposures.
- Periods of low wind speed and nighttime (especially early morning hours) were found to increase potential exposures to PM2.5 and any associated chemicals at residences near the compressor station.

{ tables and body of report omitted; full report (4 pages, 410 KB) can be downloaded at: }

<http://www.environmentalhealthproject.org/wp-content/uploads/2015/06/Summary-of-Minisink-Results.Public.pdf>

The Case for an Unconventional Natural Gas Development Health Registry

A White Paper Produced by the
Southwest Pennsylvania Environmental Health Project

Beth Weinberger MPH, PhD

Luke Curtis MD, MS, CIH

Jill Kriesky, PhD

Amy Linnea He, MPH

David Brown, ScD

April 16, 2015

{ Table of Contents omitted }

Executive Summary

The Case for an Unconventional Natural Gas Development Health Registry Unconventional Natural Gas Development (UNGD), which includes hydraulic fracturing along with associated production and transport activity, is occurring in every region of the country. There is a growing body of air emissions data that the UNGD industry has submitted to state regulatory agencies and that researchers have been collecting and modeling. There is also an expanding account of water contaminants released during the UNGD process. It is, therefore, possible to know (or know estimates of) some of what is emitted at most points in the shale gas extraction, production and transport cycle. This is critically important because shale gas drilling, hydraulic fracturing, compressing, and processing are occurring very close to where people live and work and where children go to day care and school.

As shale gas development increases, so do reports of illness. Illnesses or conditions reported may be persistent, transient, intermittent, or potentially chronic. Symptoms such as burning eyes, headaches, rashes, and tingling or numbness in extremities are seen near UNGD sites across the country. Reports of these and many other symptoms have been documented by researchers associated with universities, public agencies and non-profit organizations.

Researchers have established two key components of the health effects landscape: 1) specific emissions that could plausibly be associated with reported health effects; and 2) health symptoms which seem to be relatively consistent across US shale plays. These two areas of research, the paper suggests, justify consideration of a UNGD health registry. A registry related to residents' exposures and/or health effects could inform practical on-the-ground public health interventions as well as serve long-term research and policy ends.

The paper consists of two parts. Part 1 provides a brief summary of the extraction and processing of natural gas. It then presents a discussion of environmental releases from the UNGD process - water contamination and air emissions. The paper then reviews existing research on symptoms reported by individuals and the health consequences of some of the most consistently found UNGD emissions, VOCs and particulate matter. The second half of the paper is devoted to registries. It discusses the benefits of registries generally and it lays out different types of registries that can inform our thinking about a UNGD-related registry. It identifies three relevant types of registry: exposure registry, disease registry and disaster registry. The final section of the paper introduces a set of questions that can serve as a guide to thinking about the development of a UNGD health registry.

{ body of report omitted; the full report (46 pg, 655 KB), updated to September 8, 2015, can be downloaded at: }

<http://www.environmentalhealthproject.org/wp-content/uploads/2015/10/Registry-White-Paper-09.08.15-PDF.pdf>

20151016-4070

September 29, 2015

Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: DOCKET PF14-22-000

Tennessee Gas Pipeline, 1.1.C. Northeast Energy Direct Pipeline

Dear FERC,

I have been receiving information from Kinder Morgan more than once indicating impurities are removed from the gas in the pipelines such as that being proposed by the NED route.

I have attached a copy of information I took from the internet regarding Dr. Curt Nordgaard's assessment of the health risk from gas compressor station emissions.

I find similar information across the internet and emission and health risk information at the Environmental Protection Agency (EPA) site as well. Also on the EPA site are volumes of regulatory requirements stating restrictions on emissions from compressor stations and pipeline operations, some of which are expressed in tons per year.

I don't understand how Kinder Morgan can state impurities have been removed, including benzene and hazardous air pollutants (HAPs) when other reputable sources state otherwise.

If such impurities have been removed, then why won't Kinder Morgan release reports showing that? I have asked repeatedly for the list of hazardous chemicals from compressor stations and pipeline operations and they have not delivered any lists to me.

I urge the FERC to demand that Kinder Morgan backs up their statements with proof that they are true as thousands of people have been indicating bodily harm and I refuse to be included on the list of the harmed. This harm is torture and Kinder Morgan needs to prove their statements are true.

Sincerely,

Evelyn Taylor
213 Old Wilton Road
New Ipswich, NH 03071

Tennessee Gas Pipeline
Company, L.L.C.
a Kinder Morgan company

Wednesday, August 5, 2015

HEALTH RISK from gas compressor by Dr. Curt Nordgaard

The North Weymouth compressor station: An unacceptable health risk

Prepared by Curtis Nordgaard, MD Msc

Resident Pediatrician, Boston Children's Hospital / Boston Medical Center

What health conditions are associated with compressor station emissions?

- Particulate matter 1,2: Asthma, heart attacks, diabetes
- Benzene 3 : Leukemia, bone marrow suppression
- Formaldehyde 4,5: Asthma, several types of cancer
- Nitrogen oxide 6 Produces hazardous ground level ozone, an asthma trigger associated with respiratory tract irritation and infection

Do compressor stations emit dangerous levels of these pollutants?

- Benzene levels have been measured near compressor stations that far exceed cancer-causing Thresholds. Formaldehyde levels can exceed cancer-causing thresholds up to at least a half mile away from compressor stations⁸

Do residents living near compressor stations notice compressor emissions?

- Residents living near compressor stations report severe headaches, sinus problems, and throat irritation more often than residents living further away.

Would additional emissions make a difference?

- Six industries in the Fore River Basin accounted for 84 periods of federal pollution standard violations in the past 3 years, in addition to their baseline operating pollution. -Significant background emissions increase the likelihood that additional emissions will reach toxic or carcinogenic levels

Why haven't we heard more about compressors and health risks before?

- Many compressor stations are built in rural areas near much smaller populations, where fewer people are exposed to the pollutants and the health risks are therefore lower.

What additional health risks will we accept in our communities so that Spectra can build a compressor station?

- A child with leukemia?
- A parent or sibling with a heart attack?
- A neighbor in the Emergency Department with an asthma attack?

If we value the health of our communities, our families, and our children, then we must acknowledge that increased risks of asthma, heart attacks, and cancer are unacceptable.

1 <http://epa.gov/ncer/science/pm/>

2 Solimini et al. BMC Public Health 2015 15:70.

3 <http://www.epa.gov/IRIS/subst/0276.htm>

4 Dannemiller et al. Indoor Air 2013 23(4):285.

5 <http://www.epa.gov/IRIS/subst/0419.htm>

- 6 <http://toxnet.nlm.nih.gov/cgi-bin/sis/search2/f?./temp/~pm6jsl:1>
- 7 Texas Commission on Environmental Quality. (2010). Barnett Shale Formation Air Monitoring Projects.
- 8 Macey et al. Environmental Health 2014, 13:82
- 9 Steinzor et al. New Solutions 2013, 23:55
- 10 www.echo.epa.gov

EPA's Air Rules for the Oil & Natural Gas Industry

Summary of Requirements for Equipment at Natural Gas Compressor Stations

<http://www3.epa.gov/airquality/oilandgas/pdfs/20120417summarycompressor.pdf>

Facts About Benzene

{ CDC publication omitted, can be downloaded at: }

<http://www.bt.cdc.gov/agent/benzene/basics/pdf/facts.pdf>

20151016-4071

{ duplicate copy of 20151013-5032 above }

20151016-4072

Thank you for the opportunity to state my concerns with the proposed NED pipeline.

Five different pipeline projects are proposing to nearly double the amount of natural gas coming into New England. By dealing with each project in isolation, FERC risks violating its own rules against segmentation and over-building, causing excessive and unnecessary environmental and socio-economic impacts for redundant infrastructure.

FERC also opens itself up for a legal challenge based on NEPA.

In *Fritiofson v. Alexander*, 772 F.2d 1225 (5th Cir. 1985), the court noted that CEQ scoping regulations require connected, cumulative, and similar actions to be considered together in the same EIS, i.e. where proposals up for decision are functionally or economically related, those proposals must be considered in one EIS. "If proceeding with one project will, because of functional or economic dependence, foreclose options or irretrievably commit resources to future projects, the environmental consequences of the projects should be evaluated together." (40 CFR' 1508.23) Further, with respect to cumulative impacts, the court noted that the CEQ regulations require analysis of direct, indirect, and cumulative impacts and held that in this context, the impacts were not limited to those from actual proposals, but must also include impacts from actions which are merely being contemplated (i.e., are not yet ripe for decision).

Thus, whether or not actual proposals have been submitted from Kinder Morgan, Spectra Energy, Portland Natural Gas, and their various partners, CEQ and NEPA have been interpreted by the courts to require at least a cumulative impact analysis, and, depending on the timing of the proposals, a single EIS covering them all.

More recently, FERC and Tennessee Gas Pipeline were found to have "impermissibly segmented the environmental review in violation of NEPA". *Delaware River Keeper Network v. FERC (TGP Interveners)*, No. 13-1015, June 6, 2014.

Even more recently, the CEQ guidance of December, 2014, was announced that deals with programmatic NEPA reviews, i.e. reviews that are applicable when "Approving Multiple Actions: Decision to proceed with multiple projects that are temporally or spatially connected and that will have a series of associated concurrent or subsequent decisions. Programmatic examples include:

- o Several similar actions or projects in a region or nationwide (e.g., a large scale utility corridor project);
- or

- o A suite of ongoing, proposed or reasonably foreseeable actions that share a common geography or timing, such as multiple activities within a defined boundary (i.e., Federal land or facility)”, and can be used as a way to “avoid • segmenting , the overall program from subsequent individual actions and thereby avoid unreasonably constricting the scope of environmental review.” (December 2014 CEQ Guidance, p.15-16)

The Northeast Gas Association (http://www.northeastgas.org/pdf/system_enhance0715.pdt) provides a list of planned pipeline projects in the northeast including the FERC status of each project:

- * Tennessee Gas/Kinder Morgan CT Expansion - Application filed with FERC
- * Spectra Atlantic Bridge - In FERC pre-filing
- * Tennessee Gas/Kinder Morgan Northeast Energy Direct - In FERC pre-filing
- * Spectra Access Northeast - Open Season 2015
- * Portland Natural Gas “C2C” Project - Open Season 2015

These projects are redundant and cannot be considered independently. These projects constitute alternative solutions to the same potential need and must be reviewed as such under NEPA.

With respect to a cumulative impact analysis, (1) the projects are located in Connecticut, Massachusetts, New Hampshire, Maine, and Rhode Island, in fact all the New England states except Vermont. (2) The impacts of pipeline siting are numerous and well-detailed elsewhere. (3) The New England area is rapidly trending towards reduction in use of electricity by implementing cost-saving techniques; further, the New England area is rapidly trending towards alternative energy solutions. (4) The impacts of the cost-saving techniques and expanded use of alternatives means that load on the electric grid will be reduced over the years, NOT expanded. (5) The overall impact is that there will be a glut of natural gas in New England should all of the proposed pipelines be allowed to proceed. By the time these projects are projected to be completed, the use of energy-saving techniques and alternatives will be the norm rather than the exception, and switching to natural gas will not be an option. The excess gas will have to go somewhere. Possibly, and this is what could be the plan, export.[1] The role of export in any proposed pipeline capacity expansion needs to be 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.

Two offshore LNG “energy bridge” terminals that FERC recently determined were absolutely “necessary” for New England, now sit essentially idle after the costs and environmental impacts associated with their construction have already occurred. If increased natural gas is primarily a bridge fuel as many of the project proponents are claiming, then these projects should be considered only a potential temporary solution. 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 projects to other short-term solutions, such as increased use of our currently underutilized LNG terminals using existing infrastructure.

[1] THE PLAN THAT DARES NOT SPEAK ITS NAME

20151016-4073

Ms Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St. NE; Room 1A
Washington Dc 20426
Docket No. PFI4-22-000

In the 19th century , the elite of Scotland devised a scheme to convert the Highlands from subsistence farming to sheep grazing, so that they , the already wealthy, could further profit from the wool supplied to the

growing industrial revolution. To that end, the farming families were driven from their lands, and their farms burned ,in a cruel inhumane exercise that became known as The Highland Clearances. It would be hard to imagine such a crime against humanity in today's world, but the greed that infects the souls of some men knows no restraint, and history repeats itself over, and over again. With this pipeline , the greedy concoct clever false narratives of need, repeated incessantly to our elected officials and the public, in the hopes of building justification for what is essentially an appropriation of private land for the benefit of an already obscenely wealthy elite.

It would be difficult to see what we have here today - in this room - something other than one part of an unjust rigged game - a rigged game which favors the elite over the common man - a rigged game which is an unholy collusion of government and corporate power over the lives and well being of the people. And it would be difficult for history to see the FERC as anything but complicit in perpetrating this injustice against humanity ... complicit in furthering an industry extracting fossil fuels, in this case fracked gas, that is wreaking havoc in the fracking fields to our west ... complicit in the pollution in those fracking fields of the land, air , and water that are the very essentials of life complicit for the cancers, the respiratory problems, and other physical ailments, suffered by those living near the fracking wells and compressor stations ... complicit in endangering the very stability of this planet, with the approval of infrastructure which favors the extraction and burning of dirty fossil fuels over the development of clean renewable energy.

And you, the FERC ,are on the wrong side of history in this fight. Since Kinder Morgan announced the re-routing of the pipeline on December 8th, Quebec has banned the fracking of gas, followed the next day by New York, then New Brunswick, then Scotland, then Wales, then Maryland , then Holland. As the science behind tracking reveals the devastation that this is having in the lives of people and in the environment, state after state, province after province, and country after country is banning this extraordinarily harmful practice

You, the FERC, have a choice to make. You can proceed as usual with the indiscriminate approval of every fossil fuel project put forth by companies run by soulless men whose lust for money blinds them to the suffering and damage they inflict upon our communities and the planet . Or you can do what's right by your fellow man and by the world we all share, a world whose custody is placed in our hands and which we are morally obligated to protect and pass on to those generations yet unborn.

Do What's Right !

Do Not approve this Pipeline !

Henri Vaillancourt
Box 142
Greenville NH 03048

20151016-4074

nofracked
gasinmass.org
A Program of
Berkshire Environmental Action Team

Rosemary Wessel, Founder
90 Trow Road, Cummington, MA 01026
(413) 634-5726
nofrackedgasinmass@gmail.com

September 29, 2015

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

Kinder Morgan / Tennessee Gas Pipeline Co
Northeast Energy Direct
FERC Docket #PF14-22

VERBAL COMMENTS FOR SCOPING HEARING
Franklin Pierce University; Rindge. NH. September 29.2015

Over the last few months, I've participated in several PERC Seeping Hearings for the Northeast Energy Direct pipeline. Owing these. I've heard not only spot-on technical testimony about the hazards to health, safety, environment and economy, but intense stories about REAL personal impacts to individuals. about loss of insurance coverage should the pipeline be built. about voided mortgage contracts that would require paymen~ once the pipeline was operationatJ. I've heard passionate opposition from elected officials. speaking for hundreds of thousands of constituents, who not only fear for their immediate health and safety. but for the economy of a region that is built on its rich and clean natural resources. and for the health of the larger environment. which cannot bear the brunt of more greenhouse gas emissions; not only those of the CO2 generated when more gas is burned. but the far more potent methane that is emitted from system leaks and from intentional blow downs that are a regular part of pipeline operation.

Because of these concerns, 75 communities so far between NY, MA and NH have passed resolutions banning new pipelines; nearly 2/3 of all landowners along the proposed and ever-shifting "Market Path" pipeline route have refused to allow survey of their property; over 20,000 people have signed petitions against the project, and over 5,200 of the 5,600 comments on the docket so far have been against this project Multiple studies by respected energy analysis firms have shown that there is little to no need for extra gas pipeline capacity in the region. and that the-p~alt demand periods cited as reason for the proposal can be addressed in a variety of less costly, less impactful and by more efficient. scalable and modern ways. The Attorney General of the State of Massachusetts herself has asked that the FERC process be halted while her department awaits results of their own commissioned study - and yet there is no response from FERC.

- How do you define "public interest": when the only obvious benefit of this project would be Kinder Morgan's own. private bottom line?

- How do you hear thousands of solid. well researched arguments against the project and continue proceedings to consider it?

- How do you hear the hundreds of pleas from people whose lives along its route would be ruined and continue the parade to its approval?

- How. when voices like ours are rising up against projects affecting people all across the country, does your agency continue on with business as usual?

- How. when faced with protesters who, in the absence of any dialog from your agency. have taken to fasting at your doorstep. can your Chairman Norman Bay say, directly to their faces. that these are "just pipelines"?

These hearings are not just for pipeline builders to gather information. but for the people to be heard. Please let us know our wishes are being heard and reject the application for Northeast Energy Direct!

Cc: US Senators Elizabeth Warren, Edward Markey, Bernie Sanders
US Representatives Neal, McGovern, Tsongas
President Barack Obama

Faster Ted Glick speaks to FERC Chair Norman Bay while fasting in protest in front of FERC's offices

Ted Glick's personal account:

I spoke to Norman Bay for several minutes today. Day 9 of the 15-day water-only Fast for No New Permits. on the sidewalk in front of FERC. I went up to him when he was seen leaving the building with an assistant I introduced myself and walked next to him. asking if he would come down to receive the five copies of the Pope's encyclical we will be bringing to PERC on September 25th at noon. He said he would consider it

Then he stopped and we looked each other in the eye. He told me that he respected what we were doing with the fast and the commitment it showed as far as our beliefs. He said he felt this type of action was a good type of action.

However, he went on to say that he really had problems with us disrupting their monthly meetings and asked

if we would stop doing that.

I responded: how can we do that when there's no change at FERC as far as permitting gas pipelines and fracking infrastructure, one after the other. with virtually no exceptions.

His response: these are just pipelines. We're a regulatory agency. Blaming us is like blaming the steel companies that make pipes. It's the production of the gas that you need to deal with.

My response: how can you say you have no responsibility for the expansion of fracking? Without pipelines and infrastructure the fracked gas industry couldn't be expanding and the gas wouldn't be sent around the world. And you have a legal responsibility to do environmental impact statements and assessments which address the climate and environmental impacts. You also are supposed to be acting in the public interest, not the interests of the gas industry.

At that point, he checked out on the conversation. said something to the effect of "we should talk more," and he headed off down the sidewalk.

Original posting: <http://beyondextremeenergy.org/2015/09116/my-conversation-with-ferc-chmrmcm-norman-bay/>

Northeast petitions against new pipelines

- Massachusetts: Ban New Natural Gas Pipelines and Champion Sustainable Energy
- <http://petitions.moveon.org/sign/massachusetts-petition>
- Massachusetts: Save communities throughout Massachusetts, deny this pipeline
- <https://www.change.org/p/save-communities-throughout-massachusetts-deny-this-pipeline>
- New York: Stop New York fracked gas pipeline
- <http://petitions.moveon.org/sign/stop-new-york-fracked-gas-pipeline>
- New Hampshire: Petition to Our Congressional Delegation
- <http://nhpipelineawareness.org/petition-timeline>

NED region municipalities with resolutions against pipelines

- <http://www.nojrackedgasinmass.org/town-meetings/>

Analysis of Comments to FERC Docket IPF14-22 for Northeast Energy Direct

- August 2015
- http://www.nojrackedgasinmass.org/wordpress/wp-content/uploads/2015/08/IFERC-eComment-Analysis-08_31_15.pdf
- July 2015
- http://www.nojrackedgasinmass.org/wordpress/wp-content/uploads/2015/07/IFERC-eComment-Analysis-07_02_15.pdf
- June 2015
- http://www.nojrackedgasinmass.org/wordpress/wp-content/uploads/2015/06/IFERC-eComment-Analysis-06_02_15.pdf
- May 2015
- <http://www.nojrackedgasinmass.org/wordpress/wp-content/uploads/2015/05/IFERC-eComment-Analysis-MAY.pdf>

Recent articles citing analysis showing that increased pipeline capacity is not needed

- "More gas pipelines may not be the energy answer". former DPU Chair, Anne Berwick, Boston Globe, August 17, 2015
- <https://www.bostonglobe.com/opinion/2015/08/17/more-gas-pipelines-may-not-energy-answer/31no6ul>

wtRgWWbMHSNyrOlstory.html

• **“As Cold Sets In, the New England Winter Energy “Crisis” Fizzles~** Christophe Courchesne, CLF Scoop, Jan 14.2015

- <http://www.clf.org/blog/lean-energy-climate-change/cold-sets-new-england-winter-energy-crisis-fizzles/>

• **“We’re not facing an energy crisis in New England: Region does face tough choices on power”.** Peter Shattuck. Jamie Howland and Varun Kumar of Acadia Center, Commonwealth Magazine, June 1.2015

- http://commonwealthmagazine.org/environment/were-not-facing-an-energy_crisis-in-new-england/

‘I hope my town can help me? Northfield woman says compressor siting effectively condemns her home

By RACHEL RAPKIN, Greenfield Recorder Staff Thursday, June 11, 2015

Like a new car driving off the sales lot. Holly Lovelace’s house value, she claims, has dropped due to Kinder Morgan’s interest in 200 acres for a natural gas pipeline compressor station one-third of a mile away from her home.

“The value of my home was just reduced significantly just because they sent me this letter;’ the Gulf Road resident said about the company’s plans to buy a 242-acre parcel to build an 80,000-horsepower compressor for its planned pipeline. “Tens of thousands of dollars are suddenly gone.”

Lovelace, as well as many other concerned citizens, expressed their feelings about the issue at Tuesday evening’s Selectboard meeting. many asking for the board’s help.

“I don’t have a lot of money to hire a lawyer. I don’t have a lot of skill dealing with giant corporations and I’m really frightened. and I hope my town can help me not lose everything I’ve never made in my life.” she desperately begged the board members.

Lovelace also spoke at a related state Department of Public Utilities hearing Thursday on plans by Berkshire Gas Co. to buy gas from the pipeline if it is built

“Our home has been effectively condemned;’ told the hearing, sobbing. She added that attorneys have told her the home is unsellable and un-insurable. and she and her husband can’t afford to retain a lawyer to help them. so she plans to cash out her retirement account next week.

“I’m begging you: she told the hearing officer. falling to her knees. “I’m begging you.”

Back at Tuesday’s Selectboard meeting. it began as always. with citizens’ concerns, and with so many anxious comments expressed about the pipeline and compressor station. the board diverged from its agenda and discussed the pipeline and the Federal Energy Regulatory Commission. which controls whether it is built between upstate New York and Dracut through Franklin County.

“Well. since everybody anticipates here, regarding pipeline issues. we are going to carry Kinder Morgan pipeline on the agenda every week. whether there’s something to talk about or not;’ Selectboard Chairman Jack Spanbauer said “There are a few things to update people on where we are at and I guess it’s a good time to go through that right now;

During the last Selectboard meeting. a few weeks ago, Selectboard member Jed Proujansky was absent, for he was attending a pipeline meeting at Greenfield Community College. At this particular meeting, Proujansky and the other attendees discussed certain pipeline issues such as how they are put in place. the potential effects of a pipeline and legal recourse that can be taken.

“Should PERC decide to approve the pipeline, and it’s often said that PERC has never met a pipeline that wasn’t approved. the next step is to get eminent domain over that route so they can take land as needed and compensate people for the taking;’ he told the Selectboard meeting attendees.

Proujansky assured the residents. even though they might not think they have any say or power in this decision, that they have made a difference with this issue, which has made it difficult for Kinder Morgan to go about the process.

“Ninety-six percent of the people whose land they’ve asked to survey have refused, and that’s a large number and (Kinder Morgan has) never seen anything like that. It’s thrown them for a loop and that opposition is surprising to them,” he told the citizens. “The amount of negative response has made it very difficult for them to respond to the requested information and all of the demands that people have made of them.”

Proujansky addressed Lovelace’s concern as well, with regards to the use of eminent domain.

“Federal government ruling to take land from an individual is one thing, but to take land from a state is a whole other issue that could be tied up in the courts for a long time,” he said. “The longer things are tied up, the more difficult it is. The more money it is for Kinder Morgan to develop and the less likely - not saying it won’t happen - but the less likely it is for that to go through. There are many things at play that we have to look at”

Lovelace’s residence isn’t the only area affected by the compressor station. There are nearly a half-dozen of other residents who are within the half-mile buffer zone. For 10 years, Lovelace has lived on her land and has spent many of those years paying her mortgage, and is concerned about the effects the compressor station will have on her payments. She told the committee that it’s been her lifelong dream to have a secluded house in the woods, and that “it just fell apart overnight.”

“If it’s too distressing and unpleasant to live there, we would have to just leave and abandon our property, default on our mortgage and declare bankruptcy,” she said. “We won’t ever be able to own a home again and after working your whole life to own a home, we might not have that option again and it’s devastating.”

Spanbauer, with the rest of the Selectmen nodding in agreement, said he understands the feelings surrounding the pipeline and compressor issue, but instead of solely focusing on preventing the construction, citizens should start looking at the situation realistically.

“It’s real clear that this town does not want a pipeline; we have all spoken that loud and clear,” he said. “We need to go to FERC and Kinder Morgan with that message. On the other hand, we have to say, that while we have this position, should it come to pass and there’s a pipeline coming, ‘What are we going to do to mitigate the process!’”

“I knew that this was a possibility, but it seemed like it wasn’t going to happen because there were so many people against it,” Lovelace said. “I didn’t believe it until I got the letter and then I was terrified.”

Original posting: http://www.recorder.com/ihomell7265623-95/i-hope-my-town-can-help-me_says_compressor-siting-effectively-condemns-her-northjje1d

20151016-4075

FERC Comments

Docket #PF14-22-000

September 29, 2015

From: Susan and Tim Wessels

182 Sunridge Road

Rindge, NH 03461

The home we built in 1994 sits on 3 acres of wooded land in Rindge, NH. Almost the entire 3 acres is within the 400’ study zone on Kinder Morgan maps indicating the route of the NED pipeline. We have these questions:

- (1) If our well is destroyed by excavation, is KM required to build us a new well? Are we expected to drink and use water from “pigs” the rest of our lives in this home? What happens if the well is just contaminated vs. destroyed? How far from our house are they allowed to drill through ledge, if necessary?
- (2) IS KM required to provide us with a safe indigenous source of potable water; will they pay to have a new well drilled or would that be at our expense?
- (3) How much time do they have to restore a safe source of water (e.g. a new well) on our land?

- (4) If they clear all the area within the easement, except for the house itself, do they have any responsibility to restore the acre of gardens we spent years cultivating?
- (5) I am a professional photographer and have taken and sold many photos of the gardens surrounding our house. What am I expected to do without this subject matter available throughout spring, summer and fall for my photos?
- (6) Whose responsibility is it to restore the land NOT in the actual easement that is destroyed to some aesthetically pleasing state or is that our responsibility? Would this be allowed under the requirements of the pipeline maintenance?
- (7) There are many all-terrain vehicles, including snow mobiles, that now use the Eversource ROW in the back of our house for recreational riding. They enter onto the ROW from many different places. If the pipeline is buried above the frost line, this recreational use seems very dangerous inasmuch as a snow mobile or other vehicle could hit a pipeline that becomes exposed due to frost heaves, etc. How would the power line ROW be monitored and its use for recreation be prevented given the danger such use would pose? Is the town responsible? At whose cost?
- (8) Who is responsible to keep snow mobiles and other off-road vehicles from using the ROW for recreation? Does the town have to pass ordinances restricting access to the ROW?
- (9) Who is responsible for policing the ROW for traffic? If it is the town, do the taxpayers have to pay for police to monitor ROWs to make sure they are not breached?
- 10) There are wetlands directly behind our home which are habitats for migratory birds, bald eagles, frogs, peepers, wood turtles, spotted salamander, which we understand are endangered. How will KM protect this wetland habitat?
- (11) With all the destruction and danger this pipeline would bring to our home, where are we supposed to go to recover the value of our property?
- 12) Where do we go to get back our peace of mind?

20151016-4076

To Kinder Morgan* and
The Fossil Fuel Industry

Kinder Morgan, let's be frank,
Are you a kinder kind of bank,
Say, like the one they call J.P.,
Adept at fleecing you and me?

Or are you fuelish, fossil-wise,
To lay a pipe of such a size,
And carry all the gas that's fracked,
From states whose country sides get whacked?

You send this gas to far off shores,
And pay the bribes of corporate whores,
Who take the money from the till,
While we the people foot the bill.

Yes, ship the gas to distant shores,
Despite the fact that corporate wars,
Have just acquired lots of oil,
That lurks beneath the Mid-East soil.

You grab oil here, and send gas there,

Kill multitudes, pollute the air,
Inject the earth with deadly stuff,
It's time to say, enough's enough!

Though fossil fuels have served us well,
Their time is over - can't you tell?
So turn your gaze to wind and solar,
And help us save the regions polar.

Save the forests and the oceans,
The life they hold, all living motions.
What good is gold and obscene wealth,
Compared with all creation's health?

Money's not the highest good,
There's life and love, and drink and food,
And laughter in a special place,
That's home for ALL the human race.

·Kinder Morgan is seeking to lay a large gas pipeline through a pristine area of Southern New Hampshire
John D. Wyndham
Peterborough, NH
August 3, 2015

A Balanced Evaluation of the NED Project Please

Delivered by W Dennis Eklof at FERC Scoping Session PF14-21-000, September 19, 2015

First, let me introduce myself. I am a retired PhD energy economist and consultant. Most of my 45-year career in the energy industry was spent advising corporations and government agencies on energy markets and energy infrastructure development.

I have read and analyzed hundreds of pages of documents on all sides of the NED debate. I won't go into details here, but I will try to put this huge body of information into perspective.

I see the originators of these studies and arguments over NED falling into one of three groups:

- Organizations that stand to reap huge financial gains from the construction of this pipeline.
- Organizations that will profit from this pipeline not being constructed.
- Groups and individuals who question the need for the project and view the construction of this pipeline as having hugely detrimental impacts on our environment and their quality of life.

We are being told by the first group that the NED project will avert an "energy crisis" in New England, reduce our electricity bills, promote our region's economic development, create jobs, and help make America energy independent. This group generally consists of Kinder Morgan and its paid lobbyists, shale gas producers for obvious reasons, gas utilities eager to expand their customer bases, electric power generators for whom managing a gas-based generation system is far easier than a more diverse and environmentally beneficial renewable energy portfolio, and unfortunately our politicians who stand to benefit from tax revenues, political contributions, and the support of voters who buy into the propipeline rhetoric.

Unfortunately this first group has the most money and resources to promote their agenda and sell their siren song.

The second group includes LNG importers and renewable energy producers and their suppliers, all of which seek to profit from growth in their business activities.

The final group spans a broad range of environmental groups, naturalists, conservationists, and home own-

ers who, despite their extremely limited funding, have mounted significant resistance to the NED project. Naturally, the studies carried out by the first group and its surrogates universally conclude that the NED project is needed and will greatly benefit New England residents without undue environmental impacts. But there are two studies I would like to cite specifically. The first was completed in August 2015 by the Bostonbased economic consulting firm Energyzt Advisors, LLC and funded by the owners of the Everett LNG terminal - clearly a member of my second group. That study concluded that existing natural gas infrastructure, along with planned and approved pipeline expansions and renewable energy projects, would be adequate to meet New England energy needs for at least the next decade. It further concluded that if NED is built, there is a real risk that New England electricity rate payers will end up subsidizing the use of the pipeline for exporting gas to Canada and beyond.

The second study I would like to mention was titled “New England’s Energy Future: The Study That Hasn’t Been Done.” I did this study in August 2014, and in it I reached the same basic conclusions as the Energyzt study a year later, a study in which I had no part.

So here we are with carefully crafted so-called facts about the benefits of the NED project to New Englanders being put forth and widely publicized by profit-seeking constituents with large public relations budgets, contrary studies from a much smaller group of corporate opponents, and many individual voices and non-profit organizations opposing NED on a number of grounds ranging from the environmental impacts to questions on the validity of long-term forecasts of abundant supplies of low-cost natural gas.

We can only hope that the Commissioners at FERC can set aside their historic bias toward energy supply infrastructure development and take a more balanced view of the NED project’s overstated benefits and underestimated risks, costs, and environmental impacts.

Dennis Eklof, 31 Ames Road, Groton, MA 01450

20151016-4090

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits & Pollution Prevention

625 Broadway, 4th Floor, Albany, New York 12233-1750

October 16, 2015

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

Re: Case No. PF14-22-000/ New York State Department of
Environmental Conservation Comments on the Scope of Environmental
Impact Statement for the Northeast Energy Direct Project.

Dear Secretary Bose,

The New York State Department of Environmental Conservation (NYSDEC) respectfully submits the following comments in response the Federal Energy Regulatory Commission’s (FERC) Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the Planned Northeast Energy Direct Project (Project) proposed by Tennessee Gas Pipeline (TGP) dated June 30, 2015. Because a significant portion of TGP’s Project is proposed to be located in New York State, a thorough evaluation of all impacts, including cumulative impacts to New York’s resources, is warranted. NYSDEC’s comments are provided in order that FERC’s evaluation be as thorough as possible for the purposes of FERC’s decision-making and completion of its environmental impact review pursuant to the National Environmental Policy Act (NEPA).

Project Description

As proposed, the Project would include construction of approximately 412 miles of new natural gas trans-

mission pipeline and associated facilities in Pennsylvania, New York, Massachusetts, New Hampshire, and Connecticut. More than a third of the proposed route (approx. 150 miles) would be located in New York State. Of the 150 miles, approximately 95 miles is proposed to be generally co-located with the FERC-certificated Constitution Pipeline right-of-way (ROW)¹, and 53 miles is proposed to be generally co-located with TGP's existing 200 Line and an existing electrical utility corridor. The Project also includes a number of ancillary facilities, including construction and operation of four new compressor stations in New York State.

NYSDEC Permits and Approvals

Construction of the proposed Project requires NYSDEC to issue a Water Quality Certification (WQC) pursuant to Clean Water Act Section 401 to verify that the proposed construction activity will comply with State water quality standards. NYSDEC must also issue Clean Air Act Title V Air Permits for the proposed compressor stations, and a State Pollution Discharge Elimination System (SPDES) Stormwater Permit for Construction Activities. In addition to these permits, NYSDEC expects that TGP will file applications for State Environmental Conservation Law (ECL) permits related to protected streams, freshwater wetlands, water withdrawal, and state-listed threatened and endangered species.²

Procedures for review and approval of the permit types listed above can be found at 6 New York Codes Rules and Regulations (NYCRR) Part 621, Uniform Procedures Act (UPA).³ UPA provides a standard permit application review process including criteria for complete applications, timeframes for public notices and comment, public hearings and final permit disposition. In cases where it has been determined that the project may have a significant impact on the environment, 6 NYCRR Part 621(a)(7)(iii) requires that an application cannot be considered complete for purposes of public review and comment until a draft environmental impact statement (DEIS) has been accepted by the lead agency. NYSDEC intends to rely upon the Federal DEIS for the Project prepared pursuant to the NEPA to meet this criterion for determination of complete application.

Water Resources, Fisheries, and Wetlands

NYSDEC specific comments related to the SPDES Stormwater General Permit (SPDES GP - GP-0-15-002)⁴ based on review of Resource Report 1:

1. Section 1.2.3 (Access Roads) indicates that new access roads may be constructed as part of the Project. All new, permanent gravel access roads will need to include post-construction stormwater management practices designed in accordance with the NYS Stormwater Management Design Manual (2015 version).⁵ These same criteria will apply to any permanent compressor stations, meter stations and contractor yards constructed as part of the project. See Part III.C. and Appendix B in the SPDES GP.
2. Section 1.2.3 (Access Roads) indicates that the erosion and sediment control practices will be installed in accordance with TGP's Project-specific Environmental Construction Plans (ECPs) for each state. TGP should compare each of the practices in the ECP to NYSDEC's technical standard (i.e. NYS Standards and Specifications for Erosion and Sediment Control – "Blue Book", 2005 version)⁶ and ensure that each of their practices provides equivalent protection to NYSDEC's technical standards. See Part III.B.1. in the SPDES GP.
3. Section 1.3 (Construction Procedures) - see comment 2 above.
4. Section 1.3.1.2 (Erosion and Sediment Control) – see comment 2 above.
5. Section 1.3.2.1 (Rugged Topography) indicates that the Project will include the disturbance of soils on slopes greater than 30 percent. TGP should review the steep slope ineligibility criteria in Part I.F.7. of the SPDES GP and confirm that the Project is eligible for coverage under this general permit. If it is determined that the Project is not eligible for coverage under this general permit, TGP will be required to apply for coverage under an Individual SPDES Permit.
6. If TGP plans to disturb greater than 5 acres at any one time, it will need to submit a 5 acre waiver

request in accordance with Part II.C.3. of the SPDES GP. In addition to the criteria in Part II.C.3, NYSDEC will require TGP to retain an adequate number of dedicated Erosion and Sediment Control (ESC) contractors, in addition to its regular excavation contractor; that will be responsible for the installation, implementation, repair and maintenance of the erosion and sediment controls identified in the Stormwater Pollution Prevention Plan (SWPPP). The dedicated erosion and sediment control contractors must be on site during all soil disturbance activities associated with the construction of the Project.

7. It appears that portions of the Project may be located in municipalities that are subject to NYSDEC's SPDES GP for Stormwater Discharges from Municipal Separate Storm Sewer Systems (i.e. regulated, traditional land use control MS4s). The regulated MS4s are New Scotland and Bethlehem in Albany County and Schodack in Rensselaer County. If this observation is correct, TGP must have each of the regulated MS4s review the SWPPP for the portion of the Project within their municipal boundaries as required by Part II.A.2. of the SPDES GP. Once the MS4s' reviews are complete, they should provide TGP with a completed MS4 SWPPP Acceptance Form that must be submitted to NYSDEC with the Notice of Intent to gain coverage under the SPDES GP.

Stormwater Runoff and Erosion, General Comments

The DEIS must provide detail sufficient for NYSDEC to determine the eligibility of the SPDES GP to the proposed Project, or whether an individual SPDES Permit would be required. In addition to the eligibility criteria described above, the Project would not be eligible for coverage under the SPDES GP if construction activities adversely affect listed, or proposed to be listed, endangered or threatened species or its critical habitat; or adversely affect property listed or eligible for listing on the State or National Registers of Historic Places (including Archeological sites), unless review under Section 106 of the National Historic Preservation Act results in a Memorandum of Agreement to resolve issues related to adverse effects.

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. In these areas, strict attention to proper installation and maintenance of sediment and erosion controls is critical.

The DEIS 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 NYSDEC 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; temporary mulching or the use of wood chips for ROWs should be evaluated. NYSDEC recommends that only a limited length of the Project development area should be opened up at any one time. Where forest cover will be removed, NYSDEC also recommends that stump removal and grubbing not be conducted until installation crews are ready to work in that area.

Water Withdrawals

The DEIS must evaluate the installation of any Project components that have a capacity to withdraw 100,000 gallons per day (gpd) or more, either from surface or groundwater, to ensure that they do not compromise the required bypass flow (the minimum stream flow at any particular stream point necessary to protect fisheries resources). Facilities that exceed this threshold are required to obtain a Water Withdrawal permit from NYSDEC pursuant to ECL Article 15 or the Susquehanna Regional Basin Commission (SRBC) for any withdrawals within that jurisdictional area. If a proposed water withdrawal facility does not exceed the 100,000 gpd threshold, a bypass flow analysis will be required as part of the ECL Article 15 permit and/or WQC.

Wetlands

The DEIS should evaluate wetland impacts (including the State's regulated 100 foot adjacent area) that would result from construction of the proposed and alternate routes, and describe avoidance and minimization measures that were employed to reduce the potential for impacts. If proposed construction in a wetland or adjacent area could result in a significant change in the type of wetland community (such as conversion of forested to nonforested wetland) or a significant loss to the other functions and benefits of the wetland, compensatory mitigation in the form of created wetlands or other acceptable measures will be required. The DEIS should discuss preliminary compensatory mitigation options based upon the analysis of wetland impacts. Further, the DEIS should discuss BMPs proposed to be used during construction activities in wetland areas; specific plans for final grading, soil stabilization, restoration, re-planting with appropriate indigenous species to restore the original cover type, and long-term monitoring and reporting of restoration activities to ensure success of desired vegetation and control of invasive species.

Based on the proposed pipeline route, NYSDEC Division of Fish, Wildlife and Marine Resources staff has compiled a preliminary list of State-regulated wetlands that should be evaluated to determine how impacts to these wetlands may be avoided or minimized; and where unavoidable impacts may occur, to initiate discussions regarding potential mitigative measures. This list of wetlands identified in the list below is not inclusive of all potentially impacted State-regulated wetlands that may be negatively impacted by the pipeline.

Initial List of Wetlands with Project Impact Concern.

Wetland ID	ROW Mile	Description
NS-1	287.3	West of pipeline
D-11	319.3	Within Oquaga Creek state park
D-11	319.7	South of the pipeline
D-13	320.5	Pipeline passes through wetland
S-4 & D-8	323.2-323.8	Pipeline passes between adjacent wetlands
AL-23	356.7-357	Pipeline passes through wetland
AL-26	357.5	Pipeline passes through wetland
C-39	365.6	Pipeline passes through wetland
D-39	373.3	Pipeline passes through wetland
EG-1	274.2-374.4	Hudson River crossing, wetlands east of river
EG-14	377.7	Pipeline passes through wetland
EG-14	377.9	South of the pipeline
EG-12	380.4-380.6	Pipeline passes through wetland
N-20	380.8-381	Pipeline passes between sub wetland parcel
unmapped	382.4-382.5	Pipeline passes through wetland
unmapped	383.2-383.3	Pipeline passes through wetland
SC-10	398.6-398.7	Pipeline passes through wetland

Stream Crossings

The DEIS must describe the classification of all stream segments proposed to be crossed, including alternative segments, and discuss the proposed method for crossing 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, B, C(t) and (Ct) which are classified as "protected."⁷ Activities that disturb the bed or banks of streams with these classifications typically require a NYSDEC permit under Article 15, and are subject to a seasonal restriction on disturbance to the bed or banks of the stream from October 1 to June 1. Streams that are not classified as "protected" typically are not subject to ECL Article 15 requirements unless they

also meet the NYSDEC definition of “navigable.”⁸ However, when evaluating this Project, NYSDEC will consider all stream crossings jurisdictional under the WQC, and will apply permitting standards to all stream crossings proposed for the Project.

Stream Crossing Feasibility Analysis

As part of its stream crossings review, NYSDEC will require TGP to prepare a feasibility analysis for all stream crossings to determine the most environmentally protective and feasible crossing method at each stream. It is NYSDEC policy and precedent not to authorize a wet open-cut trench installation; acceptable stream crossings may include a “trenchless” method or a dry open-cut trench method.

Trenchless methods may include, where appropriate and technically feasible, Horizontal Directional Drilling (HDD), Direct Pipe (DP) or Conventional Bore (CB). NYSDEC will require that these trenchless methods be included in a feasibility analysis to determine if one or more trenchless methods is technically feasible. Where it is determined that a trenchless method is technically feasible, and the use of a trenchless method would result in avoidance of adverse impacts at a crossing, NYSDEC will require its use.

Advantages of trenchless methods include 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. In addition, the section of ROW between the entry and exit points of a trenchless installation may not require a permanently cleared corridor. In forested areas, this can be beneficial in terms of long term water quality, integrity of the stream ecosystem, and limits on unauthorized access by recreational vehicles. Furthermore, trenchless methods are not limited by the seasonal construction limitations placed on NYSDEC-protected streams where the boring pits are placed outside of water resource regulatory boundaries.

As part of the feasibility analysis, TGP should also describe: 1) Measures to ensure that staging areas for trenchless crossings remain outside of regulated boundaries (e.g., State-wetland 100 foot adjacent area and 50 feet from protected streams); 2) Details regarding the typical work area and configuration required for entry and exit pits, including any need for additional access roads; 3) Air and noise impacts that may result from use of boring equipment; 4) Protective measures that will be used to limit runoff of sediment; 5) Disposal of drilling mud and fluids, and; 6) A contingency plan for any drilling failure that results in sediment and/or drilling fluid entering a wetland or stream.

A dry open-cut is an acceptable crossing and installation method if it is determined that a trenchless method is technically infeasible or unwarranted. A dry open-cut can be conducted at an ephemeral stream when no flowing water exists at time of installation. For flowing streams, temporary structures must be installed to redirect stream flow around the work area in order to perform the installation in the dry. The DEIS should describe the various options for this type of installation, including BMPs to be used to maintain surface water flow, allow for passage of water organisms, and avoid siltation. Trenches through streams should be opened for installation and backfilled in one continuous operation. Before trenching through stream banks, upland sections of the trench should be backfilled or plugged to prevent drainage of possible turbid trench water from entering the stream or wetland.

De-watering activities that are necessary to conduct trench work must include BMPs to discharge water at a location at a sufficient distance from waterbodies that water flow does not directly enter the waterbody. These BMPs should include engineering controls to regulate the volume of discharge water flow and filter sediments.

Where a dry open-cut is allowed, NYSDEC will require a “Depth of Pipe under Stream Report” to be prepared that includes a site-specific Vertical Adjustment Potential (VAP) analysis for each stream crossing not located in bedrock to determine the appropriate depth from the top of the pipe to the stream bed sufficient to prevent exposure of the pipe from stream erosion. The report must be conducted and certified by a qualified engineer licensed to work in New York State and must include all calculations associated with the VAP analysis as well as a statement by the engineer indicating that the calculated separation will prevent exposure of the pipe at each stream crossing as a result of down cutting of the stream. The report should also include any

constraints or limitations in completing the VAP analysis posed by a landowner's denial of access. NYSDEC will require installation of the pipe at the minimum depth determined by the VAP analysis.

Restoration

Proposed BMPs to restore the stream bed and adjacent banks following installation should be discussed in the DEIS including: 1) temporary measures to stabilize the stream bed and banks, such as grading, mulching and plantings to minimize erosion, 2) permanent stabilization utilizing appropriate placement of stream and bank materials, 3) and replacement of appropriate vegetation, including trees or shrubs beyond the permanently cleared ROW corridor. Stream restoration should follow the principles of "Natural Stream Design"⁹ 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.

Temporary Stream Crossings

The DEIS should also describe how TGP plans to install temporary stream crossings for passage of construction equipment. NYSDEC will require utilization of free span temporary equipment bridges or culverted temporary bridges for all flowing streams, regardless of classification. Temporary stream crossings would not likely be necessary at crossings where an HDD or DP pipeline installation technique would be used, therefore they would not be authorized under a NYSDEC permit. Note that specifications described in the New York Standards and Specifications for Erosion and Sediment Control, referenced above, are not applicable to crossings regulated under an ECL Article 15 permit or WQC.

For equipment crossings associated with the Project, the following standards would be applied: NYSDEC would require temporary equipment bridges to be placed at bankfull elevation or higher, be able to pass no less than a Q5 flow interval and be capable of withstanding any higher flow intervals likely to be experienced within a specific waterbody without causing damage to the stream bed or banks. Bridges may not be dragged through the stream and must be suitably anchored to prevent downstream transport during a flood. Fill may not be placed within the stream channel below bankfull elevation and placement of abutments or fill is authorized only above and outside bankfull boundaries. Geotextile fabric must be placed below and extending onto the bank; suitable side rails must be built into the bridges to prevent sediment from entering the waterbody.

Bridges with a total length of 20 feet or less must be installed only from one side of the stream. Bridges greater than 20 feet long may be installed with equipment from both sides of the stream. Under such scenarios, only one piece of equipment may cross the stream one time only via a ford located directly over the centerline of the installed pipeline path. Center supports may be used on bridges 30 feet or greater and placed no closer than 15 feet to one another and may use solid materials or a single round culvert.

Culverted temporary bridges can be allowed at streams with a bankfull width of 8 feet or less and may be crossed using a single open bottom arch culvert. Streams with a bankfull width of 4 feet or less may be crossed using a single elliptical culvert with a bottom width spanning from bank-to-bank. All culverted structures must be capable of conveying a Q50 or higher flow interval determined for the specific waterbody in which it is placed and must not be installed in streams with a gradient greater than 3 per cent. Elliptical culverts must be placed so that both the inlet and outlet are flush with the existing stream bed. Mechanical excavation to prepare the bed will not be authorized. Fill may not be placed beneath the culvert and only clean fill with particles greater than 3/4 feet may be placed on top of or used as backfill during installation. Upon removal of culverts, all fill material must be removed from the stream channel without excavating into the original stream bed or banks.

Air Quality

The DEIS should evaluate the four compressor stations proposed to be constructed in New York State, by providing a full facility description and source information used to calculate the anticipated air emission levels from operation of these facilities. 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 methane emissions.

Air modeling must be conducted to demonstrate that emissions from these facilities will not cause or contribute to a violation of any National Ambient Air Quality Standard (NAAQS). Modeling for projected formaldehyde emissions should be conducted in addition to NAAQS modeling.

Compressor station construction and operation will require NYSDEC permits. The DEIS should include a discussion of the State regulatory requirements that will be used by the NYSDEC Division of Air Resources to review applications for these facilities.

Land Use

State Land

The Project proposes to cross approximately one-third mile of the Melondy Hill State Forest, roughly parallel to the North Sanford Road in the Town of Sanford, Broome County. The Project Sponsor should consult with the NYSDEC Division of Lands and Forests to assess impacts to these State Forest Lands and provide a discussion of impacts in the DEIS. The analysis should include maps, at an appropriate scale, that show any reasonable routing alternatives that would avoid State Forest Lands.

Forest Tax Law Program

The DEIS 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 to ensure that affected landowners will not be 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 the 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 DEIS should evaluate methods and rationale for cutting and disposition of timber and vegetation, and any use of open burning. Merchantable timber should first 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 presence of the Asian Long-horned 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 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 DEIS. 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 pre-construction wetland and stream corridor habitat surveys to document population/percentages of invasive species present within the Project ROW. Subsequently, the Project Sponsor should ensure that post-construction monitoring and evaluation of increased populations resulting from Project construction can be accomplished.

Rare, Threatened, and Endangered Species

The DEIS 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 is likely to be considered privileged and confidential information. Before determining whether any information concerning any sensitive RTE species may be included in the DEIS, TGP should consult with NYSDEC staff and the United States Fish and Wildlife Service (USFWS).

Moreover, the DEIS should include: a description of proposed field surveys for RTE species and/or habitat measures to avoid impacts to RTE species such as rerouting work areas, a discussion of the use of physical barriers such as fencing and warning signs, and seasonal timing of construction work. If RTE species are present and could be permanently impacted, proposed habitat mitigation for these impacts should also be described.

The DEIS should also describe proposed contingency plans to be activated if TGP unexpectedly encounters an RTE species during construction activities. The contingency plans should include training for workers, ensuring proper handling of the RTE species (by properly licensed handlers), reporting to the appropriate resource agencies, and limiting work activities in these areas until issues related to the species are resolved. Further, the DEIS 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; while excluding sensitive, confidential species information.

NYSDEC comments related to Forest/Wildlife Impacts based on review of Resource Report 3:

1. Section 3.2.2.2.1. The Project centerline is within the boundaries of the Cannonsville/Steam Mill Important Bird Area (IBA). RR3 states the line is in the IBA for 4.7 miles, with 4 access roads. This segment of the proposed line would not co-locate with the FERC-certificated Constitution Pipeline through the IBA, but rather follow a separate path through the IBA resulting in two distinct lines bisecting the contiguous forest tract. The DEIS should include an analysis comparing the impacts to interior forests and bird species from the proposed route to a route co-locating with the Constitution Pipeline through this IBA, and other routing options that may avoid this area altogether.
2. Section 3.2.2.6. The amount of forest impacted directly (acres of trees cut) and indirectly (acres of forest within 300 feet from the edge of the ROW) should be calculated and presented for each state. An additional breakdown by acre of direct and indirect impacts in each IBA and State Forest should also be given, as this will assist agencies in evaluating total forest loss in these sensitive areas.
3. Table 3.4-4. In addition to the species listed in this table, the NYS Natural Heritage Program database also shows an historical occurrence of Henslow's sparrow (state threatened) in a Breeding Bird Atlas block crossed by the pipeline in Albany County. The potential for impact to this species should be assessed. Although the proposed centerline follows an existing ROW in this area, it is currently a grassland habitat potentially appropriate for this species.
4. Sections 3.4.2.1.8 and 3.4.2.2.2. This section references grassland habitat construction restrictions, but does not include measures to reduce impacts to forest bird species. Construction time frames for forest bird species would be similar as for bats, i.e. no clearing or cutting of forest during the breeding season. Methods and species described in the Constitution Pipeline January 2015 Migratory Bird and Upland Forest Plan should be used as a reference, and the Project Sponsor should continue to consult with NYSDEC biologists to further refine these measures. The NED Project should develop a pre-construction nest survey and mitigation plan for interior forest birds and forest impacts, and include this as an appendix to the DEIS.
5. Section 3.5.2.2. In addition to providing total acres of habitat types for the entire pipeline, these totals should also be provided by state.
6. Section 3.5.2.3. The second paragraph of this section states "Among the temporary vegetation impacts, the most prominent would be those impacting forested vegetation that is slow to regenerate..." NYSDEC considers the cutting of forest to be a permanent impact to forested habitat, as the time

required for the area to return to a forested state is likely to be longer than the life of the project.

Project Alternatives

NYSDEC supports the policy of co-locating new transmission facilities in existing utility ROW and/or highway corridors. In general, impacts to wetlands, streams, habitat and forest cover from additional placement of facilities in an existing ROW would be expected cause less environmental impacts than from placement of facilities located within a newly-cleared ROW corridor.

TGP proposes to co-locate within existing ROW corridors from Wright, New York to the Massachusetts state line. While consideration of impacts and implementation of BMPs to avoid and minimize impacts will still be necessary in this section of the Project, NYSDEC agrees that this routing alternative is preferable to creating a new ROW.

From the Pennsylvania state line to Wright, New York, however, TGP proposes to co-locate with the Constitution Pipeline Project (CP13-499 and CP-13-502).¹⁰ In light of this, NYSDEC recommends that the Project Sponsor conduct a thorough Alternatives Analysis, including, but not limited to environmental impacts related to:

- How a second pipeline trench, potentially located within 75 feet of a stream bank, would potentially impact completion of ongoing restoration to address construction of a first pipeline (here, the Constitution Pipeline);
- Stream destabilization that may occur following the installation of the Project trench, including liability associated with such destabilization;
- Behavioral barriers for aquatic species created by the potential temperature increases related to a doubling in the loss of canopy, and how might that affect the suite of species common to these waters;
- Additional interior forest impacts to avian species that would occur by increasing the width of the Constitution ROW by 50-100%;
- The creation of an additional ROW corridor partially within the Constitution ROW including impacts on ongoing restoration efforts (planting, monitoring, invasive species management).

NYSDEC previously provided comments to TGP requesting a more comprehensive review of an alternative that would more closely align with Interstate 88 (NYSDEC, April 2, 2015). While NYSDEC recognizes that any alternative presents construction challenges and may result in a variety of environmental impacts, NYSDEC reiterates its request for a DEIS Alternatives Analysis that includes a comparison of environmental impacts of an I-88 alternative with the co-location of the Project along a freshly developed ROW for the Constitution Pipeline.

Additionally, in comments submitted on October 8, 2015, FERC requested that TGP evaluate the feasibility of a single pipeline alternative combining the NED project with the Constitution Pipeline project for the Supply Path Component. NYSDEC requests that this evaluation include consideration of the factors identified above and a comparison of the impacts of this alternative with the proposed Project.

Cumulative Impacts

Finally, the DEIS should describe and evaluate the environmental impacts of the Project if the pipeline supply is available to additional customers along the route and a description of the additional facilities or upgrades needed (i.e., additional compressor stations, metering stations), and 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. This discussion should describe the FERG 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.

Sincerely

Stephen Tomasik
Project Manager
Major Projects Management Unit
Division of Environmental Permits
CC: FERC Party List

Footnotes:

- 1 NYSDEC authorizations for the Constitution Pipeline project are currently pending.
- 2 The Project Sponsor is required to file the following additional applications: Environmental Conservation Law (ECL) Article 15, Protection of Water and Water Withdrawal; ECL Article 24, Freshwater Wetlands; ECL Article 11, Endangered and Threatened Species (if applicable).
- 3 Information regarding the Uniform Procedures Act (UPA) can be found at: <http://www.dec.ny.gov/permits/6081.html>.
- 4 Information regarding the SPDES Stormwater General Permit can be found at: <http://www.dec.ny.gov/chemical/43133.html>.
- 5 Information regarding the New York State Stormwater Management Design Manual can be found at: <http://www.dec.ny.gov/chemical/29072.html>
- 6 Information regarding New York Standards and Specifications for Erosion and Sediment Controls can be found at: <http://www.dec.ny.gov/chemical/29066.html>
- 7 Information on the Protection of Waters Program can be found at: <http://www.dec.ny.gov/permits/6042.html>.
- 8 Information on Excavation or Placement of Fill in Navigable Waters can be found at: <http://www.dec.ny.gov/permits/6548.html>.
- 9 Information on Stream Crossings BMPs can be found at: <http://www.dec.ny.gov/permits/49060.html> . Note that although the discussion centers on culverted crossings, many of the same techniques are applicable to restoration of a trenched crossing.
- 10 While the Constitution Pipeline Project has obtained a certification from FERC, it still requires other federal and State authorizations before construction may begin.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

October 16, 2015

OFFICE OF THE
REGIONAL ADMINISTRATOR

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room IA
Washington, D.C. 20426

RE: EPA Comments in response to FERC Notice of Intent for the Northeast Energy Direct Project, Docket No. PF14-22-000

Dear Ms. Bose:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, we submit the following comments as part of the NEPA scoping process for the Federal Energy Regulatory Commission (FERC's) proposed Environmental Impact Statement for the Northeast Energy Direct Project (NED) proposed by Tennessee Gas in Pennsylvania, New York, Connecticut, New Hampshire, and Massachusetts.

Our comments are based on information provided in FERC's June 30, 2015 Notice of Intent (NOI) document for the NED Project and information contained in pre-filing draft resource reports filed by the ap-

plicant. According to that information Tennessee Gas intends to install, operate and maintain 412 miles of natural gas transmission pipeline and associated infrastructure in Pennsylvania, New York, Massachusetts, New Hampshire, and Connecticut. The overall project is intended to provide up to 2.2 billion cubic feet of capacity to transport natural gas to the northeastern United States and Canada. According to the NOI the construction (without impacts from temporary access roads) will disturb about 6,761 acres of land with 82 percent of the proposed alignment parallel to existing pipeline/utility right-of-way areas.

The construction and operation of the NED Project could result in a wide range of direct, indirect and cumulative impacts to resources that are within EPA's areas of jurisdiction and expertise. Based on our review of available information, the NOI has identified many of the potential environmental impacts to fully examine in the EIS. However, we have specific concerns about potential impacts to wetlands, drinking water, groundwater supply, and air quality (during construction and operation of the pipeline). Our attached comments in response to the NOI and the applicant's resource reports provide detail and direction on how to address these issues in the EIS.

Please contact me at 617-918-1025 with any questions regarding our scoping comments.

Sincerely,

Timothy L. Timmermann

Associate Director, Office of Environmental Review

Enclosure

Scoping Comments for Northeast Energy Direct Project

Alternatives

We recommend not limiting the EIS's discussion of alternatives to variations on the preferred route for this line, and including whether the gas demand being addressed by this project could be otherwise met by other currently proposed pipeline expansion projects in the region, existing infrastructure, or alternative sources of energy including renewable sources such as wind and solar. EPA also suggests that the EIS discussion of routing alternatives discuss whether appropriate adjacent sections of the NED and Constitution pipeline through New York can be combined or co-located to further avoid or minimize the total environmental impact from both projects. This is of particular importance as the Constitution pipeline's project has not started construction yet and is awaiting permitting from NYS Department of Environmental Conservation.

Drinking Water Supply

These comments address a number of areas of concern with respect to the planned pipeline construction and operation that could affect public and private drinking water supplies. The majority of our comments are related to the information presented in the Water Use and Quality, Resource Report No.2. Our comments are organized into six categories: Alignment Alternatives; Groundwater Impacts; Crossing Impacts to Rivers, Streams, Reservoirs, and Source Protection Areas; Consultation with State Drinking Water Programs Regarding Impacts to Source Water Protection Areas; Land Conservation; and Request for GIS Information.

Alignment Alternatives

Although the Resource Reports emphasize that Tennessee Gas will implement BMPs to avoid and minimize adverse effects to drinking water sources, we recommend including alternatives presented for avoiding the proposed alignment's crossing of multiple public drinking water supply source water protection areas. We recommend that the FERC EIS consider and present pipeline alignment alternatives that avoid crossing state-defined source or municipality-defined water protection areas, including Wellhead Protection Areas.

Groundwater Impacts

Prevention of negative impacts to aquifers (e.g. creating a preferential flow path for water and/or contami-

nants along alignments) during project construction and other pipeline related activities should be among Tennessee Gas's highest priorities. To prevent impacts to public water supplies, EPA recommends that FERC consider alternative pipeline routes that avoid state-defined Wellhead Protection Areas.

In addition to potential impacts to water resources from construction activities, EPA recommends including prevention and mitigation plans for impacts to water resources from the constructed pipeline itself. Tennessee Gas states that the "... effect on groundwater, surface water, sensitive waters, and wetland resources would be temporary and minor." However, the pipeline has the potential for long-term impacts to the water resources in proximity to the alignment. EPA recognizes the benefits of trenchless construction methods such as Conventional Bore and Horizontal Directional Drilling (HDD) as effective means to minimize and avoid impacts to wetlands and surface waters during construction. Nevertheless, these construction methods, which may be conducted at depths much greater than trench methods, have a potential of creating a groundwater flow pathway that did not exist prior to construction (i.e. a preferential flow pathway). Such a preferential flow pathway has the potential to convey groundwater and/or contaminants from one location to another, thereby spreading contamination or dewatering an aquifer. Excavated and backfilled trenches with pipelines in place below the seasonal high groundwater table may disrupt groundwater flow in this manner as well. EPA recommends that the EIS address this potential impact, and steps identified and required by FERC to prevent water movement along the alignments wherever excavation or trenchless construction methods will be used below the seasonal high water table. We also recommend that areas where alignments will pass in close proximity to groundwater resources, as defined in the Resource Reports, and/or areas near drinking water sources (including private wells) be prioritized for these measures.

For alignments that utilize trenchless construction methods, we recommend that the EIS provide engineering type specifications for the planned construction activities. These specifications, including both map views and cross section views (e.g. distance-depth diagram) of trenchless construction areas, are vital to assess potential impacts to groundwater resources. Cross-sections of trenchless construction areas should include, among other things, aquifer materials and bedrock features (e.g. fractures) which may be intersected by the alignments. These cross-sections and plan views should be readily available for review by stakeholders.

With respect to construction activities, the Water Use and Quality Resource Report states, "In the unlikely event that construction of the Project is determined to have temporarily impacted private or public well/spring quality or yield, Tennessee will provide alternative water sources or other compensation to the well owner(s). In the event that it is determined that permanent impacts have occurred to a well/spring as a result of construction activities, Tennessee will repair, replace or provide alternative sources of potable water." This approach to mitigating impacts is commendable; however, we recommend that FERC provide more clarity and context for the process of evaluating whether or not Tennessee Gas's activities have impacted a well. While Tennessee Gas will offer pre and post-construction "well testing," in cases of reported impacts to wells, well testing alone may be insufficient to determine whether Tennessee Gas's activities have impacted a water supply. A full hydrogeological assessment conducted by a qualified professional may be required. Furthermore, evaluating impacts to water supplies must not be contingent on the well owner(s) participation in Tennessee Gas's own monitoring program, or the impacts being detected during the intended timeline of Tennessee Gas's pre and postconstruction testing. Impacts to wells may occur where Tennessee has not performed this monitoring and over both short and long-term time scales. We recommend that Tennessee be prepared to fairly address these situations, and that the EIS communicate this.

The Water Use and Quality Resource Report correctly identifies blasting as a potential impact on groundwater flow. Specific steps should be outlined in the EIS for contacting well owners (both private and public) in advance of blasting, and for establishing baseline conditions. Blasting near bedrock wells poses a significant risk to the water quality and capacity of those wells. EPA recommends that alternatives to blasting be fully explored, and that the EIS describe how blasting within close proximity to bedrock wells will be avoided.

Crossing Impacts to Rivers, Streams, Reservoirs and Source Protection Areas

The proposed main and lateral pipeline alignments include a high number of crossings over drinking water

supply streams, rivers, reservoirs and source protection areas. While the Resource Reports identify water body crossings, we recommend that consideration also be given to all crossings through state-defined source water protection areas, including recharge to wellhead protection areas, and including this discussion in the EIS.

Activities associated with construction and operation of the pipeline through these critical areas could impact drinking water resources and numerous public water suppliers could be affected by the proposed alignment. For example, the Merrimack River crossing is upstream of several public drinking water suppliers dependent on surface water withdrawal from the river. The Merrimack River is classified as a Class B Waterbody- Useable for a Public Water Supply After Treatment (Water Resources Report, 2.2.11.1.4, pages 2-30, p. 2-113). The proposed alignment also directly crosses the Cheshire Reservoir and crosses within close proximity to the Cleveland Brook Reservoir (Page 2b-29, Table 2.2-6 Water bodies Associated with the Project in Massachusetts). It would also pass within the wellhead protection area for the Lanesborough Village Fire & Water District Gravel Well #1, Bridge Street and the Pennichuck Brook Watershed, which provides the public water supply for various communities within southern New Hampshire (Water Resources Report, 2.2.11.1.4, page 2-47).

We recommend that the EIS address concerns expressed by public drinking water suppliers whose sources of supplies or protection areas may be impacted by the Tennessee Gas's pipeline project. The EIS should include descriptions of site-specific Best Management Practices (BMPs) that will be employed at each water supply area to mitigate any construction or storm water runoff related impacts.

Additionally, we recommend that the EIS identify and address concerns at pipeline crossings. through areas with known or potentially contaminated sediments. For example, the proposed horizontal directional drilling operation is located upstream of public drinking water supply intakes for Methuen, Andover, and Lawrence, Massachusetts. The U.S. Army Corps of Engineers Northeast District completed two (2) assessments of the Lower portion of the Merrimack in 2006 and 2011 which included the Lawrence to Nashua portion of the River. EPA suggests contacting the U.S. Army Corps of Engineers Northeast District Project Manager for this location and other similar locations to attain relevant sediment data. Also, we recommend that State hazardous waste programs be consulted to identify any actual or potential contaminated sites. We recommend that precautions (BMPs) to mitigate sediments that may be suspended during the horizontal directional drilling operations upstream of public drinking water supply intakes be identified in the EIS.

Army Corps of Engineers, Northeast District
Contact: Barbara Blumeris
Address: 696 Virginia Road
Concord, MA 01742
Email: Barbara.R.Blumeris@usace.army.mil
Phone: (978) 318-8238

We recommend that the EIS examine the potential impacts of stormwater discharges from the project. During construction, it is likely that sediment and pollutant laden stormwater could be released into rivers, streams, reservoirs and the drawdown areas for water supply wells. . Although one or more NPDES and state stormwater permits may be required, we recommend that the EIS examine whether the basic requirements of those permits could be enhanced to assure a greater degree of protection.

The discharge of nutrients into many water bodies is a growing concern and new control technologies are being continually developed and we recommend they be examined and discharges to waters with Total Maximum Daily Loads be identified and BMPs adequate to attain applicable load reductions applied.

State Drinking Water Program Contacts for Consultation on Source Water Protection Areas

The Water Use and Quality Resource Report identifies crossings of streams, surface waters and conservation land by the proposed main pipeline and the lateral sections. The Land Use Recreation, and Aesthetics Resource Report indicates that the state environmental agencies have been contacted to determine whether any source water protection areas would be intersected. Additional contact information is provided below for the

states' respective source water programs. We suggest consulting with state source water program contacts and addressing their comments and concerns in the EIS.

Connecticut Department of Public Health
Source Water Protection Unit
Contact: Eric McPhee, Supervising Environmental Analyst
410 Capitol Avenue, Hartford, CT 06134
Website: www.ct.gov/dph/publicdrinkingwater
Email: Eric.McPhee@ct.gov
Phone: (860) 509-7333
Fax Number: (860) 509-7359
Emergency Number: (860) 509-8000)

Massachusetts DEP Drinking Water Program
Source Water Assessment Program
Contact: Kathleen Romero, Coordinator
1 Winter St., Boston, MA 02108
Email: Kathleen.Romero@state.ma.us
Phone: (617) 292-5727
Website: <http://www.mass.gov/eea/agencies/massdep/water/drinking/source-water-protectionfor-drinking-water-supplies.html>
Emergency Number: 888-304-1133

New Hampshire Dept. of Environmental Services- Drinking Water & Groundwater Bureau
Pierce Rigrod, Supervisor
Drinking Water Source Protection Program
Phone: (603) 271-0688
Email: Pierce.Laskey-Rigrod@des.nh.gov
Website: <http://des.nh.gov/organization/divisions/water/dwgb/dwspp/index.htm>
Emergency Number: (603) 271-3899 (weekdays) / (603) 223-4381, State Police (Weekends & Evenings)

Pennsylvania Department of Environmental Protection
Bureau of Safe Drinking Water
Contact: Patrick Bowling, Source Water Protection Coordinator
Email: gbowling@pa.gov
Phone: 717-772-3600
Website:
<http://www.portal.state.pa.us/portal!server.ptlcommunity|Bureau of Safe Drinking Water/20891>
Emergency Numbers by Region: (24 Hour/? Day including holidays)
Northeast: 570-826-2511 .
Northcentral: 570-327-3636

Bureau of Water Supply Protection NYS Department of Health
Contact: Dr. Roger Sokol, Director
Empire State Plaza, Corning Tower
Room 1110
Albany, NY 12237
Phone: 518-402-7650

Land Conservation

The proposed alignment would cross numerous tracts of conservation land purchased for the protection of drinking water sources and other natural resource protection areas. We recommend that the EIS identify

alternatives to the current alignment to limit the impact to these areas. For example, conservation land purchased by both the NH Conservation Land Stewardship Program and the NH State Drinking Water Revolving Fund for protecting source water protection areas is crossed by the proposed alignment (Refer to Table 8.3-5, pages 8b-250-251). Although the Resource Report states that the majority of the project is co-located within existing utility or energy rights of way, we recommend that the EIS indicate exactly where this land and other conservation lands are crossed.

Request for GIS Information

GIS mapping is an essential part of impact assessment. EPA, and we assume other stakeholders along the proposed project corridor, would benefit from access to GIS data for the proposed alignment that can be easily downloaded or served to a GIS for use and analysis. The Resource Reports include PDF maps of the proposed alignments, many of which are large files and are difficult to work with and view. We recommend that FERC, or the applicant, provide access to online mapping that allows users to interact with the map and map layers. The online mapping would allow stakeholders to view and interact with maps of the proposed alignment locations for the entire project, including choosing which map layers to view at various map scales. All of the layers used to create the PDF maps in the Resource Reports can be made accessible including those for: water (e.g. drinking water protection areas, aquifers, etc.), fish, wildlife, vegetation, cultural resources, socioeconomics, geological resources, soils, land use (e.g. known contamination sites, etc.), recreation and aesthetics; air and noise quality. There are many, readily available, commercial mapping applications that can be used to establish this capability. As one example, EPA offers its NEP Assist tool which facilitates the environmental review process and project planning in relation to environmental considerations.

Wetlands and Other Aquatic Resources

We recommend that the EIS provide a detailed description of the wetlands/water bodies and vernal pools along the route that includes their location as well as an assessment of their functions and values. The EIS should also describe the portions of the pipeline construction work that will involve discharging dredged or fill material in wetlands or other waters of the United States that will be subject to the permit requirements of Section 404 of the Clean Water Act. Discharge activities must comply with EPA's regulations issued under Section 404 (b) (1), referred to as EPA's 404 Guidelines (40 CFR Part 230), which require the following: that there be no practicable, less environmentally damaging practicable alternative to the proposed action; that the activity not cause or contribute to violations of state water quality standards or jeopardize endangered or threatened species; that the activity not cause or contribute to significant degradation of waters of the United States; and that all practicable and appropriate steps be taken to minimize potential adverse impacts to the aquatic ecosystem (Section 230.10). The guidelines further establish a presumption, which the applicant has an opportunity to rebut, that for projects that are not water-dependent, a practicable alternative to the filling of wetlands exists. The EIS should include an evaluation of ways in which each alternative alignment (or compressor station facility and associated infrastructure) can be designed/sited to avoid impacts to wetlands.

Unavoidable impacts to wetlands, surface water resources (impacts to rivers/streams quality and flow), and wildlife should be fully disclosed in the EIS. These impacts include but are not limited to: direct filling of wetland for pipeline construction and/or operation; temporary impacts to wetlands resulting from access to wetland areas for construction purposes; indirect impacts, such as clearing impacts resulting in a change (either permanent or temporary) of cover type within a wetland (e.g. converting a forested wetland to an emergent or scrub/shrub wetland); indirect impacts resulting from erosion or sedimentation into wetlands or waterbodies; and induced growth which can result from construction of the project (i.e. additional development induced by the development of the pipeline). We recommend that the EIS also specifically document mitigation to compensate for unavoidable wetland losses and cover type conversions from construction and operation of the project. In addition, we recommend that all construction practices that will be utilized to minimize impacts be documented. Specifically, we recommend standard conditions to protect wetlands be

documented in addition to steps that may be taken to reduce impacts to particularly sensitive areas such as vernal pools. We recommend that the EIS also provide comprehensive information to explain how stream and river crossings will be conducted to avoid and minimize impacts and similarly how impacts to state and federally listed endangered species will be avoided/addressed. In addition, we recommend that the EIS:

- discuss the advantages and disadvantages associated with each of the alternatives considered (with respect to wetland issues) and the rationale for selecting pipeline alignments and compressor station locations with respect to potential impacts to wetland, stream and vernal pool ecosystems. For all sections of the proposed pipeline that will be on a new alignment, the alternatives analysis should show how the alignment was designed to minimize aquatic impacts. In addition to access to the GIS data layer showing streams and wetlands, photographs and/or aerial photos of the project corridor can be very helpful at this stage. For the MA and NH portions of the alignment, we recommend that MA (Bio Map) and NH Wildlife Action Plan (W AP) information be correlated to project plans/aerial photos as well, in all locations that are on new alignment. We recommend that W AP information also appear on the U~GS maps for use on co-located utility corridors.”
- identify wetlands along the pipeline route (either within the right-of-way or in close proximity) that support rare and exemplary natural communities such as the wetlands, bogs and fens of the Rensselaer Forest Tract, an Audubon Important Bird Area. We recommend that the EIS describe specific mitigative measures to ensure that they will be protected from potential indirect and cumulative impacts associated with the pipeline and compressor stations.
- clearly identify the locations of temporary and permanent access roads and discuss how the wetland ecosystems will be protected from direct and indirect impacts associated with these roads.
- describe the long-term right-of-way maintenance techniques planned for the project. We recommend that the discussion include an analysis of the effects of maintenance techniques on plant life and wildlife habitat and should explain whether herbicides will be used and whether specific buffer zones will be established around wetlands where herbicide application would be prohibited. We recommend that the analysis be expanded to discuss the potential for the introduction of invasive species and methods to control their spread over the life of the project.
- discuss and describe appropriate buffer zones to avoid or reduce indirect effects of construction to streams and wetlands (which may vary depending on the wetland community type described). The EIS should include enough information to show the type and location of wetlands in the project area. This information will help us to assess the potential impacts of the proposed action and to determine the effectiveness of the mitigative measures proposed.
- include a comprehensive discussion of measures to further reduce impacts to water bodies and aquatic organisms along the pipeline routes including the use of directional drilling and time of year restrictions to control instream construction work periods. We recommend that the EIS also provide detailed contingency plans that fully describe the process that will be followed should the chosen construction technique prove unsuitable (for example, failure of the directional drilling). EPA suggest that this process description identify other potential construction techniques and the approvals necessary before a major modification can be made to agreed-upon (and permitted) construction protocols.

Finally, the EIS should also describe a strategy for determining adequate mitigation to compensate for all unavoidable direct, indirect and cumulative wetland impacts from construction and operation of the project as well as impacts to state and federally listed endangered and threatened species. We recommend that this strategy specifically describe the methodology that will be used to determine the amount and type of mitigation that will be necessary to address loss of both wetland acreage and function and the approach that will be used to develop an appropriate mitigation package. In general, we found the description of wetland impacts provided in Table 2.3-8 of the Water Use and Quality Report helpful as it categorizes impacts by wetland type and whether the impact is related to operation or construction.

However, the analysis would better support future mitigation planning and permitting if it includes a clear presentation of the following impacts:

- Direct Impacts (the placement of fill) to wetlands, streams and vernal pools’
- Temporary Impacts (alteration to wetlands, that will grow back to existing form; for example, cutting trees and the use of swamp mats for the construction process) to forested, shrub and emergent plant communities.
- Indirect Impacts including the permanent conversion of forested wetlands to scrub-shrub wetlands; permanent conversion of forested wetlands to emergent wetlands; removal of forested cover (upland or wetland) within 100’ of any vernal pool; and removal of forested cover (upland or wetland) within 100’ of any stream

Air Quality Analysis

General Conformity

The Northeast Energy Direct Project will be located in portions of Pennsylvania, New York, Massachusetts, New Hampshire, and Connecticut. The broad scale project map for New England indicates that the project may be located within a number of carbon monoxide attainment areas with current maintenance plans in place (Hartford-New Britain-Middletown area, Connecticut, and Lowell area, Massachusetts) as well as an ozone nonattainment area (Greater Connecticut 2008 marginal nonattainment Area, Connecticut). Project components located within these areas need to be evaluated for applicability to the Federal General Conformity regulations. (The General Conformity regulations can be found at 40 CFR 93.150 - 165.) Specifically, if the total of direct and indirect emissions of a criteria pollutant or precursor in a nonattainment or maintenance area caused by a Federal action would equal or exceed the applicability thresholds established in 40 CFR 92.153, the requirements of general conformity must be satisfied.

A list of the nonattainment areas and attainment areas with a current maintenance plan in place within Connecticut, Massachusetts, and New Hampshire are identified in the following chart. General conformity is applicable in these areas. Complete air quality classifications can be found in 40 CFR 81 “Designation of Areas for Air Quality Planning Purposes.” New York’s air quality classifications can be found at section 81.333, and Pennsylvania’s air quality classifications can be found at section 81.339. In addition, the chart identifies the general conformity applicability thresholds from 40 CFR 93.153, in tons per year (tpy), for each of these areas:

National Ambient Air Quality Standard (NAAQS)	Name of Area	Air Quality Designation	General Conformity Thresholds (tpy)
<u>Pennsylvania</u>			
2008 ozone NAAQS	Allegheny, Armstrong, Beaver, Berks, Bucks, Butler, Carbon, Chester, Delaware, Fayette, Lancaster, Lehigh, Montgomery, Northampton, Philadelphia, Washington and Westmoreland.	Nonattainment	VOC: 50 NOx: 100
2012 PM Standard Fine	Allegheny, Delaware, Lebanon S02, andNOx	Nonattainment	Direct PM2.s, (unless

Particulate Matter (PM2.s) NAAQS			determined not to be a significant precursor): 100 VOCor ammonia (if determined to be significant precursors): 100
200624-HourPM2.5 NAAQS	Allegheny (Liberty-Clairton), Allegheny (remainder), Armstrong (P), Beaver, Bucks, Butler, Cambria, Chester, Cumberland, Dauphin, Delaware, Greene (P), Indiana (P), Lancaster, Lawrence (P), Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, Washington, Westmoreland and York.	Nonattainment (unless determined to be	Direct PM2.s, S02, andNOx determined not to be a significant precursor): 100 VOC or ammonia (if significant precursors): 100
Carbon Monoxide (CO)	All areas of PA	Attainment	
2010 Sulfur Dioxide NAAQS (S02)	All areas of PA	Attainment	
Connecticut see 40 CFR 81.307			
2008 ozone NAAQS	Greater Connecticut	Marginal Nonattainment	VOC: 50 NOx: 100
2008 ozone NAAQS	Connecticut Portion of New York-Northern New Jersey-Long Island, NY-NJ-CT City of New Haven	Marginal Nonattainment	VOC: 50 NOx: 100
		Attainment with a limited maintenance plan in place (Effective 12/12/2005)	PMIO: 100
1997 Annual Fine Particulate Matter (PM2.s) NAAQS	Connecticut Portion of New York-Northern New Jersey-Long Island, NY-NJ-CT	Attainment with a maintenance plan in place (Effective 10/24/2013)	Direct PM2.s, S02, and NOx (unless determined not to be a significant precursor): 100 VOCor ammonia (if 12 determined to be

200624-Hour PM2.5 NAAQS	Connecticut Portion of New York-Northern New Jersey-Long Island, NY-NJ-CT	Attainment with a maintenance plan in place (Effective 10/24/2013)	significant precursors): 100 Direct PM2.5, SO2, and NOx (unless determined not to be a significant precursor): 100 VOC ammonia (if determined to be significant precursors): 100
Carbon Monoxide (CO)	New Haven-Meriden-Waterbury	Attainment with a limited maintenance plan in place (Effective 12/04/1998)	CO: 100
CO	Hartford-New Britain-Middletown	Attainment with a limited maintenance plan in place (Effective 01/02/1996)	CO: 100
CO	Connecticut Portion of New York-Northern New Jersey-Long Island	Attainment with a limited maintenance plan in place (Effective 05/10/1999)	CO: 100
Massachusetts see 40 CFR 81.322			
2008 Ozone NAAQS	Dukes County, Massachusetts	Marginal Nonattainment	VOC: 50 NOx: 100
Carbon Monoxide (CO)	Boston area	Attainment with a maintenance plan in place (Effective 04/01/1996)	CO: 100
CO	Lowell area	Attainment with a limited maintenance plan in place (Effective 04/22/2002)	CO: 100
CO	Springfield area	Attainment with a limited maintenance plan in place (Effective 04/22/2002)	CO: 100 13
CO	Waltham area	Attainment with a limited maintenance plan	CO: 100

		in place (Effective 04/22/2002)	
CO	Worcester area	Attainment with a limited maintenance plan in place (Effective 04/22/2002)	CO: 100
<u>New Hampshire</u> see 40 CFR 81.330			
Carbon Monoxide (CO)	Manchester Area (City of Manchester)	Attainment with a limited maintenance plan in place (Effective 01/29/2001)	CO: 100
CO	Nashua Area (City of Nashua)	Attainment with a limited maintenance plan in place (Effective 01/29/2001)	CO: 100
2010 Sulfur Dioxide NAAQS (SO ₂)	Central New Hampshire, New Hampshire	Nonattainment	SO ₂ 100

On March 6, 2015 (80 FR 12264), EPA published the Final Rule for “Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements.” This final rule revoked the 1997 eight hour ozone National Ambient Air Quality Standard effective April 6, 2015; hence, conformity is no longer applicable to the 1997 eight hour ozone NAAQS, and accordingly, is not addressed in the above chart.

EPA is available to work with the Federal Energy Regulatory Commission (FERC) during the development of the EIS to help address general conformity and insure general conformity is satisfied prior to any trigger of the “take or start Federal action” requirement.

Reducing Diesel Emissions

Given the public health concerns about diesel exhaust from heavy duty diesel trucks and other heavy duty construction equipment, EPA encourages the project proponent to commit to the use of newer vintage diesel engines where possible. Alternatively, we encourage the project proponent to require diesel retrofits where practicable, require the use of cleaner fuels, and institute idle reduction measures to minimize emissions from diesel construction equipment.

Retrofit technologies may include EPA verified emission control technologies and fuels and CARB-verified emission control technologies. A list of these diesel exhaust control technologies can be accessed at <http://epa.gov/cleandiesel/verification/verif-list.html>. In addition, the Northeast Diesel Collaborative has prepared model construction specifications to assist in developing contract specifications that would require construction equipment to be retrofitted with control devices and use clean fuels in order to reduce diesel emissions. The model construction specifications can be found on the Northeast Diesel Collaborative web site at URL address <http://northeastdiesel.org/pdf/NEDC-Construction-Contract-Spec.pdf>. We recommend that FERC identify specific exhaust emission mitigation measures in the EIS and require a binding commitment from the applicant to implement these measures to help reduce and minimize the air quality impacts from construction of the proposed project.

Regional Impacts of the Project

In addition to the typical analysis of air pollution from construction impacts and operation of the project, we suggest that the EIS also include an assessment of the air quality impacts associated with additional natural gas supplies in the region and their potential to offset the combustion of other fossil fuels in both the heating and electric power generation sectors.

State Air Permits and Licensing

New or modified compressor stations may be subject to state air quality permitting or other state air quality emission regulations. We encourage the applicant to coordinate early on with the appropriate State Air Quality Agencies to identify applicable requirements. The EIS should describe these requirements in detail, especially the opportunities for public involvement regarding siting, and mitigation for impacts associated with operations of the compressor station facilities. The EIS would be improved by including in the siting discussion an explanation of . how much flexibility in compressor station siting exists along the pipeline route and whether/how the compressor station locations suggested for the project avoid/minimize community impacts.

Greenhouse Gas Emissions

We recommend that FERC use the Council on Environmental Quality's December 2014 revised draft guidance for Federal agencies' consideration of GHG emissions and climate change impacts in NEPA to help outline the framework for its analysis of these issues. Accordingly, we recommend the EIS include an estimate of the GHG emissions associated with the project, qualitatively describe relevant climate change impacts, and analyze reasonable alternatives and/or practicable mitigation measures to reduce project-related GHG emissions. More specifics on those elements are provided below. In addition, we recommend that the NEPA analysis address the appropriateness of considering changes to the design of the proposal to incorporate GHG reduction measures and resilience to foreseeable climate change. We recommend that the draft and final EIS make clear whether commitments have been made to ensure implementation of design or other measures to reduce GHG emissions or to adapt to climate change impacts.

More specifically, we suggest the following approach:

- Include in the "Affected Environment" section of the EIS a summary discussion of climate change and ongoing and reasonably foreseeable climate change impacts relevant to the project, based on U.S. Global Change Research Program" assessments, to assist with identification of potential project impacts that may be exacerbated by climate change and to inform consideration of measures to adapt to climate change impacts. (Among other things, this will assist in identifying resilience-related changes to the proposal that should be considered).
- Include in the "Environmental Consequences" section of the EIS an estimate of the direct and indirect GHG emissions associated with the proposal and its alternatives. Example tools for estimating and quantifying GHG emissions can be found on CEQ's NEPA.gov website",
- Describe measures to reduce GHG emissions associated with the project, including reasonable alternatives or other practicable mitigation opportunities, and disclose the estimated GHG reductions associated with such measures. The DEIS alternatives analysis should, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change. EPA further recommends that the FERC certificate requires implementation of reasonable mitigation measures that would reduce or eliminate project-related GHG emissions.

Environmental Justice

Pursuant to Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority and Low-Income Populations, "Each Federal Agency shall analyze the environmental effects, including human health, economic and social effects, of Federal actions, including effects on minority communities and low-income communities, when such analysis is required by NEPA. Mitigation measures outlined or analyzed in an environmental assessment, environmental impact statement, or record of decision, whenever feasible,

should address significant and adverse environmental impacts of proposed Federal actions on minority communities and low-income communities.” We encourage FERC to fully consider environmental justice issues as it prepares the EIS for the project.

Guidance” by CEQ clarifies the terms low-income and minority population (which includes Native Americans) and describes the factors to consider when evaluating disproportionately high and adverse human health effects. The EIS should include an evaluation of environmental justice populations within the geographic scope of the project. Assessment of the project’s impact on minority and low income populations should reflect coordination with those affected populations.

We suggest that census tract level data be used to determine the presence of low-income and minority populations in the project area that may be potentially impacted. We recommend comparing census tract or community level data to state population data in order to ensure that minority and low-income populations are properly identified. Community level data is the most useful in that it captures EJ populations that may be present at the municipal level but not identifiable when the analysis occurs at a broader level. This approach will ensure that the presence of minority and low-income populations are not artificially diluted or inflated and that the characteristics of the potentially affected communities are identified in order to evaluate potential impacts from the proposed action.

EPA’s EJSCREEN is an environmental justice screening and mapping tool that utilizes standard and nationally consistent data to highlight places that may have higher environmental burdens and vulnerable populations. EJSCREEN can be accessed at <http://www2.epa.gov/ejscreen>.

We recommend the EIS also describe outreach and public involvement conducted to all other communities that could be affected by the project, since rural communities may be among the most vulnerable to health risks associated with the project. Please refer to EPA’s EJ website for additional information.

Impacts to Health & Monitoring of Project Impacts

We recommend that the EIS discuss and analyze the potential for health impacts to host communities from compressor station emissions. If this project specific information is not available, EPA recommends that FERC consider requiring that the applicant prepare a compressor station monitoring plan to assess emissions from project compressor stations along the route to address citizen concerns regarding facility emissions over the life of the project. EPA suggests that the EIS also discuss the complete range of mitigation measures/design technologies that will be implemented to reduce emissions from project compressor stations during all phases of project operation.

EPA also suggests that FERC assess potential health impacts stemming from construction and operation of the proposed project. This analysis could include direct, indirect, and cumulative environmental, human health, sociocultural, and economic impacts of the proposed pipeline and associated infrastructure such as compressor stations. The analysis could consider input from stakeholders to determine the potential effects of a proposed project on the health of a population, determine the distribution of those effects within the population, and identify recommendations on monitoring and managing those effects.

Children’s Health Issues

Pursuant to Executive Order 13045 on Children’s Health and Safety, we recommend the EIS identify and assess environmental health and safety risks that may disproportionately affect children. Analysis and disclosure of these potential effects under NEPA is important because some physiological and behavioral traits of children render them more susceptible and vulnerable than adults to health and safety risks. Children may be more highly exposed to contaminants because they generally eat more food, drink more water, and have higher inhalation rates relative to their size. Also, children’s normal activities, such as putting their hands in their mouths or playing on the ground, can result in higher exposures to contaminants as compared with adults. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and their growing organs are more easily harmed.

We believe that an analysis of impacts to children from construction and operation of the pipeline should

be included in a NEPA analysis if there is a possibility of disproportionate impact on children related to the proposed action. EPA views childhood as a sequence of lifestages. Therefore, exposures to children at each lifestage, as well as pregnant and nursing women, are relevant and should be considered when addressing health and safety risks for children.

Because children can be more susceptible to noise levels, mobile source air pollution, construction dust, and the chemicals associated with building and construction materials, we recommend that the NEPA analysis specifically address the potential direct, indirect, and cumulative impacts of the proposed project on children's health, including consideration of prenatal exposures (exposures that may be experienced by pregnant women).

For more information on how to characterize and address children's exposures and susceptibilities to pollutants of concern, please see our August 14, 2012 memo "Addressing Children's Health through Reviews Conducted Pursuant to the National Environmental Policy Act and Section 309 of the Clean Air Act. 10

Please contact Kathleen Nagle, EPA New England's Children's Environmental Health . Coordinator at 617-918-1985 with any questions regarding the consideration of Children's Health issues.

Tribal Coordination

The NOI explains that FERC is using the scoping process to solicit the views of interested Indian tribes and the public on the project's potential effects.

Since several federally recognized tribes claim cultural affiliation with at least some of the impacted areas of the proposed area of potential effect, it is recommended that all tribes in the impacted states be invited as a consulting party.

- In New England, this includes the Mashantucket Pequot Tribal Nation, the Mohegan Tribe, the Narragansett Indian Tribe, the Wampanoag tribe of Gay Head (Aquinnah), the Mashpee Wampanoag Tribe, the Penobscot Indian Nation, the Houlton Band of Maliseet Indians, the Aroostook Band of Micmacs, and the Passamaquoddy Tribe. Additionally, the Stockbridge-Munsee Band of Mohican Indians, headquartered in Bowler, Wisconsin, likely claims cultural affiliation with a portion of the area of potential effect (APE) that traverses western Massachusetts, and may be interested as a consulting party.
- In New York, this includes the Oneida Nation, Onondaga Nation, Seneca Nation, Cayuga Nation, Tuscarora Nation and the Shinnecock Nation.
- In Pennsylvania, there are two federally recognized tribes currently residing in Oklahoma that may claim cultural affiliation with the proposed APE, as their ancestral homelands include sections of Pennsylvania. These tribes include the Delaware Tribe of Indians (<http://delawaretribe.org/services-and-programs/historic-preservationstates-and-countiescovered-by-dthpo/>) and the Delaware Nation (<http://delawarenation.com/>).

Pipeline Construction

We recommend the EIS for the NED project specifically address the following issues:

- Pipeline materials and corrosion protection proposed for the pipeline;
- How pipe sections will be joined and how leaks will be detected and addressed;
- Measures to protect the pipeline should it pass under a heavily trafficked road to prevent damage from heavy loads;
- Proposed trench backfill material and a description of precautions to avoid damage to the pipe or its coating.

Analysis of Indirect and Cumulative Impacts

The Council on Environmental Quality's (CEQ) NEPA regulations require EISs to evaluate growth-inducing changes in the pattern of land use, population density or growth rate, and related effects on air and water and

other natural systems that result from the proposed action and alternatives. The regulations define indirect (sometimes called ‘secondary’) effects as those “which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable.” The regulations state that impacts include ecological, aesthetic, historical, cultural, economic, social, or health impacts, whether direct, indirect, or cumulative. The CEQ NEPA regulations define cumulative impacts as “ ... 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.” We also recommend that detailed account of cumulative impacts that will occur due to the construction and operation of both Constitution Pipeline and the NED be included in the EIS. We recommend that other proposed or existing pipeline projects (looping or laterals) that are associated with proposed portions of the NED pipeline be considered in the cumulative impacts analysis.

Footnotes:

- 1 We recommend that the wetland assessment be prepared in a manner consistent with the Army Corps of Engineers New England District (formerly the New England Division) descriptive approach to wetland assessment as presented in The Highway Methodology Workbook Supplement Wetland Functions and Values A Descriptive Approach, NEDEP-360-1-30a, dated November 1995.
- 2 We note that under Section 404 of the Clean Water Act these types of impacts are referred to as “secondary impacts,” but that for clarity and consistency we are using the term “indirect impacts” in this letter.
- 3 The US Army Corps of Engineers (Corps) New England District Compensatory Mitigation Guidance can be found at:
<http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/CompensatoryMitigationGuidance.aspx>. Also, the EIS should describe how the project will be consistent with the Corps 2008 Mitigation Rule (also discussed in detail at the Corps website).
- 4 It would also be helpful if the EIS discusses and considers the NH Wildlife Action Plan in a similar fashion as the Massachusetts Bio-map, Using the maps entitled, the Highest Ranked Wildlife Habitat by Ecological Condition, should highlight if any new alignment passes through any of the highest ranked habitat in NH (pink color) or the Highest ranked habitat in the biological region (green color). If any new alignments are located in these valuable areas, the EIS should explain why the proposed alignment will be the least damaging alternative.
- 5 We recommend that the EIS identify the number of pools what would be impacted directly by the project (with the number impacted being more important than the total acres of vernal pool impacted). However, secondary impacts to vegetation within 100’ of the vernal pools can remain as a simple total of square feet.
- 6 <http://www.globalchange.gov/>
- 7 https://ceq.doe.gov/current_developments/GHG_accounting_methods_7Jan2015.html
- 8 Environmental Justice Guidance under the National Environmental Policy Act, Appendix A (Guidance for Federal Agencies on Key Terms in Executive Order 12898), CEQ, December 10, 1997.
- 9 <http://www.epa.gov/ey/environmentaljustice/>
- 10 <http://www2.epa.gov/sites/production/files/2014-08/documents/nepa-childrens-health-memo-august-2012.pdf>
{ end of 20151016-4091 }

20151016-4095

{ partial copy (pages 16-32, footnotes 31-84) of MA AGO’s Scoping comments. }
{ see 20151019-5118 below for full document, which can also be downloaded at: }
{ <http://www.mass.gov/ago/docs/energy-utilities/scoping-comments-ferc.pdf> }

20151016-4096

{ skip to end of 20151016-4096 }

Mount Grace Conservation Trust
1461 Old Keene Road, Athol, MA 01331-9734
Phone: (978)248-2043 Fax: (978)248-2053

October 16, 2015

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

Re: Scoping Period Comments on the Proposed Northeast Energy Direct Project FERC Docket PF-14-22-000, Tennessee Gas Pipeline Company, LLC

Dear Secretary Bose,

Mount Grace Land Conservation Trust (“Mount Grace”) respectfully requests further study and subsequent inclusion of complete, detailed information in the Environmental Impact Statement for the Northeast Energy Direct Gas Pipeline Project proposed by Tennessee Gas Pipeline Company, LLC (“Proposed Pipeline”, “Project”, or liNED”) on the subjects of concern identified below. These comments are made in response to Tennessee Gas Pipeline Company’s (“TGPII) Draft Environmental Resource Reports submitted to the Federal Energy Regulatory Commission (“FERC” or “Commission”) on July 24, 2015 (“Resource Reports” or “RR”).

Mount Grace is a Massachusetts charitable corporation established in 1986 for the purposes outlined in its Articles of Organization: “(a) to preserve, to protect, and to promote for present and future generations the balanced use of the remaining open space lands which contribute to the unique rural quality of western Massachusetts, southern New Hampshire, and southern Vermont; (b) ... ; (c) to assist local governments and citizen organizations to develop the practice of balanced land use that furthers the land planning policies of our area consistent with the above stated goals; and (d) to further develop in our area’s residents, an appreciation and understanding of the inter-relationships between people and their shared environment that must be recognized, established, and maintained to ensure the survival of all species.”

The core geographic region of Mount Grace’s operations includes twenty-three north-central Massachusetts towns in Franklin and Worcester Counties. Mount Grace also operates a statewide AmeriCorps program throughout Massachusetts and holds a conservation easement on land in the New Hampshire towns of Winchester and Hinsdale. Since 1986, Mount Grace has helped permanently protect more than 29,000 acres working with federal, state, municipal, charitable, and private individual partners and funders.

Directly Affected Landowner

Mount Grace is a landowner directly affected by the NED, as we own conservation land on the proposed pipeline route in Erving, MA between mileposts (“MplI) 16 and 17 and adjacent (within .25 mile) to the proposed pipeline route in Warwick, MA near MP 28. Mount Grace also holds conservation easements (synonymous with conservation restrictions under MGL c. 184, s. 31-33) on land adjacent to the proposed pipeline route in Northfield, MA near MP 28 and in Montague, MA near MP12. In addition, Mount Grace has facilitated the conservation of several other permanently protected lands directly affected by the NED in Northfield, MA on the Proposed Pipeline route and adjacent to the planned Compressor Station at MP24, in some instances pre-acquiring and later conveying the land or easement to the Commonwealth of Massachusetts or Town of Northfield explicitly for conservation purposes.

The 23-town primary service area of Mount Grace is well-documented as a highly-intact and threatened landscape that provides extensive environmental, health, recreational, cultural, and economic benefits to local communities and the general public. For example, a 2009 study by the United States Forest Service ranked the Millers River Watershed, which covers nearly half of Mount Grace’s core service area, as one of the nation’s watersheds whose high water quality is most threatened by increased development density on private forest lands.’

Assessing Public Benefits and Adverse Effects

In order for FERC to meet its statutory obligations, a full and complete accounting of adverse impacts (net mitigation) to property rights, the environment, and communities must be made in order to determine that there exists a net public benefit from the NED project.’

Three independent reports compiled since 2003 indicate that of Massachusetts’ five million acres: one million has been developed, one million has been conserved, and a strategically selected half of the remaining three million acres must be conserved to sustain the ecosystem services, biodiversity, food and water sources, and quality of life in the Commonwealth. The NED would diminish both already conserved resources and the quality of other natural resources that have been identified as priorities for future protection. Comprehensive acquisition and replacement costs of lands that will be lost completely and those that will be

Co-location and Relocation to New Hampshire

Mount Grace does not support the Proposed Pipeline, either as proposed in the November 2014 Preliminary Application or as relocated by TGP’s amended preferred route as outlined in a December 8, 2014 filing with FERC. The revised route relies heavily on the broad assumption that co-location, most often parallel and adjacent to electric transmission line easements, inherently reduces environmental impact. This assumption has not yet been explicitly analyzed, compared, or documented. Contrary to public perception, co-location would require as much or more deforestation. TGP has described, and in documented instances demarcated on the ground, that frequently a 100+/- buffer of trees, in forested areas, would exist between the edge of the existing easement clearing and trees cleared in the proposed co-located easement for the NED. Narrow stands of trees suddenly exposed to increased wind are highly susceptible to wind-throw. Such risks must be detailed in the forthcoming draft Environmental Impact Statement (“EIS”).

Of approximately 81 miles of co-location in Massachusetts, only three miles are co-located with an underground pipeline. (TGP RR Table 8.1-3) FERC must require a thorough comparison between co-locating the greenfield NED pipeline along existing overhead transmission line routes and other route alternatives, with particular attention to impacts to wetlands, tree cover, steep slopes, other erosion prone areas, and intact forest blocks.

It is stated by TGPs that the December 2014 reroute will cross fewer Article 976 properties in Massachusetts. However, this is only achieved by moving seventy-seven miles of the pipeline out of Massachusetts altogether and into New Hampshire, a jurisdiction which will receive a disproportionately low amount of any project benefit. Mount Grace is a founding member of the Quabbin to Cardigan (Q2C) Partnership”, a two-state, 100-mile conservation focus area initiative established in 2003 by public and private conservation entities in Massachusetts and New Hampshire. Several affected New Hampshire towns are within the Q2C region. The revised route is equally incompatible with the goals of the Q2C Partnership as the initially filed route.

It is worthwhile noting here that TGP’s July 24, 2015 filing reflects a reduction of the original project size (so-called “benefit”) from 2.2 Bcf/day to 1.3 Bcf/day of gas yet delivers substantially equivalent negative impacts to property rights, terrestrial and aquatic natural resources, and community interests.

Soils and Geologic Resources

Steep slopes with certain soil attributes are evidencing increased landslide occurrences resulting from increased incidences of intense rain events due to increased atmospheric moisture from rising global temperatures. The risk of such events is mapped and documented in a 2013 study” by the Massachusetts State Geologist prepared for the Federal Emergency Management Agency, the Massachusetts Emergency Management Agency, and the Massachusetts Department of Conservation and Recreation. The risks and associated costs of road repair and surface water sedimentation, among other impacts, have not yet been fully or adequately described in TGP’s Resource Reports. Many public (and private) conservation lands impacted by the proposed NED contain such vulnerable steep slopes, for example, Potter Mountain in the Pittsfield State Forest.

Benefits of Conservation Land

In Massachusetts, there remain at least 85 properties subject to Article 97 Constitutional protection, of a total of at least 110 legally conserved properties, directly impacted by the Proposed Pipeline. Massachusetts' public and private lands, and areas subject to conservation and other preservation restrictions (collectively, "Conservation Areas") must be appropriately considered in FERC's review of the costs and benefits of the Project.¹ These Conservation Areas provide important environmental benefits as well as significant economic and other social values to land owners and surrounding communities.

Massachusetts invests upwards of \$30 million dollars of public, tax-payer funds per year in acquiring and otherwise permanently conserving land and easements in order to protect their economic, environmental, health, and social benefits. FERC must, and should, consider the impacts of the Proposed Pipeline on these environmental and economic resources when determining if the Proposed Pipeline 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 Proposed Pipeline, its determinations of environmental impacts, required mitigation, and Certificate conditions must fully account for the benefits of all public and private Conservation Areas that will be impaired by the Proposed Pipeline. 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.

FERC Must Consider the Benefits of Conservation Areas and Mitigate Risks to Such Resources

Should FERC determine, even in the face of lost benefits, that the Project is in the public interest, it must ensure that any such harms are mitigated. Specifically, FERC should consider the impacts to Conservation Areas and the benefits they provide when:

- (1) Balancing the Proposed Pipeline'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 Proposed Pipeline is in the public interest); and
- (3) Imposing conditions on the Certificate (assuming the Commission determines the Proposed Pipeline is in the public interest and complies with NEPA).

FERC's Public Interest Assessment

Before approving the Proposed Pipeline, 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 Proposed Pipeline is in the public interest."

As touched upon more below, the Proposed Pipeline would impair many benefits provided by Conservation Areas. The Commission must adequately account for the specific harms to Conservation Areas and the benefits they provide, including harms 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."

Conservation Areas provide benefits that have significant direct economic value and contributions to property owners and the Commonwealth's economy. Many omissions of well-established public and private Conservation Areas persist in TGP's recent Resource Reports. These Conservation Areas are a matter of record readily available from numerous sources including official internet services of the Massachusetts Registry of Deeds. To fully weigh the cumulative adverse impacts to Conservation Areas, the draft EIS must include a

full and accurate listing and a description of each Conservation Area parcel adversely affected by the Proposed Pipeline.

Federal Conservation Lands and Interests

Accuracy of all information provided in Resource Reports (RR) by the Project proponent is put into question when omitted or overlooked information includes:

RR 8.3.1.1.1 Numerous federal holdings in lands not outlined in the RR include federal investments and interests in the New England National Scenic Trail, administered, in part, by the National Park Service (NPS), including a hiker's cabin constructed with NPS funds on private land (owned by Richardson in Northfield, MA) conserved with funds from the United States Forest Service (USFS) Forest Legacy Program on June 27, 2011 as recorded at Franklin County Registry of Deeds Book 6034, Page 179. In addition, the United States Department of Agriculture (USDA) holds interests in numerous agricultural easements on the Proposed Pipeline route include the Williams Farm in Deerfield, MA conserved on June 29, 2004 as recorded at Franklin County Registry of Deeds Book 4633, Page 221 and signed by the Natural Resource Conservation Service on behalf of the United States of America at page 39.

Federal Conservation Lands; Sample Published Description Excerpts

Northeastern Area Forest Legacy Program (FLP) The Tract Record

Third Quarter FY 2011

Protecting the New England National Scenic Trail in Massachusetts

Along the New England National Scenic Trail and its viewshed, the Metacomet-Monadnock Forest (MMF) Forest Legacy project continued to conserve land for active forestry and public recreation with three project closings on June 27, 2011. Sam and Barbara Richardson granted a conservation restriction (CR) to the Town of Northfield. The Town's conservation commission will administer and monitor the CR. The 38-acre parcel includes 1,800 feet of the New England National Scenic Trail as well as two spectacular scenic overlooks atop Alexander Hill. The Richardsons sold the CR for the fair market value for \$21,000 in FLP funds

[Another] tract had **Mount Grace Land Conservation Trust** sell a neighboring 123-acre parcel [pre-acquired from **Northfield Mount Hermon School**] to the Town for the appraised value of \$185,000 in FLP funds. The acquisitions are adjacent to the 48-acre Town of Northfield Brush Mountain Conservation Area, which also includes a segment of the New England National Scenic Trail.

Other cost-share was previously acquired through lands previously donated to the Metacomet-Monadnock Forest (MMF) project. These tracts are joined by eight other tracts in the MMF project containing fee and conservation restriction acquisitions and donations that protect a total of 1,052 acres of forests over a several mile-wide expanse and protecting many parts of the New England National Scenic Trail along with other forest values.

Northfield Mount Hermon

Parent Update

January 2012

National Scenic Trail

NMH has helped protect a section of New England's National Scenic Trail by selling 117 acres of land to the Mount Grace Land Conservation Trust, a regional organization that serves 23 towns in Franklin and Worcester counties. Located across from the Northfield Town Forest, the parcel includes part of Northfield's Great Swamp. Mount Grace plans to transfer the property to the Massachusetts Department of Conservation and Recreation (DCR) in 2012, when it will be added to the Northfield State Forest.

FERC's consideration of adverse consequences to a comprehensive list of all federal and other 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 Proposed Pipeline's impacts. In addition, as discussed above, Massachusetts' historic economic investment in Conservation Areas, including by direct investments and foregone state (301 CMR 14.00) and federal (26 U.S.c. §170(h) and others) tax revenues (deductions and credits), need

to be weighed against any demonstrated benefits of the proposed Project. All of these investments must be fully accounted for and impacts avoided and minimized to the greatest extent practicable, or fully mitigated.

Eminent Domain

In assessing whether the Proposed Pipeline is in the public interest, FERC must specifically consider the extent to which TGP will exercise eminent domain authority to obtain access to land required for the Proposed Pipeline. (Assuming FERC issues TGP a Certificate, Section 7(h) of the Natural Gas Act grants the company the right to condemn private (and public) property for the Proposed Pipeline 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.1"

A pipeline route that goes through Conservation Areas will require an increased exercise of eminent domain. Many Conservation Areas are subject to restrictions, held either by public agencies or by qualified "nonprofit conservation organizations, that limit the holder's right to grant permission for activities such as drilling or excavation or uses that would conflict with allowed uses and the unique conservation purposes of the particular property. For example, The Commonwealth of MA Executive Office of Energy and Environmental Affairs ("EEA") sample conservation restriction prohibits holders from authorizing any construction or other activity that is inconsistent with the purpose of the restrictions." 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 public or charitable 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 Proposed Pipeline, TGP would likely need to exercise eminent domain authority to take any municipal land required for the Proposed Pipeline. **FERC should assume that the Proposed Pipeline would require a significant exercise of eminent domain, thus increasing the required level of demonstrated public benefits that the Project must supply in order to be in the public interest.**

Other more reasonable and reasonably-sized proposals to adequately meet the energy needs of the region put forth to date necessitate only a tiny fraction of the amount of eminent domain that would be required by the NED to be exercised against private, municipal, charitable, and state lands.

Eminent domain is recognized as a tool of last resort to be wielded only when it is for a necessary or appropriate purpose.

NEPA Environmental Review Process

The National Environmental Policy Act ("NEPA", 42 U.S.c. §4321 et seq.) requires federal agencies to consider potential environmental impacts of an action or authorization of an action. With respect to the Proposed Pipeline, FERC has stated that it will prepare an Environmental Impact Statement ("EIS") as part of the NEPA process." Should the Commission determine that the Proposed Pipeline would be in the public interest, the EIS must consider the significant environmental value of Conservation Areas that would be impacted by the Proposed Pipeline 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.

46 Fed. Reg. 18,026 (Q. 19a) (March 23, 1981). Thus, even individual or smaller harms to Conservation Areas must be evaluated and mitigated.

A full set of mitigation measures cannot be identified and considered until TGP presents further information about the Project and its impacts. However, by way of example, potential mitigation measures could include requiring TGP to:

- Fund Conservation Area establishment in each of the affected towns, of equivalent size, context, and function.
- Fund the creation of “travellanes or corridors” of sufficient width for animals where habitat is fragmented.

State and Local Plans and Laws

The EIS must address how inconsistencies between the proposed Project and any State or Local plan or law will be reconciled.” Thus, the EIS should examine the Proposed Pipeline’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), the Global Warming Solutions Act (M.G.L. c. 21N) and Clean Waters Act (M.G.L. c. 21, §§ 26-35), the Public Shade Tree Act (M.G.L. c.87), Taxation of Forest, Agricultural, and Recreation Lands (M.G.L. c. 61, c. 61A, and c. 61B), the Massachusetts Eminent Domain statute (M.G.L. c. 79) and local laws, including, but not limited to, municipal wetlands ordinances and bylaws and regional plans developed with municipalities by Regional Planning Agencies, such as the Franklin Regional Council of Government’s 2014 report, Sustainable Franklin County: A Regional Plan for Sustainable Development.

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” (is 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 thorough information for a complete 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 public commitment to seek an Article 97 vote from the Massachusetts legislature.P 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.”?’

Massachusetts Laws and Policies Promote Defense of Conservation Areas

Routing extensive lengths of the NED (currently greater than 25%) through Conservation Areas would directly and egregiously 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 Pipeline, even if the normal implementation of certain statutory protections is preempted by the Natural Gas Act.²² At a minimum, should FERC issue a Certificate for the Proposed Pipeline, we urge the Commission to implement the Massachusetts Executive Office of Energy and Environmental Affairs' (EEA) policy of "No Net Loss" of Article 97 properties (discussed below), and to apply that objective to all Conservation Areas, public or nonprofit, as a condition of its approval of the Proposed Pipeline.

Accuracy of all information provided in Resource Reports (RR) by the Project proponent is put into question when omitted or overlooked information includes:

RR 8.3.1.1.2 State interests in lands not described or addressed include numerous state investments and interests such as a complete lack of reference to the New England National Scenic Trail passing through the Northfield State Forest and intersecting with the Proposed Pipeline two times north of Alexander Hill Road in the Northfield State Forest.

Article 97 of the Massachusetts Constitution

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.

Massachusetts Constitution, 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."²³

Article 97 enables the Massachusetts legislature to acquire lands and easements, 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 Proposed Pipeline would cross Article 97 lands in a manner that would require a two-thirds vote by the Massachusetts legislature.

EEA's implementation of Article 97 includes an "Article 97 Land Disposition Policy," which iterates that EEA, 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." A condition for an exception to EEA's general rule of nondisposition 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 [EEA] and its agencies," must be granted to the party disposing Article 97 property." This "No Net Loss" policy of Article 97 helps protect the constitutional rights of the citizens of Massachusetts." Compliance with the provisions of the "No Net Loss" policy is required by rule and by practice for each individual parcel subject to Article 97.

Release of Public and Charitable Conservation Restrictions, Dedications, and Trusts

The Constitutional right to a clean environment is further reflected in the Commonwealth's laws, which create substantive and procedural protections that may also 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 councilor town selectmen; and
- A restriction that was initially approved by EEA cannot be released without approval from EEA.

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. TGP must be required to thoroughly identify all lands subject to public and charitable restrictions and dedications that would be adversely affected by the Proposed Pipeline, as well as the subsequent specific harms which would incur to the public interest in order to provide sufficient cost: benefit analysis and/or mitigation.

Public Trust, Prior Public Use, and Charitable Public Trust

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 Connecticut River, which is located in Mount Grace's service area), great ponds (>10 acres), and the lands beneath them are held in trust by the Commonwealth for the benefit of the public." Lands protected under the public trust can be relinquished only by a vote of the legislature in furtherance of a "proper public purpose.t?" 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."?" TGP must be required to thoroughly identify all public trust and prior public use lands and resources that would be adversely affected, and the subsequent specific harms which would incur to the public interest in order to provide sufficient cost: benefit analysis and/or mitigation.

Fiduciary duties, at both the state and federal level, imposed by explicit and implied Public Charitable Trusts and Charitable Trusts limit decision making latitude in governing bodies of public entities and nonprofits, respectively.'? Charitable trusts In Massachusetts, the Attorney General has an express role by statute in the case of charitable/public trusts." TGP must list parcels covered by charitable and public trust requirements and describe how it will avoid, minimize, or mitigate related negative impacts to the public interests affected. For many parcels along the proposed NED route the publicly recorded deed or conservation easement clearly describes the trust imposed that can only be altered in a judicial cy pres proceeding.

Public Investment and Tax Benefits

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." Federal and charitable funds have also been used in the acquisition or protection of Conservation Areas affected by the Proposed Pipeline.

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). The conversion of land in the Current Use Program triggers a rollback tax payable to the municipality. TGP must calculate all costs associated with the conversion of such land, include increased future tax liabilities to landowners disqualified from the program as a result of the loss of enrolled forest, agricultural, and natural habitat lands.

Negative Impacts on Massachusetts Conservation Areas and the Benefits They Provide

According to TGP's July 2015 Resource Report the revised preferred pipeline route in Massachusetts would alter 8,800 acres during construction and 2,500 acres permanently in the four affected states, and 2,300 acres during construction and 700 acres permanently in Massachusetts." The route of the Proposed Pipeline would traverse several dozen Massachusetts municipalities from the Berkshires to the North Shore.

Conservation restrictions prohibit 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, stockpiling of soil, cutting or removal of any trees or any other vegetation, or any other uses of the land or activity thereon which is inconsistent with the purposes of the conservation restriction."

Conservation Areas like Mount Grace's Poplar Mountain Conservation Area, Charles C. Morse Memorial Forest, Bitzer and Richardson Conservation Restrictions, Northfield Town Forest, the Montague Plains Wildlife Management Area, and Northfield-Erving-Warwick State Forest complex provide a wide range of economic, public health, and environmental benefits to Massachusetts communities, property owners, economies and ecosystems. The Trust for Public Land estimates that every \$1 invested by the Commonwealth of Massachusetts in land conservation returns \$4 in natural goods and services to the Commonwealth's economy. 35 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, tourism, and labor. Conservation Areas provide a wide range of economic and nonmaterial benefits whose value must be taken into account when evaluating whether projects that would impair such benefits are in the public interest. Economic calculations in the Project EIS must include the following:

Water Use 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." 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." 37 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."

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. For example, a one-acre wetland can typically store about one million gallons of water, and wetland vegetation can slow the speed of floodwaters.

Vegetation and Wildlife: 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." 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/”? 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.” Impacts to wildlife are not uniform, nor are they uniformly benign. NEPA requires that adverse impacts to specific habitats and species must be quantified based on specific components, structures, and functioning of affected ecosystems.

Air and Noise 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 Proposed Pipeline 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 2006.⁴²

Socioeconomics and Recreation: Landowners and communities in socially and politically progressive central and western Massachusetts are suffering adverse economic, social, and psychological effects from stress resulting from the prospect of enormous and destructive fossil fuel infrastructure being built and operated in an aesthetically intact New England landscape they know well and love. Homes cannot be sold to get away from the threat because many are of modest means: meaning land rich and cash poor. The attention, energy, and time of community members are being redirected from the notable progress the region has achieved in energy efficiency and renewable energy business development. T6P and FERC must take a hard look at these socioeconomic factors, quantify the cost to public health, and suggest mitigation that will adequately avoid or minimize exacerbation of the opportunity costs and other social costs incurred over the entire duration of the Project.

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.”

Cultural Resources: Among others, the affected communities of Deerfield, Montague, and Northfield are of renowned and rich historical significance. Land features most often associated with Native American cultural artifacts are the valleys and hilltops, many of which will be disturbed by the NED. In the course of protecting and stewarding land for conservation purposes, cultural resources are identified and in many instances inadvertently protected. Known and yet to be discovered cultural and archeological resources must be fully accounted for and given the strongest protection afforded by the National Historic Preservation Act. Even when certain benefits of Conservation Areas cannot be easily monetized, they must be considered, singly and cumulatively, in determining the direct and indirect impacts of the Proposed Pipeline and whether, even if serving a public need, the NED Proposed Pipeline design provides a net public benefit.

Reasonable, Available Alternatives to the Northeast Energy Direct Pipeline

The EIS for the NED must contain a full and robust analysis of alternatives to the proposed’ action. Voluminous and detailed studies, information, and comments provided in the record to date give clear indication that reasonable, available alternatives exist that can meet the stated purposes of the NED. At this time of global climate crisis, exacerbated, if not created, by the burning of fossil fuels, in a place like Massachusetts that is successfully working toward corrective policies in part through the MA Global Warming Solutions Act and Regional Greenhouse Gas Initiative and that has a 100+ year history of natural resource protection, greenfield construction of the cumulative magnitude of the Proposed Pipeline with its concomitant short and long term- impacts, including overbuilt infrastructure, does not meet the standard required for granting a Certificate of Public Convenience and Necessity.

Thank you for your consideration of these comments.

Respectfully submitted,

Leigh Youngblood
Executive Director

US Representative Tsongas
US Representative Joseph P. Kennedy III
US Representative Clark
US Representative Moulton
US Representative Capuano
US Representative Lynch
US Representative Keating
Governor Baker
MA Attorney General Healey
MA Executive Office of Energy and
Environmental Affairs Secretary Beaton
MA Energy Facilities Siting Board, Greene
MA Senate President Rosenberg
MA Senate Minority Leader Tarr
MA Senator Downing
MA Senator Pacheco
MA Senator Lovely
MA Senator Cariddi
MA Senator Flanagan
MA Senator Lewis
MA Senator L'Italien
MA Senator McGee
MA Senator O'Connor-Ives
MA Speaker of the House DeLeo
MA Representative Minority Leader Jones
MA Representative Ehrlich
MA Representative Kocot

MA Representative Kulik
MA Representative Mark
MA Representative Pignatelli
MA Representative Smizik
MA Representative Benson
MA Representative Campbell
MA Representative Cole
MA Representative Garry
MA Representative Harrington
MA Representative Whipps-Lee
MA Representative Lyons
MA Representative Miceli
MA Representative Naughton
MA Representative Speliotis
DCR Commissioner Sanchez
DFG Commissioner Peterson
Mary Griffin, MLTC
Eugene Benson, MACC

Note: Some information adapted with permission from comments of Aladdine D. Joroff and Karen Dildei 44 of the Emmet Environmental Law and Policy Clinic (ELPC) at Harvard University on behalf of the Merrimac River Watershed Council.

Footnotes:

- 1 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.
- 2 FERC, Statement of Policy, "Certification of New Interstate Natural Gas Pipeline Facilities," 88 FERC 11 61,227 (PL- 99-3-000) (1999) at p. 26.
- 3 Land Conservation Plan Task Force, Massachusetts Statewide Land Conservation Plan: A Consensus Vision for Land Conservation (2003), Governor Mitt Romney; Foster, D. R., D. B. Kittredge, B. Donahue, G. Motzkin, D. A. Orwig, A. M. Ellison, B. Hall, E. A. Colburn, and A. D'Amato. (2005), Wildlands and Woodlands: a Vision for the Forests of Massachusetts. Harvard Forest Paper 27. Harvard Forest, Harvard University, Petersham, Massachusetts; Woolsey, H., A. Finton, J. DeNormandie. (2010). BioMap2: Conserving the Biodiversity of Massachusetts in a Changing World. MA Department of Fish and Game/Natural Heritage & Endangered Species Program and The Nature Conservancy/Massachusetts Program. diminished must be tallied, along with the lost ecosystem service and other benefits they would have continued to provide to current and future generations."

- 4 Trust for Public Land (2013), *The Return on Investment in Parks and Open Space in Massachusetts*, <http://Ucloud.tpl.org/pubs/benefits-ma-roi-report.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 Article 97 of the Massachusetts Constitution, passed by referendum in 1972.
- 7 Launched in 2003, the Quabbin to Cardigan Partnership (Q2e) is a collaborative, landscape-scale effort to conserve the Monadnock Highlands of north-central Massachusetts and western New Hampshire. The two-state region spans one hundred miles from the Quabbin Reservoir northward to Mount Cardigan and the White Mountain National Forest, and is bounded to the east and west by the Merrimack and Connecticut River Valleys. Encompassing approximately two million acres, the Quabbin to Cardigan region is one of the largest remaining areas of intact, interconnected, ecologically significant forest in central New England, and is a key headwater of the Merrimack and Connecticut rivers. The Q2C region's forests collect and naturally filter drinking water for almost 200 cities and towns including the City of Boston. www.ngpartnership.org.
- 8 Mabee, S.B and Duncan, C.C, *Slope Stability Map of Massachusetts* (2013), University of Massachusetts. [http://Uwww.geo.umass.edu/stategeologist/Products/Landslide Map/Slope Stability Map MA Report.pdf](http://Uwww.geo.umass.edu/stategeologist/Products/Landslide%20Map/Slope%20Stability%20Map%20MA%20Report.pdf)
- 9 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.
- 10 Beyond the Project's impacts on Conservation Areas, there is also a significant question as to the benefit, need for, or appropriateness of, the Project from either a capacity or public interest perspective.
- 11 Trust for Public Land, p. 12
- 12 See e.g., FERC Statement of Policy, "Certification of New Interstate Natural Gas Pipeline Facilities," 88 FERC 11 61,227 (1999), orders clarifying policy, 90 FERC 11 61,128 (Feb. 2000) and 92 FERC 11 61,094 (July 2000) (collectively, the "Statement of Policy").
- 13 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/wp-content/uploads/2014/09/ENE Pipelines Alternatives Assessment 140612 RF.pdf](http://acadiacenter.org/wp-content/uploads/2014/09/ENE%20Pipelines%20Alternatives%20Assessment%20140612%20RF.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/wp-content/uploads/2014/09/BurdenOfProof.pdf>.
- 14 See e.g., *id.*; 90 FERC 11 61,128 at pg. 19 15 IRS 170(h)
- 16 EEA, "The Massachusetts Conservation Restriction Handbook" (1991).
- 17 NEPA is only one of the federal laws applicable to the Project. TGP will also need to demonstrate compliance with, for example, the Clean Air Act, Clean Water Act, Endangered Species Act, and National Historic Preservation Act.
- 18 See Letter from Cheryl A. LaFleur, Chairman, FERC, to Congressman James P. McGovern (Oct. 24, 2014).
- 19 40 C.F.R. § 1506.2(d) (liTo 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.")
- 20 TGP Resource Report 1, December 2014, at 1-82.
- 21 Letter from Cheryl A. LaFleur, Acting Chairman, FERC, to Rep. James P. McGovern (June 18, 2014).
- 22 See e.g., *Schneidewind v. ANR Pipeline Co.*, 485 U.S. 293, 300-01 (1988).
- 23 *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").
- 24 EOEEA [formerly EOE], "Article 97 Land Disposition Policy," (1998), available at <http://www.mass.gov/eea/docs/eea/dcs/dcsarticle97.pdf>.
- 251d. (emphasis in original).
- 261d.
- 27 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).
- 28 Opinion of the Justices to Senate, 383 Mass. 895, 905-06 (1981).
- 29 *Mahajan v. Dept. of Env'tl. Protection*, 464 Mass. 604, 616 (2013) (quoting *Robbins v. Department of Pub.*

- Works, 355 Mass. 328, 330 (1969)).
- 30 M.L. Leslie, Esq., *Fiduciary Duties and the Limits of Charitable Self-regulation* (2013), 33 *Utah Env'tl. L. Rev.* 163. 31 G. Bialecki, Esq., *Public or Charitable Trusts and Protection Against Disposition of Conservation Lands* (2003).
- 32 *Trust for Public Land*, p. 12.
- 33 TGP, "Northeast Energy Direct Project: Draft Environmental Report, Resource Report 8," (July 2015) (hereinafter, "Resource Report 8").
- 34 MA Executive Office of Energy and Environmental Affairs, Division of Conservation Services, *Lock-Down Model Conservation Restriction*.
- 35 *Trust for Public Land*, p. 20.
- 36 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>.
- 37 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>.
- 38 *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).
- 39 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/nhesp/land-protection-and-management/biomap2-summary-report.pdf>. =« at 12.
- 411d.
- 42 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>.
- 43 *Id.* at 22.
- 44 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. 44 TGP, "Resource Report 1," at 1-82.

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{ end of 20151016-4096 }

20151016-5000

Paul Schroeder, West Sand Lake, NY.

Dear Sir or Madam- I would like to address a concern I have regarding the proposed NED Pipeline (Kinder Morgan's North East Direct Pipeline). It seems to me one of the greatest potential impacts this pipeline may have is related to its' vulnerability to the exploits of both domestic and international terrorists. It would be a relatively easy task to dig a 3 foot hole and plant a small incendiary device which could lay waste large areas and cause death and destruction. The pipeline would cross hundreds of miles of rural and lowly populated areas making access easy to anybody with a desire to do harm. The pipeline is an attractive nuisance. It also would be a perfect opportunity for anyone with a grudge to call in bomb threats which would have to be taken seriously and could do great harm consuming local police and fire resources as well as causing significant psychological trauma to people who live or work near the pipeline. These threats must be evaluated with an eye to the increasing public anger against the government and hatred from abroad which is evident today. I am uneducated about state of the art security measures which might be implemented to mitigate these risks but, clearly, the onus falls upon Kinder Morgan to ensure that adequate security is provided and that they are contractually committed to compensate local governments and agencies for all costs associated with security breaches and threats.

Sincerely, Paul Schroeder
175 Shaver Rd.
West Sand Lake
NY 12196
email- paulschroeder1954@gmail.com
phone (518)674-2480.

20151016-5001

Nina Boyle, Antrim, NH.

I work as a School Counselor at Temple Elementary School in Temple NH. A compressor station emitting hundreds of thousands of tons of toxins annually is being considered at a site next to this elementary school. This is a very family and community oriented school that serves the wonderful community of Temple. We still play outdoors and in the wooded area surrounding our school. We play in the sand piles and play games in the grass fields during recess. It is a very healthy and wholesome environment. Kinder Morgan SHOULD NOT BE ALLOWED to place this compressor anywhere near this school. A short distance away is a water reservoir holding the water supply of a local town, Greenville, NH. Another reason why this NOT A GOOD IDEA. Hopefully the welfare of our children, their parents and all community members matter.

Most sincerely,

Nina Boyle
School Counselor
Temple Elementary School

20151016-5002

Vicky Jenkins, Gill, MA.

I have lived in the Connecticut River valley for over 30 years. I chose to settle here with my family because of the undeveloped nature of this area. My family uses a personal well for water, and a septic system for waste. We grow much of our own food while taking extraordinary means to make the smallest imprint possible on the land.

So it pains me to see that Kinder Morgan is proposing a natural gas pipeline that would move through this valley and cause all kinds of environmental damage, light pollution, noise pollution, and chemical pollution from blowdowns. The blowdowns cause release of Ethylbenzene, n-Butane, and n-Hexane as well as a number of other chemicals that have proven to cause health issues.

There are so many concerns about this project that I don't know where to begin. How is the pipeline going to run under the Connecticut River? How are the small towns of MA and NH going to provide emergency support in case of an accident or explosion? How do families who depend on well water not feel threatened by contamination.

There are so many stories that prove that Kinder Morgan and the Tennessee Gas Pipeline Company have not taken precautions to prevent environmental destruction, and facts that prove that the natural gas, pipelines, and compressor stations are bad for the health of people in the area.

Please deny this project. It is not needed, and it is not wanted. Then move to Western Massachusetts and enjoy the most beautiful part of the world.

20151016-5003

jim Ogonowski, Dracut, MA.

October 16, 2015

Kimberly D. Bose
Secretary

Federal Energy Regulatory Commission
888 First Street, NE – Room 1A
Washington, DC 20426

Re: Kinder Morgan Proposed Northeast Energy Direct (NED) Project; Docket # PF14-22-000--Written Scoping Comments

Dear Ms. Bose:

This letter provides additional comments from Jim Ogonowski of Dracut, Mass regarding the property at 713 Broadway Road, Dracut Massachusetts with respect to the Federal Energy Regulatory Commission's (FERC) scoping process for the proposed Kinder Morgan/Tennessee Gas Pipeline LLC (KM) Northeast Energy Direct (NED) Project.

As noted at the scoping session held in Nashua, New Hampshire (and incorporated herein), the Ogonowski's family farm ("Farm"), comprised of over 125 acres, will be significantly impacted by the NED Project's multiple pipelines: 2500 feet of 30 inch mainline pipeline and over 5000 feet of pipelines for two laterals--one from Dracut to Lynnfield and one from Dracut to Haverhill. The Farm is proposed to have 7500 feet of pipelines crossing fields, waterways, and clear cutting irreplaceable 100-year old forest land. The land impacts alone may be more than 10 acres. In addition, the Farm is in close proximity to and will be impacted by the Compressor Station proposed for Dracut, also to be located on Broadway Road.

In particular, and as set forth below, I am concerned about impacts to waterways, wetlands, groundwater, farm operation and air quality (during construction and operation) on the Farm.

Wetlands and Aquatic Resources

The Farm property has two ponds, 17 acres of wetlands, and a certified vernal pool. KM should provide a detailed description and map of any wetlands, vernal pools and waterbodies on the Farm that includes their location as well as an assessment of their functions and values. Impacts to wetlands, surface water resources, vernal pools and wildlife should be fully disclosed. Impacts include but are not limited to: filling of wetland's/other resources for pipeline construction and/or operation; temporary impacts to wetlands and vernal pools resulting from access to wetland areas for construction purposes; indirect impacts, such as clearing impacts resulting in a change (either permanent or temporary) of cover type within a wetland; indirect impacts resulting from erosion or sedimentation into wetlands, vernal pools or waterbodies; secondary impacts from construction of the project. If not otherwise provided, KM should also describe whether pipeline construction work will involve discharging dredged or fill material in wetlands. In addition, KM should describe a strategy for determining adequate mitigation to compensate for unavoidable direct, indirect and cumulative wetland impacts from construction and operation, including a description of the methodology to determine the amount and type of mitigation that will be required to address loss of wetland acreage and function. Further, as part of its review, KM should:

- Describe all construction and maintenance practices that will be utilized to minimize impacts, particularly to sensitive areas such as vernal pools.
- Identify wildlife impacts and describe all mitigation measures to protect wildlife.
- Describe the long-term right of way maintenance techniques planned for the project and included an analysis of the effects of maintenance techniques on wetlands and sensitive resources, plant life, habitat and agriculture. Project should explain whether herbicides will be used and describe related no-use buffer zones around wetlands.
- Describe appropriate buffer zones to avoid or reduce indirect effects of construction on wetlands, ponds and vernal pool.

We are concerned that KM's activities on the site will result in the needless destruction of sensitive wetlands and other resources on the Farm.

Impacts on Agriculture and Scenic Vista

The Farm is actively employed in agriculture with seasonal plantings of hay and planned plantings of pumpkins. The Farm is bordered by 100 year old forested woodland that provides protection of farmland (from runoff) and provide a scenic vista at the Farm. KM should provide a detailed description and map of the types of crops, location, planting and harvesting schedules, and agricultural practices employed on the Farm. Impacts on farming and the Farm from construction, maintenance and operation should be fully evaluated and disclosed. Impacts include but are not limited to reduced areas for planting, use of herbicides, right of way maintenance, increases in runoff and storm water, cover/soil modification and loss of acreage for agricultural use. KM should document mitigation to compensate for lose of agricultural use from construction, maintenance and operation. In addition, KM should describe the construction practices and long-term maintenance techniques planned for the project and efforts to reduce construction and maintenance impacts on the agricultural use of the Farm.

Clear Cutting

As noted above, KM plans to clear cut 100 year old forest for the NED Project. The loss of this forested land will deprive the Farm of much needed protection from runoff and storm water, increase the risk of erosion and result in an irreplaceable loss of privacy and scenic beauty at the Farm. The rural character of the Farm will be permanently altered.

KM should describe that portion of the pipeline construction work that will involve clear cutting trees and removal of timber from the Farm. Impacts to the Farm from cutting and removal should be fully evaluated and disclosed. Impacts include but are not limited to: increased runoff and sedimentation, erosion, loss of farmland, and wildlife implications. KM should describe how trees will be cut and removed and the area restored during construction and operation to include a map of all areas to be cut. KM should describe a strategy for determining adequate mitigation to compensate for the loss of trees including any unavoidable direct, indirect and cumulative impacts from construction and operation, including a description of the methodology to determine the amount and type of mitigation (including replanting and reforestation) that will be required to address loss of trees and function. In addition, KM should provide a depiction of the clear-cut site as it may appear following the implementation of all mitigation measures.

Compressor Station

The proposed compressor station is located is approximately 1000 feet from the Farm. It will be seen and heard from the Farm. In addition, emissions from the compressor station will impact the Farm as well. KM should discuss the alternative locations evaluated for the compressor station and given alternatives seek another location with fewer impacts.

With respect to the proposed location, KM should:

- Provide information on the impact of the compressor station on air, water, light and noise pollution for areas within a half-mile, mile and a half and five-mile radius of the site and describe all efforts to mitigate these impacts.
- Provide information on the impact of the compressor station on business and residential property values based on actual property sales near compressor stations and describe all efforts to mitigate these impacts
- Provide information on the impact of the compressor station on the safety of the Farm and residents of Dracut including the abilities of local safety personnel to deal with a pipeline related disaster and describe all efforts to mitigate these impacts.
- Provide information regarding how will fugitive emissions be mitigated and how will they be reported when they occur?
- Describe blowdown procedures including how often will there be blowdowns and when and how will the public be informed of the date and time of blowdowns?
- What percentage of the particulate matter emitted by the blowdowns will be radioactive?
- Describe impacts of blowdowns on compliance with regional ambient air standards and describe how KM will mitigate impacts on ambient air standards.

- Provide a study and analysis of all emissions from the compressor station and any analyses demonstrating that there are no adverse health effects from exposure to emissions. Discuss, if not previously considered, all efforts to mitigate emissions from the compressor station.
- Provide a detailed study on the amount of air and atmospheric pollution that occurs along a 30-inch pipeline with leaks that occur at pigging station locations, valve release stations and compressor stations as well as the ramifications of these emissions.
- Provide an analysis of the noise at the Farm associated with ongoing operations of the proposed compressor station including scheduled blowdowns. Provide information regarding how noise will be mitigated and reduced.
- Describe how the proposed compressor station is consistent with and will comply with all federal, state and local laws and regulations.

Blasting

The Farm has many areas of rock and granite (as is the case throughout New England). Please discuss any plans to blast at the Farm and how those blasting activities will be mitigated. As part of those plans please discuss how structures and wells (see below) will be evaluated pre and post construction and detail the methodology that will be used. Describe post construction follow-up and remediation, including any security or indemnification that may be available to compensate for damage. KM should also discuss how construction and operation would comply with existing or proposed Dracut ordinances.

Water

The Farm has two wells – one is a 300 foot well located approximately 75 feet from the house which provides drinking water to the Farm. Another well, 25 feet in depth, is about 600 feet from the house. This second well is functional but is not presently used. KM should provide a detailed description and map of the wells on the Farm that includes their location as well as an assessment of their construction, depth and operating characteristics. KM should evaluate any possible impacts to the wells and well water as a result of construction and operation of the project and discuss how these impacts will be mitigated or remedied. KM should also address how construction and operation will comply with existing or proposed Dracut ordinances and how the proposed project is consistent with state regulations for protection of ground water drinking supplies.

Thank you for the opportunity to provide scoping comments on the NED project.

Sincerely,

Jim Ogonowski
713 Broadway Rd
Dracut Ma 01826
Jimogo@comcast.net

20151016-5004

Tom Woytaszek, dunstable, MA.

The proposed pipeline does not benefit the residents Massachusetts.

The pipeline is simply a transport vehicle to pipe gas through Massachusetts and will destroy large parcels of untouched land in the process.

Continued investment in this class of energy does not represent a long-term solution for this country.

Please consider alternative renewable energy initiatives instead.

I am a Massachusetts resident, and strongly oppose this pipeline initiative.

Please do not approve the construction of this unnecessary pipeline.

20151016-5005

Gail Herson, Bloomfield, CT.

Comments (re: Docket # PF14-22-000) to FERC Submitted on Oct 15, 2015.

I attended public hearing in the West Hartford, CT Town Hall on October 7, 2015 where Kinder Morgan presented its plans to expand the Tennessee Gas Pipeline in Connecticut. From this meeting and other investigation I believe the pipeline, as currently designed, should not receive approval from FERC for the following reasons:

1) The proposed route of the pipeline would take it across land owned by the Metropolitan Water District (MDC) on land designated by the State of Connecticut as Class I and Class II land. The MDC CEO Scott Jellison sent a letter (June 26, 2015) to the Secretary of FERC expressing concern that the expansion would “potentially disturb a large area (250 acres or more) on MDC property and encompass a distance of approximately 5 miles running north and south, carving through the watersheds of MDC Reservoirs 2,3,5 and 6. The property that would be potentially impacted is highly regulated by the State Department of Public Safety in order to safeguard the water supply.”

a. The following comes from the Rivers Alliance of Connecticut:

i. 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).

ii. Protection of Class I and II lands is the highest priority in our state water policy. To 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.

2) The proposed pipeline expansion should not be approved because of Kinder Morgan’s poor safety record.

a. (Sources: www.pushbackthepipeline.org and Wikipedia – Kinder Morgan)

i. In 2011 the Pipeline and Hazardous Materials Safety Administration (PHMSA) cited Kinder Morgan for these safety violations:

1. Failing to maintain update maps showing pipeline locations
2. Failing to test pipeline safety devices
3. Failure to maintain proper firefighting equipment
4. Failing to inspect its pipelines as required
5. Failure to adequately monitor pips’ corrosion levels

ii. In 2013, the investment research firm Hedgeye Risk Management released a report claiming that Kinder Morgan’s business strategy is to starve its pipelines and related infrastructure of routine maintenance to maximize profit.

iii. In Texas from 2003 to 2014, Kinder Morgan experienced 36 “significant incidents”, resulting in fatalities or hospitalization fires, explosions or spills.

iv. Throughout the US since 2003, Kinder Morgan and its subsidiaries pipelines have been responsible for at least 180 spills, evacuations, explosions, fires and fatalities in 24 states. A list of individual accidents is available on Wikipedia – Kinder Morgan.

3) Constructing the proposed gas pipeline across Class I and Class II land, (going through the watersheds

of MDC reservoirs 2, 3, 5 and 6) combined with the rate of accidents puts the drinking water supplied by MDC at great risk. One accident could seriously jeopardize the drinking water of approximately 400,000 people that are served by the MDC.

4) There has been no evidence presented of a quantifiable demand for additional gas in CT. We've been told that 2 companies in CT would like more gas but none of the public forums have included presentations from presentations of the impact of the new pipeline on natural gas availability to consumers in our local towns and state.

Gail Herson
42 Duncaster Rd
Bloomfield, CT 06002

20151016-5006

Cherie Fuller, Londonderry, NH.

I oppose the gas pipeline. It does not belong in Londonderry, NH. The Town Council of Londonderry also opposes the gas pipeline. The town has spoken. NO PIPELINE.

20151016-5008

Mary Fleischli, West Hartford, CT.

I am writing to express my strong disapproval of the Tennessee Gas Pipeline Company's plans to put a gas pipeline through the MDC property in West Hartford.

I cannot think of many worse places to put a pipeline. Who decided it was a good idea to put the pipeline through our public drinking water supply?? Any leaks would pollute our drinking water. The Tennessee Gas Pipeline Company has had leaks before.

The MDC property is a vital resource for our community, particularly because it provides clean drinking water. My family loves to walk through the property because of its natural beauty. We are careful to never leave any trash behind and we would never dare swim in the waters. We understand that this beautiful resource needs to remain unspoiled in order to preserve our clean drinking water. It is clear to me that the proposal is motivated by greed and not common sense or the common good.

I strongly oppose this project.

Thank you for your attention to my concerns.

-Mary Fleischli

20151016-5009

David G. McCarthy, Andover, MA.

I am writing in reference to the potential environmental impact of the proposed Tennessee Gas Pipeline project. As far as I can tell, the proposed pipeline will pass directly through a large vernal pool on the edge of our property located at 91 Bailey Road in Andover, Massachusetts. This vernal pool contains runoff from the land under the adjacent power-lines, and is full of amphibious life in the spring time. During the winter and spring months, water from this vernal pool runs directly into an active brook located just behind my property. This brook runs to the property behind my neighbor's house (at 89 Bailey Road) and feeds water into the artesian well that he relies on for his drinking water. Furthermore, I have observed that this area is full of unusual plant life, including Jack-in-the-Pulpit, which was formerly protected by the State of Massachusetts. Clearly any construction in this area will have an adverse effect on the amphibious life, plant life, and the quality of my neighbor's drinking water.

I have asked the State of Massachusetts Division of Fisheries and Wildlife to investigate and provide their input. I will update you once I receive some information from them.

Sincerely,

David G. McCarthy
91 Bailey Road
Andover, MA 01810

20151016-5011

Janice Hofaker Tighe, Averill Park, NY.
To FERC Representatives,

I am a resident of the Town of Nassau, County of Rensselaer in New York State residing specifically at 854 Burden Lake Rd Averill Park, NY 12018

For the past 26 years we have enjoyed the rural setting and reside here for that reason.

Our futures have a bleak outlook with a proposed Fracked Gas Compressor Station within 1/2 mile from our home.

We are now threatened with the following factual repercussions of living in the “Incineration Zone” of this proposed site.

- 1) Health Concerns due to toxic emissions from the site affecting eyes, ears, nose, throat, lungs etc. These health risks also include kidney, lung, liver brain and nervous system disorders. Not to mention the physical turmoil we are currently experiencing.
- 2) Our properties and value would significantly deteriorate as well as our income from the seasonal rental of our cabins (since 1930). We have already not been able to secure deposits for 2016 season with the treat of the compressor station.
- 3) Our precious lake water quality would be tremendously damaged. We have been taking part in the NYS Federation of Lakes Association program for over 20 years monitoring the lake clarity, temperature and weed population in conjunction with Upstate NY Freshwater Institute. This would all be negate if we are faced with the compressor station.
- 4) The environmental pollution will endanger species of animals taking away fro our natural habitat of Blue Heron, Eagles and various other wildlife.
- 5) The noise of a constant hum and vibration will cause mental anguish of the community.
- 6) The opportunity for Terrorist issues could arise due to the location extremely close to the capital of New York State being Albany, NY

We plead that you put the greed and recklessness of others aside and preserve the future of our planet and the great American life we enjoy.

it appears that government is acting illegally by proposing to place a compressor station in a recreational, rural, lake community.

We urge you to contact the NYS Federation of Lake Associations, Inc
PO Box 84
Lafayette, NY 13084

regarding the oppressive consequences that a compressor imposes on our lake and residents!

20151016-5012

Noreen Cullen, Glastonbury, CT.

This is an outrage. Why would we cut down our precious tress, destroy habitat, AND put the quality of our drinking water at risk for a greenhouse gas project such as this? We have lost our way to even be considering this abominable idea. It should be rejected and quickly.

20151016-5013

Lauren Price, Brooklyn, NY.

October 15, 2015

Kimberly Bose, Secretary
Federal Energy Regulatory Commission

Re: Docket #PF14-22-000

Dear Ms. Bose,

I write to voice my strong opposition to the Northeast Energy Direct Pipeline Project (NED) proposed by the Tennessee Gas Pipeline Company, a subsidiary of Kinder Morgan. Like thousands of American citizens, I feel this project is unnecessary, dangerous, destructive, a threat to the health of the individuals who live in the impacted communities, to the environment and wildlife, and to the beauty of the land and communities in the affected states. The NED pipeline would transport fracked gas from Pennsylvania up through New York, Massachusetts and New Hampshire. As a current resident of New York state, a graduate of Williams College in Williamstown, MA, and a frequent visitor to the Berkshires of Massachusetts, I urge you to oppose the Northeast Energy Direct Pipeline and prevent the project from going forward. There are numerous reasons as to why this project is a significant threat to the impacted areas:

- The chemicals in fracked gas contain carcinogens and neurotoxins which pose a serious threat to the health of the individuals and families that live in the impacted areas.
- The pipeline puts communities at risk for leaks and explosions.
- Compressor stations would be built every 40 to 50 miles along the pipeline, including one in Windsor, MA and one in Northfield, MA. These may be among the largest compressor stations built in the U.S. so far, potentially visible from Mount Greylock, and heard from up to a mile away. Fracked gas compressor stations operate 24 hours a day, are lit throughout the night, are loud, emit toxins, and cause explosions and fires. Some reported side effects from compressor stations include nose bleeds, rashes, headaches, sore throats, dizziness and nausea.
- Studies have shown that there is no need for additional natural gas infrastructure in the area.
- The pipeline and compressor stations would cut through numerous stunningly beautiful rural areas and towns in New York, Massachusetts, and New Hampshire — including the Berkshires - which would destroy their beauty, character, and iconic charm. This would also have a detrimental impact on local tourism.
- The pipeline would go through sensitive ecosystems which poses a grave threat to wildlife and their habitats.
- Leaked methane from fracked gas pipelines accelerates climate change.
- Given our country's commitment to stopping climate change, our resources should not be put into building fracked gas pipelines. Instead they should be directed towards renewable energy sources like wind and solar.

Thank you for your consideration. I urge the Federal Energy Regulatory Commission to conduct a detailed and exhaustive review of the environmental, health, climate, and community impacts of the proposed Northeast Energy Direct Pipeline project, and to deny Kinder Morgan/Tennessee Gas' application.

Sincerely,

Lauren Price
Brooklyn, NY

20151016-5014

Kate Hoff, Bernardston, MA.

The Northeast Energy Direct Project disrupts public conservation land in order to promote a private industry. This private industry claims to support the public by helping to meet peak energy demands in New

England by additional natural gas. This is a fallacy.

We, the public, do not need the additional energy that natural gas would provide. This gas surplus would only serve, for a short time, to keep the price of fuel artificially low. It is unreasonable to consider the only cost of this fuel as the price at purchase. The long-term economic effects of the use of fossil fuels are devastating. We will pay in the rising costs of food, the costs of managing massive superstorms, the costs of cooling ourselves in the heat and heating ourselves in the cold. We are investing in a finite resource and only stalling the amount of time until the supply is extinguished.

It is heartbreaking to see the possibility of such a project, which will destroy the future planet that our grandchildren will inherit.

I believe we can do better. I believe that we can sacrifice our desire to maintain a false sense of security and energy independence, in the interest of a long-term solution that will allow our planet to exist stably and continue to support the human race. It requires government officials to suspend their need to maintain comfort among the people of the States. You, FERC, need to exercise tough love and ask us to do a better job of innovating, a better job of reducing our usage, a better job of planning our energy consumption, and a better job of valuing our planet. You can do this by denying Kinder Morgan's application to open this proceeding.

I am a high school teacher, and long before I started teaching in my current classroom, someone posted a sign which remains there today:

"The hard thing to do, and the right thing to do, are usually the same thing."

Let's do the right thing.

20151016-5015

Rosanna Nadeau, Mason, NH.

Blasting in Mason NH could disrupt or destroy residents' access to well water. All residents rely on private wells for water. In the event that any resident/s should have a disruption or discontinuance of well water, and/or that renders water unsafe to drink, this would be a disaster that could render homes unlivable and non-saleable. We need to know what Kinder Morgan's plan and budget would be, to fully resolve these types of issues effectively both short and long term. The plan needs to include solutions acceptable to individual residents as well as to the entire town as applicable.

20151016-5016

David Strait, Pepperell, MA.

At this point in the review of the Northeast Energy Direct natural gas pipeline project, I would like to raise some issues with the lack of thoroughness FERC has demonstrated on the analysis of environmental impacts of new natural gas pipelines. My basis for these issues is the Final Environmental Impact Statement for the recently FERC approved Constitution pipeline.

Arguably, the most critical issue facing the world today is global warming. For many years climatologists have said that global warming would lead to more extreme weather events occurring with increased frequency. Just look back over the past year or two. Every few days there is a new story of severe weather around the country causing extraordinary property damage and sometimes loss of life.

Nationally, we have seen flooding in Texas described by the governor as the worst ever. Remember the occupied by a family on vacation being swept away?

This year, Alaska could have the worst wildfire season ever recorded. The National Interagency Fire Center reports a total of 5.5 million acres burned nationally this season as of July 23 far above the average of 3.5 million acres per season. Veteran firefighters are reporting wildfires more extreme than they have ever seen and once again we have tragically lost more lives.

Pacific ocean temperatures along much of the west coast are 5 degrees above normal leading to a much

larger and longer lasting areas of toxic algae stretching from California to Alaska. On the East coast lobsters are at an all-time low population level due to warming ocean temperatures. Bumblebees are reported to be disappearing from the warmer parts of their range, again due to rising temperatures. Dolphins are being found in the Arctic where they have never been found before.

California is facing a severe drought which is killing plant and animal life and altering how people live. As a major source of produce for the country this affects us all. Unfortunately, NASA has predicted that the United States from the great plains westward to California will endure mega-droughts this century lasting decades and be far more severe than the current California drought. Both NASA and the state of California realize this is due to greenhouse gas emissions and California is aggressively working to lower its GHG emissions.

In the northeast we have seen a rise in the number of extreme weather events as well. In addition to our snowfall last year a record rainfall occurred in August 2014, Long Island, NY received an incredible 13.26 inches of rain in 9.5 hours, the highest single-day rain total ever in New York State.

Hurricanes Irene and Sandy devastated parts of the area and left extensive destruction in their wake. In the past few days South Carolina has been hit with incredible flooding from a “thousand year storm” with 19 lives lost and many more people losing everything they own.

This winter a “Godzilla” record setting El Nino is expected to form which is sure to bring more catastrophic weather events.

Worldwide, most of the years with the hottest average temperature have occurred within the last 2 decades with 2014 being the hottest ever. 2015 is expected to yet again break the record and July 2015 has already gone down as the hottest month ever recorded.

Collectively, these events illustrate the scientifically predicted impacts of global warming. In all of these events global warming is cited as a magnifying factor.

Now, the National Academy of Sciences has published a report which states that the cities of New Orleans and Miami will be lost to the sea due to greenhouse gas emissions which have already occurred.

FERC’s analysis of Climate Change in the FEIS for Constitution merely states the following rather obvious impacts:

- “more frequent days with temperatures above 90o F;”
- “a longer growing season;” (longer does not equate to better)
- “increased heavy precipitation;”
- “less winter precipitation falling as snow and more as rain;” and
- “rising sea surface temperatures and sea level.”

While these statements are true, they are far from complete and do not assess the repercussions on society such as increased storm damage, impacts to crop yields, property damage, loss of life, etc.

From the same document, “Emissions of GHGs from Constitution’s project would not have any direct impacts on the environment in the area of the projects.” This statement is completely false.

“Currently, there is no standard methodology to determine how the proposed Constitution Pipeline Project’s relatively small incremental contribution to GHGs would translate into physical effects of the global environment.”

FERC should be looking at the current CO2 levels in the atmosphere which rose to 400 PPM for the first time in 2014 and is steadily rising. Since this is well above the 350 PPM limit which many climate scientists consider a safe and sustainable level, FERC needs to compare the TOTAL GHG impact of the proposed pipeline INCLUDING delivered gas, to GHG contributions of the alternative energy sources which would match the energy of the contracted gas capacity of the pipeline. All of the gas will either be leaked or burned and end up in the atmosphere. Comparing an individual project’s impact to the global or national output and concluding that it is inconsequential is the type of flawed logic which will prevent us from effec-

tively mitigating the worst predicted effects of climate change.

This year, MIT issued a report on solar energy and concluded that one of the major problems in ramping up to large scale solar production is government policy. FERC is certainly a problem in this regard, since it rejects the viability of renewable energy sources in favor of fossil fuels such a natural gas.

Finally, FERC must thoroughly address climate change in the FEIS executive summary including a clear statement of the total GHG emissions of this project and all others it has approved on a yearly basis.

20151016-5017

Lori Brown, Bloomfield, CT.

October 16, 2015

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

PF14-22 - Morgan Kinder, Tennessee Gas Pipeline Proposed Project
Hartford County, Connecticut.

Secretary Bose,

Many citizens in Connecticut are just now hearing about the gas pipeline project proposal by Tennessee Gas. My understanding is that the impacts of this project to the environment, drinking water, conservation lands, wildlife and a host of other possible problems are not being adequately addressed by the applicant.

There appears to be a deliberate paucity of verifiable data on the full impact of this proposal and an effort by the proponents to push the project through without a comprehensive review by the state. I am especially concerned that there has not been adequate effort to notify citizens and communities about a project of this size and magnitude, and therefore not enough time to gather public input and address the issues that are just now surfacing. Stories of the applicant misleading individual property owners about their rights are beginning to circulate as well, which increases the public mistrust of the applicant and the fairness of the process for the public.

I concur fully with the comments of State Representative David Baram in a letter submitted to FERC. Representative Baram has outlined some of the most basic information that is still needed to fully assess the project, and notes in particular the absence of alternative route options that avoid sensitive environmental habitat.

Please accept these comments for the public record, and note our opposition to this project application as proposed.

Lori Brown
Bloomfield

Letter follows from Rep. David Baram submitted to FERC 10-13-15:

Dear Sir,

As State Representative for Bloomfield and Windsor, CT, I am writing to ask that the comment time and investigation period be extended to allow residents, municipalities, and organizations an opportunity to learn more so they can comment intelligently.

I also ask that the Applicant, Tenn. Gas Pipeline Company, LLC and Kinder Morgan be required to submit all applications to the State of CT for a complete review, and to the local municipalities for zoning and wetland permitting.

Furthermore I ask that a complete environmental and toxicological study be conducted to determine any risks to public health and the environment, particularly in light of the fracking extraction that has led to

documented health hazards and detrimental environmental impacts.

It is also requested that information be made public verifying what the capacity is of the existing Tenn. Gas Pipeline in CT, how much is being used, and what the unused capacity consists of that might accommodate expansion without a second pipeline.

All routing and construction plans need to be made subject to local permitting by the applicable zoning and in-land wetland's commissions and the Applicant must obtain building permits. All public safety hazards, road and train crossings, underground and above ground water reservoirs/acquifers, and environmental habitats must be identified and analyzed.

Finally, I ask that Tenn. Gas provide alternate route options that avoid populated areas and sensitive environmental habitats.

The above information is necessary to determine if a Certificate of Need is appropriate and justified. Concerns need to be addressed, and routing should be reviewed to avoid populated areas and protected/sensitive environmental habitats.

At this time, based upon the criterion referenced hereinabove, it does not appear that a Certificate of Need is justified. This project should be carefully scrutinized without regard to timetables established by the Applicant. Much more review and analysis is required. Safety must always be the paramount priority.

David A. Baram
State Representative
15th Assembly District
Bloomfield & Windsor CT

20151016-5018

Tollie Miller, Bloomfield, CT.

To the FERC:

I am writing as a concerned citizen of Bloomfield, CT against the approval of the proposed Kinder Morgan/Tennessee Pipeline Company gas pipeline along Metropolitan-District-Commission (MDC) lands in Bloomfield, CT. The current route crosses highly-protected drinking-water lands, classified as Class I and Class II restricted lands by CT law. This land should in no way be endangered by construction and maintenance of a large gas pipeline. Per CT law, they cannot be legally disturbed other than through limited, permitted actions necessary to maintain operations. Disturbing the hydrology by construction of a 30-36" pipeline and exposing the watershed to potential leakage or contamination is patently unwise. Until or unless alternatives to traversing this section are investigated and approved, this pipeline should NOT be given approval.

20151016-5019

Jeffrey Brockway, Milford, NH.

Regarding the NED pipeline proposal through New England:

DO NOT ALLOW THIS PIPELINE TO BE BUILT

This pipeline will destroy the environment where the gas is extracted, the environment where the pipeline is laid and pollute the environment where the gas is burned. No amount of money will ever fix that. We only get one planet to live on. Would you want a fracking well or a pipeline in your neighborhood or backyard? No. No one does. Not Richard Kinder to be sure. Certainly not me, or my family. We cannot afford to saddle my generation or my children's generation with the aftermath of this short-sited money-grab of an environmental disaster.

A high pressure gas pipeline is a bomb waiting to detonate, every component built by the lowest bidder. A disaster is when and where, not if. They are not safe, period. Numerous gas pipeline incidents in the US every year back this up. There have been at least 23 publicly reported pipeline accidents in 2015 alone, as cited in:

https://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century#2015

and expanded upon in:

https://en.wikipedia.org/wiki/List_of_natural_gas_and_oil_production_accidents_in_the_United_States

This pipeline is not being built for the benefit of the public. It is being built purely for private profit, and most of it for export. It will be paid for by electric customers by tariff. This is pure profit extraction and passing the cost on to consumers, who won't in all likelihood even be consumers of the gas carried in the pipeline.

Our country should be spending energy development funds instead on building renewable energy sources and infrastructure. Every joule of energy on this planet originally came from the Sun. It provides all the energy we need. We should be tapping that on roofs, over parking areas, along side roads in the form of solar energy collection, not a one-way pumping of it out of the ground and destroying the very environment we absolutely need to live.

I reiterate: DO NOT ALLOW THIS PIPELINE TO BE BUILT!

Jeffrey C. Brockway
Milford, NH

20151016-5020

Nicolle Souza, Merrimack, NH.

NED is NOT necessary, NOT wanted, NOT in the public interest, NOT safe, NOT socially, economically or environmentally responsible.. It stands to be a huge moneymaker for a private company - paid for by people just struggling to survive.

20151016-5021

Alison Jaskiewicz, Mason, NH.

The July 24, 2015 reports from TN Gas/Kinder Morgan arbitrarily changed the route of the Fitchburg Lateral. The new route impacts our second property lot but we have never received any notification from TN Gas to this effect. Are citizens to be left to ferret out any plans by corporations to impact their lives and properties? Apparently the route can be altered at any time without notification or restarting the clock on the approval/disapproval process even when new individuals are impacted. This is blatantly wrong. Please evaluate the environmental impact of these arbitrary rules allowing corporations to run rough shod over individual citizens lives and properties with no consequences.

20151016-5022

Sharon Lindale, Northfield, MA.

New England should not be building new infrastructure for fossil fuel delivery. We should be fixing the existing infrastructure (a recent study by the Home Energy Efficiency Team claimed as many as 20,000 leaks in Massachusetts pipelines alone*). Rather than investing in fossil fuel infrastructure, we should be investing in solar and wind infrastructure.

In "a 2013 study by Shanna Cleveland of the Conservation Law Foundation estimated that 8-12 billion cubic feet of natural gas was lost to leaks in Massachusetts alone in 2010. Ironically, this is also about 1 percent of New England's annual demand, or enough gas to cover the winter peaking problem."*

We certainly should not be putting people out of their houses and taking over hard-won protected lands to create new pipelines that will leak more gas into our land and waterways.

"This proposed path would run through some of the states' most sensitive eco-systems including conservation lands, wildlife reserves, state parks as well as farmland, towns and even crossing over or under the Connecticut River."**

New England should DEMAND that the owners of the existing pipelines should maintain their existing

lines. Once leaks are fixed, THEN we can determine whether there is a need.

By then, I hope we have come to our senses and support renewable energy. That is what I want and that is what my kids want.

Thank you.

*Quoted from: <http://commonwealthmagazine.org/environment/we-dont-need-kinder-morgans-pipeline/#.ViA6-uuCE8A.mailto>
<http://commonwealthmagazine.org/environment/we-dont-need-kinder-morgans-pipeline/#.ViA6-uuCE8A.mailto>

**quoted from: <http://www.nofrackedgasinmass.org/the-proposed-pipeline/>

20151016-5023

Debra Austin, Averill Park, NY.

October 15, 2015

Regarding: Northeast Energy Direct Docket #PF14-22

Subject: FERC Filing #3, A Modern Day War - NO to Nassau, NY

Compressor Station and NED Pipeline

Thousands of people have invested time and energy into becoming educated on what a compressor station would mean to a residential and recreational community. I will not repeat all of the detrimental impacts this would pose to our climate, environment, health, water, pristine areas, peace of mind, crops, wildlife, property values, future generations, etc. Others have already presented scientific and indisputable evidence to FERC.

There is no 'Public Necessity' for this project and especially no benefit to Nassau, NY. We should not be asked to become a sacrificial zone for the NED Pipeline. In fact, no one should be asked to take on destruction of such magnitude. For the benefit of who? Kinder Morgan's profits?

If FERC decides to go forward with such an ill conceived plan, I ask for the following to be considered:

- 1) I live approximately 1 mile from the proposed compressor station. What evacuation plan is in place for the people? Who pays if we need to stay in a hotel, or worse, lose our home?
- 2) What is the evacuation strategy for evacuating my horses? I do not own a horse trailer. Who pays for them to be boarded elsewhere? Or, do you suggest I leave them to die? How would we be compensated for the loss of our beloved pets? Or, would we stay behind with them and be collateral damage too? Do you realize how spooky horses can be? We are entrusted with their care. It would be so cruel to knowingly leave them in harms way?
- 3) How will we be compensated when our property values decline, insurance rates go up, well water is contaminated, etc., etc.? Really, do you think Kinder Morgan would compensate us? It would be costly and a legal nightmare to attempt to make them do so.
- 4) The size of the NED Pipeline and Compressor Station is 'overkill' for the stated need. Larger pipelines and larger compressor stations mean more of all of the undesirables that go with it. i.e. more danger, more toxic emissions, more noise, etc. etc. Consideration should only be given to U.S. need. The infrastructure should not be on our backs, for their profits!! I'm sure if this were based on need and the pipeline could not be used to export gas, there would be no application right now to build it. Our problem would then go away, wouldn't it?
- 5) Is Fracked Gas something that FERC should be regulating and including as part of the Natural Gas Act? As we know Fracked Gas is nothing like conventional natural gas. The Halliburton loophole (non disclosure of chemicals) is in place to allow a project such as this to go forward. I'm sure without this loophole the merits of such a pipeline would never stand up to the scrutiny and laws in place to protect our air and water.

I've always been thankful to live in the United States and have felt blessed that I did not have to endure war

on our lands, as other people/countries have, during my lifetime. I feel if this is allowed to continue, it is a modern day war we are fighting that may ultimately destroy all life on the planet.

Please take a stand for what is right. You cannot claim to be ignorant of the repercussions any longer. We are all ultimately responsible for our actions!

20151016-5024

Holly Higinbotham, Windsor, MA.

Holly Higinbotham

Robert R. Wood

300 High Street Hill Road

Windsor, MA 01270

October 15, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE, Room 1A

Washington, DC 20426

RE: Northeast Energy Direct

PF14-22-000

We are writing to comment on the proposed NED pipeline and compressor stations that Kinder Morgan/Tennessee Gas is applying to build across Massachusetts and, in particular, in the Town of Windsor. We are residents of East Windsor and live about a mile and a half from the proposed compressor station and pipeline route. Our town voted overwhelmingly at its annual town meeting in May 2014 to oppose this pipeline due to the impact it would have on our entire community. I am a clinical psychologist, and my husband is a mental health clinician on the Berkshire County Crisis Team—both each with at least 25 years' experience providing mental health services in this rural and underserved county—and we can both attest to the very real likelihood that there will be adverse psychological and psychiatric outcomes as a result of the proposed NED pipeline due to the environmental, health, and economic consequences of this project.

There are enormous--and catastrophic--environmental, public health, financial and cultural costs associated with this project that the town of Windsor, in particular, will incur. In fact, all communities along the entire length of this pipeline--especially communities where compressor stations will be located--will face these impacts and costs. We would point out that Kinder Morgan/Tennessee Gas has failed to adequately address these concerns in the EIS (environmental impact statement) that it submitted on July 24, 2015, and it is of vital necessity that the company be required to address the concerns and provide further information before FERC can possibly determine if this project should go forward.

Our biggest concern is that Kinder Morgan/Tennessee Gas is a private, for-profit corporation seeking permission to construct an environmentally disastrous project that appears to be almost entirely for export, which will result in enormous profit and no public benefit. The fact that we have to submit comments for a project that is so demonstrably not for public use and not for the benefit of our citizens is absurd.

- Therefore, our first request is that Kinder Morgan/Tennessee Gas be required to establish a definitive need for this gas in New England. A recent report by ISO New England, a nonprofit corporation that oversees and coordinates the flow of electricity across the six New England states, indicates that the power demand for the past twelve months is at a 14-year low, and the current wholesale prices for electricity in New England are at a 12-year low. Other studies have suggested that the very minimal shortages that we do experience in New England would easily be mitigated by requiring gas companies to fix leaks and practice more efficient conservation methods.

The 8/21/15 issue of the Boston Globe (http://www.bostonglobe.com/metro/2015/08/20/new-law-casts-light-state-natural-gas-leaks/qJJPCjRZITc5ai0JeHNOqO/story.html?s_campaign=email_BG_

Today'sHeadline&s_campaign=) reported that in the state of Massachusetts, there are currently 20,000 potentially dangerous and environmentally damaging leaks (some as old as 29 years!) that are losing enough gas to be costing ratepayers millions of dollars a year. Thanks to a recent state law, utility companies have been required to submit data about the locations and age of known leaks. That data suggests that fixing those leaks would supply more than enough gas to address any power shortages that do arise, and would decrease the damage to the environment, atmosphere (methane is 25 times more potent than carbon dioxide in trapping heat in the atmosphere!), and to human health caused by these leaks. Other sources of evidence about the ways that this problem could be addressed simply by fixing leaks are 1.) a study commissioned by Senator Edward Markey that showed Massachusetts residents paid as much as \$1.5 billion between 2000 and 2011 for gas never used because of leaks and 2.) a Harvard University study released in January 2015 that showed that the number of leaks in the Boston area alone are three times greater than previously estimated and would heat as many as 200,000 homes per year and are valued at \$90 million per year! In the Globe story, the two major gas suppliers said that they had plans to repair the leaks over a 20-25 year period. It is unconscionable that they are allowed to take that long to repair leaks--some of which they've known about for as long as 29 years! If Kinder Morgan says it can build the entire NED pipeline and get it up and running by 2018, then utility companies can surely fix the leaks just as quickly and avert the so-called "need" for the NED pipeline.

New EPA regulations announced just this past week will require that all new construction be equipped to capture methane leaks that heretofore have been allowed to exist and which otherwise would have provided vastly more energy resources, and which have most certainly contributed to exponentially worsened global warming/climate change problems. Does the plan for the NED pipeline conform to these regulations? How will the ventings and blow-downs of compressor stations meet those regulations? How will the process of pigging the lines conform to those regulations? Once those EPA requirements are addressed, how much more power supply will be available through existing supply sources?

Finally, if there is no documented need for this gas in New England, how can a power/energy company be granted permission to build a pipeline almost solely for the purposes of export-for-profit, when it is so harmful to communities, public health, and the environment?

- We submit the quite substantive concern that this project will be enormously costly to towns, communities and citizens, all for the purpose of private gain. It is well-documented that a project like NED will ensure that the property values in the surrounding area will decline—almost certainly between 50 and 100 percent for property directly adjacent to the compressor station, and between 10 and 50 percent for properties nearby to a compressor station or pipeline, depending on how far those properties are from the so-called "incineration zone" or other impacts of a gas pipeline and compressor station.

As property values decline, so do the tax revenues of the town. And then fewer people will move to town, because the properties are worth less, have public health and water concerns, and are not likely to have resale value. In time, towns like Windsor become towns that no one wants to move to, and young people move out of as soon as they are able.

Another financial consideration will be attending to the public health--and individual health--concerns and problems that arise as a result of the toxic emissions from the compressor station and pipeline. It is well-known that the compressor station will emit upwards of a dozen toxic, carcinogen-producing, chemicals that have the potential to generate enormous health effects. People living in Pennsylvania near such facilities (actually, fracking facilities that emit far fewer toxins) have been advised to obtain blood and urine tests to ascertain their level of risk from living so close to these facilities. In a community such as Windsor, which at its elevation and with its geography has a frequency of fog and other factors that will ensure that many if not most of the emitted toxic gases will remain very close to the ground, the public health and environmental consequences will be severe. The emitted toxics will be inhaled by people within the nearest mile, for sure, and probably several miles, and then sink into our soil and groundwater supplies. It must be anticipated that there will be health concerns and deaths as a result of this project. As a clinical psychologist, I can cite many research studies documenting the link between mental illness and those living under economic and

environmental hardship, so we therefore must also anticipate an increase in incidence of mental illness and psychiatric symptoms that will require treatment (and deplete the ability of those suffering to maintain productive lives and healthy families). Is Kinder Morgan being held accountable to pay for the health care costs of these many negative outcomes, or are they and FERC assuming that the health insurance companies, the patients themselves, the health care facilities, and the general public will pay for such costs (diagnostic tests, evaluations, and treatment, as well as maintenance of families under duress)?

We would submit that, before Kinder Morgan/Tennessee Gas is allowed to build the NED pipeline, it be required to draw before-pipeline water samples from both surface and groundwater, as well as nearby wells and any other public drinking water reservoirs) such as Cleveland Reservoir, which is an open-air reservoir supplying water to the City of Pittsfield), as well as soil samples and air samples. Then, after the facility is on-line, and for regular intervals as long as necessary, it should be required to draw the same samples--as well as any requested by any affected party--to determine the public health impact and the exact consequence of the project on public health. Any citizen or business or municipality that requests such testing must be permitted to receive the testing, to be paid for by Kinder Morgan/Tennessee Gas.

- Environmental concerns to animal and plant species are another factor that we are requesting FERC to address. The town of Windsor, as well as many of the western Mass and central Mass communities through which this pipeline is proposed to pass, is located in a boreal environment with little developed land. As a result, the project is likely to negatively impact the land, water, soil, and animal, fish and invertebrate species in the vicinity. The impact of these toxic chemical emissions on the forest, surface and ground water, animal, amphibian, fish and avian species is likely to be devastating. What has FERC required Kinder Morgan/Tennessee Gas to do in terms of protecting endangered species or species of concern? How will the company protect the forest from being destroyed by the construction project and the toxic gases? It is undoubtedly the case that this compressor station and pipeline will pass quite close to and/or destroy vernal pools that form in the spring and host very specific species that breed in those pools. Because the final route for the proposed pipeline and compressor stations was released so recently, there was inadequate time for people to go out into the field to document the existence of vernal pools and the species that propagate in those pools. Kinder Morgan/Tennessee Gas should be required to: 1.) document those vernal pools and their species and 2.) accept comments next spring or summer (2016) documenting such pools and endangered species and 3.) propose a plan to ensure that those species will not be further endangered or even compromised, and have that plan vetted by an independent environmental specialist.

Another environmental--and public health--concern has to do with the effect on the food supply. Many of us who live in rural communities such as Windsor keep gardens in which we grow a certain portion of our yearly food supply. Our garden is organic as are many of our neighbors' gardens. There are also some organic farm operations in our town and surrounding communities. And there are maple syruping, blueberrying, and apple and peach orchards. All of these operations, from home gardens to orchards, would be impacted negatively by toxic emissions from a compressor station and from pigging operations and from accidents. Kinder Morgan has said that no organic farming operations will be negatively impacted by the NED Project. How on earth do they propose to back up that statement? FERC should require Kinder Morgan to test the soil and produce in any organic farm, garden, berry patch, or orchard in any area close enough to receive airborne or water-born chemicals from the pipeline and compressor stations—both before construction begins (to determine a baseline) and after the operation begins and at regular intervals as the years go on. If toxins are found after the operation begins, what will Kinder Morgan's remediation be? They must be required to have a remediation plan!

Yet another environmental/public health concern has to do with the way that the compressor station will generate significant noise that will be audible for miles around each station. Kinder Morgan has failed to specify how many decibels this station will generate and for how many hours per day. We do not know what the effect will be on human beings, the breeding patterns of wildlife in the area, and the growth patterns of trees and plants in the forest surrounding the complex. The research of Bernie Krause, Ph.D., has shown that human-made noise has a documented, negative impact on growth rates of plants and breeding rates of birds,

mammals, amphibians, and rodents. Kinder Morgan should be required to submit detailed studies, confirmed by independent scientists, about the anticipated effects of this project and how the company plans to provide adequate remediation so that the entire boreal eco-system is not destroyed.

Another public health concern has to do with the mental health of citizens living within the area of the compressor station, specifically, and the pipeline in general. Given the negative economic effects of this project on Windsor, and the negative environmental effects generated by the construction of the project as well as the operation of the compressor station, it is likely that there will be mental health complications among people living in the vicinity of the project. The devaluation of property values, concerns about the physical health of their children and grandchildren, and the effects of the toxins on the generation of mental illness, all will contribute to more need for treatment of mental health conditions in our community. In 2007, a study by Sills, Shetterly, Zu, Magid, and Kempe documented the association between parents' depression and the high use of health care services by their children (Sills MR, Shetterly S, Zu S, Magid, D, Kempe, A. 2007. Association between parental depression and children's health care use. *Pediatrics* 119(4) e829-e836). It is likely that as adults struggle with depression around what is happening in their town and on their property, their children will have higher health care needs and expenses, as well as longer term effects. It is also well-documented that exposures to physical and chemical agents will cause disease, disability, medical conditions, and psychiatric conditions (Mental Health and Environmental Exposures, Learning and Developmental Disabilities Initiative, November 2008).

- As for our community and the integrity of its character: The town of Windsor will essentially be destroyed, and the way of life of its people will also be destroyed. Building an industrial complex such as a compressor station in a rural community surrounded by open land and farms will destroy a town where the only businesses are two general stores and some organic farming operations. One may argue that this is not a first. For example, whole towns were destroyed when the Quabbin Reservoir was built to create a public water supply for the city of Boston and surrounding communities. But that was for a clear public use by US citizens, in the Commonwealth of Massachusetts, with an eminent domain plan to compensate each landowner in each town that would be destroyed. But in the proposed NED pipeline plan, there are no such arrangements for whole communities. Only the very small parts of land that are to be used for the pipeline will be compensated through eminent domain (good luck if you own a parcel that will be split in half by the pipeline: the compensation for the very tiny part that will host the pipeline will hardly cover the fact that the rest of your land will be worth nothing!).

We firmly believe that this project should be denied by FERC for all the reasons listed above.

However, if FERC should decide to proceed with the application process, then we ask that FERC must place many requirements upon Kinder Morgan to conduct necessary studies to ascertain the risks on the many fronts listed above and require the company to outline plans for mitigating the effects in a way that the independent scientific community will approve. For the town of Windsor, Kinder Morgan should be required to bury the compressor station so that there is no above-ground plant, any emissions should be captured by state-of-the-art scrubbers, all pigging stations should be completely contained so that no toxins can leach into the ground, and the construction of the pipeline itself should include burying the pipe at least six feet down in order to accommodate the very cold winters that we have in this boreal environment. These measures would, by no means, eliminate all environmental, safety, financial, and public health impacts on the residents of Windsor, but they would act as mitigating factors.

Finally, because Kinder Morgan has such an abysmal record of adhering to safety measures, quality control standards, and the agreements it makes with the communities in which projects are located, we would request that FERC establish a reliable mechanism for monitoring both the construction process and the operation of the NED pipeline and compressor stations once it is on-line, and to issue cease-and-desist orders whenever the permit is violated. To do otherwise is to consign the residents of Windsor, and people in all other communities along the proposed NED pipeline, to lives you would not wish on your worst enemy. Kinder Morgan should also be required to put a large sum of money in escrow for use by our town for damages caused by the NED pipeline project, given that KM may not have the financial resources to provide

such compensation in the future.

Holly Higinbotham Psy.D.
Robert R. Wood LMHC
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Windsor, MA 01270
higinbo@hotmail.com
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20151016-5025

Tom Terranova, Lynnfield, MA.
Docet Number PF14-22

Questions for FERC regarding the Kinder Morgan Pipeline running through Lynnfield and many other Towns in Massachusetts:

1. I am adamantly opposed the Kinder Morgan Pipeline as there are many alternative power sources that are created daily to reduce the use of natural gas. The Federal government offers tax credits to homeowners for installing and using various sources of wind and sun, so why force a HIGH PRESSURE GAS PIPELINE ON MANY CITIZENS.
2. Kinder Morgan continues to change the location of the High Pressure Pipe Line running though Lynnfield wetlands, conservation land and Town Wells that supplies our Town drinking water with no explanation as to how they will accomplish this task without any current and long-term effects to Lynnfield wetlands, conservation land and Town Wells that supplies our Town drinking water. I am requesting a detailed plan as to how they will install the High Pressure Pipe Line and maintain the land above the High Pressure Pipeline?
3. The High Pressure Gas Line will be installed on property belonging to homeowners in Lynnfield. What is the procedure that Kinder Morgan must follow to compensate the Homeowners for the devaluation of the home and what government agency controls the prompt payment to the Homeowner? If the Kinder Morgan and the Homeowner cannot agree upon a devaluation dollar amount for the Home, what government agency will assist the Homeowner with resolving the matter?
4. The pipeline would result in major clear-cutting of wooded land in Town wetlands, conservation land and Town Well Lands, 1) presenting visual pollution in a natural, relatively unspoiled area widely enjoyed by the public, 2) possible erosion affecting the wetlands, conservation lands, wildlife, and the potential recreational use, and 3) the potential for serious contamination of the public water supply.
5. Kinder Morgan's record of safety incidents and pipeline spills leads me to believe that allowing them to build a major pipeline through these valuable lands presents a substantial danger to our public drinking water as well as wildlife and the environment.
6. I also object to the manner in which this proposal has been handled with regard to informing the public. There has been a near-complete lack of publicly available information. Only one public hearing that will be held October 29, 2015 in Lynnfield. With so much at risk for so many, the lack of public information and outreach is appalling. It leads me to believe that Kinder Morgan may be interested in keeping this project out of the public eye until it would be too late to take any action in Lynnfield.
7. I am concerned with the carcinogens that are used with Fracking the gas in Pennsylvania. How will the carcinogens be totally eliminated from the High Pressure Pipe Line?
8. How far apart will the shut off valves be installed with this High Pressure Pipeline and will they be automated? Whether the shut of valve is manual or automated, how long will it take to stop the supply of gas in an emergency situation of a gas leak?
9. If there should be a catastrophic situation occurs as a result of a gas leak in the High Pressure Pipeline, how will the People of Lynnfield by protected along with our wetland, conservation land, drinking water

supplied by our wells and Town's future water usage?

10. What law takes precedence Article 97 "Clean Environment" Amendment to the Constitution of Massachusetts or Federal Law as it pertains to the use of conservation land in Massachusetts?

11. Currently the High Pressure Gas Line ends in Beverly Massachusetts with no end user, if this Pipe Line is needed to reduce the cost of gas in the US North Eastern States, what is the identity of the Retail Gas Supplier?

12. I propose that a study be commissioned to compare the potential benefit to society of the gas being supplied to other alternatives that consider alternative uses of the land that will be reserved due to the pipeline as well as alternative means to meet the energy needs of the local society.

20151016-5026

Shawn Collins, Temple, NH.

A compressor station emitting hundreds of thousands of tons of toxins annually next to an elementary school is a really bad idea. There is no proven upside to this project - only damage for the people that live here. I strongly ask you to reject this proposal.

20151016-5028

Rebecca Leonard, Hancock, MA.

27 Potter Mountain Road
Hancock, MA 01237

October 15, 2015

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

Dear Secretary Bose,

I would like to express my grave concern over the proposed Northeast Energy Direct (NED) pipeline which Tennessee Gas Company, a subsidiary of Kinder Morgan (KM), seeks to construct through the states of NY, MA, and NH. First, I address some of the specious arguments currently being made in favor of this pipeline: Demand/Need: Demand in MA has been flat, not approaching the projections touted by KM. The 2.2 billion cubic feet capacity of this pipeline, even if scaled down, dramatically exceeds the NESCOE projection of 0.6 cubic feet of need in MA. With such ridiculously oversized capacity, and a convenient link to Canada's LNG facilities, it is clear that KM has designs on the potentially lucrative export market. It is ludicrous to think that MA ratepayers might be asked to foot the bill for NED when there is no guarantee that they will be the recipients of any of its contents. Furthermore, peak demand days in MA are few. Education could minimize those peaks ("Wait until 8"), as would further diversification of the grid to not rely so heavily on natural gas. There is still much room for efficiency measures, particularly in the commercial sector. Currently leaking pipelines need repair; MA ratepayers paid an estimated 640-1.5 billion for leaked gas between 2000-2011. Let's conserve and fix what we have before we build an oversized pipeline to address a fictitious need.

Green energy can't meet demand: The clean energy sector was, until changes enacted by the recent administration in MA, one of the fastest growing sectors in the Commonwealth's economy, with a 24% growth rate, in contrast to the 3% enjoyed by other sectors. As we speak, new technologies are being unveiled for energy storage and a smarter grid. Added fossil fuel infrastructure is not going to help this country create a newer, better, more resilient economy bolstered by innovation and cutting edge technological advances. The cost of utility-scale solar has dropped 78% in recent years. Pipelines = 19th century technology; we can do better!

Jobs: The approximately 2 billion dollar price tag of this pipeline, if redirected toward green energy/efficiency, could create 24,000 jobs as opposed to 3,000 temporary pipeline jobs.

Economic arguments aside, the environmental impact of this pipeline would be devastating. The amount of conservation land NED is proposed to traverse is astounding. Here in Berkshire and nearby Hampshire counties, our conservation and agricultural land would be disproportionately impacted. Berkshire County, in particular, is an economically disadvantaged region which depends heavily on agriculture and tourism, two sectors which would be squarely compromised by a pipeline.

I hope that FERC will investigate the abovementioned concerns about supposed demand and be circumspect about all KM claims to ultimately provide an economic benefit through rate cuts, jobs, or otherwise. FERC should strongly consider the “no action” alternative rather than green-light this ill-conceived plan.

Other questions to be addressed, in the event that a certificate is granted:

What guarantees would landowners have that their water supply will be monitored before, during, and long after any pipeline construction? What mitigation can be expected for erosion, runoff, and compaction of soils?

What efforts will KM be required to make to recapture gas during blowdowns at compressor stations? What about noise mitigation at these sites?

What will KM be required to do to repair ecological damage, particularly on conservation land such as the Pittsfield State Forest?

On Potter Mountain Road in Hancock, an already decrepit bridge would be traversed by heavy machinery in order to build this pipeline. What recourse does our town have for damage done to town property?

Will FERC conduct a thorough investigation, as required under NEPA, of the “conservation potential of various alternatives and mitigation measures”?

Will FERC allow a lower-grade pipe to traverse rural areas? New Jersey has outlawed this practice, but it is unclear what the plan is for us in Berkshire County, where citizens are very concerned about the potential impact of frost heaves on a lower-grade pipe.

Ms. Bose, residents across the Commonwealth have passed resolutions against this pipeline in what FERC should consider a startling number of towns. This is not a small grass-roots movement. We are a loud and strong majority, from all corners of the state, and we respectfully ask that you take heed.

Sincerely,

Rebecca Leonard

20151016-5029

Lisa Petersen, West Hartford, CT.

I am concerned about the proposed pipeline which would run through the Metropolitan District Commission (MDC) land in West Hartford CT. This pipeline is proposed by Tennessee Gas Pipeline Company / Kinder-Morgan.

The Metropolitan District Commission provides clean water to the Hartford CT area since 1929. The MDC currently provides quality water supply, water pollution control, mapping, and household hazardous waste collection to eight member municipalities: Bloomfield, East Hartford, Hartford, Newington, Rocky Hill, West Hartford, Wethersfield and Windsor. Additionally, the MDC provides drinking water to portions of Farmington, Glastonbury, East Granby and South Windsor, known as the MDC’s non-member towns. (source MDC website <http://www.themdc.com/about-us>) . According to the 2014 population information published on the State of Connecticut website, the combined populations of these towns is approaching one half million people. The watershed area needs to be protected so we continue to have high quality water that is safe.

The MDC property does currently have a pipeline installed in the 1950s. Its presence should not indicate a

new pipeline makes sense. As a country we made a lot of decisions in the 1950s that were not environmentally sound (like using asbestos for example). We need to be cautious in protecting our resources for future generations.

My concern for the water safety is also based on the behavior of Kinder-Morgan / Tennessee Gas Pipeline Company. They have not been forthcoming in sharing information about the pipelines over the past year. They have posted notices in the newspaper and contacted those who have property through which the pipeline will pass. They have not contacted the municipal governing bodies or the local media nor did they contact the water consumers serviced by the MDC. It seems that they are trying to push this through without the informed consent of those affected. Their existing pipelines in other areas have had serious incidents which they downplayed.

Because of the potential impact to the safety of the water supply for the entire region, the proposed route of the pipeline must not be approved.

20151016-5030

shannon lilley, lynnfield, MA.

WE DO NOT WANT KINDER MORGAN OR ANYONE ELSE ON OUR PROPERTY. THE THOUGHT OF THIS SNEAKY COMPANY DESTROYING OUR LAND AND JEPERDIZING THE LIVES OF OUR CHILDREN DISGUST US. THIS PROJECT DOES NOT NEED TO GO THROUGH LYNNFIELD. If they come on my property they will be arrested for trespassing. The police have been notified. This is just another example of big corporations destroying land, and the quality of life just to make money.

20151016-5031

augusta catherin, amherst, MA.

As students in Massachusetts, we're highly concerned with the risks of expanding natural gas infrastructure in Northeast. We hope that as a Regulatory Committee you listen to citizens' voices and reject this project. Not only does it disrupt individual property rights of people living along the route, but everyone since more methane gas emissions will contribute to climate change. I grew up in Boise, Idaho and saw firsthand the devastating consequences of climate change through runaway forest fires. If you're actually reading this call 208-450-9866 for a free Starbucks gift card.

20151016-5032

Katie Bowler, Merrimack, NH.

Please do not approve the Kinder Morgan pipeline that will be built right next to my 2nd grade daughter's elementary school in Merrimack, NH. There have been too many accidents with this company. I hope you will respect the wishes of the people and not big companies. There are existing pathways they can use. Please don't let them do this. Thank you for your time.

20151016-5033

daniel vogel, Amherst, MA.

As students in Massachusetts, we're highly concerned with the risks of expanding natural gas infrastructure in Northeast. We hope that as a Regulatory Committee you listen to citizens' voices and reject this project. Not only does it disrupt individual property rights of people living along the route, but everyone since more methane gas emissions will contribute to climate change. I grew up in Boise, Idaho and saw firsthand the devastating consequences of climate change through runaway forest fires.

Personally I hail from the beautiful state of Oregon in the Pacific Northwest (Cascadia!), which had its largest wildfire season ever in recorded history. Any expansion of infrastructure that contributes to climate change is a decision made understanding that it will create a world with more forest fires and more destruction. Reject this pipeline.

20151016-5034

Aisha Chodat, Amherst, MA.

Dear Commissioners,

I firmly believe that the building of this pipeline is detrimental to life on Earth, both in an immediate and long-term sense. I would like FERC to cancel production for a number of reasons. First of all, I would like to raise children in an environment that allows them clean air, clean water, and clean soil for food. Second of all, I want to know that FERC is regulating energy projects from an environmentally sensible perspective. Lastly, I want to feel secure that this project will not set a dangerous precedent for future destructive energy proposals. If this pipeline were to be denied, I would be immensely grateful. Please consider my note and trust that it comes from my heart.

Sincerely,

Aisha Chodat

20151016-5035

Samara Rosen, Amherst, MA.

Fracking pollutes water. Every being depends on water for survival; it's the number one survival need. Injecting volatile organic compounds (benzene, toluene, ethylbenzene and xylene) contaminates rivers streams and groundwater. These compounds make water hazardous to drink for millions of people. Millions of gallons of water are wasted for basic fracking operations. Meanwhile California is slowly destroying the west coast. We don't have the water resources to support this unsustainable form of energy. Fracking forces a battle of priorities: is energy worth more than people's basic survival need?

It doesn't have to be a battle. I am a student at Hampshire College, currently sitting in a large room packed with peers that are all against this pipeline and writing to say WE OPPOSE THIS PIPELINE AND WE OPPOSE FRACKING. There are other options.

20151016-5036

Victoria Meeder, Amherst, MA.

Dear FERC commissioners,

I am student living in Western Massachusetts avidly opposed to Kinder Morgan's proposal to build the Tennessee Gas Pipeline North East Energy Direct Expansion through Massachusetts and New Hampshire. I respect the necessary role you play in ensuring our country's energy needs are met, in an ethical and safe way. However, regulation is not occurring. Unethical, dangerous, and irresponsible fossil fuel projects are being approved and are threatening our communities, livelihoods, and the survival of our species.

Kinder Morgan and ISO New England have declared an energy shortage on a few days in winter. This pipeline would pump 2.2 billion cubic feet a day across the state. We know that the majority of this gas is going to be exported to European markets at the expense of Massachusetts rate payers by a gas tariff. Those few days in winter can easily be compensated for by local solar projects that cost only a fraction of what the 6 billion dollar proposed pipeline project would. It is unjust for Massachusetts citizens to pay for a multi-national corporation to build a pipeline they will personally profit off of.

The Federal Energy Regulatory Commission is intended to serve the interests and wellbeing of the American people. Presently FERC is not stepping up to its regulatory responsibility. As a passionate student, who is aware of the impacts of climate change I am taking the time to write you because I need you to do your job and regulate. My generation is at risk of not living past 50 if we continue down the road we're on. As young people in this country we are depending on you to ensure our survival and livelihood. Projects like this one are unjust because they threaten land and livelihood of those who live nearby. However, this pipeline also threatens the life and prosperity of all future people on this planet due to the implications it has for raising the global temperature and exacerbating the effects of global climate change.

Sincerely,
Victoria Meeder

20151016-5037

Sylvia Williams, Wilmette, IL.
Dear Commissioners,

I firmly believe that the building of this pipeline is detrimental to life on Earth, both in an immediate and long-term sense. I would like FERC to cancel production for a number of reasons. First of all, I would like to raise children in an environment that allows them clean air, clean water, and clean soil for food. Second of all, I want to know that FERC is regulating energy projects from an environmentally sensible perspective. Lastly, I want to feel secure that this project will not set a dangerous precedent for future destructive energy proposals. If this pipeline were to be denied, I would be immensely grateful. Please consider my note and trust that it comes from my heart.

Sincerely,
Aisha Chodat

20151016-5038

victor marunda, amherst, MA.
Dear Commissioners,

I am student living in Western Massachusetts avidly opposed to Kinder Morgan's proposal to build the Tennessee Gas Pipeline North East Energy Direct Expansion through Massachusetts and New Hampshire. I respect the necessary role you play in ensuring our country's energy needs are met, in an ethical and safe way. However, regulation is not occurring. Unethical, dangerous, and irresponsible fossil fuel projects are being approved and are threatening our communities, livelihoods, and the survival of our species.

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20151016-5039

Claire Jones, Amherst, MA.

I have some major concerns about the building of the Tennessee Gas Pipeline. As a citizen of Massachusetts I have been angered by the possibility of this destructive and dangerous pipeline. I fear the future of not only the Massachusetts communities this pipeline directly impacts, but the devastating environmental effects that will result. It is well documented that pipelines leak methane gas into our water systems and atmosphere. This significant leakage of methane is not only hazardous it is a waste a resource that is costing the state, community, and environment too much.

For environmental, health, and economic reasons many people in my community, including myself, have chosen to eat local, Massachusetts produce. The proposed pipeline will be built through many farm lands and will have compressor stations dangerously near our food. This will result in toxic produce, inability to buy local food, and will cause farmers to lose their livelihood. This pipeline will negatively impact our state's economy, the public's health, and will further global climate change.

20151016-5040

Daphne Chang, Hadley, MA.

Dear Commissioners,

I am a student living in Western Massachusetts avidly opposed to Kinder Morgan's proposal to build the Tennessee Gas Pipeline North East Energy Direct Expansion through Massachusetts and New Hampshire. I respect the necessary role you play in ensuring our country's energy needs are met, in an ethical and safe way. However, regulation is not occurring. Unethical, dangerous, and irresponsible fossil fuel projects are being approved and are threatening our communities, livelihoods, and the survival of our species.

Kinder Morgan and ISO New England have declared an energy shortage on a few days in winter. This pipeline would pump 2.2 billion cubic feet a day across the state. We know that the majority of this gas is going to be exported to European markets at the expense of Massachusetts rate payers by a gas tariff. Those few days in winter can easily be compensated for by local solar projects that cost only a fraction of what the 6 billion dollar proposed pipeline project would. It is unjust for Massachusetts citizens to pay for a multi-national corporation to build a pipeline they will personally profit off of.

The Federal Energy Regulatory Commission is intended to serve the interests and wellbeing of the American people. Presently FERC is not stepping up to its regulatory responsibility. As a passionate student, who is aware of the impacts of climate change I am taking the time to write you because I need you to do your job and regulate. My generation is at risk of not living past 50 if we continue down the road we're on. As young people in this country we are depending on you to ensure our survival and livelihood. Projects like this one are unjust because they threaten land and livelihood of those who live nearby. However, this pipeline also threatens the life and prosperity of all future people on this planet due to the implications it has for raising the global temperature and exacerbating the effects of global climate change.

Sincerely,

Daphne Chang

20151016-5041

Dunan Herman-Parks, Amherst, MA.

Dear Commissioners,

I firmly believe that the building of this pipeline is detrimental to life on Earth, both in an immediate and long-term sense. I would like FERC to cancel production for a number of reasons. First of all, I would like to raise children in an environment that allows them clean air, clean water, and clean soil for food. Second of all, I want to know that FERC is regulating energy projects from an environmentally sensible perspective. Lastly, I want to feel secure that this project, if it does not get cancelled, will be the very last. If this pipeline were to be denied, I would be immensely grateful. Please consider my note and trust that it comes from my heart.

Sincerely,

Dunan Herman-Parks

20151016-5042

James VanNatta, Northfield, MA.

I wish to state that I am strongly against the building of the NED Pipeline for many reasons but what is of

greatest concern is the taking of public and private lands by eminent domain by a for profit corporation. I feel this it is unfair, in-democratic, and financially burdensome to private land owners whose property is taken or otherwise reduced in value by its proximity to a pipeline or pumping station. The purpose of the NED Pipeline as proposed by Kinder Morgan is a business venture to make money for the Corporation. It is interests of the citizens and towns along the path of the project that should be be honored or at least handsomely compensated for enduring the degrades environment and loss of property value. Thank you for your consideration of this citizens objections.

20151016-5043

Sara Grendon, Amherst, MA.

Dear Commissioners,

I am student living in Western Massachusetts avidly opposed to Kinder Morgan’s proposal to build the Tennessee Gas Pipeline North East Energy Direct Expansion through Massachusetts and New Hampshire. I respect the necessary role you play in ensuring our country’s energy needs are met, in an ethical and safe way. However, regulation is not occurring. Unethical, dangerous, and irresponsible fossil fuel projects are being approved and are threatening our communities, livelihoods, and the survival of our species.

Kinder Morgan and ISO New England have declared an energy shortage on a few days in winter. This pipeline would pump 2.2 billion cubic feet a day across the state. We know that the majority of this gas is going to be exported to European markets at the expense of Massachusetts rate payers by a gas tariff. Those few days in winter can easily be compensated for by local solar projects that cost only a fraction of what the 6 billion dollar proposed pipeline project would. It is unjust for Massachusetts citizens to pay for a multi-national corporation to build a pipeline they will personally profit off of.

The Federal Energy Regulatory Commission is intended to serve the interests and wellbeing of the American people. Presently FERC is not stepping up to its regulatory responsibility. As a passionate student, who is aware of the impacts of climate change I am taking the time to write you because I need you to do your job and regulate. My generation is at risk of not living past 50 if we continue down the road we’re on. As young people in this country we are depending on you to ensure our survival and livelihood. Projects like this one are unjust because they threaten land and livelihood of those who live nearby. However, this pipeline also threatens the life and prosperity of all future people on this planet due to the implications it has for raising the global temperature and exacerbating the effects of global climate change.

In Peace,

Sara Grendon

20151016-5044

Colleen McKinney, Unadilla, NY.

October 15, 2015

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

Re: Docket number PF14-22-000

Dear Secretary Bose,

My home is in the Town of Sidney, New York. If built, the “Constitution” pipeline (CP) would run ten feet from my property line. Kinder Morgan’s proposed Tennessee Gas Pipeline Northeast Energy Direct (NED) would be located directly next to it.

FERC already knows the negative environmental impacts that the NED pipeline would have on the people,

environment, economy and communities along its route. FERC know this because we told them at scoping hearings and in thousands of comments we submitted to the agency regarding CP.

I ask that FERC include and address ALL comments regarding CP in the docket for NED. I also ask the agency to consider and address the exponential risks that would arise and damages that would be caused by a second massive pipeline (NED) installed mere feet from the first (CP). Two pipelines built one after the other on steep slopes and through hundreds of waterbodies would mean the period of exposed clear-cut ground would last for years. Considering the frequency and intensity of extreme rain events in our region, these bare-ground conditions would very likely result in massive runoff and erosion, scouring at stream crossings, pipe exposure, pipe rupture, severe flood damage, loss of property and devastated wildlife habitat. FERC knows that we in the communities these pipelines would gouge through will assume all of the health and safety risks. We will pay the price of the increased erosion, water runoff and flood damage that will follow in the wake of clear-cutting more than half a million trees for each of these pipelines. We will deal with the contaminated water, decreased property values, and costly road and bridge damage. We will get no rewards.

I've learned something about FERC over the past four years since CP was proposed. I've learned that FERC does not care about us, our livelihoods, our safety, or whether or not our towns thrive. FERC is not in the business of protecting us. FERC is in the business of approving pipelines—no matter what those pipelines might do to us.

Why? Because the salaries of FERC employees are paid by the oil and gas industry.

It's true. On FERC's website, the agency proudly states that FERC is fully funded by "annual charges and filing fees assessed on the industries it regulates."

If you were paid by Big Oil and Gas, what incentive would you have to ever deny your patrons what they want? The answer is none. You would do what they tell you to do—just like FERC does.

Adding insult to injury, FERC is approving and enabling this harm to our land and our communities so that multi-billion-dollar companies can export American gas.

Kinder Morgan and the Constitution Pipeline Company repeatedly tell us they will bring us cheap gas. But to FERC and their investors, they tell the truth, which is this:

More than 75% of the Pennsylvania shale gas in the NED pipeline would be shipped to Canada. From there, the plan is to liquefy and export it to Europe and Asia, where gas sells for two to five times what it sells for here. Why would Kinder Morgan sell gas to us when they can make so much more money exporting it?

Exporting our country's presently abundant gas will raise energy prices here at home, soon, significantly and permanently.

Kinder Morgan's plan is to gouge through our states, clear-cut and dig up our yards, farms and forests, and blast across streams and rivers to bury their huge export pipeline. Where is the benefit to us? The NED pipeline will only compound the damages wrought on us by CP. Nearly 100% of CP's gas is slated for export to Canada, as shown here:

http://www.iroquois.com/project/sono/SoNo_OpenSeasonBrochure_1_12_15.pdf

In order to build its pipelines and other gas-related projects, Kinder Morgan needs from FERC a "Certificate of Public Convenience and Necessity."

But building export pipelines through upstate New York's communities so that wealthy gas corporations can get richer and American families get saddled with higher energy bills does not sound like public convenience or necessity to me. It sounds like the rich getting richer at our expense.

I'm writing to tell FERC and the federal government that they can't keep forcing these dangerous projects on our communities. We all have a right to prosper, but not by damaging and devaluing the land, contaminating the water and air, and hurting our fellow Americans.

I ask that FERC reject the NED pipeline.

Sincerely,
Colleen McKinney
476 Poplar Hill Rd.
Unadilla, NY 13849

20151016-5045

Raymond E Petersen, West Hartford, CT.
Re: Docket # PF14-22-000

I would like to express my general opposition to the proposed Kinder Morgan / Tennessee Gas Pipeline project in central Connecticut, and my specific opposition to the portion that would pass through property owned by The Metropolitan District Commission (MDC).

The MDC is the primary source for drinking water in central Connecticut, supplying 50 million gallons of water daily to over 400,000 residents in 12 towns.

I understand there is a pipeline through this property already, and has been for over 60 years. Siting a new, higher pressure pipeline in the same area seems to be a recipe for disaster. I know that the soil in New England is constantly shifting, especially during the winter and it is worrisome enough to have the existing pipeline where it is, without introducing a new source of potential problems.

Besides the water source issue, the MDC property is a tremendous natural resource for our area, and many people visit the property for many recreational purposes. I feel the expansion of the pipeline right-of-way would be even more disruptive than the existing one is to this area, and place wildlife habitats in jeopardy.

During a recent presentation that Kinder Morgan held in West Hartford, company officials stated that the pipeline would only contain the same gas that was being delivered to homes and businesses. I have heard from other sources that the gas transported through the pipeline would also be mixed with chemicals resulting from the fracking process. I have also heard that the pipeline would have vents at regular intervals, and that some of the chemicals carried through the pipeline are routinely vented into the air. That does not seem like anything I want in my town or anywhere near the source of my drinking water. And that is only due to normal operations – the potential for greater disaster exists in the event of any kind of accident or intentional interference with the pipeline.

Kinder Morgan's presentation hinges on the "need" for this pipeline in order to provide higher volumes of natural gas at a lower cost to New England. I personally do not, and would never, use natural gas in my home. I would prefer that the fossil fuel industry be constrained from expanding any kind of operations at this time. In my opinion, the greater need is not for cheaper gas and fossil fuels – especially when they are produced with increasingly more dangerous methods. The greater need at this time is the expansion and support for more forms of safer, renewable energy sources.

20151016-5046

Robert Connors, Canaan, NY.
Federal Energy Regulatory Commission,

I hereby request that the Federal Energy Regulatory Commission (FERC) consider Kinder Morgan's subsidiary Tennessee Gas Pipeline not in compliance with the requirement to provide federal in person public scoping sessions for the Northeast Energy Direct Pipeline Project (NED). Indeed, no scoping sessions were held in Albany County, NY at all and the NED route would traverse Albany County, NY.

In Rensselaer County, NY the federal public scoping session was held at Castleton-on-Hudson, NY prior to the issuance of a major draft environmental resource report for its proposed Northeast Energy Direct pipeline project. This report consists of over 6500 pages of data in the form of 79 different volumes published on July 24, 2015. It represents a revision of plans filed March 13.

Many of the NED scoping sessions were already completed or soon would be and the public did not have

adequate time to digest this sketchily written report of July 24, 2015.

On July 14, 2015, I testified at the Castleton-on-Hudson, NY FERC scoping hearing. I did not have the opportunity to see the above-mentioned documents that I was there to provide input on, as Kinder Morgan had not issued it yet. This situation is also true for the other persons who provided comment in other locations in PA, NY and possibly NH, and those in the general public who may not have testified because they did not have access to this major revision to the report detailing the plans.

I hereby request that FERC should consider Kinder Morgan's federal public scoping sessions as incomplete and not in compliance with the letter or intent of federal public scoping sessions. You've got to have the scope published BEFORE the public scoping sessions in order to meet the intent of the sessions.

Kinder Morgan should be required to hold additional public scoping sessions in the areas where the sessions were held prior to the issuance of the environmental resource report revisions on July 24, 2015, and specifically, require Kinder Morgan to hold an additional public scoping session throughout the entire Northeast Pipeline proposed route.

I feel that my rights, and the rights of the others in PA, NY and possibly NH who did testify before the environmental resource report was published, have been violated. In addition, the rights of other PA, NY and possibly NH residents who might have testified had the report been issued prior to their local sessions were also violated.

The only possible remedy is to hold more public scoping sessions for the areas who were deprived of a true opportunity to provide scoping input at a federal scoping session. Certainly we are aware of the extension of the timing for written input. I do not feel that the extension of this date for all input to be received remedies the situation totally, although it does help for those people who prefer the written input mode.

Kinder Morgan plans to submit final filings to FERC on November 20th, 2015. FERC should reject any such filings since Kinder Morgan has not provided the public with a true opportunity to provide in person scoping input based on their plan.

Thank you in advance for following the only legitimate course of action for FERC to take - that being summarily rejecting Kinder Morgan's final filings until the base requirement of obtaining in person public scoping input has been met in all areas affected by the proposed Northeast Energy Direct pipeline project.

Robert Connors
1409 County Route 5
Canaan, NY 12029

20151016-5047

Lisa Martin, West Hartford, CT.

The reason this section of pipeline is being moved is because it costs less money to put it in flat land instead of replacing it in the ridge the existing pipeline is located.

This is short-sighted. The money saved today will be much less than what will be spent if there is a leak into the drinking water.

Haven't we seen enough pollution and its effects?

This is not logical. This is not good reasoning.

This is very poor decision making.

I am against moving the current path of the pipeline.

20151016-5049

Adriane Robbins, Temple, NH.

Building a compressor station emitting hundreds of thousands of tons of toxins annually next to my child's school is a terrible and disgusting thing! Could you please look past the money and realize how bad this

is? Would you allow this next to your own 9 year old child's school? Please don't allow this pipeline to go through New Hampshire! We are counting on you!!!

20151016-5051

John Leoutsacos, Temple, NH.

Compressor stations along the proposed NED pipeline are power generation stations and must be required to be cited, permitted and regulated as such. They have identical fuel & exhaust inputs and outputs as power generation stations sited by these same requirements and in fact compressor stations are undoubtedly far less efficient than combined cycle power generation stations with identical fuel and exhaust paradigms.

The basic formula is 1 horsepower = 745.699 Watts of power, the math is simple so I'll let you figure it out $40,000 + \text{HP} \times 745.669 = ??$.

The compressor stations will be generating their own electricity to provide power distribution for communications, lighting, etc.

Cathode protection systems forcefully distribute power onto a very low impedance (high current flow) pipe and anode / cathode systems generating electricity.

The only logical reason that compressor stations aren't cited and regulated as power generation stations is that FERC is being told what to do by the very industry that they are charged to regulate. This means that companies like Kinder Morgan tell FERC what to do and not the other way around. It also means that FERC is putting our health and safety behind Kinder Morgan's profits.

20151016-5052

Colleen McKinney, Unadilla, NY.

October 15, 2015

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

Re: Docket number PF14-22-000

Dear Secretary Bose,

The portion of central New York that Kinder Morgan's NED pipeline is proposed to traverse has seen several devastating 100-year floods in the last ten years, with tremendous economic consequences. Scientists have stated that climate trends will make such flooding more frequent and severe in our region in the future.

As far as we can tell, since Kinder Morgan has yet to share with the public detailed maps of its proposed route, the "supply portion" of the NED would follow much of the same route as the proposed Constitution pipeline. This means the NED would dig and blast up and down miles of forested hillsides and through hundreds of streams, creeks and other sensitive and protected water bodies in New York. It would wreak yet more damage through eastern New York, Massachusetts and New Hampshire.

The right-of-way for the NED pipeline, whatever the route may be, would require the permanent clearing of millions of trees. This would directly follow the clear-cutting of more than half a million trees for the FERC-approved Constitution pipeline, if that project goes forward. Access roads and other attendant infrastructure would require more clearing of trees and vegetation.

Trees and vegetation hold soil in place. They soak up water and, in doing so, play a critical role in helping to prevent erosion and flooding. Any clearing of land, hillside or otherwise, or riparian vegetation will exacerbate erosion and flooding and put the lives and property of central New Yorkers at risk.

The inevitable increase in erosion that would follow the destruction necessary for the NED pipeline is not only a concern in terms of severity of flooding but in terms of the integrity and safety of the pipeline itself.

Pipeline ruptures and explosions are reported in the news on a monthly basis. We watch in horror as pipeline companies pay paltry fines rather than fix leaky pipes or use better quality materials or actually follow their so-called “best practices.” We watch in horror as FERC continues approving projects that put our families and communities at risk.

FERC should thoroughly study how the clearing of land involved for the NED and Constitution pipelines combined would exacerbate future flooding in New York.

FERC should study what negative economic impacts this flooding would have on the state of New York, its citizens and its businesses.

FERC should seriously examine the wisdom of siting a second potentially explosive massive fracked-gas pipeline in an area where severe flooding has happened many times recently and will happen again.

As FERC weighs the benefits of this project (big profits for Kinder Morgan), the agency should remember the consequences: ruining and devaluing our land and communities; creating dangerous flood conditions that will put human lives and property at risk; enabling large-scale export of shale gas from America, which will cause domestic gas prices to rise dramatically.

This pipeline is a bad idea for America.

Sincerely,

Colleen McKinney
476 Poplar Hill Rd.
Unadilla, NY 13849

20151016-5053

John Leoutsacos, Temple, NH.

NEW Ipswich does not want to become another Myersville Maryland

Below are excerpts taken directly from FERC docket # CP15-492-00 and website mercmd.org, that clearly show the original intent of Dominion Transmission Inc and how FERC was (and is) a willing accomplice allowing them to achieve their goals.

Dear Secretary Bose:

By Order dated December 20, 2014, the Federal Energy Regulatory Commission (Commission) authorized Dominion Transmission, Inc. (DTI) to construct, install, own, operate and maintain certain facilities that comprise the Allegheny Storage Project (Project). Dominion Transmission Inc. 141 FERC ¶ 61,240 (the “Order”)

As required under Ordering Paragraph (B)(2) and Section 157.20(c)(2) of the Commission’s regulations, DTI hereby notifies the Commission that on November 1, 2014 the authorized project facilities were placed in-service

Despite repeated assurances from Dominion Transmission that they had no plans to expand the Myersville Compressor Station, they have filed an application with FERC to essentially double the amount of compression at the facility.

South SIX months later, Dominion applied to expand the LEIDY Project.

LEIDY SOUTH PROJECT

Filed: May 15, 2015

Dominion Transmission, Inc. Docket Nos. CP15-492-000

NOTICE OF APPLICATION

(May 27, 2015)

Specifically, DTI proposes to replace two 1,100 horsepower (hp) compressor units with one 10,915 hp unit at the Finnefrock Compressor Station in Clinton County, PA; install one suction filter/separator at the Centre Compressor Station in Centre County, PA; install one 13,220 hp unit at the Chambersburg Compressor Station in Franklin County, PA; install one 15,900 hp unit at the Myersville Compressor Station in Frederick County, MD; install one 8,000 hp unit at the Leesburg Compressor Station in Loudoun County, VA; install a new cooler and filter separator at the Quantico Compressor Station in Fauquier County, VA; and construct a new meter station at the Panda Stonewall Power Project in Loudoun County, VA. The Project will allow DTI to provide an incremental 155 MMcf per day of firm transportation service to three electric power generation facilities. The total cost of the Project will be approximately \$209,657,857. pipeline operating under the Commission's regulations and a Commission approved FERC Gas Tariff.

20151016-5054

Tina Perreault, Temple, NH.

I oppose the building of the pipeline and compressor station. This pipeline will endanger the lives and health of the Temple Elementary School children and the people of our town. The amount of toxins, noise, light and air pollution will destroy our community and quality of life as well as many other communities throughout the state. It will also destroy the local farms that support and feed people in our town, local towns and even across the state. Please oppose the building of the pipeline and compressor station.

20151016-5055

Wendy A Elsing, Temple, NH.

I have great concerns over the environmental damage this pipeline will cause to our well water air and noise pollution release of toxins caused by drilling and blasting of granite devaluation of property use of eminent domain , building compression station so close to school maintains road to said station and security of station gas being used for export not to lower or even benefit NH. I live about 2miles away and will never see gas in my area. I also worry about Kinder Morgan's responsibility to maintain and service long after gas is no longer be shipped. Also what else will they try to pump through pipeline. Our area could never deal with a small failure of pipeline ex. Fire explosion or worse. I also wonder how fern and be a bias commity when by your own admition in Milford meeting you would be overseeing project for at least two years. Does that not produce a conflict of interest. Kinder Morgan also stated at their meet and greet at Hampshire Hills that it is much more dangerous to remove existing pipeline than to build new (in response to why not upgrade existing pipeline in Mass.) What happens then to our environment if repairs or replacement is ever needed. I worry personally about damage to my health living so close to compression station. The ability to sell my house in future to retire. I also have little confidence in fern itself to be objective and concerned as it feels like the decision was already made two years ago whe Kinder Morgan began clearing land on site before anybody even knew about pipeline . Our wildlife landscape water aif health lively hood will all be negatively affected by this pipeline. The only ne to profit will be Kinder Morgan

20151016-5056

Chad Desrosiers, Temple, NH.

I have numerous concerns regarding this project. My house will be about.2 miles from compressor station. Other than obvious noise and safety concerns I am worried about my dug well and its quality after they start messing with the soil. The water table seems really high especially over where they want the compressor station. Most of the time there is actually a small stream right next to the site. In addition I literally just bought this house like 3 months before this nightmare began. I am a struggling college student with heavy student debt and now I have to worry about depreciation on my home due to this project. The loss that I will take on my property value if this goes in will be devastating and lead to me being stuck with a heavy pmi for much much longer. I urge you to consider these issues. Thanks

Robert Douglas, Lynnfield, MA.

I have been a resident of Lynnfield, Massachusetts for most of my life My parents still live on North Hill Drive there with the pipeline directly adjacent to their back yard, so this project will have a direct and devastating effect on the lives of me and my family.

The pipeline will also run through directly through the middle of town of Lynnfield's water shed, which is the largest water shed along the Ipswich River. Our town had a representative from the river protection association come and speak at public meeting to explained all of this. There are actually 3 cities and towns that draw their drinking water from this water shed, including Lynnfield. The town of Lynn, MA also draws it's water from here, this pipeline directly impacts their drinking water quality, but I am sure they have no idea that the project is impacting them. This is how Kinder Morgan works, they have been trying to expedite this pipeline permitting process without allowing the communities it effects to respond. It is also my understanding that there are 12 towns and cities that get their drinking water from the Ipswich River, which is directly endangered by this pipeline.

Here are my concerns.

I have researched the topic and see that studies have shown that on a handful of days in the winter (6 - 12 days at most), there is a need for an additional .6bcf per day of natural gas in New England. Here is the problem with this pipeline. The pipeline is actually sized to carry 2.4 BCF per day of fracked gas per day. I have also read reputable articles that KM has actually reduced the flow of natural gas through the other pipelines in New England to fabricate additional shortage! Why have they been doing this? The TRUE REASON for this pipeline is being withheld by Kinder Morgan, but in all of my research and the research of many people on this pipeline is that it is being built so that Kinder Morgan can export the gas to Europe where they are paying 3 times the price for natural gas from Russia and other suppliers.

In addition to the fact that the pipeline is grossly oversized, this can also be shown to be true because I see on their website that they just awarded a 356 million dollar contract to build ships. A pipeline company from Texas building ships on the east coast? It's not difficult to connect the dots there.

It is also my understanding that the Lynnfield Lateral and Peabody Lateral are the 24" (most of the volume of the gas through the main line to Dracut) are being directed towards the ocean, and they also claim to be tiring the pipeline into the Maritime pipeline in Danvers. This pipeline, which was originally being used to bring natural gas to New England, has been used to send gas in the OPPOSITE direction, sending the gas to Canada for export, so with this in mind, the Lynnfield Lateral and Peabody lateral are the Export branch of the pipeline-

There are already other gas pipelines in place and in planning owned by KM and Spectra that can meet this demand, it's a redundant pipeline, the only rational conclusion is that it's all about getting the gas from the Marcellus Shale field to sea to sell to foreign markets, so don't be fooled by KM's propaganda machine.

The next problem I have is that one pipeline does not change the price of natural gas, the price is dictated by the market, not the pipelines. Ask any expert if one pipe can PROMISE to lower the price, and they will tell you it can't. On the contrary, this pipe will make it so we are competing for the same gas on the global market which will RAISE the price for New England consumers! Next problem: The pipeline will cost over 4 billion dollars, and the Feds will allow them to pass off the price of the construction to New England rate payers in the form of a 'delivery surcharge' which is another name for A TAX. This will ADD to the cost of the gas we already have access to, and THIS PIPE WILL RAISE THE PRICE OF GAS to NE!!

Next problem: I am a petroleum engineer for over 28 years. I have been reading about this for a year and can tell you that KM has been very deceptive and underhanded about this project. Every town in it's path is now AGAINST the pipeline, For instance they have set up an office in NH to supposedly allow residents to come in and get information, which is a crock, one article said the doors were always closed and when they looked in the window they see stacks of lawn signs to support the pipeline. They do not come to each town to ask permission, in Lynnfield MA we found out when they sent surveyors to knock on doors asking to sign

for permission to survey for a pipeline that most likely won't go in. Unsuspecting homeowners had no idea a 24" 1460psi fracked pipeline transmitting 1.3 BCF per day through their yard!

I am also concerned about the fact that a large section of the pipeline is going directly through Article 97 protected wetlands within Massachusetts. It is a shame that the government is considering allowing a Texas based corporation to use their money to rip through the open and protected areas of our beautiful state, causing irreparable damage to our protected spaces when the gas is mainly intended for foreign markets!!

This brings me to my final point: They are taking land from homeowners citing 'eminent domain'. According to the Wikipedia, eminent domain must be land taken for PUBLIC USE. An EXPORT pipeline being disguised by KM as being gas for our use is not PUBLIC USE and therefore taking land from homeowners for this pipeline in my opinion is AGAINST THE UNITED STATES CONSTITUTION. From Wikipedia 'James Madison, who wrote the Fifth Amendment to the United States Constitution, had a more moderate view, and struck a compromise that sought to at least protect property rights somewhat by explicitly mandating compensation and using the term "public use" rather than "public purpose," "public interest", or "public benefit". Exporting of gas is not PUBLIC USE and KM should not be allowed to destroy our land!

20151016-5058

Maria Donjacour, Amherst, MA.

I am a Hampshire, I oppose this pipeline because of it's extreme impact on the environment. Fracked natural gas is not a useful alternative or "bridge" to renewable energy. The extraction devastates the area it is from, the transportation and piping of the gas has causes huge risk for the area around the pipeline and the burning of natural gas contributes strongly to global warming. As a young person looking forward I urge you not to permit this pipeline to be built. Climate change is a real disaster that is happening today and we need to do everything in our power to stop it's progress. Extracting, piping and burning this gas will adversely affect the environment and the climate. It is in your power to stop this project I and I hope this commission can find it's power to shut it down.

20151016-5059

Roy Pincus, Lynnfield, MA.

To the members of FERC, I draw your attention to the below articles which show just how poor a safety record Kinder Morgan has.

<http://www.sightline.org/2013/09/19/wall-street-worries-about-kinder-morgans-safety-record/>

<http://www.sightline.org/2012/04/05/the-facts-about-kinder-morgan/>

Given the lack of transparency Kinder Morgan has demonstrated throughout the entire process thus far in trying to get this pipeline pushed through, I ask you to consider Kinder Morgan's blatant disregard for the environment, our water, the air we breathe, and the damage that will be done and left behind for those of us to have to live with. Clearly, Kinder Morgan puts their bottom line ahead of safety. They only care about their profits.

A pipeline under the kind of pressure which this will be is not needed and would be running through extremely dense populations, especially in Eastern Massachusetts. An explosion could result in a large number of human casualties and enormous damage to property. Just look at the number of pipeline explosions that have occurred just in the last 15 years.

https://en.wikipedia.org/wiki/List_of_pipeline_accidents_in_the_United_States_in_the_21st_century

<http://fracdallas.org/docs/pipelines.html>

<http://thinkprogress.org/climate/2015/01/27/3615805/west-virginia-gas-pipeline-explosion/>

I ask you to not approve this pipeline and tell Kinder Morgan to spend some money and resources on maintaining the pipelines they already have built rather than trying to build this pipeline which would span roughly 200 miles. There is simply no reason for this other than corporate profits. No one should have to

live in fear of a possible catastrophic explosion from a pipeline like this, especially when it would be running right through private properties like mine, under my front yard where I play with children just feet from the front door of my home. Please do not let this happen. It would be irresponsible.

Thank you.

Roy Pincus

20151016-5060

Roy Pincus, Lynnfield, MA.

To the members of FERC, I call your attention to a pair of articles which illustrate the high number of gas leaks that exist in current pipelines in Massachusetts.

<https://www.bostonglobe.com/metro/2015/01/22/natural-gas-leaks-boston-area-are-far-more-extensive-than-thought/5BykQrnaGRr2XLtxpHqLIM/story.html>

<https://www.bostonglobe.com/metro/2015/08/20/new-law-casts-light-state-natural-gas-leaks/qJJPCjRZITc5ai0JeHNOqO/story.html>

Rather than build a new oversized pipeline that would have a planned capacity for 2.2 Bcf/d, way more than our region would ever need, the current leaks should be fixed. The study by Harvard scientists in one of the articles points out that the leaked gas is enough to heat as many as 200,000 homes a year. Isn't this what should be pursued? We should be looking at renewable energy like wind and solar before building this monster of a pipeline that will destroy our environment, wetlands, conservation land, private property, and go right through rivers and nearby water wells, with a high risk of polluting water supplies. The chemicals put in place around the pipeline after it has been installed can be cancer causing toxins and can potentially contaminate our water. The polluting of the air from these greenhouse gases is a major concern for air quality and further weakens the ozone and adds to global warming. The noise from metering stations is just another negative made even worse by the fact that these metering stations will be in heavily populated residential areas.

This pipeline is being rejected by all towns throughout Massachusetts and New Hampshire which have the misfortune of being subjected to it. While our region may be short of natural gas capacity for 5-10 days per year during the coldest of winter days, this pipeline is not the solution. Is it really worth it for 5-10 days a year when there are leaks in the current pipeline infrastructure that fixing would go a long way towards increasing capacity significantly? So why does Kinder Morgan want to do this? Why are they building the Lynnfield Lateral from Dracut, MA to the shoreline? If this is the best solution, why not at least end the pipeline in Dracut, MA? Unless they really just want to get the fracked gas onto ships to export and sell for major profits. That would explain a lot. And that is exactly what they are intending. That is why they want a pipeline large enough for 2.2 Bcf/d.

This needs to be stopped. Kinder Morgan cannot be allowed to do what they want just because they want to. Please listen to the people of Massachusetts and New Hampshire who have expressed overwhelmingly strong opposition to this pipeline. For once, it would be nice to see the concerns and wants of the people ahead of the wants and greed of a corporation, especially one as shady as Kinder Morgan. I have let my elected officials know the same.

Thank you for your attention to this grave matter.

Sincerely,

Roy Pincus

20151016-5061

Rosemary Ostfeld, East Lyme, CT.

This project will destroy the environment in and along the Connecticut River, as well as contribute to more GHG emissions. I strongly oppose it, and believe we should focus our resources on renewable energy, rather

than creating natural gas pipelines.

Rosemary Ostfeld
PhD Candidate
University of Cambridge

20151016-5062

{duplicate copy of 20151016-5061 above}

20151016-5076

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

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 enlargement 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 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.
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. 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,

Paul Stevens

20151016-5078

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

The soils in New Hampshire are prone to slippage and washouts, particularly those within watershed wetlands and aquifers as exist in the towns along the proposed pipeline route.

Would the pipeline have survived the landslide on route 101 in Wilton? (Between mile marker 33-4 and 33-6) This closed the road for a several days a few years back.

Would the pipeline have survived the collapse on High Street in Greenville?

What happens if a roadway pipeline is exposed from storm washout or road collapse?

Does Kinder Morgan fix the road?

Who pays for the repairs?

Who is responsible to take control of this event? Local authorities or Kinder Morgan?

How long would it take for Kinder Morgan to respond and assess the problem?

How should you or I respond if we come upon this situation?

How dangerous is this? How do we determine if the integrity of the pipe is compromised?

Power lines can span across high risk areas; pipelines cannot.

Yet another reason to oppose NED.

Thank you for your consideration.

Paul Stevens

20151016-5080

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

What happens if a roadway pipeline is exposed from storm washout or road collapse?

Does Kinder Morgan fix the road?

Who pays for the repairs?

Who is responsible to take control of this event? Local authorities or Kinder Morgan?

How long would it take for Kinder Morgan to respond and assess the problem?

How should you or I respond if we come upon this situation?

How dangerous is this? How do we determine if the integrity of the pipe is compromised?

More reasons to oppose NED.

Thank you

Paul Stevens

20151016-5081

October 16, 2015

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

Re: PF14-22-000, Northeast Energy Direct Pipeline Scoping

Dear Secretary Bose:

My property in Mason, NH, will be severely impacted by this dangerous project, with the pipeline traversing nearly one mile of the land. Since I will not grant an easement and the pipeline area must be taken by eminent domain, I provide the following issues for inclusion in the scoping of PF14-22-000:

1. The nearly one mile of pipeline will create a magnet for all terrain vehicles, snowmobiles, and other motorized equipment. Not only will the trespass of such equipment on this Kinder Morgan (KM) property create a serious threat to the safety of the pipeline, but it will further, and indubitably, create significant environmental harm for my property through the generation of noise, erosion, and lubricant leakage that could further threaten our water and fishery. KM must be mandated to fund the 24/7 security of this nearly one mile stretch of rural property to prevent what will otherwise be voluminous motorized trespass. Due to the length of the segment, I ask that funding be sufficient to provide two designated security guards under my control, or by control of the Town of Mason, for the life of the pipeline. This is not a “speculative” concern; it will occur unless such steps are funded and taken.
2. Notwithstanding the environmental concerns enumerated above, potable and irrigation water concerns are similarly extant on my property. Given the extent of the pipeline and the geology, I request that FERC mandate KM to provide funding, for the life of the pipeline, for monthly testing of the potable water, the large farm pond water, and the multiple-location testing of the irrigation water.
3. For the financial resources needed to support Items 1 & 2 above, I ask that FERC mandate KM to fund those resources on an actuarial basis and within a trust that will remain accessible and outside of any potential Chapter 11 bankruptcy filing of KM. While it would be relatively easy for KM to jettison liabilities in the event of a costly explosion or financial “accident,” it would be unfair to leave me without the future resources to protect my remaining property. Indeed, the failure to provide such assurance could serve to pierce KM’s assertions of any right to take the property by eminent domain under the auspices of the NGA.
4. For similar reasons as expressed in Item 3 above, I ask that FERC order KM to fund an independent trust created to assure payment for the taking of my property. Given KM’s potential to continue the construction of the project on my property, over years of litigation on eminent domain issues, the intent of Constitutional protections would be thwarted if KM were allowed access to the Chapter 11 bankruptcy process and thence fail to compensate me for the future-best-use of my property. A funded trust is the only way to prevent this from occurring.

Thank you for your consideration.

Jon L. Bryan
Mason, NH 03048-4803

20151016-5082

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

Will our towns go bankrupt as people flee?

People don't want the pipeline endangering themselves, their children and their loved ones.

Our property values have fallen in the market place from pure intent of this pipeline.

Each tax payer lost places an additional tax burden on those remaining.

How will we sustain our families with these additional burdens?

Where will we find the money to maintain services, schools, businesses and community medical facilities?

The tax revenue derived from the pipe will be helpful for the first few years, but Kinder Morgan lawyers will re-negotiate every year, claiming depreciation, thus reducing the tax value to almost nothing in a few years.

Another reason to oppose NED.

Thank you

Paul Stevens

20151016-5088

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

The impact assessment does not include all those impacted.

New Hampshire watersheds spread far beyond the towns targeted to receive the pipeline.

Wilton is not targeted to receive the pipeline. The Monadnock Mountain Spring Water company is in Wilton at the junction of routes 31 and 101. That company relies on the purity of the aquifers and the Souhegan River watershed. Pollution and run off from construction of the pipeline and leaching chemicals and emissions will fall somewhere and likely taint the waters being tapped by this company and resident wells.

Another reason to oppose NED.

Thank you

Paul Stevens

20151016-5089

Becky Meier
1409 Route 5

Canaan, NY 12029
beckyjmeier@gmail.com
518-781-4686

October 15, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 2042

Dear FERC,

Before FERC grants a permit to build the Northeast Energy Direct Pipeline, the Environmental Impact Study for the NED should be able to prove that:

- there is a public necessity for this pipeline (as defined in the Gas Act “public necessity” means domestic need)
- eminent domain is used truly for the “common good” rather than for private gain.
- the energy shortage in New England has NOT been manufactured by special interests
- there is enough gas in the shale fields to make this pipeline worthwhile
- continued use of fossil fuel is NOT suicide for our planet
- creating another huge natural gas infrastructure will not perpetuate our reliance on fossil fuel and slow our transition to renewable energy
- the leaks and off gassing of methane will not significantly increase our greenhouse gas emissions
- building and maintaining a pipeline will not endanger the drinking water of the properties along the pipeline or aquifers of the communities along the pipeline
- building and maintaining a pipeline will not endanger the quality of the air along the pipeline.
- building and maintaining a pipeline will not endanger the quality of the soil along the pipeline.
- the organic farms along the pipeline will still be able to be certified as organic after the pipeline is installed
- building a pipeline will not endanger the health and safety of people who live near the fracking fields where the gas comes from
- leaks and off gassing from the pipelines will NOT endanger the health and safety of residents along the pipeline
- children and adults with fragile health conditions will not be adversely affected by living near the pipeline
- the cumulative effects of many pipelines and the continuing nature of such effects will not have a deleterious impact on human health.
- property values for houses near the pipeline will not go down
- property owners near the pipeline will not have troubles selling their homes, receiving mortgages or finding insurance
- property owners along the pipeline and compressor stations do not need to worry about explosions
- the noise and lights from compressor stations will not disrupt the peace and quiet people along the pipeline presently enjoy
- the noise and lights from compressor stations will not endanger the plants and animals that currently live near the proposed pipeline route
- building a pipeline near high tension power lines will not make the pipe material corrode more quickly

- towns will not be burdened with unreasonable infrastructure costs (such as rebuilding roads that have been damaged by the heavy trucks used to build and maintain the pipeline) as a result of the pipeline
- town fire and ambulance employees and volunteers will be adequately trained to deal with possible leaks and explosions
- the Pipeline and Hazardous Materials Safety Administration (PHMSA) has sufficient funds to adequately monitor the safety of the pipeline
- all citizens- whether rural or urban- are afforded equal protection from possible dangers of the pipeline
- citizens that are adversely affected by the pipeline have a way to be compensated or the problem remedied
- the pipelines will be built low enough not to be affected by new England frost

20151016-5090

October 15, 2015

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Federal Energy Regulatory Commission

888 First Street NE

Washington, DC 20426

RE: Docket No. PF14-22-000

The Clean Water Act Section 303(d) Program is intended to protect our aquifers and watershed.

Our existing clean fresh water supplies are essential to our existence. We have no other fresh water sources available to our rural neighborhoods.

The Clean Water Act Section 303(d) Program includes a ‘Protection Goal’. The intent of the Protection Goal is to encourage a more systematic consideration of management actions to “prevent impairments in healthy waters (i.e., unimpaired waters) in order to maintain water quality or protect existing uses or high quality waters.”

You have a moral duty to uphold the goals of the Clean Water Act Section 303(d) Program and reject the pipeline.

Another reason to oppose NED.

Thank you

Paul Stevens

20151016-5091

Allegra Schechter

211 Adair Rd.

Cherry Valley, NY 13320

October 15, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Washington, DC 20426

Docket #PF14-22-000

Dear Secretary Bose;

A federal water study by the U.S. Geological Survey noted that gas “drilling, extraction, transport via pipelines, and underground storage” could inadvertently introduce methane into drinking water supplies. There is a prevalence of shallow bedrock on the steep mountain slopes in this region, where the pipe may not be buried deep enough to withstand heavy floods. When a pipe is exposed, scouring from the water and sand and debris rushing over it can cause damage to it. This could result in methane leakage, not only into the pristine waters of a trout stream, but into our drinking water aquifers as well.

When the Constitution Pipeline dry trenches its way through most of its almost 300 water crossings, it will be introducing the potential for methane to escape. Constitution is only assuming a 5 year storm event into their engineering calculations for size of pipe flumes in their water crossings. New York has had several 100 year floods and even a 500 year flood in the past 10 years. There is no way to protect NYS water quality through best management practices in a storm event of that size. Silt fences and inadequately sized pipes would be cast aside like a joke. Will the NED Pipeline use more stringent and appropriate guidelines for their storm mitigation plans?

Methane is not the only potential contaminate. The Constitution Pipeline will be clear-cutting 36 miles of Right of Way through New York’s previously un-fragmented forests on steep slopes, inevitably causing mud and sediment to be washed into our streams and watersheds, with flood events destroying communities, wetlands and aquifers. The NED pipeline running along side Constitution will by necessity create an even wider right of way, increasing the volume of toxic run-off. How will this be mitigated?

Sincerely,

Allegra Schecter

20151016-5093

The Nolumbeka Project Inc

88 Columbus Avenue
Greenfield, MA 01301
(413) 772-3747

October 13, 2015

VIA ELECTRONIC FILING

Ms. Kimberly D. Bose

Secretary

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

Re: Kinder Morgan Northeast Energy Direct Pipeline Project Docket No. PF14-22-00

Cultural Studies under Section 106 of the National Historic Preservation Act and other related Massachusetts and Federal Laws:

Dear Secretary Bose:

Recently Tennessee Gas Pipeline Company, L.L.C. released to the Federal Energy Regulatory Commission (FERC) and the public, an incomplete Environmental Impact Statement (EIS) on the Northeast Energy Direct Project listed above. The Federal Energy Regulatory Commission (FERC) has before it the consideration of this pre-permit application for the Kinder Morgan Northeast Energy Direct (NED) Pipeline Project, to blast, trench, drill and dredge under and in environmentally and culturally sensitive areas to American Indians, the Nolumbeka Project, local historic commissions and others. Without in-depth meaningful research, this project may well destroy or disrupt early historical Colonial and Black settlements, American Indian ceremonial sites, battle sites, burial grounds, planting fields, and stream and river fishing sites covering a historical time frame ranging from pre-contact to present time period, a historical record spanning beyond 9,000 years.

We believe this incomplete (EIS) was submitted to FERC as a testing of the waters or fishing expedition to ascertain the depth and strength of the concerns out here in the Middle Connecticut River Valley surrounding environmental, cultural, public opinion and other important challenges that might exist around this project, and to provide FERC with a form of accounting by Kinder Morgan to these NED project challenges prior to or at the time of the official submitting of the application with the hopes that FERC will fast track this very complicated and important accountability. Should this prove to be true, the Nolumbeka Project believes this pre-application process reflects is a very shallow understanding of real challenges that surround the long and rich American Indian, and later Colonial history that created the cultural and religious antiquities that still exist on and under the ground in the project area.

For a meaningful accounting to these historic cultural assets by KM and FERC to take place under Federal, State and local Law when the real NED application is submitted, the complex nature of this challenge needs to be acknowledged and addressed. Considering the scale of the undertaking and the scope of Federal involvement in the NED project, to address the complex nature of the cultural challenges at risk will require considerable resources, including a sizable force of properly trained personal with tribal oversight, and a great deal more time than this FERC fast track process is suggesting will be allowed.

Pursuant to Section 106 of the National Historic Preservation Act, Indian Historic Preservation Offices need to be engaged to consult and affirm their religious, cultural and Tribal historic concerns on this project now in the early stages of FERC review.

This licensing project is a Federal undertaking, as defined by the National Historic Preservation Act (NHPA).

The Act informs that, “When Indian Tribes... attach religious and cultural significance to historic properties off Tribal lands, section 1019-(d)(6)(B) of the act requires Federal Agencies to consult with such Indian Tribes...” 800.2(c)(ii)(D) And that the Agency (FERC)

“...shall ensure that consultation in the section 106 process provides the Indian Tribe... a reasonable opportunity to identify its concerns about historic properties, advise on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, articulate its views on the undertaking’s effect on such properties, and participate in the resolution of adverse effects.” 800.2©92)(ii)(A)

“The Agency official shall plan consultation appropriate to the scale of the undertaking and the scope of the Federal involvement and coordinate with other requirements of other statutes, as applicable, such as the National Environmental Policy Act, the Native American Graves Protection and Repatriation Act, the American Indian Religious Freedom Act, the Archaeological Resources Protection Act and agency-specific legislation.” 800.2(a)(4)

We understand the Commission will use this Environmental Impact Statement (IES) or a modified version of it in its decision-making process to determine whether the Project is in the public convenience and necessity.

The Nolumbeka Project would like to comment on our areas of experiences and concerns.

We will discuss:

- A brief cultural overview of the Middle Connecticut River Valley. The unique geology and history of the Middle Connecticut River Valley and the direct, indirect and cumulative pipeline and compressor station impacts on sensitive stone ceremonial antiquities and the importance of the use of the water, clear night sky, line of sight and sound resources by the early indigenous peoples associated with those at risk sites. The challenges of preserving Northfield’s and other valley town’s early indigenous and colonial settlement patterns and long prehistoric and post contact history. And what part that history plays in Northfield’s and other’s Master Plan and economic future. The Department of the Interior’s Dec 11, 2008 Determination of Eligibility to the National Register of Historic Places (NRHP) assigned to the Turners Falls Ceremonial Hill District, Turners Falls MA, and what impact that might play in the NED project Cultural Scoping Process.

- Who is best qualified to be making those Ceremonial Stone Landscape identifications, and what resources including how much time might be afforded the tribes and other interested parties to accomplish that mission.
- The challenges of past pipeline project's interpretation and implementation of 36 CFR part 800 also known as 106, Massachusetts Cultural Preservation Laws including CMR 950 and MGL 114 section 17, and the need to slow down the process to insure the application and success of 106 to allow the tribes and others the time to do the essential in depth research needed to identify and take measures to avoid, minimize, or mitigate impacts to tribal, black and colonial historical villages sites and other resources impacted by the NED project prior to FERC's final decision.
- The challenge of the taking of private land for public use that falls under the protection of MGL 114 Section 17
- What part the Nolumbeka Project as a cultural preservation stakeholder might play in assisting the tribes and others as part of the Scoping Process to identify and help resolve cultural preservation issues on the NED project before FERC receives a formal application on this docket.

CULTURAL OVERVIEW

The Middle Connecticut River Valley has a long and vibrant cultural history of continual human presence going back in some areas over ten thousand years with the first peoples to occupy and change this landscape to one that served them well in many ways, which included fishing, farming and hunting, but most especially by native peoples acknowledging and augmenting many parts of the natural landscape and special water resources located there, with a very deep and rich spiritual and ceremonial significance that to this day is still visible and in use by many tribes. Many of the ceremonial activities were worked into the landscape, often in association with fresh water resources, by building and augmenting with stone, a practice that has now been recognized by the Department of the Interior in our area as a "Ceremonial Stone Landscape District".

As many of these sites were used for ceremony, they were often chosen for the very special resources that existed there. These often included clear running water, waterfalls, special geological resources such as the use of quartz and other stone features found in the natural landscape and the natural sound-scape, which might include a amplified environment as in a canyon or stone recess where the sounds of the natural world is expanded and brought to the attention of the participants, and a clear night sky for the use of celestial alignments to celebrate and acknowledge special seasonal and ceremonial events important to the tribes and historically celebrated for millennia before the first Europeans arrived in this valley.

In a ruling brought fourth by the DOI in December of 2008, a Ceremonial Stone Landscape District was created. The (CSL) district has since been extended out to a twenty- mile radius around the Turners Falls Airport (0B5), and has been designated as eligible for listing in the National Register of Historic Places under both criteria A and D. In consideration of this special assignment by the DOI and understanding the tribal responsibilities that go along with it, we see an opportunity for FERC and the proponents to work closely with the tribes and other cultural resource NGO's including the Nolumbeka Project Inc., to become fully educated on this type of cultural landscape and bring to bear the proper resources to support a comprehensive parallel tribal/archeologist assessment of the cultural landscape, perhaps as part of a (TCP) study, with knowledgeable tribal experts judging all "things Indian".

The Town of Northfield MA and other Western Massachusetts Towns, have incorporated into their Master Plans and other economy building strategies, a renewed focus on the long and rich history of our area as an historical tourism and academic research generator fueling their local economies. The story of Northfield Massachusetts and many surrounding Western Mass communities, is the story of the United States from its beginning before contact to the present. The length and depth of this history is rarely repeated anywhere else in the country. Northfield's / Squakheag's story includes peace, war and the forming of a new nation, and is embedded in the land, the waters and in the hills, in the form of old cellar holes, mill sites, trail systems, village sites, burial grounds, battle field sites, streams, brooks, swamps and stone landscapes, many of which

are often misunderstood and overlooked by traditionally trained archaeologist. Not all the sites have been identified but it is already known that a number are near and in the path of this pipeline and its' infrastructure, and are likely to be negatively impacted directly or indirectly by the construction process both in the hills and on the ancient river-bottom terraces. Given the overwhelming number of known and yet to be discovered sites, we feel a weighted consideration must be given to identify and avoid these sensitive historic areas.

The need for an intensive research protocol is most especially called for here in Western Massachusetts where human occupation and traditional cultural practices have been occurring continually for at least nine thousand years. (Dincauze 1976 Northfield Archaeological Field Study Report), and needs to be put in place well ahead of any disruptive activities that might take place. The permitting process needs to slow down to allow enough time to assess the Kinder Morgan EIS and put in place any and all adjustments and alterations on cultural preservation and Traditional Cultural Properties Studies to avoid what happened with the Spectra Pipeline Project.

There are out in the Western Massachusetts area, many hundreds of known, and many more yet to be discovered and listed Ceremonial Stone Landscape sites, perhaps thousands. The Massachusetts Archaeological Society has listed over ten thousand such sites on the east coast. These ceremonial cultural sites are an irreplaceable asset to all indigenous peoples and the state of Massachusetts as they well meet the criteria of a Traditional Cultural Property. As well as having an accountability covered in this CSL district umbrella, there is also the Federal 106 process and Massachusetts CMR 950 and MGL 114 section 17 that will come into play to issue a Certificate of Public Good for the Kinder Morgan NED Project to move forward. All of these accountabilities will require significant resources including time, for meaningful tribal participation to take place. It is very important for the project proponent to first identify all the cultural resources, including the Ceremonial Stone Landscapes, in the path of the project and the construction activities needed to lay the pipe, and find ways to avoid impacting these resources. The best way would be to avoid any and all parts of the landscape that fall under the Ceremonial Stone landscape District protections in our area, and alter the route to avoid such areas. As part of this need, and due to the sensitivity of the cultural properties involved in this project, the Nolumbeka Project is requesting a Traditional Cultural Properties Study (TCP) fully funded to support a parallel tribal assessment. The Nolumbeka Project is making just such a TCP study protocol to forward to FERC at a later date.

Much of the pipeline moving northeast to southwest in the project area in Western Ma, will take place up in the hills on the great rift of the ancient Pangea fault lines created between 300 and 200 million years ago when the super continent of Pangea came together then violently tore itself apart. The ledge on these lines is a complex mix of igneous and volcanic metamorphic rock comprised of granite, gabbro, rhyolite, basalt, metaconglomerate quartzite, slate and marble. The presence of large quantities of quartzite on this mountain range makes for a very strong ceremonial cultural area. This situation will not make for smooth going for the pipeline project, as much of the pipeline right of way will need to be dredged, horizontally drilled and blasted out of the bedrock.

This blast and drill process, has the real potential to threaten the cultural resources we have spoken of, by direct and indirect impacts, including the construction of staging areas, right of way widening and road building activates required to create access for the heavy equipment needed to construct the staging work areas, compressor stations and pipeline trenches, and will put at risk the upland water resources that feed the valleys and our town's drinking water supplies below.

Once more as this process of identifying the cultural resources at risk is going to need much more time than is currently allowed in the suggested fast track licensing process, it is important to slow this project down until meaningful research can be done to identify and protect our environmental and irreplaceable historical and native cultural resources. It has come to the attention of a number of cultural preservation non-profits and other stakeholders, including the Nolumbeka Project, that the FERC licensed Spectra Pipeline Project coming out of New York through Connecticut had a struggle with identifying and clearly understanding the obligations contained in 36 CFR part 800 also known as 106. Those misunderstandings appear to have cre-

ated what in the field became known as the “steamroller” cultural assessment process. As we understand it, the process in place did not allow nearly enough time and resources for a unified understanding and interpretation of 106 with all the interested parties pursuant to FERC and the Advisory Counsel request for clarity with regard to 36 CFR Part 800 and 106 on a number of important questions until well after the construction process was taking place. This left all the cultural preservation people running ahead of the heavy equipment and construction crews in an attempt to identify and flag important cultural sites and resources that should have received a comprehensive study and understanding ahead of the pipeline construction process. We suggest a unified understanding and agreement by all parties may have facilitated the implementation of a preservation or avoidance plan for a number of at risk sites not previously identified before construction began.

We understand that a number of important sites were destroyed as a result of the hasty and incomplete research process. We need not to repeat the missteps of Spectra Project on the NED project, and that will require slowing this process down.

The Nolumbeka Project feels that the discovery of unanticipated cultural resources and human remains need to be addressed by leaving them in place and avoided without project impact. To consider that some of these cultural resources have survived for thousands of years before this project came on the scene, and that the useful life of the NED project is unclear, and many believe out of step with the technology and public support for a clean renewable energy future, to destroy an antiquity for an pipeline infrastructure that may well be gone or shutdown in less than fifty years, seems to be an exercise in unsound judgment, without first getting all the facts on alternative energy and or conservation solutions including repairing all the leaks in the existing lines. There has not to date been transparent access to the data offered to FERC by the proponent of the NED Project or the other utilities who have signed on with KM, to prove their case for this project, that has been allowed to be scrutinized by public officials and independent researchers.

We also have concerns on the unrealistic short timeframes allowed in the NED EIS that mandates tribal consultation within 24 hours of the discovery of human remains after which time non tribal persons have the right to dig up and remove Indian remains. This seems to be out of step with the intent of 106 and a violation of Indian and government agency trust, as well as a violation of MGL 114 c17. With over 400 miles of pipeline on this project it is very possible to discover any number of unanticipated cultural resources and or human remains at the same time and unrealistic to expect that tribal resources could be available in so many potential places at the same time on such short notice.

We would like to ask for clarity around the issue of the taking of private land for a public use and necessity that might prove to be triggered by MGL 114 c17. Many of the section of the pipeline route here in Western MA we suspect to have the real potential to discover unmarked burials in the path of the project. If this were to be the case on a property that was taken by Emanate Domain how would that issue be reconciled when 114 c17 states “A town shall not alienate or appropriate to any other use than that of a burial ground, any tract of land which has been for more than one hundred years used as a burial place; and no portion of such burial ground shall be taken for public use without special authority from the general court. “Burial place”, as referred in this section, shall include unmarked burial grounds known or suspected to contain the remains of one or more American Indian.” As this scenario is likely to play out here in our area, most especially in the Deerfield and Greenfield meadows, the Plains in Montague and hills up and down the valley, we question how a property can be taken for this project that would require a two thirds vote of the general court to appropriate to any other use if that property proves to contain unmarked, Colonial, Black or Indian Burials? These complicated conversations require more time than would be appropriate in this short letter of concern. A fully funded parallel tribal/archaeologist collaboration (TCP) study could go a long way to facilitate this happening.

The Nolumbeka Project operates as a cultural preservation educational non-profit with a focus on the Native American cultural preservation challenges in the northeast and beyond. With our background and understanding of these areas, we can offer to the tribes, our 20 plus years of research archives and field experience to assist the NED Kinder Morgan Project in meeting their obligation under the Federal 106 requirements.

Respectfully,
Joe Graveline
President
The Nolumbeka Project Inc.
oldgraywolf@verizon.net

20151016-5094

Docket: PF14-22-000

RE: Stone Walls and Cultural/Historical Significance

Dear Mr. Tomasi:

The Applicant(s), Tennessee Gas Pipeline Company / Kinder Morgan, is required to inventory and provide considerations for all monuments or stone walls (Stone Walls) that the proposed Northeast Direct (NED) of PF14-22-000 will transverse before approval and construction. Please be advised that many Stone Walls date back to the King of England timeframes in New Hampshire, Massachusetts, Pennsylvania and New York. Many of New Hampshire's towns and Stone Walls are older than the United States of America.

The NED project must be considered as a whole and not the inappropriate segmentation embattled within FERC and public purview, as such these structures do not adhere to all political or proposed segmented boundaries.

Please note that Greenville, NH (next to Temple, New Ipswich and Mason, NH) is only a recently incorporated town due to a succession from Mason, incorporated in 1768; Greenville, NH used to be "downtown" Mason, NH. Some of the towns in NH, being incorporated in the 1600s have celebrated their 350th anniversaries in recent times. The New Hampshire State Constitution predates the United States of America's Constitution by a couple of years.

Please additionally provide report on all historical and cultural ramifications for NED additionally regarding Stone Walls coupled with Susan Williams' comments regardless of district bounds as such New Hampshire (and the Monadnock region) is rife with Revolutionary (and prior) historical and cultural content inclusive of Indigenous motifs. Please note that stone walls by the Nevins family in Hollis, NH also has Revolutionary historical significance where they stopped propping up their stones in the ground and have remained ever since, when asked by the Hollis, NH equivalent of Paul Revere, to join the Revolutionary efforts of this, the Great Land of the United State of America in 1775.

The above is practical experience. Denial of survey (lack of survey permission) or other summarily dismissal, does not render avoidance or exclusion from analysis.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack
"Davis", NH

20151016-5095

Docket: PF14-22-000

RE: So-called "Smoke and Mirrors"

Dear Mr. Tomasi:

We call your attention, by way of example, to the resource report submitted by Tennessee Gas Pipeline Company, Volume 11, entitled "Safety".

Tennessee Gas Pipeline Company states that Kinder Morgan's safety record is 0.25 incidents per 1000 miles.

Kinder Morgan's Safety Record is irrelevant here.

The Tennessee Gas Pipeline Company is submitting this resource report, will be installing the pipeline, and doing "all the work". Not Kinder Morgan.

And the above statement still comes out to 7 incidents per year on average (almost once every other month) for Kinder Morgan. This is unacceptable at airports when landing planes and using these statistics; how is this acceptable for the transportation of fracked gas?

Tennessee Gas Pipeline's safety record is additionally "abysmal" regardless prima facie it may include Kinder Morgan's known fatalities and convicted felonies in the public record.

While it is unclear if the above disclosure in the Resource Report is due to seemingly outward willful deceit or ineptitude, please be mindful of this "comingling of entities" and other seeming statistical denominator manipulation when vetting these numbers as part of the EIS. The above seeming "bait and switch" paradigm is ostensibly replete in the resource report and still has very little to do with the area proposed for development.

We require a full report on both Kinder Morgan and Tennessee's safety records as part of the Environment Impact Study (EIS); piercing of the corporate veil, so to speak. We require a report on all instances of seemingly manipulative stochastic, partial or inaccurate disclosure especially when contrasted with public record. We can help with this as needed where New England is replete with experts, PhDs and researchers especially where we have Boston University, MIT, Harvard, Dartmouth, UNH et cetera (also as New Hampshire is tied with Florida by average age, and retirement, we have availability).

On a side topic, why do many of the file names for these Tennessee Pipeline Company resource reports include "PUBLIC" and "FINAL"? This seems far from possible with amount of beleaguered TBDs. Thank you for the responses to the Applicant regarding information requested, however, it should be noted that the information is required to describe the area

and impacts before proceeding with filing in the best interest of all stakeholders and especially investors.

It is apparent that Kinder Morgan (or Tennessee Gas Pipeline Company) does not understand their own project, as such how can any Kinder Morgan investor or Tennessee Gas Pipeline Company investor understand this project?

The above is practical experience and empirical evidence of direct impact despite partial disclosure.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack
"Davis", NH

20151016-5096

Docket: PF14-22-000

RE: Raptors

Dear Mr. Tomasi:

In the flyway area of Rindge, Temple, New Ipswich, Sharon, Peterborough, Mason and Greenville:

{photo omitted}

14,000 Raptors in October (2011) in this area

We require study of how the raptors (including Eagles) that use the "lead line" (the Monadnock mountains and the mountains surrounding the Compressor Station) are affected by the Applicant's proposal. Keep in mind that the raptors also use the adjacent Reservoir next to the Temple Elementary School adjacent to the proposed Compressor Station site in New Ipswich abutting the Temple Beef Farm adjacent to the Temple Elementary School.

We have prior legal opinion and precedent from public proceedings with another energy company that 2-years of study is required. Ultimately that prior energy company abandoned development in New Ipswich and Temple due to the extreme cost and lack of return for their investors to develop our briar patch in the Mo-nadnock region of Southwestern New Hampshire.

The above is practical experience and empirical evidence of direct impact that the Applicant has failed to address in their overbroad resource report filings that actually has little to do with the area proposed for development. The expense of this briar patch for development may be a pitfall for Kinder Morgan's or Tennessee Gas Pipeline Company's investors.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack
"Davis", NH

20151016-5097

Allegra Schecter
211 Adair Rd.
Cherry Valley, NY 13320

October 15, 2015

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

Docket # PF12-9-000

Dear Secretary Bose,

This area's natural resources include wonderful scenic landscapes of rolling hills and fields, clean air and water. Our mountain slopes are covered with beautiful un-fragmented forests. Thousands of tourists come every year, just to see the brilliant Fall foliage. These trees are not just nice to look at – they are performing an important function of preventing land erosion and absorbing carbon from the atmosphere. This area often has torrential downpours. In fact, we have had 100 and 500 year floods in the span of two weeks! Clear-cutting right of ways on steep slopes will cause significant run-off of mud and silt into our streams, ponds, rivers and lakes. It is a potential environmental disaster. Many of these streams are protected by the New York State Department of Environmental Conservation as trout fishing and spawning areas. How many thousands of acres of trees will be cut down in order to clear the broad expanses required to lay the pipe? How will that run-off affect all the waterways and watersheds downstream from them? This should be studied along the entire route of the proposed pipeline.

Our area is also blessed with many fresh water springs and artesian wells. How will construction of the pipeline interfere and possibly destroy this precious natural resource? There are numerous documented instances of drinking water impacted by simple laying of pipe through springs and streams in Susquehanna County, PA. A small fine after the fact, does not make-up for permanent interruption to these sources of pure clean spring water after the damage has been done.

We are so proud of our clean water, land and air in this part of upstate New York, where the Tennessee Gas Pipeline has proposed its route. It's why most of us have chosen to live here. Schoharie County was known as the Bread Basket of the Revolution in the 1700's and for almost 300 years has managed to maintain its agricultural status. Its fertile valleys produce much of New York's fruits, vegetables and dairy products. It is, in effect, Virgin Territory for this industrial inroad to take place and this proposition should not be taken lightly. Once pipelines and compressor stations are built – it can never be returned to its present state. Its beauty and tranquility will be lost forever to our children and our children's children and generations to fol-

low.

Thank you,

Allegra Schecter

20151016-5098

Docket: PF14-22-000

RE: Noise Study

Dear Mr. Tomasi:

We require, for any filing by the Applicant(s) or EIS purveyors, the inclusion of noise study from the pipeline and compressor stations, not limited to, but especially for the segmented and delineated market path for station #4 in Hillsboro county of NH (currently the New Ipswich, NH / Temple, Greenville, Rindge, and Mason encumbering Compressor Station). Please be advised that noise is defined as an “unwanted” signal or sound.

As such (in the Monadnock region of Southwestern NH) we currently enjoy a severely noise relegated environment approaching 19 dBA when insects are muted during some our seasonal variances. All noise studies shall include 4 studies for each seasonal variance with not more than two studies encompassing any one season for any given annum. The study disclosed to the public for any filing by the Applicant or EIS shall additionally include (but is not limited to) all sources of infrasound acoustics and sound or noise, modeled and measured, inclusive of transfer function measurements or derivation: All acoustic energies in all scales (exempli gratia, dBA, dBC, dBG) shall be simultaneously presented as non-stochastically, unweighted and account for direct conduction, acoustic coupling, with secondary acoustic reradiation and acoustically coupled sources, inclusive of air (with varying densities inclusive of weather, like fog, other chemistry or gasses), water, stone or other media.

Infrasound shall be additionally modeled and studied using the G-weighted scale and not be skewed by masking effects from the dBA (or dBC) region of emphasis. As such masking effects are reduced for folks with hearing deficiencies in the dBA region of emphasis. No masking effects shall be considered due to animal or human population situations.

Studies for transfer functions and reradiation must include residential and especially other structures with natural resonances measured and modeled. Existing structures must be physically visited and studied additionally with infrasound generation perturbation inclusive of situations where structures are compromised by snowpack or snow load of four feet versus non snow load scenarios over all seasonal variations.

Transfer functions shall be derived using appropriate means; however, it is noted with guarded caution that conventional geophones have particular resonances and reduced dynamic range “suckouts” within their spectral responses outside of seismic regions that are within areas of interest. Non conventional technologies or geophones exist with extended functionality and are required for side-by-side analysis by Applicant or EIS purveyors for studies. Studies must include 41,000 horsepower (30.5 megawatts identical) compressor station boilerplate power ratings, more or less, and future “upgrades” that may include, but are not limited to, 80,000 and 120,000 horsepower compressors station scenarios. Please be advised that it has been disclosed by Applicant that they have never built any of these compressor stations this large, as such no prior experience or practicality (notionally of 49 CFR 192) exists, coupled with no prior precedent of any kind, expressed or implied. Studies must include intermodulation from the Passive Intermodulation (PIM) constructs in the area and distortion-based modulation “sum and difference” products included ESPECIALLY from operations of multiple parallel compressors in systems. Monte Carlo analysis or other stochastic, non deterministic (exempli gratia, genetic algorithms) modeling shall additionally be peak searching. This, especially coupled with tonality analysis.

All parameters used to run study simulations must be disclosed with methods used inclusive of model calibration methodologies.

Pure tones and other peak phenomena shall be disclosed and studied for all weather conditions including snowpack and ice with and without sublimation and fog, trees with and without leaves; all seasonal variability and weather conditions over aforementioned annual bases (basis plural) of time due to variations from year-to-year of land water content, frost line, et cetera. Average noise will only be used for baseline motifs and peak phenomena are required for study due to preexisting condition in the area. Please have Applicant or EIS purveyors indicate all stochastic or deterministic methodologies used, especially when coupled with finite element analysis, genetic algorithms, Newtonian method of moments or other paradigms.

All source code for models and compiled executables must be included. Please do not worry; we are rife with licensed engineers, PhDs, doctors and Lawyers in this area of the incomplete and overbroad NED project proposal.

Reports shall include effects to school children education, adrenaline based responses to meat in the woods (hunting as is used for quality of life, socio-economic, cultural and historical human paradigms) and the abutting (possibly soon to be organic) Temple Grass Fed Beef Farm for this and any compressor station, and of course, residents and critters -- endangered or otherwise.

Please be advised that many folks ride horses and we have multiple pony/horse farms (some with endangered species) nearby the proposed Compressor Station in New Ipswich, NH. How do these animals and the riders respond to being "spooked" by a blowdown (or blowoff) in this affected region? To prevent spooking, equestrians have the right-of-way as automobiles do not have such liberty.

We are reminded of the three developmentally disabled adult communities in Temple, NH coupled with Low Frequency Noise (and all other sound or noise) situations:

The above is practical experience and empirical evidence of direct impact that the Applicant has failed to address in their overbroad resource report filings that actually has little to do with the area proposed for development.

If the Applicant, Kinder Morgan or Tennessee Gas Pipeline Company does not know this very basic information about the area they have selected for final approval as "preferred routing", have they wasted and squandered their investors' money?

We are further reminded of intrigues and concerns within FERC public record and comment regarding low frequency sound for the Newtown, CT school tragedy shooting and individuals with sensitivities, for example Mr. Lanza. It has been claimed that Mr. Lanza told his psychiatrist that he was "bedeviled" by vibrations prior to the shooting tragedy. Pipes by Lanza's home are only 1500 feet away; the Temple Elementary School, Beef Farm, Religious Institutions et cetera are closer. Please see also:

20101129-0017 Comments of Stephen Kohlhase re investigation and study of the Low Frequency noise and vibrations to continue to be expose from Iroquois Gas Transmission System, LP's Brookfield Compressor units under CP07-457 et al.

20101130-0004 Comments of Stephen Kohlhase re investigation and study of the Low Frequency noise and vibrations that continue to be exposed re Iroquois Gas Transmission System, LP's Brookfield Compressor units under CP07-457 et al.

20101210-4001 Letter to Stephen Kohlhase re the 11/24/10 letter documenting concerns about the noise and vibration potentially originating from Iroquois Gas Transmission Company's (Iroquois) Brookfield Compressor Station under CP07-457 et al.

20110216-5007 Comments of Bruno Ricci under CP07-457, Low frequency noise & vibrations still need to be mitigated

20120726-5039 Iroquois Gas Transmission System, L.P. Report on Noise Mitigation Efforts at Brookfield Compressor Station under Docket No. CP07-457.

20121009-5127 Comment of Stephen D Kohlhase under CP02-31, et al.

20121120-5018 Formal Complaint of Stephen D. Kohlhase under PF12-9, et al.

20121123-5048 Comments of Stephen D. Kohlhasse re the Millennium Compressor Project under CP11-515, et al.

20130611-5004 Comment of Stephen D Kohlhasse under CP02-31, et al

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack

“Davis”, NH

20151016-5099

Susan Andersen

Mason Hollow Nursery, LLC

47 Scripps Lane

Mason, NH 03048

October 15, 2015

Federal Energy Regulatory Commission

888 First Street, NE, Room 1A

Washington, DC 20426

After careful consideration, the Andersen family and Mason Hollow Nursery, LLC must formally oppose the proposed lateral extension through Mason, NH to Fitchburg MA. Our analysis does not show a benefit that would outweigh the risks posed to our business, our family and our Mason NH neighbors.

In 1994, the Andersen’s selected their property of approximately 100 acres (which lies between Scripps Lane and Sand Pit Road) due to its pristine habitat condition and abundant, clean surface water. The Andersen’s (Charles & Susan) live on the property and also established a greenhouse and plant nursery on the same property. Mason Hollow Nursery raises rare and unusual native plants and houses a collection of rare orchids. Mason Hollow counts Universities, Botanical Gardens and Private Citizens as its customers. The ability to have access to clean/uncontaminated surface and shallow well water for irrigation is critical to the operation of the business. The Andersen’s also use a shallow well for domestic water use

The lateral extension of the pipeline comes close, not crossing the Andersen’s property, but roughly paralleling it up gradient on the west side of pole hill.

1. This is a significant concern regarding runoff, both during the initial construction and under normal operation. Any contamination of the surface or ground water by oils, volatile organic compounds or herbicides could have significant adverse impact to business and domestic use of water. Not to be forgotten is the potential harm to the wetland ecosystems in this area including an open marsh and a Black Gum swamp (rare in NH).
2. There is also concern about the physical alteration of the natural surface and subsurface water flow, due to the proposed path cutting across pole hill. Potential channeling or interruption of water flow could have unintended consequences

The lateral extension of the pipeline does not roughly parallel the Ever Source electrical power lines as does the main NED pipeline, but travels south through Mason directly through back yards, prime wildlife habitat (one of the only healthy Moose populations in the area) and near homes. This will cause a significant scar and disruption for this quaint, rural New England Town. Several homes will be directly in the incineration zone area and it does not appear that any significant compensation would be available to those affected.

The lateral extension of the pipeline does not seem to have any real benefits to outweigh the risks:

1. There is no energy benefit to Mason (no electricity or heating fuel)
2. There is no published need for the lateral extension. Kinder Morgan representatives indicated at a public hearing that they did not yet have a defined need.

The risks are high to the Andersen's and the town of Mason in general if lateral extension of the pipeline is built. Mason Hollow Nursery LLC, in particular, could face business viability issues if water disruption or contamination were to occur. Given the lack of significant offsetting benefits, we urge that this portion of the NED project be rejected.

Thank you for your consideration.

Sincerely,

Susan Andersen
Mason Hollow Nursery
www.masonhollow.com

20151016-5100

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

October 15, 2015

Docket #PF14-22-000

Dear Secretary Bose;

I am very concerned about the cumulative effects on New York's water resources from having two pipelines - the Constitution and the Tennessee Northeast Energy Direct (NED) projects - in such close proximity to each other. They must be considered together as the Tennessee Gas Pipeline (TGP) has already pre-filed its intent to follow a route right next to Constitution, sometimes as close as 50 feet.

By following right along side Constitution's greenfield path through forested steep slopes, the NED project will be able to say they are following a pre-existing right of way. However, in this case, that does not mean it will have less of an environmental impact. The path of the Constitution Pipeline would cross almost 290 water bodies - at least 80 of them high quality specially protected trout streams. Constitution now says almost all of these would be crossed by digging trenches through them, not by horizontal directional drilling under them as the DEC recommended to FERC. This will increase their turbidity, creating "a substantial visible contrast to natural conditions".

How will this double blow affect our streams and rivers? Will NED be made to bore under streams that Constitution did not? Both pipelines will have to cross through all the same protected trout streams, but they will not be doing this simultaneously. They would by necessity be disturbing each water body during two different construction windows. Any disruption from turbidity to trout habitats that may have already cleared up from Constitution's construction will be disturbed again by TGP. This makes it impossible for the eco-system to regain its integrity.

Two pipelines also increases the probability for mechanical failures during water crossings, resulting in abandoned drill bits and pipe or prolonged and uncontrolled releases of drilling mud, creating permanent damage in a previously pristine trout stream. In addition, the Constitution and TGP would cross over several aquifers and watersheds in New York State alone, and untold numbers of private wells and wetlands. Together, both the construction and right-of-way maintenance for the two pipelines will cause severe negative impacts to water quality, not only in surface waters and wetlands, but also to our drinking water.

The cumulative effects of the two pipelines must be considered in the EIS. This should have been done in a supplemental EIS for Constitution.

Sincerely,

Allegra Schecter

20151016-5101

Docket: PF14-22-000

RE: Meteorology, part 2

Dear Mr. Tomasi:

We had an ice storm not too long ago; Samuel Clemens (Mark Twain) in the 1800s has also commented on the beauty of ice storms in New England. Notwithstanding, we had no electricity for 14 days, nor Internet or phone service for 30 days. Cellular towers lost their battery backup after 2 days, thus no cell service for the remainder of the event; it was 1927 all over again!

There was severe community collaboration and celebration amidst this seeming hardship. We had, what many folks refer to as “5-star” meals (as best as could be accommodated), at the Temple Elementary School (Temple’s Emergency Shelter, which also serviced surrounding towns) and the outpouring of residents’ generosity for food and sundries donation was apparent. The National Guard was also impressed, yet we discovered that there were many difficulties with mutual aid for police and fire. This is the third ice storm of similar magnitude We have experienced in recent memory and some of Us are only in our 20s.

While it seemed like 1927 (as the old-timers refer – when Temple first received electricity service), we were reminded that folks have lived here in the Monadnock region (inclusive of Temple and the many towns West of Milford, NH) for centuries, without natural or even fracked gas. Many homes in Temple only just received electricity service in the 1980s. Yet we are not rural despite what US Census data may suggest. As such we have a large contingency of PhDs, engineers, lawyers and business professionals that require the quiet and solitude of this country setting. Many work out of the home nearby, as their only livelihood.

Regardless, any compressor station engineering design, EIS study or Applicant filing, must include these contingencies, of being inaccessible for weeks at a time. It must be designed such that communication outage of 30 days does not preclude proper or safe operation of the same. Dedicated communication towers for compressor station and ancillary equipment is not sufficient as such the compressor station must be designed for dead-man shutdown.

The above is practical experience.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack

“Davis”, NH

20151016-5103

Docket: PF14-22-000

RE: Meteorology, part 1

Dear Mr. Tomasi:

We were recently prevented from driving during a snow event; it was declared illegal, especially in Massachusetts.

There are several ramifications to perceived mitigations from the Applicant, Tennessee Gas Pipeline Company for the NED project, for affected water wells. For compromised wells, the trucking of water for “pig” containers for affected well owners is impossible in this region for the above reasons (and many other reasons disclosed in other parts).

Hurricane Irene recently devastated the White Mountain National Forest (approximately 2 hours North, by car, of Southern New Hampshire). If a hurricane can make it all the way North to the White Mountains, which they do, it can affect the area where the incompletely specified NED project is proposed. In fact, there have been other hurricanes that have affected, directly, the area of the proposed and incomplete NED project.

However, for hurricane Irene, roads were carved open like a Halloween pumpkin or dissection experiment; stranding folks for weeks and months. Had there been a pipeline adjacent to the road, it would have met its demise and be otherwise inaccessible. New Hampshire has seen its share of weather issues, every year.

Not too far away is our Mount Washington, home of the world's worst weather (231 miles per hour wind world record, other than a cyclone with Doppler radar measured record breaker near Australia in recent times). If you have never visited our Mount Washington weather observatory, it is amazing (redundant heating systems so that folks don't freeze when snowed/iced in). Temperatures of -40 degrees (either oC or oF, it's identical at -40) is not uncommon.

Notwithstanding, with the slopes witnessed, also in New Ipswich, along the proposed path of the incompletely specified NED project, we require study and engineering design to include massive erosion of pipeline underpinnings as would be expected simply from basic weather events, never mind the extreme weather.

Samuel Clemens (Mark Twain) has said in a speech to the New England Society 22 December 1876 (perhaps facetiously, yet with an element of truth per our empirical evidence, practice and experience):

“There is a sumptuous variety about the New-England weather that compels the stranger's admiration—and regret”

“In the Spring I have counted 136 different kinds of weather inside of four and twenty hours”

“Yes, one of the brightest gems in the New-England weather is the dazzling uncertainty of it. There is only one thing certain about it, you are certain there is going to be plenty of weather.. You make up your mind that the earthquake is due; you stand from under and take hold of something to steady yourself, and the first thing you know, you know you get struck by lightning. These are great disappointments. But they can't be helped. The lightning there is peculiar; it is so convincing when it strikes a thing it doesn't leave enough of that thing behind for you to tell whether—well, you'd think it was something valuable, and a Congressman had been there. “

We witness destroyed lightning protection systems. We require above average lightning and cathodic protection systems above those afforded by 49 CFR 192.

We also DO have earthquakes. Have we seen seismic studies and engineering design or the remediation thereof?

The above is practical experience. Regardless of our normally extreme weather destroying a pipeline, does Kinder Morgan et al. self insure or obtain bond/insurance for normal operating conditions of their (not the Federal or public's) infrastructure? How does this affect their investors if an event, regardless of force majeure or terrorism (domestic or foreign) occurs on this unsecure and unguarded pipeline infrastructure?

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack

“Davis”, NH

{ photo of Mount Washington observatory omitted }

20151016-5106

Docket: PF14-22-000

RE: Maple Producers and Cultural/Historical Significance

Dear Mr. Tomasi:

We require the Applicant, Tennessee Gas Pipeline / Kinder Morgan to inventory all maple trees slated for demise along the adjacency of the NED pipeline and compressor station(s) construction path.

Maple trees are food source for local folks and a business enterprise for maple producers; inclusive of so-called “back yarders”. We noticed the maple “sugaring house” set back from the road abutting the power

lines and proposed Compressor Station site in New Ipswich, NH. Maple producers do not confine themselves within their own properties, yet they borrow the use of trees from other folk's properties, perhaps in exchange for maple product consideration.

This is because it takes 40 gallons of maple sap to produce 1 gallon of syrup. It is by dint of severe effort and sheer number of trees to collect this sap (some by sled, or tapping system), over uneven and treacherous snowpack multiple feet deep. The season lasts a scant month or so around March or February, and then that's it for the maple producing season of the Northern hemisphere for the year. It is not just a simple matter tapping some trees; there are other concerns to prevent girdling of trees and so on.

Maple products are now known to contain anti-oxidants and several health related compounds unique to maple and maple alone. It is a far more robust choice of sweetener with nutritional value for this region, historically, culturally, and in modern consideration.

Currently there are, on the horizon near our border, other natural enemies of the maple tree, from disease to invasive insects (exempli gratia, the sugar maple borer): Exacerbating this demise with human contrivance of an incompletely specified NED pipeline project only furthers the need for preservation of this tree and its health benefits to humans, and cultural significance (there is an entire Country abutting New Hampshire that also uses the maple leaf as its National Flag -- notwithstanding, maple trees do not adhere to political boundaries).

Maple sugar was originally found historically and culturally with our Indigenous Tribal Stewards of this Great Land (exempli gratia, Indigenous, or Native Americans) before any political boundaries of our current system. Sweetness and nutrition from the maple sugar bush along the power lines (Eversource line 379 in New Hampshire) is known and resides on private lands as Eversource does not own much of the land for their ROW (they are private lands with easements given to PSNH, now Eversource).

The above is practical experience and empirical evidence of direct impact that the Applicant has failed to address in their overbroad resource report filings that actually has little to do with the area proposed for demise.

How does the above, coupled with Applicant(s) incompletely specified NED project affect the 4th largest award winning renowned maple producer in the entire State of New Hampshire living and operating here in Davis, NH? Haven't heard of Davis, NH? The Small Business Administration has declared the towns Temple, Sharon, and New Ipswich New Hampshire as an economically depressed HUB zone and has called this collective of towns, "Davis" New Hampshire; right or wrong.

We require this to be studied for socio-economic (inclusive of smaller operations), cultural and historical impact; We are mindful of Susan Williams' comments regardless of district bounds as such New Hampshire (and the Monadnock region) is rife with Revolutionary (and prior) historical and cultural content inclusive of Indigenous motifs.

As always, please feel free to reach out to us for further questions. Denial of survey (lack of survey permission) or other summarily dismissal, does not render avoidance or exclusion from analysis.

Our Best Thanks,

Chris Mack
"Davis", NH

20151016-5109

Docket: PF14-22-000

RE: Lower energy bills?

Dear Mr. Tomasi:

Please be advised that it is physically impossible for any energy company to describe need based upon financial savings for New Hampshire compared to other states or savings in general. Price equalization does

not quell volatility vis-à-vis savings. Even if the gas were free, New Hampshire has additional financial “drag”, compared to other states, built into their energy costs that have nothing to do with dekatherms or electrons consumed by customers or the cost to provide/generate the same. Couple this with an electricity tariff proposed to fund export and mostly heating gas NED; despite that Kinder Morgan may eluded that they do not “need” said funds from a tariff, they have not to our knowledge entered into legally binding refusal of the same.

Please note that Liberty Utilities in New Hampshire has contracted by precatory situations for less than 3.8 % of the NED capacity. Notwithstanding, about half of the dekatherms requested will be replacement dekatherms as such the change will be stranded costs to consumers in other areas. Further, Liberty Utilities’ own testimony within the New Hampshire Public Utilities Commission hearing under DG14-380, 07-21-15/Day 1, redacted, page 77 §:

Q. Mr. DaFonte, I’m interested to hear from you about this Growth Incentive provision that’s in the Settlement Agreement. You testified earlier that you have been involved in about a dozen precedent agreements over the course of your 30 year career, is that correct?

A. (DaFonte) That’s correct.

Q. Would you give the Commission a sense for this provision that’s in the Settlement of whether this is something that you’ve seen before when you’ve negotiated other precedent agreements?

A. (DaFonte) I have never seen this type of provision in {DG 14-380} [REDACTED - for public use] {07-21-15/Day 1} the past. This is unique. Again, in my 30 years, never have I seen this. But, as part of an overall settlement, you know, the Company agreed to it. It also applies whether the Company has 115,000 Dekatherms or whether it has 100,000 Dekatherms. So, it truly is a, you know, growth incentive, regardless of the ultimate volume commitment by the Company.

Q. Is there a financial aspect to the incentive?

A. (DaFonte) Yes. Yes, there is. There are, you know, what I would consider maybe “disincentives”, if we do not reach specific targets. Specifically, as we measure the actual Customer Growth Target and the actual Dekatherm Target, those averages, which are going to be tracked beginning in 2017, if those averages are below the established targets, which Mr. Clark spoke of, namely, the addition of 2,000 customers or the additional load, annual load of 650,000 Dekatherms, then the Company would be disallowed -- or, would not be allowed to recover certain costs within its Cost of Gas filing.

There are tiers associated with that recovery. If, out of the two benchmarks, either the customer count or the volume addition, whichever one is closest to the target, that percentage, if less than {DG 14-380} [REDACTED - for public use] {07-21-15/Day 1} 80 percent, the Company would not be allowed to recover \$300,000 in its Cost of Gas filing for those costs associated with the NED Pipeline. If the percentage is between 90 percent -- I’m sorry, between 80 percent and 90 percent, then the Company would not be allowed to recover \$225,000 in its Cost of Gas filing. And, then, lastly, if those targets are between 90 percent and less than 100 percent, then the cost recovery would be reduced by 150,000 Dekatherms -- I’m sorry, \$150,000 in its Cost of Gas filing.

Q. This growth target only applies if the NED Pipeline comes on line and the propane plants that you’ve previously described remain on line, correct?

A. (DaFonte) Correct.

...

We require that the EIS, additionally for determining need for NED and especially all impacts for EIS purview coupled with NH PUC proceedings in New Hampshire, provide digest of the entire docket within the New Hampshire PUC docket DG 14-380 and provide the socio-economic impacts and resultant environmental impacts from expert witness testimony and public comment therein.

For your convenience, the docket with all documents pertaining directly to the can be found here: <http://puc>.

nh.gov/Regulatory/Docketbk/2014/14-380.html

It may be best to start with the last three summary statements made by the interveners and Liberty Utilities, coupled with the encumbrance of this proceeding and the NED project.

It should be noted that the SENDOUT analysis performed by Liberty Utilities in this NH PUC as it directly encumbers the NED project is seemingly dubious and biased (possibly GIGO) coupled with infrastructure costs that may not be balanced. There are comments about its accuracy and results that are redacted herein.

New Hampshire's energy bills to consumers are already economically disadvantaged due its infrastructure; yet New Hampshire already exports electricity to other states; some 50% of it, at times.... New Hampshire has 63 power plants for its one-million, or so, inhabitants. Alternatives in the public purview include rerouting the "preferred" pipeline route for NED to the states which will benefit the most, regardless of bereft contemplation by the Applicant. Yet we see a FERC record being broken in the number of public comments opposing this despondently and incompletely specified NED project. If we are so rural and low population, how is this possible when compared to other projects?

Wholesale electricity prices have been the lowest in a decade and demand is down with forecasts to be flat or moderate for the next decades. These facts are beleaguered elsewhere.

New Hampshire has been saddled with disproportionate energy infrastructure costs for an abandoned scrubber project in the \$0.5-Billion range, and also an "insurance" policy of \$4-Billion as part of the divestiture of power generators in New Hampshire. This "insurance" program will give power generators in New Hampshire additional incentive to remain in generation above and beyond their current profit for actually generating electricity. This has insured that some local companies will EACH see an increase in their electric bill of \$1.3 Million dollars, just for "doing business" with New Hampshire utilities, all else kept equal (same prices and rates, no new pipelines needed).

We currently have the BIA (Business Industry Association) in New Hampshire that has seemingly pressured the Governor into apparent one-sided, half true arguments that do not include the issues above. Rightly so, they look for lower energy bills, but this may not be possible in the conflicted and obstreperous New Hampshire infrastructure, both physically and regulatory with human contrived systems in-situ. There is also much confusion between electricity and heating by gas. Notwithstanding We have seen apparent chagrin by BAE systems (operating in very expensive New Hampshire real estate districts) that they have spent \$2Million in gas for heating, yet do their buildings meet modern energy efficiency (exempli gratia, insulation) capabilities?

We have indication that Mr. Allen Fore of Kinder Morgan just espoused 25% energy savings via a "report", if NED is approved. It is very unlikely given the above and it is questioned how Mr. Fore can opine successfully of this topic. Liberty Utilities (owned or controlled some such by Algonquin a Kinder Morgan company) just announced some 40% savings on their rates this winter (seemingly with no new pipelines as of yet). This will most likely be fraught with volatility as we rely more and more on just one fuel, where diversity (just like in a financial portfolio) is better than leaving all eggs in one's basket.

For example, from the ISO-NE website real-time data:

{chart omitted}

The price for electricity around this time was still \$0.33/kWh despite 71% generation by natural gas. However, we sometimes see the price of electricity here, go negative (meaning we are paying market users to use our electricity).

We request, in the EIS, a report with the socio-economic impact of these additional motifs above. Even if the gas were free, New Hampshire would still be economically disadvantaged compared to other states.

Finally, please note that when scoping meetings at town halls in the Western portion of the State of New Hampshire have only hundreds of people, that per-capita, this is a huge percentage of the landscape and representation given New Hampshire's populous around 1 million folks with 1/3 of the population living in

the encumbered region of the incompletely specified NED pipeline project.

The above is practical, and empirical evidence coupled with experience.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack

“Davis”, NH

20151016-5111

I oppose the NED pipeline because I don't see a clear demand or need for it. This pipeline really won't be built with New England in mind. The size of the pipeline is too large for our current and future energy demands. We don't need that much natural gas. I think this overbuild is important to keep in mind when deciding whether to allow it to progress further, because of the costs a larger pipeline will bring. There's a larger incineration zone, there's more fossil fuel emissions, there's larger compressor stations and larger blow downs than we have to have. It's important for our future economy to be conservative with fossil fuel use because climate change costs us money. A lot of money; as we are already watching infrastructure fail from more and more extreme weather events linked to climate change. So is it really economical to put such a high capacity pipeline through this area, when its overproduction will hurt our economy (and health) in the long term?

It's not just the environmental costs of fossil fuel emissions that concern me and hopefully all of you. There's also the cost of getting it out of the ground. It's a little bit of a horror story, environmentally. The fracking process is exempt from the Safe Drinking Water Act, a number of people living next to fracking sites have to pipe in drinking and bathing water from outside sources, fracking waste (millions of gallons of water) often leaks from the lined waste pits.....I could go on and on. These costs of retrieving natural gas have to be considered when looking at these pipelines that will demand we frack more and more land, and contaminate more and more water supplies. So, again, should we really allow an over production of natural gas, and therefore an over production of fracking, if we don't need it?

Environmental laws were put into place as safeguards for every U.S. citizen. I know this sounds overly simple, but government is for the people. Implement these safeguards to help the people. I certainly don't mind companies, but companies that pollute have to be regulated for overall safety, and this pipeline is asking for too much natural gas production that will hurt more citizens than it will help.

20151016-5113

WILMERHALE

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October 15, 2015

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. PF14-22-000

Comments of FMR LLC

Dear Secretary Bose:

On behalf of FMR LLC, please accept these comments concerning the Northeast Energy Direct Project (“Project”), which is proposed by Tennessee Gas Pipeline Company, L.L.C. (“Tennessee”).¹

On September 15, 2014, Tennessee requested use of the Commission’s pre-filing process for the Project under 18 C.F.R. 157.21. In connection with that process, Tennessee and the Commission engaged in open houses and outreach to various stakeholders. On June 30, 2015, the Commission issued a notice of intent to prepare an Environmental Impact Statement (“EIS”) for the Project, opening the scoping period under the National Environmental Policy Act. On September 3, 2015, the Commission extended the scoping comment period on the EIS to October 16, 2015. Tennessee has indicated that it expects to file an application on November 20, 2015 for Commission authorization to construct the Project.

Background

FMR LLC is the parent company for the various financial services and related businesses more commonly known as “Fidelity Investments.” These comments are provided on behalf of FMR LLC and its related affiliates and subsidiaries (collectively, hereinafter “FMR”).

A subsidiary of FMR owns a 554-acre campus in Merrimack, New Hampshire (the “Merrimack Campus”). At the Merrimack Campus, more than 5,400 FMR employees provide asset management and financial services to various institutional and individual clients, including retirement services and investment and customer support, as well as corporate services to FMR’s enterprise.

Comments

On December 8, 2014, Tennessee proposed to adopt an alternative route for the Project (the so-called “Market Path” component) (depicted by the blue line in Figure 1 below) that would be located entirely outside the boundaries of the Merrimack Campus (depicted as the orange shape in Figure 1). Subsequently, in response to comments from the Town of Amherst, New Hampshire (“Amherst”), Tennessee developed an alternative route, “Amherst Option 1” (depicted by the dashed green line in Figure 1), located along Continental Boulevard, which would run alongside and within the western boundary of the Merrimack Campus.

In a September 24, 2015 submittal to the Commission regarding the Project, Amherst indicated that Tennessee intended to change the proposed route for the Project. Specifically, Amherst’s submittal included maps and minutes from a September 16, 2015 meeting between the Amherst Pipeline Taskforce and representatives from Tennessee. Those materials indicated – for the first time – that Tennessee planned to propose to the Commission a preferred route for the Project – as depicted in Figure 2 below – that would run directly through the Merrimack Campus (depicted as the orange shape in Figure 2).

Routing the Project through the Merrimack Campus could result in catastrophic consequences. The Merrimack Campus houses a data center that contains computer servers and other sensitive equipment whose operation may be severely impacted by blasting or other vibration-causing installation activities that are associated with pipeline construction. Disruption of this data center, or any of the other numerous activities associated with FMR’s asset management, customer service, or fund accounting business units at the Merrimack Campus (where FMR’s Fixed Income Division trades daily on an asset base in the hundreds of billions of dollars) could substantially affect national and international financial markets, particularly if the disruption occurs during the daily pricing of FMR’s funds. Because the Merrimack Campus currently handles, on average, 23,000 customer calls to FMR on a daily basis, any disruption to phone lines or servers would result in a substantial and significant impact to FMR’s customers, including market exposure and financial risk. Simply put, routing the pipeline directly through the Merrimack Campus would present an uncontrollable and, therefore, unacceptable risk to FMR’s continuous Disaster Recovery and Business Continuity planning as well as the nation’s financial markets.

As one of New Hampshire’s largest employers, FMR has, for two decades, become an increasingly sustaining element of the state’s economy. As we submit this letter, FMR was about to embark on a multi-year plan to refurbish 80% of its 1.2 million square feet of office space at the Merrimack Campus. The economic im-

pact of this initiative, and the significance of FMR's reinvestment in its presence in New Hampshire, would be extraordinary. The route shown in Figure 2 would directly impact the portion of the Merrimack Campus that is most suitable for development, and would directly affect the ability of FMR to increase its headcount at the Merrimack Campus in the future. Due to the uncertainties raised by the Project, including its potential to significantly impact FMR's existing operations and future development of the Merrimack Campus, a business decision has been made to put the refurbishment initiative on hold until FMR's legitimate concerns are resolved.

In light of the magnitude of these impacts, upon learning of Amherst's September 24 submittal, FMR promptly contacted Tennessee to discuss the proposed Project route. In meetings with Tennessee on October 7 and 8, FMR explained the aforementioned concerns regarding the substantial impacts that would result from routing the Project directly through the Merrimack Campus. Tennessee acknowledged the legitimacy of those concerns, and on October 8th agreed not to pursue a Project route that ran directly through the Merrimack Campus. Instead, as memorialized in the attached letter (Attachment A), Tennessee has revised the preferred route for the Project so it is now located along the southern and eastern perimeter of the Merrimack Campus, as depicted by the blue line shown in Exhibit A of Attachment A.

While FMR does not endorse or support the Project, FMR nevertheless appreciates Tennessee's willingness to relocate the preferred route of the Project to accommodate FMR's legitimate business concerns. Consistent with these concerns and Tennessee's commitment, FMR is willing to continue to work with Tennessee to further refine the preferred route, if necessary.

FMR appreciates the opportunity to provide comments on the Project. If you have questions or need additional information, please contact me at 617-526-6176 (mark.kalpin@wilmerhale.com) or my colleague David Gold at 617-526-6425 (david.gold@wilmerhale.com).

Respectfully submitted,

Mark C. Kalpin

Attachment

{attachments, 2 photos, KM correspondence, omitted}

Footnote:

1 Tennessee is a subsidiary of Kinder Morgan, Inc.

20151016-5114

October 15, 2015

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Federal Energy Regulatory Commission

888 First Street NE

Washington, DC 20426

RE: Docket No. PF14-22-000

What is the "Blast Radius" or "Burn Radius"?

The blast radius is the distance that the fire resulting from the explosion consumes, measured in feet from the epicenter to the outer edge of the burned area.

The Burn Radius has often been underestimated:

An incident involving a 30" pipe near Jackson, Louisiana (1984 NTSB-PAR-86-1) burned an area 1450 feet long by 360 feet wide (furthest fire extent 950 feet) while operating at 1016 PSI which claimed 5 lives

within 65 feet (0 foot offset) and 23 injuries within 800 feet (180 foot offset).

The actual, measured burn radius for this incident is 45.52% greater than the 660 foot burn radius hypothesized by Kinder Morgan.

Reference: <http://nogaspipeline.org/2010-08-19/the-blast-radius>

NED is a comparable pipe and is just as likely to cause this type of damage. Please do not expose the God - fearing, tax - paying citizens of New Hampshire to this unnecessary risk.

Another reason to oppose NED.

Thank you

Paul Stevens

20151016-5116

October 15, 2015

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Federal Energy Regulatory Commission

888 First Street NE

Washington, DC 20426

RE: Docket No. PF14-22-000

New Hampshire Representative Ann Kuster recently visited the New Ipswich compressor site and was very sympathetic to our plight. She recommended a lawyer that we might be able to consult, perhaps even pro bono. Unfortunately, he tells us no. To represent us or to advise us would be a conflict of interest for him. And why's that? Because Kinder Morgan / Tennessee Gas Pipe has already visited him, and paid him for some task.

Looks like KM visits all of the top law firms in the areas they invade and become their client so no one can get local help defending themselves against gigantic Kinder Morgan. Is this practice even legal? Probably? But is it moral? What do you really think?

Does this mean KM anticipates getting sued? Do they plan something so heinous that they assume many people will seek legal action against them? So much so that they feel they must gobble up all the local lawyers in a desperate bid to defend themselves over something they haven't done yet?

They also bought memberships in numerous Chambers of Commerce all around the state. Yet their business is in Texas, far away from any New Hampshire ties. Then we hear the Governor is on the fence, listening to voters on one side and Chambers of Commerce on the other. So why would the Chambers of Commerce suddenly have such of an interest in the pipe and be so influential?

The trade group, America's Natural Gas Alliance has bought hours of advertising air time on NHPR, the local Public Radio station. This may explain why we have heard little or nothing about the pipe from them. Likewise at WMUR the local TV outlet. So much so that at the Milford Scoping meeting, WMUR interviewed only KM representatives and ignored endangered residents. They are not allowing horror stories of afflicted residents be told to the rest of us. All we see on TV are happy folks in advertisements eager for more petrochemical development. Of course you have heard that a Kinder Morgan vice president named Allen Fore feels he needs to be escorted to local public events by two burly body guards. It's sad that he feels threatened, but if he's really not doing anything bad to people's homes and neighborhoods and our environment, then why does he think people will threaten him?

KM has plenty of money to spread around, and they have done this many times when they invade. We are not multi billionaires like Richard Kinder, and we've never had to do anything like this before this before in our lives. So I guess that puts us at a disadvantage, with no one powerful to represent us.

Perhaps if there were a public referendum on the subject, we'd find out how people really feel?

Do we have to remind you that massive gas installations like the compressor station are EXEMPT from the EPA's rules and the Clean Air Act? But samples show that the emissions are full of stuff we don't want our children or our livestock breathing every day. These emissions are measured in TONS!

Because of the "Halliburton Loop Hole" fracking operators can keep the chemical cocktail they inject into the ground to extract shale gas as proprietary information. Naturally, whatever comes out of fracked ground goes right into the pipe. Gas companies regularly do chromatographic analysis on their gas, but of course, that's proprietary too.

A tiny minority of New Hampshire residents use gas, and they won't even benefit from Northeast Export Direct because, despite their denials, the gas is not for us. It's for Europe where they pay 2 to 4 times what we pay. This will only cause domestic prices price to go up.

Thank you for hearing our pleas and for the love of God help us by rejecting NED.

Paul Stevens

20151016-5117

To Whom It May Concern:

The citizens of Merrimack, New Hampshire have sent a clear message that the Northeast Energy Direct project is unsafe, unnecessary, and will damage our quality of life, as gas pipeline projects have done across the country. We cannot trust Kinder Morgan in light of the many route changes that have been presented at the last minute for our Town Council meetings in Merrimack. It is time for our town and state to be heard loud and clear, and to matter. No Northeast Energy Direct pipeline project. This will not bring us real jobs, will not lower costs in the long run, and cannot be guaranteed to be safe from catastrophic accidents. The more we indulge in these projects the more we avoid the more important reality that we MUST conserve now by focusing on renewable energy.

This project does not, in any way, fit FERCs definition of serving "public convenience and necessity." Export for profit of a private corporation does not suit public purpose. I ask that you review the potentially significant local impacts that this pipeline would have on the property and safety of New Hampshire residents and our wildlife. Please help keep our Community safe- PLEASE DO NOT APPROVE THIS PROJECT!

Thank you --

Jeanne Pratt

20151016-5119

{ skip to end of 20151016-5119 }

Town of Windsor

BOARD OF SELECTMEN

1890 Route 9, Suite 1

Windsor, Massachusetts 01270 Telephone 413-684-3811 Fax 413-684-3806

Town of Windsor

Comments to The Federal Energy Regulatory Commission

Concerning

Environmental Issues of the Northeast Energy Direct Project

Docket Number: PF14-22-000

October 2015

Attention: Kimberly D. Bose, Secretary

1	TABLE OF CONTENTS	
2	_ INTRODUCTION	3
2.1	THE PROPOSED PROJECT	3
2.2	OUR COMMUNITY	4
.3	_ CONCERNS AND INFORMATION REQUESTS	7
3.1	LAND USE, RECREATION, AND VISUAL RESOURCES	7
3.1.1	LAND USE, RECREATION, AND VISUAL RESOURCES CONCERNS	8
3.1.2	INFORMATION REQUEST	10
3.2	WATER RESOURCES AND WETLANDS	10
3.2.1	WATER RESOURCES AND WETLANDS CONCERNS	10
3.2.2	INFORMATION REQUEST	11
3.3	CULTURAL RESOURCES	12
3.3.1	CULTURAL RESOURCES CONCERNS	12
3.3.2	INFORMATION REQUEST	12
3.4	SOCIO-ECONOMIC	12
3.4.1	Socio-Economic IMPACT CONCERNS	12
3.4.2	INFORMATION REQUEST	14
3.5	TRANSPORTATION AND PUBLIC SAFETY	15
3.5.1	TRANSPORTATION CONCERNS	15
3.5.2	TRANSPORTATION INFORMATION REQUEST	16
3.5.3	PUBLIC SAFETY CONCERNS	17
3.5.4	PUBLIC SAFETY INFORMATION REQUEST	18
3.6	PROJECT WIDE NOISE AND VIBRATION	21
3.6.1	PROJECT WIDE NOISE AND VIBRATION CONCERNS	22
3.6.2	INFORMATION REQUEST	22
3.7	PROJECT WIDE AIR QUALITY	23
3.7.1	PROJECT WIDE AIR QUALITY CONCERNS	23
3.7.2	INFORMATION REQUEST	24
3.8	PUBLIC HEALTH	24
3.8.1	PUBLIC HEALTH CONCERNS	24
3.8.2	INFORMATION REQUEST	25
3.9	CUMULATIVE IMPACT	25
3.9.1	INFORMATION REQUEST	25
4	PRELIMINARY MITIGATION REQUESTS	26
4.1	LAND USE, RECREATION, AND VISUAL RESOURCES MITIGATION	26
4.2	WATER RESOURCES AND WETLANDS MITIGATION	27
4.3	CULTURAL RESOURCES MITIGATION	28
4.4	SOCIO-ECONOMIC MITIGATION	28
4.5	TRANSPORTATION AND PUBLIC SAFETY MITIGATION	30
4.5.1	PRELIMINARY TRANSPORTATION MITIGATION REQUEST	30
4.5.2	PRELIMINARY PUBLIC SAFETY MITIGATION REQUEST	31
4.6	PROJECT WIDE NOISE AND VIBRATION MITIGATION	33
4.7	PROJECT WIDE AIR QUALITY MITIGATION	34
4.8	PUBLIC HEALTH MITIGATION	34
4.9	CUMULATIVE IMPACT MITIGATION	35
APPENDIX A: STATEMENT ON THE BERKSHIRE REGIONAL PLANNING COMMISSION 37		

2 INTRODUCTION

The Tennessee Gas Pipeline (TGP) is slated to pass through 4.7 miles of Windsor, Massachusetts, a community of 900 people spread over 32.5 square miles of woods fields, and forest. Over 50% of Windsor's land

is legally protected or restricted, either held in the Commonwealth's State Forest and Park systems, Wildlife Management Areas or in Wildlife Conservation easements, or by The Trustees of Reservations which preserves properties of significant historical or natural value. According to the 2010 Census, the population of Windsor has grown 16.3 % in the decades from 1990 to 2010, in contrast to Berkshire County, which has lost 10% of its' population during the same period. The Town's natural amenities bond community members who seek out the pastoral qualities of life in the hills with daily opportunities to observe nature by day and the stars at night, to farm, garden, hike and snowshoe, hunt and fish out their back doors. Home occupations range from renewable energy, sustainable farming, poultry and live-stock raising, bee-keeping, small batch commercial food preparation, real estate, logging, land clearing and excavation to vocations such as writers, potters, textile artisans, jewelry makers, poets and consultants. Windsorites commute to work in the Pioneer Valley as well as to locations throughout Berkshire County.

Ironically, Windsor's households do not have, and very likely never will have, natural gas service. Residents rely upon oil, biomass (mostly firewood), propane and solar for thermal energy. Photoelectric solar is on the rise with many new net metering home-based systems installed or being installed.

2.1 THE PROPOSED PROJECT

The proposed TGP, Northeast Energy Direct pipeline project, as currently described in TGP's most recent resource reports, will consist of a 30" pipe diameter and 4.7 miles of greenfield pipeline corridor through the town of Windsor. The project, as currently proposed, includes a 40,000HP (30MW) compressor station located off of Peru Road in Windsor. In public statements, TGP has reserved the right to scale throughput to FUTURE subscription levels.

Absent any basis to interpret what this means, our comments are directed toward a proposed 30 inch pipeline project with a compressor station scaled to accommodate the originally proposed 60 MW output but constructed and then expanded in phases, over time.

The choice made by the developer to site a major industrial facility in Windsor elevates the project scope profoundly. The condition that "throughput be scaled to future subscription levels" implies that we really don't know how this project will impact our community.

Nothing in the Town of Windsor's 244-year history rivals this project in scale, scope, and intensity of construction. While the comments that follow assume a compressor station in Windsor the inadequacy of detail and outright obfuscation of intent leaves our comments to FERC based as much on conjecture as on factual information from the developer.

2.2 OUR COMMUNITY

Windsor, MA is a small, rural community and the highest town on the Berkshire Trail. Its 35.2 square miles offers an environment that "is unsurpassed by any other town in the county in its natural scenery and beauty spots. From the top of Windsor Hill on a clear day can be seen to the southwest, the rugged peaks of the Catskills, to the north is Mt. Greylock, standing like a sentinel, guarding the rest of the Berkshire Hills, Going east, one can also see Mount Tom and Mt. Holyoke".'

Residents value the bucolic environment and sense of place that creates a strong affinity between the community members and where they live. They are willing to trade paved roads and high quality infrastructure for fresh, high quality air and low noise levels. They endure rough winters in exchange for starry skies, homegrown organic vegetables, and clean water. Windsor actually exports clean ground water to neighboring downslope communities. As a sustainable community we support the health of those who live here, which means freedom from worry about environmental contamination or crime.

According to the Berkshire Regional Planning Agency's **Sustainable Berkshires: Community Strategies for a Sustainable Future 2014**, Windsor has high social capital, with strong social ties and networks; citizen power and pro activity; volunteerism and participation; feelings of trust, belonging and safety. Our sustainable community is a people friendly place and a safe and healthy space that allows residents to reduce their ecological footprint.

The Town of Windsor, Massachusetts has a single residential/agriculture zoning district. Heavy industry is a prohibited use under the town bylaws. Windsor passed a resolution at the May 2014 Town Meeting to oppose the pipeline. A basis for this opposition lies in the absence of protections against project impacts in our zoning regulations. As the community has come to understand the limits of local, regional, or state authority over the project, apprehension and opposition have only intensified.

Currently, several small businesses operate in town under special permits. The most prominent businesses are two locally owned country stores/gas stations. The impact of a compressor station on the Town of Windsor must be measured against the baseline conditions and the character of is a rural pastoral community.

On the surface it may seem that locating a compressor station in a rural area with low density would have fewer or lesser impacts than a compressor station located in a densely populated area. However, the impacts from constructing a compressor station in the Town of Windsor would not be limited to the site itself or to an area within a certain radius of the station. A compressor station within the Town of Windsor would profoundly change the very nature and identity of the town and devaluing its appeal to current and prospective residential property owners, the foundation of our tax base.

The Town has recently committed to raise substantial bond funds in order to join WiredWest, an initiative to provide high speed internet service to the last 32 towns in the Commonwealth in an effort to preserve real estate values and the quality of life. Windsor, which receives under \$96,000 in aid for state owned land, depends upon its ability to continue to attract residents to preserve the property tax base and the modest level of town services necessary to support a self-reliant population.

In 2003, the Pioneer Valley Planning Commission recommended goals for Windsor in its Westfield River Watershed Open Space and Recreation Plan. These goals provided a template for the future our community. For the past 12 years, we have focused extensively on developing our rural, agricultural, and conservation-based environment and economy. This has included preserving our landscape, promoting agriculture and the Ch61 tax program, developing strategies for maintaining and promoting open spaces, and protecting our wetlands and watersheds.

Windsor's development to date and its plan for the future are severely compromised by the cumulative environmental, health, and economic impacts of the proposed pipeline and the 30MW, or greater, expandable compressor station. The pipeline project and the compressor station located in Windsor will negatively impact the community's ability to prepare for a sustainable future given our current foundation and how seriously off course the pipeline and compressor station takes us.

Given our community character, which relies heavily on a clean and beautiful environment for its economic viability, we are concerned about the socioeconomic impact of the pipeline and the compressor station on our community and its residents. According to Sustainable Berkshires: Community Strategies for a Sustainable Future 2014, the Berkshires and Windsor must compete globally in the new economy relying on its environmental advantage as evidenced by the Berkshire County Visitors Center slogan "Nature, Culture, Harmony". From the Massachusetts Climate Change Adaptation Report "Each acre of forest provides approximately \$1500 annually in economic value from forest products, water filtration, flood control and tourism." Also according to survey conducted by the Berkshire Visitor's Bureau, scenic beauty was the principle reason 88% of all visitors cited for having selected the region as their destination. The areas advantage is a solid combination of culture and rural beauty that attract many types of people. Windsor's rural environment and culture of environmental consciousness and creativity support the town's future economic wellbeing. Economic growth recommendations of green business practices and the expansion of outdoor recreation activities are compromised by the pipeline and compressor station.

As discussed below, Windsor requests that the Commission ensure that: (1) the proposed compressor station be subject to review at the local level in a way that models the process that would transpire if Windsor permitted heavy industrial use. This would include compliance with generally accepted conditions placed on industrial developers by respective boards within the Commonwealth; (2) noise and lighting impacts are limited to the maximum extent practicable based on ambient levels both daytime and evening; (3) alterna-

tive compressor station locations be considered within industrial areas nearby only a short distance from the proposed route; (4) the compressor station in Windsor be eliminated in light of the downscaling of the project.

3 CONCERNS AND INFORMATION REQUESTS

Windsor has many concerns about the pipeline and compressor station proposed for our town. As detailed below, the proposed project will have a significant impact on our town during construction and during operation of the compressor station. This includes impacts on our land, land usage, water, culture, economy, transportation, public safety, noise, air quality, and public health.

The town of Windsor is also concerned that we are unable to evaluate the full impact of the proposed project on critical aspects of our community because of insufficient information provided by TGP. Given this, we have also detailed additional information that we are requesting to determine the full impact of this project on our community and its residents.

3.1 LAND USE, RECREATION, AND VISUAL RESOURCES

The natural landscape of the Berkshires is one of its most defining characteristics and one that greatly contributes to the quality of life and economy of the region. Because of the largely intact, unfragmented forests that stretch from the county westward to the Taconic Range in upstate New York and southward into northwestern Connecticut, this tri-state area has been deemed by The Nature Conservancy (TNC) as one of America's Last Great Places. Referred to by TNC as the Berkshire Taconic Landscape, this area encompasses "more than 155,000 acres and contains one of the most spectacular, healthiest, and most diverse blocks of intact forest in southern New England. It is what spurred naturalists to successfully create the state's first park in 1898 on Mount Greylock"²

In Windsor alone, there are several such expanses of land, including:

Conservation reserves open to public access:

- Notchview, operated by the Trustees of the Reservation, is a 3200-acre property that is an important recreational area for skiing, hiking and nature programs;

Article 97 Lands:

- Windsor State Forest is a 1300-acre property that is used for recreational activities including hiking and snowmobiling.
- Eugene Moran Wildlife Management Area, an 1147 -acre property that has been identified by Mass Audubon as an important birding area.
- Dalton Water District, watershed under conservation easement with Mass Division of Fish and Wildlife (mass DFW), 1500 acres
- Thousands of additional acres also held by Mass Division of Fisheries and Wildlife in the Moran, Savoy, Chalet, Westfield River and Peru Wildlife Management Areas.

The citizens of Windsor and the Commonwealth of Massachusetts have made significant investments in protecting these open spaces in Windsor. Mass DFW and Massachusetts Department of Conservation (Mass DCR), collectively, hold approximately 6000 acres within town. Additionally Mass DFW holds conservation easements on over 1000 acres of private land. Additional private acreage is conserved under Massachusetts General Laws Chapter 61 and 61 A and B which provides tax advantages to the landowner who in return provides public benefits by holding the land as working open space for agriculture or forestry.

Windsor has an agriculture commission and it is a right-to-farm community by law. There are 7 farms plus Chapter 61 forestry lands. Our primary crops include maple sugar, hay, vegetable and livestock. While Windsor does not have any certified organic commercial farms, there are many residents who farm locally and a significant number of abutters who raise livestock and garden in this fashion. Additionally, some residents are beekeepers.

Windsor is a National Wild and Scenic River community and there are high levels of existing ecosystem services largely provided by its many private and public forestlands. In the proposed pipeline and compressor station locations, there are wetlands, vernal pools, and rivers. There are estimated habitats of rare wildlife, priority habitats of rare species, and identified natural communities. Adjacent to the proposed compressor station location are identified ecoregions, and areas of critical environmental concerns in Hinsdale.

The proposed project will result in the clearing of nearly 100 acres of woods along the pipeline route (assuming 100 ft. of additional clearing along utility cleared ROW) and the clearing of approximately 20 acres at the compressor station site. Also most of the Windsor corridor is within the watershed of the Westfield River that is designated as a “Wild and Scenic River” by the National Park Service.

Perennial streams and rivers include the Westfield River, Westfield Brook and Shaw Brook. MA DEP has defined areas within 200 feet of perennial streams and rivers as wetland resource areas and has protected them through enactment of the Rivers Protection Act. These corridors are critical habitat areas.

Together, these properties provide the following public benefits: water quality, air quality and climate moderation, biological diversity, landscape character, recreation, forest products, and social meaning. This intact, forested ecosystem provides a supporting backdrop that contributes significantly to the quality of life in Windsor.

3.1.1 Land Use, Recreation, and Visual Resources Concerns

Windsor is concerned about the impact of the proposed pipeline and compressor station on our land for the following reasons:

- 1) The pipeline will pass through publicly and privately held conservation lands and easements. For publicly held protected open space, both state and municipal, this land is further protected under the Article 97 of the Massachusetts Constitution which disposition requires a 2/3 roll-call vote of both chambers of the General Court.
- 2) Pipeline construction and ongoing maintenance will adversely affect the ecologic function and enjoyment of properties otherwise protected in the public trust for everyone.
- 3) The proposed compressor station will abut properties of the Peru Wildlife Management Area and the pipeline corridor will pass through the Upper Westfield Wildlife Management Area impacting plants and animals living in these areas both during construction and during continued operation of the compressor station. Pollution from sound, lighting and chemical release into the air water and ground has the potential to adversely affect this area.
- 4) It is likely that the proposed compressor station will be visible from significant portions of Notchview Reservation. Notchview is an important winter recreational area and has 12,000 skier visits each winter. This highly scenic area will be negatively impacted by the light, noise and chemical pollution from the compressor station.
- 5) The NED pipeline is proposed to cross the Westfield River. The Westfield River within Windsor has been designated a National Wild and Scenic River due to its natural beauty, clean water, thriving native aquatic ecosystem, and cultural history. A locally based volunteer committee working with the Massachusetts Division of Ecological Restoration and the National Park Service administer this.
- 6) Gravel and secondary and tertiary paved roads within Windsor including Peru Road and River Road are popular locations for recreational runners, walkers, roller skiers, and cyclists. They also provide scenic access ways to Windsor’s conservation lands.
- 7) A strong network of snowmobile trails managed by local snowmobile clubs - the Berkshire Snow Seekers and the Savoy Canary Kats, serves Windsor and surrounding communities. This trail network provides significant recreational and economic benefits to the community. The pipeline and compressor station will impact its extent and continuity.
- 8) A mowed pipeline corridor cutting through Windsor’s intact forested will serve to fragment wildlife

habitat.

- 9) With large and contiguous areas of forest habitat, Windsor's land attract wildlife such as black bear, moose, fisher, and bobcat, that cannot thrive in fragmented ecosystems. Pipeline and compressor station impacts will be hard felt by the very species that are iconic to the forested high hills of Windsor.
- 10) More specifically we are concerned about the impact on endangered and threatened species such as the mourning warbler, golden-winged warbler, mustard white butterfly, Jefferson salamander, endangered Northern long eared bats, snakes and amphibians.
- 11) Vegetation along the existing cleared utility ROW (adjacent to proposed pipeline ROW) is already dominated by invasive species. Any new cleared ROW will immediately attract the same invasive, furthering their spread and impacting our local plant ecology. This will aggravate the continued decline of threatened plants such as Bailey's sedge, crooked stem aster, thread rush, bristly black currant, hooded ladies-tresses, Northern Mountain Ash, Bartram's Shadbush, Leafy White Orchid and woodland millet.
- 12) Construction related, and enduring operational impacts will be felt by the population of pollinating insects, including bees, butterflies, and moths, many of which are under intense strain from adverse, man made impacts.
- 13) The impact of deforesting the pipeline corridor and compressor station will have catastrophic impact on the individual plants and animals within these areas. The severity, beyond the unavoidable impacts of habitat loss, depends greatly on the time of year that the clearing is conducted.

3.1.2 Information Request

As discussed above, Windsor expects this proposed project will have adverse impacts on our land use, recreation, and wildlife. While information has been provided, it is inadequate in some areas. Given this, we are requesting the following additional information:

- 1) Quantify the impacts to conservation and recreation land, important town resources, and devise proper avoidance and mitigation measures.
- 2) Quantify the impact to conservation and recreation land and devise a mitigation plan for both the construction phase and the operational phase, including full light and sound mitigation and including plans for spills or explosions.
- 3) Quantify and specify the construction techniques and mitigation measures to maintain the wild and scenic values of the Westfield River as described in its federal designation both during construction and throughout the operation of the pipeline. These include the prime cold-water fisheries, the unique geologic feature of Windsor Jamb, the beauty of the bordering riverside beach and picnic area and one of the largest roadless tracts in the Commonwealth. These areas offer protected, contiguous corridor passage to bear, moose, otter, fisher, and bobcat, among many others. The river provides clean good quality water to the 250,000 people downstream whose water is stored and filtered by the forests and streams of the Westfield River watershed.
- 4) A plan to restore the pipeline corridor to its original vegetation once the pipeline is no longer used for its deeded purpose and to prevent the incursion of invasive species during its existence.
- 5) A plan must be devised to mitigate the loss of roads and disruption of trails for recreational and scenic use during construction.
- 6) Draft right of way maintenance plans with input from the MassDFW regarding timing and frequency of mowing in the interest of maintaining productive early successional habitat as an ecological counterweight to the effects of habitat fragmentation.

3.2 WATER RESOURCES AND WETLANDS

3.2.1 Water Resources and Wetlands Concerns

- 1) Most of the Windsor corridor is within the watershed of the Westfield River that is designated as a “Wild and Scenic River” by the National Park Service.
- 2) Perennial streams and Rivers include the Westfield River, Westfield Brook and Shaw Brook. Mass Department of Environmental Protection (MA DEP) has defined areas within 200 feet of perennial streams and river as wetland resource areas and has protected them through enactment of the Rivers Protection Act. These corridors are critical habitat areas.
- 3) There are approximately 11 intermittent streams through the Windsor Corridor.
- 4) The area of the proposed pipeline through Westfield Brook has very steep side slopes and also is an area mapped by Mass Natural Heritage Endangered Species Program (MA NHESP) as Priority Habitat.
- 5) Much of the corridor is within soils with a perched water table that will be disturbed by trenching and associated impacts of laying the pipe.
- 6) Windsor has 25 private wells within 1000 feet of the pipeline that have been documented by Berkshire Regional Planning (BRPC) mapping, with 2 located within 300 feet. Fifteen of the Windsor sites are located in areas where the proposed pipeline construction must pass through shallow to ledge conditions within this corridor. Fourteen of these wells are located near to the intersection of High Street Hill and Shaw Road. One is located on Peru Road.
- 7) Extensive use of explosives is expected during pipeline construction. The commonly used oxidant in such explosives has a known tendency to contaminate ground water in areas proximate to blasting. Perchlorate is a likely human carcinogen and an emerging chemical of concern.

3.2.2 Information Request

- 1) Identify intermittent streams to be disturbed and avoided if possible, or reconstructed to duplicate the original conditions post-construction.
- 2) Identify Wetland Resource Areas along the Windsor Route through methodology of MA DEP and USACE.
- 3) Identify the locations of ground water supply and determine the impact of construction activities on well water due to pipeline construction activities, especially blasting.
- 4) Document private spring water sources and the contributing surface water sources.
This must include all water sources within 1000 ft. from the proposed construction sites.
- 5) Provide base line information on the existing wells to verify that the methodology of ledge excavation does not interfere with the adjacent wells.
- 6) Identify all river and stream crossings and determine the impact of construction on these waterways due to pipeline construction activities.
- 7) Determine the impact on the Wild and Scenic Westfield River whose main branch and whose feeder streams will be crossed during construction. One such stream is only .35 miles down slope from the proposed site of the compressor station.

3.3 CULTURAL RESOURCES

3.3.1 Cultural Resources Concerns

Having been founded in 1771, Windsor has a deep and long history reaching back into the Colonial era. While the proposed pipeline route will not directly impact any of our registered historic sites, Windsor’s cultural heritage suffuses our sense of community. Recently an historic monuments project was completed where signs have been placed at twenty-four historic sites, many of which reveal today only scant evidence of their part in Windsor’s past.

Windsor’s forests contain an unspoiled historic record of settlement within the town. Early residents cleared

much of the rocky soils for pasture, hay fields and cropland. Forests were harvested for lumber, bark, and charcoal. Now this early economic activity is largely hidden in a second-growth forest waiting for the observant visitor to discover. Clues exist in soil horizons, stone walls, and the mix of forest species. Pipeline construction and maintenance will forever destroy this cultural record for present and future generations.

All project impacts will sully the perception of a community that honors its historic past. The projects must pay respect to cultural concerns through all of the mitigation actions specifically sited throughout this document.

3.3.2 Information Request

- 1) Record and inventory the historic land use, stone walls, etc. of areas that may be disturbed by the pipeline, access roads, and compressor site.

3.4 SOCIO-ECONOMIC

There will be adverse socio-economic, fiscal, and financial impacts related to the proposed project. The Berkshire economy has, like many other regions across the US, undergone significant economic change over the past several decades. The decline of manufacturing and the changing role of more rural regions in an increasingly global economy have resulted in steady job and population loss for the County since 1970. The contrary trend in Windsor can only be attributed to the unique and defining natural and cultural characteristics of our community.

County wide, natural and cultural resources serve as the basis for the growing tourism and service economy, which brings in \$645 million annually. Degradation of these natural and cultural resources will have a serious impact on the local economy. Moreover, affected Windsor has very limited organizational and financial capacity to handle increased expenditures or mitigate adverse impacts caused by pipeline construction or operation; any costs associated with the proposed pipeline would likely be unbearable by the municipality.

3.4.1 Socio-Economic Impact Concerns

Windsor is specifically concerned with the following socio-economic impacts:

- 1) Impact on Community Quality of Life in Vicinity of Compressor Station: A compressor station is proposed in Windsor, a quiet, rural town with a low population density. Windsor's low ambient noise level makes it one of the quietest places in the state. Tech Environmental estimates that the ambient noise level at the three properties closest to the proposed compressor station in Windsor are at or below 20 dBA. Any increase in noise will be noticeable and will degrade the local quality of life. Changes to the overall quality of life are irreparable. A compressor station in Windsor, with its associated noise and other impacts could change the nature of the town and ultimately affect the salability of properties in the community.
- 2) Short-term impact on Recreational Tourism due to temporary disruption of recreational sites and roadways during construction.
- 3) Long-term Impact on Recreational Tourism due to permanent disruption of recreational sites, physical character of the land, scenic vistas, and liabilities/restrictions on certain activities near the pipeline and compressor station.
- 4) The proposed natural gas pipeline has potential to create long-term disruptions to forestry activities in the ROW. The 2011 Massachusetts Climate Change Adaptation Report, developed by Massachusetts Executive Office of Energy and Environmental Affairs, estimates that each acre of forest in the state provides approximately \$1,500 annually in economic value from forest products, water filtration, flood control and tourism. This suggests that forested land permanently lost due to the pipeline construction would amount to an estimated economic loss of \$150,000 annually. In addition to businesses, the loss of forestry income would affect private landowners and Fire District lands in Windsor.
- 5) Impact on Community Tax Base: In Massachusetts, Municipal revenues that support local spending on education, public safety, physical infrastructure and other public services are obtained through

one of four types of revenue sources, including tax, state aid, local receipts, and other sources. Windsor's budget relies heavily on the property tax levy, which represents 73.2% of our annual \$2.03M revenue. Due to caps on tax rates, Windsor only had \$44,618 in excess levy capacity in FY15. Decreases in property values will have a serious impact on our town financial stability.

- 6) Massachusetts Department of Revenue (MDOR) levies state tax valuation on the assets of the proposed pipeline and compressor station according to a state wide distributed model. DOR determines the annual value of system assets and divides the sum by the system wide length of pipe and distributes valuation back to host towns based on the length of pipeline contained within town limits.
- 7) This model severely under-compensates Windsor given a relatively short span of pipeline, yet a compressor station of perhaps \$100mm in value.
- 8) The presence of the pipeline and compressor station may also increase Windsor's exposure to liability claims arising from any associated accidents or health issues. Gas pipeline line development has the potential to involve municipalities in lawsuits related to the installation and operation of in-ground pipelines.
- 9) Impact on electricity in pipeline/compressor station event. A major east-west transmission line brings electricity into Massachusetts from its western border. This line runs along the same ROW as the proposed pipeline. An electrical substation is located in Hinsdale. An explosion on the pipeline would affect the adjacent transmission line and could potentially cut off electricity to a large area.
- 10) Proximity of residences to the pipeline and compressor station will adversely affect both the appraised values and sales prices of Windsor homes and businesses. While this impact will be greater for homes closer to the pipeline and compressor station, it will likely extend to all residences and businesses to varying degrees. Lower appraised values will negatively affect equity and increase the mortgage costs and, in severe cases, render re-financing impossible. Property owners who succeed in selling will suffer a loss in real wealth due to presence of the pipeline and compressor station.
- 11) Home insurance premiums may increase with proximity to the pipeline and compressor station. In some cases it may be difficult to obtain.
- 12) The presence of the pipeline and compressor station would increase costs of road maintenance, public safety, emergency response, and other activities linked to hosting these facilities.
- 13) Windsor's organizational capacity to mitigate these impacts is very much strained. The Town has no town manager/administrator, no community development or planning staff, and must rely heavily on volunteer-run boards to keep the town functioning.

3.4.2 Information Request

We requesting the following additional information:

- 1) Analysis of socio-economic and financial impacts during construction of the compressor station and pipeline addressing the concerns discussed above.
- 2) Identification of the impacts of soil disturbance, altered drainage patterns, and mitigation activities on the various types of agricultural activities, including disruption of economies of scale.
- 3) Identification of the impacts of the pipeline itself on long-term soil productivity, due to increased temperatures, altered drainage, and/or anticipated maintenance activities (such as applications of herbicides).
- 4) A fiscal impact study showing the value of lost agricultural and forest resource productivity on the local and regional economy, in terms of lost revenue, income, and jobs.
- 5) Assessment of the potential impacts on access to local food for area residents.
- 6) Assessment of impacts on farms that utilize organic practices potentially impacted in the vicinity of the compressor station and along the pipeline route. While they may not be certified commercial organic farms, their ability to raise uncontaminated crops and livestock with compressor station emis-

sions is questionable.

- 7) Assessment of the impacts of the compressor station on local pollinator populations, including bees and honey production. Ensure that honey produced is not compromised by herbicides, blow-off events.
- 8) An inventory of heritage and recreational sites in Windsor, including their locations and extents. Determine whether a site's operations will be disrupted as a result of permanent installation of a natural gas pipeline and compressor station, its associated facilities, or its rights of way. Determine the occupancy of recreational and heritage sites throughout the year, and during appropriate peak times where number of visitors and human impacts on an area may be significantly higher than normal.
- 9) Summary of the acreage of heritage and recreational land that will be permanently impacted by the proposed facilities.
- 10) Assessment of how the operation of heritage and recreational sites will be disrupted as a result of permanent construction impacts through a fiscal impact analysis.
- 11) Plan for traffic flow that documents resident and visitor impact during construction.
- 12) Given the state of municipal finances, we request a study of the impact of the compressor station and pipeline on future property tax revenues and residential property values in Windsor. This should include a thorough explanation of the methodology for arriving at the calculations.
- 13) Evaluation of the liability exposure and determine municipalities affected by the proposed project, including abutting communities.
- 14) Information on the insurance coverage carried by TGP and any exposure that Windsor may have related to the pipeline and compressor station.

3.5 TRANSPORTATION AND PUBLIC SAFETY

This section sets forth the adverse impacts of the NED Project on Windsor's roads and public safety. The transportation infrastructure in Windsor consists of two, two lane highways, 8A and 9, and local gravel and lightly paved narrow and often steep roads. Many of these roads cross culverts or bridge streams. The load limits on few, if any, of these roads, culverts and bridges are adequate to support the transport of heavy construction vehicles or trucks carrying pipe sections. Residents prize the rural nature of their community, the intimacy of its country roads with tree lines and field edges and the appropriate infrastructure for public safety given our low intensity current use.

Interstate natural gas pipelines can have considerable impacts on public safety and potentially to public health, both during construction and over the years of operation. The proposed compressor station in Windsor amplifies all aspects of pipeline public safety concerns. The pipeline corridor through the small rural town of Windsor, consisting largely of forestland, farmland and non-agricultural open space, is relatively inaccessible and contains much steep terrain. The existing development pattern is scattered rural homes with some rural development already existing along considerable portions of the route and homes in extremely close proximity in a number of instances, including homes quite close to the proposed compressor station site. With the developers stated intention to expand capacity to match future subscription levels, we can only surmise that additional construction will occur in proximity to the pipeline over its period of multiple decades of operation.

3.5.1 Transportation Concerns

There is much concern; not only about possible damage to existing infrastructure, but as a result of the developers intentions to implement inalterably changed to accommodate the long term, expanding industrialization of our agricultural/residential community. The access road to the proposed compressor site is a narrow road, part of which is lightly paved, that crosses wetlands and culverts. Many of the roads, such as Peru Road, that will be used to transport pipe sections to pipe yards have only one access and no area in which a large truck can be turned around. They also are narrow and have intersections and curves with small turning

radii that would not accommodate long trucks. River Road and Windsor Bush Road are two examples of this challenge. Our specific concerns:

- 1) Portions of Windsor will be inaccessible during the construction period of the compressor station and pipelines. This will be prolonged and intensely disruptive to area travel.
- 2) If any roads have to be closed temporarily during construction due to damage or the need to reconstruct the road, alternative access for many families, where it exists at all, is extremely circuitous.
- 3) Because Windsor experiences severe winter weather conditions, including deep and wind drifted snow, and penetrating frosts, winter access to valves and other infrastructure is difficult, and possible pipeline damage from heaving is possible. As the pipeline crosses several roads, including Route 9 twice, there is concern about pipe damage from vibrations and heavy traffic.

3.5.2 Transportation Information Request

As discussed above, Windsor expects this proposed project would have adverse impacts on our infrastructure, including transportation. Given this we are requesting additional information related to our concerns:

- 1) A study of road and infrastructure impacts during construction. This analysis should include the impact on existing infrastructure during construction, determine the need for significant reconstruction of roads to accommodate construction, determine the impact on access and transportation during construction, and determine the need for remediation to maintain the rural nature of Windsor's infrastructure after construction.
- 2) Inventory of the load limits for all roads, culverts and bridges in Windsor to be used to transport materials or machinery for the construction project. This information must be obtained from the Massachusetts Department of Transportation
- 3) Identification of those residences that would have limited or no access to their homes during construction. Since many alternate access roads are not maintained in winter, this assessment needs to be done for winter construction if that is contemplated. Determine school bus routes and commuter routes both eastbound and westbound for each road in Windsor caused by pipeline construction maintenance or operation, including construction at the Dalton crossing of Route 9 and calculate the additional time using detours during particular weather seasons, including snow and mud, and determine compensation for any detour lasting more than fifteen minutes Meet all such costs, including those of school transportation vehicles.
- 4) Identification of all roads to be used to access construction sites that could not accommodate the wide turning radius of a truck hauling pipe sections.
- 5) Identification of all roads on which there are homes for which the only access is across the pipeline route.
- 6) Analysis of the traffic impact on Peru Road of operation of the compressor station.
- 7) Analysis of the winter access to all valves and pipeline sections as well as the compressor station.
- 8) Identification of all road, river and stream crossings of the pipeline route.
- 9) A study of road and infrastructure impacts during construction. This analysis should include the impact on existing infrastructure during construction, determine the need for significant reconstruction of roads to accommodate construction, determine the impact on access and transportation during construction, and determine the need for remediation to maintain the rural nature of Windsor's infrastructure after construction.
- 10) Inventory of the load limits for all roads, culvers and bridges in Windsor to be used to transport materials or machinery for the construction project. This information must be obtained from the Massachusetts Department of Transportation.
- 11) Identification of all residences that would have limited or no access to their homes during construction that temporarily closed a road.

3.5.3 Public Safety Concerns

Our concerns directly relate to the impact of the proposed compressor station and the pipeline on the public safety of our residents. Specifically:

- 1) Windsor's fire department is a small all-volunteer operation with only fifteen members, and limited equipment and supplies. Our forest fire response is through cooperative agreements with adjoining small volunteer departments with support from State agencies. There is no public water system to provide fire protection, only the river and several ponds to fill pumper trucks. EMS services are very limited with a handful of volunteers with only spotty availability. The Windsor volunteer fire department and EMS services have limited training and equipment. Turnover in membership necessitates ongoing training and there is a constant need for replacement of out-of-date specialized supplies and equipment. The adequacy of volunteer-based emergency response will potentially dramatically decrease over the decades that the pipeline is in operation due to the rapid aging of current volunteers and the lack of younger replacements. Our local elementary school was closed this past fall due to inadequate enrollment that reflects the fact that Windsor's population is aging out of residents in childbearing years, which are typically the years in which volunteers participate.
- 2) Local town law enforcement is also limited, with a three person, part time police force, which is already working at capacity. Long distance utility corridors currently are used, sometimes illegally, for recreational use, particularly involving All-Terrain ORVs and snowmobiles, increasing the demand on public safety responders.
- 3) Windsor's road network consists of rural two lane highways 8A and 9, and narrow, sometimes gravel, local roads with limited means of access. Closure or blockage of any road may increase emergency response times significantly or even preclude any ability to respond. The proposed access road to the compressor site is a narrow gravel road, which is accessible for emergency vehicles only from route 9. Any blockage during construction or due a later negative event would make emergency access to many homes impossible. High Street Hill and Windsor Bush Road are examples of other single route access roads crossed by the pipeline.

3.5.4 Public Safety Information Request

As discussed above, Windsor expects this proposed project will have adverse impacts on public safety. Given this we request the following additional information related to public safety infrastructure concerns:

- 1) Analysis of public safety impacts during construction. The goals of this analysis would be to determine the level of impact of construction activities on emergency response times in and around the project area and to determine and quantify potential threats to public safety and health due to construction activity.
- 2) Analysis of the roads, which will be impacted directly, requiring partial or complete temporary closure, by construction activity with particular attention to single access roads. Determine the amount of delay or additional travel time and distance created for each impacted road for emergency vehicles, both primary and secondary to respond to incidents, assuming that certain vehicles will need to pass through Dalton or Hinsdale.
- 3) Analysis of the impact of construction related activity on each impacted road's condition and its ability to continue to serve local emergency management vehicles responding to emergencies due to the impact of construction related activity on the road's surface, structure, culverts and bridges. Quantify the "worst case" impacts on emergency response times if the road condition deteriorates to a level which makes it impassable for emergency response vehicles including plans for alternative emergency access where such a closure makes emergency access by road impossible.
- 4) Assessment of the capacity of local fire department to respond to wildfires created by construction activities. Capacity should include assessment of staffing levels, training, materials and supplies, and equipment.

- 5) Determination and specification of the hazardous materials and petroleum products used during construction and generated or utilized during operation, with the threats to public health and safety created by them. In addition, we request an assessment of the current capability of the local hazardous materials response team to respond to any incidents involving hazardous materials and petroleum products.
- 6) Analysis of the impact of blasting necessary to remove rock for the construction project. Clearly identify areas that will be subject to blasting. Determine the area of potential concern regarding rock throw and seismic impacts due to blasting activities. Determine the people, structures, public infrastructure, public use areas, and other facilities that are located within that area of concern.
- 7) Clear identification of the location and safety risks associated with all proposed pipeline above-ground facilities including valve stations, main line valves, and pig launchers and receivers. A detailed explanation of the measures that will be taken to protect against safety risks must be provided. The station would be so remote that it must be manned locally in order to quickly access valves in case of an emergency
- 8) A detailed assessment of the ability of local emergency responders to respond to incidents involving above ground facilities and mitigation plans to keep their training, supplies and equipment at an adequate response standard at no expense to the Town.
- 9) Clear identification of the protocols for inspection of welds during construction. Radiological testing shall be done on all pipe welds.
- 10) Gas line ruptures, when they occur, usually involve unauthorized excavation activities. Since much of the pipeline route through Windsor can be accessed via the adjacent utility ROW, clearly identify how unauthorized equipment access will be prevented. What monitoring protocols will be used?
- 11) Clear identification of the potential impact radius for potential explosions for the entire pipeline infrastructure, based on the proposed size and pressure of the pipeline, including the pipe, the compressor station, each main line valve, and any potential blast hazard at pig launchers and receivers. Document the High Consequence Areas and the method used to determine them. Identify all structures including their use, public facilities, and areas commonly used by the public (trails, playfields, camping and picnic areas, etc.) within the potential impact radius.
- 12) Clear identification of the proposed distance between valves and indicate precisely which valves will be manually, remotely, or automatically operated in the case of a pipeline system failure. Document 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. The use of manual valves should be avoided, as access in winter months would be impossible in many locations.
- 13) Clear layout of the ongoing inspection protocols for the pipeline and compressor station once in operation. This should include: frequency of monitoring for methane, location of where natural gas will be odorized, frequency of internal inspection for corrosion or other damage to the pipeline.
- 14) Specify standards and timeframe for further investigation and repair if inspections reveal potential issues.
- 15) Clear layout of the protocols for the ongoing inspection of the condition of the cathodic protection used. Specify the standards and timeframe for when inspections reveal potential issues for further investigation and repair.
- 16) Since much of the pipeline is proposed to be in proximity to high voltage electric transmission lines and overhead (as well as underground) power lines can induce harmful disturbances on nearby metallic pipelines, assess the:
 - a. Capacitive coupling disturbances for any above ground sections of pipeline that are electrically isolated from the ground. The evaluation of this disturbance should be performed for steady-state operation condition of the power line, assuming the line operates at its maximum operational

voltage.

- b. Inductive coupling disturbances for any pipelines facilities, which are located, below ground. This disturbance should be evaluated taking into account the maximum anticipated levels of steady state and short-circuit currents.
 - c. Conductive coupling disturbances for underground sections of the pipeline and for any grounded above ground sections of the pipeline. This evaluation should be performed only for short-circuit condition of the power line and taking into account the maximum anticipated level of short-circuit current.
 - d. Under short-circuit condition, the disturbances due to inductive and conductive coupling occur simultaneously.
- 17) Assessment of the adequacy of proposed cathodic protection against corrosion given current research, as traditional pipe-to-soil potential measurements do not guarantee efficient protection.’
 - 18) Analysis of the appropriate depth to which the pipeline should be buried to minimize the potential of a pipeline failure based on the extreme winter climate conditions in Windsor. As outlined in Table 1.3-1 of Resource Report 1 (Page 1- 60) only 36” of cover will be used in normal soil conditions or 24 inches in areas of consolidated rock. This depth is well above the frost line in Windsor and a significant portion of the pipeline will be above the frost line.
 - 19) Summary and analysis of the safety record of interstate gas pipelines located under transmission lines for a period of at least 30 years. Provide examples of at least 10 interstate gas pipelines constructed within 100 feet of an electric transmission line and include their safety record.
 - 20) Assessment of the training, supplies and equipment for public safety personnel Windsor to respond to catastrophic pipeline failure.
 - 21) Assessment of the ability of local public safety personnel to respond to public safety issues that may be created due to access by third parties along the pipeline route, such as use by all-terrain vehicles and snowmobiles. Assess their training, equipment and equipment for their ability to respond to incidents, which may occur in remote sections of the pipeline, as well as in close proximity to homes and businesses.
 - 22) Assessment of the ability of local land use controls to reduce future increases in risk of potential failure due to future development along the pipeline route.
 - 23) The proposed compressor station in Windsor amplifies all aspects of pipeline emergency response. Catastrophic failure probabilities and expected consequences must be clearly specified.
 - 24) Assessment of the potential safety risks of trenches and the measures to be used to ensure compliance with, at a minimum, the Massachusetts Excavation & Trench Safety Regulation (Iaclyn’s Law).
 - 25) Assessment of areas of steep slope for slope failure potential during construction. Determine all areas potentially impacted by slope failure and identify risks to the public using those areas for a variety of purposes. All structures and other facilities or areas used by the public or by private property owners in such areas should be identified.
 - 26) An operational plan that identifies risks to include possibility of a catastrophic failure of the pipeline or related facilities (compressor station, and main line valves), the risk to the public resulting from catastrophic failure, and the adequacy and appropriateness of emergency response to incidents.

3.6 PROJECT WIDE NOISE AND VIBRATION

Windsor expects there will be adverse noise and vibration impacts of the proposed pipeline and compressor station. Project-related noise and vibration, during construction and that which is directly associated with the compressor station, will be emitted into a low-level ambient noise environment. This is critical in the context of regulations set forth by the Massachusetts Department of Environmental Protection (MassDEP).

The MassDEP Noise Policy states:

- (1) No person owning, leasing, or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or to take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise.
- (2) 310 CMR 7.10(1) shall pertain to, but shall not be limited to, prolonged unattended sounding of burglar alarms, construction and demolition equipment which characteristically emit sound but which may be fitted and accommodated with equipment such as enclosures to suppress sound or may be operated in a manner so as to suppress sound, suppressible and preventable industrial and commercial sources of sound, and other man-made sounds that cause noise.
- (4) 310 CMR 7.10(1) is subject to the enforcement provisions specified in 310 CMR 7.52.

MassDEP also requires a comprehensive noise impact analysis with acoustic modeling as part of an air permit application. That analysis begins with a full week of 1-hour L90 ambient sound level measurements at each nearby residential property, and the selection of the lowest measured 1-hour L90 level as the “ambient level” at each location. Given the very quiet rural location of the Market Path Mid Station 2 in Windsor, MA, we expect the ambient level at the three nearby residences (NSA-1 through NSA-3) are no higher than 20 dBA, and possibly lower. This compressor station is on the north side of the Peru Wildlife Management Area. Ambient sound measurements made for a renewable energy project on the south side of that same Wildlife Management Area recorded 1-hour L90 levels in the 17 to 20 dBA range at night. Thus, the controlling sound limit at Market Path Mid Station 2 in Windsor, MA most certainly will not be the FERC criterion of 55 dBA Ldn (equivalent to 48.6 dBA Leq), but instead it will be the DEP Noise Policy limit of somewhere in the range of 27 to 30 dBA L90 for continuous facility noise.

The DEP enforces an Lmax limit of ambient L90 plus 10 dBA for impulse noises, such as blowdown events for a compressor station. The proposed project will have to demonstrate compliance with that stringent sound limit which likely will be in the range of 27 to 30 Lmax. Finally, as part of the noise analysis for a new facility, MDEP requires the applicant to perform a Best Available Noise Control Analysis (BANCT) and to implement all cost feasible sound mitigation measures for each noise source at the facility.

3.6.1 Project Wide Noise and Vibration Concerns

The Town of Windsor is concerned that the proposed pipeline construction and compressor station operation will not adhere to MassDEP regulations. Our specific concerns:

- 1) Given the shallow soils and bedrock only inches below the surface throughout most of the proposed route in Windsor, blasting and hammering will be the norm. Noise associated with rock hammering and blasting will be heard both by residents in the immediate vicinity and by those miles away. There will literally be no escape from it. Blasting and rock-hammering, combined with the noise of equipment and materials being moved to and from the pipeline construction site, means that large parts of Windsor will be virtually unlivable during operating hours.
- 2) Pipeline compressor stations generate significant noise and vibration in the normal course of operations, and periodically create exceptionally high levels of noise. Excessive noise levels have well-documented impacts and are exacerbated in our rural community by the absence of ambient noise levels that would partially mask those associated with the pipeline and compressor station.
- 3) Given the prolonged construction period for a compressor station, construction activities at the site itself, along the country road that provides access, and during likely reconstruction of that road itself, impacts will be felt profoundly.
- 4) Our wildlife will be impacted by noise and vibration levels during construction and during compressor station operation.

3.6.2 Information Request

Given the concerns noted, we are requesting the following additional information:

- 1) A noise impact analysis of construction and operational activities of the compressor station and the pipeline in Windsor.
 - a. This analysis should include an assessment of these levels against State and local noise regulatory standards and properly measured base noise levels on adjoining property lines.
 - b. The existing ambient noise levels should be measured along the construction path for both day-time and nighttime with no wind or precipitation, at a location sufficiently back from all roads to eliminate traffic noise and when insect noise (crickets, cicadas) is not present and tree frogs or peepers are not singing. One week of continuous 1-hour L90 measurements must be taken at each of the three nearby residential properties (NSA-1 through NSA- 3) during a week with calm winds to document the lowest 1-hour L90 level at each receptor.
 - c. There should be quantified assessments of the expected increases in noise and the potential public health impacts resulting from the increases in noise.
 - d. This should be analyzed for operation of machinery used for clearing and construction, for mechanical fracturing of rock, and for blasting necessary to remove rock.
 - e. This should include the noise impact of the operation of the compressor station noise.
- 2) An analysis of the effects of noise pollution on wildlife, including the impact on reproduction, anti-predator behavior, and foraging.

3.7 PROJECT WIDE AIR QUALITY

In addition to the federal New Source Performance Standards (NSPS) and Best Available Control Technology (BACT) for each regulated air pollutant, the compressor stations in Massachusetts are subject to more stringent turbine emission limits in Massachusetts Air Pollution Control Regulation 310 CMR 7.26(43). The Operational Emissions must include not only combustion equipment emissions, but also gas blowdown emissions that will occur on a regular basis during pipeline and compressor maintenance and for compressor starts, and gas-condensate emissions during pipeline pigging.

Air dispersion modeling for compressor stations in Massachusetts requires the preparation and presentation of a modeling protocol to the Department of Environmental Protection. The Department of Environmental Protection must approve such protocol prior to performing dispersion modeling. In addition, compliance with State and National Ambient Air Quality Standards (NAAQS) must be demonstrated on the entire property line for the compressor station, as well as on lands outside the station parcels. Hazardous Air Pollutants (HAPs) must be analyzed as part of the air permit application in Massachusetts. As part of a Massachusetts air permit application, dispersion modeling must show compliance with Acceptable Ambient Level (AAL) and Threshold Exposure Limit (TEL) air concentration limits for HAPs. EPA's AP-42 emission factor database lists 11 HAPs emitted by a gas-fired turbine, including formaldehyde, PAH and benzene. The emissions inventory for stationary fuel-combustion sources (turbines, gas heaters, emergency generators) must include a HAPs emissions inventory, and dispersion modeling needs to demonstrate compliance with the State HAPs limits.

Additionally, since Berkshire County, MA is a Nonattainment Area for the 1997 federal ozone standard, any new major source of NOx emissions (which may include the Market Path Mid Station 2 in Windsor, MA) is subject to the provisions of Non-Attainment New Source Review. If applicable, the applicant will have to demonstrate through air dispersion modeling that the cumulative impact of all stationary source NOx emissions will comply with the EPA Significant Impact Level (SIL) of 1 µg/m³ for N02 on an annual basis to demonstrate that the facility will not contribute to an existing violation of the ozone regional air quality standard.

3.7.1 Project Wide Air Quality Concerns

These standards are critically important to our community and we are concerned about the following impacts:

- 1) The proposed pipeline corridor itself is far from construction friendly with steep slopes, fragile soils, and abundant wetlands. Material- and equipment- intensive construction techniques will be required throughout. Without knowing how equipment and materials will gain access to the pipeline corridor, it is difficult to be explicit regarding local air quality impacts but proposed pipe yard locations suggest highly intense use of roads for access with residences located in close proximity, therefore the impact of construction on air quality is noted as a concern.
- 2) The local impact of Diesel equipment emissions on air quality must be considered in light of the intensity of use. Respirable particle emissions from diesel engines are known for short and long term exposure-related health impacts.
- 3) Air quality during blowdown cycles in light of the findings of the Environmental Health Project.

3.7.2 Information Request

Additional information is requested to adequately address air quality concerns. Specifically:

- 1) A detailed speck air assessment that is methodologically consistent with research projects completed by Environmental Health Project. This assessment needs to include information on air quality 15 minutes after a blowdown event. It should also include the impact of severe weather including heavy snow, rain, and fog.

3.8 PUBLIC HEALTH

There are a multitude of public health concerns related to the construction and operations phases of the proposed pipeline and compressor station in Windsor.

3.8.1 Public Health Concerns

Our concerns directly relate to the impact of the proposed compressor station and the pipeline on the public health of our residents. Specifically:

- 1) Liquid separation and filtering at compressor stations pose potential hazardous with regard to the transport and disposal of hazardous byproducts. Compressor stations typically include scrubbers, strainers or filter separators, which remove liquids, dirt, particles, and other impurities from the natural gas. Research being conducted by the Environmental Health Project shows significant health impacts of compressor stations. This is primary due to the immediate impacts of blowdown events.
- 2) The concern about the health impact of blow down events is compounded in Windsor due to extreme weather conditions, such as heavy fog and snow in the area of the compressor station. Blowdown events release such substantial volumes of gas that the FAA has issued flight restrictions over the nearby Agawam, MA compressor station due to concerns that the density of gas can alter aircraft engine performance and under certain conditions become ignitable by aircraft at or below 1000ft.
- 3) Residents of Windsor rely entirely on wells for their potable water. Any contamination of wells due to blasting and related release of chemicals such as perchlorate would make the homes uninhabitable.
- 4) Excessive noise levels have well-documented health impacts. Construction activities, particularly operation of heavy machinery, blasting, and mechanical rock fracturing, have significant noise impacts. Additionally, the pipeline compressor station will generate noise as a regular part of operations; periodically it will create exceptionally high levels of noise.
- 5) The safety of construction areas and facilities. Unfortunately, construction areas can be “attractive nuisances” and fatalities have occurred due to people falling into open trenches. Due to these occurrences, trench safety laws, such as Massachusetts’ “[a]clyn’s Law”, have been enacted to try to prevent these accidents.
- 6) Given the steep topography in Windsor crossed by the proposed pipeline, and the high precipitation amounts in this area, as well as the increased frequency of micro-bursts of very concentrated rainfall, significant erosion, wash-outs and slope failures are a real threat. This can be even more extreme in

areas with highly erodible soil.

- 7) The impact of disturbing soil potentially tainted by hazardous chemicals during construction.

3.8.2 Information Request

Given the overlap in prior sections, we have no further information request related to public health.

3.9 CUMULATIVE IMPACT

Overall Windsor expects a negative cumulative impact of the proposed pipeline and compressor station on our town. We also expect that this proposed project will have negative implications for our future. While the above addresses specific concerns and requests for information, the whole is greater than the sum of its parts.

3.9.1 Information Request

Given the concern about cumulative impact, we are requesting:

- 1) A study of the cumulative impact of a compressor station and a pipeline in the Town of Windsor. This should include an assessment of the combined effect of changes in air quality, water quality, noise pollution, light pollution, and economic impact on our Town. This should include a plan for how the cumulative impacts will be mitigated. This should also include thorough documentation of how information was derived.
- 2) While the compressor station has decreased in size compared to the original proposal, we are requesting information on what would happen “if” this station were to be expanded.

4 PRELIMINARY MITIGATION REQUESTS

The preliminary mitigation requests below are based upon the information we have been provided to date. Absent clarification of full project details, it is difficult, if not impossible, for us to thoroughly assess the impact of the project on the health and safety of our residents, on the environment and on the rural nature of our community.

Regarding the comments to follow, we have prefaced this mitigation section with the word “preliminary” because of the insufficient information about the project, especially the compressor station and its impacts, to comment in a way that fully addresses community concerns. For the town to provide comprehensive comments technical expertise will be required to assist this effort. It is our expectation that our requests for remediation will become much more explicate and measurable as the town gains access to better information from the developer and engages technical professionals to interpret this information.

The preliminary mitigation requests below, to be supplemented as noted above, are part of what is necessary for the Commission to ensure that TGP avoid, minimize, and mitigate, to the fullest extent practical, the impacts of the proposed compressor station and pipeline, in construction, operation and decommissioning stages of this project across all areas of concern.

We request that the Commission not tolerate or accept non-specific responses on the part of TGP, such as those made after the comments of FERC staff regarding the Resource Reports in the May 15 Response to Comments on Draft Resource Reports.

4.1 LAND USE, RECREATION, AND VISUAL RESOURCES MITIGATION

As discussed in 3.1 above, Windsor expects this proposed project will have adverse impacts on our land use, recreation, and wildlife management. Given this we are proposing the following preliminary mitigation measures:

- 1) All lands previously open for hunting remain open and loss of forested habitat due to the corridor, the compressor site, and impact area shall be offset by the purchase of an equivalent amount of contiguous forestland within existing wildlife corridors.
- 2) Compensatory lands shall be deeded to an appropriate organization/entity such as state conservation

based agencies or to the town.

- 3) Negative effects of the compressor station shall be mitigated such that they have no visual or audible effect on the recreational use of Notchview Reservation, particularly contamination of the dark sky with light pollution.
- 4) As the largest employer and site that brings 12,000 recreational visits per year, Notchview Reservation must be protected from negative effects that the compressor station will have on the recreational/commercial use of this property.
- 5) Negative effects due to loss of roads and disruption of trails for recreation and scenic use shall be mitigated such that they have no effect on use.
- 6) Ensure local snowmobile clubs have uninterrupted access to landowner approved trails both during the construction and management phases.
- 7) Require restoration of pipeline corridor to pre-construction state.
- 8) Require full reparation of pipeline corridor if the pipeline becomes obsolete.
- 9) Require minimization of impact on recreational properties during construction and operations.
- 10) Require full mitigation of impact to conservation land and scenic environment during construction and operation.
- 11) Land clearing methodology shall be designed to minimize the disturbance to the environment.
- 12) Erosion Controls shall be implemented and maintained throughout the pipeline corridor, at staging area and construction storage facilities and along access roadways. The Erosion Controls shall be reviewed and approved by MassDEP and Windsor Conservation Commission or approved representative.
- 13) Erosion control materials and temporary structures and devices shall not be permitted to introduce invasive seed stock.
- 14) Timber mats shall be used as required to avoid disturbing soft soils and shall be treated to mitigate invasive species transfer.

4.2 WATER RESOURCES AND WETLANDS MITIGATION

As discussed in section 3.2 above, Windsor expects the proposed project will have adverse impacts on our agricultural environment, ecology and water supplies. Given this we are proposing the following preliminary mitigation measures:

- 1) Require that Wetland Resource Areas along the Windsor Route through methodology of MA DEP and USACE be reviewed and approved by Windsor or designated representative.
- 2) Develop construction design and methodology to avoid these areas or minimize disturbance of these areas. Crossing methodology must be reviewed for minimization of impacts. Chosen methodology shall be adapted for suitability to the specific crossing. Construction methodology should minimize disturbance time in these areas.
- 3) Construction methodology shall minimize disturbance time in these areas.
- 4) Wetland Resource Area Disturbance shall be avoided or minimized. Wetland Replication shall be completed at 120% of disturbed area and within two months of covering of the completed pipeline construction, in the immediate vicinity. Off site replication for proposed permanent wetland resource replication must be done prior to the pipeline construction.
- 5) All attempts shall be made to reconstruct the soil profile to the existing conditions to minimize disturbance of the perched water table characteristics.
- 6) Secondary impacts to water resources, such as along existing roadways and proposed access routes as well as staging areas shall be identified.

- 7) Impacts to water resources for access road construction and reconstruction shall be identified and avoided or mitigated.
- 8) Plan for immediate mitigation of impact on any drinking water source for humans, animals, crops, or gardens. Mitigation shall be equivalent in water quality and convenience.
- 9) All construction methodology must be developed to avoid any alteration to the existing local aquifers to the private well systems, including but not limited to, fluid leak prevention for vehicles related to pipeline construction throughout the town. Refueling must be performed according to best practices related to spill prevention.
- 10) Windsor shall have an independent Environmental Construction Monitor (ECM) having access to all sites and through the Windsor corridor and the compressor station site. ECM must have clear access to proposed situation specific methodology to resolve deficiencies. ECM must also have a devoted workspace with communication devices, heat and other related office supplies.
- 11) The proposed compressor station shall require benching the existing side slopes of the proposed area. Ground water encountered during construction shall be minimized and controlled. Construction shall meet MassDEP Storm Water Standards.
- 12) Any water discharges from the compressor station shall meet MassDEP ground water discharge standards.
- 13) TGP plans to engage in compaction prevention techniques, topsoil segregation practices, drainage/erosion issues, and prevention of bedrock migrating to topsoil. Despite these mitigation activities, it is important to provide an analysis of potentially lost agricultural land [i.e, pipeline ROW located amid other active crops) and to evaluate the impact of the lost acreage on the viability and economy of scale of agricultural crops. Long-term crop-specific impacts of the pipeline and related activities that will impact the productivity of agricultural lands should be understood. For example, mature orchard trees lost to construction or ROW may not be replaced, despite achieving restored soil conditions.
- 14) Provide the Windsor Select Board with detailed plans for review and approval to protect well and river water supply infrastructure from damage or contamination due to pipeline construction and detailed erosion and slope stabilization control plans for all pipeline construction activities.

4.3 CULTURAL RESOURCES MITIGATION

Within the area disturbed by construction, other than the immediate pipeline 50ft ROW and compressor station operating footprint, avoid disturbance of cultural heritage such as stonewalls cellar holes or other indicators of the historic past. As regards temporary access roads and alterations of existing access, restore such structures as stonewalls to the condition preexisting prior to the start of the project.

4.4 SOCIO-ECONOMIC MITIGATION

As discussed in Section 3.4 above, Windsor expects this proposed project would have adverse socio-economic impacts and adverse impacts on our quality of life. Given this we are proposing preliminary mitigation measures. In particular, we are requesting that the Commission ensure: (1) TGP avoid, minimize, and mitigate to the fullest extent practical impacts of the proposed compressor station and pipeline and its operations on the local economy, including agricultural, natural heritage/recreational, forestry and lodging businesses; and (2) TGP avoid, minimize, and mitigate to the fullest extent the risk to the public resulting from changes in the municipal tax base or liability exposure. Given this we make the following requests:

- 1) Require TGP to maximize use of local labor force, contractors, and suppliers in all cases where neither specialized equipment nor unique certifications exclude this workforce.
- 2) Require TGP to reimburse Windsor for any and all town related costs associated with pipeline project and compressor station. These costs will include expenditures of money and time associated with project preparedness, for example the costs to produce this document.

- 3) Mass DOR pipeline system tax assessment practices deprive Windsor of its fair assessment as the host of a compressor station. Accordingly, TGP shall make a Payment in Lieu of Taxes (PILOT) to the Town of Windsor. The PILOT payment shall be based upon the real property and contents value of the facility at full value. And shall not be less than \$2 million annually. In addition TGP will fully fund all ongoing costs to the Town of Windsor arising from the construction and operation and maintenance of the pipeline and compressor station system and provide a policy of liability insurance satisfactory to town counsel to be renewed at TGP's sole expense naming the Town of Windsor, its agents employees and servants as additional insured to indemnify those named above against all claims that might arise from any occurrences or accidents linked to the project, including pollution claims.
- 4) Should the presence of the proposed pipeline and compressor station adversely affect Windsor's bond rating, TGP should provide underwriting to Windsor's bond issues sufficient to offset any negative and business owners for the increase in premiums for homeowners, tenants' personal property and automobile and excess liability general liability, workers compensation, loss of business and excess liability insurance policies associated with proximity to the pipeline and compressor station as they occur. An escrow account should be established and funded by Kinder Morgan for this purpose and administered by an independent agent.
- 5) Require TGP to provide a mitigation plan for recreational sites to address potential losses in views, changes to the physical character of the land, and any potential hazards due to pipeline activities. Address impacts on the safety of visitors to each recreational facility, and to assets of the facility, including insurances, emergency preparedness, and increased liabilities associated with the proposed facilities. For example, the town park with its ball fields and playground are in close proximity Peru Rd. The minimal setback reflects the relatively modest hazard that this rural country road represents to park users, most of them children. This rural road will be fundamentally altered as access to an industrial site and catastrophically so during construction. Appropriate mitigation for construction phase and long term impacts will be sought.
- 6) Require TGP to reimburse forestry businesses and farms for lost revenue associated with the proposed pipeline.
- 7) Establish redundancies in case of accident, including any resulting in major high voltage electric transmission line failure. Establish a reimbursement mechanism for any lost revenue.
- 8) Require TGP to provide insurance to cover every home along the proposed pipeline route within 1,000ft

4.5 TRANSPORTATION AND PUBLIC SAFETY MITIGATION

Due to the concerns noted in 3.5 above, Windsor expects this proposed project would have adverse impacts on transportation and public safety. Given these adverse impacts we are requesting that the Commission ensure the proposed project avoids, minimizes, and mitigates to the fullest extent practical impacts of the proposed compressor station and pipeline and its operations through preliminary mitigation measures related to transportation and public safety.

4.5.1 Preliminary Transportation Mitigation Request

- 1) TGP shall provide a \$5 million bond to ensure that the town of Windsor will not bear the costs of repairs to roads and infrastructure resulting from construction activities by TGP.
- 2) Repair, replace or reconstruct all bridges or culverts to be crossed by trucks or equipment during construction.
- 3) Repair, replace or reconstruct all roads to be used by trucks or equipment during construction to meet the load requirements of those trucks and equipment.
- 4) Strictly monitor and adhere to load limits on all roads and structures during construction. A fine

schedule will be agreed to in advance for violations.

- 5) Detail the fashion in which at all times during pipeline construction, emergency access to all residences will be ensured. Provide not only for response by Windsor fire trucks and ambulances, but the paramedic ambulance from Pittsfield, and for mutual aid from departments such as Cummington, Dalton, Peru, and Hinsdale.
- 6) Provide the Windsor Select Board and Highway Department with a listing of all roads to be used during construction of the pipeline and the time frame in which they will be so in use. Provide the
- 7) Provide the Windsor Select Board and Highway department with a listing of any intersections or curves in roads that challenge the turning radius of large trucks.
- 8) Provide the Windsor Select Board and highway department with a schedule of road and infrastructure improvements and repairs.
- 9) Limit all work on roads and infrastructure to the hours of 7 AM and 7 PM, or sunrise to sunset, whichever is less, Monday through Friday.
- 10) Develop a traffic plan that minimizes detours.
- 11) Minimize the removal of trees along roads being repaired or reconstructed
- 12) Adhere to all local permitting regulations regarding trenching and construction, including those regarding wetlands.
- 13) Where road reconstruction is required, minimize the impact on the rural nature of the roads.
- 14) Where roads are reconstructed, ensure proper drainage, paying particular care to runoff to surrounding wetlands
- 15) After road construction, properly seed embankments to minimize erosion with non-invasive species approved by the Town.
- 16) After the completion of construction, any roads or intersections that were modified to accommodate wide turning radius vehicles will be returned to their prior state and any trees that had to be removed shall be replaced.
- 17) For the duration of the operation of the compressor station and during decommissioning, TGP shall bear the costs of repair and maintenance of Peru road as the access road to the compressor station site.
- 18) The pipeline will be sleeved at all road, stream and river crossings
- 19) After construction, TGP will post a \$5 million bond to ensure that the Town of Windsor shall not bear the costs of repair of damage to roads caused by the operation of the pipeline or compressor station or by TGP's failure to perform mitigations previously agreed to.

4.5.2 Preliminary Public Safety Mitigation Request

The Town of Windsor requests that the Commission ensure that (1) while construction is occurring, full access for emergency response is fully maintained with no decrease in response times, (2) TGP would conduct a full assessment of the training, equipment and supplies needed for emergency response to incidents involving the NED Project, during construction and continued operations of the pipeline and compressor station, as part of the NEPA process, and (3) that all impacted emergency responders have the capacity to respond appropriately to pipeline related incidents which might be reasonably expected. To this end, we request the following preliminary mitigation:

- 1) Require TGP to apply for and receive local permits for construction on in local roads.
- 2) Minimize use of open cut construction across public roadways.
- 3) Clearly identify any proposed locations where construction activities will potentially negatively impact emergency responses; specify whether impact is to constrict or to block access and the duration of such impact. Develop and implement a plan, agreeable to local emergency responders, to maintain

current emergency response levels of service during such constriction or closure. Provide an alternative emergency response plan for single access roads that must be closed during construction.

- 4) Meet with Emergency Responders in Windsor at least two weeks prior to commencement of any construction activity in the town to review plans and the construction schedule in order to coordinate responses; meet at least every two weeks with Emergency Responders while construction is occurring in Windsor to determine if there are adjustments which should be made.
- 5) Provide training and equipment to the Windsor Fire Department for responses to fires created by construction activities, assess existing materials and equipment available for them to respond to such incidents.
- 6) Provide the local fire department and regional Hazard Response Teams with list of hazardous materials which will be present during construction and operations; provide training to them on appropriate responses to incidents involving those hazardous materials; provide additional material or equipment necessary for them to appropriately and safely respond.
- 7) Require TGP to apply for and receive any local, county or state permits required for blasting or trenching.
- 8) Provide the Windsor Select Board with detailed plans for review and approval to protect well and river water supply infrastructure from damage or contamination due to pipeline construction and detailed erosion and slope stabilization control plans for all pipeline construction activities.
- 9) Require TGP to comply with local noise protection bylaws/ordinances and with State noise standards. Require TGP to monitor noise during construction measured from the nearest sensitive receptors and to immediately adjust construction operations as necessary to comply with approved standards with agreed upon fines and penalties at least equal to those of Mass. state regulations and statutes M.G.L.c 111§142B, 310 CMR §§.
- 10) Require TGP to comply with adopted Trench Safety requirements and permitting regulations.
- 11) Require TGP to provide detailed construction plans and specifications for all areas identified as being at-risk of slope failure during construction to the Windsor Town Select Board for review and approval prior to the commencement of construction.
- 12) Provide Windsor with funding to hire on-site construction inspectors to insure that all locally approved permits, plans and conditions are being met during construction and develop written agreements which give those inspectors the legal ability to enforce those permits, plans and conditions immediately.
- 13) Require TGP to enter into binding hold harmless agreements to protect the municipality from damages resulting from pipeline construction activities.
- 14) Require TGP to obtain load limits for all roads to be used during construction ensure that those limits are adhered to during construction.
- 15) Provide incident response plans and protocols to local and regional emergency responders for incidents that may require a response during operations for review and approval. Update those plans and protocols on no less than a five-year basis or more frequently if conditions or new information warrant such update.
- 16) Provide a binding protocol of inspections of signage and other measures to ensure that unauthorized construction or land disturbance activities do not take place in the pipeline corridor.
- 17) Require that TGP provide resources to Windsor to develop, on a voluntary basis, appropriate land use regulatory tools to reduce future land use and potential safety impacts within High Consequence Areas along the corridor. These might include modification of zoning regulations to restrict development areas within the pipeline right-of-way, or other appropriate measures.
- 18) Provide training to the Windsor volunteer fire department for responses to fires created by operation

activities, assess materials and equipment available for them to respond to such incidents, and provide training, materials and equipment which they lack which are needed to respond. This training and assessment should be conducted no less often than every three years.

- 19) Provide the Windsor fire department and the regional Hazard Response Teams with list of hazardous materials which will be present during operations of the pipeline and compressor station or as a result of pipeline cleaning or other activities; provide training to them on appropriate responses to incidents involving those hazardous materials; and provide additional material or equipment necessary for them to appropriately and safely respond. This training and assessment should be conducted no less often than every three years.
- 20) Require TGP to relocate public use areas and facilities from High Consequence Areas if requested to do so by the Windsor Select Board.
- 21) Provide local police and environmental police with training, equipment and supplies to respond to increased vehicular trespass from all-terrain vehicle and snowmobile use outside of landowner approved trails and pipeline crossing points and to enforce trespassing laws along the corridor.
- 22) Provide a binding protocol of inspections for slope failure and erosion along the corridor on an ongoing basis. Require TGP to reimburse any municipal expense needed to inspect, enforce and, if necessary mitigate or correct failures when creating an imminent threat or in the case of actual failure.
- 23) Require TGP to enter into binding hold harmless agreements with Windsor to protect the municipality from damages resulting from pipeline operations and potential incidents.
- 24) Require TGP to commit to staffing the compressor station 24 hours a day, 365 days a year to mitigate the issue of proposed driving time from the proposed monitoring location.
- 25) Require a maintenance plan that eliminates the threat of fatigue failure.
- 26) Require evacuation routes and emergency response plans for all roads crossed by the pipeline and potentially impacted by the compressor station.
- 27) Require an operational plan to reduce the possibility of a catastrophic failure of the pipeline or related facilities (compressor station, and main line valves), to minimize risk to the public resulting from catastrophic failure, and to ensure the adequacy and appropriateness of emergency responses to incidents.

4.6 PROJECT WIDE NOISE AND VIBRATION MITIGATION

As discussed in 3.6 above, Windsor expects this proposed project would have adverse impacts on noise and vibration levels. Given these adverse impacts we are requesting that the Commission ensure the proposed project avoids, minimizes, and mitigates to the fullest extent practical impacts of the compressor station and pipeline and its operations through the following preliminary requests:

- 1) Require monitoring of ambient noise for at the closest residential property line by an independent third party. This consultant would collect a week of L90 background levels at two of the residential locations during a period when we expect very light winds and low nighttime sound levels.
- 2) Using the ambient limit determined by the consultant as the baseline for construction and operation of the pipeline and compressor station.
- 3) For TGP acoustical analysis, require TGP to include a color-coded decibel contour map for the compressor station to determine the estimated compressor station noise contribution at each noise sensitive area.
- 4) Whereas construction activity can create high levels of noise, the Project should commit to only daytime, weekday construction, or if construction is done after 7 p.m. on weekdays, or at any time on Saturday or Sunday, that any construction activity must meet the operational noise limits set forth by the Commission and MassDEP.
- 5) Require TGP to comply with all local and state noise protection bylaws/ordinances. Require TGP to

monitor noise during construction measured from the nearest sensitive receptors and to immediately adjust construction operations as necessary to comply with approved standards. Any violation of ordinances will be met with a fine payable to the Town of Windsor within thirty days.

- 6) Monitor operational noise and vibration at the compressor station site. Minimization of noise and vibration to the maximum extent practical during operation. Immediately adjust operations as necessary to comply with approved standards.

4.7 PROJECT WIDE AIR QUALITY MITIGATION

As discussed in 3.7 above, Windsor expects the proposed project would have adverse impacts on the air quality during construction and during compressor station operation. Given our concerns about air quality, our preliminary request includes the following:

- 1) Require TGP to fully comply with the Massachusetts Clean Air Act (M.G.L. c. 111, §142A - §142M), Air Pollution Control Regulations (310 CMR 7.00) and receive all required permits.
- 2) Require all project related diesel equipment to meet current EPA Tier 2, 3 or 4 emission standards for new equipment, as applicable for each type of construction equipment and diesel particulate filters should be installed on all diesel-powered construction equipment to minimize inhalable particulates.
- 3) Monitor and manage construction related dust where it impacts residential areas.
- 4) Require TGP to fully comply with the Massachusetts Clean Air Act (M.G.L. c. 111, §142A - §142M), and Air Pollution Control Regulations (310 CMR 7.00) and receive all required permits.
- 5) During construction the Project shall be required to meet current EPA Tier 2, 3 or 4 emission standards for new equipment, as applicable for each type of construction equipment. In addition, the Project shall be required to install diesel particulate filters on all diesel-powered construction equipment to minimize inhalable PM.
- 6) All project-related diesel equipment shall be required to meet current EPA Tier 2, 3 or 4 emission standards for new equipment, as applicable for each type of construction equipment, and diesel particulate filters should be installed on all diesel-powered construction equipment to minimize inhalable particulates.

4.8 PUBLIC HEALTH MITIGATION

There are a multitude of public health concerns related to the construction and operations phases of the proposed pipeline and compressor station in Windsor. Many of the mitigation preliminary requests overlap with prior noted components. As previously stated and worth repeating, we are requesting that the Commission ensure that TGP avoid, minimize, and mitigate to the fullest extent practical impacts of the compressor station and pipeline and its operations on the health of Windsor residents and visitors. In particular, we are requesting that the Commission ensure: (1) TGP avoid, minimize, and mitigate to the fullest extent practical impacts of the compressor station and pipeline and its operations on the health of Windsor residents and visitors. This includes:

- 1) Establishing a protocol for blasting notification with agreed sanctions for failure to adhere to agreed protocol.
- 2) Establishing protocol for public and town-wide blowdown event notification with agreed sanctions for failure to adhere to agreed protocol.

4.9 CUMULATIVE IMPACT MITIGATION

As stated in 3.9 above, Windsor expects a negative cumulative impact of the proposed pipeline and compressor station that will have negative implications for our future. Given the concern about cumulative impact, we are proposing the following preliminary mitigation requests:

- 1) Windsor is committed to renewable energy. As such, we are requesting no lock out on renewable energy sources. Also in order to offset the negative impact of the compressor station and the pipeline

on the environment, we are requesting the establishment of a Windsor Green Energy Fund to be used to enhance renewable energy commitments as determined by the Town.

- 2) Post bond not only for typical construction risks, but in particular impact on drinking water, proper completion of road construction and for TGP's maintenance responsibilities during operation, right-sizing of roads oversized for the purposes of TGP construction unrelated to town needs, decommissioning of compressor station, and costs arising from environmentally damaging leaks or releases, fires, health expenses, or catastrophic failure of line or compressor station or of the power lines occupying the adjacent corridor.
- 3) Due to the expected cumulative effects, require TGP to conduct an alternative site analysis for the compressor station, preferably in industrially zoned sites or sites within a community that has existing industry and industrially zoned land. Ambient noise levels within the Town of Windsor are likely to be no higher than 20 dBA. Based on Massachusetts' laws and regulations, it is therefore anticipated that the Project will have to demonstrate compliance with a sound limit likely in the range of 27 to 30 Lmax. Further, it is anticipated that it may not be feasible to operate a compressor station of the proposed size with a sound limit of 27 to 30 Lmax. Alternative locations with higher ambient noise levels should be considered in order to comply with state laws and regulations.
- 4) If the compressor station is to be located and constructed within the Town of Windsor, it is imperative that the compressor station be constructed in such a way as to have the least impact as possible to the Town, its residents and visitors. Considerations should include:
 - a. The location of the compressor station, its profile within the surrounding landscape, its profile as regards wildlife impacts, animal and bird movement and behavior. Preferably, the facility will be not only completely enclosed, but largely below grade and bermed. Best practices in low impact facilities siting and construction should be drawn from general industry not just those used within the oil and gas sector.
 - b. The facility itself, its access roads, its security related structures, and its buffer should be landscaped so as to blend and meld with the facilities' natural surroundings.
 - c. Visual screening and sound dampening berms should, as well, be designed to meld with surroundings.
 - d. Eliminate or minimize the use of visible light in providing facility security. Best available shielded lighting to minimize blue light emissions or low light should be designed into the facility.
 - e. Minimization of noise and vibration to the maximum extent practical.
- 5) If the proposed compressor station or pipeline were expensed, we recognize that the impact may be greater. Given this we are requesting that in the event of expansion to the compressor the Town of Windsor enter into additional mitigation discussions with TGP.

Sincerely,

Town of Windsor Board Select Board

Timothy Crane

Douglas McNally

Brian Koczela

Date: Oct 14, 2015

Brian Koczela is unable to sign due to his status as an abutter to the proposed pipeline route in Windsor

Footnotes:

1 Town of Windsor 200th Anniversary Book (1971).

2 Sustainable Berkshires. Conservation and Recreation. Adopted 2014.

3 "Electrical Risks in Transmission Line-Pipeline Shared Rights-of-Way", Jose R. Daconti, Power Technology, Newsletter Issue 96, October 2004. "AC Corrosion Induced by High Voltage Power Line on Cathodically

Appendix A: Statement on the Berkshire Regional Planning Commission

Town of Windsor Select Board 1890 Route 9 Windsor, Ma. 01270

In addition to the comments submitted herein, the Town of Windsor, Ma. has participated in the Pipeline Working Group. Through the coordination of the Berkshire Regional Planning Commission, the Pipeline Working Group, which consists of representatives from the City of Pittsfield, Massachusetts, the Towns of Cheshire, Dalton, Hinsdale, Lanesborough, Lenox, Pittsfield, Richmond, Washington and Windsor, Massachusetts, the Dalton Fire District, the Lanesborough Village Fire and Water District, Rensselaer County, New York, and the Towns of Nassau, Stephentown, and Schodack, New York has identified common impacts and requested mitigation measures related to the proposed pipeline. Those items are specified in comments submitted by the Berkshire Regional Planning Commission, letter dated October 15, 2015. The Windsor Massachusetts select board endorses and incorporates hereinby reference, the comments submitted by the Berkshire Regional Planning Commission.

Timothy Crane, Select Board Chair
Brian Koczela Select board
Douglas McNally, Select Board
Date Oct 13, 2015

Brian Koczela is unable to sign due to his status as an abutter to the proposed pipeline route in Windsor.

{end of 20151016-5119}

20151016-5120

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

Did you know that 850 New Ipswich residents signed a petition requiring our reticent Board of Selectmen to officially oppose NED? 850 is about how many residents typically turn out for a National Election!

We understand that FERC’s charter does not allow for American-style democratic participation in the petrochemical events that occur in their states and towns but you must regard that Kinder Morgan’s will opposes that of a clear majority. Since no one allows us a vote to govern our own destiny, please deny NED.

Thank you

Paul Stevens

20151016-5121

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

October 15, 2015

Re: Docket No. PF14-22

Dear Secretary Bose,

Greenville NH, while geographically one of the smallest towns in the State, has a relatively large population (over 2100) relative to its size. It developed as an industrial village centered around the textile mills that proliferated throughout the northeast in the 1800's. As such, the housing is tightly clustered within the village district with a large majority of the population living within this area. The densely settled village district begins at the northwestern corner of the town slightly over one half mile downwind in a southeasterly direction from the proposed Kinder Morgan Market Path Mid-Station 4 compressor station off of Route 45 . The heart of the village district lies approximately one mile from the proposed compressor station; in this area lies a mix of closely spaced residences, businesses, churches , town offices , police, fire, and school district department buildings , as well as the large Greenville Falls housing complex for the elderly and disabled which serves the needs of not just Greenville , but the entire region as well .

The dense housing and business in Greenville precludes the possibility of private wells and septic systems , and these necessities are provided by the Town with a sewage treatment plant, and a reservoir situated in the Town of Temple. Greenville is unique in this regard in relation to the neighboring towns of Temple, New Ipswich and Mason which are not so densely settled and can rely on both private wells and septic systems.

The above mentioned reservoir is located approximately one half mile downwind in a northeasterly direction from the proposed compressor station. Moreover, the compressor station sits on land elevated above this reservoir, and which drains in several directions into streams which feed into the water supply. As mentioned previously, this reservoir supplies the only source of water for most of the Greenville residents and businesses, as well as the Temple Elementary School.

The densely populated areas of Greenville, as well as the municipal water supply, both located in close proximity to, and downwind from (the prevailing westerly winds that blow over) the compressor station , place Greenville at greater risk than surrounding communities from the toxic emissions. The less densely populated village districts of Temple and New Ipswich would be similarly affected when the winds shift to the south [for Temple] and the northeast [for New Ipswich] , a far less common occurrence .

In Summary,

The FERC should deny the placement of the Market Path Mid-Station 4 compressor station as sited by Kinder Morgan for the following reasons:

- 1) The compressor station location poses an inordinate amount of health risk to the most densely populated community along the pipeline route in this region. The thickly settled sections of Greenville are located approximately one half mile at the nearest point , to approximately one mile at the very center of the village to the proposed compressor station. This district contains a tight mix residences, businesses, churches , municipal offices (town hall , police, fire, district school dept. buildings) , as well as the large Greenville Falls Elderly Housing facility which serves the needs of the elderly and disabled throughout the region. The location of this district downwind from the prevailing westerly winds of this region places Greenville in a very vulnerable situation from the toxic emissions of the compressor station .
- 2) The location of the Greenville municipal water reservoir a mere one half mile downwind from the prevailing westerly winds , places what is the only source of water for the majority of both residences and businesses in Greenville (as well as the Temple Elementary School) at high risk from both air and surface contamination (the Temple Elementary School is also at great risk here from air contamination) . Moreover, the placement of the compressor station on land elevated above the reservoir, and which drains into streams feeding the reservoir, greatly enhances the danger of contamination of this water supply.

The Kinder Morgan Market Path Mid-Station 4 compressor station poses an unreasonable risk to the community of Greenville, and it would be irresponsible, and indeed unjust, for the FERC to approve its siting in light of the above mentioned conditions.

Sincerely,

Henri Vaillancourt
Greenville NH
03048

20151016-5123

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

It might interest you to know that the proposed Tennessee Gas / Kinder Morgan, New England Energy Direct (NED) pipe may not be so good for New Hampshire after all and here's why.

It was never intended for New Hampshire. It was intended for Massachusetts, but due to opposition, KM moved it north. So if it was not good for Massachusetts, why should it be good for New Hampshire?

We were told it will bring jobs. True, a pipeline will bring jobs to the region, but KM's claim of 3,000 jobs is a bit exaggerated. It's 3,000 jobs during peak construction, approx. 18-24 months

However, a good portion of them will go to specialized workers, like pipeline welding crews from Oklahoma. Alternatively, dollar for dollar, jobs in efficiency and clean energy could provide 36,000 jobs for the same investment. LiUNA union workers are trained for clean energy and weatherization jobs as well. Some have stated they would rather work in these fields if more of them were available.

We were told the gas is for New Hampshire, but if that were true, why was the pipe planned for Massachusetts? KM states that they have 0.5 Bcf/day in contracts, but the pipeline capacity is 2.2 Bcf/day, leaving 1.7 Bcf/day extra. So where is all that extra going? They do NOT deny that they will take export contracts and new export terminals are coming online in Canada. Furthermore, the only stated contracts in New Hampshire are with Liberty, a KM subsidiary. So is it right for KM to use eminent domain to take New Hampshire residents' land away (when most New Hampshire residents do not use gas) just so one company can sell that gas to foreign powers?

We are told that the pipe will lower domestic gas prices. However, the European market pays 2-4 times as much as US customers, and the Asian market pays 3-5 times as much. This can only drive up domestic prices.

We are told that new pipelines and gas-fired electricity plants are needed to replace the 8,300 MW of electric generation capacity that is being retired in the next few years. Ending the reign of nuclear, coal, and oil plants is a positive step, but replacing them with natural gas perpetuates dependency on fossil fuels and only gets in the way of renewables. Also, not all of the capacity retiring needs to be replaced with power plants. The cost of utility-scale solar has dropped 78% in the past five years, and renewables are now becoming economically competitive with gas.

Please, if you agree with the truth about the pipe, deny NED.

Thank you for your consideration

Thank you

Paul Stevens

20151016-5125

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

Last December Kinder Morgan moved the Northeast Export Direct pipeline from a route planned through Massachusetts, up into New Hampshire.

They assumed that the level of opposition here would not be the same as in Massachusetts and forcing it through us would be quick and easy. They were wrong. The level of popular opposition has been higher than anyone ever imagined. Eric Tomasi of the Federal Energy Regulatory Commission admitted that the NED project has set a FERC record for the number of electronic comment filings and they have only begun to assess the number of conventional mailings, all against the pipe. This is more significant when you consider the fact that the electronic filing process on FERC's website is complicated and confusing and requires strict adherence to a 26 step procedure. It is not at all similar to posting something on Facebook or Twitter and requires a fair bit of computer savvy! It should also be noted that at one point, a FERC official actually suggested to opposition leaders that they stop filing comments for a while so that FERC staff can catch up!

We also noted that at a recent FERC "Scoping" meeting, a Kinder Morgan vice president, Allen Fore was seen with two rather burly and aggressive looking body guards. Yet at earlier meetings, he was unaccompanied. It is regrettable that he feels insecure, but clearly this too is indicative of the intense level of opposition NED and its sponsors are now facing. We are not surprised since so many people now fear for their own health with the thought of high pressure, explosive gas buried only three feet down throughout their neighborhoods. Just as bad, the compressor stations emit poorly regulated toxins and carcinogens into their otherwise clean New Hampshire air. Not to mention the continuous noise, light pollution and disconcerting, deliberate releases of precious gas during so called "blowdowns". A cynic could shrug and suggest that if they don't like it they should just leave, but with property values dropping precipitously, homeowners feel trapped.

The big issue is eminent domain. Most New Hampshire citizens, whether they believe in a marketed "energy crisis" or not, don't go along with the idea of the Federal Government usurping states rights, and taking people's hard-won land for a project that has little or no benefit for New Hampshire residents. Has anyone looked at our license plates recently?

Deny NED on popular and moral grounds.

Thank you

Paul Stevens

20151016-5127

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071

Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

It is essential that citizens have a right and an opportunity to respond to this imposition upon our communi-

ties and to this insult to our self-determination.

We are told it will bring jobs. Northeast Energy Direct will bring some temporary jobs to the region, but Kinder Morgan's claim of 3,000 is exaggerated. Maximum jobs will be during peak construction, approx. 18-24 months. However, a good portion of them will go to specialized workers, like pipeline welding crews from Oklahoma. There will be one or two permanent jobs.

We were told the gas is for New Hampshire, but if that were true, why was the pipe originally planned for Massachusetts? KM states that they have 0.5 Bcf/day in contracts (which is questionable), but the pipeline capacity is 2.2 Bcf/day, leaving 1.7 Bcf/day extra. So where is all that extra going? They do NOT deny that they will take export contracts and new export terminals are coming online in Canada. Furthermore, the only stated contracts in New Hampshire are with Liberty, a KM subsidiary. So is it right for KM to use eminent domain to take New Hampshire residents' land away (when most New Hampshire residents do not use gas) just so one company can sell that gas to foreign powers?

We are told that it is a good idea that the pipeline should leave Massachusetts, enter New Hampshire for 70 miles then return to Massachusetts when New Hampshire uses 4% of gas in New England and Massachusetts uses 61%.

We are told this is a "brownfield" development. Kinder Morgan claims the pipe is "co-located" or "under" existing power lines. In reality, a 100 foot swath of forest, 70 miles (1500 acres) long will be clear cut alongside the power lines' right of way, doubling the width of the existing scar. Contrary to popular belief, families live year-round along this route and their wells will be adversely affected by all that blasting though the "Granite State". The power lines will provide a convenient ignition source for any leaks in the 30" dia, 1460 PSI pipe.

We are told that the pipe will lower domestic gas prices. However, the European market pays 2-4 times as much as US customers, and the Asian market pays 3-5 times as much. Demand from these markets can only drive up domestic prices.

We are told that a new pipeline and gas-fired electricity plants are needed to replace the 8,300 MW of electric generation capacity that is being retired in the next few years. Ending the reign of nuclear, coal, and oil plants is a positive step, but replacing them with natural gas perpetuates dependency on fossil fuels and only gets in the way of renewables. Also, not all of the capacity retiring needs to be replaced with power plants. The cost of utility-scale solar has dropped 78% in the past five years, making renewables economically competitive with gas.

We are often told gas is "clean" but natural gas is primarily methane and when burned, it still produces CO₂, albeit less than coal or oil. However, when released directly in to the atmosphere as in a compressor station "blow down", methane is 86 times a more "powerful" a greenhouse gas than CO₂.

Kinder Morgan, is a Huston based company, but has purchased memberships in various New Hampshire Chambers of Commerce in an effort to gain undue influence here.

Please do the right thing and deny NED.

Thank you

Paul Stevens

20151016-5129

October 15, 2015

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Federal Energy Regulatory Commission

888 First Street NE

Washington, DC 20426

RE: Docket No. PF14-22-000

Good New Hampshire people do not use political clout to be exempt from the Clean Air Act. If my car fails an emissions test, I can't drive it until I abide.

I'm not allowed to dump benzene, toluene, and hundreds of other toxic chemicals into the ecosystem.

I'm not allowed to partake in an action that repeatedly makes people sick or cause them to die.

I'm not allowed to disturb the peace with a noisy party day and night.

You know the noise this equipment makes. You know the pollution and destruction and illness and death pipeline activities cause. Kinder Morgan stood before the Town of New Ipswich and said they cannot guarantee the safety of the pipeline and that accidents will continue to occur, including those that cause death. You have no right to expose me to that. Most large corporations no longer allow smokers to expose us to those hazards. Why do you think you can expose us to known carcinogens, neurological harm and other illnesses?

We saw videos of people who live near far smaller compressor stations than that proposed for New Ipswich and they say they have no peace day or night. They cannot use their yards and homes in a normal way. They cannot sell to move away from your destruction as the properties have no buyers. You know this, you know this, you know this, but you still continue to destroy and harm and even kill people through stress, illness and accidents. You take away their right to live a peaceful and happy life. That's a right. You have no right to take that away.

It is unconscionable to construct a compressor station next to that lovely Temple elementary school where the out-gassing will fall upon small children and their families. That school is also the emergency shelter for the Town of Temple. Is Kinder Morgan going to relocate the school? Is Kinder Morgan going to build an alternate emergency shelter for the residents of Temple? Or is Kinder Morgan and FERC going to move "forward" and put those children in harm's way?

The good people of New Hampshire don't deliberately put children in harm's way for the sake of profits. How can you think it's your right to destroy and confiscate what you want from others whenever and wherever you choose? Our ancestors did that to Native Americans. I thought we all agreed it was wrong to do that.

Massachusetts sent Kinder Morgan away so you just bumped the path up into New Hampshire and then stood before us and said you selected this path because it was in the best interest of the people of New Hampshire. Who writes these fairy tales? Kinder Morgan stood in the New Ipswich high school and told us NO ONE along the Southern New Hampshire pipeline route will get any of this gas. NO ONE. NO ONE. NO ONE. So it is not in the best interest of New Hampshire. The path was bumped up into New Hampshire for one reason: Massachusetts had the money and influences to kick you out of their state.

I have spent much of my life working very hard to keep the peace of my home and you have no right to stomp upon me and decide I am not worthy or entitled to keep what I have earned.

Kinder Morgan and Tennessee Gas look upon us as disposable pawns in the way of your search for a path of least resistance. We are not in your privileged circle of influence. We are a statistic --- you even told us because there is a lesser population density here you will be using a thinner pipe. You are not concerned with protecting us. You are seeking another way to increase corporate profits. If you were concerned, the quality of pipe would be determined by its use and the terrain and forces upon it, not how many people will be surrounding it. Stripping a path through Southern New Hampshire will alter the ecosystems and wetlands, exposing them to drought, encouraging forest fires, damaging our limited fresh water supplies, and essentially, destroying all we and those before us have struggled to protect and preserve for hundreds of years. Long before you gouged the earth for your private interests, smarter people chose to live with less to preserve and protect for future generations.

Draining our precious U.S. non-renewable energy reserves with such carelessness and recklessness is be-

yond reason. Selling off our resources and lives to overseas markets; that's what this is. HOW ROTTEN a thing to do.

Don't do this to good people - deny NED!

Thank you

Paul Stevens

20151016-5130

Ken Ziobrowski, Averill Park, NY.

I would like to take this moment to express my concerns about the proposed gas pipeline to be constructed across New York State but primarily in the Capital District. We currently live approximately 1 mile from the proposed site of a compressor station to be constructed in the Town of Nassau which is near Burden Lake. We have learned from attending informational sessions that there are serious health risks to individuals who live near a compressor station and the pipeline. The blasting involved with laying the pipeline can impact the drinking water that residents use from their wells and the gas that goes airborne from normal operation of the system which enters the soil and area lakes and streams. We strongly encourage FERC to disallow this gas pipeline as it poses significant risk to thousands of residents's health.

20151016-5132

October 15, 2015

Paul Stevens

156 Timbertop Rd

New Ipswich, NH 03071

Federal Energy Regulatory Commission

888 First Street NE

Washington, DC 20426

RE: Docket No. PF14-22-000

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."

Why do you want this to happen to us?

Please deny NED

Thank you

Paul Stevens

20151016-5133

October 15, 2015

Paul Stevens
156 Timbertop Rd
New Ipswich, NH 03071
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

RE: Docket No. PF14-22-000

The big issue is eminent domain. Most New Hampshire citizens, whether they believe in a marketed “energy crisis” or not, don’t go along with the idea of the Federal Government usurping states rights, and taking people’s hard-won land for a project that has little or no benefit for New Hampshire residents.

Another reason to oppose NED.

Thank you

Paul Stevens

20151016-5137

I am writing to register my strong opposition to the proposed Pipeline through Southern NH. How can it be allowed to take someone’s land? How can it be allowed to take Conservation land? I cannot believe this can happen here in our country and in our State of NH. This project will cause much harm to the people and to the environment. Please think of the lives, think of the years of people tending their land, think of the many people who have worked so hard and sacrificed so much to ensure areas of conservation. That this project can even be considered to be so crucial as to use Eminent Domain is insulting to all who will be affected. And the ability to disregard current Environmental regulations if they are a hardship to Kinder Morgan is unacceptable. Please do not allow this to happen. Come and visit this place and talk to the people and see the land. I implore you to say no to this project. You have the power to stand up for the rights of the people who cannot fight such a big corporation.. You have the power to save peoples homes, land, wildlife, and the ability to stop the constant destruction of our beautiful planet. May the goodness in you use that power to say no to this project.

Thank you

Judith Driscoll

20151016-5138

Clarks Chapel Road, Nassau NY

I live in a house built in 1850 on Clarks Chapel Road, Nassau NY.

I am submitting a comparison between two locations. The first location is Clarks Chapel Road, Nassau, NY. I have included pictures to demonstrate why Clarks Chapel is not a suitable location for the proposed Market Path Mid-Station 1 Compressor Station. The second site location is at Route 9 in Schodack, NY where the land parcel that is currently for sale, is significantly more suitable for the proposed Northeast Direct (NED) high pressure natural gas compression station proposed by Tennessee Gas Pipeline.

Proposed site at Clarks Chapel Road, Nassau NY:

Description of neighborhood character.

Narrow two lane road. Very narrow in parts.

Sharp blind Curves and rolling hills.

Large trees and wide variety of migratory birds, land and water wildlife.

The road is posted with a10 ton weight capacity.

Speed limit 40 MPH except where posted “Speed limit - Children at Play - 20 MPH.”

Existing Setting:

1. The area is Extremely Quiet at night – reflecting the Rural (NOT SUBURBAN) character.
2. The area has a Very Dark Night Sky. Houses or town roads DO NOT have significant levels of night lighting.
3. Air quality is very high and is not compromised by emissions from any industrial or commercial uses or activities.
4. This is a Historic neighborhood – several houses date from late 18th – to mid-19th century; and the Clarks Chapel Cemetery dates to this period.

Land use and zoning:

1. Zoning is “Rural Residential” – single-family residential and agricultural uses are allowed, and Industrial Uses like the proposed 41,000 horsepower gas compressor station are prohibited by Town of Nassau Zoning regulations.
2. Clarks Chapel is the home of small family farms with domestic animals, and organic homestead gardening.

Recreation Considerations:

1. Clarks Chapel Road is a principle component of regularly used touring routes of several Bicycle Clubs frequently involving dozens to over one hundred riders per day, due to the scenic character, lack of truck traffic, and low posted speed limit which creates safe riding conditions on Clarks Chapel Road. As referenced in the Town of Nassau Comprehensive Plan.
2. Clarks Chapel Road is a frequently enjoyed by pedestrians - walkers, joggers, including by groups of children, adults, and families including the elderly. The road is also enjoyed by groups of horseback riders. Heavy construction traffic and large vehicles associated with compressor station operation and maintenance activities are not compatible with these uses and activities.

Public Services:

1. Volunteer Fire Dept. – served by Hoags Corners Volunteer Fire Dept., station located several miles to the east.
2. No Town of Nassau police.
3. No public water supply- no fire hydrants.

Local Area Photo Documentation

Clarks Chapel Road - Saturday morning August 29, 2015. Heading East, in the order as the properties appear, starting at the Clarks Chapel Cemetery on Burden Lake Road Schodack for 0.3 miles to Clarks Chapel Road at the Town of Nassau line (proceeding 1.1 miles to end at Rensselaer County Route 15.

{photos omitted}

Local Community response:

- .03 miles from Burden Lake Road from Clarks Chapel Cemetery to Nassau Town Boundary
- 5 houses, 1 cemetery, and land parcels.
- 5 posted protest Signs against NED pipeline and compressor station.
- 1.1 miles Clarks Chapel Road beginning at Posted sign to juncture at Route 15.
- 15 houses + land parcels.
- 17 SIGNS POSTED IN OPPOSITION TO PIPELINE AND COMPRESSOR STATION.

It should be clear that the residents of the community most affected by the proposed compressor station are unanimous in their opposition to the unsuitable siting of this non conforming use, out-of-scale and noise and toxic substance-emitting facility in a quiet, rural, historic residential neighborhood setting.

{photos omitted}

The Rural Residential Setting of Clarks Chapel Road in Nassau should be compared to the suburban, highway commercial setting of alternate compressor station site located at US Route 9 in Schodack.

As noted in comments submitted August 29, 2015 by the Town of Nassau Natural Resource Committee:

“One potential area for siting a gas compressor station for the Market Path Mid- Station facility is in the vicinity of Market Path milepost 32.8 east of US Route 9. North of the existing TGPL 200 line there is a vacant, 60+ acre ‘Highway- Commercial’ zoned property (tax parcel 200.-9-6.11) currently available for sale with limited natural resource or land use constraints in an area that currently experiences significant noise and traffic levels due to nearby highways (I-90 corridor a short distance west; and with ready access from 1560 feet of site frontage on US Route 9). South of the existing TGPL 200 pipelines there is a reclaimed gravel quarry and apparently vacant area east of the existing gravel sorting and mixing facilities. Siting the compressor station at this location would not have land use impacts or require development of heavy access roads for construction and equipment deliveries, and existing noise levels are affected by traffic at NYS Route 9 and Interstate Route 90. Neither location in this vicinity is co-located with high voltage electric transmission lines. Both of these locations are near fire, EMT and police stations. And both of these locations would support development of TGPL pipeline on either the existing TGPL “200”-line right-of-way (the “New York Alternative”) or on the proposed electric transmission line route. These areas should be evaluated as suitable alternatives for siting of the proposed Market Path Mid-Station Compressor Station.”

The real estate listing for the Route 9 parcel notes the following: “Prime land for development - 62 acres, over 1500 of frontage - highly traveled road.”

Route 9 is a five-lane highway with 55 MPH speed limit posted, which is heavily travelled, as noted. The setting is affected by the noise of traffic on both Route 9, as well as traffic on nearby I-90, also heavily travelled. The nearby location of police and fire protection agencies makes this a significantly more secure and safe location in terms of th Zoning at the Route 9 sites is for Highway-Commercial: this represents a more suitable site in terms of land use and zoning compatibility. The FERC should require that these locations be compared in the Environmental Impact Statement.

{photos omitted}

The compressor station is only suitable at a industrial, commercial, or similar setting.

The EIS cannot find the proposed Market Path Mid-Station to be compatible in the Rural Residential Area at the proposed site on Clarks Chapel Road in the town of Nassau for all the reasons stated above and in the comments of the Town of Nassau and other residents of the area.

C. L. Niedringhaus

20151016-5139

October 15th, 2015

Docket #: PF14-22-000

To The FERC,

I would like to specifically know how the 30” high pressured fracked natural gas pipeline, being proposed by the Tennessee Gas Company, is going to address any energy crisis needs specifically of the residents in the New Hampshire towns that it will trample through. I am a resident of Merrimack New Hampshire, with no access to natural gas. Even if my home was heated through natural gas, this pipeline would be of no use to me, or anyone else in the town who even had natural gas. The reason being is that there is no infrastructure for it.

The Kinder Morgan representatives who have reluctantly and sparsely shown their faces in town meetings, have told the townspeople that our electric bills will be reduced significantly with the construction of this project, albeit with no proof or numbers to back any of their claims up. This seems like a blatant lie. They keep mentioning that Liberty Utilities, who is connected to KM financially down the line, is a buyer of some of the gas through the proposed line. I don’t see how that can positively effect our electric bill as almost all of our town, and the other towns that the pipeline are proposed to run, through get their electric

from Eversource. They have also mentioned that no one has even bought enough natural gas from the line, which in my mind questions why it would even be constructed. If there truly was an energy shortage, why isn't every drop of it sold and put to use here in the United States?

The representatives from Kinder Morgan have showed little respect to the people and the process from what I have seen at these meetings. They will laugh at comments, shrug and shake their heads, and then lie right to our faces and tell us that everything they want to do is to help us. They show up to meetings with completely changed maps, without notifying town officials. How can any residents react to the proposed changes when things are changed so swiftly without notice? At the last meeting they told us that even though the comment filing period with FERC ends October 16th, they plan to file after that. What kind of process is that to allow filing after the commenting period, to leave individuals and business with no voice to be heard.

Who deemed that there is an energy crisis for New England anyway? If there truly is a period of 2 weeks that we require more energy, who made the decision that fracked natural gas is the ultimate solution? I see more and more homes, commercial properties, and government buildings equipped with solar panels. These are becoming so much more available and efficient than building a pipeline. What happens when the number of people using this technology increases to the point where our electric needs are better met? With this solar market expanding and other renewable energy sources getting us to a point where a 14 day period during the winter deemed an "energy crisis" is no longer there, where will all the unused natural gas go?

Why would FERC allow a corporation like Tennessee Gas Company to take our land, use it for this private venture, so that they can export their product directly overseas? If the Tennessee Gas Company wants to get their natural gas to Europe so badly, let them do it through trucks and tankers. Just not at the expense of hard working, tax paying, American citizens' land. Allowing them to build this infrastructure, giving them permission to do whatever they want with it after they are done with natural gas through their eminent domain is crazy. In 50 years this infrastructure that will absolutely be outdated and then what? Who knows that else they will put through and with no one to hold them accountable for upkeep over that time.

The environmental impacts are overwhelming. Anyone with a watershed map can quickly identify that this proposed route is in direct conflict with an aquifer that supplies most of our town with their clean drinking water. For Kinder Morgan representatives to act like they didn't know this information and will have their people look into it is insulting. Any individual can access this information from a simple internet search. If they are not lying and they truly are unaware, then I cannot imagine the ineptitude of the supervisors and project managers on this project. This water is too valuable to our health to risk any unnecessary contamination through construction and transporting of this gas, that is loaded with unknown and unpublished proprietary chemicals. In addition when something happens, why is Kinder Morgan not legally forced to mitigate any problems? In addition to the water, there is air pollution emitted from meter stations, and compression stations. Who will be required to monitor this?

I do not see a need for this project to move forward. I would respectfully ask the commission to revisit every minor detail of this proposed project and ask, is this the right thing for the citizens of our country, region, and individual homeowners who will be the most affected. Let us move forward instead with energy sources that will truly enhance our way of life, and not detract from it.

Sincerely

Bert Priddle

Merrimack NH

20151016-5140

Docket: PF14-22-000

RE: Aquifers

Dear Mr. Tomasi:

We require study of the aquifers affected, not just wells and springs merely within a certain number of feet from the pipeline, aquifers and compressor stations. It is well known that aquifers do not adhere to political, construction or property owner's boundaries for contamination kinetics of which we require study for the EIS or any filings by the Applicant.

An assumed mitigation by the Applicant to provide water "pigs" or tankards is useless in this area because of the extreme situations encountered. These situations include extended time of road closures ("the mountain" is also closed many times), and freezing conditions for water deliveries. The best scenario is a well and a well pump (either manual or electrical with backup generation -- some of Us have both) with a non-compromised well. Any mitigation of this type would be required to emulate the seemingly "infinite" water supply of a well under full discharge testing.

We require disclosure of all design inputs (well depths, topography, steep slopes, stereo aerial photography study of aquifers, ground penetrating radar, hydro studies, seasonal high water tables et cetera), measurement methodologies, outputs, models, source code, simulations et cetera, as the entire project directly encumbers the safety, socio-economic, real estate values and viability of the project. We require all of the above to be presented as part of the EIS or any filing from the Applicant.

If someone were to install a septic system, they would be required to dig a test pit to measure phenomena like seasonal high water, especially if near (or worse, in) an aquifer. Why does a pipeline project not comply with this basic need for study a-priori? Pipelines are known to artificially carry contamination or to connect disparate watersheds.

Please EXPLICITLY define in reports how compromised aquifers, private citizen's wells, municipal Reservoirs, School Children, Religious Institutions et cetera, benefits or is otherwise in the balance for the convenience (and seeming public "need") of someone in a far remote city to turn on their "gas log" installed in their fireplace, by flick of switch, that ultimately sucks more heat out of the domicile in exchange for ambiance... This creates demand despite squandering of gas. Some towns in Massachusetts are known to have 30 year-old leaks not fixed.

The above is practical experience and empirical evidence of direct impact that the Applicant has failed to address in their overbroad resource report filings that actually has little to do with the area proposed for development. If the Applicant (Kinder Morgan or Tennessee Gas Pipeline Company) knows so little about the area of development and so little about their own project, then how can their investors be certain of a return?

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack
"Davis", NH

20151016-5141

Docket: PF14-22-000

RE: Corrosion Protection Systems

Dear Mr. Tomasi:

While some of this may fall under the DOT or 49 CFR 192, it is highly suspect, if not illegal that activity related to the NED project would test some "driveway plow sand" that melted from a snow bank at the end of a driveway to determine soil conductivity for possible representational design of any cathodic protection system.

Yes, we have witnessed apparent field studies where probes were used at the end of a driveway to measure soil properties (and not near or in the actual so-called "co-location" are for the NED project). Please note

that this is a perfect way for entities to lose their licensure. We are concerned for these entities and Kinder Morgan (or Tennessee Gas Pipeline Company).

Notwithstanding, we require a study and report of how the Applicant arrives at their design for cathodic protection (amongst other TBDs) before this project can be convenient or satisfy any alleged need, given all design inputs, soil measurements and their methodologies, other measurement methodologies, outputs, models, fall of potentials, impedance measurements, system proposals including rectifier amperages (inclusive of electrical noise signals), spacing for test coupons, source code, simulations, inductive and capacitive coupling, MSDS of conductive coke, maintenance plans with measurement methodologies, et cetera, as the entire project directly encumbers the safety, socio-economic, and viability of the project for investors. Denial of survey is not an enabler for any exclusion.

Also, please be advised that the electricity utility company in New Hampshire does not own much of the property that their power lines run over; they have easements given by the private citizen land owners from “back in the day” (the 1960s) of which many of the current land owners may not have been the originators of such easements given.

Many of the utility poles adjacent to the incompletely specified NED project are buried down to SEVEN feet below grade (frost line considerations), yet 49 CFR 192 or other sentiment from the Applicant does not include these basic requirements for the region, which contradicts by law LICENSED professional engineering REQUIREMENTS (licensed for liability and protection of public safety, engineering fiduciary economic success for project longevity and investor’s return on investment). Regardless if the pipeline is “warm” or even “hot”, any outage or blowdown/blowoff (adiabatic cooling) would allow cooling and frost heaving to compromise and undermine outer coatings and cathodic protection. In other words, 49 CFR 192 in its current form, cannot contemplate the requirements that are preempted by law of licensed professional engineering coupled with the unique requirements of New Hampshire (and aspolitical boundaries do not yield to nature or physics, many parts of Massachusetts and New York are also included with these scenarios).

The above is practical experience and empirical evidence of direct impact that the Applicant has failed to address in their overbroad resource report filings that has little to do with the actual area proposed for development.

If the Applicant (Kinder Morgan or Tennessee Gas Pipeline Company or their agents, representatives, assigns or contractors) cannot measure soils properly, nor do they know much about their own project, how can they ensure their own project success for their investors and the public convenience to satisfy any conflated or erroneous need?

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack
“Davis”, NH

20151016-5142

Docket: PF14-22-000

RE: High Consequence Area in New Hampshire

Dear Mr. Tomasi:

The pipeline as proposed by Tennessee Gas Pipeline Company is slated to be the “thinner” schedule of pipe for a low area of consequence as allowable in a rural area. As such, if there is an “incident” there will be, alleged, low collateral damage and fatalities due to lack of households nearby, coupled with economy and cost savings for the purveyor of the pipeline construction and convenience, despite close proximity to homes.

However, one overlooked fact: Power line 379 for purported and alleged “co-location” by the Applicant in New Hampshire, connects 100,000s of people, merely tens of feet away from an incident zone, to electricity service in New England and New Hampshire specifically. This is a single point failure with a double failure

(double jeopardy) if there is a gas pipeline “incident”. In aeronautical engineering (or any other engineering), single point failures with this amount of double jeopardy is a SEVERE risk despite business objectives and simplistic views of “drawing a crayon mark” on a map seemingly “willie nillie” under the guise of “co-location”.

This line 379, is one of only three major transmission power lines for the entire Western portion of the State of New Hampshire and the New England Grid for Vermont and Western Massachusetts. Grid simulations show obsolescence with massive demise and failure of model convergence (blackouts), perhaps given reactive loads and lack of capability for ring loops for scenarios with this transmission line. Current utility upgrades on this line are irrelevant and does not preclude this adjacency (or alleged and erroneous motif of “co-location”) from single point failure conflict. More apropos alternatives and their analysis is required and to be included in any future filing by the Applicant.

This area is not low consequence!

It is a high consequence area by proxy, and by wire, merely feet away. As such, failing any alternative routes, the pipeline Purveyor is REQUIRED to install the most robust, high consequence area pipe schedule available for the ENTIRE run of the incomplete NED project in New Hampshire where the Applicant has specified erroneous co-location.

US Census data may indicate this area of the Monadnock region of Southwestern New Hampshire to be rural, especially when considering very little “boots on the ground” (rather mostly desktop endeavors apparently executed by the Applicant); think of the area as a large subdivision with larger road frontages and houses set back from the road with still many conveniences in short driving distance.

Indeed a nearby “incident” in the Monadnock region of New Hampshire would wreak havoc to many of the cultural, historical, infrastructure, family economic and religious centers of this area.

Since Eversource (formerly New Hampshire’s Public Service) does not own most of the property that the line 379 and 380 traverses, it would not be available other than through eminent domain taking of the private land.

Regardless of rural thresholds by seemingly what We may consider inaccurate Federal classifications, it is still only a 27 second walk to borrow a cup of sugar from a neighbor to bake delectable cookies, buns and muffins in some of our wood-fired ovens, but only due to road frontages measured in hundreds of feet betwixt driveways. It would seem that Federal classification for “rural” overlooks this basic community closeness. It is amazing that We have lived here for centuries without natural gas or need thereof... Interesting the fact: that some of our towns in New Hampshire are older than the United States of America, and before the advent of pipelines.

If we are so rural, how is it that public comment for this project has exceeded prior FERC public response records? Per capita, it would seem that this is significant compared to other projects FERC has contemplated in the past...

The above is practical experience and empirical evidence. While Kinder Morgan SEC (Securities and Exchange Commission) and investor statements (forward looking or otherwise) note that Kinder Morgan may be sued from time to time it is questioned: how does a single point failure listed above with double jeopardy destroy investors’ return on investment?

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack
“Davis”, NH

20151016-5143

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission

October, 15, 2015

888 First Street, NE, Room 1A
Washington, DC 20426

RE: Tennessee Gas Pipeline Company, LLC, Docket # PF14-22-000 NED Project

Dear Ms. Bose,

I am a resident of West Townsend, Massachusetts, directly on the path of the current, so-called 12” Fitchburg Lateral (Tennessee Gas/Kinder Morgan Northeast Energy Direct, PF14-22) and on the previously preferred path of the main, high-pressure pipeline and compressor station site. I am opposed to the building of NED and urge a NO BUILD decision because:

- Need has not been demonstrated
- A number of other alternatives including conservation, leak remediation, and both fossil-fuel based and renewables can address infrequent, seasonal capacity short-falls
- The potential for unprecedented destruction of waterways, state forests, farmland, private wells, personal property in the name of gas, the majority of which will be exported, can hardly be considered for the “public good.”

I urge FERC to consider the following inputs, which I would hope would lead FERC to conclude that the NED project should receive a NO BUILD decision:

- Combine review of the 5 currently separate projects bringing natural gas to New England to ensure that there is no redundancy – Tennessee Gas/Kinder Morgan, CT Expansion, Tennessee Gas/Kinder Morgan Northeast Energy Direct, Spectra Atlantic Bridge, Spectra Access Northeast, and Portland Natural Gas C2C Project
- Consider the results of Massachusetts Attorney General Maura Healey’s study to quantify how much gas capacity is needed for electricity generation through 2030 which should further demonstrate whether new pipeline capacity is needed or not.
- Consider whether additional investments in repairing widespread and long-standing distribution system leaks would affect gas capacity need.

Should FERC green light the NED project, I request that FERC require Kinder Morgan to address all of my concerns regarding the project’s impacts to the environment and the monetary impact to my private property in the draft (DEIS) and final Environmental Impact Statements (EIS).

Air Quality

Please require a comprehensive assessment of the air quality baseline pre-construction and impacts from the operation post-construction of the NED pipeline. This assessment should be conducted from multiple locations in Townsend, which is directly on the pipeline route, as well as from all towns in Massachusetts, as we know that gas emissions are not restricted to the initial points of emission. These assessments should include data on:

- The composition of the natural gas that will flow through both the main pipeline and the Fitchburg lateral pipeline
- Data on the frequency and duration of blow-down events – accidental, emergency, and scheduled as part of maintenance events
- As noted above, the study should include a comprehensive dispersion modeling study to demonstrate potential air quality impacts prior to construction and observed air quality impacts post construction for locations “downwind” of the main pipeline and Fitchburg lateral. This study should consider prevailing wind directions in each of the 4 seasons, different times of day, and all types of typical meteorological conditions such as rain, inversions, hurricanes, etc.
- Impact of heavy construction equipment emissions/dust and plans to remediate both during construction phase and any access needed for preventive maintenance

- Please also address, through quantitative data, how construction and operation of the NED main pipeline and Fitchburg lateral will adhere to Greenhouse Gas Emissions regulations.

Odor impacts

Similarly, please require release of information regarding anticipated odors (nuisance or otherwise) that are anticipated during construction, operation, and blow-down events. Please require a comprehensive baseline assessment of odors pre-construction and impacts post-construction of the NED pipeline due to pipeline operation as well as that caused by heavy equipment usage.

Noise impacts

Please require a comprehensive assessment of the noise quality baseline pre-construction and impacts from the operation post-construction of the NED main pipeline and Fitchburg lateral. This assessment should be conducted from multiple locations in Townsend, which is directly on the pipeline route. These assessments should include data on noise levels:

- During construction including truck and other equipment traveling on Townsend roads
- During normal operation
- During preventive maintenance and blow-down events
- During accidental releases
- During emergencies

Water impacts

The Fitchburg Lateral will require drilling and construction in close proximity to the Vinton Pond and Willard Brook state forests as well as the Townsend public water supply and numerous residential private wells. Please require a comprehensive assessment of the water quality and quantity/flow baseline pre-construction and impacts from the operation post-construction of the NED main pipeline and Fitchburg lateral. This assessment should be conducted from the municipal water supply, all private wells within 5 miles of the pipeline, and the State Forest waterways. Post-construction assessments should be conducted on a quarterly basis to ensure that our water supplies remain unaffected and uncontaminated.

Should post-construction testing indicate contamination, Kinder Morgan should describe in detail how they will eliminate the contamination and allow residents to once again use their wells. Periodically trucking in bottles of water should not constitute acceptable remediation.

In addition, KM must provide details on the sources and volume of water to be used for hydrostatic pressure testing of the pipeline as well as means for water disposal and quality testing to determine how the water has been contaminated.

Property Value Impact

Studies have shown negative impacts to property values, difficulty in selling, and difficulty in getting/keeping property insurance for residents located near pipelines. Kinder Morgan should be required to provide fair market value compensation to property owners in Townsend within 5 miles of the pipeline for all of these downstream consequences.

Protected Open Space, Wetlands, and Endangered Species Impact

The Fitchburg lateral will impact significant environmental resources including farm land and protected state forests. Please consider the cumulative effects of construction and post-construction damage to permanently protected open space, rare and endangered species and their habitat, and natural and cultural resource areas.

Thank you for the opportunity to share my views and for FERC's thorough consideration of my concerns and issues with the NED project.

Sincerely,
Laura Holly
14 Old Battery Road
West Townsend, MA 01474

20151016-5144

Susan C Murray, East Hartland, CT.

As a resident of Hartland, CT I strongly oppose the TN Gas/Kinder Morgan proposed installation of a natural gas pipeline through the MDC Class I and Class II watershed lands and private lands.

At this point of time, while early in the review, deeper study should be focused the necessity of the entire project, if Class I and II watershed land can be taken by eminent domain and future impacts of setting this precedence and if there may be alternates with lesser impacts.

I believe high quality drinking water is the most important service for the people of this country and should not be mitigated or at risk for a new pipeline.

I appreciate greatly FERC review of comments and holding off approving the current proposal.

20151016-5145

Docket: PF14-22-000

RE: Compressor stations with horsepower ratings are power generators

Dear Mr. Tomasi:

Please note: Compressor Stations proposed by the Applicant are power generation stations. They generate horsepower in which 1 horsepower is 745.69987158 Watts of power (about 746 Watts of power).

For example, a 746 Watt (electric) toaster oven would be a 1 horsepower toaster oven. A 200 horsepower car in America, identically sold in Europe would be required to be stated as a 149,139 Watt (149 kilowatt) car; only recently has Europe allowed horsepower to be listed as an ancillary unit of identical measure for power. A 746 Watt solar photovoltaic electric generation panel IS a 1 horsepower solar panel.

This is identical power: 41,000 horsepower is 30.5 megawatts.

This is also identical power: 80,000 horsepower is 59.7 megawatts.

As such, all compressor stations must be required to be sited and permitted as they are power generation stations. They have identical fuel and exhaust inputs and outputs as a power generation station sited by these same requirements. In fact compressor stations (as proposed herein) are undoubtedly worse in efficiency than more efficient “combined cycle” (like Organic Rankine cycle or other Carnot cycles) power generation stations with identical fuel and exhaust paradigms.

Notwithstanding, compressor stations that will be generating their own electricity to provide power distribution for communications, lighting, or active cathodic protection devices are power generators. Compressor station powered cathodic protection systems forcefully distribute power (power distribution) onto the very low impedance (high current flow and significant power) pipe and anode/cathode systems; as such they generate electricity.

The above is practical experience. For your convenience, the word power has been underlined for reference. Power is a known physical quantification in physics and engineering and is useful.

Please indicate to the Applicant or EIS purveyors that study of a power generator at their proposed locations is required, coupled with all EPA, EIS discovery of ramifications to safety, environmental impact, with surrounding socio-economic issues of reduced real estate value, businesses being put out of business (see also FERC accession number 20150831-0052), et cetera.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,
Chris Mack
“Davis”, NH

20151016-5146

Docket: PF14-22-000

RE: Economic HUB Zone

Dear Mr. Tomasi:

The Federal Small Business Administration (SBA) has recently declared the towns of Sharon, Temple and New Ipswich, all within New Hampshire as an economically disadvantaged HUB Zone.

This HUB Zone is listed under the town of “Davis” New Hampshire, which may be clerical error, however, there is a Davis Village section of New Ipswich in this greater area and “Davis” is listed within New Ipswich town maps just outside the door of the New Ipswich Board of Selectmen’s meeting that We attended recently. Notwithstanding, the SBA map clearly indicates Temple, Sharon and New Ipswich as this HUB Zone.

We require for study, presented within the EIS, the socio-economic impact (and safety) of a Pipeline and Compressor Station within this already economically depressed and impacted HUB Zone.

New Hampshire is UNIQUE in that does not have an income tax, nor a sales tax when compared to many other states (we do have a room and meals tax however, mostly for tourist business income motifs for the State, coupled with other basic business and payroll taxes). This provides different socio-economic analysis paradigms indeed!

Correspondingly, New Hampshire’s income is mostly concerned with real estate tax based upon the value of the home or building, which is disproportionately high -- to wit, the tiny town of Greenville, NH (used to be “downtown” Mason, NH) next to New Ipswich and Temple, NH, up until a few years ago, had THE HIGHEST REAL ESTATE TAX RATE IN THE ENTIRE UNITED STATES OF AMERICA!

When a real property decreases in value for New Hampshire, it DIRECTLY means less revenue to the town, and ultimately to the county and to the State of New Hampshire. While the purveyors of pipelines tout that they have not seen decrease in real estate values, there is now precedent in New York of this very scenario in plethora.

When there is less revenue in a town, the tax rate should (or will) go up inclusive of assessment differentials betwixt proximity bound real property to compensate for loss of revenue (schools and towns need their budgets satisfied), especially for other properties not directly encumbered by a location in proximity to a pipeline or compressor station. The pipeline or compressor station could make prices go up! This is common sense yet is profoundly contrarian to current marketing (yes, marketing and sales material) mantra by Applicant(s).

It is further known that apparent eminent domain takings are possibly fraught with nondisclosure agreements to seemingly hide decreased value in real estate due to pipeline purveyance.

It may be of interest to folks like Kinder Morgan or Tennessee Gas Pipeline that the information of property bought and sold in New Hampshire has its price fully disclosed in the public purview by way of the tax stamps, which appear on every deed of real property sold in the State of New Hampshire. The purchase or sale price cannot be occluded from the public regardless of nondisclosure agreement.

This pipeline, if foisted upon New Hampshire despite lack of apparent need, should have massive economic impacts for revenue to the State in the Counties where more than 1/3 of the population lives.

Perhaps an overly simplistic model can be shown below (yet allowances for accuracy increase are demonstrated and available):

From The New Hampshire Public Utilities presenting before Docket DG 14-380: because the NED pipeline

is directly and explicitly encumbered by Liberty Utilities' Settlement Agreement before the PUC, we present another way to approach a calculation of how the Liberty Request affects NH... Kinder Morgan / Tennessee Gas Pipeline (KM/TGP) references US Census data in their recent resource report. The US Census data median household price for Hillsborough and Cheshire county in New Hampshire (the Counties), where 1/3 of NH's population lives is: \$249,900 and \$195,400 respectively, averaging out to be \$ 222,650.00 per household across the Counties. The KM/TGP NED pipeline project has 235 property owners, in July (Source: FERC), using denial of survey (despite there may be some 820+ properties needed by eminent domain and proposed agreement). Denial of survey is used by New Hampshire (and Massachusetts) property owners to prevent KM/TGP from collecting property survey data including trespassing (which has been anecdotally violated numerous times to date; hence the seemingly erroneous responses of so-called eco-terrorism in the region). This typically renders the property as a candidate for eminent domain condemnation for new ROWs (there is no "co-location" as conflated by KM/TGP) if the property owner is unwilling to negotiate with TGP/KM; as is self-evident for denial of survey. This does not account for all properties indirectly affected. However, for sake of argument:

235 properties x \$ 222,650.00 (median household price) = \$ 52,322,750.00 of encumbered real estate median value, instantaneously. Over a 24-year period, as used by Liberty for their analysis purposes: \$ 52,322,750.00 x 24 years = \$ 1,255,746,000.00 of perpetual encumbered real estate median value (about \$ 1.3 Billion; neglecting time-value of money) There is new precedent that will most likely parallel case law, where real estate can lose up to 50% value due to compressor stations or pipelines. KM/TGP will argue that there is no loss in real estate value due to their infrastructure, yet the precedent has already been set as described. Let us assume a 40% real estate value loss (instead of the 50% above), to be conservative and to the benefit of Liberty and NED pipeline project: \$ 1,255,746,000.00 x 40% = \$627,873,000.00in lost median real estate value for the directly encumbered New Hampshire properties due to pipeline or compressor station implementation in this model. This does not include peripheral and collateral real estate losses in towns or properties not directly encumbered, but are in abutting or adjacent proximity to, the pipeline or compressor station within the so-called incineration zone. Incineration zones, pollution, noise, or areas of consequence do not adhere to political boundaries. Also, using the same model above, but with median family income from US Census data for the Counties renders \$ 955,375,747.20 of encumbered median family income over 24 years. These encumbered families' homes will typically be "under water" (if they are not already). Residents have expressed exact sentiment to walk away from their mortgages and property, if the NED pipeline is approved (of which Liberty could surreptitiously have a hand in doing so with this Agreement). This could remove \$955,375,747.20 from the local economy (or even if a significant percentage thereof) for abandoned property in the so-called incineration zone and further; with a makeup of increased taxes for other non-encumbered properties, elsewhere in the towns due to minimum tax base requirements to support the schools, bonds, town services et cetera. This resident exodus sentiment has been beleaguered on WMUR and NH1 news media

outlets. Let us also consider this model: Kinder Morgan / Tennessee Gas Pipeline Company could typically offer about \$1 per inch diameter per linear foot of pipeline imposed upon a landowner's property. So, about \$30 per linear foot... as run over, say, 50 feet of property, the burdened landowner would receive a one-time payment of \$1,500 in this example. This is considered income, that the landowner must pay taxes upon, coupled with the burden of still paying property tax for precluded property in their ownership while the Pipeline Company reaps profit and benefits; in perpetuity for this model. Additionally, it is in every business' best interest to lower their costs and reduce tax payments, especially when beholden to their investors. As such, it is typical that pipeline companies file for, and typically win, a tax abatement. Also, infrastructure assets depreciate, reducing the amount of tax revenue for a town (and county, and state), every year. The loss in local economy and tax revenue to the towns due to real estate and pipeline abatement losses, then the remaining tax portion contributions to the Counties, and ultimately the State would be immediate for the first year and perpetually diminished thereafter. Because the State of New Hampshire is sometimes characterized as being "broke" this could potentially trigger the immediate need for a broad-based income and sales tax to account

for the shortfall; and political suicide. The above, while simplistically calculated, outweighs the so-called “[unneeded] NED [export pipeline] is cheaper by \$537M than any other [forceful taking of massive amounts of land] competing project” motif denoted by Liberty following similar methodologies from the seemingly incomplete Liberty SENDOUT analysis compiled over the 24 years.... Even if numbers presented herein are factored by large percentages to sway results in either direction (to simulate a more precise modeling contingency), the socio-economic trend is still alarming! Coupling this, with the knowledge about the other pipeline expansions and projects available today or soon, it renders the NED pipeline as superfluous and unneeded but still at rate payers’ risk (whether through electrical bill tariff, export global market competition, or over-provisioning / surplus gas with infrastructure and stranded costs, and so-on).

Please note that the Temple Elementary School is part of 9 towns that are not directly encumbered by the proposed NED Project (except that the ENTIRE State is likely encumbered by proxy). However, whatever financial situations happen for nearby Temple tax or revenue concerns likely will severely impact these 9 other towns and the school system; inclusive of EIS socio-economic situations for study. As such, the purview of the EIS must be expanded to include this scenario. Please be advised that the Conval school district spends about \$17,000 (more or less) per student, even though we may be so-called rural, perhaps it could be considered that we are affluent as well (and the Temple Elementary School has obtained some of the highest NECAP test score in recent times regardless – we have sharp kids that know HOW TO READ and understand the issues confronting them). We require further study including financial ramifications for the 9 towns of Conval (far away from the pipeline). It is interesting to note that \$17,000 per student (every year in Conval) is almost half of the average student debt for a 4-year college degree in New Hampshire.

The Northeast, especially New Hampshire is already economically disadvantaged due socio-economic issues NOT related to energy. Younger generations are leaving New Hampshire in droves, due to the expensive real estate costs. Businesses are closing because they cannot find qualified workers and the average commute may be an hour or more also due in part to lack of affordable workforce housing (an issue that will be massively problematic for pipeline construction). This is data compiled by statisticians for our State and is known. Please be advised that pipeline construction typically does not create many local jobs, despite recent developments of Kinder Morgan with a local union far away from Western New Hampshire. We are supposed to be “rural” after all, which means very few people are available for (skilled or otherwise) work, especially given that local companies have closed (for example in Weare, NH) due to these socio-economic and real estate issues with lack of workers living nearby... Unfortunately, many pipeline jobs are flash-in-the-pan temporary, as such, many are imported due to skills required that are massively-in-proportion not available here; we do not have many skilled pipeline workers here in our (rural or otherwise) area(s) apparently.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack

“Davis”, NH

{graphic omitted}

New Hampshire’s businesses are leaving due to other pressures not related to the cost of electricity; New Hampshire’s industry is not steadily increasing. While wholesale electricity costs have gone down, electric bills have skyrocketed with failed infrastructure project costs and other financial wrangling being foisted onto customers.

20151016-5147

Docket: PF14-22-000

RE: Electromagnetic Spectrum Study

Dear Mr. Tomasi:

We require a study of the effects of the incompletely proposed NED compressor stations (especially for, but not limited to, New Ipswich, NH) and pipeline with the electromagnetic spectrum in our areas of proposed operation.

JUSTIFICATION: For the same basic physics, it is well known phenomena where electromagnetic spectrum is affected by dissimilar densities of air caused by heat, exhaust, or methane (and other chemicals) which is also identical for compressor stations and pipeline operations if not exacerbated further due to the massive size of compressor stations proposed by Applicant(s). Further the issue is aggravated for plasmatic incidents or “fire balls”, for example also during nontraditional events or incidents (exempli gratia, during a gas release or fire scenario; regardless if force majeure).

By way of example (but not limited to), during our last ice storm, with 14 days of no electricity service, We relied on television (and a backup generator, including for well pumping of water) as our means of emergency situational awareness and communication. During this time we received a class B NTSC signal due to adverse propagation effects in the affected area; the area surrounding the proposed New Ipswich Compressor Station.

Of course, NTSC has been supplanted with vestigial sideband of an 8 pattern constellation, i.e., digital TV VSB-8. VSB-8 is extremely sensitive to multipath phenomena, in Our personal and professional experience, as is additionally found empirically with weather (and especially causes listed above) in our practical experience.

Mitigations of installing cable TV service for the entire town(s) is deprecated as such, the entire cable TV physical plant (and Ma Bell copper phone plant) on utility poles was relegated to the forest floor and inoperable during the recent ice storms, in some areas for 30 days (of no cable TV, telephone or cellular telephone service -- cell towers lost their battery backups after 2 days).

The above is practical, experience and empirical evidence. We require the Applicant or EIS purveyor to study the issues presented herein in their engineering design, Applicant filings and the EIS with resulting impact for public safety or other impacts. The above, happens with significant frequency and has been our experience three times in recent memory.

Please include all source code, modeling and measurements with methodologies employed. Please provide model calibration techniques where appropriate. Please indicate modeling

methodologies employed, exempli gratia, stochastic non-deterministic algorithms or genetic algorithms, Newtonian methods of moments, finite element analysis et cetera.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack
“Davis”, NH

20151016-5148

Docket: PF14-22-000

RE: Inversions

Dear Mr. Tomasi:

We spoke once recently of Inversions in the atmosphere in Temple and New Ipswich, NH (part of the Monadnock region of Southwestern NH). Inversions are empirically observed frequently due to our topography in the entire Monadnock region (towns West of Milford, NH and Wilton, NH in the purview of the encumbered and deficiently specified NED project).

Per the requirements of, “Comments on the July 24, 2015 Draft Resource Reports” from the Federal Energy Regulatory Commission, Office of Energy Projects, Question 19, (Table) “Air Quality - Operation”:

Provide an inventory of proposed and reasonable foreseeable air emission sources within 50 kilometers

of the compressor stations, documenting their location, distance from the proposed project, estimated or permitted emissions for each criteria pollutant in tons per year and identify the potential incremental cumulative impacts of the Project. This does not include greenhouse gas emissions.

Empirical observation includes smoke “hanging” in the air approximately 35 feet above ground for the myriad of wood and pellet stoves in use for the Monadnock region (emission sources within 50km) during frequent times of inversion. It is required that wood pellet stoves have far less particulate matter than any compressor station known to date.

If this smoke (from emission sources) can hang in the air, then down the street from these households, a compressor station, next to the previously discovered and disclosed Reservoir, Religious Institution quiet retreat house, Temple (grass fed, to be organic) Beef Farm, Temple Elementary School, et cetera, would be deleterious... We require study of this; we do not have the resources to study these deleterious effects. We require the children in Temple Elementary and surrounding towns to be baselined for study, inclusive of distraction (e.g., noise from a compressor station, inclusive of infrasound), educational baseline performance, and health baselines previously described.

Please indicate methodologies for modeling and model calibration, correlated with past performance using baseline measurements in the area for all seasonal and intra-seasonal variances. Baseline measurements must be completed for three years as is also, by way of example, Kinder Morgan’s safety record also compiled over three years.

Tennessee Gas Pipeline Company states in their resource report, that any gas (or perhaps even exhaust) released into the atmosphere dissipates quickly. In a perfect world perhaps, but the briar patch of the Monadnock region is far from a perfect world.

This issue will be massively exacerbated by the tons of exhaust, or particulate matter, Hazardous Air Pollutants (HAPs), et cetera, from a compressor station. This renders the requirement (whether through FERC precatory language, DOT, EPA or other agency) for any compressor station to shut down (inclusive of blowdowns or blowoffs) and cease distribution of fracked gas until the inversion for these frequent events (that can last up to 3 days) abates. We are aware of control systems alleviating some issues, however, this is no guarantee of any satisfactory operation in practice due to control system/sensor outages and other paradigms.

We have air quality monitors very nearby and just over the Temple, NH border. It is questioned as part of the study whether this instrument’s dynamic range will be compromised in conflict with other Federal agency operations due to a compressor station in Hillsborough County of New Hampshire nearby; the instruments also operate under other Federal and University programs and agencies. As such these instruments currently detect commuting traffic pollution from New York City, Massachusetts, and other areas with the apropos time delay from the actual event over time and distance.

We additionally require more instruments of similar capacity for the Temple Elementary School (one of the higher performing NECAP scores for New England), Temple Beef Farm, Reservoir and the area surrounding the compressor station, to include downwind fallout governed by particle density and kinetics of settling out of the atmosphere, coupled with kinetic trajectory.

The Temple Elementary School is required to infiltrate outside air for its HVAC systems, by law, for its inhabitants. Regardless of the law, the outside activities for recess are directly encumbered by the Applicant(s).

Please note: busses are not allowed to idle outside of the Temple Elementary School. How would a compressor station be able to compete with this? Oh, by the way, the busses are quiet “clean burning” propane fuel powered.

During a recent visit to the Temple Elementary School, We were be able to sense an undertone of “scents” of the (desiring to be organically certified with organic motifs already in place) farm across the street from the Temple Elementary School, abutting the proposed Compressor Station site. We are reminded that the

farm has been in business by the Salisbury family since 1941 (see comments on PF14-22-000: FERC accession number 20150831-0052 from Mark Salisbury received 2015 AUG 31) and is the current occupant's only source of income and livelihood skill; the compressor station will put this farm out of business without recourse inclusive of customer sentiment. We require this to be studied and included in the EIS

additionally as a socio-economic impact, public safety inclusive of food supply SECURITY, but also a cultural and historical heritage of New Hampshire (which is also sometimes called "Cow Hampshire").

If one can detect that natural olfactory bouquet from the farm (which We have during empirical recent visits), the compressor station would be severely prominent in this regard.

There is no precedent for a compressor station this close to a school; despite that the Applicant may argue there is precedent in that they have a 6130 horsepower next to a high school in the Windham / Pelham, since the 1960s. Yet Kinder Morgan has purported and conflated their statements in this regard; they were only incorporated in 1997 after Enron. This is misleading the public further compounded by their incessant and erroneous (668% in error; originally 1305% in error for the 80,000 compressor station) use of a photo of an outbuilding for this 6,130 horsepower so-called "tinker toy" of a compressor station in their open-houses to educate the public of what compressor station might look like in the case of New Ipswich, NH.

Please note that Kinder Morgan has disclosed to Us (the public during their open houses) that they have never built a compressor station of this size, thusly there IS NO PRECEDENT.

The above is practical, experience and empirical evidence.

As always, please feel free to reach out to us for further questions.

Our Best Thanks,

Chris Mack

"Davis", NH

20151016-5150

P • L • A • N
Pipe Line Awareness Network
North East, Inc

October 15, 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

Dear Secretary Bose:

We write to request more detailed analysis of viable, targeted modifications to the Tennessee Gas Pipeline ("TGP") system, as a preferable alternative means to serve the stated purpose of the proposed Northeast Energy Direct pipeline ("NED").¹ Specifically, "lift-and-lay" expansions of existing laterals (and perhaps of the TGP 200 line), should be prioritized to meet any expansion of the TGP system. Minimizing the disturbance of additional land for gas infrastructure (by increasing the diameter of existing pipelines) would greatly reduce the NED proposal's conflicts with local, state, and regional policy priorities.

To date, capacity contracts for a total of 417,262 Dth/day have been approved at the state level. Please note that only 271,462 Dth/day of this amount is for new capacity; the other 145,800 Dth/day would replace capacity contracts on existing pipelines. Please also note that each of the state orders approving NED precedent agreements with local distribution companies ("LDCs") have been or are anticipated to be appealed (the recent New Hampshire Public Utilities Commission order approving the precedent agreement with Liberty Utilities (EnergyNorth Natural Gas) Corp. ("Liberty Utilities") has not yet been appealed as of this

filing; orders of the Massachusetts Department of Public Utilities have been appealed by multiple parties regarding the precedent agreements with The Berkshire Gas Company, Bay State Gas Company d/b/a Columbia Gas of Massachusetts (“Columbia Gas”), and Boston Gas Company d/b/a National Grid (“National Grid”).

Whatever capacity increases are ultimately determined to be prudent and in the public interest, if any, we ask the Commission for an analysis focused on targeted expansion of existing laterals that could (and we strongly believe should) be pursued by TGP as alternative means to meet the contractual capacity requirements of subscribers to NED.

Concord Lateral Alternative in New Hampshire

Please conduct an independent evaluation of modifications to the Concord Lateral that would be necessary to provide additional capacity of 65,000 Dth/d to the Liberty Utilities distribution system. (While the Liberty Utilities NED contract is for up to 115,000 Dth/d, 50,000 of that would be to replace an existing contract which could be renewed using existing capacity.) Please also evaluate non-pipeline alternatives for fulfilling this contract, such as upgrading and/or expanding propane and liquefied natural gas (“LNG”) storage facilities, or increased use of compressed natural gas (“CNG”). Liberty Utilities has just initiated a proceeding² that includes testimony that suggests that LNG or CNG, coupled with expansion of the Liberty Utilities distribution system, could be a viable alternative for at least some of the company’s expansion plans.

Alternatives Expanding Massachusetts Laterals

Please similarly evaluate lateral-based alternatives for fulfilling the capacity requirements of the Massachusetts LDCs. National Grid and Columbia Gas are served off of several laterals in eastern Massachusetts which should be studied for expansion options. The Northampton and North Adams Laterals in western Massachusetts are reported to be at or near capacity. The moratoria imposed by Berkshire Gas and Columbia Gas, prohibiting any new or expanded service along the Northampton Lateral, raise serious economic development concerns for communities in the Pioneer Valley.³ These communities seek an immediate resolution to the moratoria – which NED cannot possibly provide. Instead, the NED proposal is impeding more expeditious, smaller-scale solutions. It should be noted that Berkshire Gas received authority several years ago to install five LNG storage tanks in Whatley, Massachusetts, near the Northampton Lateral, and the company has chosen to install only two. Columbia Gas, for its part, has reportedly said that NED would not resolve its capacity problems,⁴ implying that even without NED as proposed, modifications to the Northampton Lateral or the LDC distribution systems are required.

These targeted expansions should be solutions of first resort if any additional pipeline capacity is needed.

Respectfully submitted,

Kathryn R. Eiseman, President
Pipe Line Awareness Network for the Northeast, Inc.
17 Packard Road
Cummington, MA 01026
eiseman@plan-ne.org
413-320-0747

1 The stated purpose of the NED proposal is “to meet the growing demand for natural gas transportation capacity in the Northeast and, more specifically, New England.” NED Resource Report 1, July 24, 2015, at 1-10.

2 NH PUC Docket No. DG 15-442, In re Liberty Utilities Petition for Approval of a Gas Franchise in Jaffrey, Rindge, Swanzey and Winchester.

3 Berkshire Gas has intimated that it may subject communities along the North Adams Lateral to a moratorium as well.

4 “State Senate President Stanley Rosenberg calls on Berkshire Gas to lift moratorium,” Daily Hampshire Gazette, August 12, 2015 (<http://www.gazettenet.com/readerservices/businessxml/18157902-95/state-sen->

ate-president-stanleyrosenberg-calls-on-berkshire-gas-to-lift-moratorium) (“[Columbia Gas Spokeswoman Sheila] Doiron said the Kinder Morgan pipeline is not a solution for Columbia Gas[.]. Even if the controversial pipeline were ready tomorrow, Doiron said it would not affect the moratoriums.”).

20151016-5151

Anna C Hanchett, Plainfield, MA.

These are scoping items to be addressed when considering approval of the pipeyard proposed for Plainfield, Hampshire County, Massachusetts, submitted by the Plainfield Agricultural Commission.

1. This pipeyard is to be located on a 300 acre piece of land classified as “prime farmland” which is delegated for agricultural use exclusively under the Massachusetts Agricultural Preservation Restriction. The Natural Resources Conservation Service (NRCS, a federal agency) and the U.S. Department of Agriculture state:

“Prime farmland” is of major importance in meeting the Nation’s short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation’s prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied.

These lands should not be used for a pipeyard which would involve irreversible compaction of these delicate soils by the heavy equipment involved with using the pipeyard.

2. The land would also most assuredly be contaminated by diesel fuel and other liquids used in machinery such as hydraulic fluid. This would make it unusable for agriculture for many years to come.

IF FERC approves the use of this property for a pipeyard the following procedures should be observed:

1. If the pipeyard is approved for this property, refueling or filling of liquids while machinery and trucks are on the land should be prohibited.
2. Any spills or leaking of petroleum or other chemicals should be properly cleaned up in accordance with rules for removing toxic substances.

20151016-5152

Dean Lotito, Dunstable, MA.

There is no need for this pipeline project. The only ones who will benefit from it will be Kinder Morgan’s shareholders. There are at least two other pipeline companies who can bring in the “extra gas,” if it is indeed “needed,” without having to take huge easements on our conservation land or from private homeowners. Kinder Morgan will trample on our State Constitution (Article 97) in order to build this pipeline. Although Kinder Morgan has said that they will be paying to build the pipeline, they are actually going to try to get reimbursed by everyone in New England who uses electricity, through a surcharge on our electric bills.

I do believe that their goal is to trample our conservation land in order to allow them to export natural gas to other countries. I also believe additional gas pipelines only encourage environmentally damaging fracking to be more profitable and attractive. Another natural gas pipeline is not the answer.

The market need was fabricated, and the cost to our property and our wallets is not acceptable.

Thank you,

Dean Lotito

20151016-5153

Jeff Corser, Stephentown, NY.

Dear FERC:

The citizens of the State of New York have overwhelmingly and stridently opposed the construction of an industrial fracking infrastructure in our state by banning it. To have this pipeline infrastructure imposed on us by the Federal government when it is clear that we have opposed it is an obscene over-reach of governmental authority.

If you know loud and clear that New York has rejected this industrialization of our rural areas by out-of-state fossil fuel Corps., why would you intend to stir up a whole bunch of resentment? These southerners and their industrialization will not be at all welcome here.

Not only do I live very near this proposed pipeline, but I am a professional wildlife biologist who has worked extensively in the Pennsylvania gas fields. This type of activity is wholly at odds with a rural life-style and is drastically damaging to natural ecosystems--I've seen it first-hand and the damage is radical and lasting. It may be somewhat appropriate in flat deserts out west but is was not designed for mountainous forested areas and will damage them beyond repair.

New York is headed down a much more sustainable path and the Federal Government should support us in this--not impose an industry that we have clearly stated is not welcome here. Their criminal record is appalling--they are outlaws who have no intention of following any laws--you know this. The records of their law-breaking are public for all to see.

Please keep this criminal gang out of our state.

Sincerely, Jeff Corser

20151016-5154

32 Fletcher Lane

Hollis, NH 03049

October 16, 2015

Norman C. Bay, Chairman

Federal Energy Regulatory Commission

Dear Chairman Bay:

I wish to take this opportunity to add new comments on the Northeast Energy Direct pipeline proposed by Kinder Morgan/Tennessee Gas Pipeline, and also to put on the record a list of questions I asked at the scoping meeting in Nashua, New Hampshire, this past summer. I submitted a written copy of those questions to a FERC staffer at the meeting, but as far as I am aware that document has not been published on the docket.

Allen Fore of Kinder Morgan tells us that the pipeline "could" save New England residents 25 percent on their energy bills. Leaving aside a number of challenges to this assertion—notably, that Allen Fore is in no position to make it credibly, that any percentage of current bills is essentially meaningless in the context of the lifetime of the pipeline and that of most of its users, and that the pipeline "could" just as plausibly cause energy bills to rise dramatically by the time market factors and the costs of construction have taken hold—let us accept it, for the purpose of evaluating the costs and benefits, as fact. So, arguing in favor of NED is the fact that it might save consumers some money. Arguing against NED is the fact that without question, building the pipeline would:

- Necessitate the taking by eminent domain of easements on the property of thousands of private citizens, organizations, and municipalities against their will.
- Act as an impediment to the essential transition to clean, renewable energy technologies.
- Cause extensive, permanent damage to the ecosystem in four states.

- Add substantially to air, water, noise, and light pollution.
- Result in increased fracking, even as public and scientific opposition to the practice steadily increases.
- Expose hundreds of communities to the danger of catastrophic accidents.
- Diminish the aesthetic appeal of large areas that are economically reliant on tourism and the appeal of a rural environment.
- Accelerate the rate of global warming, in the face of urgent warnings by the scientific community and the steadily increasing incidence and severity of weather-related disasters consistent with predictions by that community.

The list of questions I read in Nashua in July, which I believe all concerned with energy policy have a civic and moral duty to answer, is appended to this letter.

Do not approve the Northeast Energy Direct project.

Sincerely,

Stephen J. Spaulding

Cc: Governor Margaret Hassan
 Senator Kelly Ayotte
 Senator Jeanne Shaheen
 Congressman Frank Guinta
 Congresswoman Ann Kuster

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? YES NO

Do you support implementation of policies designed to promote conservation and greater efficiency in energy usage? YES NO

Do you believe that policy should favor non-polluting and renewable energy technologies over fossil-fuel-based technologies? YES NO

Do you consider natural gas a sustainable energy source, given that the supply is finite? YES NO

Do you consider natural gas a clean energy source, after taking into account its full environmental impact at all stages from extraction to combustion? YES NO

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? YES NO

Do you believe that the NED project has been clearly demonstrated to be the best way to address the region's energy needs? YES NO

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 well-being of human beings and other species? YES NO

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? YES NO

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? YES NO

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? YES NO

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? YES NO

Do you believe that alternative approaches, such as conservation, grid modernization, and increased exploitation of renewable sources, offer the promise of lowering energy prices? YES NO

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? YES NO

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? YES NO

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? YES NO

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? YES NO

Are you confident that the economic benefits promised by the project's advocates outweigh the environmental, social, and opportunity costs of completing it? YES NO

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? YES NO

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? YES NO

Do you support the right of states, counties, and municipalities to ban fracking within their borders? YES NO

If industry scientists were to discover commercially viable shale deposits in New England, would you

support allowing fracking to proceed in those locations? YES NO

20151016-5157

Diana Hughes, Bloomfield, CT.

I recognize that there is a greater demand for natural gas. However, I would urge you to include the new pipeline closer to the original one in the area of the Metropolitan District. There is a lot of ledge in the area and I am concerned that blasting will disrupt the aquifers that feed the reservoir as well as our wells. I have a well that I am concerned about. I would hope that the new pipeline could be closer to the older one so as prevent less disruption to the area.

Thank you.

Diana Hughes

20151016-5161

**Town of Pepperell
Conservation Commission**
Town Hall, One Main Street
Pepperell, Massachusetts 01463
(978) 433-0325

www.town.pepperell.ma.us/conservation

16 October 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. PF14-22-000

Dear Ms. Bose,

The Pepperell Conservation Commission appreciates the opportunity to comment on the proposed Northeast Energy Direct (NED) Kinder Morgan pipeline.

While the town of Pepperell is no longer directly impacted by the currently proposed preferred route, we would like to comment on the impacts this pipeline will have on the future of land protection, the potential precedent setting means for the taking of Article 97 lands for easements to construct pipelines, and the long-term environmental impacts from the installation, mitigation, and operation of this project.

Land protection organizations across Massachusetts are being asked why land protected in perpetuity is being used for the siting of a natural gas pipeline. While the Natural Gas Act may allow this, the number of properties targeted, some of the most environmentally sensitive areas in the Commonwealth, may impact whether landowners donate their "legacy" to their local land trust, conservation commission, or other land protection organizations. With so many protected properties impacted, especially corridors for wildlife and trail systems for people, it makes those involved in land protection question whether their past actions have been in vain.

In addition, over 100 conservation properties will be impacted, 85 of which are protected by Article 97 of the Massachusetts Constitution. Article 97 of the Massachusetts Constitution states:

"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”. Representatives of Kinder Morgan have said they will seek the required 2/3 vote from the House and Senate to dispose of Article 97 properties for an easement for their proposed pipeline. Kinder Morgan representatives are one step ahead of the process by stating they will work with municipalities to mitigate the impacts of the project on our Article 97 properties regardless of the outcome of any vote in the Massachusetts legislature. FERC representatives, at a recent scoping hearing, assured those in attendance that FERC will insure mitigation is appropriate. FERC’s assurance of assisting with mitigation is critical because there

are many small, directly-impacted communities who will become overwhelmed if the support necessary to address mitigation is not provided. How will communities mitigate a 100’ clearing through a town forest or other forested open space? How will communities mitigate a 100’ clearing through an Agricultural Preservation Restriction property while the farmer waits for the disturbed soils that have been removed for construction to revert back to soils compatible for growing crops? How will communities mitigate the impacts of horizontal directional drilling if the drill rig surfaces mid river or the slurry used to lubricate the drill is not contained in the drill pit? Will local communities receive guidance and assistance from FERC to address these issues? Will FERC insure on-going support if mitigation is not carried out accordingly?

Of greatest concern, the incomplete Resource Reports, which were prepared to identify the impacts to alternative routes, did not use readily available information to evaluate the important characteristics of the lands and waters that will be crossed. Resource Report criteria should not be a list of the number of wetlands or stream crossings but should include a rating that identifies their ecological importance by using tools available, such as BioMap2. The use of BioMap2, a document readily available on line, that provides guidance by identifying the most critical areas within the Commonwealth, should have been consulted. A river crossing can have significant impacts but a river crossing when endangered mussels or other state-listed species are present, requires extra efforts that must be considered.

Those of us involved in land protection and wetland resource protection have concerns with the proposed project. We ask FERC to insure that if this project is fully permitted, environmental impacts to wetlands as well as financial impacts are thoroughly analyzed and evaluated.

Our efforts to review the Resource Reports have been time intensive. Portions of the route have been provided on maps that are dated and structures are missing. Impacts to developed areas cannot be evaluated when the maps are incomplete and route changes are being proposed. This could push the proposed route closer to wetland resource areas, which have not been evaluated and onto properties of newly-impacted landowners who have not had an opportunity to communicate their concerns.

We ask that FERC make their decisions on a complete application. We ask for a thorough, transparent review for this project.

If you have any questions, please do not hesitate to contact us.

Sincerely yours,

Pepperell Conservation Commission

20151016-5165

Thomas Vaillancourt, Merrimack, NH.

I am a resident of Merrimack NH. For the better part of a year the town and its residents have organized to understand the impact of the original proposed route, to be run along side existing power lines. The town has hired biologists to study the impact on conservation areas and hydrologists on the impact of the water supply. We’ve tried to cooperate with KM on surveys but KM would not agree to allow town representatives to be present during the surveying. Many questions have been sent and asked of KM and FERC all of which have gone unanswered.

Now at the eleventh hour the route has changed away from the co-location into yet another route “option 7”. This route also crosses well head areas and runs directly through one of the busiest sections of town. In

a telling example of the absurdity of the process, the alternate route goes by Fidelity, a Merrimack business. Once Fidelity was aware of the new alternate route, it was only a matter of weeks before KM and Fidelity met and had the route changed away from the business and into other neighborhoods and sensitive areas. One can therefore conclude that large companies determine where the route goes. Ordinary citizens are simply ignored. I do have one right remaining. I will exercise my vote and let my elected officials know we have not been represented in this process.

20151016-5166

Darrell Scott, Mason, NH.

Regarding the NED pipeline in New Hampshire, I am concerned about pipeline corrosion due to the combined effects of:

1. Co-location of a HVAC power line.
2. Rocky terrain with high probability of damaging pipeline coating.
3. Steep terrain that will be difficult to control soil erosion without large rocks and rip-rap.
4. Kinder-Morgan statements of using thin walled pipe in rural areas.
5. Difficulty of maintaining and monitoring a complicated DC decoupling and AC grounding system.

I request a detailed report be submitted to each local township in NH describing the AC computer modeling to demonstrate the corrosion protection system will maintain industry standards of AC current densities less than 100A/square meter above which AC corrosion occurs and voltages less than 1000-3000V above which coating damage occurs. This report needs to account for soil conditions, power line alignment, grounding design and peak loading within each town.

Also, a report needs to be submitted detailing what monitoring will be in place to ensure the protection systems have not been compromised.

I would like to remind FERC that the existing HVAC line crosses over Kidder mountain in New Ipswich NH, over Fletcher Granite Quarry in Mason NH, and over abandoned granite quarries in Brookline NH.

I request construction techniques to prevent damage to pipeline coatings in the steep rocky terrain of New Hampshire be detailed in full in a report to each local township in NH. If the NED pipeline is to pass thru NH, due to NH's unique geography, additional precautions need to be followed to ensure the safety of the pipeline.

20151016-5169

Elaine McKinney, Oxford, CT.

Elaine McKinney

8 Lake Drive

Oxford, CT 06478-1172

October 16, 2015

Kimberly D. Bose

Secretary, FERC

888 First St. NE Room 1A

Washington, DC 20426

Ref: FERC Docket No. PF14-22-000

Dear Ms. Bose:

I am writing to state my opposition to FERC conferring eminent domain privileges to Tennessee Pipeline LLC/Kinder Morgan in the Northeast region of our country. Alternate routes should be provided, as unwilling landowners are being forced to donate their land to this proposed pipeline expansion.

I am also vehemently opposed to the proposed "Overriding" of Connecticut STATE LAW protecting Class I & Class II drinking water watershed lands. What would happen if there were a gas leak that contaminated our drinking water? Would the US Government have to step in and provide clean water to the taxpaying citizens affected, because the Tennessee Gas Pipeline LLC/Kinder Morgan is a LIMITED LIABILITY CORPORATION?

Sincerely,

Elaine McKinney

20151016-5170

Virginia Lee Miller, Peterborough, NH.

Commissioners:

You have a grave responsibility regarding the siting of the proposed Kinder Morgan NEC pipeline in southern New Hampshire. Since I am assuming that you are not familiar with our area let me tell you something about it.

We are known as the "Quiet Corner" or the "Currier and Ives" region of New England, with good reason. This is a physically beautiful area with a landscape of rocky hills and mountains, numerous small lakes, ponds, streams, rivers and heavily many trees, both deciduous and evergreen. Our villages are situated about 7 miles apart and are often cited as being examples of small town America at its best with "proper" locally owned shops, not chain store outlets or franchises. Our air and water quality is excellent and our habitat supports an amazing variety of wildlife from moose to mice plus hundreds of bird species. Many people have contributed both their land and money to create large areas of conservation land to help preserve this bounty. All of this is now at risk with the proposed pipeline.

The farmer from whom I buy my vegetables has not used any chemicals on his crops for over 30 years and his produce is amazing in quality, taste and variety. His farm is within 1/2 mile of the pipeline's route and compressor station as is the Temple Elementary School. How can you allow these to be put in harm's way?

I fear for the destruction of our precious environment. Kinder Morgan's track record of pipeline safety is not good. While we are proud of our well-trained first responders, we know they would be unable to handle a rupture or explosion which is a significant risk. And what about out-gassing from the compressor station? How can our area survive toxic fumes belching into our air? What guarantees can be made that our ground water and wells won't be affected both in the drilling process and future failures of the pipes?

Taking the required land including conservation property by eminent domain should only be done for the public good and not just for the financial benefit of a huge corporation. We, the people of southern New Hampshire stand to gain nothing from this project. Rather, we will lose what we love – the peace, tranquility, health and safety of our life here in this beautiful area.

I urge you to think very carefully about your decision and remember the harm that will surely result from allowing this project to proceed.

20151016-5171

ARTHUR KARIS, STEPHENTOWN, NY.

The proposed pipeline route is through the groundwater aquifer on the flanks of Johnson Hill in Stephentown, NY. This aquifer feeds my shallow well at 34 Griffin Road and the shallow well of my neighbor on Firetower Road. This has been verified by a qualified professional hydrologist. I would like to know how Kinder Morgan will prevent permanent changes to the groundwater flow and its effect on my water supply. Because the pipeline route is through a large amount of Graywacke rock just below the surface, how will Kinder Morgan prevent contamination of the groundwater by the perchlorate residue from blasting?

20151016-5174

Tamara Adams, Tyngsborough, MA.

I am strongly opposed to this pipeline. There is no need for this greenfield pipeline project. The only ones who will benefit from it will be Kinder Morgan's shareholders. There are at least two other pipeline companies who can bring in the "extra gas," if it is indeed "needed," without having to take huge easements on our conservation land or from private homeowners. Kinder Morgan will trample on our State Constitution (Article 97) in order to build this pipeline. Although Kinder Morgan has said that they will be paying to build the pipeline, they are actually going to try to get reimbursed by everyone in New England who uses electricity, through a surcharge on our electric bills. This is unacceptable.

20151016-5175

LAW OFFICES
ARTHUR B. CUNNINGHAM
79 Checkerberry Lane, Hopkinton, NH 03229

October 15, 2015

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

Re: Scoping Comments, Town of Fitzwilliam, New Hampshire, Tennessee Gas Pipeline Company, LLC, Docket No. PF14-22-000, Proposed Northeast Energy Direct (NED) pipeline.

Dear Ms. Bose:

1. The Tennessee Gas Pipeline Company, LLC, (TGP) has failed to address the impacts that the NED project will have on the Town of Fitzwilliam, therefore, the October 16, 2015, scoping comment deadline established by the Federal Energy Regulatory Commission (Commission) is premature, arbitrary and capricious.

Scoping History:

On December 8, 2014, TGP filed a letter in the captioned docket styled "Supplemental Filing-Adoption of Alternative Route a Part of Proposed Route (Wright, New York to Dracut, Massachusetts Pipeline Segment)". The letter announced that TGP was abandoning the Massachusetts Pipeline Segment in favor of the New Hampshire Powerline Alternative. The TGP rationale was that the Massachusetts route was too controversial.'

On January 16, 2015, the Town of Fitzwilliam filed comments in this docket requesting that TGP address Town concerns about the precise location of the pipeline; the environmental impacts on the Town; safety concerns; and, proposed construction plans and techniques.

The Town requested that TGP respond to the identified concerns within 90 days of the January 16, 2015, letter.

TGP did not respond.

On July 24, 2015, TGP filed its second Draft Environmental Report and Project Scope Update (Report) with the Commission.

1 TOP letter, page 2: "... This type of significant revision to the proposed Project in order to address numerous concerns with the original proposed route is a text book example of the merits of the Commission's pre-filing and certificate procedures".

On September 1, 2015, TGP sent a form letter signed by Allen Fore of Kinder Morgan to the Town requesting a meeting with Town representatives to discuss "potential local mitigation opportunities". Mr. Fore

requested that the Town respond by September 24, 2015.²

On September 24, 2015, the Town sent Mr. Fore a letter detailing the Town's specific concerns. (Exhibit 1 attached hereto). The Town letter addressed five matters of specific concern³:

1. Scott Pond.
2. The Town owned Gaseau conservation property.
3. Town historic homes and properties.
4. The 35 Town homes and properties located within 200 feet of the proposed pipeline and vulnerable to the construction and operation of the pipeline.”
5. List of safety and health concerns detailed by Select Board Chair and Fire Department Chief Nancy Carney.

Each of these Town concerns demand careful analysis and exacting responses from TGP.

2. A review of the July 24, 2015, Draft Environmental Report and Project Scope Update demonstrates that TGP has not satisfied its statutory pre-filing obligations under the National Environmental Policy Act (NEPA). 42 USC 4331-4335.40 CFR 1501.01-08.

- a. NEPA requires that each Town concern as detailed in the September 24, 2015, letter to Allen Fore be addressed in detail by TGP before the seeping process can be legally compliant with the law. 40 CFR 1501.1-2.
- b. NEPA requires that TGP provide a scoping process that ensures appropriate consideration of NEPA policies in order to eliminate delay and encourages consultation among agencies with jurisdiction over the project rather than the submission of adversary comments on a completed document. 40 CFR 1501.1 (b).
- c. NEPA requires that TGP engage the relevant state agencies and town agencies in the seeping process, particularly the New Hampshire Department of Environmental Services and the Town of Fitzwilliam Blasting Administrator and Town Planning Board.⁵ 40 CFR 1501.2(d)(2), 40 CFR 1501.6.
- d. NEPA requires that TGP study, develop and describe appropriate alternatives to its proposed route. 40 CFR 1501.2(c).

3. TGP has not addressed specific concerns of the Town of Fitzwilliam as required by NEPA.

- a. The July 24, 2015, TGP Draft Environmental Report provides only a generic description of construction and operation processes that the company may use to avoid impacts to the Town of Fitzwilliam.

The Report does not identify Town of Fitzwilliam streets and roads it expects to use in the construction and operation of the project. The Report does not describe how it will prevent damage to streets and roads. The Report does not describe how compensation will be guaranteed for damage to streets and roads caused by TGP and its contractors.

- b. The Report does not discuss Scott Pond, waterbody listed on the New Hampshire Department of Environmental Services, Consolidated List of Waterbodies Subject to RSA 483-B, the Shoreland Water Quality Protection Act.

- c. The Report does not discuss the Gaseau conservation property, a Town owned wetland and recreational area.

The Report does not provide site specific plans for the construction and operation of the pipeline through these Town resources.”

The lack of details regarding these valuable Town assets makes it impossible to me scoping comments adequate to inform the Commission of the impacts of the project.

- d. The Report does not discuss the historic character of the Town and its historic homes and properties located within one-half mile of the pipeline as required by NEPA and the National Historic Preservation Act, 16 USC 470.

e. The Report does not list any of the fifty-four (54) Fitzwilliam homes and properties located within 200 feet of the pipeline.’

The Report’s lack of details regarding the impacts on these homes and properties is fatal to the scoping process. The Town cannot file seeping comments about the adequacy of a Report that does not provide site specific information.

Of particular concern to the Town is the presence of ledge. Ledge will require significant blasting. Blasting has consequences for the structural integrity of homes and buildings. Blasting has consequences for water quality and quantity. Blasting can damage aquifers. Blasting compounds and emulsions can pollute ground water with dangerous contaminants,

The Report does not include site specific blasting plans. The Report contains only generalized information about blasting and blasting plans. The Report, at Appendix M8-3, acknowledges that a blasting plan has not yet been developed and that it will be a “Contractors” responsibility to prepare a site specific blasting plan. The lack of site specific plan to deal with ledge and the consequences of blasting in Fitzwilliam is a breach of TGP’s legal responsibilities.

f The Report acknowledges that TGP has had only introductory conversations with New Hampshire regulatory agencies. The Report, at page 140, notes that it had introductory meetings with the New Hampshire Department of Environmental Services, Alteration of Terrain and the New Hampshire State Historic Preservation Office on June 17,2015.

NEPA requires active engagement with state and local regulatory bodies. The engagement with state and local regulatory bodies provides a developer with the specifics of the critical steps necessary to proceed with a project safely with minimal impacts 011 the environment and local resources.

g. The Report, at pages 1-127-128, sets forth a time table for permits, licenses, approvals and certificates required for the construction, operation and maintenance of the project.

For example, TGP states that it will file an Application for a Certificate of Site and Facility (Application) ‘with the New Hampshire Site Evaluation Committee (SEC) in December, 2015. TGP also states that applications for a Clean Water Act 401 water Quality Certificate, a Dredge and Fill Permit, a Shoreland Permit and an Alteration of Terrain permit will be filed in December, 2015.

RSA Chapter 162-H, the New Hampshire statute governing the siting of energy facilities, at RSA 162-H: 7, IV requires that an application for a site certificate include sufficient information to satisfy the application requirements of each agency having project jurisdiction. The application must include each agency’s completed application form. A review of the July 24,2015, Report shows that TGP cannot satisfy this requirement.

TGP cannot satisfy the technical requirements imposed the New Hampshire environmental permit processes when the Report demonstrates that it has not developed site specific plans for any of the proposed pipeline route, e.g., Scott Pond and the Gaseau conservation area.

Further. and importantly, the SEC Rules will require TGP to demonstrate that it has a right of way before an application can be accepted by the SECs

TGP cannot meet the timeline it outlines in the Report. TGP cannot satisfy the application requirements required by RSA 162-H: 7, IV.

Summary

The permitting timeline set forth in the TGP Report at pages 1-127-128 is an artificial construct calculated to impermissibly rush the scoping process. The Report is legally and [actually deficient and cannot be a predicate for scoping comments.

Until such time as TGP files a legally sufficient Environmental Report no seeping comment deadlines should be imposed on the Town of Fitzwilliam or other Town or property owner that will be impacted by the NED project.

Until such time as TGP prepares and files a legally sufficient Environmental Report no further action of any nature should be undertaken by the Commission,

Please address filings, communications and correspondence to the undersigned and to Sandra Tillis, PO Box 725, Fitzwilliam, NH 03447, 603-585-9119, fitzlanduse@wivalley.net

Respectfully submitted,

Arthur B. Cunningham,
Attorney for the Town of Fitzwilliam
PO Box 511, 79 Checkerberry Lane
Hopkinton, NH 03229
603-746-2196 (O); 603-219-6991 (C)
gilfavor@comcast.net
Reg. No. 18301
FERC ID # F291489

Footnotes:

- 1 TOP letter, page 2: “ ... This type of significant revision to the proposed Project in order to address numerous concerns with the original proposed route is a text book example of the merits of the Commission’s pre-filing and certificate procedures”.
- 2 The Fore letter is calculated to permit TOP to jump over its NEPA scoping obligations by offering “mitigation opportunities” before the company satisfies its statutory duties.
- 3 The Town’s detailed requests are contained in Exhibit I and need not be repeated here.
- 4 The Southwest Regional Planning Commission has identified 19 additional Fitzwilliam homes within 200 feet of the pipeline making a total of 54 homes. (Attached as Exhibit 2).
- 5 TGP must obtain an alteration of terrain permit and dredge and fill permit to construct the pipeline through Scott Pond and the Gaseau conservation area. Thirty-five (35) town homes lie within 200 feet of the project and rely on wells for water. TOP must provide detailed studies of the hydro-geology that may impact these homes and blasting plans to the Town Blasting Administrator and town planning Board.
- 6 The TOP Report offers, at pages 1-91-92 and at M-85-1 07 only a general description of the techniques it may use to cross water bodies and wetlands.
- 7 Report Appendix, M-49 lists just 14 properties with private wells in Cheshire County within 200 feet of the pipeline, none in Fitzwilliam.
- 8 Final Proposal, SEC Rule, Site 303.02(c) (6) requires that an applicant have a current legal right to construct a facility.

EXHIBIT

LAW OFFICES
ARTHUR B. CUNNINGHAM
79 Checkerberry Lane, Hopkinton, NH 03229

September 24, 2015

Allen Fore
Vice President, Public Affairs
Kinder-Morgan
31 Old Nashua Road, #8
Amherst, NH 03031

Via email

Re: Northeast Energy Direct Project

Dear Mr. Fore:

Thank you for your letter of September 1, 2015, to Dorothy Zug, Chair, Conservation Commission, Town of Fitzwilliam, New Hampshire, regarding the potential for compensatory mitigation of project impacts to

streams and wetlands.

Your enquiry is premature.

One, the Town of Fitzwilliam, by the vote of Town citizens at the regular Town meeting, opposes the project and will, in accordance with that vote, oppose the project in all appropriate venues.

Two, the Town has significant concerns about project impacts that Kinder-Morgan must immediately address before consideration can be given any mitigation proposals', including:

1. Scott Pond.

Scott Pond is listed on the New Hampshire Department of Environmental Services, Consolidated List of Water bodies Subject to RSA 483-B, the Shoreland Water Quality Protection Act.

The designation will require Kinder-Morgan to obtain a permit pursuant to Chapter 483-B, the Shoreland Water Quality Protection Act. The designation will require Kinder-Morgan to obtain an Alteration of Terrain Permit pursuant to Chapter 485-A, the Water Pollution and Waste Disposal. Kinder-Morgan will be required to obtain a Fill and Dredge Permit pursuant to Chapter 482, Fill and Dredge in Wetlands.

Kinder-Morgan must provide the Town the engineering plans and specifications, construction plans", including the construction equipment and construction materials to be staged and used to traverse Scott Pond. Kinder-Morgan must also identify which roads, together with anticipated haul loads, the company expects to use to construct the Scott Pond section of the pipe line.

Also, in order for any meeting, as proposed in your letter of September 1, 2015, to be productive, Kinder-Morgan must provide, at minimum, draft copies of the necessary permit applications required by New Hampshire and Town law.

2. The Gaseau conservation property.

The Town owns a property in fee known as the Gaseau conservation area.' The property contains approximately 120 acres of wetlands and borders Scott Brook. The deed conveying the property to the Town limits the use of the property to hiking, cross-country skiing and recreational uses. The deed specifically bars motorized vehicles such as motorcycles, snow mobiles, motor bikes and ski tows.

The deed requires that the Town hold the property as open space and that no buildings or other structures be erected thereon, except a suitable plaque in memory of Ann K. Gaseau.

Kinder-Morgan must provide the Town the engineering plans and specifications, construction plans", including the construction equipment and construction materials to be staged and used to traverse the Gaseau property. Kinder-Morgan must also identify which roads, together with anticipated haul loads, the company expects to use to construct the Gaseau property section of the pipe line.

Kinder-Morgan will be required to obtain an Alteration of Terrain Permit pursuant to Chapter 485-1\, the Water Pollution and Waste Disposal. Kinder-Morgan will be required to obtain a Fill and Dredge Permit pursuant to Chapter 482, Fill and Dredge in Wetlands.

Also, in order for any meeting, as proposed in your letter of September 1, 2015, to be productive, Kinder-Morgan must provide, at minimum, draft copies of the necessary permit applications required by New Hampshire and Town law.

3. Many Town of Fitzwilliam historic homes and properties will be impacted which will adversely impact the historic character of the Town and the Town tax base.

The Town of Fitzwilliam is a unique and historic village. The project will impact 20 historic homes and properties situated within Vz mile of the project. Each property has specific characteristics vulnerable to the construction and operation of this project. (See attached)

The market and assessed value of each property will be impacted. The project is a threat to the historic character of the Town and its tax base.

In order to have a productive meeting, Kinder-Morgan must provide the Town with specific details how the

company plans to comply with the 36 CFR Part 800, Section 106 review for each historic property.

4. 35 Town homes and properties are located within 200 feet of the proposed pipeline centerline rendering them vulnerable to the construction and operation of the pipeline. (See attached).

The Town is concerned about water quality impacts on private wells and septic systems of these and other properties.

The Town is concerned about the impact of blasting on the structural integrity of these properties.

Please provide each and every study and assessment that Kinder-Morgan has done regarding the geology, hydro-geology and ground water aquifers in the area of the properties that have the potential to be impacted by the construction and operation of the pipeline.

Please also provide detailed plans how the company plans to deal with the potential impacts to these properties. The plans must include details regarding pre-blast inspections, blast vibration monitoring, water quality monitoring (pre-blast and post-blast) and blast chemicals, protocols and methodologies.

The company must identify proposed access to the properties for equipment and supplies.

In order to ensure that the properties of concern are protected, the company must provide, at minimum, a draft application that comports with Town Ordinance Section 127.

5. Town Select Board Chair and Town Fire Chief Nancy Carney has prepared a carefully detailed list of concerns regarding the health and safety of Town residents and visitors and properties. (See attached).

The Company is strongly urged to examine Chief Carney's lists of concerns and to be prepared to fully answer each question before any meeting.

Town officials will meet with Kinder-Morgan representatives as you request, provided, however, that the meeting includes the requested details about the projects plans and specifications about the outlined concerns and precisely how the company will comply with its State of New Hampshire and Town permitting obligations. The representatives must include planning and engineering decision makers authorized to speak to these issues.

The company should also have a representative at the meeting prepared to address Chief Carney's concerns. The representative must have the authority to make the requested commitments.

Please provide dates and times. The Town also requests that such a meeting be held sufficiently in advance of the October 16, 2015, scoping comment deadline that the meeting agenda and outcome can be included in the scoping comments.

Very truly yours,

Arthur B. Cunningham

Footnotes:

- 1 The Town of Fitzwilliam assumes that Kinder-Morgan will comply with Chapter ISS-E, Local Regulation Excavations.
- 2 The plans and specifications should include blasting information in sufficient detail to ensure compliance with Article 127, the Town of Fitzwilliam blasting ordinance.
- 3 Kinder-Morgan must precisely describe how much of the Gaseau property it intends to impact. Eminent domain for private projects is barred the New Hampshire Constitution 12-a
- 4 The plans and specifications should include blasting information in sufficient detail to ensure compliance with Article 127, the Town of Fitzwilliam blasting ordinance.

MAP	LOT	NAME	LOCATION	MAILING ADDRESS	DATE BUILT
12	31	Robert Jessen	327 NH Route 119E	same	1769
12	33	Henry Haeberle	NH Route 119 E	PO Box 698, 03447	1811

12	37	Barry Thompson	33 Fullam Hill Rd	PO Box 326, 03447	1833
12	39	Joelle Cabot Trust	Fullam Hill Road	4 Rutland St, Cambridge, MA, 02138	1800
12	48	Alexander Carrier	123 Fullam Hill Road	same	1785
12	56	David Garland	Fullam Hill Road	%Clinkenbeard, 6 Rivermead Rd, P'boro	1785
12	57	Robert Borden	199 Fullam Hill Road	same	1768
15	37	Marjorie Brown	Gap Mt. Road	600 Mt. View Rd, Berwyn, PA 19312	1792
15	38	Ronald Pastor	137 Gap Mt. Road	same	1850
15	39	Dean Anderson	147 Gap Mt. Road	same	1780
15	45	Hiel Lindquist	118 Gap Mt. Road	same	1820
15	52	Thomas Frazier	90 Jaffrey Road	12 Kinsman Road, 03447	1793
16	3	Richard Bullock	Scott Pond Road	PO Box 336, Princeton, MA 01541	1860
18	2	Roger Delongchamp	123 Bowkerville Road	same	1790
18	20	Robert Ford	Upper Gap Mt. Road	PO Box 446, 03447	1793
39	2	John Holman	328 Upper Troy Road	same	1837
40	1	David Robinson	Bowkerville Road	535 S. Curley St, Baltimore, MD 21224	1850
40	6	Gregory Domingue	118 Bowkerville Road	same	1830
40	10	Nancy Nye	89 Bowkerville Road	same	1850
41	5	Brian Donnelly	56 Bowkerville Road	same	1865

{45 pages of Fitzwilliam Assessing Office records omitted; full submission can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14015761> }

20151016-5176

Guthrie Sayen, Bloomfield, CT.

I own, with my wife, the property at 27 Rundelane, Bloomfield, CT.

Running a gas pipeline near our community well could endanger the quality of our drinking water. If our well is polluted, it is likely the water for the Metropolitan District Commission will also be polluted, leaving us without good drinking water or a backup plan for potable water. This would critically impact the value our property and negatively affect our retirement. (We are both in late 60s.)

Will there be a fund for reimbursing property owners whose properties are devalued by the pipeline? How long will that fund be available; it could be years before we know about water contamination. The adverse effects could be both on potable water and on the beauty of our neighborhood, which borders the area of the proposed pipeline.

Thank you for considering my concerns.

Guthrie Sayen

20151016-5177

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

Dear Ms. Bose:

Though I entirely agree with the inappropriateness of allowing all the environmental risks that have been thoroughly enumerated, I'd like to bring out some considerations of impact that has been given little attention, thus far.

One of the touted advantages of this pipeline proposal is to facilitate local business development through excess energy availability. The specifics used as examples are dubious at best. What is absolutely clear and evident at each of these public events as well as the firestorm of social media, is the earnest efforts of average citizens, taking literally hundreds of thousands of hours away from their normal pursuits to become educated and proactive about the implications of such a project. Specifically with regard to regional eco-

conomic development, such misdirection of public focus has an extremely negative impact. What is the overall impact of distracting thousands of motivated Citizens for months/years from their own economic agendas. While FERC is evaluating the Public Good of this project, how is this impact entered into the equation?

Now once again, to put those same hundreds of thousands of hours of public concern and attention in another light, it can be seen that there is an enormous level of stress involved. It is no mere speculation that sustained stress is a health risk. So this impact has already occurred and will continue for months to come as the Regulatory Process continues. While the precision of such an accounting may only be estimated and quantitatively debated, the negative aspect overall, of chronic, high level stress cannot be denied.

While any large-scale project could be expected to generate local concerns and stress, how has the NED pipeline initiative attempted to mitigate such impacts. I suggest that Public Hearings and PR Campaigns which promote misleading partial truths, circular non-answers, and some could well say, outright lies, together with extreme delays and spotty response to official governmental inquiries, instead, exacerbate the problem further.

Lastly, I would suggest that perhaps the most damaging implication of the entire process is the loss of public faith in the rule of law. The disrespect of the average citizen, in a “going through the motions”, approach to regulatory procedures in the face of overwhelming disapproval of a by now, well educated and informed, dramatically impacted public, will show effects in future elections and hopefully legislative initiatives. Short of that, it is FERC’s responsibility to actually consider ALL of the competing implications of this project with an eye to Truth, Comprehensiveness, and Private Sanctity.

Most sincerely,

Richard Mellor

20151016-5184

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

Re: NED docket number, PF14-22.

Dear Ms. Bose,

My name is Janice Kurkoski. I chair the **Warwick Buildings and Energy Committee**. Our comments are aimed at the perceived need for additional fossil fuel infrastructure, particularly the proposed NED pipeline project.

In the TGP Resource Report, RR-10, Section 10.1.1, TGP says, ... “implementation of sufficient energy conservation measures to eliminate the need for the proposed project is not feasible in the short term.”

Our Committee has had a much different experience and this is not simply our opinion - we have proved that conservation is the most practical, effective, and least costly method to insure against rising energy costs, pre-mature building failure, resource depletion, and climate change.

The town of Warwick has dramatically reduced energy use in some of its town buildings over the last 8 years. Our Town Hall oil use is down over 60%, our school oil use is down almost 50%, without switching fuels (see attached Warwick town buildings oil use 2005 to 2015). These numbers include the two most recent winters - the coldest winters in the last 10 years.

The majority of the savings resulted from “fixing the leaks” in the buildings, using low cost weatherization measures, local labor, and common sense. Our fixes created jobs and set an example for our citizens to take the techniques we used into their own homes. The money spent to do this stayed in the local economy, and the savings stayed and will continue to stay in the taxpayer’s pockets.

Conservation is cumulative in its energy savings. Each year’s conservation activities add to conservation

done in prior years so there is a cumulative savings, like compound interest. At the end of 20 years the conservation done in the first year will still be contributing savings.

The situation with a gas pipeline is quite different. The gas gets burned and it is gone (except for the pollution it caused). There is no carry over benefit from one year to the next. At the end of 20 years, or 40 years or whatever is the useful life of the pipeline, you are left with a depleted gas resource and an old, leaky, dangerous pipe, which is more of a hazard than an asset.

The projected 5 Billion dollars to construct the proposed NED pipeline (which was only 2.7 Billion in May of 2014) would buy a heck of allot of insulation, create a whole army of jobs, and save struggling homeowners and businesses from everyrising energy costs. 5 Billion dollars could also pay up front, without incentives, for 300,000 residential-sized solar systems, generating 324 Million dollars worth of electricity per year.

One very large and looming omission in your upcoming EIR is the way in which the burning of natural gas is measured, i.e., only atthe “chimney”. When measured this way, it does indeed look favorable to the burning of coal or oil.

However, when the extraction and transmission methods (and leaks) are taken into account, it is no longer as clean as it appears. New fossil fuel infrastructures such as this pipeline will lock us into an energy future, which we need desperately to analyze NOW, using a whole systems approach, and then address with forwardthinking solutions

Grid operators will need to innovate. Utility companies will need to change the way they do business, but building a costly, publicly funded, privately operated infrastructure, plowing through farm field and forest, based a “promise” of cheap fossil fuel that uses dubious extraction methods, and ultimately continuing to use the atmosphere as an open sewer, is definitely NOT in the public interest.

Please use this opportunity to get our energy infrastructure on a track to a better business model that embraces conservation, efficiency, and renewables before anything else. This is not only “feasible in the short term” - it is terribly urgent.

Thank you,

Janice Kurkoski, Chair
Warwick Buildings and Energy Committee

20151016-5188

Benjamin M Baker, Branford, CT.

Dear FERC,

Drinking water reservoirs need healthy lands around them to filter and protect the water our families use. Clear-cutting and digging a trench 90 feet wide, 5.5 feet deep, and 5.7 miles long through land that protects drinking water and that of hundreds of thousands of people is a bad idea! Natural gas pipelines nationwide have suffered alarming failures that pollute water and soil, and put people at risk. Kinder Morgan should find another place for its pipelineâ€”or better yet, invest in renewables and stop wasting money on outdated fossil fuel infrastructure.

Sincerely yours,

Benjamin M. Baker

20151016-5192

Jane Biral, Bloomfield, CT.

October 15, 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)

We are landowners in Bloomfield, CT affected by the proposed Kinder Morgan/Tennessee Gas pipeline. We are opposed to the pipeline based on answers to the following four questions.

1. HOW SAFE WILL OUR DRINKING WATER BE IF THE PIPELINE IS BUILT? According to the MDC, which provides drinking water to the Hartford region, in a letter sent to you on June 26, 2015, the proposed pipeline will cross “Class I and Class II water company land whose use is highly regulated.” The MDC also took exception to the first drafts of the Environmental Reports (ERs) noting that they are “lacking in critical resource information — including...consideration of the existence of our public water supply reservoirs and watershed lands in the area of the proposed expansion.” The MDC points to a specific report (Environmental Resource Report #2) that, in their view, makes the false claim that “the project area is not located within any public drinking water or aquifer protection area.

2. DO OUR TOWN OFFICIALS SUPPORT THE PROPOSED PIPELINE? According to a letter sent to you by the Conservation, Energy and Environmental Committee for the Town of Bloomfield “portions of the route [Kinder Morgan/TGP pipeline] cross highly protected drinking water sources...CT law further identifies these lands as Class I and Class II restricted lands that cannot be disturbed...other than to maintain operations.

3. DO WE NEED ANOTHER GAS PIPELINE? According to data supplied by Bloomberg News, by November 1st 2015, the start of the heating season, gas inventories could reach new highs. Bloomberg News explains “If injections for the rest of this year track 2014 levels, storage may come close to 4.3 trillion cubic feet, more than 300 billion cubic feet above earlier highs.”

4. HOW HAS TGP PERFORMED ON SIMILAR PROJECTS? As a corporate citizen, Kinder Morgan/Tennessee Gas leaves a lot to be desired. In the last eight years, TGP has had 92 major pipeline accidents causing \$88 million in property damages and 19 federal enforcement actions. Their track record in CT is hardly more inspiring. According to the CT DEEP and the CT DPUC in partnership with PHMSA, there were 30 probable gas pipeline violations in CT in 2001 as compared to an eye-popping 238 in 2014.

It is our contention, supported by other non-profit environmental agencies and local officials in numerous CT towns, that supply issues do not always have to be solved by constructing yet another pipeline when smarter energy management — using what we have more efficiently and focusing our efforts on the development of a renewable energy grid can solve our energy problems cheaper and more efficiently.

Jane Biral
10 Pent Road
Bloomfield 06002

Patricia Connolly
6 Worthington Drive
Bloomfield 06002

Sal DemDominicis
2 Worthington Drive
Bloomfield 06002

Robert Morisse
17 Arnold Way
Bloomfield 06002

Lucille Morisse
17 Arnold Way
Bloomfield 06002

Vic Herson
42 Duncaster Road
Bloomfield 06002

Gail Herson
42 Duncaster Road
Bloomfield 06002

Chip Caton
59 Duncaster Road
Bloomfield 06002

Helen & Ken Karpowitz
100 Duncaster Road
Bloomfield 06002

20151016-5193

GENE C GREGORY, MILFORD, NH.

To whom it may concern,

Oct. 15, 2015

Writing you today concerning the Northeast Energy Direct Project (NED), especially that section in southwest New Hampshire. It has been demonstrated by various organizations, to include a report by the Public

Utilities Commission of New Hampshire, that the pipeline is not really needed in New Hampshire and that the main beneficiary is the metro Boston area. According to Kinder Morgan figures provided at one of their open houses, some 50-55% percent of the gas is going to metro Boston while about 1-2% is scheduled for Nashua, Manchester and Concord areas through Liberty Utilities (Kinder Morgan subsidiary). With these numbers I fail to see how taking land in southwest New Hampshire by eminent domain is for the public good. Towns in southwest New Hampshire where the current pipeline route is now planned will never receive any gas from the project where as metro Boston and northern Connecticut aren't being required to accept any disruption of life style, reduction in land values or loss of land by eminent domain. New Hampshire already has more energy than it needs, and in fact exports a large amount of power to other states.

With the current route, the pipeline is going through Rhododendron State Park in Fitzwilliam (shameful), near a hazardous waste site in Troy (scary) and near Indian sites in New Ipswich (an injustice). Additionally it will pass near an elementary or church schools in Mason and Merrimack and the Town of Greenville's reservoir. Also The Society for the Protection of New Hampshire Forests indicated some six protected locations will have to accept the pipeline. In Milford we have had to deal with two superfund sites, with one involving the loss of town wells. Milford does not need to deal with the possibility of a third site.

Our own residential property is located about 400 feet from the proposed pipeline, not sure exact distance at this time as it seems to be one of some 10,000 TBD issues at this time. My concern is when they start blasting, and they will as the entire area is all granite, who is going to replace my artesian well. At this time it is my understanding that Kinder Morgan is only going out 200 feet from the pipeline to pre and post test and replace wells. Can you tell me why we will probably have to suffer a monetary burden of losing our well from possible pollution or going dry? I'm also concerned about damage to our septic system.

In closing please do not allow this pipeline to run along the current route, let those receiving the vast majority of gas accept the obligation of having to deal with it's infrastructure, loss of property values and damage to the environment. Please note that Kinder Morgan/Tennessee Gas Pipeline Company is already surveying near our property and is using survey crews from Massachusetts - feels like a done deal. One final thought, please remember we all count equally or none of us count and I'm feeling with this project those in southwest New Hampshire do not count.

Thank you for your time and consideration,

Gene Gregory
11 Dear Lane
Milford, NH 03055

20151016-5194

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. In rural New Hampshire our income is comprised of many components. One of them is from the collection of maple sugar from a sugar bush, and the processing of that sap into maple syrup, a primary agricultural product in New Hampshire. A sugar bush is a contiguous grouping of Sugar Maples, (*Acer Saccharum*). On the south side of the power line easement our family owns, maintains and

operates a small sugar bush from the approximately 300 contiguous sugar maples that grow there. The proposed NED study corridor would contain approximately 1/3 of these trees. If they are destroyed by Kinder Morgan they can not be replaced, not only depriving us of access to this valuable product, but in all likelihood reducing the size of the remaining sugar bush to be small enough to no longer be cost effective to operate as a viable agricultural entity.

Kinder Morgan asserts that they will replant any “crop plants” that they destroy during the clearing needed for their pipeline. This is an absurd statement as a Sugar Maple can live for up to 400 years. Our sugar bush was planted in the 1930’s or 1940’s, meaning that most of the mature trees are only 80 years old and will provide sugar for at least the next two centuries. If they are cut and replanted they will not be mature enough to harvest for at least the next 35 to 40 years.

Not only will our sugarbush be rendered economically unviable, but all the investment we have made in it over the years will be lost. This includes a complete replacing of the infrastructure of the sugar bush that was lost during the ice storm of 2008.

20151016-5195

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan’s plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. We have denied access to Kinder Morgan to survey our property and will not negotiate to allow them entry to the southern parcel due to impact on our quality of life; including but not limited to the destruction of an operating sugarbush, the destruction of a fresh water spring, the location of a family pet cemetery, the location of historical artifacts, destruction of a natural barrier that currently prevents our family from viewing the ugly power lines from our family home, increased safety risk associated with the location of a barn used by the local boy scout troop to conduct their meetings and store their equipment, destruction of the natural beauty of the area, the location of four wells within 750 feet of the proposed pipeline, the destruction of historically significant stone walls, some of which are used as boundary markers, and the list goes on and on.

In fact this NED pipeline as it exists on the maps today as filed with FERC by Kinder Morgan, our family’s position is that our quality of life would be so severely impacted that we would no longer be able to live on this property. Accordingly if Kinder Morgan proceeds with its plans to construct the NED pipeline on the south side of the power line right of way they will be required to take our property through eminent domain proceedings.

20151016-5196

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood

harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. We have four wells located in the southern portion of the property. A dug well used by a livestock barn, a second dug well used by a sugaring barn, a third dug well used for our gardening and a drilled well used by the house. Our farm is located near the top of a hill at approximately 1000 feet in elevation, on the northeast slope of the hill. The formation of the land is all granite, with thin top soil, interspersed with wetlands; a typical landscape for the area.

How Kinder Morgan intends to bury their 30" or 36" pipe below the frost line in solid granite suggest that there will be extensive blasting. Since our drilled well is drawing water from an existing fissure in the granite ledge, and, blasting will cause permanent changes to the fissures in the granite, the performance of our family's well will be potentially adversely affected.

20151016-5197

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. When our family moved to this location in 2000, it was in part due to the situation of our home in a beautiful section of the great northern forest, primarily in a crescent of sugar maples planted for its maple sugar production, along with mature hemlocks, ash & oak. These trees screen our home from the view of the power lines.

If Kinder Morgan proceeds with its plans to construct the NED pipeline on the southern side of the power line easement, they will remove the trees that are acting as a natural barrier to a view of the power lines. In our view the removal of this visual screen will dramatically reduce the value of our property as the aesthetic value of the farm will be largely lost. Kinder Morgan needs to be held responsible for the irreparable harm this will cause our family.

20151016-5198

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. This farm has been an operating farm for probably over 200 years. The landscape is replete with artifacts of those farmers. The farmhouse was built in 1850 on the cellar hole of a house that existed at this location prior to that.

If Kinder Morgan proceeds with their plans to construct the NED pipeline on the south side of the power lines, they will wipe out a natural fresh water spring that bubbles up out of the ground. The old pipes that were just recently exposed by the heavy rains we've had this year suggest it was once used by prior occupants of the land to draw water from this spring for their purposes. The location of this spring is approximately at 42 degrees, 46'59.90" N 71 degrees 46'51.05" W elevation 945 ft.

20151016-5199

Diane Nassif, Petersham, MA.

I am writing as a resident in a town in north central Massachusetts where the pipeline will cross through many public and permanently-conserved lands as it brings fracked gas from Pennsylvania to the coast. The proposed pipeline and its companion compressor stations will wreak havoc on our natural resources including water, land, clean air, and darkness. It will be a hazard to those living near it due to leaks of major and minor proportions.

What is worse, there is little evidence that this pipeline is necessary for the people of Massachusetts. The gas is intended for export and to line the pockets of those who are already rich from exploiting the world's natural resources in support of the fossil fuel industry. Repairs to the aging gas pipeline infrastructure in eastern Massachusetts would be sufficient to ensure that gas is available until the change to non-fossil fuel based resources can be made.

Finally, this pipeline is in support of an infrastructure that is no longer viable in a world in which climate change is our biggest threat, worldwide. The investment in this pipeline should instead be made in energy efficiency, solar, wind, and hydro-electric power. It will be a disaster, not just locally, if FERC continues to bow to the interests of the oil and gas industry instead of taking a serious look at the needs of future generations for clean energy.

20151016-5200

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. This farm has been an operating farm for probably over 200 years. The landscape is replete with artifacts of those farmers including miles of stone walls.

Farmers in this area had a tough job as they had to clear the fields of rocks to provide areas suitable for grazing livestock or tilling the soil. These stones were carried to the edge of the fields and fashioned into walls that divided the fields, Now, centuries later, some of these walls have become the deeded markers of boundaries between parcels of land. Such is the case for our farm. When Kinder Morgan destroys these walls as they must if they are to construct the NED pipeline as the plans they have on file with FERC indicate they must, they must be required to carry out complete land surveys, establishing new boundaries as agreed to by

all abutting land owners.

Following the removal of the stone walls the walls will need to be replaced in the exact manner they are now. When a stone wall stands in the forest for centuries, the sides of the rocks that are exposed to the air grow thick covers of lichen and a particular patina due to weathering that enhances their beauty. If walls are disturbed they will need to be carefully reconstructed so that their weathered and lichen covered surfaces continue to face the outside of the wall. Additionally they need to be removed carefully by excavators with thumb attachments as to minimize scarring of these exterior surfaces. If these stone walls are replaced merely by haphazardly restaking the stones, the complete aesthetic nature of the beauty of these walls will be lost and our farms property value will be dramatically diminished.

In addition there are historical components to these walls that cannot be overlooked. As they sit, the farmers of centuries gone by who built these walls with their bare hands also participated in the formation of this very country under whose laws Kinder Morgan and FERC now have the hubris to take by eminent domain for the benefit of a private corporation.

These walls were assembled by human hands that also marched off to the battle of Concord and Lexington, the battle of Bunker Hill and the Civil War. In the Town of Mason, where Samuel Wilson lived as a child, the son of a local farmer, before he moved to Troy NY to become the man now known as Uncle Sam, he undoubtedly as part of his youthful chores spent hundreds of hours piling stones up on the edge of fields. It is awe inspiring to stand in our local woodlands and beautiful pastoral settings and look at the walls and understand the historical significance the hands that assembled them played in the founding of The United States of America. It is simply unpatriotic that Kinder Morgan would choose to destroy these century old artifacts for their short term private profits.

20151016-5201

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. The land between these two sections of land divided by the power line easement has two truck roads connecting the two sides that is the only manner in which logging trucks can access the north parcel. If either of these truck roads are destroyed by the construction of the NED pipeline as planned by Kinder Morgan, they will diminish the economic viability of the wood lot by limiting my access to it.

20151016-5202

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder

Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to the local youth who use this location as they participate in the Boy Scouts of America program, Mason NH Troop 264. Since 2000 the local boy scout troop has been using a barn on this property with our permission to hold their regular meetings and store their equipment. They use the access to the outdoors for all kinds of training from camping skills to search and rescue training. In the past fifteen years this Boy Scout troop has produced 9 eagle scouts. If Kinder Morgan proceeds with their plans to construct the NED pipeline on the southern side of the power lines the boy scouts will elect to move from this location so as not to be put in harm's way by the potential risk associated with this very large, very high pressure pipeline. Kinder Morgan will have deliberately greatly diminished the quality of life for many future young men and probable future civic leaders.

20151016-5203

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. Our family moved to this location to engage in a deliberate and intentional lifestyle where we raise much of our own food and enjoy a very high quality of life that is inextricably linked to the outdoors. Whether we tend gardens or livestock, cut wood for heat, tap sugar maples for a cash crop, spin wool for wool products or very busy lives are untypically centered on the outdoors where the sustenance of our lives is harvested from the land in many ways.

If Kinder Morgan is to construct the NED pipeline on the southern side of the power lines right of way it will diminish the quality of our lives greatly. It is very hard to put a price tag on the destruction that will cause us as we experience interruptions to our agricultural activities, and permanently diminished land values due to aesthetic changes, increased pollution, and increased risk of great if not lethal harm associated with pipeline failures.

While FERC operates in combination with Kinder Morgan let me remind you of a short passage from one of my favorite documents, the Declaration of Independence. 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. The construction of this pipeline will cause my family great injury as it destroys one of our very American "unalienable rights", the right to the "Pursuit of Happiness". All the work we undertake to lead a happy life here in Mason, which has a cumulative effect, will have to be started over somewhere else, causing a loss of the cumulative efforts of the past 15 years, and another 15 years of rebuilding somewhere else, which are harder as the rigors of age detrimentally accumulate to produce diminished output from the same personal energy spent.

FERC has conspired with Kinder Morgan to destroy the American Dream for our family.

20151016-5204

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. From their very opening letter to me, Kinder Morgan (operating as Tennessee Gas Pipeline Co) threatened the use of eminent domain to take our land should we not willfully agree to sell them an easement over our property.

The Supreme Court has held that the federal government has the power of eminent domain—the power to take private property for “public use”, further requiring that “just compensation” (fair market value) be paid. The federal courts, however, have determined that to demonstrate “public use”, the property need not actually be used by the public; rather, it must be used or disposed of in such a manner as to benefit the public welfare or public interest.

The federal courts have not restrained governments from seizing privately owned land for private commercial development on behalf of private developers, like Kinder Morgan. This was upheld on June 23, 2005, when the Supreme Court issued its opinion in *Kelo v. City of New London* in a 5–4 decision. The majority opinion, by Justice Stevens, found that it was appropriate to defer to the city's decision that the development plan had a public purpose, saying that “the city has carefully formulated a development plan that it believes will provide appreciable benefits to the community, including, but not limited to, new jobs and increased tax revenue.” In the dissent, Justice Sandra Day O'Connor argued that this decision would allow the rich to benefit at the expense of the poor, asserting that “Any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms.” (Like Kinder Morgan). She argued that the decision eliminates “any distinction between private and public use of property—and thereby effectively delete[s] the words ‘for public use’ from the Takings Clause of the Fifth Amendment”.

The NH Constitution, which is subservient to the federal constitution, is divided into two parts. The Bill of Rights and The Form of Government. In 2006, following the Federal Court decision in *Kelo v. City of New London* (to which NH's David Souter voted with the majority) the NH legislature ratified article 12-A of the NH Bill of Rights: 12-a. [Power to Take Property Limited.] 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.

The taking of property by eminent domain in my opinion is the result of a subversion of our American constitution, a process that FERC is complicit with and in conflict with New Hampshire's state constitution.

20151016-5206

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of

the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. Kinder Morgan's Vice President Allen Fore said that the reason this pipeline was moved from its original route through Massachusetts to New Hampshire is because Kinder Morgan is able to co-locate the pipeline with electric transmission line right of ways. But in fact that is not true as the maps Kinder Morgan has on file with FERC show the new pipeline route to be parallel to the southern boundary of the power line right of way, in fact with some extra land as a "buffer" between the two easements. A "buffer" as defined by Dictionary.com is; "any intermediate or intervening shield or device reducing the danger of interaction between two machines, chemicals, electronic components, etc." so the presence of this barrier serves to prove that the new taking of land for the pipeline is in fact a separate taking of land and co-location merely refers to it's geographic proximity to other but unrelated energy transmission easements.

As Kinder Morgan has been scrambling to demonstrate that there was a New Hampshire need for this gas, which also in fact does not exist, it becomes clear that they relocated the pipeline to New Hampshire and then set about to "find the need". "Co-Location" is the surface excuse that belies the true reason for the relocation of the NED pipeline, which has not yet been made clear by Kinder Morgan.

At an open house Kinder Morgan recently held in Milford, NH I had the opportunity to challenge this assertion with a Mr. Michael Lennon, an employee of Kinder Morgan. To the great surprise of myself and my neighbor who he was addressing at the same time, Mr. Lennon sought to correct my understanding of co-location saying that it would be possible for Kinder Morgan to use the available portion of the power line right of way and perhaps only cut as much as five feet on the north side of the power lines. Subsequently, on October 2 of this year, a Mr. John Proulx, Kinder Morgan's land agent along with two engineers Larry Franks (sp?) of Hohenwald, TN and Duane (last name unknown) of Alabama walked the area of our farm and said that moving the pipeline to the north side of the power lines would be no problem, that its easy to do and that they can go to the north, the south, the north again, whatever they had to do to make it easier on the property owner. These comments were couched with the caveats that they would have to make a study of the land to determine if in fact they could change the route, but in all likelihood it would be a possibility. John Proulx promised that he would make the changes on an "MOC" and be back in touch with us (my neighbor and myself) when he was ready to show us a map of the changes. To date I have not heard back from Mr. Proulx.

20151016-5207

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. This farm has been an operating farm for probably over 200 years. The landscape is replete with artifacts of those farmers. In this case the area identified by Kinder Morgan as being part of the 400 foot survey area and also within the 150' future easement area subject to clear cutting con-

tains a midden which has produced many old bottles and other artifacts left over by the previous inhabitants of this land. In addition this area contains the filled in cellar hole of a previous dwelling long abandoned but no doubt replete with a variety of antique artifacts.

If Kinder Morgan proceeds with their plans to build the NED pipeline on the southern side of the power line right of way they need to excavate these s area areas with great care so that none of the historical objects, which include many old bottles, are damaged so that their historical significance will not be lost. While most artifacts also represent nominal value there is likelihood that a small percentage of these artifacts could represent relatively higher value.

20151016-5208

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family as this area contains the pet cemetery for the family dogs we have buried over the course of the past 15 years.

This land part of the land represents a very special and sacred place for our family. When you commit the remains of your loved family dog to the earth, it is a special memorable occasion of deep personal and family significance. In the grave you put in a favorite toy, or blanket, a collar, and you make an agreement that this place will be a special spot of remembrance of the "best dog ever". (Of course they're all the "best dogs ever" at that moment, but we try not to rub that in the noses of the pre-deceased.)

So for our family this little spot, at the shaded quiet edge of the sugar bush, near a runoff stream where the digging is easy, is a sacred spot that Kinder Morgan has filed plans with FERC to completely destroy as part of their quest for greater profits. It seems absurdly unreasonable that my family should be subjected to this great an injury.

20151016-5209

Joseph W McGuire, Mason, NH.

I am a property owner on the route of the proposed NED pipeline living in the town of Mason, in Hillsborough County, NH. Our property is an approximately 70 acre parcel, roughly in the shape of a square. Our property has an existing power line right of way that transects the property from the northwest corner of the property, to the southeast corner, roughly dividing the property into two triangles, one on the south side of the power lines, and one on the north. The north parcel is primarily a wood lot used for hunting and wood harvesting. Our home including two barns and six other out buildings are located in the southern portion where not only do we live but we raise most of the meat, vegetables and fruit that our family uses. Kinder Morgan's plans are to route the NED pipeline parallel to the power line right of way on the south side of the power lines.

If the NED pipeline is built and follows the south side of the power line right of way it will cause great injury to me and my family. Through hearsay only, Kinder Morgan is offering easement values of \$1 per diameter inch of pipeline per 1 foot of length of easement. So a 1600' easement across our land of the 30" pipeline is worth \$48,000, a paltry amount compared to the amount of damage our family will suffer as a re-

sult of the construction of the NED pipeline on the south side of the existing electric transmission line right of way.

All of the stakeholders in Mason believe that these easements will dramatically and negatively affect property values. It is precisely because this is rural New Hampshire is what makes this statement true. Our rural towns have not recovered from the housing market collapse of the last seven or eight years. The housing collapse was followed by the job market collapse and while the total quantity of jobs has come back, the wages for jobs have not. This also holds more true for rural areas.

As people move to sell their properties and relocate from their homes for any reason, whether to escape the risk of living next to the pipeline, a risk that didn't exist prior, potential buyers for their properties have the choice of buying one of several properties, undoubtedly choices that include properties not in proximity to buried high pressure gas lines, especially in this area of long sales cycles and high inventory. To counter this negative selling attribute introduced by the pipeline the only option available to sellers are to move lower on price.

Kinder Morgan advertises they have independent reports that demonstrate there is only a negligible difference in the value of such properties. Maybe in markets where there is no excess inventory, that scenario could possibly be true, but in rural New Hampshire, with lots of excess inventory, depressed housing prices, and lower wages, this response defies common sense.

The location of the NED pipeline on our property, especially on the south side of the power line easement, will spell economic disaster for our family in addition to destruction of a lifestyle we hold as core personal values. Following the real estate collapse and the downturns in jobs and wages, the loss of home equity value is the knockout punch.

20151016-5210

Colin McAlpine, New Ipswich, NH.

No pipeline! I submitted a nice long thought out comment but conveniently there was an error.

20151016-5214

Kathleen Gauvin, New Ipswich, NH.

We request that the FERC require Tennessee Gas to conduct a noise study throughout the pipeline areas and compressor station sites prior to construction. In particular, noise levels for the pipeline and compressor station #4 in the New Ipswich with the surrounding towns of Temple, Greenville, Rindge and Mason in the Hillsborough County of New Hampshire shall be studied. This noise pollution study shall be conducted during each season for several years and must be conducted prior to construction. These noise pollution model studies are requested to include the 41,000 horsepower boilerplate power ratings and any upgrades that may be introduced in the future including 80,000 -100,000 horsepower compressor stations. Lack of experience with compressor stations of this abnormally huge size and located in forested areas, limit any prior knowledge based on factual data. Noise is being defined here as clamor or racket, the lack of silence. We currently enjoy a lack of clamor and racket here in the Monadnock region.

All parameters used to run study simulations must be disclosed with methods used inclusive of model calibration methodologies. Pure tones and other peak phenomena shall be disclosed and studied for all weather conditions including snowpack and ice with and without sublimation and fog, trees with and without leaves; all seasonal variability and weather conditions over aforementioned annual bases (basis plural) of time due to variations from year-to-year in the water levels and weather conditions. The study report shall include effects of noise levels to citizens, farm animals, wildlife, and to the education of school children. How do these horses and ponies and their riders respond to sudden, loud blowdown racket? How do school children react to this sudden, loud blowdown racket? How will their attention to task and occurring redirecting attention to tasks affect their learning over a school year?

Currently in New Ipswich Zoning Ordinances prohibit large industry. As a result we have not enacted large

industry ordinances. We do have a noise ordinance in force from 10pm and 7am. We would therefore request that Tennessee Gas look at these time constraints. We also have a guide for inaudible, audible, low frequency, and vibration level noise. This guide was developed as a Large Wind Energy Systems Requirement Ordinance. The Compressor station noise pollution needs to be addressed. We request that this noise pollution level would be studied in accurate modeling with accurate levels that would be produced during blowdowns as well.

WE WILL NOT BE THE NEXT MINISINK!

20151016-5219

Lisa Wood, Greenfield, NH.

As a resident of Greenfield, NH, I oppose this pipeline.

While my viewpoint mostly falls into a “Not In My Backyard” scope, I do believe that the Consumer Advocates for the New Hampshire Public Utilities Commission have a valid point. New Hampshire doesn’t need all the natural gas that is being allocated to Liberty Utilities. Furthermore, it doesn’t need it for the next 30 years. And since Liberty Utilities is a subsidiary of a Canadian company which is a partner in the pipeline construction. That certainly seems like a conflict of interest to me.

I have heard from a Boston-area friend that Boston needs the natural gas in order to prevent their electrical power prices from rising too much. Yet this pipeline was first proposed for Massachusetts and their state officials rose the occasion and the pipeline was moved to New Hampshire. New Hampshire state officials have been lukewarm at best. Too bad we can’t elect new ones before this is settled.

We won’t see the natural gas impacting New Hampshire residents in a positive way. Our property values will plummet. Would you want to buy a house in a school district with a school in the blast zone for the compressor station? I wouldn’t. Our small businesses will shut. Would you want to buy beef from a farm near the compressor station with it’s toxic waste of airborne pollutants? I wouldn’t.

Our small communities connect us and make us a positive place to live. Seen against the backdrop of so much violence in America, our little towns where people work together are a treasure. Unfortunately, we don’t have the numbers or the dollars to fight back like a more populated area. Please don’t let Kinder Morgan and it’s partners take advantage of us. We’re valuable too. Boston and Europe can pay a premium for natural gas. We shouldn’t have to pay for it with sick people. damaged land and destroyed businesses.

Please deny this.

20151016-5222

Benevento Companies

“Since 1934”

October 16, 2015

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

Re: Kinder Morgan Proposed Northeast Energy Direct (NED) Project; Docket # PF14-22-000--Written Scoping Comments

Dear Ms. Bose:

This letter provides comments from the Benevento Companies (Benevento or the Company) regarding the property at 900 Salem Street, Wilmington Massachusetts (Quarry Site) with respect to the Federal Energy Regulatory Commission’s (FERC) scoping process for the proposed Kinder Morgan/Tennessee Gas Pipeline LLC (KM) Northeast Energy Direct (NED) Project.

Benevento is a family owned and operated aggregate-based material supply company started by Michael Benevento in 1934. The Company operates with locations in Wilmington MA (headquarters), Georgetown, MA as well as Plaistow, NH and provides integrated aggregate, asphalt, ready mixed concrete, and recycling services to numerous customers in New England. The Quarry Site location consists of 350 acres and employs over 120 people.

As noted in its previous comments at the scoping session held on August 11, 2105 and incorporated herein, the Quarry Site is an active quarry (since 1950) and produces the stone that the Company requires in order to operate its asphalt and ready mix concrete facilities. A power line corridor that the NED Project intends to use bisects the Quarry Site. The Quarry Site is also proposed to be a staging area for NED Project construction.

The production of stone is done by the daily drilling and blasting of granite. The blasting takes place approximately 250 feet from the power line easement that is the proposed route for the NED pipeline. An average blast fractures 16,000 tons of rock in less than 3 seconds. The hazardous process creates significant vibration and safety is obviously a paramount concern.

As noted below, any consideration of the NED Project requires a detailed and site-specific geological evaluation and an analysis of the seismic activity related to the blasting process. It seems obvious that there are important safety questions and concerns with the placement of a high-pressure natural gas in close proximity to an active blasting quarry. We are concerned that the placement of this NED pipeline on or adjacent to the Quarry Site will compromise the safe operation of the quarry and result in a reduction of our operations and/or some risk of closure of our facilities.

In addition, the operations of our quarry depends upon the unimpeded functioning of a drainage pond, the use of two other ponds, irrigation wells, equipment and infrastructure, and compliance with state and local permits. As noted below, the construction and operation of NED cannot interfere with our operation of our ponds and with state and local requirements and permits.

Wetlands and Aquatic Resources

There are significant wetlands to the northwest of the NED pipeline/power line right-of-way that feed into Martin Brook (which bisects the Quarry Site). The pipeline will impact the wetland and cross Martin Brook. In addition, there is a drainage pond for quarry dewatering on the Quarry Site. The drainage pond functions to filter solids that result from quarry operations. The pond rests on fractured granite and we have concerns that construction, maintenance and operation of the pipeline would allow water from other areas to drain into the pond and/or water in the pond to drain into the quarry. The Quarry Site also has two ponds on southwest side of Martin Brook used for stone washing, where suspended solids from stone are allowed to settle out and be removed by a drag line. The drainage pond and other two ponds (referenced below as Quarry Ponds) are integral components of the day-to-day operations of the quarry. The quarry operation and associated discharges and runoff are regulated by and subject to Storm Water and NPDES permits.

KM should provide a detailed description and map of any wetlands, the Quarry Ponds, and waterbodies on the Quarry Site that includes their location and an assessment of their functions and values. Impacts to wetlands, surface water resources, Quarry Ponds and wildlife should be fully disclosed. Impacts include but are not limited to: filling of wetlands/other resources for pipeline construction and/or operation; temporary impacts to wetlands and Quarry Ponds resulting from access to wetland areas for construction purposes; indirect impacts, such as clearing impacts resulting in a change (either permanent or temporary) of cover type within a wetland and/or damage to or sedimentation in Quarry Pond; indirect impacts resulting from erosion or sedimentation into wetlands, Quarry Ponds or waterbodies; secondary impacts from construction of the project. If not otherwise provided, KM should also describe whether pipeline construction work would involve discharging dredged or fill material into wetlands and/or onto the Quarry Site. In addition, KM should describe a strategy for determining adequate mitigation to compensate for unavoidable direct, indirect and cumulative wetland and Quarry Pond impacts from construction and operation, including a description of the methodology to determine the amount and type of mitigation that will be required to address loss of wet-

land acreage and function and damage to any Quarry Pond. Further, as part of its review, KM should:

- Describe all construction and maintenance practices that will be utilized to minimize impacts, particularly to sensitive areas such as Quarry Ponds.
- Identify wildlife impacts and describe all mitigation measures to protect wildlife.
- Describe the long-term right of way maintenance techniques planned for the project and included an analysis of the effects of maintenance techniques on wetlands and sensitive resources, plant life, habitat and agriculture. NED should explain whether herbicides will be used and describe related no-use buffer zones around wetlands.
- Describe appropriate buffer zones to avoid or reduce indirect effects of construction on wetlands and Quarry Pond.

Unless we have detailed information to the contrary, we are concerned that KM's activities on the Quarry Site will inhibit or constrain the operation of the quarry.

Quarry Operational Impacts on Pipeline

The quarry (by definition) has many areas of rock and granite in close proximity to the planned route. KM should undertake a site-specific geological study as well as other appropriate studies with respect to the Quarry Site that includes but is not limited to soil types, subsoil, strata and other geological characteristics to evaluate impacts from quarry operational blasting on the pipeline. Impacts include but are not limited to vibration, debris, and substrata movement. In addition, KM should evaluate all federal, state and local ordinances that implicate or relate to blasting by a working quarry in close proximity to a pipeline and demonstrate how the NED project's proposed location and operation will be in compliance with those requirements while the quarry is operating and blasting.

NED Project Blasting and Construction Impacts on Quarry Operation

KM should evaluate and identify any construction work that involves blasting at the Quarry Site. In the event KM has plans to blast at the site as part of its construction activities, KM should undertake a site-specific geological study as well as other appropriate studies with respect to the Quarry Site that includes but is not limited to soil types, subsoil, strata and other geological characteristics to evaluate impacts on the Quarry Site from its construction related blasting activity. Impacts include but are not limited to vibration, debris, and substrata movement and impact to Quarry Site structures and infrastructure, Quarry Ponds, irrigation wells, and operation. In addition, KM should evaluate all federal, state and local ordinances that implicate or relate to construction blasting in close proximity to a working quarry and demonstrate how the NED project's construction activities will be in compliance with those requirements while the quarry is operating and blasting. KM should address how structures, infrastructure, Quarry Ponds, and irrigation wells will be evaluated pre and post construction and detail the methodology that will be used. KM should also describe post construction follow-up and remediation, including any security or indemnification that may be posted to compensate for damage. KM should provide, among other things, a description of measures to be used to avoid or minimize blasting impacts and identify and discuss the feasibility and comparative impacts of non-blasting construction alternatives, including tunneling.

Construction and Operation

As noted above, the Quarry Site is an active operational quarry employing hundreds of people undertaking industrial activities related to extraction, production and processing of granite, gravel and asphalt. At any given time, the site is filled with trucks, numerous third party contractors and vendors. The Quarry Site serves as an important regional resource of asphalt, concrete, gravel and sand (among other products) and is relied upon by numerous cities and towns, state governments, and residential, commercial and industrial entities as a source of raw materials and finished products. Benevento has an important role in the regional economy. KM should provide an analysis and document and confirm that its construction, operation and maintenance activities (and its proposed use of the site as a staging area as noted below) will not interfere in

any way with commercial activities of Benevento Companies at the Quarry Site and/or to the extent that those activities may be impacted address how this impacts will be avoided, mitigated or remedied.

Staging Area Impacts

KM proposes, based upon information presented in the most recent Resource Report Map, to establish a staging area on or in close proximity to the Quarry Site. To the extent not previously provided above, KM should provide a detailed description and map of the staging area location and discuss its specific operation and requirements to include but not limited to, the nature of ongoing staging activities and tasks and an associated schedule. KM should evaluate any possible impacts of the staging area activities on the operations at the Quarry Site and provide, among other things, a description of measures to be used to avoid or minimize all impacts from staging area related activities.

Thank you for the opportunity to provide scoping comments on the NED project.

Sincerely,

Charles Benevento
President
Benevento Companies

20151016-5225

MILLERS RIVER WATERSHED COUNCIL, INC.

100 Main Street, Athol, MA 01331
978-248-9491 * council@millersriver.net

October 16th, 2015

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

Re: Docket No. PF14-22-000 - Tennessee Gas Pipeline Company, L.L.C., Northeast Energy Direct Project

Dear Secretary Bose,

The Millers River Watershed Council (MRWC) was founded in 1970, with the mission to protect the health of the watershed and its inhabitants. The “NED” project, as currently proposed, would pass through an extensive portion of the largely rural and forested western watershed in Franklin County, as well a smaller portion of its headwaters in southern New Hampshire. Having conducted extensive study of the proposed project over the last eighteen months (including the original route proposed to pass additionally through much of the largely rural and forested eastern watershed in Worcester County), MRWC concludes that there is no environmentally acceptable version of the proposed project. We therefore request that the EIS emphasize and fully analyze the no-build alternative.

As part of that analysis, MRWC requests that FERC identify a representative number of completed pipeline projects of similar (or smaller) scale for the transport of natural gas from the Marcellus Shale formation and, for those projects, assess the effectiveness of the numerous mitigation measures that were employed along their entire lengths in maintaining and protecting fundamental environmental features, their baseline conditions and their continued ecological functioning. MRWC further requests that the results of such assessments be made available in some form in the EIS, enabling independent researchers to verify those findings.

For example, in their 2012 legal intervention against the Tennessee Gas Pipeline Co.’s Northeast Energy Upgrade Project (NEUP), brought before the Pennsylvania Environmental Hearing Board (EHB Docket # 2012-196), the Delaware Riverkeeper Network based its arguments in part on impacts observed by experts

along TGP's similar "300 Line Upgrade Project". Here is one brief selection from their key findings:

The "improper approval of TGP's activities will result in the irreversible discharge of sediment into the tributaries of the Delaware River; the improper destruction of mature trees that prevent sediment from flowing into these tributaries and provide shading to regulate temperatures in streams and wetlands; long-lasting damage and even permanent destruction of Exceptional Value wetlands; and the disruption of macroinvertebrate populations." Severe and irreversible soil compaction was also observed to be widespread.

MRWC further requests that FERC include in its analysis of the no-build alternative a detailed summary of the violations issued by regulatory bodies during and after construction of such similar projects, and the ultimate resolution of those violations.

For example, in Pennsylvania, a November, 27, 2012 article in the Pocono Record reported that, over a year after the Tennessee Gas Pipeline Co. put the 300 Line Upgrade pipeline in service, PADEP had initiated an enforcement action against TGP and was in the process of reviewing between "500 and 600 violations" that TGP had accumulated. Cumulatively, the nature and outcome of these violations speaks directly to the potentially massive and unacceptable environmental impacts to be expected from the proposed "NED" project. The information requested above would be very helpful in the event FERC finds that the environmental impacts expected from the proposed "NED" project are reasonable and can be mitigated without undue and irreversible harm to the environment, local communities and wildlife.

Finally, MRWC requests that FERC's analysis of the no-build alternative include the potentially disastrous impacts of widespread hydrogeological disruptions and alterations that could result from the proposed pipeline's construction. The Town of Northfield, MA, for example, is known to have extensive areas of very shallow bedrock, which would require extensive blasting that could cause extensive fracturing and irreversible hydrogeological changes.

Given the prevailing north-south drainage patterns of much of the region along the proposed route, including the Millers River watershed and areas to the west, significant potential exists for pipeline construction activities to create voluminous new interconnections between currently distinct groundwater channels. In addition to wrecking havoc with surface water drainage patterns and drinking water wells on which much of the local population depends, such interconnections could also become pathways for the dissemination not only of natural gas and other chemicals that leak at various points along the pipeline route, but for naturally occurring deposits of arsenic and radium shown on U.S. Geologic Survey maps.

As a postscript, MRWC requests that FERC's analysis of the no-build alternative take serious stock of the overwhelming lack of support and stated opposition (in over 75 municipal "resolutions") by the dozens of communities that would be affected by the proposed "NED" project. Like many in these communities, MRWC has, after a close reading of the available evidence, come to the unshakeable conclusion that the "NED" pipeline is simply not needed and, further, would not substantially benefit those who live and work in our region--it would, in fact, have quite the opposite effect. The interests and concerns of these local communities should be foremost in FERC's deliberations.

Sincerely,

Ivan Ussach

Ivan Ussach, Director

Millers River Watershed Council

100 Main Street

Athol, MA 01331

ivan@millersriver.net

20151016-5230

Richard J Goettle, IV, Fitzwilliam, NH.

Kinder Morgan's (KM's) commissioned analysis by ICF, Inc. (<http://www.kindermorgan.com/content/docs/>

NED_CapacityOutlook.pdf) claims the presence of the Northeast Energy Direct (NED) Project's pipeline would have saved New England (NE) consumers of natural gas and electricity \$3.7 billion dollars had it been in place during the "Polar Vortex" winter of 2013-2014. The analysis also claims cost savings between \$2.1 and \$2.8 billion over the first 10 years of operation, 2019-2028. These savings are said to benefit NE gas consumers and electric generators as a consequence of lower natural gas prices and their reduced volatility. These assertions are empirically without merit. First, the extreme NE winter weather conditions of 2013-2014 and 2014-2015 were shared by a significant portion of the US. Additional pipeline capacity to NE would not have prevented spot market prices for natural gas and electricity from rising sharply from widespread competition for scarce resources. Better planning, use and contracting arrangements for existing energy assets would have been far more beneficial. Second, the natural gas price shocks that occurred in these winters affected electric power producers coincidentally. City-gate prices that are most important to local distribution companies (LDC's) and, in turn, residential, commercial and industrial customers did not follow this pattern but rather experienced their normal late-spring-summer-early-fall increases. Since the NED Project, as advertised, serves LDC's and not power producers whose supply chain greatly differs, both physically and contractually, NED's indirect benefit to NE's electricity consumers is most likely to be very limited. Third, and most important, there is counter evidence that NE pipeline expansions lead to lower and less volatile natural gas prices for its consumer, including the power sector. The US Energy Information Administration's (EIA's) series on pipeline capacity shows two significant increases in net inflow capacity into NE – 0.585 billion cubic feet per day (bcf/d) in 1998 and 0.748 bcf/d in 2008; the latter coincides with the origins of the shale gas boom. If the KM-ICF claims were accurate then one would expect the premium that NE pays for natural gas relative to the US average to shrink and that its volatility would dampen. Actual data do not support this hypothesis. Indeed, following the 2008 expansion, both the premium and its amplitude increased suggesting that more capacity potentially exposes NE to more risk by increasing its exposure to the domestic gas market while remaining inexorably and proverbially at the end-of-the-pipeline. It is true the NE's premium for electricity relative to the US declined following this expansion (though not its volatility) but this decline is not explained by natural gas prices. Similarly, neither is the recent 2013-2015 increase in NE's electricity price premium well-connected to NE's natural gas markets. In short, KM's contentions that NE's gas and electricity consumers will benefit from the NED Project prove false under empirical scrutiny; there is little evidence that its capacity will lower prices or dampen their fluctuations. Again, better and more systematic planning, use and contracting arrangements for existing energy assets will prove far more beneficial to New England and its residents.

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NH Municipal Pipeline Coalition

Amherst • Brookline • Fitzwilliam • Greenville
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October 15, 2015

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

Re: Kinder Morgan Proposed Northeast Energy Direct (NED) Project Docket # PF14-22-000

Written Scoping Comments

Dear Ms. Bose:

This letter provides the written scoping submission from the 15 communities in

the NH Municipal Pipeline Coalition for the project noted above. The first portion provides comments directed to FERC while the second portion includes specific requests for the project applicant to address.

GENERAL COMMENTS TO FERC

Need

FERC has a significant process in place for the assessment of NED's environmental impact through the development of an Environmental Impact Statement. This process allows for substantial public input and places significant requirements on Kinder Morgan to address concerns. Furthermore, the process is highly transparent.

We are troubled that there is not a similarly transparent process in place for FERC, and the public, to assess the need of the NED pipeline. We believe it is important to confirm the "need" for a pipeline before evaluating its "environmental impact". There should be 110 environmental impact if there is 110 need.

Based on the limited long-term contracts currently subscribed for on NED, the existence of more environmentally friendly pipeline alternatives, and existing LNG infrastructure in place to address the region's peak winter heating and electricity demands, we fail to see a need for NED and urge FERC to specifically address the "need" for this particular pipeline, in a public fashion, should this project continue through the permitting process.

FERC's Project Review (PL99-3-000)

Issued Sept. 15, 1999, PL99-3-000 states that the Commission's goals are to appropriately consider:

- *Goal 1: The enhancement of competitive alternatives.* When considering the NED proposal, we request FERC take into account no build options such as Portland Natural Gas Transmission System that ends in Dracut, MA and achieves the increased supply by increasing compression upstream. When considering the NED proposal, we request that FERC consider the expansion of the Spectra Line to avoid NED's greenfield project.
- *Goal 2: The possibility of overbuilding of infrastructure.* We request FERC consider the dwindling resource of the Marcellus Playas outlined by Thomas Stepstone of Oil pro. com that "production at the Marcellus is in fact breaking down". We request FERC consider that the Constitution Pipeline to connect NED to the Marcellus Play has not yet been approved, making this a "segmented" project.
- *Goal 3: The avoidance of unnecessary disruption of the environment.* We request FERC question the assumption that NED is collocated when it is in fact a greenfield project. In fact, NED is not collocated and its assertions to the contrary are false and misleading. FERC should fully evaluate the project as a greenfield project and clarify that the project is not a collocated project. In addition, we request that FERC evaluate and require the applicant to evaluate NED impacts on the unique geological structure of New Hampshire, resting as it does on the African Tectonic plate, with significant wetlands, aquifer and granite implications. Please explain how FERC will oversee and mitigate the problems that the NED project presents? Further, the NH OEP (Office of Environmental Planning) has requested from the NH towns a Smart Growth Report of how the state is doing at implementing the principals outlined in NH RSA 9-B, which states, "Smart Growth also means the development and use of land in such a manner that its physical, visual or audible consequences are appropriate to the traditional and historic NH landscape Smart Growth preserves the integrity of open space in agricultural, forested and undeveloped areas." How does the NED project adhere to this state law?
- *Goal 4: To prevent the unneeded exercise of eminent domain.* If NED were truly a collocated project, the need for taking of private and public lands would not be necessary. Can FERC justify the taking of so many parcels for a private, for profit use? NED should not be able to circumvent the important state procedures as set forth in NH RSA Chapter 674 (planning and regulatory powers) of municipalities through its use (and threatened use) of eminent domain.

SPECIFIC REQUESTS FOR THE PROJECT APPLICANT

Wetlands

The proposed route of the NED pipeline suggests that construction, maintenance and the pipeline itself will affect numerous wetlands. The specific intent of NH RSA 674:17 and RSA 482-A 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

We request FERC require the project applicant to address the following:

- Will the project result in the conversion of wetlands from one type to another, and how can this be avoided /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?
- Wildlife are dependent on wetlands and can be negatively impacted through loss of habitats. What will be done to mitigate this impact?
- Permanent loss of wetlands will result when those lands are replaced with fill. What will be done to alleviate this impact?
- What are the detrimental effects on wildlife during and post construction due to the loss of native vegetation and plant diversity? We understand wetland and waterbody construction and mitigation procedures only require 80% native vegetation and 50% plant diversity differential from pre-construction levels. (1994 FERC procedures).
- A study done by Robert G. Bailey of U.S. Forest Service for FERC studied 960 sites and found that 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 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 effect of the additional non-permeable surfaces in construction sites, additional work areas, and access roads (temporary and permanent)? How will this be mitigated?

Roadways

The proposed pipeline would cross a variety of types of roadways, including unmaintained “Class VI” roads. While “Class VI” roads in New Hampshire are not maintained, it is critical that they not be viewed as “not used”. Any roadways in NH, including those classified as “Class VI” can be used in some cases are regularly - used by fully-loaded logging trucks which are of substantial weight.

We request FERC require the project applicant to address the following:

- Use construction techniques across all roadways in New Hampshire, including all unmaintained “Class VI” roads, which will account for the heavy loads presented by logging trucks. We ask that, at a minimum, this includes using pipe under all roadways consistent with that required of a state road.

Right of Refusal for All Landowners: Use of Cut Trees

Trees that are cut within either temporary or permanent easement areas may be of value to the individual landowner. Many NH residents use wood as an alternative source to heat their homes, for example.

We request FERC require the project applicant to address the following:

- Provide all landowners with the right of first refusal for any cut trees on their property, in excess of three inches in diameter.
- Execute a waiver of this right before Kinder Morgan or its subcontractors may remove any such trees from private or public property even in the case of eminent domain.
- If a landowner wants the trees, we request that Kinder Morgan be required to coordinate the location for piling of de-limbed trees with the landowner prior to the cutting of the trees.

Safety - Installment of the Pipeline Itself

The information provided from Kinder Morgan indicated that the pipe may not be buried fully below the frostline. In short, the pipeline could be affected by frost heaves and other ground related distortions during and after the winter months that could cause a failure of the pipeline. This is the “Granite State”, so ground movement and ground distortions during the winter months is common.

We request FERC require the project applicant to address the following:

- How does Kinder Morgan plan to protect the pipe from this concern and what research and field studies are being done to determine if the practice is safe and appropriate?

Safety - Third Party Interference

70% of all pipeline malfunctions are a result of third party interference. The powerline utility right-of-way is used as the maintenance access roads for the power companies and the use of heavy machinery and construction vehicles is prevalent. If the pipeline begins crossing back and forth and back again underneath the right of way, the chances for third party interference by the power company subcontractors is significantly enhanced.

We request FERC require the project applicant to address the following:

- Is the defacto maintenance road for a different company really the best environment for the placement of a large gas pipeline?

Safety - Large Scale Construction Projects Competing For Space

In the Towns of Londonderry, Hudson, Windham and Pelham, the Merrimack Valley Reliability Project is a transmission line upgrade taking the towers of the centerline and moving them out to the far edge of the existing right of way, along the same route Kinder Morgan maps have their pipeline depicted. In its place National Grid is erecting a new set of towers to hold a 345 kilovolt transmission line. Kinder Morgan has hired a survey company to perform induction of current studies field tests. We are unclear as to how those studies are valid without the new overhead power line in place.

We request FERC require the project applicant to address the following:

- Provide an in-depth explanation about what the induction of current study entails, whether they are supposed to be performed exactly where the pipe is intended to be placed or in the center of the right of way, and why they should not be postponed until after the new transmission line is installed.
- Provide the results of said study to the public and communities along the pipeline route to ensure this new line will not cause a failure of the pipeline in the future prior to any FERC/PUC approval.

- Evaluate the safety of the pipeline given the planned (alleged) close proximity to the electric power line.

Co-location

When Kinder Morgan moved the proposed pipeline route into New Hampshire, it noted the opportunity for “co-location” with an existing utility right of way as a key selling point for the change.

The towns of the NH Municipal Pipeline Coalition do not believe “co-location” is an accurate representation of this project in NH. We are aware of other pipeline projects that have been termed “co-location”, but have actually resulted in the pipeline being constructed parallel to the utility right-of-way. In one particular case an area up to 150 feet wide had to be cleared to make way for the pipeline.

The Coalition towns believe the reality of this project is that it is largely a “greenfield” project, especially given Kinder Morgan continually refers to talks with Eversource to share its right-of-way as “ongoing” and in many cases Eversource does not own the land over which its power lines travel and therefore could not grant an easement.

We request FERC require the project applicant to address the following:

- Calculate the total acreage, by NH town, that will be impacted (both temporary and permanent) within the existing, cleared utility right-of-way and the total impacted acreage, by NH town, that will be outside of the existing, cleared right of way (both temporary and permanent).
- Show the route as it relates specifically to existing utility rights of way.

Regional Need

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 stated that NED “will serve the commitments we have received from New England local gas distribution companies (LDCs) and commitments we expect to receive from other LDCs 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 gas-fired 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 LDC 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 FERC require the project applicant to address the following:

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 the amount of gas delivered by KMITGP to EDCs in New England for the past five years.
5. Require Liberty Utilities detail plans for their NED commitment to show communities that will be served and when.
6. Compare competing pipeline plans to determine least and best cost solutions.
7. Quantify the amount of gas lost in current transmission and distribution pipelines in New England.

Blasting

Knowledge of the land over which the pipeline is proposed suggests extensive blasting will be required in many towns in order to bury the pipeline. FERC must be mindful that New Hampshire is known as the “Granite State” for a well-founded reason; burying a pipeline will not be an easy task in our communities.

It is also worth noting that New Hampshire is also known for high levels of arsenic and radon in well water. A 2010 New Hampshire Department of Environmental Services report (entitled “Rock Blasting and Water Quality Measures That Can be Taken to Protect Water Quality and Mitigate Impacts”) identified the risks of rock blasting on groundwater in New Hampshire. It identified materials such as detonators and explosives, which are not entirely combusted during blasting, leaching into the groundwater. This has resulted in the detection of nitrates and nitrites in groundwater. Additionally, the report found that blasting can cause silt, sand, rock particles, and chemical precipitates that line fracture surfaces to loosen and increase the turbidity, or cloudiness, of well water. High turbidity can damage household equipment and fixtures, be aesthetically unpleasing to drink, and increase concentrations of metals and other contaminants.

NHDES has encouraged municipalities to enact blasting ordinances that not only focus on pre- and post-blast inspection of nearby structures, but also pre- and post-blast testing of private wells for both water quality and yield. These tests are critical to identifying any adverse impacts resulting from blasting activities.

The following towns currently have Blasting Ordinances in place: Brookline, Fitzwilliam, Merrimack, Milford, Pelham, and Windham.

We request FERC require the project applicant to address the following:

1. Fully adhere to the existing Blasting Ordinances in all towns that have them at the time of construction (and any other applicable state or federal rules);
2. Pay for pre- and post-blast water testing for any private or public wells located within at least 500 feet of any blasting. The water testing shall include a standard well water test, plus tests for arsenic, minerals, metals, pH, perchlorate, nitrate, bacteria, volatile organic compounds including MtBE and benzene, and radiological analysis for uranium and radon gas and water yield (gallons per minute) both before blasting, within two weeks of the completion of blasting and quarterly until a year after blasting has concluded.
3. Provide a detailed plan for providing bottled water to any and all impacted property owners, at no cost to them, until the property’s water quality and yield is returned to pre-blast levels. All cost to be borne by the applicant.
4. Avoid any blasting within 1,000 feet of any contaminated soil sites.
5. Submit an Alteration of Terrain Permit to NHDES and follow the permitting requirements in order to enhance the protection of groundwater both during and after construction.
6. Analyze tunneling in New Hampshire as an alternative to blasting.

Water

We are also concerned about the issues of water resources, plant and animal life, watersheds, and the basic need for clean water that we need to survive. Water is an equally important resource as fuel, and is integral

to communities. Once contaminated, it can have devastating consequences for all - individuals, communities, businesses, and tourism.

The NED pipeline will cross the following water resources multiple times in its route across NH and potentially compromise:

- Souhegan River, which it will cross six times
- Brooks and streams (22 in 15 towns)
- Aquifers (13, one very large)
- Ponds/lakes (11, largest, Scott Pond, is 134 acres)
- Wetlands (over 27, numerous vernal pools)
- Municipal water systems (serving over 500 people, including the Temple Elementary School)
- Private wells (serving in excess of 600 people)
- Numerous watersheds, including the headwaters of Tully Brook, East Asheulot, Miller River, and Middle Connecticut

We request FERC require the project applicant to address the following:

- How will contaminated well water be remediated?
- How will contaminated groundwater be addressed?
- Will the delicate ecosystems of headwaters be impacted? How many? How severely?
- How will rivers, ponds, aquifers, brooks and streams be affected by horizontal drilling? Have these impacts been studied and quantified?
- Rivers/Brook/Stream banks/riparian zones often contain wetlands that can be severely impacted via disturbance.
- How will this disturbance be minimized and mitigated?
- How banks will be restored to pre-construction conditions
- Use of specialists for work, not general contractors, using the most current and site-specific methods.
- How the release of natural gas or product will affect water ecosystems, including wetlands and groundwater?
- How big of an area could be affected and how many people would be affected?
- How would you compensate or mitigate for an accidental release?
- How will the aquifers along the route be impacted by construction? Have the impacts been studied and quantified? How will these impacts be minimized or mitigated?

Compressor Stations - General

This proposed project would have dramatic impacts on the quality of life in towns around the compressor station, including the air we breathe, 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 most recent Resources Report filed by Kinder Morgan still shows 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 FERC require the project applicant to address the following:

- Provide information on the impact of the compressor station on air, water, light and noise pollution for areas within a half-mile, mile and a half and five mile radius of the site
- Provide information on the impact of the compressor station on the largest and most important fly-way in the northeast for the twice-a-year migration of more than 10,000 raptors, including bald and golden eagles

- Provide information on the impact of the compressor station on the Lukas Community, which provides the required tranquil environment for twenty developmentally disabled adults many of whom have lived there for decades.
- Provide information on the impact of the compressor station on business and residential property values based on actual property sales near compressor stations
- Provide information on the impact of the compressor station on the safety of our residents including the abilities of our local safety personnel to deal with a pipeline related disaster.
- Provide information on the impact of the compressor station on Temple, NH's ability to safely operate its elementary school, including the Town's ability to use it as an emergency shelter in the event of a catastrophic event at the compressor station.
- Provide information on the impact of the compressor station on the EPA brownfield site that the proposed compressor station would be built on including the release of lead and other toxins into our water supply during blasting and construction.

Compressor Station - Toxic Emissions

We request FERC require the project applicant to address the following:

- 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 particulate matter emitted by the blowdowns will be radioactive?
- According to the Southwest P A 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 KinderMorgan address this?
- 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.
- Require Kinder-Morgan accept liability for adverse health effects on pregnant women and their fetuses/ children due to the exposure to toxins?
- Require Kinder-Morgan 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?
- Require Kinder-Morgan provide the Coalition towns 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.

In 2012 regulators believed that emissions from the production, transmission and distribution of natural gas accounted for approximately 398.3 billion cubic feet (Bcf). To put that into perspective it would be like leaving one end of the proposed NED pipeline completely open for 361 days to spill out into the atmosphere.

We request FERC require the project applicant to address the following:

- Provide a detailed study on the amount of air and atmospheric pollution that occurs along a 30-inch pipeline with leaks that occur at pigging station locations, valve release stations and compressor stations as well as the ramifications of these emissions.

Aside from production leaks and catastrophic accidents, the largest single and intentional emission occurs at the compressor station with the compressor blowdowns. These events can be scheduled or accidental and release gases through the blowdown valve and create a plume that extends to a height of 100 - 200 feet and that can last up to three hours. One venting can vent, on average, 15 million cubic feet of whatever gases are

in the pipeline. This would include various organic and inorganic compounds, as well as radioactive materials, particulate matter and unknown compounds, that are forcefully pushed up 200 feet and carried in any direction by the wind for miles and landing on anyone or anything. We are concerned that it is a variable shower of toxic and cancer producing contaminants that will have various short and long term health implications on anyone in its path.

There are also emissions from the all of the varied operational activities of the compressor stations that are occurring 24 hours a day. They include but are not limited to: filter separators / scrubbers, compressor turbines, gas cooling system, lube oil system, exhaust silencers, fuel gas systems pneumatic systems and backup generators.

The emissions can contain the following chemicals in varying amounts:

- Methane (CH₄) is the principal component and is a potent greenhouse with a warming potential 25 times that of carbon dioxide (CO₂) over the long term (100-year time horizon) and 72 times over the short term (20-year time horizon). CH₄ contributes to higher global background levels of ozone pollution.
- Carbon dioxide, Butane, ethyl benzene, ethane, pentane, etc.
- Volatile Organic Compounds (VOCs) and oxides of nitrogen are also emitted and are precursors to ground level ozone. In areas of concentrated activity, as are compressor stations, the emissions can be substantial.
- Hazardous air pollutants (HAPs) include hydrogen sulfide and certain hydrocarbons such as benzene, a known human carcinogen. Formaldehyde is a HAP found in the exhaust of compressor engines.

There is a growing complaint of short-term health concerns associated with compressor stations including respiratory and skin irritation, nosebleeds, neurological problems, dizziness, fatigue, loss of coordination, nausea and headaches.

The long term effects have yet to be learned but with known VOCs and known carcinogens being emitted, we can expect to see loss of coordination and damage to nervous system as well as an elevated incidence of cancer.

Compressor Station - Construction Impacts

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 Route 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 would require significant blasting on the SKAT land. Nearby 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 Kinder Morgan maps show one 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 three main tributaries to the town of Greenville reservoir. There are nearby farms that irrigate from surface ponds. The area is 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 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 consuming them.

It was noted at the Scoping Session in Nashua 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 request FERC require the project applicant to address the following:

- Identify how many 41,000 HP fracked gas compressor stations are sited on hydric soil that are up hill from stratified drift aquifers and ponds less than 1,000 feet away
- Identify studies near compressor stations that have researched contamination of surface water and dug wells. If they do not exist, require the applicant to fund a study on the impacts over a 12-month period prior to permitting this project.
- Determine if there are seasonal impacts on ground water and wells. Is contamination greater in spring thaw due to contamination being trapped in the snow? Is the contamination greater in the drier fall season when the stratified drift aquifers have naturally lower water levels and contamination could be concentrated?
- If existing studies are available, require the applicant to conduct updated surface water and well tests at the locations to see if results have changed since the prior studies results were made available.

Compressor Station - Noise Impacts

Federal guidelines establish a maximum day-night average noise level for compressor stations of 55 dB at the closest noise-sensitive area. 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.

Kinder Morgan'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 a 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."

We request PERC require the project applicant to address the following:

- Provide a study showing no human health effects from the noise associated with ongoing operations of a large 41,000 HP compressor stations, including occasional blowdowns. If none is available, require such a study be completed prior to issuing a permit for this project.
- Provide a study showing no human health effects from continual low frequency noise similar to that of the compressor station.
- Provide a study on the noise effects on echo locating bats.

- Provide a study on the effects of compressor station noise on local wildlife.

Compressor Station - Impacts on Greenville's Water Supply

The Town of Greenville (population 2,105) has a town-owned water plant that is physically located on Route 45 in Temple and draws its water from the Tobey Reservoir, also in Temple.

The Greenville Water Department has approximately 356 water connections, one of which services a 190 unit mobile home park. The water service includes all the downtown businesses, one of which is a manufacturing facility that produces vinegar and mustard, as well as restaurants, convenient stores, a bakery, etc. In addition, the Greenville Water Plant provides the water for the Temple Elementary School in Temple, as well as, the water for pressurized fire hydrants in that area of Route 45 in Temple.

The proposed Compressor Station for the NED project will be approximately 7/10th of a mile from the Greenville Water Plant. Since the Greenville Water Plant provides water to approximately 65% of our population, we have grave concerns regarding any type of pollution of the Tobey Reservoir, as well as any underground disruption of source waters of the Tobey Reservoir.

We request PERC require the project applicant to address the following:

- Provide environmental studies showing that the blowdowns and general operations of the proposed compressor station will have no impact whatsoever on the volume or purity of the Tobey Reservoir and that it will not adversely affect water department operations.

Compressor Station -Impact on Temple Elementary SchoolEmergency Shelter

We fail to understand why any corporation would make the decision to construct a 41,000 horse power compressor station a mere 1/2 mile from an elementary school. Similarly, we do not understand why they would place such a facility where its emissions can pollute the nearby reservoir which supplies the school's drinking water.

This is Kinder Morgan's plan for its Hillsborough County Compressor Station in New Ipswich, NH. We are very concerned about the welfare of the children and staff of Temple's Elementary School, and for any other school placed in such a situation in our country.

Schools are not just where kids go to class, it's where they play outside at recess, have lunch, have indoor and outdoor afterschool activities, and where they wait in line to get on their buses to go home.

We request FERC require the project applicant to address the following:

- Provide in-depth training for the decision makers at Kinder Morgan focused on the particular vulnerability of children to the harmful effects of toxic pollutants, and we request that the training include:
 - o Wilma Subra's research on the health hazards within a 2 mile radius of compressor stations;
 - o The Madison County, NY Health Department's report on health impacts from compressor station emissions;
 - o The Southwest Pennsylvania Environmental Health Project's Summary on Compressor Stations and Health Impacts; and
 - o Mina Hamilton's document, "More than a Pipeline: A Toxic Industrial Infrastructure".
- An investigation and report to the town of Temple on the effects of compressor station noise and low frequency vibrations on the ability of children and adults to concentrate, plus the short term and long term health impacts of blow downs, fugitive emissions and other gas releases associated with compressor stations, including the latest data, using continuous monitoring for toxic gas levels rather than yearly averages, with a special concern for kids with asthma.
- A pre-construction baseline health survey of the students and staff at our school conducted by professional public health practitioners and paid for by Kinder Morgan, with a commitment to have the children's health profiles professionally monitored for 10 years.

Clearly, it is NOT a priority of Kinder Morgan's to responsibly site their compressor stations and contain or eliminate their emissions of toxic pollutants. When asked about emissions at the New Ipswich Informational Open House, they would not even acknowledge toxic pollutants being emitted from their stacks during blowdowns.

It is further alarming to learn about Kinder Morgan's safety record as well as that of compressor stations throughout the US, which have had 11 spills, fires, and explosions in the past 11 years. As Kinder Morgan reported in their SEC 10K filing: "From time to time, despite our best efforts, our pipelines experience leaks and ruptures which may cause explosions, fire, and damage to the environment, damage to property and/or personal injury or death"

Furthermore, their actual accident record, as reported by the Pipeline and Hazardous Material Safety Administration (PHMSA) states that just since 2003 they have had "180 incidents of spills, fires, explosions, injuries and fatalities"

Compressor Station - Most Recent Resource Report

Kinder Morgan's most recent Resource 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 many of its potentially impacted towns are heavily forested communities. The report does not mention that many towns have all-volunteer fire departments and it does not address the towns' 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 NH towns along the pipeline. The report does not note that many communities may have only one or two policemen on duty at a time (and in limited cases none). 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 are not unprecedented and are well documented. Although not one NTSB Pipeline Accident Briefing is referred to in the Report, we note 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. 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 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 fails to address compressor station hazards that occur during declared emergencies. It does not mention the twelve-day emergency that began on December 11th, 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 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.

The Report also failed to consider all other types of natural disasters that have been declared in Temple. Some claim the worst natural disaster was the 1993 snow storm, It has been called the storm of the century by some. TIIIS 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.

Other notable disasters include the 1940 New Hampshire earthquake. On December 20, 1940, New Hampshire had a 5.5 magnitude earthquake with the epicenter 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.” However, the type of information referenced 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. We submit that 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.

We are 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. 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?

In addition to inadequately assessing public safety, the Draft Environmental Report does not even mention the precious raptors and eagles. 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 rap tors 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 85 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? There are none mentioned in the Environmental Draft Report.

We request FERC require the project applicant to address the following:

- A comprehensive hazard analysis report written by an independent Professional Engineer with significant expertise to identify all potential impacts and 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.
- 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.

Compressor Station - Light Pollution

The towns of the NH Municipal Pipeline Coalition request that the preservation of dark skies be included as an environmental factor in evaluating the proposed KM pipeline and its location of the metering and compressor stations. Dark skies are a gift of nature, along with clean water, clean air, and freedom from excessive noise. It affects the very quality of our lives. Night light also has a serious effect on our wildlife and trees.

All over the world scientists are discovering damage to the ecosystem from artificial lighting. Migrating birds tend to travel at night when there is less risk of predators and winds subside. Artificial light sources are disorienting to birds, bats, turtles and even to trees that in turn host a variety of insects and wildlife. Many of our towns have passed Dark Sky Ordinances to halt the growth of indiscriminate lighting.

Without regulation of its lighting, the proposed compressor station may become a small city needlessly polluting our skies and destroying the very special gift of being able to see the night sky. In addition, station blowdowns will release both light and heat, to say nothing of the toxins, threatening our migrating birds, bats, and especially raptors.

The nearby Wapack Trail will be affected and is an important nesting ground for a number of threatened species of birds. Night light also affects adversely the breeding habits of turtles and frogs.

We acknowledge that light is necessary for safety, but at the same time we request that FERC require Kinder Morgan to specify details of the lighting at the compressor and other stations along the pipeline path that will:

- Embody the latest scientific research on wave-length characteristics to avoid harming wildlife.
- Minimize the angles of illumination and intensity of light to protect our dark skies and wildlife.
- Limit blowdowns to daylight hours to minimize the released heat and light that harms our wildlife.
- Include study of bird, especially raptor migration, to show that the pipeline and its stations will not adversely affect these flyways.
- Follow any existing dark sky/lighting ordinances that have been adopted by any impacted NH towns

For reference, we provide below the ordinance from Temple, NH:

TOWN OF TEMPLE, NH - ZONING ORDINANCE

(As amended through March 31, 2013)

SECTION 30: (2013) LIGHTING/DARK SKY PROTECTION

Outdoor lighting installed in the Town of Temple shall comply with the requirements specified below.

I. AUTHORITY

This ordinance is adopted pursuant to the enabling provisions of RSA 674:16 and 674:21 relative to innovative land use controls.

II. PURPOSE

The intent of this ordinance is to maintain the rural character of Temple, in part by preserving the visibility of night-time skies. This ordinance recognizes the importance of lighting for safety and security while encouraging energy efficiency, and promotes good neighborly relations by preventing glare from outdoor lights from intruding on nearby properties or posing a hazard to pedestrians or drivers.

III. DEFINITIONS

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: housing, mounting bracket or pole socket, lamp holder, ballast, reflector or mirror, and/or refractor or lens.

Lamp: The component of a luminaire that produces the actual light.

Luminaire: A complete lighting assembly that includes the fixture and its lamp or lamps. **Flood or Spot-light:** Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.

Height of Luminaire: The height of a luminaire shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

Indirect Light: Direct light that has been reflected or has scattered off of other surfaces.

Light Trespass: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lumen: A unit of luminous flux. One foot candle is one lumen per square foot. For the purposes of this ordinance, the lumen-output values shall be the initial lumen output rating of a lamp.

Outdoor Lighting: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Temporary Outdoor Lighting: The specific illumination of an outside area or object by any manmade device located outdoors that produces light by any means for a period of less than seven days with at least 180 days passing before being used again.

III. OUTDOOR LIGHTING DESIGN

A. Any luminaire emitting more than 1800 lumens (with 1,700 lumens being the typical output of a 100-watt incandescent bulb) shall be fully shielded so as to produce no light above a horizontal plane through the lowest direct light-emitting part of the luminaire. (Such fixtures usually are labeled Dark Sky Certified or Compliant.)

B. Any luminaire with a lamp or lamps rated at a total of more than 1800 lumens, and all flood or spot lights with a lamp or lamps rated at a total of more than 900 lumens, shall be mounted at a height equal to or less than the value $3 + (D/3)$ where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire shall not exceed 40 feet.

C. Any luminaire with a lamp or lamps rated at 1800 lumens or less, and all flood or spot lights with a lamp or lamps rated at 900 lumens or less, may be used without restriction to light distribution or mounting height, except that, to prevent light trespass, if any flood or spot light is aimed or toward residential buildings on adjacent or nearby land, or to create glare perceptible to pedestrians or persons operating motor vehicles on public ways, the luminaire shall be redirected, or its light output reduced or shielded, as necessary to eliminate such conditions.

D. Moving, fluttering, blinking, or flashing, neon or tubular lights or signs shall not be permitted, except as temporary seasonal holiday decorations. Signs may be illuminated only by continuous direct white light with illumination confined to the area of the sign and directed downward.

E. Luminaires mounted on a canopy shall be recessed in the ceiling of the canopy so that the lens cover is recessed or mounted flush with the ceiling of the canopy and fully shielded. Luminaires shall not be mounted on the sides or top of the canopy, and the sides of the canopy shall not be illuminated.

F. When aviation lighting is required, the latest technologies shall be employed in order to minimize the visual impact of such lighting.

G. The Planning Board requests that lighting controlled by the Town of Temple or other controlling agencies take advantage of the latest technologies in order to satisfy the intent of this ordinance.

IV. EXEMPTIONS

A. Public-roadway illumination, emergency lighting, and vehicular luminaires shall be exempt.

B. Seasonal holiday lighting and illumination of the American and state flags shall be exempt from the

requirements of this ordinance, providing that such lighting does not produce glare on roadways and neighboring residential properties.

C. Installations existing prior to the enactment of this ordinance are exempt from its requirements. However, any changes to an existing lighting system, fixture replacements, or any grandfathered lighting system that is moved, must meet these standards.

V. TEMPORARY LIGHTING

Any temporary outdoor lighting for construction or other purposes that does not conform to the requirements of this article may be permitted by the planning board after considering:

- A. The public and/or private benefits that will result from the temporary lighting.
- B. Any annoyance or safety problems that may result from the use of the temporary lighting.
- C. The duration of the temporary non-conforming lighting.

Fault

A fault named the Triassic border fault (also called the Warwick fault) does exist in the SW corner of New Hampshire located on the NH/MA state line, where it dips down into Massachusetts for some distance.

New Hampshire lies entirely within the Appalachian Highlands, which extend northeasterly from Alabama to Newfoundland. Geologically, New Hampshire is in the midst of the Appalachian Province, halfway between the pre-Cambrian metamorphic and igneous rocks of the foreland, exposed in the Adirondack Mountains of New York and the Canadian Shield, and the Cretaceous and Cenozoic sediments of the Coastal Plain.

Cutting diagonally across the trend of the Appalachians, New Hampshire offers an opportunity to study the deeply eroded core of a mountain system that first formed hundreds of millions of years ago. Here we find folded and faulted Paleozoic sedimentary and volcanic rocks that have been thoroughly metamorphosed and penetrated by large and small bodies of plutonic rocks. It is in regions such as this that geologists hope to find some of the more significant clues to the causes of mountain building.

Most of the known normal faults are confined to a belt 12 miles wide in the extreme western part of the state, between Enfield and the Massachusetts border, a distance of 65 miles.

The Triassic border fault exists in the extreme southwest corner of the state; a fault that bounds the Kinsman quartz Mennonite on the southeast. This fault is called the Triassic border fault in section PF' because further south in Massachusetts it borders the Triassic rocks on the east (Emerson, 1917).

The truncation of the structures along this fault is readily apparent on the geological map. The dip cannot be determined in New Hampshire, but in Massachusetts, 10 miles south of the state line, the fault dips 60 degrees W. in one exposure and 35 degrees NW in the other.

In southwestern New Hampshire (Winchester & Richmond), the block on the northwest side has been down dropped 15,000 to 20,000 feet.

We request FERC require the project applicant to address the following:

- Describe the impact of a significant nearby earthquake on a 3D-inch, high pressure gas pipeline. Describe the worst case scenario resulting from a significant earthquake in the area of Richmond, NH on the pipeline, its valves, and the compressor station.
- Identify what damages could potentially occur if blasting is incorporated along the edges of what we historically have thought of as “the Warwick Fault”, located along the state line between Winchester & Richmond, NH and Warwick, MA.

Impact on Property Values

Kinder Morgan has repeatedly stated that the proposed pipeline and compressor station will not impact property values of nearby residences and, therefore, no additional 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 request FERC require the project applicant to address the following:

- Commission a study by independent experts to determine what the impact on property values actually is within proximity to a high pressure transmission pipeline as well as near a similarly sized compressor station.

We refer you to a 2014 Fremont Center NY study by a certified real estate appraiser that determined homes close to a compressor station should be reduced by 25% to 50%. Further, that study's compressor station is approximately one-third the size of the proposed New Ipswich station. The appraisers' 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.

Further, we request FERC require the project applicant to address the following:

- The study include the impact of pipelines/compressor stations on the tax rates in those affected communities.

An analysis within the Town of Temple shows that the pipeline/compressor station will reduce the value of those houses in close proximity. This will then cause notable increases in taxes to 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.

Respect for New Hampshire Processes

State and Local Regulatory Requirements

- In its recent Resource Report 1, Table 1.6-1, Kinder Morgan identifies at least eleven (11) state or federal permits, licenses, approvals, or certificates required for construction, operation or maintenance of the NED project in New Hampshire.
- New Hampshire Site Evaluation Committee, RSA 162-H, relative to siting energy facilities.
- Clean Water Act 401 Water Quality Certificate
- NH Dredge and Fill Permit (NH RSA 482-A, Dredge & Fill in Wetlands)
- Shoreland Permit (NH RSA 483-B, Shoreland Protection Act (applies to oceans, rivers, lakes & large ponds).
- National Pollution Elimination System "Construction General Permit". (US Clean Water Act)
- NH Department of Environmental Services "Air Emissions Permit"
- State Species Consultations with NH Fish & Game and NH Department of Resources and Economic Development.
- Historic Preservation Act review with NH Division of Historical Resources.
- Large Groundwater Withdrawal Permit (NH-DES Watershed Management Bureau)
- Surface Water Use Registration (NH-DES Watershed Management Bureau)
- Alteration of Terrain (NH-DES)
- NH-DOT Driveway Permit (not included on Kinder Morgan's list)

All these permits are important and are mandated by existing statutes.

We request FERC require the project applicant to address the following:

- Complete all state regulatory requirements that Kinder Morgan itself has identified in Resource Report 1, by making approval (if any) contingent on its adhering to the regulatory requirements that it has

identified.

- Follow all zoning ordinances and a site plan review requirements in any impacted NH town. It is through zoning ordinances, subdivision regulations, and site plan review, that the people of New Hampshire govern land use at the local level. Each of these towns have a master plan setting out the vision of land use in their town, and over the years each town has crafted ordinances consistent with their master plan.
- By way of additional specifics, require the applicant follow all town aquifer protection ordinances, wetlands protection ordinances, and/or stormwater management ordinances, either built into their zoning ordinances or as stand-alone ordinances. Some town ordinances include regulation of nuisance, noise and outdoor lighting, which we request also be followed.
- Compliance with any town excavation ordinances.
- We ask FERC to discourage the use of Federal preemption to avoid the state regulatory scheme, and to demand that Tennessee disclose which, if any, of the permits and processes it listed in Resource Report 1, Table 1.6-1 that it believes may be preempted by Federal law.

Local ordinances typically represent many years of hard work by dedicated volunteers who care deeply about where they live. Zoning ordinances must be enacted by majority vote at a Town Meeting or by ballot on an election day. The zoning ordinance is a direct reflection of the will of the people as to what their town should look like, what quality of life means to the voters, how the people believe the land should be used.

Blasting and excavation ordinances are enacted for the safety of the community and to ensure that construction or industrial activities do not obliterate the quiet enjoyment of neighboring properties or the towns in general.

Now one knows better than the residents of a community what kind of law and regulation is needed to preserve and enhance the values of that community. Respect for local ordinances equals respect for the people of the community.

A spreadsheet is attached, which summarizes the New Hampshire regulatory process, the administering agency, and the statutory authorization for each.

Easement Language

We are concerned that, if approved, the proposed pipeline could, in the future, not be needed to transport dry natural gas and would then be available for the transportation of other liquids. Some such liquids could be hazardous. In order to protect the impacted NH communities,

We request FERC require the project applicant to:

- Include language in any and all easements within NH that strictly limits the easement for the use of “dry natural gas” in the pipeline.

Emergency Response - During Construction and Operations

Many of the NH communities that the pipeline would cross have fire and ambulance departments that are served solely by volunteer, “on call” individuals. Comments for the sections on “Emergency Response” were collected from meetings with area fire chiefs and emergency coordinators.

We request FERC require the project applicant to fully address the following questions:

- What is your emergency response plan? When will we receive a copy of it?
- Will Kinder Morgan be installing an Active (CO₂) or a passive fire suppression system?
- Will Kinder Morgan Install gas leak detectors at the Compression station if one is installed in the town?
- Will KM provide and pay for initial and ongoing Training for all first responders (police, fire, ambulance, emergency management and highway)? How often will training take place? Is there a point at

which training would end? If so, what is that point?

- Will Kinder Morgan supply emergency responding personnel with Pipeline Safety Education to the level of Technician? Training in accordance to meet or exceed OSHA 1910.120.
- Will KM provide Trench Rescue and Confined Space rescue training for all personnel along the pipeline corridor? Is there a maximum number of personnel that KM will train or will all currently employed and/or volunteer workers be trained?
- What kind of special protective gear is needed for first responders at an incident? Please list any and all specific equipment. Will Kinder Morgan provide and maintain it or replace if damaged, as long as it is needed?
- How many personnel will respond from Kinder Morgan in case of an incident?
- What security monitoring will be implemented during the construction along the length of the pipeline (alarms, fences, manpower, cameras, and patrols)? How many systems? Who will monitor them? Where will tapes and images be kept? How long will they be kept? Who will assess them? Will information be available to all departments?
- What access will the Emergency Responder's have to the pipeline and compression stations? Will they have access 24 hours a day seven days a week? If not, how will access be conducted and by whom? Who will be the immediate contact?
- Will Kinder Morgan provide an A TV or like vehicle for access to the pipeline by emergency responders? Will we have keys to unlock newly installed gates or other restrictions at the Eversource r-o-w and Kinder Morgan r-o-w to have emergency access?
- Will evacuation routes be maintained during construction?
- How often will meetings with compressor pipeline operator or designee be held?
- How often will KM supply a detailed site plan?
- Will Kinder Morgan provide Medical equipment for a mass casualty incident?
- 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)?
- How is the lack of 24 hour police coverage going to be addressed in those communities that do not have it?
- Many fire department and EMS services are "on call" departments with minimal manpower during the daytime. How will this be addressed to ensure sufficient personnel are available in the event of a significant weekday emergency?
- Will Kinder Morgan maintain road access to the compression stations 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? Who will be contacting the state departments in case of an incident?
- Where is the closest service field representative located? What is their response time to any individual town?
- What are the plans for a wide spread emergency affecting more than one town at the same time?
- Where does funding come from to reimburse for emergency response (including alarm activations 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?
- How are warning systems activated? What is the time lapse for activation?

- With both the primary and secondary Emergency Shelters being within the hot zone in case of an incident, what will Kinder Morgan do to mitigate the situation and relocate the shelter out of the hot zone.

Emergency Plans - Contingencies

We are concerned about streets that would be cut-off from emergency services in the event of a pipeline incident. They may be dead-end streets that are bisected by the pipeline or streets that are located on the other side of the pipeline from fire, ambulance or police stations.

While the probabilities of an event may be small, it is critical that we plan for the worst.

We request FERC require the project applicant to:

- Develop plans with the emergency services departments of any NH town with roads that could be cut-off from responding emergency vehicles in the event of a pipeline-related incident. The Plan in each town will detail how residents will be reached and evacuated in the event of such an incident where the existing road to them is impassable.

Decommissioning

We request FERC require the project applicant to answer the following:

- What is the time frame for the use of the pipeline and what is the process of decommissioning the pipeline.
- What are the phases of decommissioning the pipeline and the time frame for each phase?
- What are the long-term environmental emergencies for the decommissioning of the pipeline?
- What happens to the pipeline and all equipment following the decommissioning?
- What type of security will be required (bond or deposit) for decommissioning?

We have serious concerns about the proposed project and expect FERC to ensure all of the above concerns and requests are fully addressed by the applicant.

Sincerely,

James O'Mara
Town Administrator
Amherst

Tad Putney
Town Administrator
Brookline

Susan Silverman
Board of Selectmen
Fitzwilliam

Kelley Collins
Town Administrator
Greenville

Wendy Juchnevics-Freeman
Pipeline Task Force
New Ipswich

Mark Bender
Town Administrator
Milford

John Boccalini
Pipeline Task Force
Richmond

Roberta Oeser
Board of Selectmen
Rindge

Gail Cromwell
Board of Selectmen
Temple

Troy Brown
Town Administrator
Litchfield

Tom Matson
Board of Selectmen
Troy

Charlie Moser
Board of Selectmen
Mason

Brian McCarthy
Town Administrator
Pelham

Christopher Steadman
NHMPC Representative
Winchester

cc: Governor Maggie Hassan
Senator Jeanne Shaheen
Senator Kelly Ayotte
Representative Ann McLane Kuster
Representative Frank Guinta

NH Municipal Pipeline Coalition

Written Scoping Submission - State Permit Summary

{ 4 page table, landscape orientation, omitted, but full letter can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14016099> }

{ end of 20151016-5231 }

20151016-5238

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

October 16, 2015

Re: Tennessee Gas Pipeline Company, LLC
Docket No. PF14-22-000
Northeast Energy Direct Project

Dear Secretary Bose,

Below are the comments I wish to submit to the FERC Commissioners:

In May of last year I stood up at the first Pipeline meeting in Pepperell and spoke about MY shareholders, those that I answer to - my children. Pepperell was on the “preferred path” at that time, and the pipe was passing within about 100 feet of my kids bedroom windows. We were in the “Incineration Zone”.

FERC Commissioners, I will tell you, once the pipeline comes into your life, there is no peace. Gone are nights of restful sleep. Gone is free relaxation time. Gone is the sense of happiness and wellbeing. My spouse and I would pass each other during the night, taking turns reading documents online. Midnight, 2am, 4am. We were run down, and burnt out. Our kids paid the price, and continue to - free time doesn't go to them, it goes to the second job known as STOP THE PIPELINE.

My husband and I try to assure our children that they are “safe”. But how to do that when we don't feel safe? Our feeling of safety was removed last January when Kinder Morgan came to our door and informed us that they were going to put a pipeline through our yard. How do we feel safe when helicopters fly repeatedly over our property?

I have attended meetings where others speak about proposed paths that lead up to their houses. They don't feel safe. How can they? They don't feel safe about what will happen to their water when drilling impacts aquifers. In New Ipswich NH a Compressor station is planned near a school. To any logical mind, this seems criminal. I work at a school, and the safety of children is of the utmost importance. Why subject them, purposefully, to hazards of impure air and water?

FERC Commissioners hear me: You have no right to authorize the use of eminent domain by a \$100 Billion dollar corporation to forcibly build a pipeline through the home and land of any citizen and ratepayer. Especially when the need is not justified, and case for need is cleverly manipulated to veil the real objective of this project: to enable the export of natural gas to markets overseas. The use of eminent domain on this pretext is reprehensible and violates every tenet upon which this country was founded.

You have a real leadership opportunity before you, The opportunity to demonstrate that your Commission, FERC, is indeed a regulatory body that is vigilant in safeguarding the interests of homeowners and families just like your own. Put down the rubber-stamp and take a close look at this project. As my daughter McKenna testified at the Dracut scoping session on August 11, 2015, with great power comes great responsibility. Take ownership of the responsibility before you and ultimately deny this application.

My children, and all children have the right to clean water and air in their future. Review the case for need carefully. They do not need to be burdened with debt for a project that is obsolete before construction, as it

ties us down to fossil fuel-based power generation of the past instead of renewable-based, sustainable generation of the future.

FERC Commissioners, I am raising my son to be a Boy Scout, teaching him about truth, dignity and honesty. As I drove him through along the roads of potentially impacted towns such as Townsend, Temple and New Ipswich, we passed beautiful areas. You need to know these areas and the people to know the collateral damage you are suggesting to impose for the “greater good”. Think carefully, and choose the right path. Make the right decision. One that is based on need, not greed.

Respectfully Submitted,

Denene Premus
43 Elm Street
Pepperell MA 01463

20151016-5240

Subject: Docket #PF14-22: page 1 of 2 Patricia Martin

Dear Ms. Bose,

I have learned so much during this last year! Just a few months ago, I’d never heard the expression, “Regulatory Capture.” I have put hours into writing comments for this docket, NH PUC dockets related to this project and testimony before legislative committees regarding our energy future. I’ve also written to all my elected representatives and letters to the newspapers about what a terrible idea this pipeline is for New Hampshire. In fact, I do not support any pipeline projects built at ELECTRIC ratepayer expense nor do I support this massive influx of fossil fuels into New England at a time when we should be transitioning away from them.

I would like to draw your attention once again to the unprecedented plans for financing this pipeline project. It is abundantly clear that the majority of the pipeline capacity will be used to expand the market for the LDCs supplying natural gas for thermal loads, yet the expense for building these pipelines rest squarely on the shoulders of electric ratepayers.

The NH PUC Staff issued a report on Docket IR 15-124 on September 15th. The purpose of the docket was to investigate high winter electricity prices and solicit proposals for addressing the problem. For most of the PUC staff, utility company executives and lawyers, and the pipeline companies there was only one answer; not enough pipeline capacity during the coldest winter days.

Instead of looking into the need for greater fuel diversity for our electricity suppliers, which could “uncouple” our electric supply from weather conditions and thermal load competition; docket participants simply “doubled down” on the amount of natural gas flowing into New England.

They, and apparently FERC too, are willing to commit consumers to a course of action that will last twenty years. And yet, very little discussion was had about what our electric grid might look like in 20 years or what might happen in terms of the impact environmental regulations or global demand will have on natural gas prices over even the next few years!

Below is the text of my comments to the NH PUC regarding the report issued by PUC Staff on IR15-124. I maintain that it is imprudent to use public funds intended to:

- 1.) Combat greenhouse gases and
 - 2.) Maintain a sustainable grid,
- as a means to transition from one fossil fuel to another.

In New England where we already generate 52% of our electricity from natural gas and generate less than 7% with oil and coal fired sources combined, natural gas is not a bridge fuel, but a gangplank.

Thank you for the opportunity to comment. My remarks to the NH PUC follow.

Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301

Response to Staff Report on IR15-124, dated September 15, 2015

Dear Ms. Howland,

Thank you for the opportunity to provide a response to the PUC Staff Report on IR15-124. As a consumer and active member of a town energy commission, I appreciate the chance to weigh in on the momentous decisions being made regarding our economic and energy future.

My comments are my own opinion. I represent no organization, company, lobbying group, party or special interest. While I belong to many energy related volunteer organizations and may reference published materials from such organizations; I do so without their endorsement.

1.) My first concern with the PUC Staff report is the discussion surrounding use of the Request For Proposal (RFP) process as described on pages 46 and 47 for EDCs contracting capacity.

“As long as a significant number of the New England EDCs are affiliated with the sponsors of one of the competing pipeline projects, we believe it will be difficult if not impossible for EDCs to make a convincing case that pipeline open seasons qualify as fair, open and transparent competitive processes. For this reason, we believe it is imperative that the states develop and post for comment an alternative competitive solicitation process (i.e., Request for Proposals (“RFP”)) much like the three southern New England states did when they developed a joint Clean Energy RFP.”

An RFP process that results in 20 year firm contracts for capacity on one or more of the pipeline projects is unlikely to result in competitive pricing or consumer protections over the long run. The competitiveness is confined to a single point in time at the beginning of the 20 year contract. As a consumer, it is incredibly distressing to know that companies like Liberty Utilities, which have a financial interest in pipeline construction and operation, are willing to allow electricity consumers to bear all the risk, while their shareholders will enjoy a steady revenue stream whether or not a single dekatherm is shipped to a power generator.

Moreover, the basis or evaluation criteria tied to the delivered price of gas is highly speculative by its very nature. Proposed pipeline buildouts to other States from the Marcellus Shale can, and likely will, create new upward pressure on gas prices. From page 47 of the report,

“Gas infrastructure projects, whether pipeline or LNG based, should be graded primarily on the basis of the delivered price of gas. This, however, raises the difficult question of how to determine in the context of an RFP the average price of gas at a specific receipt point over a 15- to 20-year contract term. While current market conditions may indicate some receipt points can access lower cost gas than others, those conditions are likely to change over time making such comparisons unreliable.” In summary, the RFP process is proposed not to protect ratepayers, but to give assurances to the EDCs that no one company will be given advantage over another.

2.) Who are the customers for this gas?

On page 41, the PUC Staff reports,

“In the event the states chose to go ahead with a region-wide solution and purchase pipeline capacity under long term contracts with EDCs, Unitil declined to directly answer the question of whether it would voluntarily agree to pay a portion of such capacity costs even if it were not required to contract for capacity. The most Unitil would say was that “it would seem feasible to allocate a share of net capacity costs from an EDC who does contract for pipeline capacity to an EDC that does not.” In contrast, Liberty Utilities states that it “would be willing to pay its portion of any region-wide solution that may be implemented provided such costs would be fully recoverable from all of its customers during the period Liberty is obligated to pay for such costs.” As an investor in the project, Liberty Utilities has nothing to lose here.

New England Power Generators Association, which represents 80% of the electricity suppliers/power generators in New England, opposes the plan to build pipelines at ratepayer expense as summarized in the report on page 39,

“NEPGA urges the Commission not to intervene in the competitive energy marketplace in support of out-of-market energy infrastructure initiatives that seek to subsidize interstate natural gas pipeline expansion projects and large-scale hydroelectric and wind energy purchases via the construction of high voltage transmission lines. NEPGA’s principal argument in support of its recommendation is that New England’s electricity and fuel supply markets are performing efficiently as evidenced by the significant investments being made in new power plants, the development of new pipelines, and the implementation of new and creative concepts to increase energy supplies, all without consumers bearing the risks associated with those investments. Undercutting those efforts through subsidized out-of-market initiatives could have significant unintended consequences for the power system and electricity consumers, according to NEPGA.”

With an entire utility and 80% of the intended customers for these pipeline projects resisting the plan, how will electric ratepayers recover costs?

Also, in an October 5th presentation at the NH Energy Summit, Attorney Anthony Buxton, representing the Coalition to Lower Energy Costs (CLEC), described the situation as follows,

New England produces 52% of its electricity with natural gas, using 1 bcf/day

Pipeline Capacity into New England = 3.6 bcf/day *Note

Thermal load on an average day in Winter is 3.4 bcf/day + 1 bcf/day electricity generation

Thermal load on a very cold day in Winter is 4.5 bcf/day + 1 bcf/day electricity generation

So, our Winter gas demand is between 4.4 to 5.5 bcf/day

*Note I don’t know if Attorney Buxton was including AIM and Atlantic Bridge in this number as the number I’ve seen for existing pipeline capacity is 3.4 bcf/day?

Attorney Buxton then asserted that the goal, after all the pipeline projects are built, is to commit 38 to 40% of that capacity to electricity generation.

If both the NED and Access Northeast pipelines are built, our capacity increases by 2.1 bcf/day (1.2 +.9) from 3.6 bcf/day to 5.7 bcf/day.

40% of 5.7 bcf/day is 2.28 bcf/day for electricity generation. Since New England produces over 50% of its electricity with 1 bcf/day of natural gas, the new pipeline capacity would bring New England to over 110% of its electricity production from natural gas. How is that possible...or desirable?

Moreover, 60% of 5.7 bcf/day is only 3.4 bcf/day. That is the amount currently available to LDCs during the winter when, as Attorney Buxton noted, they need 4.5 bcf/day on very cold days.

If the 500K Dekatherms that the LDCs have already contracted for on the NED reflect market growth, won’t the peak winter demand be 5 bcf/day; leaving only .7 bcf/day for electricity generators?

If instead, Attorney Buxton meant that 38 to 40% of new capacity would be used for electricity generation (40% of 2.1 bcf/day or .84 bcf/day) that would drop generation of electricity from natural gas to 42% of total.

If electricity generation will only use .84 bcf/day or 15% of total pipeline capacity, why are electric ratepayers being asked to underwrite expansion of the natural gas market?

3) Cost to ratepayers

From page 5 of the PUC Staff Report,

“(6) Based on these savings and cost estimates, Staff estimates the benefit to cost ratio for the Access Northeast project to be in the range of 1.3 to 2.0. Further, in order to allow such a cost-effective project to proceed, we estimate that the Commission would need to approve a distribution surcharge on all New Hampshire electricity consumers of about 4.8 mills per kWh. Revenues received from the release of the pipeline capacity to gas generators or to secondary market participants could result in a lower distribution

surcharge.”

And from page 6 of the PUC Staff Report,

“11) Based on the above savings and cost estimates, we estimate the benefit to cost ratio for the NED project to be in the range 5.25 to 7.0 not including the value of enhanced electric grid reliability and the investment cost to provide enhanced transportation services. Further, in order to allow such a cost-effective project to proceed, we estimate that the Commission would have to approve a distribution surcharge on all New Hampshire electricity consumers of about 3.3 mills per kWh. Revenues received from the release of the pipeline capacity to gas generators or to secondary market participants would further lower the distribution surcharge”

A little farther on into the Staff Report, on page 21,

“Based on a \$600 million levelized annual cost for the project and assuming only Eversource and National Grid EDCs choosing to enter contracts with project sponsors, New Hampshire’s Eversource affiliate Public Service Company of New Hampshire (PSNH) would be allocated 9% of the total capacity of the project at an annual cost of \$54 million.⁴¹ If this cost is recovered from all PSNH customers via a per kWh distribution surcharge, we estimate the surcharge would be about \$0.0068 per kWh or 6.8 mills per kWh. To put this surcharge in context, this is 106% higher than New Hampshire System Benefit Charge (SBC). However, we consider 6.8 mills per kWh to be a worst case outcome assuming of course the \$600 million annual cost estimate is reasonable. If all other EDCs in the region (including the region’s consumer-owned municipal and cooperative utilities) agreed to shoulder their load ratio shares of project costs, then the size of the surcharge could be reduced. However, because the Eversource and National Grid affiliated EDCs account for approximately 71% of all retail sales by EDCs in New England, the surcharge would not fall below 4.8 mills per kWh.”

On page 29 of the Staff Report,

“Based on a \$400 million levelized annual cost for the electric portion of the NED project and the assumption that only Eversource and National Grid EDCs choose to enter contracts with TGP, New Hampshire’s Eversource affiliate PSNH would be allocated 9% of the total capacity of the project at an annual cost of \$36.0 million.⁵⁹ If this cost is recovered from all PSNH customers via a per kWh distribution surcharge, we estimate the surcharge would be about \$0.0046 per kWh or 4.6 mills per kWh. For context, this is about 40% higher than the New Hampshire System Benefit Charge (SBC). If all other EDCs in the region (including the region’s consumer-owned municipal and cooperative utilities) agreed to shoulder their load ratio shares of project costs, we calculate the size of the distribution surcharge could be reduced to about 3.3 mills per kWh.”

Staff advocates for more pipelines on the basis that the more capacity we build, the lower prices will be. Again, this is highly speculative and, at this point, all we can assume are the costs. Based on the Staff Report,

Access Northeast charges will range from 4.8 to 6.8 mills per kWh

NED charges will range from 3.3 to 4.6 mills per kWh

If both projects are built, the combined cost will be 8.1 to 11.4 mills per kWh

The Systems Benefit Charge (SBC) is about 3.2 mills per kWh

Assume an average customer uses 500 kWh per month

Monthly SBC charge = 500 kWh * \$0.0032/kWh = \$1.60/month

Monthly Access Northeast charge = 500 kWh * \$0.0048/kWh = \$2.40 Minimum

Monthly NED charge = 500 kWh * \$0.0033/kWh = \$1.65 Minimum

The maximum charge for the two projects = 500 kWh * \$0.0114 = \$5.70 per month

Staff should solicit input from the utilities on how much energy efficiency and weatherization could be accomplished if we added a minimum of \$4.05 to the SBC charge on average bills instead of building pipelines.

Weatherization and energy efficiency return immediate value to ratepayers, is the “least cost” option for addressing high winter fuel costs, and reduces our carbon emissions with every MWh/BTU conserved.

The Governor, the RSAs and the experts all assert that energy efficiency should be the first fuel of choice. Since the utilities are also the gatekeepers for energy efficiency programs in New Hampshire, an energy efficiency solution must come through them in order to adequately fund the necessary research.

4) LNG Storage

At least three parties to the discussion (NEPGA, PLAN, and CLF) in IR15-124 maintain that LNG Storage and the issue of addressing a “Deliverability Problem” be considered as better solutions than building pipelines. Staff has dismissed such suggestions as unreliable and expensive.

LNG Storage is a normal and necessary element in a gas distribution system. In fact, generators operating “quick start” depend on them. This is evidenced by the marketing efforts of both Spectra and Kinder Morgan to attract generators with the Spectra “ERS” and Kinder Morgan “Power Serve” programs which allow generators to contract for storage.

On page 15, Staff reports,

“As noted, Access Northeast also includes new LNG storage facilities with a combined usable capacity of 6.0 Bcf, which when combined with liquefaction and vaporization equipment will deliver up to 0.4 Bcf/day of gas on peak winter days.”

Then there is this puzzling statement on page 20,

“Under the with Access Northeast scenario, ICF assumes the project will add 0.6 Bcf/day of incremental capacity comprising 0.5 Bcf/day of new pipeline capacity and 0.1 Bcf/day of LNG storage capacity.³⁶ The incremental capacity reduces January gas prices by about \$3/MMBtu on average, which together with even smaller average price reductions in other months translates to an annual average wholesale energy...” with the added note,

“³⁶ The assumed incremental LNG capacity is less than 0.4 Bcf/day because the stored LNG must be managed judiciously given that abnormal weather conditions can occur at any time during the coldest winter months. “

If the LNG storage facility has a capacity of 6 Bcf, it would take 15 days to fill it at .4 bcf/day. After the facility is filled, that .4 bcf/day should be released to the system. And, even if we reduce the allowed output from LNG Storage to .1 bcf/day, the total impact once the storage facility is full is to provide the full .9 bcf/day plus .1 bcf/day from storage when needed.

Excluding the .4 bcf/day used to serve LNG Storage from the total pipeline capacity feeding New England is illogical. A total of .9 bcf/day is being moved into the system; putting some of it into storage does not make it disappear.

If it is the case that ICF assumed only .6 bcf/day as the contribution from the Access Northeast pipeline proposal, then the study should be considered flawed and the models relatively useless.

5.) Fuel Diversity will suffer

Vermont Yankee, Brayton Point, and now Pilgrim Nuclear Power plants should all be considered casualties of a purportedly “least cost” strategy that will have negative impacts on consumer price protections and meeting carbon goals.

New England generates approximately 30% of its electricity with nuclear power. Nuclear power plants emit no carbon. The current rating from the EPA for NH is 918 pounds of CO₂/ MWh. The goal by 2030, according to the EPA's Clean Power Plan, is 771 pounds of CO₂/MWh. Perhaps, not so coincidentally, that is also the emission rate for the newest combined cycle natural gas plant design. Is the plan to convert every power generation source to natural gas by 2030? Please explain to the people what the strategy is here. Recent actions by the PUC, ISO-NE and state leadership seem to be in direct conflict with the goals of the NH 10 Year State Energy Strategy.

Replacing nuclear power plants and small hydro with natural gas fired plants will actually INCREASE our CO2 load by 771 pounds of CO2 for every MW replaced.

In my original comments, I noted that a lack of fuel diversity caused the spikes in winter prices. This remains true. As I mentioned, the evidence exists with Eversource actually having a profitable season because they had hydro and were able to burn coal and oil in their own plants. Eversource was not locked into contracts with independent generators for their default customers as the other utilities were.

And while fuel diversity clearly physically exists, only Eversource was able to take advantage of it during the winter of 2013-2014. Why was that?

There are clearly times when prices for LNG, oil, coal, wind and hydro are lower per MWh than natural gas. Why were alternate generators not ready to be dispatched when prices for natural gas reached levels that made them competitive? In testimony for IR 14-338, Briar Hydro complained about not being able to sell into the local grid during the pricing crisis in 2013-2014. The PUC refused to consider their complaint.

I cannot even pretend to understand the mechanisms of Forward Capacity Markets, the contracts and the auctions. I suspect only a few people do. The experts from NEPGA are among those people and they have advised against this reckless course of action regarding building pipelines at ratepayer expense. They have recommended the PUC to wait until ISO-NE's Pay For Performance rules kick in before saddling ratepayers with a tariff for pipelines.

Fossil fuels are prone to volatile pricing. New emphasis on the harmful climate effects of methane emissions in the production and transportation of natural gas will likely lead to higher prices at the wellhead for recovery equipment. The fossil fuel industry is in a slide and it's not coming back. Entire nations and many states are beginning to ban fracking. Given the global push to leave 80% of fossil fuels in the ground, isn't the PUC endorsing a welfare package for the fossil fuel industry that will leave New England ratepayers hostage to a dying industry for the next twenty years?

The latest EIA report shows that production at the Marcellus Shale is in decline because of fewer rigs being deployed. Is the PUC willing to bet that the trend will reverse before prices begin to climb? <http://www.eia.gov/petroleum/drilling/pdf/marcellus.pdf>

6. Regulatory Capture/Summary

One of my greatest concerns is that our state has taken the position that it makes sense to replace fossil fuel oil heating systems with fossil fuel natural gas systems. We not only encourage it in many energy strategy chapters for Master Plans across the state, we subsidize it with money intended to fight greenhouse gases in our atmosphere.

This needs to stop.

Since the bulk of the pipeline commitments will go to LDCs to support market growth, we will shortly find ourselves running out of capacity for electricity generation again. Only today I learned of PUC docket DG 15-442 wherein Liberty Utilities asks for franchises in several Cheshire County towns. While I suspect that this is merely a marketing ploy to try to garner support for the NED pipeline in those affected communities, I sincerely hope that Liberty will be required to thoroughly explain the investment required by homeowner to make such conversions.

The emphasis for the PUC should be on supporting the LDCs in reducing heating loads through weatherization programs so that they can direct the saved quantities to new customers.

As I explained in section 2 of this response, it is unclear how much of the proposed 2.1 bcf/day of additional pipeline capacity will benefit electric generators. So far, these projects are clearly of great benefit to some of the LDCs both in terms of growing their market at electric ratepayer expense and return on the investments they are making in the pipeline projects. The pipeline companies, of course, have nothing to risk with a captive customer base of ratepayers underwriting their investment and providing a steady revenue stream for the next twenty years.

Considering how the scrubber on the Merrimack coal plant went from \$250 Million to \$500 Million, the

costs to build these pipelines are probably underestimated. Based on the numbers provided by the PUC Staff Report, I explain in section 3 that at approximately \$5.00/month on the average electric bill, ratepayers will be on the hook for about \$1200 each over 20 years.

In section 2 I also explain that the intended customers for these pipeline projects are resistant to the very idea of this level of market interference and will not commit to purchasing gas through the EDCs.

Unfortunately, I have little hope that anything I say will change the outcome of the “pipeline story” in New England. The Office of Consumer Advocate litigator, Attorney Susan W. Chamberlin, will be gone as of November 5th. Even though the Residential Ratepayers Advisory Board voted not to reappoint OCA Chamberlin on July 27th, ratepayers only found out about it at the end of September. Her reputation is being attacked as “not understanding energy issues,” which is also designed to reinforce the notion that she is wrong in opposing the pipeline projects being funded at ratepayer expense. This is a huge blow to ratepayer interests. I feel it says everything that needs to be said about what is going on in New Hampshire.

The amounts of money spent on lawyers, advertising and lobbying by the energy companies in this state are stark in comparison with a state like Vermont. Front groups for the energy industry, masquerading as “consumer” or “ratepayer” representatives don’t even have to hide the fact that their leadership and funding come from companies like Kinder Morgan and their law firms. How can anyone come to any other conclusion than New England, and especially New Hampshire, is in a state of Regulatory Capture?

Upton Sinclair, author of “The Jungle” and “Oil!” is famously quoted,

“It is difficult to get a man to understand something, when his salary depends upon his not understanding it!”

My final recommendation is that PUC Staff request an interview with the New Hampshire Center for Public Policy Studies. Kinder Morgan originally contracted with them for a “benefit” study. That contract was terminated in April because the parties couldn’t come to an understanding. The fact that the PUC is relying so heavily on the ICF studies is of great concern, since ICF did not adequately take into account reductions in demand from energy efficiency nor the actual quantities of gas that will be added to the system, as noted in section 4 of this response.

Participating in this docket has been a wonderful learning experience for me as an engineer and as a consumer. Thank you for your consideration of my comments.

Sincerely,

Patricia A Martin
17 Farrar Road
Rindge, NH 03461
603-899-2894

20151016-5241

Frank Barrus, New Ipswich, NH.

I am writing concerning the compressor station coming to New Ipswich, NH. How will FERC ensure that the emissions coming from the combustion of gas, the planned or unplanned release of gas, or any other activity at the compressor station, does not in any way endanger the health of the residents, animals, or plants that border the site, or in the greater surrounding area? There are many documented cases of toxic gasses released from other compressor stations. How will this one be different, in order to ensure that no toxic chemicals or other poisonous materials are released into the air, or into the surrounding waterways? (streams, aquifers, wells, etc). The minimal government regulations for checking the safety appear to only include a tiny subset of the possible emissions, and are far too infrequent. Many of the toxins can have long-term health effects that are not immediately noticeable. So bringing this industrial complex and its toxins into our region is essentially contaminating the area and jeopardizing the health of all those around. A vast majority of the people living here chose this area for the clean safe air and water and tranquil non-

industrial surroundings. How will FERC ensure that if the compressor station is allowed to be sited here, the air and water are kept clean? If the public need for the NED Pipeline cannot be shown to outweigh the health risks, it should be denied.

20151016-5243

Rishi Kumar, Nassau, NY.

Fracking and transportation of fracked gas is a relatively new venture. We did not always understand as a society how dangerous oil operations were yet we forged ahead. We are now paying the price for that in terms of its negative effects on our environment. NYS and other states are putting more money and attention toward renewables like solar and wind. The process for approval of fracked gas projects and the transportation of that gas seems far too rushed when we are talking about a process we are just now learning more about through the increasing amounts of studies being done across the country. It is what we DO NOT still know that should be just as concerning to everyone involved. The negative outcomes of transporting fracked gas cannot be undone easily. We are once again learning that with the oil business. Some of the studies that have been done regarding fracked gas, transportation of it, and the construction and operation of compressor sites are showing possible effects on groundwater including water sources for livestock of which Nassau and surrounding towns rely upon for business and food sources, leaking of toxins into the air, neurological effects on residents close to compressor stations to name only a few. These are all things which cannot be undone. Approvals to Kinder Morgan or any other company for these types of projects set a precedent. The more approvals given, the easier it would seem to become. What is worse is that it seems as though all these large companies have to do is simply say they'll address any concern or issue. But I'm not seeing any strong evidence across the country where this is also occurring that they are ever really held accountable. Please stop setting the example that it is okay to continue fracking or transporting fracked gas when we are not clear on the long term outcomes of all of this. Just because natural gas is deemed safer than other fossil fuels does NOT mean it is SAFE! Please do not allow this to continue happening. These companies that are drilling for gas and moving it across the country really only seem to be looking at profit and staying in business. I understand that and I'm not suggesting we put people out of business. Sooner or later, they'll need to start diversifying as everyone else is beginning to do or at least consider doing. We need to continue to be cautious regarding the use of fossil fuels and their rapid negative effects on our environment. Please stop the speedy and what seems careless expansion of these projects. Nassau and its surrounding communities cannot survive this. Please do not approve the NED project through our state and our beautiful community.

Sincerely,

Rishi Kumar
Amanda Weller
Devi Kumar
Nassau, NY 12123

20151016-5244

David F Fleming, JR, Nassau, NY.

In addition to comments submitted previously by the Town of Nassau, the Town also endorses the comments prepared and submitted by the Berkshire Regional Planning Commission on October 15, 2015.

The Town would like to point out that several alternatives and issues of concern were addressed in our Natural Resources Committee report to FERC previously submitted and on file with the application. This comprehensive review includes impacts to be considered and mitigated. These impacts should be thoroughly reviewed. Thus far, in FERC comments, these items of concern have not been addressed or have not been directed to the applicants attention.

The alternative highway route (88, I-90, Mass Pike) should be comprehensively reviewed. FERC or the

applicant has expressed some concerns regarding deep valleys along this route but FERC nor the applicant has addressed the massive rock outcroppings and hollows with sensitive habitat within Rensselaer County and the Town of Nassau in particular. It is hypocritical to suggest addressing concerns in Massachusetts and ignoring the concerns of New York residents. It is also unacceptable to consider one Massachusetts city as the basis for rejection of such a route while ignoring the concerns and impacts in our community. Urban residents have no more rights in the process than rural residents in New York. Federal environmental and economic justice guidelines should not be ignored in this NED application.

Additionally, the position of the Town of Nassau remains clear. The location of an industrial compressor station in the Clarks Chapel/Burden Lake area of the Town of Nassau is unacceptable in total in that it violates zoning, development guidelines and puts an industrial facility in a residential area. The location of such a facility may be located in an industrial district of which we have provided alternatives. The Town firmly opposes the proposed violations of our zoning and the impacts to large numbers of families by pursuing such short-sighted proposals included in this application. Further, the areas of direct impacts to residences should be mitigated by any pipeline placement which appears to completely ignore the impacts on Town of Nassau residents by placing the pipeline adjacent to the homes.

There is no indication of public need for this project in Rensselaer County. We will receive no gas service and our residents will be required to accept all the risks. Documents submitted by the applicant point out that this gas product will be transported out of the country. Therefore, there is no Rensselaer County, New York public necessity with this application.

The Town would also like to point out that should any portion of this pipeline eventually be located in our community, the thickness of the pipeline, valve shutoffs and emergency training should be the same in our community as in any urban area. The lives of our residents are worth as much as those in other areas.

In conclusion, the previous comments and studies presented by the Town of Nassau need to be fully reviewed and addressed by the applicant and FERC before any planning continues. Mitigation of impacts on the communities unwillingly involved in this project should be implemented without delay.

David F. Fleming, Jr.
Town Supervisor
Town of Nassau

20151016-5247

Kathleen Gauvin, New Ipswich, NH.

We have been told that the quality of the pipe used in rural areas, "High Consequence Areas" is thinner than the thicker pipe used in city areas. Use of this lesser quality pipe needs to be studied. The movement and rupture of this area's pipeline during the freezing weather often below zero, the January thaws, the repeated below freezing temperatures of February will put huge stress on this pipeline. The structure of our rock makes it susceptible to jarring during earthquakes, though typically small in seismic measurement. This type of rock and its movement with a thinner "high consequence area" pipe is just enough to move pipeline and cause leaks.

The seepage of gas through any of these weakened areas will cause contamination to the soil and in turn to our private wells. We do not have a public water system. Many of our private wells are dug wells. What also happens to the farm stock, organic gardens, endangered species, and pets whose ground and water becomes polluted, never mind the people of all ages living in the area!

The stated use of herbicides along the pipeline route is also unacceptable. We all know the toxins that are contained in herbicides. The leaching of these toxins into the soil, then into water via aquifers, springs, wetlands, wells and reservoirs will additionally pollute our water supplies.

WE WILL NOT BE THE NEXT MINISINK!

20151016-5248

Jennifer Beck, Wilton, NH.

The re-routing of the proposed pipeline through NH wilderness, sparsely populated, pristine towns of retirees, young families and small farms is purely political. NH doesn't need the energy - we export energy. But you can see the rationale. Let's run the thing through a few quiet towns of a thousand or so people cause they can't scream as loud as major cities in Mass. So I can only appeal to my own federal government's ability to "do the right thing" for us. Our local reps have their own agenda. It's up to you to make this right. This is when state politics need to get shoved aside by the federal government who can look at the bigger picture. Please find a way to carve that pipe along highways, industrialized centers, noisy and lit up corridors where we've already scared off the wildlife and blotted out the stars. This is all about money. And NH is willing to pay the price to protect our blessed clean air, quiet woods and abundant wildlife. Double my energy costs. Happy to pay the fee. But the FERC needs to protect the few of us who can't swing political pressures. Before you make your decision, come walk the trail up one of our mountains and breathe deeply. Come stay at my house, a few miles from the proposed compressor station, sit on my back deck and watch the red-bellied woodpeckers feed their young. See the wild turkey flock march down the road and gather under the blue spruce for cracked corn. Slip through misty waters in my kayak one morning and watch the turtles sunning themselves, and the beavers building for winter fishing. Take a motorcycle ride up Temple Mtn where we felt so strongly about development, private citizens bought the old ski hill and returned it to the wild. Take a poll. Ask us if we're willing to pay higher prices for energy or do we want a pipeline. That's the real question, isn't it? It should be our choice. But no one but you can give us that choice. Just don't screw up the American communities that still think their children should play outside rather than be glued to a digital device. These Southern NH towns - villages really - still have pumpkin festivals and 4-H fairs where kids learn to care for their environment, where people start and run family-owned small businesses, where hard working retired citizens have sought out peace and clean air and water where we can still eat the fish we catch. Take your industry where we already have industry. I'm a research fellow, not a crazy tree-hugger. I know what this is really about. It's about our government institutions like the FERC that we must trust to balance long term vision with short term heart and reason. We're depending on you to preserve both our independence and our chosen way of life. Get out of Washington and leave the environmental impact studies, big energy company bullshit, and the politicians behind for a few days — and come visit us. See the reality of what this pipeline means to rural communities. Then return to the math and science and find another way.

Respectfully,

A Tax paying American

20151016-5249

Steve M Roberto, Northfield, MA.

Good morning,

My family lives in Northfield, MA. We are downhill & downwind of the proposed NED pipeline & Compressor Station. I am deeply concerned about this project not only from a health & safety standpoint, but also from a question of need. My comments are not meant to be complete since a very important document called for by the Mass. Attorney General, M. Healy, may likely demonstrate findings that do not support the need for additional Frak (not natural) gas thru New England & especially Northfield, expected to be released in October 2015.

As an important Federal review agency, please consider factual statements to this proposal from the hundreds of agencies & groups; hundreds of doctors with peer reviewed science; & the will of the people of Massachusetts & New Hampshire. I do not have the exact numbers but believe over 80 towns along the proposed pipeline path have passed resolutions against the TGP/NED/KM proposal.

Over 90% of affected & near affected landowners have refused survey rights to Kinder Morgan. What do we

as good citizens of New England know that may not be registering with this federal process?

It is my feeling that this company has done a horrible job presenting itself to our towns. We feel we have been treated as “collateral damage” in their equation. Despite gas companies many gag orders/attempts, we find volumes of information streaming to us from Pennsylvania & Virginia on the harmful affects of frak gas, exhaust, operation & maintenance, customer relations with land owners, sickness, illness, allergies & sudden deaths reported. None of this material is made up. It is real.

We matter. Please put the full weight of this fact onto the NED project review.

Regards,

Steve Roberto

20151016-5250

Andre Wood, Greenfield, NH.

The Northeast Energy Direct (NED) pipeline (PF14-22) proposal is clearly an attempt by an commercial entity (Kinder Morgan) to manipulate the FREC into overriding the local towns objections to the projects destruction of those town’s health & safety, environment, property values, and more.

The stated goals of “meet peak requirements in New England” do not agree with Kinder Morgan’s partner Liberty, a Canadian company, of desiring access to a shipping terminal, to allow export.

The State of New Hampshire, and especially the effected towns, get no benefit from this project, and bear the direct and tangible risks to their lives, their children’s lives, and their property values.

Additionally, the current easements that the project seems to want to use, are for the power lines, not for a gas pipeline and it’s imposed risks to the local environment.

I strongly recommend that you do not approve this proposal.

20151016-5251

Carole Osborn, Winsted, CT.

Dear FERC,

As a very concerned citizen, I agree with Jack Looney, attorney for CFE/Save the Sound, who said “There’s always alternative routes for gas pipelines but there’s no alternative to clean drinking water for the population in Hartford”.

Drinking water reservoirs need healthy lands around them to filter and protect the water our families use. Clear-cutting and digging a trench 90 feet wide, 5.5 feet deep, and 5.7 miles long through land that protects my drinking water and that of hundreds of thousands of my neighbors is a bad idea! Natural gas pipelines nationwide have suffered alarming failures that pollute water and soil, and put people at risk. Kinder Morgan should invest in renewables and stop wasting money on outdated fossil fuel infrastructure.

Sincerely yours,

Carole Osborn

20151016-5253

Elizabeth Gara, West Hartford, CT.

October 16, 2015

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

Re: FERC PF 14-22-000; Proposed Northeast Energy Direct (NED) Pipeline Project, Tennessee Gas Pipeline/Kinder Morgan

The **Connecticut Water Works Association, Inc. (CWWA)** is an association of private, municipal and regional public water supply utilities serving more than 500,000 customers, or population of about 21/2 million people, located throughout Connecticut. As purveyors of public water to customers and communities across the state, we consider the protection of public water supply sources to be of the utmost importance.

As such, we are interested and concerned regarding the gas pipeline expansion proposed on the watershed land of the Metropolitan District Commission. We are not going to comment on the merits of the specific proposal, but want to go on record to urge the Commission to be aware of and adhere to the Department of Public Health's permitting requirements pursuant to Connecticut General Statutes Sections 25-32 through 25-37 regarding any change in use on water company class I or II lands.

Under this statute, no water company shall sell, lease, assign or otherwise change the use of any watershed land without a permit from the Commission of Public Health which may only be granted if the applicant can demonstrate that, "...such change will not have a significant adverse impact upon the present and future purity and adequacy of the public drinking water supply..." Further, the statute allows the Commissioner to grant a permit, "... subject to any conditions or restrictions which the commission may deem necessary to maintain the purity and adequacy of the public water supply..." This review is done even on relatively minor projects proposed by water companies that relate to their own uses of the property and should be applied to any other proposed activities on such lands.

It is vitally important that these statutory provisions be considered before any change to the proposed use on the watershed land is allowed that might adversely impact the purity of the public water supply. We are also concerned about the possible use of eminent domain to take water company lands and/or bypass the Department of Public Health's legal requirements and would want to be sure that the environmental impact of the changes to the pipeline or any such project on water company lands be fully evaluated.

Very truly yours,

Elizabeth (Betsy) Gara
Executive Director
CWWA

20151016-5255

Frank Barrus, New Ipswich, NH.

I am writing concerning the sound impact of the compressor station coming to New Ipswich. How will FERC ensure that the sound coming from the compressor station and its turbines, as well as the occasional planned or unplanned release of gas (blow downs), does not have a negative impact on the quality of life in the surrounding area, or an impact on wildlife?

The limits I've heard of 55dB at the fenceline are nowhere near acceptable for a quiet rural area like New Ipswich and the neighboring town of Temple. That may be barely considered by some standard to be "quiet" in an urban or even suburban area, near factories, highways, and other loud continuous sources of industrial noise. But New Ipswich doesn't have those noise sources. To be clear, there isn't even a highway here, so there are no constant highway sounds, and rarely any car sounds at all. at night. In quiet peaceful New Ipswich, especially at night, the background noise can be down near the 20dB range outdoors when the silence is not broken by the pleasant rural sounds of spring peepers, rustling leaves, a gentle breeze, or a babbling brook. This is especially true in winter. This is something not experienced by people living in urban, suburban, or industrialized areas. It's not even experienced in rural areas that have highways nearby. But it's something rare and beautiful we have in this region, and it's very important to the people here and those who visit, but the compressor station takes that away.

This new compressor station will be running 24x7, making a constant industrial noise through the night. It may not be loud enough to interrupt outdoor conversations away from the site, but it's not what people visit the Monadnock region to hear, and it's certainly not what people living here came to hear all day and night. A point source of 55dB can drop in intensity fairly rapidly, but something as loud as a compressor

station, which only gets down to 55dB by the wide perimeter of the fenceline around the property, will carry for great distances with much less attenuation. Trees and the hilly landscape can certainly help reduce the sound in some directions, but there are also line of sight views, and thus non-blocked sounds, from many currently quiet and peaceful hiking trails and outdoor areas, including parts of the Wapack Trail and Kidder Mountain Trail.

Even if other sounds are louder, the distinct difference in frequencies and pattern from an industrial noise will stand out against the normal rural ambient sounds, as an undesirable disturbance. For those closer to the site, such as the Temple Elementary School, this could even have an effect on the learning of the children there, if they're constantly exposed to industrial background noise outside, and sometimes the extremely loud and interruptive/distracting/disturbing sounds from blowdowns .

The sound from this compressor station has no place in rural southern NH, and certainly not in New Ipswich or Temple. This is effectively destroying the way of life that most people came to this region for. How will FERC ensure that if the compressor station is allowed to be sited here, the sound levels are kept significantly lower than the 55dB level at the fenceline? It should be well below 30dB at all audible frequencies by the time it reaches any surrounding properties, and even that will be noticeable during quiet nights or in winter, when it is not only more quiet here, but the leaves are down.

If the public need for the NED Pipeline cannot be proven to outweigh this impact on the quality of life in this region it should be denied.

20151016-5261

Roy Pincus, Lynnfield, MA.

To the members of FERC:

I call your attention to the article in the below link which points out how Massachusetts electric customers would be the ones footing the bill for this pipeline.

<http://www.ecori.org/renewable-energy/2015/10/8/consumers-to-pay-for-more-miles-of-massachusetts-pipeline>

This would just be adding insult to injury. Not only do the citizens of Massachusetts not want this pipeline, to ask us to have to pay for it would be the ultimate slap in the face. We don't want it, we don't need it, and we certainly should not have to pay for it. This is flat out wrong!

Thank you for your attention.

Sincerely,

Roy Pincus

20151016-5262

Richard J Goettle, IV, Fitzwilliam, NH.

The New Hampshire Public Utility Commission (NH-PUC) recently approved a 20-year agreement between Kinder Morgan's (KM's) Tennessee Gas Pipeline (TGP) Company, LLC and Liberty Utilities-EnergyNorth Natural Gas Company in which Kinder Morgan has an indirect interest (NH-PUC DG14-380 Order No. 25,822). This settlement affirms delivery of 115,000 dekatherms per day (dth/d) from the Northeast Energy Direct (NED) Project pipeline to Dracut, MA for distribution to New Hampshire southeastern and central customers. Of the 115,000 dth/d, 50,000 dth/d is replacement gas in the TGP network and 65,000 dth/d is new gas. The 65,000 dth/d is only 10-15% of New Hampshire's highest annual consumption amounts in selected years over the past decade. It is irresponsible to subject southwestern and southcentral New Hampshire to the many burdens the NED Project imposes for an incremental gas supply that could be provided more efficiently, economically and environmentally sound through existing (e.g., Distrigas' LNG facility in Everett, MA) and other newly proposed (e.g. Spectra Energy's AIM, Access Northeast and Atlantic Bridge Projects) pathways. Please deny KM's NED Project application as in the interest of neither the nation, the

New England region, nor the states within it, especially, New Hampshire.

20151016-5263

State of Connecticut
House of Representatives
Hartford, Connecticut 06106-1591

REPRESENTATIVE JOHN HAMPTON
SIXTEENTH ASSEMBLY DISTRICT
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October 16, 2015

Tennessee Gas Pipeline Company Kimberly D. Bose,
Secretary Federal Energy Regulatory Commission
888 First Street, NE, Room IA
Washington, DC 20426

Testimony of State Representative John Hampton, 16th District

Re: Proposed Northeast Energy Direct Project, Tennessee Gas Pipeline L.L.C/ Kinder Morgan (FERC Docket No. PF14-22-000)

I submit this testimony in strong opposition to the Tennessee Gas/Kinder Morgan proposal to install a natural gas pipeline through the Class I and Class II watershed land owned by the Metropolitan District Commission (MDC). A gas pipeline installation on this land has the potential to impact a high quality drinking water source and the Farmington River. I believe allowing for the installation of this pipeline through this environmentally sensitive area would undermine some of the protections Connecticut has put forth to protect these precious natural resources and clean drinking water.

As I understand it, 25-32 of the general statutes requires a change of use permit from the CT Department of Public Health for these types of projects. The existing gas pipeline and easement on the Metropolitan District Commission (MDC) property existed before this statute was adopted. This proposal to install new pipeline and enlarge the permanent right-of-way, is inconsistent with the intent of CGS 25-32.

Allowing for an exception to this statute would set a dangerous precedent and open the door for other future encroachments on water supply land. In the past, Connecticut has set high standards for protecting environmentally sensitive habitats, natural resources and clean drinking water. We must use caution and extreme care whenever we make important decisions on these types of projects. Once we allow a company to break ground and encroach upon such habitats such as the Farmington River Valley there is no going back. All potential negative consequences must strongly be considered.

As a solution, I strongly encourage that Tennessee Gas/Kinder Morgan be required to consider and submit all alternative and less invasive paths for this pipeline other than the route that goes through MDC land, which has Class I and II watershed land.

Thank you again for the opportunity to submit testimony here today on behalf of my constituents, residents of the Farmington Valley and the State of Connecticut regarding this very important environmental, public health and quality of life issue.

Respectfully submitted,

John K. Hampton

20151016-5268

Frank Barrus, New Ipswich, NH.

How is it morally and ethically acceptable to approve a project that effectively forces this pipeline and compressor station and all the associated destruction, health hazards, and risks upon a series of towns and an entire region, and its people? Those towns and people have all spoken out against it and made it clear they do not want it nor need it, and have nothing to gain from it, but much to lose, including their health, safety, and quality of life. That should be enough to clearly say “NO”.

If FERC is truly a government regulatory agency with the best interests of the people in mind, it will deny the NED project. Otherwise, it will be clear that corporate interests and profits have prevailed in influencing the decision.

20151016-5269

David F Fleming, JR, Nassau, NY.

The **Town of Nassau Natural Resource Committee** submits the following Scoping Comments for the Northeast Energy Direct Pipeline Project as supplements to previously filed comments dated August 28, 2015.

Alternative Routing: An additional alternative routing segment for the Market Path section that provides a link between the proposed Market Path alignment and the I-90 alternative alignment is identified in the map figure 1 below. This alignment would deviate south from the Market Path alignment at approximate Mile Post 33.8 in the Town of Schodack, NY, and follow the National Grid electric transmission line right-of-way southerly for approximately 2.6 miles to the transmission line’s intersection with the Interstate Route 90 corridor in the Town of Schodack. This route variation would then follow the I-90 alternative route easterly into Massachusetts. The Town of Nassau Natural Resource Committee requests that this routing variation be addressed in the analysis of alternative routing in the Environmental Impact Statement for the NED Project.

Water Resources and Aquifer Protection: In earlier comments, the Town of Nassau Natural Resource Committee indicated that the Environmental Report consideration of groundwater and aquifers did not identify resources identified by the Town of Nassau in local plans and land use regulations. Figure 2 provided below indicates the location of designated groundwater and aquifer protection areas and buffer areas in relation to the proposed NED Project corridor. This resource protection area and associated local regulations should be addressed in the Environmental Impact Statement for the NED Project.

Figure 1 – Alternate Route to link Market Path to I-90 Alternate

Figure 2 – Town of Nassau NY Aquifer Protection areas along Market Path route

20151016-5270

South Central Connecticut Regional Water Authority

90 Sargent Drive, New Haven, Connecticut 06511-5966

<http://www.rwater.com>

Telephone: (203) 401-6720

Fax: (203) 624-6129

E-Mail: lbingaman@rwater.com

Larry L. Bingaman

President and Chief Executive Officer

October 16, 2015

Ms. Kimberly D. Rose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE, Room 1A

Washington, DC 20426

Re: Proposed Northeast Energy Direct Project, Tennessee Gas Pipeline L.L.C/Kinder Morgan
(FERC Docket No. PF14-22-000)

Dear Ms. Bose:

The South Central Connecticut Regional Water Authority (RWA) is a non-profit, public corporation and political subdivision of the state. Our mission is to provide our customers with high quality water at a reasonable cost while promoting the preservation of watershed land and aquifers. We provide approximately 45 million gallons of water per day to some 430,000 consumers in 15 communities in our region. The source of this water is a system of watershed and aquifer areas that cover about 120 square miles within 24 municipalities. Much of our 27,000 acres of land is managed for watershed protection, timber resource conservation, wildlife habitat, open space, education, and research.

The RWA has been alerted to the NED Tennessee Gas/Kinder Morgan pipeline proposal that is expected to cross Metropolitan District (MDC) property in West Hartford and Bloomfield. The proposal calls for the pipeline to cross Class I and Class II public water supply watershed land. The Connecticut Department of Public Health (DPH) classifies Class I and Class II lands as being on the watershed of a public drinking water supply reservoir. The class designation is in place to protect the quality and adequacy of Connecticut's public drinking water supplies.

While the proposal does not directly impact the RWA's land, we are concerned about the precedent that might be set if this proposal is approved by FERC. First, we understand that the current project may not fit within an existing right-of-way easement. If this is the case, it would require an enlargement of the easement which is a transfer of interest in real estate. Any such transfers are subject to permitting by the DPH per CGS 25-32. Second, any change in use of that land is also subject to review and permitting by the DPH.

The RWA wants to be sure that any and all such projects that affect Class I and Class II water company lands in Connecticut are duly and fully reviewed, and approved if warranted, by the DPH. The loss of control over public drinking water supply watershed land and the actual disturbance that such a project would entail are issues that concern us. The protection of the public water supply is our highest priority.

Sincerely,

Larry L. Bingaman
President & Chief Executive Officer

20151016-5273

Tyler W Seppala, Rindge, NH.
Docket PF14-22

Tyler Seppala
37 Delton, Drive
Rindge, NH 03461

I'm a landowner that currently has this pipeline proposed to go through my property and here is some of the concerns I have with this route.

1.) FERC should look at all the New England pipeline proposals collectively instead of looking at each project individually. Other pipeline proposals that are not "Greenfield" projects like the NED project should be considered before this project. The deceptive concept of co-location that the applicant likes to spew couldn't be further from the truth as the pipe isn't proposed to be installed in the existing utility corridors and instead involves major deforestation and a whole new corridor being built. If all these projects are approved New England is going to receive a glut of gas that could never be used domestically. Even the NED Pipeline capacity alone has more capacity than New England will ever use. How much gas does Kinder Morgan anticipate either going to Atlantic Canadian customers and for export?

2.) Maps of my specific property do not show my home or my neighbors. The maps Kinder Morgan has submitted also has an incorrect road name for our road. When can we expect updated maps? This would be helpful in truly seeing the extent of the damages being proposed for our properties. I would like a detailed map of my home showing the extent of the construction zone with dimensions so we can see how close to the septic system, our underground drainage pipes and our well this occurs or goes through.

- 3.) If ledge is encountered we would like to request that no blasting is done as our homes are so close. We would request instead that a cut and chisel approach is used to prevent damage to our wells, foundations and septic systems. Please describe methods for installing the pipe if ledge is found behind our properties and what mitigation plans they have in place for homes less than 200' away.
- 4.) What efforts are being made by the applicant to mitigate the deforestation of maple trees that are being cleared per the current route behind our homes on Delton Drive and the land owned by our neighbors on the other side of the Tarbell Wetland complex where the pipe is proposed to cross? Currently there is a couple hundred maple trees tapped for syrup on our properties in the Delton Drive Area and this construction project is threatening to destroy a good number of them. How does the applicant intend to minimize this and how is compensation addressed for this loss of future revenue? As of now the applicant has refused to address any of these issues with us landowners.
- 5.) Some of us landowners will be losing every tree we own in between our homes and the existing utility corridors which were left up as a buffer. As our homes will now be exposed to these wide open powerline corridors what effects will this now have on our homes in regards to increased heating and cooling costs on all homes where this will occur? We would like a study done to calculate added heating fuel costs to heat our homes and added electrical costs to cool our homes as we will be exposed out in the open with no buffer tree protections anymore.
- 6.) Please explain what the plan is for re-planting of new "Adult" trees to replace the removed ones outside of the permanent easement. We would like a detailed plan on what trees will be removed and the reforestation plan to replace them.
- 7.) We would like a detailed emergency evacuation plan for Delton Drive since our cul-de-sac is being crossed by the NED pipeline leaving our subdivision with no secondary means of egress. Why hasn't Kinder Morgan taken steps to avoid crossing our cul-de-sac?
- 8.) We would like to know how we will get paid for the damages caused to our private road? Who makes sure we are paid for damages caused to our road? After looking at the practices of this applicant it looks like this will definitely be a problem.
- 9.) What construction methods will be used to cross Delton Drive? This road cannot be shut down as again we have no secondary mean of egress. We want to confirm that no "Open Cut Road Crossing" methods will be considered to cross Delton Drive. We cannot accept this method with a pavement patch on our soon be paved road as an acceptable fix. We request that the crossing of our private road be avoided at all costs and if we are refused this request that the pipe be installed underneath the road utilizing a drilling technique.
- 10.) We have (2) utility corridors behind our home. The spacing between the two sets of lines is approximately 170 lineal feet which is separated by a buffer zone of trees. Why isn't the pipeline being proposed to go in between the (2) corridors where it impacts the least amount of people? This seems to be the most ideal spot but Kinder Morgan has ignored every plea we have made in regards to this. Our home is situated between MP 20.2 and 21.2 but this condition occurs along many miles. We currently have hundreds of feet in easements on our property and they want to install the pipeline in virgin land instead of using this current easement which has plenty of space.
- 11.) The pipeline crosses the Tarbell Wetland Complex right behind our homes. This area consists of Tarbell Brook and a vast complex area of wetlands which is part of the Millers River Watershed. The Wetlands is also a Stratified Drift Aquifer supplying many of our homes with drinking water. What steps were taken by the applicant to avoid going straight through this vital water source? I don't believe it has been avoided at all and going straight through aquifers should be avoided at all costs.
- 12.) How often and for how long will Kinder Morgan be required to test our private wells? The before and after testing for the blasting of ledge is not enough. The potential of leaks into the aquifer should make testing mandatory by the applicant on an annual or bi-annual basis for the entire lifecycle of this pipeline at a minimum.

- 13.) If the pipe leaks and releases natural gas into this aquifer how big of an area could be affected and how many people's drinking water will be affected? How would Kinder Morgan compensate or mitigate for such a release?
- 14.) What construction technique will be used to install the pipeline over this waterbody? Horizontal drilling should be the only technique considered in lieu of "Dry Crossing" techniques that would have serious environmental impacts to this area.
- 15.) Dry Crossing techniques would seriously impact the wetlands ability to work properly as construction equipment will compact the soil and the construction equipment has the potential to leak fluids into the aquifer. The loss of habitat/vegetation and soil disruption would be immense as the pipeline is currently slated to go through the widest part of this waterbody.
- 16.) KM should explain the mitigation measures for the riparian buffer zones that will be removed on both side of this waterbody. As of now they will be totally clear-cut and removed. What steps have the applicant taken to avoid this? What will be done to replace them? What measure will be taken to stop erosion from running into the wetlands after these are removed?
- 17.) We would like a study done on what endangered and threatened species call this waterbody home. Blanding's Turtles for one have been found in other locations in Rindge and there is a very high chance they are also located in this waterbody.

20151016-5274

Mass Audubon

Protecting the Nature of Massachusetts

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October 16, 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. PF14-22-000, Northeast Energy Direct Project and Docket No. CP14-529-000 Connecticut Expansion Project

Dear Secretary Bose:

The following comments are submitted in response to FERC's June 30, 2015 Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the planned Northeast Energy Direct Project (NED) and the September 3, 2015 Supplemental Notice extending the comment period until October 16, 2015. Mass Audubon appreciates FERC responding to requests for an extension of the comment deadline. These comments are also being submitted pursuant to Docket No. CP14-529-000, the Connecticut Expansion Project (CEP). It appears that these two projects are parts of a single program to increase gas supply from Tennessee Gas Pipeline Company (TGP) (a subsidiary of Kinder Morgan) into New England. We request that FERC consider comments regarding potential improper segmentation of review of these projects.

Mass Audubon has submitted comments to FERC previously under these dockets (Docket PF14-22-000: October 6, 2014, January 15, 2015, July 22, 2015, and September 10, 2015; Docket CP14-529-000: September 4, 2014, November 7, 2014, and April 10, 2015). We request that the following comments be considered in addition to previously filed comments.

Mass Audubon is a directly affected landowner, as the proposed NED project corridor crosses four parcels it holds for conservation purposes in Plainfield (Municipal Map/Block/Lot #s 19/0/1, 20/0/3, 25/0/3, and

20/0/1). Numerous other lands held by public and private entities for permanent conservation purposes will also be impacted, along with extensive areas of sensitive land and water resources. Mass Audubon also played a direct role in assisting the Massachusetts Department of Conservation and Recreation in protecting lands at Otis State Forest around Lower Spectacle Pond that are proposed to be impacted by the CEP.

The Scope of review for these projects should be thorough and complete, including:

- evaluation of the need for increased gas transmission capacity in the region;
- alternatives to meet energy needs while minimizing environmental impacts;
- analysis of the full life-cycle greenhouse gas (GHG) impacts of gas production and transmission through the proposed pipelines and associated equipment, and burning by the end users;
- site-specific evaluation of impacts to land and water resources;
- evaluation of alternatives to avoid impacts to protected private and public conservation lands, sensitive habitats on lands under any ownership, farmlands, wetlands and water resources, and other impacts to environmental and public health and well-being;
- detailed site-specific mitigation plans for any unavoidable impacts;
- compensation for unavoidable impacts to conservation lands, including protection of specific lands of equal or greater conservation value; and
- plans and commitments for ongoing monitoring and maintenance including habitat-based vegetation management and invasive species control on a continuing basis for the life of the project

All information should be presented on maps as well as in narrative form that is easily found and understood by the reader based on each specific affected location.

The EIS should fully employ use of all reasonably reliable available sources of information such as Mass-GIS datalayers and the UMass Conservation Assessment and Prioritization System.[1] Analysis of impacts and mitigation should also be based on actual site-specific conditions, not generic procedures e.g. standard procedures for crossing all types of wetlands or streams.

Project Need and Alternatives

The need for alternatives to the project must be more fully and objectively analyzed, before any further steps are taken toward proceeding with this massive, expensive, and environmentally destructive project. This should include consideration of the study that Massachusetts Attorney General Maura Healey has commissioned on electricity reliability needs in the New England region through 2030 and the options for meeting those needs. This study, conducted by the Analysis Group and Raab Associates, will fill a pressing need for analysis of the costs and benefits of various alternatives including energy efficiency, demand response, renewables, natural gas, and oil. The study is expected to be completed this fall. It is vitally important from both an economic and environmental perspective to consider the results of this study before advancing environmental review of the proposed gas transmission infrastructure being proposed in the NED project as well as the Algonquin/Spectra Access Northeast Project.

Through the *Massachusetts Global Warming Solutions Act of 2008*, the Massachusetts legislature and Executive Branch set ambitious targets for reductions of GHG emissions by 25 percent by 2020 and 80 percent by 2050. This law and the *Massachusetts Green Communities Act* have catalyzed rapid progress in energy efficiency and development of renewable energysources, both of which are making important contributions to our economy and environmental health. For the past four consecutive years, Massachusetts ranked 1st in the nation in American Council for an Energy-Efficient Economy's scorecard of the states.[2] Meanwhile, a recent report indicates that as a result of the Regional Greenhouse Gas Initiative (RGGI), in which Massachusetts participates, nine states in New England and the Mid-Atlantic region have gained \$1.3 billion in economic benefits and saved electric ratepayers \$460 million while reducing carbon emissions by 15 percent.[3] The clean energy economy (renewables and energy efficiency) in Massachusetts has added more than 28,000 jobs since 2010 and is now a \$10 billion industry sector.[4] The NED project is incompatible

with national, regional, and state policies and goals for GHG reductions, and comes with enormous, long term, avoidable environmental and economic consequences. Major new pipelines increasing our dependence on natural gas will make it more difficult, not less, to meet GHG reduction goals over both the short and longer term. Life-cycle emissions from gas often exceed that of other fossil fuels they replace, while also causing other major environmental impacts that can be avoided through greater emphasis on energy efficiency and renewables.[5] Furthermore, if gas is exported through the proposed pipeline, the purported energy price benefits to consumers in New England will most likely evaporate, since gas prices are much higher in global markets.

Project Scope and Impacts; Segmentation of NED and Connecticut Expansion

TGP has recently announced significant changes to the NED project, including the elimination of several laterals and the reduction of the diameter of the main line from 36” to 30”. While these may somewhat reduce the environmental impacts of the project, those impacts remain at an unprecedented scale. Meanwhile, it also is proposing the Connecticut Expansion project, which is directly connected with components of the NED project. A federal court ruling last year (*Delaware Riverkeeper Network v. FERC*, 753 F.3d 1304 (D.C. Cir. 2014)) found that FERC may not segment review under the National Environmental Policy Act 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.”

The Final Environmental Impact Report (FEIR) filed with the Massachusetts Environmental Policy Act office this year on the Connecticut Expansion project contains contradictory statements claiming on the one hand that it is a stand-alone project serving only three specific customers in Connecticut, but then also stating:

The northeast, including Massachusetts and Connecticut, has the “highest natural gas prices” and price volatility in the United States because of a significant lack of pipeline capacity. The rise in natural gas prices experienced in the New England region over the past two winters “suggest a natural gas delivery system that is stretched significantly” and is inadequate to meet the growing demand in the New England region; gas prices in New England are the highest in the United States. MADOER’s Low Demand Study/ Report dated January 7, 2015 acknowledged that the Northeast’s natural gas infrastructure is stressed during peak winter periods and that there is insufficient natural gas capacity for the electricity sector which has contributed to high prices.

(Purpose and Need Statement, CEP FEIR, March, 2014)

Setting aside for the moment the fact that we believe that this statement exaggerates the extent and impact of any short term gas “shortages” and price spikes, it is clear that the company sees the CEP as part of its larger scheme to increase gas transmission capacity to the region.

Conservation Lands Impacted

More than one hundred parcels of “permanently protected” lands conserved by public and private entities will be impacted by this project. Massachusetts has a long history of thoughtful land and water conservation based on scientifically-based priorities. This carefully constructed matrix of protected lands encompasses 25 percent of the state. These lands are protected by Article 97 of the State Constitution and/or are held in public trust by charitable land trusts. It is ironic that a private, out-of-state company now views these areas as convenient for the construction of energy infrastructure at an unprecedented scale. 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.[6] The Massachusetts Supreme Judicial Court has also recognized that lands held in conservation use by charitable trusts support a wide range of public benefits.[7] Before any further consideration of impacts to valuable conservation lands is considered, alternative means of meeting state and regional energy needs must be considered.

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.

The construction, operation, and maintenance of a gas pipeline and associated structures including compressor stations on or adjacent to conservation lands will clearly impact the natural, scenic, historic, and aesthetic values of those lands, and interfere with the public's enjoyment of associated natural resources.

The conversion of lands held for permanent conservation purposes under Article 97 of the State Constitution and/or public charitable trust provisions is a serious matter that must only be considered in unusual circumstances where there is a clear showing of a lack of alternatives to address an important public interest. In this case, both the need for the pipeline and potential alternative alignments must be analyzed in relation to each specific conservation parcel impacted.

Mass Audubon acquired and holds land at West Mountain Wildlife Sanctuary in Plainfield for conservation purposes. The proposed gas pipeline project is not compatible with our mission as a charitable trust of protecting and maintaining natural habitats for the benefit of people and wildlife. Nor is it consistent with our commitment to Mass Audubon's supporters and the many generous individuals who donate land or interests in land with the expectation that the natural characteristics of the land will be permanently protected.

The specific areas at West Mountain Wildlife Sanctuary in question contain mature, diverse forests with complex structural habitat features. The area also is characterized by steep topographic relief with exposed ledges and boulders as well as groundwater seeps and other microhabitat features. Blasting would be required. The forest habitat and supporting geology of the proposed pipeline corridor would be permanently and irreparably altered and degraded by the project. Even portions of the corridor termed "temporary" impact by the company would result in removal of the mature forest which would require more than a century to recover, if at all. Soil erosion and sedimentation, and alterations of ground and surface water flow patterns, water quality impacts, and temperature changes will occur even with the company's proposed environmental construction and restoration practices. Disturbed areas are also highly vulnerable to the spread of invasive species, the control of which is a costly and long-term endeavor.

Each parcel of land impacted by the proposed project, whether under public or private ownership, has its own unique attributes which must be carefully and separately considered.

Failure to Use Publicly Available Resource Data in Draft Resource Reports

Massachusetts has an extensive, advanced land use and environmental database with information publicly available through MassGIS. Mass Audubon met with representatives of Kinder Morgan/TGP as early as April 28, 2014, and communicated to the company at that time about the wealth of natural resources data available that could assist in analyzing impacts of the proposed project and how to minimize those impacts. We also attended other meetings in 2014 with company representatives hosted by state agencies, and are aware of several communications from agencies and other environmental groups to the company informing them of these resources and how to utilize them. This information was not in fact employed as it could and should have been in the Resource Reports. Datalayers are available including BioMap2 and Priority Habitat maps documenting the most ecologically sensitive locations in the state, along with associated information explaining each of the features in those maps including the natural communities and species associated with them. The failure to utilize the available, scientifically-based resource information is a deficiency resulting in incomplete and superficial analysis of the potential significant impacts of the project.

Mass Audubon respectfully requests that FERC require, through its scoping and review of these projects, that best available data be utilized in preparing the EIS. We are also concerned that much of the information presented to date regarding proposed construction methods and follow-up monitoring and maintenance are generic in nature and not tailored to each specific site and the associated resources located there. The EIS should address each specific location, not generic resource categories.

Protection of the Environment to Massachusetts Standards

Massachusetts has long been a leader in environmental protection. Its citizens are fortunate to have an environment protected by state laws including but not limited to the Massachusetts Wetlands Protection Act, Massachusetts Endangered Species Act, and Global Warming Solutions Act. The EIS should evaluate each element of the project in relation to state as well as federal standards, and the state standards should be upheld to the fullest extent possible. While we understand that interstate gas pipelines may be subject to federal preemption, this authority should be exercised in a limited manner and only when and where it is essential for an overriding public interest. Many other corporations operate on a regular basis in full compliance with these rules, and we expect the same from energy companies.

Sincerely,

Gary R. Clayton
Acting President

Cc: Energy Facilities Siting Board
MA Department of Public Utilities
Attorney General Maura Healey
MA Energy and Environmental Affairs Secretary Mathew Beaton
Senate President Stanley Rosenberg
Representative Stephen Kulik

Footnotes:

- 1 UMass, Amherst, A Natural Resources Assessment of the Tennessee Gas Pipeline Company's Proposed Northeast Energy Direct Project's Pipeline Route Within Massachusetts, 2015.
- 2 <http://aceee.org/files/pdf/state-sheet/massachusetts.pdf>
- 3 The Analysis Group, The Economic Impacts of the Regional Greenhouse Gas Initiative on Nine Northeast and Mid-Atlantic States - Review of RGGI's Second Three-Year Compliance Period (2012-2014), 2015.
- 4 Massachusetts Clean Energy Center, 2014 Massachusetts Clean Energy Industry Report.
- 5 http://www.ucsusa.org/clean_energy/our-energy-choices/coal-and-other-fossil-fuels/environmental-impacts-of-natural-gas.html#.Va-DhvIViko
- 6 www.tpl.org/return-investment-parks-and-open-space-massachusetts
- 7 New England Forestry Foundation, Inc. vs. Board of Assessors of Hawley 468 Mass. 138, <http://masscases.com/cases/sjc/468/468mass138.html>

20151016-5276

Office of the
CONSERVATION COMMISSION
Town of Townsend,
272 Main Street
Townsend, Massachusetts 01469
978-597-1700, ext. 1739
978-597-1722 fax
conservation@townsend.ma.us

October 16, 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
Statement read by Commissioner Veronica Kell at the FERC Scoping Meeting, Lunenburg HS,

August 12, 2015 with additional comments

Dear Secretary Bose:

The Townsend Conservation Commission stands in opposition to the proposed Northeast Energy Direct pipeline, and we very much appreciate this opportunity to share our concerns about the proposed project. We look to you, the Federal Energy Regulatory Commission, because in these scoping meetings you are charged with assessing the effects of this pipeline on the environment. We look to you to require that Kinder Morgan quantify the impact of this pipeline on our natural resources and ask you to weigh them against its benefits. We believe the facts will lead you to conclude that the benefits are dwarfed by the negative environmental impacts.

We were disappointed that FERC held only one additional scoping meeting, despite the numerous requests of the public for additional scoping meetings after Kinder Morgan delayed the release of their updated Reports. Yet when Kinder Morgan filed their reports on July 24th, a month late, they were allowed the extra time. The public interest should not suffer because of the applicant's delay. The people of the Commonwealth need to see that FERC responds to them, not just to the gas companies.

Furthermore, how do the people and communities impacted by this pipeline, and their elected and appointed representatives, formulate constructive comments when the Resource Reports available provided little information? Conservation Commissions in Massachusetts are charged with the responsibility of open space and natural resource protection in our communities, and they, as well as other local boards, hold hearings on applications on a regular basis. They require a complete application before they hear it and before they expect the public to listen and comment. They do not hear applications with only "To Be Determined" for required information. How can a resident comment on "To Be Determined"? The scoping meetings should not have been scheduled with incomplete reports and the public shouldn't be expected to read voluminous reports released immediately prior to the few remaining meetings.

The people whose property this pipeline may cross do not stand to benefit from it, but they certainly stand to lose. The people of Townsend have spent many years and fought many political battles to protect their natural resources and drinking water supply. The battle is fought every day by conservation minded people who are willing to risk friendships and face the criticism of neighbors in order to preserve those resources for future generations. Townsend's Conservation Commission has been in existence for almost 50 years, and during that time bylaws, rules, regulations and protective designations were fought for and won. We are home to an Area of Critical Environmental Concern, our waters are Outstanding Resource Waters and Cold Water Fisheries, we now have TWO large state Wildlife Management Areas, a state park, TWO state forests and a 290 acre woodland purchased with the help of the state. We have the Squannacook River Sanctuary Act that protects within 300 feet of the banks of the Squannacook River and its tributaries and prohibits any new discharge into the river. To protect our drinking water supply we have Aquifer and Groundwater Protection Overlay Districts. We are home to significant Priority Habitat for endangered species and BioMap2 Core Habitat and Critical Natural Landscape, including interior forest. A Wild and Scenic Study Committee has been established to determine whether the Squannacook River from its headwaters at Ash Swamp would qualify as a federally designated Wild and Scenic River. It is an impressive list of environmental protections. Kinder Morgan'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. Please consider the impact of blasting through ledge on our public and private wells if this pipeline is constructed. Consider the impact of opening up interior forest on the species that require it for survival, and the increase of water temperature on our Cold Water streams from cutting trees and removing the canopy. 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? Consider the impact of sediment when putting this pipeline through and under our streams and through our wetlands. Consider the impact from the loss of riparian buffers that generations have worked long and hard to protect, and taxpayers have paid

handsomely to protect..

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, and 20% is over the High Yield Aquifer. Twenty-five percent (25%) is in DEP Water Supply Zone II. One hundred percent (100%) of the proposed pipeline route is in the Squannassit Area of Critical Environmental Concern! Fifty-two percent (52%) of it is located in the Priority Habitat of the Massachusetts Endangered Species Act. Eleven percent (11%) traverses through intact forest cores. A substantial portion of the pipeline path is through Article 97 protected open space. It would cross five of the six streams that form the headwaters of the Squannacook River, thereby heavily, and hopefully not fatally, impacting the future of the river's Wild and Scenic Designation. All five of those streams are Outstanding Resource Waters and Cold Water Fisheries. Please analyze and quantify the long term effect that the pipeline will have on these resources, and explain how these effects will be mitigated by Kinder Morgan.

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? All of this adds up to a community that has cared about its environment for a long time, and has been willing to put in long, hard hours to protect it and to stand up to those who would threaten it. We are but one small town of only 9,000 people, but we do not want to see either a 30" pipeline or a 12" lateral cross through these precious resources. We do not believe that this pipeline is for the public necessity and convenience. We believe it is for Kinder Morgan's necessity and convenience.

Why do we think so? Consider just a few of the headlines of recent articles concerning the Marcellus shale play in Pennsylvania:

Two large pipeline projects aimed at alleviating a glut of natural gas coming from the Marcellus shale moved ahead in the federal permitting process this week. (Pittsburgh Tribune-Review, 9/25/15)

Task force to plot ways of easing gas glut in Pennsylvania via pipelines. (Pittsburgh Tribune-Review, 5/27/15)

The industry is planning to build thousands of miles of pipelines to transport shale gas to markets. A glut of gas and limited pipelines to get the commodity to markets where it is needed have combined to depress prices. (Pittsburgh Tribune-Review, 7/8/15)

America's Biggest Shale Gas Field Is Choking on Its Own Supply (BloombergBusiness, 10/14/15)

Clearly the driving force is economic, but only for the gas industry. If there is insufficient demand locally to increase prices and make drilling profitable, find other markets and pipe it elsewhere to reduce supply. Consequently there are FIVE new proposed pipeline projects for the New England area. The volume of gas those pipelines can carry speak to the fact that the final market is export. Local demand a few days a year for natural gas at peak times cannot account for the billions of cubic feet proposed to enter this region. FERC must avoid segmented review and over-building. We join with many of our colleagues in Massachusetts and New Hampshire who have requested that all of the proposed pipeline proposals be combined into one single regional Environmental Impact Statement and one coordinated FERC process.

Kinder Morgan fails to address the no-action alternatives for the proposed laterals. Please require Kinder Morgan to provide specific information on the contract commitments for the proposed Fitchburg lateral. Please also require them to quantify the contribution to supply that would result from fixing natural gas pipeline leaks throughout the distribution system.

Townsend held a Special Town Meeting in July 2014 and unanimously opposed the pipeline. Our residents have long recognized what they have, and they 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, pro-

tect captive customers and avoid unnecessary environmental and community impacts while serving increasing demands for natural gas.” In determining whether to issue a Certificate, please consider other existing supply options, as they will by definition have less impact on the environment.

We ask the Commission to give serious consideration to all of the testimony received at the scoping meetings before determining that there is an overriding need for additional gas pipeline infrastructure in Massachusetts. The overwhelming public consensus is that FERC will listen, but there is no point to disputing the Northeast Energy Direct project because FERC will still rubber stamp it. There is no point in arguing that we urgently need an energy policy that focuses on renewables and conservation, and not more fossil fuels. There is no point in saying that until that policy is in place, why allow this albatross to be constructed? Please prove the disenchanting wrong.

Sincerely,

Townsend Conservation Commission

Cc: Senator Edward Markey

Senator Elizabeth Warren

Representative Niki Tsongas

Governor Charles D. Baker

Lt. Governor Karyn E. Polito

Attorney General Maura Healey

Matthew Beaton, MA Secretary of Energy and Environmental Affairs

MA Senate President Stanley Rosenberg

MA State Senator Jennifer Flanagan

MA State Representative Sheila Harrington

Townsend Board of Selectmen

20151016-5277

Perry Hayden, Lynnfield, MA.

Northeast Energy Direct Docket #PF14-22

Previously we thought of Kinder Morgan as a large company that would do the right thing to create a balance between business needs, community needs and the environment. At this time when we review the proposed plans for the gas pipeline, the environmental upheaval that would take place, the potential of endangerment to precious natural resources - both land and water - we are not sure Kinder Morgan is thinking of anything but getting their product to market. After viewing the documentary film, “Mass Extinction: Life at the Brink” produced by Sarah Holt with collaboration from Stanford University scientist Jonathan Payne, PhD - recently screened at the Museum of Science in Boston - we have come to realize that humans are thinking of their own current needs and not the sustainability of the planet as a whole. Will this pipeline project speed up extinction? It will certainly speed up the destruction of conservation lands and green spaces to keep its path clear. It can damage the infrastructure of the earth which carries precious potable water to an area far greater than the immediate area of the Ipswich River watershed. Water is a resource that is already under strict conservation in this area. In Lynnfield a main water source is town wells. We do not want to have further limitations as suffered in the Western part of the country and around various nuclear power plants when contaminated water is accidentally released into rivers or streams. What will be the toxic toll on humans to maintain the vegetation in the pipeline corridor at a low level? Why does business want to make a new path where one already exists? Just because the pipeline will carry more volume it does not mean there will be more customers. Should this be built so gas can be exported at some point in the future? Does the end result justify the cost to the people, land and waterways in its path? Why should the costs of the pipeline be shouldered by consumers as an added charge on their electric bill?

We are opposed to this project being built in neighborhoods, near water resources, near conservation lands. We must care for the earth - there are no duplicates. We have also looked at the materials Kinder Morgan

has developed for this project. The materials promote jobs and lower energy costs as huge benefits which are true, but at the expense of something which cannot be replaced if something goes wrong.

George and Perry Hayden

20151016-5278

The Town of Nassau Natural Resource Committee submits the following Scoping Comments for the North-east Energy Direct Pipeline Project as supplements to previously filed comments dated August 28, 2015.

Alternative Routing: An additional alternative routing segment for the Market Path section that provides a link between the proposed Market Path alignment and the I-90 alternative alignment is identified in the map figure below. This alignment would deviate south from the Market Path alignment at approximate Mile Post 33.8 in the Town of Schodack, NY, and follow the National Grid electric transmission line right-of-way southerly for approximately 2.6 miles to the transmission line's intersection with the Interstate Route 90 corridor in the Town of Schodack. This route variation would then follow the I-90 alternative route easterly into Massachusetts.

The Town of Nassau Natural Resource Committee requests that this routing variation be addressed in the analysis of alternative routing in the Environmental Impact Statement for the NED Project.

{map omitted}

Water Resources and Aquifer Protection: In earlier comments, the Town of Nassau Natural Resource Committee indicated that the Environmental Report consideration of groundwater and aquifers did not identify resources identified by the Town of Nassau in local plans and land use regulations. The figure provided below indicates the location of designated groundwater and aquifer protection areas and buffer areas in relation to the proposed NED Project corridor.

{map omitted}

20151016-5282

richard szmauz, New Ipswich, NH.

A the scoping period ends for NED I would encourage you to carefully consider other alternative routes for this project, such as the Mass Pike route, which would keep NED in the state that would actually able to use and need the natural gas, as well as other energy supply proects. NH will get little to no benefit from NED, while KM/TGP will be able to use this transmission line to export gas, using our land by eminent domain for corporate gain in a large way. The % used by the only NH agreement is NOT enough to allow this project to devastate the Monadnock Region.

KM indicated part of reasoning for moving NED's route to NH was to avoid conservation land, when in fact according to tallies by The Monadnock Conservancy, using NHGrant data (which does not even include 1/2 mile of "private" conservation land directly impacted in New Ipswich not included in their list) that of the 71 miles of NED in NH, 8.3 miles are directly through conservation land, which is over 10% of route. Also of severe concern is the impact on wells and aquifers, especially considering the levels of naturally occurring arsenic that WILL be disturbed in NH. (The Granite State)Others have commented on this at scoping sessions.

On another note regarding the compressor station slated for New Ipswich. I have grave concerns regarding emissions at this "industrial infrastructure" and cannot understand why a town that will not even be able to use any of the gas processed here would have to bear the brunt of this unwanted plant. New federal guidelines for individual burning devices in the home limit particulate matter emissions to 4.5 grams/hour. Compressor stations emitting tons of PM per year translates to hundred to thousands of grams per hour of PM emissions. Why allow this double standard in a town NOT EVEN ABLE TO ACCESS ANY GAS???

KM is using the "ruse" of colocation with hi voltage lines for this project, when we know much greenfield land is ABSOLUTELY required, even in many places where the ONLY existing tree buffer will be ELIMI-

NATED, (all by eminent domain) MAKE THEM USE THE ELECTRICITY AVAILABLE TO RUN ELECTRIC COMPRESSORS, NOT GAS FIRED -thereby eliminating continuous toxic emissions, if this project is approved, which it should not be.

OTHER pipelines and energy projects are already in the works that would supply all future need for 20 years or so. PLEASE CONSIDER ALL AREA PROJECTS AS A WHOLE and do not allow overbuilding of ratepayer funded infrastructure that will soon be overbuild and possibly abandoned, at the expense of our environment and rights as citizens to NOT have our land taken by eminent domain for unnecessary projects and corporate gain.

Richard Szmauz, Jessica Anne Cormier, Eric Cormier,
New Ipswich, NH

In short NED should not be allowed in NH! Please say no build.

20151016-5287

Michael L Locke, Merrimack, NH.

As a resident of MMK community, we know there is no need for the Morgan/TGP's Northeast Energy Direct transmission gas pipeline. So that No need = No Certificate of Public Convenience and Necessary. We are very concerned about the safety of our water supply so near to our home as well as the safety if there is an issue. Thanks.

20151016-5288

Frances Riggs, New Ipswich, NH.
October 16, 2015

Dear Secretary Bose,

I have heard and read , FERC has heard and read so much of the documented evidence that a pipeline through New Hampshire and a compressor station in New Ipswich will lead to health issues for people who live nearby as well as those farther away by air contamination and possible water contamination. I urge you to care. I urge you to go beyond your connection to the big gas companies and stand up for the rights of the thousands of people who will be adversely affected if the pipeline goes through.

Sincerely,

Frances Riggs
201 Temple Road
New Ipswich, NH 03071

20151016-5293

Mark Getty, Pelham, NH.

Let it be part of this record that I do not want this pipeline anywhere near my property. This is a dangerous project that benefits others at my expense and without any respect for my interests.

The home that I have worked to build for over 20 years is about to be maimed by the Northeast Energy Direct project and its principals Tennessee Gas Pipeline and Kinder Morgan. My property, located in Pelham, New Hampshire has an existing easement with the electric company which runs right through it. The NED project intends to route the pipeline within or adjacent to this easement and in doing so threatens my property. It is difficult to see my interests set aside for what is said to be a greater public interest. It is even more difficult to see that my interests aren't recognized at all by TGP, KM or the FERC. I recently attended a Kinder Morgan open house in Salem, New Hampshire. There I learned that neither I nor my neighbors who have that same easement through their properties are listed as abutters to the project. How can claims that the impact to abutters is minimized along the planned route if the number and identity of the actual abutters is not known?

I am an abutter and I'd like my interests and concerns to be known, respected, and accommodated. I am concerned about the safety of the project and the short and long term threat to the aquifer that is my water supply.

The proposed pipeline is meant to move high volume of gas from the shale fields of Pennsylvania to eastern Massachusetts for coastal distribution and export. Once the pipe is buried nature will persistently act on it and wear it away. The ultimate failure of the pipe is an inevitable matter of time. Representatives of TGP and KM have assured me that they monitor their pipelines and that they do not leak. They claim to have a great safety record but their actual record tells another story. There have been many incidents of pipes failing due to corrosion that then resulted in spectacular explosive events.

<http://nhpipelineawareness.org/wp-content/uploads/2014/05/Kinder-Morgan-Accidents.pdf>

I don't want to have to live with the prospect that my home and my family might simply blow up one day and if I have to move away to avoid that I would have to sell a home severely devalued by the pipeline. The pipeline route should revert back to the original planned path along already existing pipelines in Massachusetts so as to minimize the propagation of the explosive threat in northern New England.

The NED project represents a threat to my household water supply during the construction of the pipeline. The necessary blasting to cut through granite will fracture my well bore and cause iron and other mineral deposits to leach into the water making it unfit to drink or to clean cloths and causing damage to household plumbing and fixtures. We have experienced this in the past with adjacent residential construction. The scale of the pipeline project will have a far greater impact. Should my water supply be damaged by the project it would be up to me to privately pursue the recovery of damages within the legal system. TGP and KM should be compelled to address their potential impact to any and all water wells within one thousand feet of the construction route. They should identify all such wells. Baseline water quality should be measured before and after the construction by an independent third party and TGP and KM should be compelled to remediate any impact.

Proponents of the NED project point to gas as a cheap clean alternative energy source. A substantial portion of the cost of gas must be the cost of building the pipeline that would bring the gas from the shale fields to the consumer. If the gas is so inherently cheap to produce then there should be enough room in the pricing of the gas to cover the cost and maintenance of the pipeline. The NED project proposes to shift this cost away from the project. The cost will be borne by electric rate payers in the form of a surcharge. This is very unfair for those of us that will never be gas consumers. This is misleading and misrepresents the cost/benefits of natural gas distribution. The price of gas should be clarified to include the cost of the pipeline. That cost should be borne by gas rate payers and not electric rate payers. In anticipation of gas rate payers, Kinder Morgan should be able to capitalize the project on its own without subsidy. If and when the pipeline is built and customers become piped in and captive then the gas companies will be free to charge whatever is needed to recover the cost of construction.

It is unlikely that I my household would ever benefit from gas service at our door. If a pump off point were established in town then the town would still have to pay to build street to street distribution. The cost would be a million dollars a mile to be funded through local taxation. Then the homeowners would bear the cost to bring gas from the street to the building and to convert their heating systems to gas. If, and it is a big if, any of this were to occur we won't have saved anything at all. We will have paid dearly.

Live free...

Mark Getty

20151016-5295

Frances Riggs, New Ipswich, NH.
10/16/2015

Dear Secretary Bose,

As an abutter to the proposed NED Pipeline and Compressor Station in New Ipswich NH., it is a deep concern to me (a US citizen), that you show an understanding of the huge ramifications a 40,000 hp compressor station would have on the surrounding neighborhoods and environment. Please follow your moral compass when making your decision for all those who would be affected if this pipeline and compressor station were to be granted permission to proceed.

Sincerely,

Frances Riggs
201 Temple Road
New Ipswich, NH 03071

20151016-5296

Jeffrey Daniels, West Hartford, CT.

Hi.

As a resident of West Hartford, CT I am quite familiar with the site of a proposed ROW to install this gas pipeline. This is a near-pristine piece of property, protected on behalf of the public for both water supply purposes, and low-impact recreation.

It is a regional treasure. It is also worth noting that some 35 years ago, there were efforts to build a large interstate circumferential, called I-291, across the same route proposed now. After many hearings, and a major groundswell from the public, this proposed interstate was totally scrapped.

The people of this region have a proud history of choosing protection of our valuable natural resources, and being opposed to short-term economic and financial gains in the name of energy.

As Teddy Roosevelt opined some 110 years ago, it is the job of all of us, including government, to protect our natural environment, not for me, not for you, but for our future generations and all of the people of this country.

Please reject permission to build this pipeline through the MDC property.

Jeffrey Daniels

20151016-5298

Diane K Hewitt, Groton, MA.

October 16, 2015

Kimberly Bose, Secretary
Federal Energy Regulatory Commission
Washington, DC

Dear Ms. Bose,

Major projects, such as the NED Pipeline, inevitably, produce unintended consequences. I would like FERC to study the impact of taking public lands by eminent domain on future conservation land donations and purchases. New England has a long history of land conservation that spans several centuries and includes the founding of the Audubon Society and the Appalachian Mountain Club, among others. Most of the protected lands in New England are the result of private landowner donations and voter-approved town purchases. A significant portion of New Hampshire and Massachusetts land has been preserved and protected forever. Or so we thought!

Now we learn that a private company, using a public utility loophole, plans to take public and private land for a pipeline, which based on its size, far exceeds that amount of natural gas needed in New England and, leads to the obvious conclusion that most of the gas is intended for export. As we all know, exported gas sells for much more, hence, greater profits. This is Eminent Domain for Corporate Gain. There are several other natural gas options that can address the region's needs without such a massive overbuild that requires

that taking of hundreds of public spaces and thousands of homeowners property.

My specific concern is that this taking of public lands will negatively impact future land conservation efforts if citizens know that the lands they donate or vote to spend their tax dollars on may not, in fact, be protecting and conserving the land, but may only be “holding” it for some future utility to come in and take at will for their profits. Has this concern been taken into consideration? This is a very important regional matter, as unlike the west where there are huge tracts held by the federal government, most protected land in New England is the result of the accumulation of thousands of smaller donations and purchases. The taking of conservation lands given or purchased in good faith is not only contrary to the New England character, but it also violates Commonwealth of Massachusetts state constitution. (Kinder-Morgan representatives have told Massachusetts state representative Sheila Harrington that they would abide by Article 97 of the Mass. constitution that only allows non-conservation use of these lands with a 2/3 majority of the state House of Representatives and the State Senate. Will you hold them to their word on this?) What will happen to future NE conservation land acquisition efforts as a result of this policy?

In a related matter, I would also ask FERC to consider if Kinder-Morgan will be fairly compensating private landowners and towns. Kinder-Morgan’s absurd claim that the pipeline will not negatively impact property values cannot be accepted at face value. (Given two identical houses, one with a massive pipeline and one without, which would you choose?) Kinder-Morgan’s taking of “Easements” across public and private lands means that private landowners are stuck to bear the tax liability on property they can neither build nor plant on in perpetuity! Additionally, taking private land for commercial purposes is in violation of the New Hampshire state constitution.

How can this be fair? Combined with Kinder-Morgan’s practice of minimally compensating landowners, this is truly adding “insult to injury” as whatever meager compensation the land owner receives, it will more than all be eaten up paying property tax for Kinder-Morgan’s easement land leaving the landowner to continually lose money paying taxes on land he cannot use. Kinder-Morgan should be required to consider all of these factors as well as environmental impacts when determining fair market compensation to private landowners.

Lastly, I would like to raise concerns about the lack of due process afforded citizens throughout the FERC process. The FERC created timeline gives citizens a one year window to submit comments and concerns for a submitted application. Due to the fact that FERC decided to accept the woefully incomplete NED in spite of the fact that it contained over 23,000 “TBDs”. (Is there any minimum standards at FERC for what constitutes a legitimate application with regard to the number of TBDs contained?) How can a rational person be expected to respond to such an incomplete application in a responsible way? To date, there are still over 11,000 TBDs contained in the latest application filing and the finished product won’t be submitted until the comment period is closed. I believe this process of only allowing comments on an incomplete proposal with route changes still under consideration amounts to a denial of our due process rights.

Sincerely,

Richard and Diane Hewitt
Groton, MA

20151016-5300

John Leoutsacos, Temple, NH.

The similarities between fracked gas and cigarettes

There are several harmful chemicals found in both, but as of yet ONLY cigarettes have been federally regulated and publicly BANNED.

I know that FERC has little control over the fracking process but it MUST have some kind of regulatory ability over the PRODUCT(S) that are transported in the pipelines that they are in charged to oversee.

Below is an article from the website priceofoil.org

As so often in the past, where the tobacco industry leads, the oil / Gas industry follows.

There is now a huge amount of documented evidence showing how the oil / Gas industry – desperate to delay regulatory action on climate change – has used the same tactics as Big Tobacco in order to avoid regulatory oversight.

Often both industries have used what is seen as the most effective public relations strategy called the Third Party Technique, which is essentially getting others to speak on your behalf.

For decades, the tobacco industry mastered the technique, using a whole raft of supposedly independent people to speak on their behalf to try and sow doubt on the link between smoking and ill-health.

In the denial campaign, the tobacco industry enlisted one key third party: Academics and scientists who could offer tobacco industry science a veneer of respectability.

“Who better to serve as an expert than an actual scientist”, note Naomi Oreskes and Erik Conway in their ground-breaking book “Merchants of Doubt” which compares the tobacco industry tactics with that of the oil / Gas industry.

For example, in the late 1990s, Philip Morris, working with its lawyers Covington and Burling, outlined a covert pan-European plan to use supposedly independent scientists in their fight against regulations on second-hand smoke. It was known as “Project Whitecoat”.

Whitecoat’s goal was to “resist and roll back smoking restrictions” but also to “restore social acceptability of smoking”. One way of achieving this was to do what the industry had always done best: to “sustain controversy.”

Philip Morris International (PMI) and the tobacco industry are still using the tactic to this day. Just on Sunday the Observer newspaper reported how “a bitter academic row has triggered calls for a leading university to withdraw two key scientific papers sponsored by ‘big tobacco’ and used to make the case against the introduction of selling cigarettes in plain packets.”

PMI funded two academics whose research was published by the University of Zurich. But critics have now asked the University to withdraw the papers arguing they are flawed, although this is naturally denied by the scientists at the center of the row.

Where Big Tobacco leads, the oil / Gas industry follows, but not just on climate change, but also increasingly on fracking.

Public Accountability issued a report on “frackademia,” and what they find is deeply troubling.

They started investigating the issue after several universities issued industry-friendly fracking studies that “bore the hallmarks of an industry effort to manipulate and corrupt the scientific debate around fracking, much like the tobacco industry manipulated the scientific debate around the dangers associated with smoking. “

Their investigation reveals that pro-fracking studies “are often industry-tied and lacking in scientific rigor.”

Analyzing some 130 studies compiled by an oil and gas industry group, Energy in Depth (EID), to try and prove fracking was “fit for public consumption” and that proves the issue around fracking is settled, they found that over three quarters – some 76 per cent – were connected to the industry.

Of the 137 unique studies on EID’s list that they could locate, 56 had strong ties to the oil and gas industry.

Another 35 had industry ties that Public Accountability classified as medium, and 13 studies had other industry ties that were present, but relatively weak.

The vast majority of studies had not been peer-reviewed, seen as the benchmark for academic rigor. Of these 137 studies, only 19 were peer-reviewed equating to just 14 per cent.

As Public Accountability argue “This suggests that there is a significant shortage of serious scholarly research supporting the case for fracking”.

Drilling into the data further is even more worrying as there was only one peer-reviewed study that dealt

specifically with public health concerns, and that was industry-funded.

But it gets even worse. The list even included retracted and discredited studies, including studies that made “false” claims of peer review.

Finally it is not surprising that prominent industry associations, such as our old friends at the American Petroleum Institute, funded and issued numerous studies.

So next time you read something that says that fracking is harmless have a look to see who funded it. Just look for the hidden hand of the oil / Gas industry.

20151016-5301

John Leoutsacos, Temple, NH.

Below is an article by The Sightline Institute telling in plain English what kind of ENRONIC people ferc has proven to jump into bed with.

Energy giant Kinder Morgan has big ambitions. The firm aspires to multiply its coal export capacity in the Gulf Coast region even as it seeks permission to build a huge new oil pipeline in the Pacific Northwest. These projects could boost Kinder Morgan’s profits, but they also raise serious questions about what the projects might cost neighboring communities.

Today, Sightline Institute is publishing a new report, “The Facts about Kinder Morgan,” that examines the facts about the company’s behavior. The report reveals that the company’s track record is one of pollution, law-breaking, and cover-ups.

In public Kinder Morgan points out that it is already operating coal export facilities in Virginia, South Carolina, Louisiana, and Texas. Or, as the company’s spokesperson said when the firm was pushing a failed coal export plan in Oregon, “What we’re proposing is not something we don’t already do.” And that’s exactly the problem.

The truth is that Kinder Morgan’s existing operations are well known for blighting neighborhoods and fouling rivers. Here are the facts:

- 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 settlement from Kinder Morgan because their homes and belongings were so often covered in coal dust.
- In Houston, Kinder Morgan’s terminal operators leave coal and petcoke, a highly toxic byproduct of oil refining, in uncovered piles several stories high. 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 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 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.

20151016-5302

Emily Moss, Bethel, CT.

Dear FERC,

Drinking water reservoirs need healthy lands around them to filter and protect the water our families use. Clear-cutting and digging a trench 90 feet wide, 5.5 feet deep, and 5.7 miles long through land that protects my drinking water and that of hundreds of thousands of my neighbors is a bad idea! Natural gas pipelines nationwide have suffered alarming failures that pollute water and soil, and put people at risk. Kinder Morgan should find another place for its pipeline—or better yet, invest in renewables and stop wasting money on outdated fossil fuel infrastructure.

Sincerely yours,
Emily Moss

20151016-5307

Elizabeth Reilly, Nassau, NY.

Please note the below is taken from a letter from FERC to Tennessee Gas to provide further details. The home of Libby Reilly listed would be impacted by the compressor station to be located on Clarks Chapel Road in the town of Nassau. The response should include how the compressor station and the pipeline will impact the historic value of the farm homestead and not just the pipeline. The property is in the name of Scott and Elizabeth Reilly.

Re: Comments on the July 24, 2015 Draft Resource Reports

1. The following people stated that they reside in historic houses near the pipeline route: Lawrence DeVito of Mason, New Hampshire; Kathleen Rose of Merrimack, New Hampshire; Kaela Law of Pelham, New Hampshire; Lester Garvin of Ashfield, Massachusetts; Tina Hanson of Rindge, New Hampshire; Libby Reilly of Nassau, New York; Robert Borden of Fitzwilliam, New Hampshire; Elizabeth Tatro of Lanesborough, Massachusetts; Peter LeCount of Mason, New Hampshire; Barbara Markessinis of Hancock, Massachusetts; Holly Woodward of Fitzwilliam, New Hampshire; John Angleman of Ashfield, Massachusetts; and Peter Cottrell of Stephentown, New York. Indicate if the Project would affect those houses, including the distance from the edge of the construction work area to each building, and discuss any necessary measures to avoid or minimize impacts.

20151016-5308

Linda Bevilacqua, Franklin, NY.

I am vehemently opposed to the proposed pipeline by Tennessee Gas Pipeline Company. There are currently 750,000 miles of pipeline in the U.S., and 2 1/2 million miles of distribution lines. How many pipelines do these companies need? They threaten the environment and human health. All for the profits of these giant energy companies. This product is eventually going to be exported overseas, thus negating the lies that this gas is for us. Subsequently, we will be paying higher prices for a commodity that will reap higher profits elsewhere, in the meantime jeopardizing our health and that of further generations. The area of NY where I live has seen 100 year floods every 5 years, thus putting residents here in extreme danger. The VOC's, poisonous gas, will be detrimental to the air we breathe. We are stewards of the earth that God created- created for us to enjoy and appreciate, not exploit. We need to make this world a better place, and the creation that these industries want to bring will only damage our precious world.

20151016-5309

Elizabeth Reilly, Nassau, NY.

The foundation of my farmhouse from 1777 and the other farmhouses and houses that line the compressor station site could suffer great damage if blasting takes place and from general construction of the compressor station site. Tamping has been proven to vibrate and radiate the ground for distances, for construction of such an industrial facility the local houses could suffer damage. How will Kinder Morgan ensure our houses will not receive damage from any construction? If we do sustain damage how will we be compensated? We would like a pre-construction engineer evaluation with pictures taken as well as a post evaluation done on the houses located in the "1/2 mile buffer zone" of the compressor station.

20151016-5311

Elizabeth Reilly, Nassau, NY.

How will my well water be protected? We utilize the water on a daily basis for the house and livestock.

In the event of contamination from daily operations, leakage, accident, construction, or blasting how will Kinder Morgan ensure I still receive a large supply of fresh quality water on a daily basis? I do not want to be subject to a hideous tank outside of my house that gets filled up by a tanker. My son can not consume water treated with chlorine and other chemicals on a daily basis due to his medical condition. We only consume pure spring water. Living right next to the compressor station on Clarks Chapel Road in the town of Nassau will drastically increase our chances of having contamination.

20151016-5313

Katherine O'Donnell, Oneonta, NY.
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

October 16, 2015

PF14-22-000

Dear Secretary Bose,

Have you visited Franklin, New York? I urge you to do so and imagine the impact of the proposed Constitution Pipeline, the proposed NED, and a compressor station in the midst of a gorgeous, historic Victorian town and farming community of 1,500 residents. Deep forests house bald eagles; springs and streams surround Franklin and feed the Susquehanna River and the Chesapeake Watershed. The proposed pipelines will clear cut those wooded hillsides and run through Franklin's springs. Visit and think about the impact.

The two pipelines and NED compressor station proposed for Franklin present profound social, environmental, and health challenges to our upstate community. As is already evidenced in Hancock and Minisink, compressor stations produce emissions which include neurotoxins, carcinogens, and mutagens which are enormous health hazards for residents and animal species. Children are particularly affected. 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. New York State citizens, communities, animal species, and environments will pay the health, environmental, climate, and economic price for short term corporate profit.

I urge you to undertake a serious environmental review of cumulative effects (segmentation) and to deny the permit for the NED and associated infrastructure. Thus far, despite comprehensive scientific analysis, research, and citizen comment, FERC has not acknowledged irreversible, adverse environmental, health, financial, and community impacts of a gas infrastructure build out in our region.

FERC, consider the public good. Franklin, in Delaware County, N.Y., and all communities affected by pipeline infrastructure, are at the epicenter of the current failure of our nation to create a life-sustaining energy plan based on renewable energies. Stopping the NED will be part of that solution.

Sincerely,

Dr. Katherine O'Donnell
503 State Hwy 28
Oneonta, N.Y. 13820

20151016-5314

TOWN OF MERRIMACK, NH

6 BABOOSIC LAKE ROAD · MERRIMACK, NH 03054 • WWW.MERRIMACKNH.GOV

October 15, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission 888 First Street, N .E.

Washington, DC 20426

RE: Tennessee Gas Pipeline Company, LLC; Federal Energy Regulatory Commission (“Commission”)
Docket No. PFI4-22-000

Dear Secretary Bose:

The Town of Merrimack (“Town”) respectfully requests that the Federal Energy Regulatory Commission (“Commission”) consider, and require that Tennessee Gas Pipeline Company LLC (“TGP”) respond to, the Town’s comments regarding newly proposed routing changes through Town (as shown on enclosed letter and map) (“Alternative Route”). Unfortunately, the Town received notice of these changes on the evening of October 8, 2015 and is not aware of whether these changes have been made in the Commission Docket for this matter.

As a result of TGP’s late notice of the Alternative Route and in light of the fact that it will impact a host of new properties and resources, the Town also respectfully requests an additional extension of the scoping period through the end of 2015 in order to allow impacted citizens, businesses and groups to comment on those impacts. Please note that Allen Fore, the Vice President of Public Affairs for Kinder Morgan (of which TGP is a subsidiary), suggested such an extension request in the cover letter notifying the Town of the Alternative Route.

The route changes significantly alter impacts to the Town as discussed in greater detail below. The Town will likely have additional comments regarding this route change as more members of the community are notified of the new route, but the Town wished to submit the comments available at this time in advance of close of the current scoping period.

1. The latest Alternative Route from its entry into Town from the Town of Hollis, New Hampshire up to Industrial Drive runs within 1100 feet of the Thornton’s Ferry Elementary School Building. The playground for this school is approximately 100 feet from the school building and thus the pipeline route is within 1000 feet of the playground. The route is also within 750 feet of the South Merrimack Christian Academy.
2. The latest Alternative Route runs within 200-300 feet of some large residential neighborhoods including:
Whittier Place
Camp Sargent Acres
Tinker Road
Thornton Road West
Other impacted neighborhoods include:
Cambridge Drive/Wethersfield
Holts Landing
Castleton Ridge
Eric and Greenleaf Streets
3. The Community Hospice House facility off Continental Boulevard is within a few hundred feet of the latest Alternative Route.
4. Numerous significant commercial and retail properties will be impacted by the latest Alternative Route including those listed below. It is estimated that these businesses and retail properties employ over 10,000 people. These impacts are likely to negatively impact valuable commercial and retail properties in Town thereby decreasing employment opportunities and tax revenue to the Town.
PC Connection
Dunkin Donuts
Pizza Hut
Home Depot
Merrimack Historical Society Building
O’Reilly Auto Parts/VIP Tire and Service

Auto Fair - VW, including current construction of a rental car business and additional vehicle storage
Pennichuck Square retail area with multiple retail businesses
Innovations Salon and Spa
Site proposed for new fire station
Current location of Merrimack South Fire Station
Fidelity Investments
Merrimack Premium Outlets including a proposed upscale mixed use complex and additional 100,000 sq ft of retail space
Elbit Systems LTD and tenants
All Basics Stove Shop (the attached former Abbie Griffin house is an occupied residence)
Meineke Car Care Center
Merrimack Veterinary Hospital
Anheuser- Busch (a proposed 50,000 square foot expansion has been delayed)
And other active and vacant business locations

5. The latest Alternative Route traverses directly across Town Conservation property. Habitats in the Town are scored as part of the Highest Ranked Habitat in New Hampshire. High Scoring Habitat located on Town Conservation property is directly impacted by the latest Alternative Route. As indicated in the October 9, 2015 letter to the Commission from the New Hampshire Attorney General's Office in its role as the New Hampshire Director of Charitable Trusts, certain of these conservation properties include deed restrictions limiting change of use. TGP must delineate and address these restrictions.
6. In general, the latest Alternative Route along Continental Boulevard is situated within wetlands and wetland uplands. These lands require significant surveying to ensure all potential plant, insect, and animal species of concern are noted.
7. The latest Alternative Route is slated to directly cross Penni chuck Water watershed properties that border Continental Boulevard.
8. Most of the land impacted by the latest Alternative Route in Town is part of a wetland system and the Naticook Brook Aquifer that serves to provide water for the Town's Merrimack Village District ("MVD") wells. The latest Alternative Route impacts an additional third wellhead protection area, MVD well and water treatment facility planned for near term construction. In short, the latest Alternative Route jeopardizes the entirety of the Town's public water supply.

In short, this new Alternative Route has been adjusted in such a manner that it impacts numerous highly sensitive receptors of the type which TGP has shifted the route to AVOID in other communities. However, with each re-routing TGP appears to add additional such impacts in Town. We respectfully request adjustment of the route to address issues such as those listed above.

Thank you for your assistance with this matter.

Sincerely,

Eileen Cabanel

Town Manager on behalf of the Town Council for the Town of Merrimack, NH

Enclosures (2)

cc: Merrimack Town Council

Maggie Hassan, Governor of New Hampshire

Joseph Foster, Attorney General of New Hampshire

Shawn Jasper, Speaker of the New Hampshire House of Representatives

Chuck Morse, President of the New Hampshire State Senate

Kelly Ayotte, U. S. Senator

Jeanne Shaheen, U. S. Senator
Frank Guinta, U. S. House of Representatives
Ann McLane Kuster, U. S. House of Representatives
David K. Wheeler, Executive Council
Gary Daniels, New Hampshire State Senate
John L. Balcom, New Hampshire House of Representatives
Richard W. Barry, New Hampshire House of Representatives
Chris Christensen, New Hampshire House of Representatives
Richard W. Hinch, New Hampshire House of Representatives
Josh Moore, New Hampshire House of Representatives
Jeanine M. Notter, New Hampshire House of Representatives
Anthony J. Pellegrino, New Hampshire House of Representatives
Phillip N. Straight, New Hampshire House of Representatives
Allen Fore, Kinder Morgan

{ map omitted }

KINDER MORGAN

October 13, 2015

Town of Merrimack
6 Baboosic Lake Road
Merrimack, NH 03054

Attn: Nancy Harrington, Chair, Town Council

RE: Tennessee Gas Pipeline Company Northeast Energy Direct Project

Dear Ms. Harrington:

Thank you for the opportunity to meet with the Town Council on October 8, 2015 regarding Tennessee Gas Pipeline Company's (TGP) Northeast Energy Direct Project (Project). During the meeting, there were questions raised regarding the Federal Energy Regulatory Commission's (FERC) pre-filing and certificate processes and the opportunities for concerned citizens to provide comments regarding TGP's Project. As you are aware, the scoping period for the Project, which was originally scheduled to end on August 30, 2015, was extended by the FERC to end on October 16, 2015. The Town of Merrimack (Town) may request an additional extension of the scoping period from FERC; any extension to the scoping period would be at the discretion of the FERC. The Town and residents will have opportunities to submit comments to the FERC during the certificate application process as well.

With regards to Project routing, TGP continues to review route alternatives and make appropriate adjustments as we continue through the FERC pre-filing and certificate processes. In evaluating route alternatives, TGP evaluates and balances stakeholder requests and environmental impacts. The re-route that was discussed at the October 8 meeting located along the south property line of Fidelity's property and along the west side of the Everett Turnpike will be the proposed route that TGP intends to file as part of the certificate application. As TGP looks to refine and adjust its route through the Town, please provide us with the name and contact information of a Town representative that TGP could communicate with as we explore additional routing options.

Thank you again for allowing us the opportunity to meet with the Town Council. We look forward to our continued communication as we move forward.

Please feel free to contact me if you have any additional questions.

Allen Fore
Vice President, Public Affairs

31 Old Nashua Rd, #8, Amherst, NH 03031

{full submission can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14016459> }

20151016-5316

Elizabeth Reilly, Nassau, NY.

I am also 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 are 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? 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 to be 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. I want better and longer acoustical readings done throughout the year, which will determine the true decibel reading of a neighborhood. Regardless of the outcome 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!**

20151016-5317

{ skip to end of 20151016-5317 }

CLF

conservation law foundation

October 16, 2015

VIA DOCKET EFILING

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

Re: Tennessee Gas Pipeline Company, LLC, Northeast Energy Direct Project, Docket No. PF14-22-000

Dear Secretary Bose:

The Conservation Law Foundation (“CLF”) appreciates the opportunity to provide scoping comments to the Federal Energy Regulatory Commission (“the Commission”) during the pre-filing phase of the proceeding for docket PF 14-22-000, Tennessee Gas Pipeline Company’s (“Tennessee Gas,” “TGP,” or “the Company”) proposed Northeast Energy Direct Project (“NED” or “proposed project”). CLF offers these comments without prejudice to any and all legal rights CLF may have, which are hereby expressly reserved.

Founded in 1966, CLF is a non-profit advocacy organization with members across New England, including over 2,000 members in Massachusetts and approximately 500 in New Hampshire. CLF works to solve the environmental problems threatening the people, natural resources, and communities of New England. CLF’s advocates use law, economics and science to design and implement strategies that conserve natural resources, protect public health, and promote vital communities in our region.

CLF has serious concerns about the overall scope of the Commission’s review of this proposed project, the greenhouse gas and other environmental impacts of the proposed project, and the accuracy of the information before the Commission regarding the economic need for the proposed project. Importantly, in light of numerous proposals in the region to construct new or expanded gas pipeline infrastructure, and the complex ways in which those proposals will interact with one another and with regional energy planning, CLF respectfully requests that the Commission stay this proceeding and perform a comprehensive programmatic Environmental Impact Statement (“EIS”) for natural gas pipeline projects in the Northeast. As part of a programmatic EIS, and /or as part of any assessment of the proposed project, the Commission must 1) study all reasonable alternatives to the proposed project— including siting and routing alternatives and the no-action alternative—and provide a wellsupported rationale for excluding any alternatives from detailed review; 2) ensure that the “purpose and need” of the review is not defined too narrowly, to facilitate an adequately broad alternatives analysis and consideration of available alternatives that may run counter to the interests of the project proponent; 3) comprehensively assess the greenhouse gas impacts of the proposed project and alternatives; and 4) comprehensively assess the indirect, secondary and cumulative impacts of the proposed project and alternatives.

I. The Commission Should Prepare a Programmatic EIS.

This proposed 1.3 Billion Cubic Feet (Bcf) natural gas pipeline is just one among a number of proposed natural gas pipeline expansion projects into New England. TGP’s own listing of Projects Potentially Contributing to Cumulative Impacts includes numerous other pipeline expansion projects. See Draft Resource Report 1, Attachment 1b, Table 1.9-2. In particular, the number and size of competing pipeline projects meant to deliver natural gas to New England squarely raise the question of whether and how much additional natural gas pipeline capacity is in the best interests of the New England region. In the interests of efficient use of agency resources, considering the number of current and future natural gas pipeline expansion projects the Commission is and will be reviewing, we urge the Commission to stay this proceeding and instead initiate a broad, comprehensive EIS to study (a) the nature and extent of New England’s need for additional natural gas pipeline capacity, taking into account the New England states’ energy policies and goals, including those related to legally mandated greenhouse gas reductions, and (b) the most efficient, least impactful means of meeting the region’s natural gas deliverability needs. Such a study would function as a programmatic EIS for natural gas pipeline capacity in New England.

Given the complexity of assessing the cumulative impacts of separate project proposals, as well as potential redundancy, and in light of the need to assess whether each or any of the project proposals are in the best interests of New England, this broader, more comprehensive approach makes far more sense (and will result in far superior decision-making) than responding to individual projects in piecemeal fashion, as proposed by individual private entities, absent the broader context. Indeed, the Council on Environmental Quality (“CEQ”) has strongly acknowledged the value and benefit of such an approach, stating:

The preparation of an area-wide or overview EIS may be particularly useful when similar actions, viewed with other reasonably foreseeable or proposed agency actions, share common timing or geography. For example, when a variety of energy projects may be located in a single watershed. . . the over-

view or area-wide EIS would serve as a valuable and necessary analysis of the affected environment and the potential cumulative impacts of the reasonably foreseeable actions under that program or within that geographical area.

See Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations, 46 Fed. Reg. 18,026, 18,033 (Mar. 23, 1981) ("Forty Questions").

CLF strongly urges the Commission to seize the opportunity to analyze TGP's proposed project and other pipeline projects with a comprehensive geographic and policy approach, enabling a more efficient, better-informed decision-making process.

II. The Commission Must Conduct a Robust Alternatives Analysis.

Whether as part of a Programmatic EIS or a project-specific EIS, the Commission must conduct a thorough analysis and comparison of all reasonable alternatives and their impacts. The Commission's analysis of alternatives to the proposal is "the heart of the environmental impact statement," and "should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public." 40 C.F.R. § 1502.14.

CEQ regulations make clear that the Commission must "rigorously explore and objectively evaluate all reasonable alternatives. . . . devot[ing] substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits." 40 C.F.R. §§ 1502.14(a)-(b) (emphasis added). The Commission must consider the "no action" alternative and all reasonable alternatives, including those that are not within the Commission's or the applicant's capabilities or jurisdiction. See 40 C.F.R. § 1502.14(c)-(d); Forty Questions, *supra* ("In determining the scope of alternatives to be considered, the emphasis is on what is 'reasonable' rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant" (emphasis added)). The Commission's alternatives analysis must also include any "appropriate mitigation" that has not yet been proposed. See 40 C.F.R. § 1502.14(f).

The Commission's alternatives analysis must include, at a minimum, the following categories of reasonable alternatives to the proposed project: (a) alternative means of providing the end use energy resources, (b) alternative routes and sites for the proposed project, and (c) no action. CLF also notes the Commission's obligations to justify—as supported by independent, expert analysis—the exclusion of any of these alternatives from detailed analysis in the EIS, and to provide a detailed and holistic comparison of the impacts and benefits of the analyzed alternatives, which must guide the Commission's ultimate determination.

(a) Alternative Means of Providing Resources

To conduct an alternatives analysis that does not begin with the construction of the proposed project as a foregone conclusion, the Commission must assess the potential end uses for the pipeline's capacity and alternative means to serve those end uses. One example of evidence of direct alternatives to the proposed project is a white paper by Skipping Stone, LLC, attached as Exhibit A to these comments. The white paper, *Solving New England's Gas Deliverability Problem Using LNG Storage and Market Incentives* (Skipping Stone, LLC, 2015), analyzes natural gas utility sendout and electric market data in New England, concluding that the fabled "constrained pipeline capacity" issue in New England is in fact a very specific and targeted winter peak deliverability issue, which can be addressed at lower cost using existing pipeline and LNG infrastructure in the region. Additionally, this white paper indicates a lack of actual need for the quantities of gas capacity contracted for by the Massachusetts gas utilities, which calls into question the economic need for this specific pipeline to be investigated in the Commission's Natural Gas Act review.

Ample resource alternatives are available for the end users of the proposed project's intended pipeline capacity, including the LNG solution described above, increased deployment of distributed generation, and ISO-NE electric market reforms like the Pay for Performance program and the interim Winter Reliability

Program. Additionally, the Commission must also consider increased deployment of non-generation alternatives like energy efficiency and demand response. These alternatives should be considered separately and in combination, and should also be assessed as a means of reducing the capacity of the proposed project, which may facilitate, or improve the technical feasibility of, utilizing one or more alternative routes, configurations, and designs.

(b) Alternative Routes and Sites

The Commission must consider not only the route alternatives provided in the Company's Draft Resource Reports, but all other potential reasonable routes and configurations for the proposed project. To achieve this analysis, the Commission must obtain and analyze all routes considered and rejected by TGP. The Commission must independently review these potential routes, with the goal of identifying the route with the least environmental, cultural, and socio-economic impacts. In particular, the Commission should consider all route alternatives that avoid or minimize impacts to wetlands, drinking water aquifers, protected conservation lands under state, local, or private ownership, and historic and culturally significant sites. When assessing currently proposed route segments or alternatives that are colocated with existing utility rights of way, the Commission should pay special attention to the difference in nature and scale between the land use requirements and restrictions placed upon existing utility rights of way and those that would be placed upon the rights of way for a pipeline of this size. For example, the impacts on soil erosion and sedimentation will be different for a natural gas pipeline corridor and an overhead electric line crossing steep slopes. In addition, it is not yet clear whether "co-location" with existing utility corridors entails sharing the exact width of the corridor, additional clearing outside of an existing corridor, or an additional corridor somewhere in the vicinity of the existing corridor.

(c) No Action

The Commission also must provide a fair and objective analysis of the "no action" alternative. While the proposed project has clear financial benefits to the Company and other stakeholders, it remains to be established what other interests are at stake, including the welfare of communities in path of the proposed pipeline, the interests of environmental protection and the reduction of greenhouse gases, and impacts on consumers. Until the Commission has identified each of the relevant interests and conducted a rigorous analysis as to how the proposed Project will impact the "public interest," the Commission cannot reasonably foreclose the "no action" alternative. The Commission should be open to deciding in the EIS that the impacts of the proposed project and other reasonable "action alternatives" are unacceptably significant and that the no-action alternative is the preferred alternative.

The National Environmental Policy Act ("NEPA") requires the Commission to perform a robust and impartial assessment of the environmental, cultural, and socio-economic implications of simply denying the Company's Petition. See, e.g., *Pit River Tribe v. U.S. Forest Service*, 469 F. 3d 768, 786 (9th Cir. 2006) (EIS inadequate for failure to consider no-action alternative); *Bob Marshall Alliance v. Hodel*, 852 F. 2d 1223, 1228 (9th Cir. 1988) (NEPA alternatives analysis requires "agency decisionmakers '[have] before [them] and take[] into proper account all possible approaches to a particular project (including total abandonment of the project) which would alter the environmental impact and the cost-benefit balance").

III. The Commission Must Not Improperly Constrain "Purpose and Need."

NEPA regulations require an EIS to "specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." 40 C.F.R. § 1502.13. Simply adopting the purpose and need stated by the Company in its Resource Reports cannot substitute for the agency's independent obligation to set the scope of its review broadly enough to encompass alternatives that are not preferable to the Company, or may not involve the Company at all. Otherwise, the alternatives analysis will be purposeless.

IV. The Commission Must Conduct a Comprehensive and Rigorous Assessment of the Impacts of the

Proposed Project and Alternatives.

NEPA requires a comprehensive assessment of the environmental impacts of the proposed project, and alternatives, including those discussed above. The EIS must provide a “full and fair discussion” of these impacts that will serve as the “scientific and analytic basis” for meaningful and technically sound comparisons of alternatives. See 40 C.F.R. § 1502.16.

It is imperative that the Commission consider all relevant impacts associated with the proposed project, including direct, indirect, and cumulative impacts, whether they be local, regional, or national, including the environmental impacts of the natural gas extraction practices that will supply the natural gas to be carried by this proposed project. See *id.* Below, we briefly discuss certain environmental and other impacts that the Commission must address in the EIS. Our comments are not intended as an exclusive or exhaustive list; the Commission is obligated to consider all relevant impacts raised by other commenters or that emerge during the Commission’s independent study of the proposed project.

a) Greenhouse Gas Emissions Impacts

The proposed project’s Market Path is a new construction pipeline project that will bring up to 1.3 Billion cubic feet (“Bcf”) per day of natural gas capacity into New England. Draft Report Transmittal Letter at 2 (July 24, 2015), available at <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=13939499>. Natural gas is composed primarily of methane, an extremely potent greenhouse gas.² According to the International Panel on Climate Change (“IPCC”), methane gas is 34 times more potent than carbon dioxide on a 100 year time frame and 70 times more potent than carbon dioxide on a 20 year time frame.³

One major area of environmental impact not explicitly contemplated by the Commission’s Notice of Intent to Prepare an Environmental Impact Statement for the Planned NED Project, 80 Fed. Reg. 39,095 (July 8, 2015) (“EIS NOI”) is the impact of the proposed project and alternatives on greenhouse gas emissions, specifically direct emissions from the diverse array of greenhouse gas sources associated with the proposed project and alternatives. These sources include but are not limited to leaks and other emission points on the proposed project pipeline itself, leaks in the end distribution system for natural gas into which the proposed project will feed, production activities for the increased volumes of natural gas to be carried by the proposed project pipeline, and space heating and generating facilities utilizing the natural gas to be provided by the proposed project. The Air Quality and Noise section of the Draft Report mentions greenhouse gas emissions only with regard to the proposed compressor stations, which fall under the first of these categories (emissions points on the proposed pipeline itself). Draft Report at 9-18, § 9.1.2.4. It is silent as to the other, more significant, sources of greenhouse gas emissions listed above.

The Draft Resource Report also mentions greenhouse gas emissions to suggest, without economic or scientific basis, that the proposed project will reduce greenhouse gas emissions by displacing coal and oil-fired generation. Draft Report at 1-11. This unsupported and self-serving statement is factually incorrect; New England’s system-wide average greenhouse gas emissions are already lower than the emissions from the most efficient new natural gas plant.⁴ New England’s coal fleet is largely displaced already, and New England’s oil units are of limited utility. New natural gas units will increasingly be displacing older natural gas units and represent de minimis GHG reductions. More importantly, excessive natural gas supply will impact the market for the cleaner resources that are critical to achieving GHG targets and mandates. A massive infusion of natural gas capacity in New England will have the effect of incentivizing the construction of additional natural gas-fired generating facilities, when the system has already moved well beyond needing natural gas generation to lower emissions from relatively higher-emitting sources.

A detailed and comprehensive assessment of greenhouse gas emissions impacts in an EIS is required under NEPA because greenhouse gas emissions from the production and transmission of natural gas are significant, electricity generation is among the most significant sources of greenhouse gas emissions, and the Project has critically important implications for electric systems in New England.⁵

b) Energy Resources Impacts

CEQ regulations emphasize the importance, in all EISs, of describing the proposed action's energy implications, see 40 C.F.R. § 1502.16(e), and that task is especially crucial in the context of a natural gas pipeline project, and in the context of a proposed project of this size. As the exclusive federal regulator of interstate natural gas pipelines, the Commission has special responsibility to employ its technical expertise and resources in this review, while taking into account other federal, regional, and state policies. The EIS must comprehensively address impacts on energy resources, use, markets, reliability, and prices. In particular, the Commission must analyze the effects of the proposed project and all reasonable alternatives on renewable generation and non-generation resources, while accurately and thoroughly accounting for the potential to displace older fossil fuel generation.

A new pipeline project of this size will have profound effects on the development and maintenance of domestic energy resources, including new renewables such as solar, wind, efficient low-emitting biomass, and small-scale hydroelectric facilities. Federal and state public policies, including federal and state tax incentives and renewable portfolio requirements, promote new and continuing development of these resources. CLF has strongly advocated and supported these policies as critical to creating a clean energy future for New England and the nation that will move us away from reliance on inefficient and dirty power plants that contribute to climate change and threaten public health, including those that burn natural gas.

Similarly, the proposed project is likely to have significant impacts on non-generation energy resources like demand management, demand response, energy efficiency, and conservation. All of these resources reflect avoided energy use, with the unassailable benefit of reducing utilization of existing, polluting resources and virtually no adverse environmental impacts. The Commission should address, in detail, how substantial new pipeline capacity into the New England region may diminish the economic incentive for these resources to continue to grow — and the value of the many federal, state, local, and utility investments promoting them. As discussed above, non-generation alternatives that the Commission must consider in the EIS would have vastly different effects on these resources, which must also be quantified and described.

As described in Section IV(a) above, TGP's Resource Reports make self-serving and unsubstantiated statements about the proposed project's ability to facilitate the displacement of older fossil fuel generation sources. In order to include this possibility in its review of the proposed project's impacts, the Commission must accurately assess the impact that this pipeline could have in displacing older fossil fuel generation separately from the market dynamics that are already having this effect. The study currently being conducted by the Analysis Group for Massachusetts Attorney General Maura Healey and scheduled to be completed on October 31, 2015, will likely be valuable to the Commission's analysis of this dynamic in New England.

c) Impacts of Natural Gas Extraction Practices

All impacts associated with the source of the natural gas that would be conveyed by the proposed project are relevant, and indeed crucial, to a valid and complete impact assessment. The Commission does not conduct separate analyses of the physical pipeline and the supply resources for the pipeline; thus, the analysis of the former must include the latter. In addition to the greenhouse gas impacts of natural gas extraction in the supply region for the proposed project, discussed above, hydraulic fracturing in the Marcellus Shale has serious and sometimes catastrophic impacts on land, air, water, and local residents at the site of extraction.

As the CEQ has definitively stated, such an evaluation is a core and unambiguous requirement of NEPA. Indeed, the geographic scope of the potential impacts to be analyzed has been extended even beyond national boundaries. In this context, analysis of the impacts on an adjoining region of the United States is amply covered by this requirement. See CEQ, *Guidance on NEPA Analyses for Transboundary Impacts* (July 1, 1997). Citing both federal case law and policy considerations, CEQ guidance states:

Neither NEPA nor [CEQ] regulations implementing the procedural provisions of NEPA define agencies' obligations to analyze effects of actions by administrative boundaries. Rather, the entire body of NEPA law directs federal agencies to analyze the effects of proposed actions to the extent they are reasonably foreseeable consequences of the proposed action, regardless of where those impacts might occur. Agencies must analyze indirect effects, which are caused by the action, are later in time or farther removed

in distance, but are still reasonably foreseeable, including growth-inducing effects and related effects on the ecosystem, as well as cumulative effects. Case law interpreting NEPA has reinforced the need to analyze impacts regardless of geographic boundaries within the United States

Id. (citing, inter alia, *Swinomish Tribal Cmty. v. FERC*, 627 F.2d 499 (D.C. Cir. 1980); *Wilderness Soc’y v. Morton*, 463 F.2d 1261 (D.C. Cir. 1972)) (emphasis added). Any decision by the Commission to exclude hydraulic fracturing impacts from its environmental review would be erroneous as a matter of law and subject to reversal to ensure compliance with NEPA.

d) Secondary, Indirect, and Cumulative Impacts

Pipeline construction and maintenance, especially in wetlands and across conservation lands, is likely to result in impacts beyond so-called direct impacts: namely, secondary, indirect and cumulative impacts. Indeed, the secondary impacts of activities – impacts such as fragmentation of wildlife habitat, flooding, and the degradation of water quality caused by stormwater runoff from cleared earth or the use of herbicides to maintain the pipeline corridor, to name a few – can sometimes be more significant and more harmful than the direct impact associated with construction and maintenance practices themselves. CEQ regulations specifically require the consideration of indirect impacts and their significance. 40 C.F.R. § 1502.16(b). As the Commission’s own staff comments exhaustively catalogue, the current Draft Resource Reports provided by the Company lack adequate information and detail upon which this analysis can be conducted. FERC Staff Comments on the July 24, 2015 Draft Resource Reports (Oct. 8, 2015). In order to provide adequate opportunity for stakeholders and the public to review and respond to this crucial missing information, the Commission must ensure that each piece of missing information is supplied before issuing a draft EIS.

* * *

Thank you for your consideration of these comments. Please do not hesitate to contact CLF with any questions.

Respectfully submitted,

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Footnotes:

- 1 While FERC’s scoping notice states that the Project is proposed for up to 2.2 Bcf, a subsequent filing by TGP announced a reduction in size. Compare 80 Fed. Reg. 39,095 (July 8, 2015) with Draft Report Transmittal Letter at 2 (July 24, 2015), available at <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=13939499>.
- 2 The EPA assumes a default of 95 percent methane to 1 percent carbon dioxide for GHG mole fraction in natural gas distribution pipeline systems. See 40 C.F.R. § 98.233(u)(2)(vii).
- 3 See *Climate Change 2013, The Physical Science Basis, The Working Group I Contribution to the IPCC Fifth Assessment Report*, 8-58, Table 8.7, available at http://www.climatechange2013.org/images/uploads/WGIAR5_WGI-12Doc2b_FinalDraft_All.pdf. Nonetheless, the EPA and others, including Massachusetts typically use the now outdated and inaccurate global warming potential of 21 over a 100 year time frame which was established in the 2001 IPCC Report.

- 4 See generally 2013 ISO-NE Electric Generator Air Emissions Report, http://www.isone.com/staticassets/documents/2014/12/2013_emissions_report_final.pdf (average system-wide emissions in 2013 of 730 lbs CO₂/MWh). The new Footprint Power combined cycle gas facility in Salem, Massachusetts, will be subject to an initial annual average CO₂ emissions limit of 895 lbs/MWh.
- 5 See Shanna Cleveland, CLF, *Into Thin Air: How Leaking Natural Gas Infrastructure is Harming our Environment and Wasting a Valuable Resource* (2012) (assessing the climate change impacts of methane leaks from the natural gas distribution system in Massachusetts), available at <http://www.clf.org/intothinair/>; EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2013, 3-1* (April 2015), available at <http://www.epa.gov/climatechange/Downloads/ghgemissions/US-GHG-Inventory-2015-Main-Text.pdf> (“Emissions from fossil fuel combustion comprise the vast majority of energy-related emissions.”); CEQ, *Revised Draft NEPA Guidance on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change*, at 8 (Dec. 18, 2014), available at https://www.whitehouse.gov/sites/default/files/docs/nepa_revised_draft_ghg_guidance.pdf (“Federal agencies, to remain consistent with NEPA, should consider the extent to which a proposed action and its reasonable alternatives contribute to climate change through GHG emissions”); see also *Center for Biological Diversity v. NHTSA*, 538 F.3d 1172, 1217 (9th Cir. 2008) (“The impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis that NEPA requires agencies to conduct.”).

Solving New England’s Gas Deliverability Problem Using LNG Storage and Market Incentives

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Contents

EXECUTIVE SUMMARY	5
1. INTRODUCTION	7
2. THE NEW ENGLAND NATURAL GAS PROBLEM	7
3. THE LARGE PIPELINE OPTION	10
3.1 Pipeline Capacity Economics and Accurate Accounting of Pipeline Capacity Cost	10
3.2 The Amount of Gas Capacity Utilized on the New Pipeline Determines How Much the Pipeline Costs to Rate-	

payers	14
3.3 The Economics of a “Big New Pipeline” From an Electric Generator’s Point of View	15
3.4 Common Assumptions as to the Effect of New Pipeline on Gas Prices Are Overstated	15
4. RETHINKING THE PROBLEM: THE WINTER-ONLY LNG “PIPELINE” SOLUTION	16
4.1 LNG Can Solve Peak Winter Demand: Quickly, Reliably, and Cost Effectively	16
4.1.1 New England Has Adequate LNG Capacity to Meet Winter Peak Deliverability Needs	16
4.1.2 Creating a Winter-Only LNG “Pipeline”	17
4.1.3 Ensuring a Reliable LNG Supply	18
4.2 The Economics of a Winter-Only LNG “Pipeline” vs. a Large New Pipeline	20
4.2.1 A Real World Cost Comparison	21
5. INCENTIVIZING THE LONG TERM LNG SOLUTION	24
6. CONCLUSION	25
ABOUT THE AUTHORS	25
Greg Lander, President, Capacity Center	25
Peter Weigand, CEO, Skipping Stone	25
About Skipping Stone	26
ABOUT THE SPONSOR	26
APPENDIX A: QUANTIFYING NEW ENGLAND’S NATURAL GAS PROBLEM	A 1
APPENDIX B: THE EFFECT OF A LARGE NEW PIPELINE PROJECT	B 1
APPENDIX C: COSTS OF A WINTER-ONLY LNG “PIPELINE” STRATEGY	C 1
APPENDIX D: REGULATORY REFORM ROADMAP TO BETTER INCENTIVIZE THE WINTER-ONLY LNG “PIPELINE” SOLUTION	D 1
APPENDIX E: CASE STUDY: WINTER 2014 VERSUS WINTER 2015 IN NEW ENGLAND	E 1

Charts

Chart 1: Deep Winter Demand and Supply Shortfall for 2020	9
Chart 2: Deep Winter Demand and Supply Shortfall for 2030	10
Chart 3: New England Pipeline Capacity plus LDC LNG and Propane Deliverability Overlay for 2020	11
Chart 4: New England Pipeline Capacity plus LDC LNG and Propane Deliverability Overlay for 2030	12
Chart 5: 2030 Load Duration Curve and Load Factor Use of New Pipeline	13
Chart 6: Load Duration Curve New England 2020 75 Peak Days Demand with LNG Overlay	18
Chart 7: Load Duration Curve New England 2030 75 Peak Days Demand with LNG Overlay	19
Chart 8: New England, 2020	A1
Chart 9: New England, 2030	A2
Chart 10: New England Pipeline Capacity plus LDC LNG and Propane Deliverability Overlay for 2020	A3
Chart 11: New England Pipeline Capacity plus LDC LNG and Propane Deliverability Overlay for 2030	A3
Chart 12: Deep Winter Demand and Supply Shortfall for 2020	A4
Chart 13: Deep Winter Demand and Supply Shortfall for 2030	A5
Chart 14: Indicative LDC-1 10 Year Sendout with PL and LDC LNG Capacity	A7
Chart 15: Indicative LDC-2 Calendar Year Sendout	A8
Chart 16: 2014 New England LDC Load Duration Curve with Overlay	A9
Chart 17: 2030 Load Duration Curve and Load Factor Use of New Pipeline	B2
Chart 18: Forward NBP Prices through 2020 with Winter Avg LNG Landed Prices	C1
Chart 19: Algonquin Citygate Forward Prices and Winter Average Prices	C2
Chart 20: 2014 LNG Receipts into AGT, TGP & National Grid Overlaid with AGT Citygate Prices	D2
Chart 21: 2015 LNG Receipts into AGT, TGP & National Grid Overlaid with AGT Citygate Prices	D2

Tables

Table 1 – Economics of New Pipeline vs. LNG Pipeline	23
--	----

Executive Summary

For 50 days a year, New England has a gas problem – not enough natural gas is available to meet demand. In the winter of 2013-14 this problem led to dramatic spikes in the price of natural gas and the cost of electricity. How to solve that problem has been the source of political, economic and environmental debate over the past 2 years. One proposed solution is to “flood the market” with new gas via one or more new pipelines, with the multi-billion dollar cost to be borne by electric ratepayers. The other solution, one that the Conservation Law Foundation has promoted, is to maximize the use of existing infrastructure in both the delivery and storage of natural gas. This solution addresses the supply problem during that limited 50 day period in the winter, saves industrial, commercial and residential customers millions of dollars and avoids the need for costly and enormously inefficient infrastructure that will ultimately undermine efforts to meet the challenge of climate change.

As currently managed, New England’s natural gas delivery system – its pipelines, storage and import facilities do not deliver sufficient quantities of natural gas to meet demand during the limited winter peak period. During these peak periods of demand, when high volumes of gas are consumed to simultaneously meet the region’s heating and electric power generation needs, management and operation of the current system fails to make the necessary gas deliverable. Numerous corporate and governmental entities are urging a large infrastructure solution: building more pipelines into and across New England to increase regional pipeline capacity. New pipelines, they argue, are needed to address a structural problem of constrained gas supply and the high wholesale energy prices experienced during the winter of 2013-14.

But New England does not have a structural pipeline capacity problem, and not only are new pipelines not the only solution – they are also the least cost-effective one. For the majority of the year, the region’s natural gas system of pipelines and LNG deliverability already operate at less than 50% capacity. On those portions of the 50 coldest winter days each year when the near-simultaneous and high demands of regional heating and electric generation loads are not being met efficiently, New England has what in the natural gas industry is considered to be an issue of “deliverability,” or the ability to provide a certain quantity of gas to a certain location at a certain time.

Once New England’s current “gas problem” is properly understood as one of deliverability, rather than insufficient pipeline “capacity,” the solution that most efficiently and cost-effectively enhances deliverability in New England would be increased use of the region’s existing LNG infrastructure.

We reach this conclusion based upon the “cost of use” of each alternative. That is, the cost of new pipeline capacity in an area like New England, with a peak-only supply deficiency and where other peak-only supply alternatives already exist must be analyzed on the basis of use. So when additional deliverability of gas is needed over discrete days of the year rather than on a year-round basis, the overall cost of the pipeline should be measured as a cost on only the days during which it will actually be used to serve the residences and businesses who will pay for it through their gas or electric bills, rather than measuring that cost as artificially spread out across the entire year – the vast majority of which it would not be used or, if used, will cause another existing asset to go unused.

A cost of use comparison demonstrates that adding additional pipeline capacity is the most expensive and least effective means of addressing New England winter-peak deliverability. The process of building new gas pipelines takes years and does nothing to help us address winter deliverability in the interim. There is also substantial risk that a new pipeline built today will become the ratepayer-funded, stranded cost of tomorrow. Moreover, investing in a new pipeline is unlikely to produce the assumed lower gas prices, as currently stranded Marcellus/Utica gas supply and its artificially low existing prices will more likely rise as numerous planned pipelines to other regions and for export move those prices to that of the Henry Hub. Finally, environmental regulatory regimes, such as the federal Clean Power Plan and existing New England state mandates to aggressively reduce greenhouse gas emissions, create a strong disincentive for any significant increase in natural gas consumption.

For New England, the best means of solving the winter gas issue from a cost of use approach is better utilization of existing natural gas infrastructure and specifically, existing LNG infrastructure. We call this the

Winter-Only LNG “Pipeline” approach. This approach suffers from none of the weaknesses of a year-round pipeline capacity solution.

New England has both LNG vaporization capacity from large import terminals as well as from LNG storage facilities owned by the local gas distribution utilities, or “LDCs.” If LDCs were to contract for a baseload level of LNG vaporization during the December 15 - March 15 winter period, and for more frequent truck refills of their existing LNG storage facilities, local gas reliability could be maintained while freeing up existing pipeline capacity for sale on the secondary market to power plants.

Not only is this approach technically feasible, a Winter-Only LNG “Pipeline” strategy would provide LNG deliverability throughout New England that would save LDCs and their ratepayers initially over \$340 Million a year and as much as \$4.4 Billion over twenty years, as compared to a new pipeline proposal, while providing peak deliverability that will lower winter wholesale electricity prices on a scale comparable to new pipeline capacity additions. As outlined more fully in Appendix E to this paper, the role that LNG can play in ensuring gas deliverability and driving down spot market gas prices was meaningfully demonstrated in New England in the winter of 2014-2015, when a 4% increase in total gas deliverability from LNG reduced spot gas prices by 43%.

For these reasons, the Winter-Only LNG “Pipeline” outlined in this paper would be less costly and more effective than new gas pipeline capacity. Such an approach requires a break from the currently prevailing pipeline-centric management and regulation of New England’s gas transmission and distribution system. Our alternative approach has the promise to address immediately the problem at hand, and to do so efficiently, effectively, and without complex regulation. Consequently, state regulators should direct LDCs to implement the Winter-Only LNG “Pipeline” option immediately. Thereafter, relatively small adjustments can be made to the market incentives and associated reimbursement rules regarding LNG storage and resale – distinguishing the winter period from the rest of the year – in order to make the LNG solution a permanent feature of the New England energy market.

{body of report (40 pages, many graphs, etc.) omitted; full report can be downloaded at: }

<http://www.clf.org/wp-content/uploads/2015/09/Solving-New-Englands-Gas-Deliverability-Problem.pdf>

{ end of 20151016-5317 }

20151016-5320

Laura Mazur, Peterborough, NH.

My family and I do not support the Kinder-Morgan PF14-22 pipeline project in southern New Hampshire! The communities surrounding this project are being bullied and our voices are not being heard. The land is mostly wild and much of it is wetlands. How is it that this company can come in to our state and devastate the environment and its people? I have heard little about this and now I find out that it’s almost a done-deal. This area is pristine and very special. My understanding of why the pipeline route has changed from Massachusetts to New Hampshire is that wealthy landowners in western Massachusetts used their leverage and now it’s in our beautiful New Hampshire! Well, we don’t want that pipeline shoved down our throats! It offers little but devastation and few jobs it may offer are not worth the huge cost to humans, animals, and the wilderness. I am extremely disappointed in my state and federal government for not doing a better job of listening to its people on important issues such as this. FERC do your job!

Laura Mazur

Peterborough, NH

20151016-5331

October 16, 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. PF14-22-000

Dear Secretary Bose,

The **Ashby Conservation Commission** submits the following additional comments regarding the proposed Kinder Morgan Tennessee Gas Pipeline (TGP) Northeast Energy Direct (NED) project described in Docket No. PF14-22. We are still awaiting response to our previously submitted comments¹. FERC's letter to Kinder Morgan of May 15, 2015² requested a response from TGP to our comments but those answers have not yet arrived.

As a Commission, we remain deeply troubled by the risks to our way of life, our natural environment, and our life sustaining resources of clean air and water, imposed by Kinder Morgan's proposed project. This includes risks both as a whole and as locally from the primary and alternate mainline paths, Fitchburg Lateral and New Ipswich compressor station. Although Ashby is now considered a "non-impacted" town, infrastructure of the NED project is currently proposed less than half a mile outside our political boundary. In some manner or other, everyone in the region is impacted by this proposal.

The project is absolutely wrong in every aspect for the future of our town, our Commonwealth, New England and the entire Northeast region impacted by this overbuild of fossil fuel infrastructure.

The destructive activities for the construction and future operation of an infrastructure which both leaks and releases methane as a matter of standard operation procedures, all add up to far too great a risk to everyday life and our planet's very survival. Activities such as blasting through ledge and granite, clearcutting 100' minimum swaths through greenfield or alongside existing utility corridors, trenching through and drilling under wetland resources areas large and small, and segmenting intact wildlife areas have long-term negative consequences. We feel that the only viable outcome of your review must be the "No Action Alternative" to "avoid the temporary and permanent environmental impacts associated with construction and operation of the currently proposed Project³."

Both the Ashby Conservation Commission and Board of Health⁴, along with many others, have commented on the risks to drinking water that construction and operation of this proposed project present. Whether aquifer, private well, or public water supply, blasting and trenching are not compatible activities with the protection of these irreplaceable water resources. Please scope how you will ensure zero (0) risk to this life-supporting resource.

Both the Ashby Conservation Commission and Board of Health, among many others, have commented about the risks to clean breathable air that construction and operation of this proposed project present. The emissions of fracked gas during its extraction, transport, and consumption are too great a risk to everyday life and to our local and global environment. Methane is released into the atmosphere as a matter of standard operating practice where pressure is adjusted and it enters the atmosphere through leaks at all points from drill bit to burner tip. Please scope how you will ensure zero (0) risk to this life-supporting resource. Please scope how you will ensure the project's 100% compliance with new EPA rules restricting methane release⁵.

We, and others, have also commented on the negative impact of the increase in methane emission from the project to curbing global climate change. The Commonwealth of Massachusetts has committed to reductions in greenhouse gas (GHG) emissions defined by our Global Warming Solutions Act (GWSA)⁶. Those GHG reductions are required to be 25% of 1990 baseline levels by 2020 and 80% by 2050. Please scope how you will guarantee that the increased GHG emissions resulting from the fossil fuel product of this pipeline project will have no negative impact on our Commonwealth's ability to achieve the reductions we have committed to in our GWSA.

The introduction of increased fees for infrastructure paid for on the backs of ratepayers will decrease the monies available for both residential and commercial energy efficiency efforts. The Commonwealth of Mas-

sachusetts has been first in the nation⁷ for energy efficiency for the last 4 years. Please scope how you will ensure that our energy efficiency efforts, our ‘first-priority’ energy resource⁸, will not in any way be negatively impacted by this proposed project.

This project continues to imperil public lands believed to be protected into perpetuity by Article 979 of the Amendments to the Massachusetts Constitution, and by Conservation and Agricultural Restrictions placed on lands by private citizens and public land trusts. The other States impacted by this proposed project have comparable protections of their own public lands also now at risk. In Massachusetts alone over 100 conservation parcels, at least 85 of which are protected by Article 97, are threatened by this proposed project. The Ashby Conservation Commission has provided¹⁰ requested information regarding Article 97 to help educate FERC staff. Please scope how taking these public lands by eminent domain for the private profit of a commercial entity, in violation of the public and charitable trust, can possibly be in the public good.

The impacts of the Fitchburg Lateral on local sensitive environmental resource areas that we share with our neighbor to the east, Townsend, include the entire north-south reaches of the Squannassit Area of Critical Environmental Concern¹¹, Natural Heritage and Endangered Species Program (NHESP) Priority Habitats of Rare Species area PHP 1477, NHESP Estimated Habitat of Rare Wildlife area EH 959, BioMap² Critical Natural Landscape areas 1308 and 1274, BioMap² Core Habitat 2791, and Willard Brook State Forest. Please scope how you will ensure zero (0) negative impacts on these sensitive ecological areas themselves and the wildlife that inhabit them.

The Town of Ashby resolved on August 12, 2015 to file for Intervenor Status if and when Kinder Morgan files a formal application for the NED project. We are joined by many other Towns who have also taken this preparatory step. We, the Conservation Commission, as the municipal focal point for environmental protection, will do what is necessary to protect our town. We urge you to see, as we have, that the “No Action Alternative” is not only the best, but the sole possible valid outcome of your tasked Environmental Impact Study.

Respectfully,

The Ashby Conservation Commission
George A. Bauman, Chairman
Robert F. Leary, Vice Chairman
Roberta Flashman, Secretary
Cathy Kristofferson, Treasurer

Footnotes:

- 1 http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20141124-5039
- 2 http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20150515-3033
- 3 10.1 NO-ACTION ALTERNATIVE, DRAFT ENVIRONMENTAL REPORT, RESOURCE REPORT 10, ALTERNATIVES, Tennessee Gas Pipeline Company, L.L.C.
- 4 http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20151015-5098
- 5 <http://www3.epa.gov/airquality/oilandgas/pdfs/20150114fs.pdf>
- 6 <http://www.mass.gov/eea/air-water-climate-change/climate-change/massachusetts-global-warming-solutions-act/>
- 7 <http://database.aceee.org/state/massachusetts>
- 8 <http://www3.epa.gov/chp/policies/policies/mamassachusettsenergyefficiencyfirstfuelrequirement.html>
- 9 <https://malegislature.gov/Laws/Constitution#cart097.htm>
- 10 http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20150818-5059
- 11 <http://www.mass.gov/eea/docs/dcr/stewardship/acec/acecs/squisit.pdf>
- 12 <http://maps.massgis.state.ma.us/dfg/biomap2.htm>

20151016-5332

Process Adherence in Support of the Public Interest

When Kinder Morgan made a voluntary election to use FERC's pre-filing process, it made a commitment under 18 CFR 157.21(d)(10) to file both a complete set of Resource Reports as required in 18 CFR 380.12 and a complete application at the time of filing. FERC must hold Kinder Morgan to its commitment. The Resource Reports submitted by Kinder Morgan to date suggest that Kinder Morgan will test the limits of FERC's minimum standards for acceptability when it submits its application, which KM has stated will be filed on November 20, 2015. FERC must ensure that KM's submissions meet or exceed FERC's standards as defined in the regulations.

It appears that Kinder Morgan did not take the FERC pre-filing process seriously. The Resource Reports which Kinder Morgan has already submitted are not designed to facilitate appropriate review of a proposal with such extensive impacts. The data are incomplete and sometimes misleading. They are provided in a format that appears designed for public confusion vs. public understanding. Government entities which must review the project are burdened by incomplete and confusing information. This essentially shifts the cost of analysis from the Kinder Morgan to the public and taxpayers. I respectfully request that Kinder Morgan show its good faith by holding itself to a higher standard in its application than that which it has demonstrated to date in its pre-filing submissions.

The Resource Reports already presented are cumbersome to navigate either physically or digitally. Tables of contents for future reports should include specific pdf page numbers and hyperlinks rather than simply refer to a page number within a section, so that basic digital navigation is possible. Large sections of these reports contain no data. FERC has addressed this recently in a 30 page letter to Kinder Morgan requesting additional information, repeating many earlier requests to KM. Under KM's commitment in the pre-filing process, the Resource Reports submitted with the application will of course have no missing data.

Every reference provided by Kinder Morgan should provide an appropriate hyperlink to a digital source. If a digital source did not previously exist, KM should digitize the source document and post it to a webpage, providing a direct hyperlink. References which lead to nowhere are time-consuming, frustrating and useless. The burden should be on Kinder Morgan to provide legitimate sources which are easy to retrieve and review. KM's failure to perform this basic task requires both the public and FERC reviewers to waste time and public money.

The references Kinder Morgan has provided often don't prove their points, as I've illustrated in my earlier comments regarding Resource Report 5. The tendency of a casual reviewer is to assume they are correct, leading to false conclusions which have significant implications when assessing public necessity vs. cost. This is intellectually dishonest and cannot be tolerated when so much is at stake.

To facilitate better public understanding and review, maps must include current information with existing structures clearly identifiable. Larger scale maps should be included to provide context. North should be at the top.

Kinder Morgan has shown a lack of attention to detail throughout the process. Although Kinder Morgan provided updated resource reports in July, it frequently repeated language from previous reports, without providing obvious updates. For example, in Appendix D filed in July 2015, it speaks of already completed open houses in the future tense: "...the expectation is to complete several open houses beginning in February 2015 (D-3)."

In the last year, Kinder Morgan has missed deadline after deadline. Just this week, it announced it is delaying its application filing by a month. Yet, despite all its self-imposed delays, and despite the significant route changes it adopted well after public announcement of the proposal, Kinder Morgan insists it will meet its originally predicted date to have the pipeline in service. This leaves the public to wonder what other shortcuts Kinder Morgan would take with pipeline design, construction and operation, let alone with the FERC process.

FERC has the authority and the responsibility to protect the public interest in the certificate process. Kinder Morgan's lack of consideration for the process, its lack of attention to detail, its failure to provide references which validate its arguments, and its seemingly unchallenged arrogance increase public mistrust of the

FERC process. FERC must act to ensure that Kinder Morgan follow the law as it continues the certificate review so that the public interest is both respected and protected.

The FERC process excludes public discussion of perceived necessity. It focuses public disclosure exclusively on environmental impacts vs. economic impacts. It is imperative that the review process disclose all information pertinent to the decision.

It is important for the public to know what percentage of pipeline capacity is subscribed by customers who are also investors in the pipeline through themselves or their subsidiaries and partners. The dual roles of companies as investors and customers enable such entities to game the system. There should be a presumption of an arm's length transaction for subscribed capacity. When this is not the case, issuance of a FERC certificate of necessity and convenience essentially guarantees these companies interests are protected at the expense of the public interest. This of a key concern not just for the environmental damage that these projects will cause, but also for the rights of public citizens who would lose their property to these companies via eminent domain authority.

It is further critical to understand the proponent's plan for scaling up the capacity of the pipeline over time. It is apparent that KM scaled back its proposal because of lack of interest, yet it now suggests it will pursue a somewhat larger capacity, with the ability to scale more in the future. There is every expectation that the proponent will attempt to sell future capacity for LNG for overseas sales. This is an extremely costly proposition to American citizens and businesses and must be addressed in an open process as part of the current review process.

Thank you for the opportunity to comment.

20151016-5339

Sally Catlett, Nassau, NY.

October 16, 2015

FERC Docket # PF12-22

First Street NE, Room1A

Washington, DC 20426

My name is Sally Catlett and I am a resident of Nassau NY in Rensselaer County. Over the past year I have become aware of the severity of the Tennessee Gas Pipeline/ KinderMorgan project that is proposed for my area. Two existing pipelines lie right behind my property. Kinder Morgan is proposing the installation of a new, high pressure pipeline that would carry hydrofracked fuels along this same route. This new pipeline would have a great impact on our home values, our safety and our health. Some of the known facts about this pipeline, I wanted to re-emphasize with you so you will understand the implications of this project if it gets approved. Of greatest concern to me was:

1. This new pipeline will be 30- 36 inches in diameter and carry "fracked" gas at 1460 lbs. per square inch, significantly larger and much more pressurized than the current pipeline in place now. Any house that lies within 900 feet of the gas pipeline is considered to be within the "incineration zone", indicating that if the pipe were to have a leak and explode (which happens more frequently with these pressurized pipelines), the house would be completely destroyed, along with anything on the property. My house is 926 feet from this pipeline. There have been over 990 accidents involving natural gas transmission including 137 injuries and 34 deaths since 2003.

2. With this high pressure pipeline comes compressor stations. They will be built every 40-60miles along this pipeline. Since the proposed pipeline is so large in scale and more pressurized, it requires a significantly larger compressor station. It will span 30-40 acres of land, be very loud and have lights on 24/7. A compressor station of this magnitude will also emit large amounts of CO₂, methane and nitrogen oxide, contributing to poor air quality around our homes. They will also release harmful carcinogens into the air, such a toluene, benzene and formaldehyde. Citizens who live within 1500ft of these compressor stations in other areas have complained of nosebleeds, headaches, sore throats, dizziness and nausea. There have also been numerous

explosions at other compressor stations causing evacuation of nearby residents within a one-mile radius.

3. Our property values will significantly decrease and insurance may increase. The Schodack/ Nassau area is a small one, we need to attract to more people to live in this community, not drive them away. I would consider moving out of this area if this pipeline does get approved for installation. It is simply making this community an unhealthy place to live.

This pipeline would not be bringing fuel to our homes, or anyone in the area, it is strictly a transmission line to bring the fuel to Dracut, Ma. Please help protect the health and safety of our families and our environment. There are cleaner fuel alternatives available that would not subject innocent people to harm. Fracked gas extraction has been banned in the state of New York, why should its residents be subjected to the hazards of transporting this fuel through our backyards?

Thank you. Your consideration is appreciated,

Sally Catlett

20151016-5343

CONNECTICUT RIVER WATERSHED COUNCIL

The River Connects Us

15 Bank Row, Greenfield, MA 01301 crwc@ctriver.org www.ctriver.org

October 16, 2015

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

Re: Tennessee Gas Pipeline Company, L.L.C. Docket No. PF14-22-000

Comments on Environmental Issues for the Planned Northeast Energy Direct Project

Dear Secretary Bose,

The Connecticut River Watershed Council, Inc. (CRWC) hereby submit these comments in response to FERC's "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" dated June 30, 2015. CRWC has reviewed portions of Northeast Energy Direct Project's revised "Draft Resource Reports and Appendices" prepared by Kinder Morgan, owner of the Tennessee Gas Pipeline Company, dated July 24, 2015.

CRWC is a nonprofit citizen group that was established in 1952 to advocate for the protection, restoration, and sustainable use of the Connecticut River and its four-state watershed. The interests and goals represented by CRWC include, but are not limited to, improving water quality; enhancing habitat for fish and other aquatic biota; safeguarding and improving wildlife habitat; protecting threatened and endangered species; protecting wetlands; preserving undeveloped shore lands; enhancing public recreation and promoting recreational safety; protecting aesthetic values; protecting archeological, cultural, and historical resources; fostering sustainable economic development, energy production, and preserving the local tax base along the Connecticut River and its tributaries.

The Connecticut River watershed boundaries encompass the Silvio O. Conte National Fish and Wildlife Refuge, which was designated in 1991 as the first watershed-wide refuge of its kind in the country. The Connecticut River was named one of just 14 American Heritage Rivers by President Clinton in 1998, due to its historic and cultural significance to the nation. It also became the first National Blueway, designated by Secretary of Interior Ken Salazar, in 2012 due to the collaboration of the over 40 partner organizations working in our watershed.

The Northeast Energy Direct project would involve the construction and operation of approximately 418 miles of new pipeline, pipeline looping and laterals in Pennsylvania, New York, Massachusetts, New Hampshire and Connecticut. Based on our review of the materials presented in the July 24, 2015 resource reports¹, we believe the following elements of the project lie within the Connecticut River watershed and are of interest to us:

Massachusetts part of Connecticut River watershed:

- Wright to Dracut Pipeline Segments, some of G and all of H
- Two compressor stations: Market Path Mid Stations 2 (Windsor, MA) and 3 (Northfield, MA)
- Two meter stations: West Greenfield (Deerfield, MA) and Longmeadow, MA
- Mainline valves and blowoffs, access roads, and contractor yards associated with segments G and H of the pipeline

New Hampshire part of Connecticut River watershed:

- Wright to Dracut Pipeline Segment I and a small part of J
- Mainline valves and blowoffs, access roads, and contractor yards associated with segments I and J of the pipeline

Connecticut part of Connecticut River watershed:

- 300 Line Connecticut Loop, Segment S
- Mainline valves and blowoffs, access roads, and contractor yards associated with segment S

As FERC noted in their comments on the July 24, 2015 Draft Resource Reports dated October 8, 2015, there are many details that are still listed as “TBD” in the resource reports. CRWC is unable to formulate scoping comments on missing information. We request that FERC require the applicant to complete those sections and that they be published and noticed by FERC with a public comment period.

Alternatives Analysis

There are a large number of alternatives that should be evaluated as part of the EIR, including the following:

- No build alternative. FERC should fully consider whether there is truly a public need for this project. Many doubts have been raised about the need. Given the extremely large impact this project will have on resources in the project area, the bar to determine a public need should be set very high.
- Routing alternatives. Should the need for a pipeline be established, we request that routing alternatives, both large and small-scale, be fully explored. The EIS must include a detailed alternative routing analysis to avoid sensitive areas. For example, access roads and contractor yards should only be built in areas where wetland and stream impacts are avoided.
- Construction alternatives: There are many construction alternatives that can be considered in certain areas of the project. Overall, we recommend that the draft EIS contain an analysis of smaller rights-of-ways such as a 50-foot right of way.

Impacts to Wetlands and Waterways

Resource Report 2 describes generally the proposed methods that will be used for stream crossings. Our interest is in the construction-related and long-term impacts to the Connecticut River and the many tributaries and wetlands impacted by this project.

According to Table 2.2-6, we believe there are 45 stream crossings (and more than 50 wetland crossings) proposed in the Massachusetts part of the Connecticut River watershed, 24 stream crossings in Connecticut, and 46 in the New Hampshire part of the watershed. The majority of river crossings are in coldwater fisheries or high quality waters in Massachusetts and New Hampshire. In Connecticut, most of the waterbody crossings affect Class A and AA waters. Stream crossing methods are listed for each crossing, but the ratio-

nale for each crossing is not given.

We are not sure why the proposed crossing method for the Westfield and Millers Rivers are type II (Dry crossing Method including Flume and Dam and Pump). The Westfield River is part of the National Wild & Scenic River system. Any impact to this river and its tributaries should be avoided or minimized. In New Hampshire, the 800-foot crossing of Scott Pond in Fitzwilliam, is proposed to have a type II crossing as well. CRWC recommends that any crossing of a lake not be subject to dry crossing.

Multiple crossings to the same river should be either avoided or minimized. For example, Table 2.2-6 indicates that the Bear River, a coldwater tributary to the Deerfield River in Massachusetts, will be crossed in four separate locations by the pipeline. Moreover, the Bear River will be crossed once for an access road. Five crossings of the same small tributary will have a high impact on this stream. The Deerfield River will be crossed twice, with a total of crossing length of 565 feet.

The proposed pipeline will cross many headwater streams. For example, in New Hampshire, the pipeline will cross several tributaries of the Ashuelot River including Snow Brook, Mirey Brook, Roaring Brook, Rice Brook and the headwaters of the South Branch. The applicant should clarify how they will approach these important headwater streams. Seasonally, streams such as those mentioned in the Ashuelot watershed, provide spawning habitat for native species. In addition, the timing of the disturbance will affect the success or failure of the spawn during the construction year. FERC has requested information on timing and we concur that this is an important detail to review.

CRWC recommends that FERC require the Applicant to document how pre-construction conditions will be restored at each stream crossing location and how pre- and post-construction conditions will be monitored. Stream restoration activities should ensure that the Applicant is taking appropriate measures to avoid and/or reduce short-term and long-term impacts to stream morphology and hydrology.

Protection of Drinking Watershed Lands in Connecticut

A portion of the 300 Line Connecticut Loop will impact over 250 acres of public drinking water supply land owned by the Metropolitan District Commission. This land is classified as Class I and Class II water company land and is protected and preserved by Connecticut state statute to protect the state's water resources. There was neither an alternative proposed to this route nor was the permit required according to CGS 25-32 listed in Table 1.6-1.

Impacts to endangered species

The U.S. Fish and Wildlife Service has identified the Ashuelot River as one of the four most important refuges for the federally-endangered dwarf wedgemussel (*Alasmidonta heterodon*). Although the dwarf wedgemussel is listed in Table 3.4-1, it was not listed in Table 3.4-6, which lists species in the vicinity of the project in NH. If dwarf wedgemussel are not in the vicinity of the planned pipeline, impacts to this species during and after construction of the pipeline because of disturbance to upstream tributaries should still be evaluated.

Cumulative impacts

Tributaries to the Connecticut River support coldwater fisheries. This habitat is maintained in part by shading provided by tree cover. The proposed construction and maintenance of the pipeline right of way will require that the pipeline route be kept clear of tree cover. The cumulative impact of construction and permanent right of way maintenance on cold water habitat must be fully evaluated and mitigated.

The proposed route will create a permanently cleared swath through forest habitats, and this will have a detrimental effect on interior forest species. Pipeline corridors can act as gateways for the spread of invasive species which will have a negative impact on native flora and fauna, and biodiversity. The EIS must evaluate the cumulative impact on interior-dependent species as well as the impact on the spread of invasive species. The proposed route should attempt to avoid interior forest habitats.

Mitigation options

This is a very large project that covers a wide swath of our watershed. Under typical conditions, each stream crossing for a project would get detailed scrutiny by state and local resource agencies and boards. Due to the magnitude of the project, there is no way each impact is going to be carefully considered and mitigated. We believe there is no way to properly mitigate the impacts of this project. Certainly, any mitigations options offered by the proponent should be on a large enough scale that real benefits can happen.

Agency Contacts

The Ashuelot River is an enrolled river in the NH Rivers Management and Protection Program (RMPP). As such, it has special status under New Hampshire law and is specifically empowered to review proposals to NH DES that impact the river and its orderly development. Under the NH program, a Local River Advisory Committee (LRAC) comprised of citizens appointed by the selectboards of all the towns through which the Ashuelot River watershed flows is established. Appendix A of the resource reports indicates that the proponent has contacted the Rivers Coordinator for NH Department of Environmental Services. If the applicant has not also contacted the Ashuelot River Local River Advisory Committee, CRWC recommends that they do so. No group of people in the Ashuelot watershed knows the intimate details of the river like the members of the Advisory Group.

We appreciate the opportunity to provide scoping comments. We can be reached by email at adonlon@ctriver.org (Massachusetts), ddeen@ctriver.org (New Hampshire), and acharamut@ctriver.org (Connecticut).

Sincerely,

Andrea F. Donlon
MA River Steward

David L. Deen
Upper Valley River Steward

Alicea Charamut
CT River Steward

Footnote:

1 CRWC notes that we found the organization of the resource reports and especially the resource maps very cumbersome to sort through. It would be helpful to know the contents of each electronic file so that we don't have to open and close and scan through large files so many times. Hot-links should be embedded in the .pdf files.

20151016-5344

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

October 15, 2015

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

RE: Northeast Energy Direct – Docket No. PF14-22-000

Dear Secretary Bose:

The Dalton Fire District submits the following comments on the proposed Kinder Morgan Tennessee Gas

Pipeline (TGP) Northeast Energy Direct (NED) pipeline project (PF14-22). The proposed NED project would have significant impacts on the natural resources, public infrastructure, socio-economics, and the public health and safety within the region. The proposed NED project crosses through the Town of Dalton on Dalton Fire District lands and would impact the District as well as the Town. Through the coordination of the Berkshire Regional Planning Commission, the Dalton Fire District has joined with the City of Pittsfield, Massachusetts, the Towns of Cheshire, Dalton, Hinsdale, Lanesborough, Lenox, Richmond, Washington and Windsor, Massachusetts, the Lanesborough Village Fire and Water District, Rensselaer County, New York, and the Towns of Nassau, Stephentown, and Schodack, New York to identify common impacts and requested mitigation measures. Those items are specified in comments submitted by the Berkshire Regional Planning Commission; letter dated October 15, 2015. The Dalton Fire District endorses and incorporated herein by reference, the comments submitted by the Berkshire Regional Planning Commission.

James O. Driscoll, Chairman
Board of Water Commissioners

Camillus B. Cachat, Jr.
Board member

Michael J. Kubicki
Board member

20151016-5347

The Sloppiness of Kinder Morgan's "Arguments"

Summary

I have spent some time examining the most recent Kinder Morgan Resource Reports for the Northeast Energy Direct (NED) project. I am very much underwhelmed by the sloppiness of many of the arguments that they put forth to support their interpretation of the need for their proposed pipeline and their claims of the relatively small impact that they claim the pipeline would have on those directly affected by its construction and operation. Below I detail two especially egregious examples of this sloppiness and what FERC should do to combat it.

Specific Objections

These are two specific objections to the sloppiness of Kinder Morgan's "logic" as presented in their Resource Reports:

1. Narration without citation is not a valid argument – at best, it expresses an opinion. If a report declares that something is a fact but doesn't back that declaration with actual data and citations of the work of others, then it has not made a valid argument. And that lack of data and citations might even cause the careful reader to wonder at their absence and of the veracity of the arguments being made. If supporting data and studies are available, why not cite them?

Here is an example of Kinder Morgan substituting narration for valid argument. This is section 10.1.2.10 from Resource Report 10, Alternatives:

10.1.2.10 Other Energy Sources

Alternative fuel sources available include using liquefied natural gas ("LNG") and propane/air storage and vaporization. Although both alternatives have the potential to meet the Project objectives, Tennessee determined that these alternatives were not viable due to such factors as siting constraints, increased environmental impacts, and the time required to develop them. Therefore, supplying adequate volumes of natural gas through the construction of the proposed Project is the preferred alternative.

There are studies available that claim there is little if any need for the NED project at all because of the potential of more fully utilizing existing pipelines and LNG import facilities. The most recent study is

Analysis of Alternative Winter Reliability Solutions for New England Energy Markets, available here: <http://tinyurl.com/p9marv1>. For Kinder Morgan to assert that LNG is not a viable alternative - basically because they say so - is ludicrous. As if they could wish away this alternative in one short paragraph that includes no data or citations – by simply stating that they have determined that this is so. Why are they not willing to share the information that they used to determine that the LNG alternative is not viable? Why would a careful reader of this report accept this “argument” as being true?

2. Whenever an outside study is referenced, it simply must be properly cited – and in an electronic document such as the Resource Reports, it should have a working hyperlink. Lack of such proper citations and links is completely unacceptable in any document that is to be taken seriously. And again, the very lack of a these items might cause the careful reader to wonder why they weren’t supplied.

This is an example of Kinder Morgan referencing studies without citing them. It comes from Resource Report 5, Section 5.6, Property Values:

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).

Requests to FERC

Given the above objections to the Kinder Morgan Resource Reports, I request that FERC take the following steps:

1. Be aware of the instances where Kinder Morgan is substituting simple narration for valid argument. Narration without the citation of data and references is simply that – narration. Anyone can write an opinion piece stating their position without backing it up with actual data. Please disregard any such unsubstantiated “arguments” put forth by Kinder Morgan – just as a thoughtful reader of any type of report should do. Or alternatively, require that Kinder Morgan back up its assertions or remove them from the report.
2. Be aware of instances where Kinder Morgan references (presumably) existing studies, but fails to provide actual citations to these studies. The reader is then left to either accept Kinder Morgan’s assertions about these studies or to embark upon a research project of their own to locate the referenced study. No middle school teacher would accept this type of sloppy writing on a report turned in by one of their students – and neither should FERC. Rather, FERC should insist on being supplied with actual citations for any study referenced, ideally accompanied by a working hyperlink to the study - the same type of citation that any author writing any serious report would supply as a matter of course.

It is telling to me that this type of basic information is not automatically supplied by any pipeline applicant that is attempting to provide critical information to FERC and to the public. Such critical information should automatically be required by FERC for all Resource Reports. Any report lacking it is incomplete and should not be accepted by FERC or by the public.

Nick Miller Groton, MA

20151016-5351

{ skip to end of 20151016-5351 }

Southwest Region Planning Commission

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

October 16, 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 Southwest New Hampshire and several communities in the planning district served by the Southwest Region Planning Commission (SWRPC). Attached are comments prepared by SWRPC to assist in your agency's review of the NED proposal. These comments are organized by subject matter and are formatted to provide context, articulate concerns, and identify additional information needs to better understand and assess potential impacts associated with the proposal. SWRPC has collaborated with other regional planning agencies in MA and NH to develop a joint Request for Further Study and Information which you will also find attached. In addition, SWRPC provided initial written comments to FERC dated 9/29/15.

It should be noted that the NED proposal as it may impact Southwest New Hampshire came unexpectedly and out of the blue. SWRPC has no experience in reviewing a natural gas infrastructure siting proposal which, as we have learned during the pre-filing phase, is extremely complex. Nor has SWRPC been provided with dedicated resources sufficient to offset the cost of its professional staff to participate in the review of the proposal. From my perspective, this is a flaw in the process.

In the initial stages of pre-filing, the importance of the proposed project was continually stressed as critical to addressing our future energy needs, reducing our energy costs, and providing a low-cost energy source which would provide us with the means to become more competitive from an economic development standpoint. Yet, ironically, approximately one year later, we are left with little if any clear and quantifiable data which would allow us to adequately assess the positive aspects of the proposal. The information which has been made available suggests a multitude of concerns, many of which have been expressed within the comments contained in this submittal.

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

Sincerely,

Tim Murphy
Executive Director

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

Northeast Energy Direct (NED) Scoping Comments

Prepared by:

Southwest Region Planning Commission

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Federal Energy Regulatory Commission

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TABLE OF CONTENTS

(page # in original report)

Introduction	2
Water Use and Quality	4
Fish, Wildlife, and Vegetation	8
Historical Resources	12
Socioeconomics	14
Geological Resources and Soils	20
Land Use	22
Recreation and Aesthetics	24

Air and Noise	26
Reliability and Safety	28
Infrastructure	31
Municipal and Regional Planning	38
Conclusion	40

INTRODUCTION

The Southwest Region Planning Commission (SWRPC) provides the comments contained in this submittal concerning the Northeast Energy Direct project (NED) proposed by Kinder Morgan Tennessee Gas Pipeline Company. SWRPC is the regional planning agency serving the 34-town planning district of Southwest New Hampshire. This includes seven towns located directly on the proposed pipeline corridor and two additional towns immediately adjacent and within close proximity to the corridor that will be impacted by the 37 miles of proposed pipeline route through the SWRPC Region and the Mid-Station 4 compressor station. SWRPC is participating in review of the NED proposal in that we have worked to better understand the FERC process, created a sensitive resource inventory along the proposed pipeline corridor, collaborated with regional planning agencies in MA and NH, provided initial comments during the FERC-sponsored scoping meeting of 9/29/15, developed the comments contained within this submittal, and intend to continue participation and to provide additional comments throughout the course of the FERC review process.

The NED proposal represents the largest infrastructure project in Southwest NH in at least several decades and perhaps ever. The communities of Southwest NH have evolved and continue to develop as a result of hundreds of years of growth and change supplemented by conscious visioning efforts, master plans, land use regulations, zoning ordinances, land conservation activities, political structure, and awareness and protection of the significant features that define the very character of individual towns and the Region. SWRPC is concerned that the nature and scale of the proposed NED project has the potential to undermine the efforts of generations of hard-working volunteers in providing stewardship for and maintaining the quality of life in our Region and several communities in which we serve. SWRPC has significant concerns regarding the potential natural and cultural resource impacts associated with the proposal. Resources that would be most directly impacted include aquifers and surface waters, vegetation, wildlife habitat, conservation lands, air, farmlands, historic resources, roads and bridges, other public infrastructure, and existing and proposed development. We are also concerned with the impacts that the proposed project could have on property values, local taxes, public safety, environmental justice, recreation and tourism, business activity, and the orderly development of the Region.

It is no secret that New Hampshire and New England have some of the highest electricity costs in the nation making it a challenge to compete economically. A clear connection exists between higher energy costs and our ability to attract economic development activity and grow our regional economy. Because of these realities, we are faced with difficult challenges about our energy future in order to stay economically viable and maintain our quality of life. Yet, an excerpt from the vision statement of the Comprehensive Economic Development Strategy for Southwest New Hampshire (CEDS) states the following:

Private and public activity will foster equally economic enterprise, environmental protection, and conservation of our local heritage – not seeking to transform the landscape, but preserve our greatest assets.

This excerpt acknowledges that our environment and heritage are vital to the Region and therefore should not be unduly compromised in the pursuit of addressing our economic needs. This represents just one example of a theme repeated in numerous other publications about the importance of these assets to the very identity of Southwest New Hampshire and the Monadnock Region. It is perhaps noteworthy in this instance that this theme is contained within the vision statement of the CEDS document – an on-going initiative focused on the economic health and well-being of Southwest NH.

SWRPC has collaborated with other regional planning agencies in MA and NH to develop a joint *Request for Further Study and Information* {see below} which will be submitted separately. In addition, SWRPC

provided initial written comments to FERC dated 9/29/15.

The information provided by the applicant during the pre-filing period are not sufficient to fully understand and assess the impacts of the proposed project on our natural and cultural resources. The comments contained in this submittal along with SWRPC's initial comments and the joint Request for Further Study and Information are intended to assist in the process of developing a filing in which SWRPC, individual communities and the public can more fully understand and provide comment

WATER USE AND QUALITY

Introduction

The project and its proposed facilities will have significant temporary and permanent impacts on water resources in Southwest NH. Information provided during the pre-filing stage is insufficient to adequately assess impacts of the proposed project. Following are several comments which describe concerns and identify information needs.

Comments

- Context: Surface water is a vital resource in the Southwest Region of New Hampshire, as is water quality. Communities rely on maintaining the water quality for drinking water, local recreation, and attracting visitors. There are many volunteers that contribute countless number of hours as stewards to ensure that the water quality remains in a healthy status. The major contributor to water quality degradation is non-point source pollution that is carried with stormwater into surface waterbodies.

Concern(s): During construction, the natural and existing flow of stormwater is likely to be rerouted. Unmanaged stormwater during construction will result in erosion and can carry material into watersheds causing a degradation of water quality.

Information Request(s): The application should include a stormwater management plan showing proposed methods of protecting watersheds and waterbodies. The plan should include methods of handling stormwater during construction and post-construction.
- Context: Natural vegetated riparian buffers are the most effective protection for the Region's surface waters. They reduce runoff, filter pollutants and provide transitional zones between aquatic habitat and human land use. Depending on the width of buffers and the vegetation in place, 50-100% of the sediments and nutrients from runoff can settle out or be absorbed by the buffer.

Concern(s): The loss of mature vegetation within the riparian buffers will have a negative impact on water quality and can increase the potential for erosion.

Information Request(s): Information is needed on the riparian buffers that will be impacted as a result of construction activity. This should include a planting, restoration, and maintenance plan. The plan should indicate the types and size of plantings, and planting distances. All plantings must be non-invasive species. Plantings and locations must be sufficient to serve the functions that were previously established by the existing buffer. A maintenance plan is needed until the vegetation is well-established.
- Context: According to NH DES, the fifth most common impairment to aquatic life for lakes in the Region is aquatic plants. Invasive aquatic species are easily spread through machinery and equipment from one location to another. Invasive aquatic plants, fish, and invertebrates cause an imbalance to the health and natural habitat of waterbodies and impairs the water quality and viability of native aquatic species.

Concern(s): Spread of invasive aquatic species, including zebra mussels and milfoil, as a result of construction activities and the wetland mitigation restoration process.

Information Request(s): Information should be submitted to demonstrate the protection against the spread of invasive aquatic species during construction activities and wetland mitigation.
- Context: Southwest NH is reliant on privately owned and maintained water supplies. Approximately

98% of the region's population is dependent on groundwater for drinking water supplies. The majority of residents (56%) rely on private wells to access water. Maintaining the high quality and availability of groundwater is important to protect public health and the environment. The current proposed pipeline route will impact a variety of aquifers across the Southwest Region. The proposed route will affect at least eight aquifers within six towns in the Region.

Concern(s): Contamination of aquifers and springs during construction. Private water supplies may be compromised due to blasting and other construction activities. Arsenic, Radon, and other issues are common. There currently is no complete inventory of these wells.

Information Request(s): The application should include a plan delineating the aquifers and wellhead protection areas located within construction areas, staging/storage areas, and accessways. Information in the plan should follow the New Hampshire 2015 Model Groundwater Protection Ordinance or local ordinance if it is more stringent. Determine the number of wells that could be potentially harmed through contamination or loss of function as a result of NED construction. Provide a schedule of testing that will be provided to each of the landowners in these areas. Conduct baseline tests for arsenic and radon in private wells in case of future problems. Provide information on measures that will be used to ensure private water supplies are returned to previous capacity in the event of damage caused by construction.

5. Context: Since approximately 98% of the region's population is dependent on groundwater for their drinking water supplies, water usage can become an issue during periods of drought or near drought conditions. Hydrostatic testing of a completed natural gas pipeline requires a large water withdrawal. There is also a significant amount of wastewater disposal.

Concern(s): The source of water needed for hydrostatic testing could deplete local water supplies to dangerous levels. The improper discharge of the wastewater could cause contamination of water resources and cause erosion and water quality issues.

Information Request(s): A water usage plan should be included as part of the application to show the source and amount of water needed during construction and post construction including evidence that the amount needed will not deplete the current needs for drinking, farming, and support of aquatic life. Detailed information is needed to determine the potential impact of the discharge of water used in hydrostatic testing. This includes location, temperature of discharged water, and potential contaminants.

6. Context: Surface waters are important resources for both people and wildlife and are protected under the Clean Water Act. The Monadnock Region has numerous lakes, ponds, and waterways. The current proposed pipeline route will impact a variety of surface waters and watersheds including various rivers, streams, lakes, and ponds in Southwest NH. At least 37 streams/rivers and five lakes/ponds within seven towns in the Region will be directly affected. Non-point source pollution contributes to over 90% of water pollution in New Hampshire. Contaminants can have harmful effects on drinking water supplies, recreation, fisheries and wildlife. Any activity that affects water quality, quantity or flow rate in one part of a watershed may affect locations downstream.

Concern(s): Pollutants from construction activities can have detrimental impacts within watersheds, thereby impacting water resources downstream.

Information Request(s): Information should be submitted to delineate entire watersheds within construction areas, staging areas, and accessways to determine the potential for contamination downstream of proposed facilities. A plan is needed for each watershed to indicate the protection methods proposed. Information is needed detailing the effects and procedures used by the applicant during HDD (horizontal drilling) and the protocols regarding the release of drilling fluids into local aquifers, wetlands, and surface waters.

7. Context: The Clean Water Act emphasizes the importance of wetlands and regulations regarding their protection. Wetlands provide a vast array of ecological functions and societal values. Approximately

5% (32,370 acres) of the Region is classified as wetlands by the National Wetland Inventory of the U.S. Fish and Wildlife Service. These wetlands perform important ecosystem functions including water purification, sediment trapping, flood protection, shoreline stabilization, and recharge for both groundwater and surface water. They also provide food and shelter for a variety of aquatic and upland plants and animals. A variety of wetlands outlined by the National Wetlands Inventory (NWI) will be affected by the current proposed pipeline route. Over 39 wetlands have been identified within the proposed pipeline route and numerous additional wetlands exist in the Region that have not been mapped as part of the NWI. Therefore, the total number of wetlands as well as the total area of potential impacts are unknown.

Concern(s): Any activity that disturbs a waterbody will disrupt the natural processes that occur and can have a lasting impact on wildlife habitat, water quality, and flood storage capabilities that a healthy wetland performs.

Information Request(s): Wetland areas must be delineated in the application. Wetland acreage being effected (temporarily and permanently), loss compensation, quality of water discharge resulting from pipeline contact and chemicals used, information regarding waste products and disposal methods should be identified. Information is needed on the water quality of each waterbody prior to any activity including tree cutting, blasting and land disturbance. The application should demonstrate that best methods will be used to mitigate disturbances to each waterbody. Any proposed alteration of a wetland should include appropriate mitigation methods to restore the affected wetland to its pre-construction state.

8. Context: The Clean Water Act outlines the importance of maintaining and preserving clean drinking water. Many communities rely on stratified drift aquifers for a source of clean and reliable drinking water. The proposed route crosses a number of high transmissivity stratified drift aquifers. Each community along the proposed route in Southwest NH is impacted by at least one crossing.

Concern(s): Activities related to the construction and operation of the proposed project cross many stratified drift aquifers. Groundwater and the water table can be sensitive to changes in overburdened soils and sediment, or to the removal of large amounts of water. Land developed for use by proposed facilities detracts from favorable areas to site new public and private wells.

Information Request(s): The application should include a plan that describes the potential impacts of drilling and pipeline construction on groundwater resources, including flow amounts and directions. Provide information about how impacts to the aquifers will be avoided during construction and post-construction. Provide details on how conditions of municipal groundwater or aquifer protection districts, overlays, or other areas will be addressed in the project review process.

FISH, WILDLIFE, AND VEGETATION

Introduction

The project and its proposed facilities will have significant temporary and permanent impacts on fish, wildlife, and vegetation in Southwest NH. Information provided during the pre-filing stage is insufficient to adequately assess impacts on these resources. Following are several comments which describe concerns and identify information needs.

Comments

1. Context: Between 2010 and 2025, Cheshire County is projected to lose 2% of its forest cover. This decline is due largely to the conversion and fragmentation of forestlands as a result of population growth and development. The loss of large, un-fragmented blocks of productive forest to development can have significant long-term ecological and economic consequences. Five hundred acres of intact forest canopy can provide adequate habitat for some species, protect water quality, allow for sustainable forest management and offer opportunities for outdoor recreation. Larger parcels of productive forest lands are important to ensure the economic viability of forest management and com-

mercial forest interests in the Region.

Concern(s): The proposed project will subvert the efforts of those who have assembled large tracts of land for conservation to create unfragmented forests.

Information Request(s): Describe the effects on ecological integrity, vegetation, threatened/endangered species, and water quality as the proposed project runs through treasured locations such as Rhododendron State Park and Little Monadnock. Describe the impact of construction activities during peak usage times in the parks and methods to mitigate the effects experienced by visitors.

2. Context: Invasive plants are easily spread by cutting and land clearing during the construction phase of the proposed project.

Concern(s): The spread of invasive species on land by cutting and improper disposal of existing invasive plants is a serious concern.

Information Request(s): The application should include a list of invasive plants within any proposed areas of disturbance, including construction areas, staging areas, and accessways. Information supplied should also include the proposed method and proper disposal of invasive plants.

3. Context: Invasive aquatic species are easily spread through machinery and equipment from one location to another. Invasive aquatic plants, fish, and invertebrates cause an imbalance to the health and natural habitat of waterbodies and impairs the water quality and viability of native aquatic species.

Concern(s): Spread of invasive aquatic species through the pipeline installation and the wetland mitigation restoration process.

Information Request(s): Information should be submitted to demonstrate the methods that will be used for the protection against the spread of invasive aquatic species during construction activities and wetland mitigation.

4. Context: In the Southwest Region, forestlands are a defining feature of the landscape and an asset for economic development and tourism. Covering approximately 83% of the Region's land area, they play an important role in providing clean air, clean water, and essential habitat for plants and animals. Other roles of forestlands include protecting watersheds, reducing the impacts of floods, and storing carbon from the atmosphere.

Concern(s): The amount of trees removed during construction activities will have a significant negative impact on tourism, air and water quality, and animal habitat.

Information Request(s): Information is needed to demonstrate the method proposed to mitigate the negative impacts of tree removal both locally and regionally. A plan must be provided which demonstrates that tree removal will be minimized and that best management practices will be used. The plan shall include an inventory of species and size classes, location of critical wildlife habitats, notable areas (historic sites, scenic vistas, trails, etc.), soil types (including areas of compaction and erosion), and goals and objectives. The plan must include sound forest management to keep forest ecosystems healthy and resilient.

5. Context: Damage to the protective cover of tree bark from equipment (e.g., chain saws, graders) can leave trees vulnerable to insects and diseases that can significantly impact an entire species.

Concern(s): The damage caused to trees that are not being removed during construction activities may invite insects or diseases and weaken or devastate the tree or entire species.

Information Request(s): Information is needed to show the methods that will be used to protect trees that are not within the tree removal plan, but are vulnerable to damage caused by equipment construction areas, staging areas, and accessways.

6. Context: Threatened, endangered, and species of special concern have been identified at or in the vicinity of the proposed project. However, no comprehensive inventory of these natural communities is available.

Concern(s): Disturbance of habitat will have a serious and significant impact on threatened, endangered, and species of special concern that have been identified in or near the proposed project. Any disruption to the habitat will further endanger the existence of these species.

Information Request(s): Provide information about how and when rare, threatened, or endangered communities will be identified and how impacts to these and other natural communities will be mitigated.

7. Context: The loss of habitat due to the conversion of land to other uses is one of the greatest threats to wildlife in the state. Activities associated with development activities can result in the loss or fragmentation of habitats, wildlife mortality, nonpoint source pollution, introduced (and invasive) species, etc. The stages of development for breeding, nesting and early development vary depending on the time of the year. In addition, deer wintering areas and hibernation areas will likely be impacted as a result of the proposed project. The NH Wildlife Action Plan (WAP) has identified and mapped a variety of significant habitats that are important for many species of wildlife, including species of conservation concern.

Winchester: The proposed project area crosses priority wildlife habitat including highest in state, highest in biological region and supporting landscape. Habitat types being affected include grassland, hemlock-hardwood-pine, marshland, and peatland.

Richmond: The proposed project area crosses priority wildlife habitat including highest in state, highest in biological region and supporting landscape. Habitat types being affected include grassland, hemlock-hardwood-pine, northern hardwood-conifer, and peatland.

Troy: The proposed project area crosses priority wildlife habitat including highest in state, highest in biological region and supporting landscape. Habitat types being affected include grassland, hemlock-hardwood-pine, northern hardwood-conifer, and lowland-spruce-fir.

Fitzwilliam: The proposed project area crosses priority wildlife habitat including highest in state, highest in biological region and supporting landscape. Habitat types being affected include grassland, hemlock-hardwood-pine, lowland-spruce-fir and marshland.

Rindge: The proposed project area crosses priority wildlife habitats including highest in biological region and supporting landscapes. Habitat types being affected include grassland, hemlock-hardwood-pine, lowland-spruce-fir and marshland, and peatland.

New Ipswich: The proposed project area crosses priority wildlife habitat including highest in biological region and supporting landscape. Habitat types being affected include grassland, hemlock-hardwood-pine, marshland, peatland, and lowland-spruce-fir.

Greenville: The proposed project area crosses priority wildlife habitat including highest in biological region. Habitat types being affected include Floodplain Forest, Hemlock-Hardwood-Pine and marshland

Concern(s): Disturbance of natural habitat for wildlife, breeding/nesting, deer wintering areas, and hibernation areas will have a serious impact on existing wildlife. The proposed project through Southwest NH will directly impact a variety of significant wildlife habitat outlined by the NH Wildlife Action Plan and other conservation plans such as the Silvio O. Conte National Fish & Wildlife Refuge Comprehensive Conservation Plan (specifically the proposed Sprague Brook Conservation Focus Area), the Quabbin to Cardigan Conservation Plan by the Society for the Protection of NH Forests, and the Ashuelot River Watershed Plan. Disturbance of particularly sensitive areas such as vernal pools can be critical during certain months of the year.

Information Request(s): Detailed information is needed to determine the potential impact to existing wildlife population in and adjacent to construction activities and impacts to nearby wildlife corridors. The information needed to fully understand the impacts includes a survey of existing wildlife and vegetation during all seasons. This should include the impacts and evaluation on wildlife corri-

dors and pathways and methods proposed to minimize these impacts. Identify all vernal pools within 150 feet of proposed areas of disturbance, including construction areas, staging areas, and accessways. Describe how vernal pools will be documented and avoided in each instance. A construction schedule is needed to show seasons and timelines of each phase of construction.

8. Context: The Connecticut River, Wapack Mountain Range, and other areas serve as major migration corridors for migratory bird species.

Concern(s): The siting of the proposed NED project will interfere with the migration of a variety of bird species.

Information Request(s): Provide information about migratory species that may be negatively impacted by the proposed project and how impacts will be mitigated.

9. Context: The NH Natural Heritage Bureau (NHNHB) maintains a database of known rare species occurrences throughout the state. Many rare species are known to occur in the Monadnock Region. However, a thorough inventory of rare species has not been conducted in the Region, and therefore the current distribution of rare species is inadequate to fully understand potential impacts.

Concern(s): A variety of threatened and endangered species have been identified as being potentially impacted by the proposed project. However, additional rare species may exist beyond the known locations found in the NHNHB database.

Information Request(s): The application should include information that identifies all threatened/endangered, rare, or exemplary natural communities in the vicinity of the pipeline, their locations, and how impacts to these communities will be mitigated during construction and operation of the proposed project.

10. Context: The NHNHB maintains a database of known rare and exemplary natural communities throughout the state. Many rare and exemplary natural communities are known to occur in the Monadnock Region. However, a thorough inventory of rare and exemplary natural communities has not been conducted in the Region, and therefore the current distribution is inadequate to understand potential impacts.

Concern(s): The proposed project will impact a variety of vegetative communities in Southwestern NH, including those identified as rare and exemplary natural communities by the NHNHB.

Information Request(s): A thorough inventory of rare and exemplary natural communities should be conducted in the proposed project area. Information on the effects of clear cutting near these rare and exemplary natural communities is needed.

HISTORICAL RESOURCES

Introduction

Along and in proximity to the proposed pipeline route are numerous historic structures, cellar holes, potential archeological sites, burial grounds, and other features that define the historic character of the region. Towns in Southwest NH have many historic structure and sites that appear in both the NH and federal register, but there is no comprehensive database for this information. Following are comments which describe concerns and identify information needs.

Comments

1. Context: Southwest New Hampshire is rich in documented and undocumented historical resources due in part to the influence of Native Americans and relatively early European settlement. Every community nearby to the proposed facilities has a number of state-listed culturally or historically significant sites.

Concern(s): Local officials, committees, and state agencies do not maintain a comprehensive list of historical sites, structures, or districts.

Information Request(s): Document historical assets within and adjacent to the proposed project area,

temporary workspaces, and contractor yards. Identify and map all historic properties and structures within 1/4 mile of the proposed pipeline route including stone walls, archeological sites, historical sites, and other features specific to each town. Describe how historical sites will be protected during construction. Identify and map historic areas and views subject to construction-related and permanent impacts of the proposed project.

2. Context: Stone arch, dry-fit stone, and similar stream, highway, or other road, stream, and railway crossings not only serve as vital infrastructure for the passage of people and vehicles; they also provide highly valued historical character to Southwest NH.

Concern(s): These structures are susceptible to damage during construction. Preserving both their structural integrity and historical attributes will require consultation with New Hampshire Department of Transportation (NHDOT), New Hampshire Division of Historical Resources (NHDHR), local road agents, and others. Preventing damage by over loading presents a challenge to owners since load rating and weight limit posting is not required in most cases and determining load limits in advance of damage is a difficult and somewhat subjective exercise.

Information Request(s): Identify transportation routes for vehicles and equipment within the proximity of any historic features. Identify structures and preservation or maintenance strategies to ensure their structural integrity is maintained.

3. Context: Stone walls are ubiquitous to Southwest NH and are susceptible to damage as a result of construction activities associated with the proposed project. Once a method to clear fields and contain livestock, they are today a key symbol of New England's agricultural history. Today, many of these structures are obscured by the growth of forest and there is no comprehensive inventory of their locations. They are a defining attribute of the Region's rural character and landscape.

Concern(s): The proposed project may damage or otherwise negatively impact historic stone wall features.

Information Request(s): Identify all stone walls within and adjacent to the project area and provide a mitigation plan to ensure that they are not damaged by construction activities.

4. Context: The Southwest Region is rich in historical resources that vary dramatically in terms of age and type.

Concern(s): The visible proximity of the proposed project to some of these resources may detract from their value.

Information Request(s): Provide a plan describing how historical sites and resources in the vicinity of the proposed project will be visually screened from the project.

SOCIOECONOMICS

Introduction

The proposed project could have significant economic impacts in Southwest New Hampshire. These impacts are likely to be both positive and negative in nature. Information provided during the pre-filing stage is insufficient to adequately assess economic impacts. Following are several comments which describe concerns and identify information needs.

Comments

1. Context: A premise in the FERC process is the applicant's demonstration of need for the project.

Concern(s): At the present time, the applicant has commitments for the purchase of 38% and 23% of the natural gas capacity of a 30" and 36" diameter pipeline, respectively. It would be expected that there would be substantial demonstration of project need at this point in time to justify the time and expense in application preparation, the review and assessment of the proposal by impacted communities and agencies, and in undertaking the FERC process itself.

Information Request(s): Clearly describe the methodology used to determine and document need for

the project. Indicate what the applicant intends to do to adequately document need for the NED proposal in a timely manner to justify continued application preparation and review and in undertaking the FERC process. Indicate the prognosis for adequately doing so.

2. Context: There is significant confusion related to the purpose of NED. On the one hand, we are told that without it, we risk a continuation of some of the highest electricity costs in the nation and the potential for interruptions in future energy supply availability. On the other hand, there are allegations that NED and other pipelines are being proposed to maximize on the ample supply of natural gas being produced in the Marcellus shale fields for export from ports located on the east coast of the U.S. and Canada.

Concern(s): NED would result in significant impacts to resources in Southwest NH. To rationalize and consider justifying these impacts, having a clear understanding of the project's purpose and beneficiaries is certainly appropriate.

Information Request(s): Clearly document the purpose of NED and indicate the breakdown of beneficiaries. In doing so, provide data which indicates the number and location of beneficiaries. Indicate why NED represents required infrastructure to meet the energy needs of NH.

3. Context: The NED proposal represents the largest infrastructure project in Southwest New Hampshire in at least the past several decades and perhaps ever. Accordingly, the impacts that the project would have on our communities and region are profound. Presumably this would include both positive and negative impacts.

Concern(s): Very little information has been made available describing the positive impacts associated with NED. That which is available is overly general in nature.

Information Request(s): Provide clear, specific, and quantifiable information regarding the benefits of NED including a breakdown as to how the project will benefit residents and businesses of NH and Southwest NH. Such information should indicate the extent of benefit in terms of dollars saved in household budgets, specifics related to employment, wages, etc. for direct, indirect and induced economic activity. To supplement this information, provide examples of how projects similar to NED have benefitted local and regional economies over time in regions similar to Southwest NH. Again, it is important for such information to be specific and quantifiable rather than the overly general information which has been made available regarding the project to-date.

4. Context: There are several natural gas pipeline infrastructure projects designed to increase supply in the northeast U.S. and New England that are in various stages of development and review. In addition to NED, some of these include Access Northeast (Spectra, Eversource, and National Grid), Algonquin Incremental Market (AIM), Portland Natural Gas Transmission System (PNGTS) Expansion, and others. To increase supplies, Access Northeast and AIM significantly rely on upsizing existing pipeline infrastructure while PNGTS plans to increase compression in its existing system. On the other hand, NED proposes a new pipeline corridor through "greenfield" areas and, in many cases, undisturbed lands.

Concern(s): It is unclear how the FERC process will consider and otherwise account for the full set of proposals designed to increase natural gas supplies to the northeast U.S. and New England. If there are alternatives which make use of existing pipeline corridors to address demand, these would likely be less environmentally intrusive than constructing a new pipeline through greenfield areas. Furthermore, some of these proposals may compete for market share from a business feasibility standpoint, suggesting that environmental impacts should take on an even more enhanced profile than it might otherwise. If the FERC review process does not consider the full range of proposals to increase demand in the Northeast/New England in its efforts to identify the least environmentally damaging practicable alternative as required by the federal National Environmental Policy Act, then it would appear that the process is somehow flawed.

Information Request(s):

- a. In light of the concern raised above, provide a full and complete explanation as to how all proposals which are at various stages in their development to address demand over the coming years will be reviewed and considered as part of the FERC process. Does a project such as NED get reviewed in isolation of alternative proposals as a result of its application being submitted ahead of others?
 - b. Indicate the metrics used in evaluating, comparing and contrasting aspects of proposals such as upsizing existing infrastructure and increasing compression of already operating facilities versus installing new infrastructure where none currently exists.
 - c. Describe the relationship among various alternative proposals from a business competition standpoint. Could a more environmentally damaging alternative be issued a certificate to proceed simply due to its “place in line” in the chronology of various alternatives of the FERC review process when a less environmentally damaging alternative is just around the corner in terms of the timing of its review?
 - d. Does the FERC process look at proposals of technically viable alternatives in isolation of others, finding ways in which environmental impacts can be minimized and issuing certificates of public convenience and necessity with the assumption that the free market will determine which alternatives actually move toward implementation? or, Does the process compare, contrast and otherwise consider all past, current and anticipated pending proposals in making “least environmentally damaging practicable alternative” determinations and issuing certificates of public convenience and necessity?
5. Context: According to Census Data from the American Community Survey 2009-2013, communities located along the proposed pipeline corridor in Southwest NH are economically disadvantaged. Their residents struggle with high poverty, high unemployment, and low per capita incomes as compared to the rest of NH. For example, the Town of Winchester’s percent of residents living in poverty is more than double that of the State. The towns of Rindge and Greenville also show significantly high percentages of people living in poverty. The towns of Winchester, Rindge, and Greenville show high unemployment percentages, in one case double that of the State of NH. All seven of the communities have per capita incomes below the average for the State.

Town	% Living in Poverty	% Unemployment	Income Per Capita
Winchester	18.5%	15.5%	\$22,312
Richmond	5.5%	6.7%	\$30,404
Troy	6.2%	5.3%	\$27,913
Fitzwilliam	5.5%	6.7%	\$30,404
Rindge	16.7%	11.0%	\$25,058
New Ipswich	5.6%	6.4%	\$32,515
Greenville	10.4%	12.7%	\$23,435
State of NH	8.67%	6.96%	\$33,134

Concern(s): The proposed pipeline has the potential to negatively impact economically distressed populations. This evidence suggests that the NED proposal should be considered from an environmental justice perspective. These residents would have fewer resources available to adequately assess impacts of the proposal as well as options to protect their best interests. These economically disadvantaged residents are being subjected to the economic and environmental burden of the proposed pipeline while receiving no measurable benefit that has been clearly demonstrated to-date. In addition, the cost-benefit analysis methodology that has led the applicant to propose a thinner-walled pipeline through these communities does not afford these rural, disadvantaged residents the same degree of protection from environmental, health and safety hazards that is afforded to residents in

more populated areas. This also calls into question whether the timeframe of this proposal and comment process allows these residents adequate time to provide for fair and meaningful participation in environmental decision-making processes surrounding the proposal.

Information Request(s):

- a. Provide a socioeconomic and demographic study of the residents both in the towns that the proposed pipeline would travel through, and within the direct vicinity of the proposed pipeline corridor. This study should discuss any environmental justice issues that could occur, and discuss mitigation options. Provide a plan for engaging those populations in the discussion to include the involvement of all people regardless of race, color, national origin, or income.
 - b. Clearly describe how the NED proposal is fully compliant with Executive Order 12898 with a purpose to focus federal attention on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities.
6. Context: Southwest NH has experienced a net job loss over the last ten years decreasing from 42,841 jobs in 2005 to 40,340 jobs in 2014 even though the size of the labor force has increased from 53,729 workers to 54,873 workers. Since 2012, several area large employers have cut jobs (e.g., C & S Wholesalers, Timken, Vermont Yankee, Corning Inc., Eastern Mountain Sports, Liberty Mutual, Franklin Pierce University, and TD Bank), moved operations (e.g., Hubbard LLC and Eastern Mountain Sports) or shut down (e.g., Findings Inc. and Kingsbury Inc).

Concern(s): The concern is that the NED proposal will not create many new jobs for people residing in the Southwest Region. Most of the jobs—construction jobs—will be temporary. Furthermore, there is a concern that these construction jobs will be largely filled by workers that reside outside the Region and outside the State. Therefore, not only will construction job earnings go to outside residents, but their consumer spending and tax monies will be spent largely outside of the Region. Another concern is that permanent jobs created by the NED proposal will be minimal therefore doing little to contribute to job growth in the area. The job multiplier effect of the NED proposal is unknown, but is also expected to be minimal.

Information Request(s):

- a. Provide an economic impact study reporting on how the proposed NED pipeline will create new jobs (direct and indirect) for Southwest Region residents. For direct employment, the study will provide information about the different job classifications, temporary and permanent, that would be created by the NED pipeline. This information will include pay grade and benefits information for each job classification and the number of new jobs created for each job classification. For indirect employment, quantify anticipated impacts by the proposed pipeline project. Explain plans for hiring local subcontractors or plans to purchase goods from local manufacturers to build or maintain the pipeline.
 - b. Provide a plan for recruiting workers from the Region and any skills training opportunities that will be made available to train needed workers.
7. Context: The Southwest Region’s residents have an expectation that companies handling volatile and potentially dangerous materials, such as the former Vermont Yankee nuclear plant, will assist in mitigating potential impacts by engaging with and investing in the community through “good neighbor” activities such as sponsorships, scholarships, grants, equipment donations, etc.

Concern(s): The proposed NED pipeline will permanently impact the land in the Southwest Region and transport a volatile and potentially dangerous commodity through the Region, but the applicant has yet to indicate that it will employ “good neighbor” activities. A concern is that the applicant may not employ such “good neighbor” activities because it will not have much of an active presence in the area. This could result in the applicant not engaging with and investing in Southwest Region

communities to support socioeconomic stability in the Region.

Information Request(s):

- a. Provide summaries of the applicant's "good neighbor" activities track record.
 - b. Provide a proposed plan of "good neighbor" activities for the NED proposal and explain how the Southwest Region and its communities would benefit.
8. Context: Residents along the proposed NED pipeline enjoy the benefit of properties whose value is largely determined by their proximity to undisturbed wilderness.
- Concern(s): The proposed NED pipeline will devalue homes and properties.
- Information Request(s): Provide a study looking at homes within 1/4 mile of natural gas pipelines within the last ten years and the changes to resale value before and after the pipeline.
9. Context: Towns along the proposed NED pipeline enjoy the benefit of properties whose assessed value is largely determined by their proximity to undisturbed wilderness.
- Concern(s): The proposed NED pipeline will decrease the assessed value of nearby land.
- Information Request(s): Provide a study looking at assessed value of properties within 1/4 mile of natural gas pipelines within the last ten years and changes to assessed value before and after the pipeline.
10. Context: Businesses and institutions in the Southwest Region could be adversely impacted due to disruption of travel ways, noise, dust, construction vehicles, road closings, detours, and delays.
- Concern(s): Access to local business operations, forced closures and cancellations due to activities at highway crossings and commercial areas may inhibit businesses with potential for loss of revenue and reduction of employment opportunities.
- Information Request(s): Identify the location and duration of road closures and other disruptive activities during the proposed construction process. Provide a schedule of project development in each town along the proposed route. Describe measures to be taken to mitigate potential losses and/or disruptions of revenue and employment as a result of the NED proposal.
11. Context: Southwest Region communities are reliant on local property tax revenues for conducting business and meeting obligations.
- Concern(s): Property values not only along the proposed pipeline route but within entire towns could be detrimentally affected due to identification with the pipeline and inherent negative perceptions. Devaluation of properties may reduce tax revenues. At the same time, addition of the proposed pipeline's value could increase town-wide assessments resulting in a higher tax rate established by New Hampshire Department of Revenue Administration and counties along the corridor.
- Information Request(s): Under the New Hampshire property taxation system, estimate assessed value of the proposed NED project through each corridor town and the anticipated short, intermediate, and long term impact on the town wide property assessment.
12. Context: The Southwest Region is dependent on tourism throughout the year which could be adversely impacted due to disruption of travel ways, noise, dust, construction vehicles, road closings, detours, and delays.
- Concern(s): Access to tourism-based operations, forced closures and cancellations due to activities at highway crossings and commercial areas may inhibit activities with potential for loss of revenue and reduction of employment opportunities.
- Information Request(s): Identify potential travel impacts and other disruptions which could potentially impact seasonal tourism activities including Spring maple sap harvesting, kayak and white water rafting; Summer boating, fishing, hiking, biking trails, festivals, holiday activities; Fall foliage tours, harvest festivals, town wide events, hunting seasons; Winter ski season, hunting, snowmobile

trails, ice fishing, and holiday celebrations. Describe measures to be taken to mitigate potential losses and/or disruptions to recreational activities and tourism-related revenue and employment as a result of the NED proposal

GEOLOGICAL RESOURCES AND SOILS

Introduction

The project and its proposed facilities will have significant impacts to farmland soils and geological resources due to temporary and permanent alteration of terrain. Information provided during the pre-filing stage is insufficient to adequately assess impacts to these resources. Following are several comments which describe concerns and identify information needs.

Comments

1. Context: Southwest NH is known for long and cold winters followed each spring by periods of freeze and thaw that cause havoc on infrastructure such as roads and culverts as well as water and sewer lines. Furthermore, the Region is characterized by significant areas of very shallow soils in terms of depth to bedrock.

Concern(s): How will NED facilities be installed so as to not be similarly impacted by episodes of repeated freeze and thaw? Can the proposed pipeline be installed at depths sufficient to be protected from freeze and thaw activities?

Information Request(s): Provide a thorough description of design guidelines, best management practices and other measures to be taken to address these concerns.
2. Context: Significant portions of the proposed pipeline in Southwest NH are in areas characterized by shallow depth to bedrock. This will require extensive blasting and drilling activities to achieve the required depth for pipeline installation.

Concern(s): Blasting can be disruptive to nearby residents and development in terms of noise, ground shaking, etc. and can also potentially cause damage to buildings and foundations, water supply wells, septic systems, and other infrastructure such as roads and bridges. Furthermore, substances used in blasting and drilling processes as well as material that may be displaced through these activities may represent potential contaminants to nearby and “downstream” properties, wells, surface waters, etc.

Information Request(s): Provide a thorough description of design guidelines, best management practices and other measures to be taken to address these concerns.
3. Context: Significant portions of the proposed project in Southwest NH are in areas characterized by steep slopes.

Concern(s): Excavation and disruption of ground cover associated with pipeline installation activities can result in extensive soil erosion and compromise slope stability during construction and beyond.

Information Request(s): Provide a thorough description of design guidelines, best management practices and other measures to be taken to address these concerns.
4. Context: The act of drilling can create an excess of drilling mud, soil, and/or stone.

Concern(s): The proper disposal of drilling mud, soil, and/or stone that is removed through the drilling process is a concern. The improper disposal of large amounts of this material could cause runoff issues or permanent significant changes to the landscape. Additionally, any additives included during the drilling process may have harmful environmental effects.

Information Request(s): Provide a thorough description of the drilling process that will be utilized, including the types of equipment, processes, and materials that will be used.
5. Context: Southwest NH has a rich geologic history that is visible in both its bedrock geology, geomorphology, and glacial relicts.

Concern(s): Prime examples of these geological resources could be damaged or destroyed by the proposed project.

Information Request(s): Provide a study of the proposed project route that describes geologic areas of interest along the route that could be potentially damaged.

6. Context: Southwest NH has areas of valuable farmland soils that are critical to the production of local food.

Concern(s): The proposed project could eliminate or compromise valuable farmland.

Information Request(s): Provide a soils analysis along the length of the proposed project corridor, highlighting areas with important farmland soils.

LAND USE

Introduction

The project and its proposed facilities will have significant temporary and permanent impacts to the physical character influence future use of land. Information provided during the pre-filing stage is insufficient to adequately assess these impacts. Following are several comments which describe concerns and identify information needs.

Comments

1. Context: The proposed compressor station is not compatible with existing land uses. In addition to safety concerns, the noise and odors from generators and other equipment will have a negative effect on abutting properties and wildlife habitat.

Concern(s): There will be an undue burden on abutting properties as a result of the noise, odors and safety that extend beyond the compressor station and pipeline area. There may also be issues with lighting used in conjunction with the compressor station. These issues can also have negative impacts on the breeding and nesting areas for wildlife.

Information Request(s): Additional information is needed to determine the impact to abutting properties and wildlife from the equipment and lighting at the proposed compressor station. This includes a lighting plan and noise analysis for compressor station operation and generator use. In addition, information is needed specific to generator testing including frequency, time of day, etc.

2. Context: The proposal calls for the use of eminent domain to obtain property if necessary. The requirements needed for the use of eminent domain is that the property is taken for public use and with just compensation. However, of the 1.3 to 2.2 Bcf/day to be transported through the NED pipeline in NH, the proposal calls for only 115,000 Dth/day to be used in the State.

Concern(s): The use of Eminent Domain should only be used for the public benefit. A public benefit significant enough to warrant the use of eminent domain has not been adequately demonstrated.

Information Request(s): The applicant must show how the public is benefitting from this proposal. This would include providing information on specific and quantifiable benefits to residents of NH and the Southwest Region to justify the use of eminent domain.

3. Context: The proposed project will require construction staging areas for temporary storage of materials, equipment, parking, etc., as well as accessways to construction areas. The use of heavy equipment, blasting, chippers, chainsaws, generators, etc. add noise, odors and safety concerns that go beyond the boundaries of the proposed pipeline corridor.

Concern(s): The locations chosen for the temporary construction staging areas are likely to impact abutting properties and wildlife habitat.

Information Request(s): The identification of construction staging areas including equipment storage areas, parking areas, and accessways (temporary and permanent) should be delineated in the application. Information should include the type of material and equipment that will be stored, num-

ber of parking spaces, restoration and revegetation plans, and activities that will occur within these areas. The application should demonstrate that consideration has been given to impacts on the built and natural environment for the locations chosen for the temporary construction staging areas, with sensitivity to the existing natural and built environment and not simply for the convenience of the project.

4. Context: The proposed project area traverses through communities that exhibit the rural character of Southwestern New Hampshire.

Concern(s): The proposed project, including the compressor station, will disrupt the rural character that has been established and maintained throughout the Region.

Information Request(s): Detailed plans are needed to determine the compatibility of the proposed project, including the compressor station with existing development and the natural environment. Specific to the proposed compressor station, these plans should address landscaping, proposed fencing, ingress/egress, lighting, noise, air quality, etc.

5. Context: Communities in the Region have a great deal of development with short building setbacks from existing roads, making houses, commercial buildings and other structures vulnerable to vibration from truck traffic. Historic buildings, which were designed and built without consideration of heavy truck vibrations, are particularly vulnerable to structural stressors like vibrations.

Concern(s): Truck traffic associated with the proposed project will diminish structural integrity of buildings, particularly those with short building setbacks on NED trucking routes.

Information Request(s):

- a. Provide information about all trucking routes for project construction activities in the Southwest Region.
 - b. Identify structures that have a 25 foot or shorter building setback from these proposed trucking routes.
 - c. Identify structures built before 1950 and provide date or circa date for each structure.
6. Context: Many private landowners and land trusts have been protecting the natural resources of Southwest NH for several decades by the way of formal conservation easements. The protection of these various natural resources is a voluntary effort to help maintain the rural character of the Region while providing habitats for plants and wildlife, as well as recreational opportunities that define the Region.
- Concern(s): The proposed project will impact a variety of conservation lands, open space, properties with current use designations, and other natural areas throughout Southwest NH. The proposed project is in direct conflict with many of the management goals of properties that have been set aside for conservation purposes.
- Information Request(s): Provide information about the project's ability to comply with deed restrictions and management plans on these properties. Provide information about how management plans and the conditions of a current use designation will be resolved during the application process.

RECREATION AND AESTHETICS

Introduction

The project and its proposed facilities will have significant temporary and permanent impacts on recreational and aesthetic attributes of Southwest NH. Much of the Region is dependent on tourism throughout the year which could be adversely impacted. Information provided during the pre-filing stage is insufficient to adequately assess these impacts. Following are several comments which describe concerns and identify information needs.

Comments

- Context: A viewshed is the geographical area that is visible from a location. It includes all surrounding points that are in line-of-sight with that location and excludes points that are beyond the horizon or obstructed by terrain and other features (e.g., buildings, trees). The Region has a number of recreational areas with popular viewsheds within sight distance of the proposed project area. These areas, including views of and views from Mount Monadnock – the second most hiked Mountain in the world – are treasures appreciated by local residents and tourists alike.

Concern(s): Prized natural and rural viewsheds will be disturbed by the proposed project including a widened treeless utility corridor right of way and compressor station.

Information Request(s): Provide a plan for preserving viewsheds both during and after construction.
- Context: The proposed project corridor will pass through a number of public parks and other recreation/conservation areas that were set aside with the express purpose of preserving regional and local landscapes for residents and tourists to enjoy for passive recreation activities. Examples include Rhododendron Park, Souhegan River Wildlife Management Area, Goss Woods, the Moore Property, and the Heald Tract.

Concern(s): The proposed project corridor would undermine the purpose of the historically established parks and town forests as well diminish the experience people have in the parks and town forests.

Information Request(s): Require a plan for mitigating disturbances to parks and other recreation/conservation areas.
- Context: Southwest NH has a number of recreational corridors that are important assets to promote tourism, as well as being important to local residents because they provide access to natural beauty and wildlife. Examples of these recreational corridors are the Metacomet to Monadnock trail (part of the New England National Scenic Trail), the Wapack Trail, the Cheshire Rail Trail, and the Monadnock Rail Trail, in addition to several snowmobile trails.

Concern(s): The proposed project corridor could diminish the experience people have in the wilderness walking, hiking, biking, horseback riding, cross country skiing, or snowmobiling on any number of trails that the corridor may cross.

Information Request(s): Require a plan for preserving trail conditions, viewsheds, wildlife and habitat, etc. on recreational corridors encountered by the proposed project corridor.
- Context: The Region's residents and tourists are very involved in outdoor ATV and snowmobile recreation, and often utilize class 6 roads, rail trails, power line corridors, and private land trails. Many trails rely on the ability to crossing areas that could be occupied by the proposed facilities.

Concern(s): The access roads and proposed project corridor are likely to draw new traffic from ATV/snowmobile riders, against the wishes of abutting easement owners.

Information Request(s): Require a plan that shows the proposed project corridor, all access roads, and intersections of the corridor and access roads with existing ATV/snowmobile trails

AIR AND NOISE

Introduction

The project and its proposed facilities will have significant temporary and permanent impacts on air and noise pollution, particularly at the site of the proposed Mid-Station 4 compressor station. Information provided during the pre-filing stage is insufficient to adequately assess these impacts. Following are comments which describe concerns and identify information needs.

Comments

- Context: Southwest NH is a mountainous area with relatively good air quality. Cheshire County is currently in attainment for all Environmental Protection Agency (EPA) National Ambient Air Quality Standards (NAAQS). However, a combination of wintertime atmospheric inversions and the com-

bustion of biomass can elevate small particulate matter concentrations to unhealthy levels in certain communities. Goffstown, in Hillsborough County, although outside of Southwest NH, is currently designated in non-attainment of the Sulfur Dioxide criteria (2010). The proposed project will involve the combustion of fossil fuels before and after construction, and natural gas leaks due to the age, construction, and maintenance of the proposed pipeline. There is a lack of comprehensive air quality monitoring near the proposed facilities.

Concern(s): Air emissions due to combustion of fossil fuels during construction and during operation of the proposed Mid-Station 4 compressor station may contribute to elevated levels of EPA criteria air pollutants.

Information Request(s): Identify all air quality standards that must be complied with during construction and operation of the proposed facilities and provide information about how air quality will be monitored throughout the lifetime of the proposed facilities. Evaluate the impacts of both natural gas and electric power options for operating the compressor station.

2. Context: Natural gas is known to be a potent greenhouse gas. Natural gas will be released as a result of maintenance, operation, and so called “blow downs”, and leaks in the proposed pipeline.

Concern(s): Natural gas and other emissions due to leaks in the proposed pipeline and its associated facilities result in exposure to humans, wildlife, and the environment.

Information Request(s): Determine how leaks will be identified, reported, and resolved. Provide details of substances present in leaks or that become airborne during maintenance activities, and their long-term health risks to humans and wildlife.

3. Context: Southwest NH is predominantly rural. This includes relatively low population density and dispersed development patterns. Large areas of forests, undeveloped conservation land, and other natural areas are typical. The setting results in low ambient noise levels besides highways. Areas of Southwest NH that may appear undeveloped or seldom-visited have a very high value to residents and visitors due in part due to the lack of noise. These characteristics are vital to the value of property values and attractiveness to visitors.

Concern(s): Construction impacts including blasting, excavation, heavy machinery, and increased traffic will result in elevated noise levels disruptive to the tranquility and expectations of residents, tourists, and wildlife.

Information Request(s): The application should identify the locations and durations of blasting activities along the proposed route, and a plan to communicate these activities, and proposed mitigation strategies, to landowners and local officials.

4. Context: Southwest NH communities lack a comprehensive understanding of the noise impacts of the Mid-Station 4 compressor station.

Concern(s): Permanent impacts of the proposed Mid-Station 4 compressor station in New Ipswich will result in elevated noise levels disruptive to residents, tourists, recreational users, and wildlife.

Information Request(s):

- a. Establish, pre-construction baseline noise levels for the proposed pipeline and its associated facilities including the proposed compressor station prior to construction. The studies should include all structures in proximity to proposed facilities as well as developable land, trails, rights of way, or other areas of access that may be negatively impacted by increases in noise levels. A study or model of noise from the proposed facilities should account for changes in pipeline gas pressure, throughput, vegetation, topography, time of year, and variety of compression options that are being considered.
- b. Provide an evaluation of technologies being considered to mitigate noise impacts from the Mid-Station 4 compressor station and other facilities along the proposed route. Describe how the performance of these countermeasures will be monitored and maintained.

- c. Similar to the information request in comment 1 above, evaluate the impacts of both natural gas and electric power options for operating the compressor station.

RELIABILITY AND SAFETY

Introduction

The project and its proposed facilities pose an additional burden to regional emergency service providers. Many towns do not have the financial resources to maintain full time emergency response staff and towns in the Region are heavily dependent on volunteer fire and rescue teams. Furthermore, local emergency response capabilities may or may not be sufficient to address the full range of potential emergency situations associated with the proposed project. Information provided during the pre-filing stage is insufficient to adequately assess these impacts. Following are several comments which describe concerns and identify information needs.

Comments

1. Context: The Southwest Region does not currently host to natural gas infrastructure. If the proposed project were to move forward, emergency services personnel would require resources and skills to effectively respond to incidents.

Concern(s): Fire and safety personnel must be able to obtain and maintain the training and equipment needed for an emergency involving the proposed project including the pipeline and compressor station. Many of the Region's communities lack the funding and manpower needed to develop and maintain emergency plans and training related to the hazards involving the proposed project. A burden would be placed on communities to properly train fire and safety personnel and purchase appropriate equipment for these types of emergency situations.

Information Request(s): Require the applicant to provide information regarding training that is needed for a leak or explosion involving the proposed project including the pipeline and compressor station. Define any specialized equipment and personal protective gear requirements. Provide a description of equipment needed and associated costs. Identify potential health impacts that may occur from exposure to fumes, smoke, materials, and chemicals that may be released into the environment during an emergency situation or equipment failure requiring the assistance of local responders. Describe the means of testing and treating personnel exposed to contamination from any hazardous substances and the means for monitoring long term health effects.

2. Context: Emergency responders are mostly volunteer and often work out-of-town during the work week. Communities along the proposed project corridor rely on neighboring towns and more populous communities to cover gaps in service.

Concern(s): In the event of a fire or explosion related to the proposed project, a procedure for notifying local emergency responders has not been developed.

Information Request(s): Explain the role of responders in an emergency related to the proposed project and how notification will be provided. List potential hazards, failures, and other situations requiring emergency response. Provide a comprehensive list of emergency response plans, mitigation plans, etc. relating to similar sized natural gas pipelines and compressor stations that other host communities have adopted. Include an estimate of the number of personnel and equipment that would potentially be needed for various scenarios. Define any evacuation requirements that may be needed to address an emergency related to the proposed project including the pipeline and compressor station.

3. Context: Related to projects such as the NED proposal, many of the inspection protocols are based on the pipeline class location. These class locations are determined by the density of houses within a certain distance of the pipeline. The class then determines the pipeline standards and frequency of inspections.

Concern(s): Pipeline class location guidelines allow for reduced inspection requirements in a rural

area when compared to urban areas.

Information Request(s): Provide information about the safety considerations and other standards being proposed for this project. This should include: pipe wall thickness, material used, depth, coverage, inspections, etc.

4. Context: The proposed project corridor extends through many acres of forested land which is susceptible to natural disasters such as lightning strikes and forest fires. Recent ice storms and heavy wind events have caused an increase in the amount of downed timber which could serve as fuel for a fire. Existing hazard mitigation plans maintained by all Southwest Region towns have identified forest fires as a concern. The soil temperature created by a forest fire varies depending on factors such as soil moisture, compaction, and other conditions.

Concern(s): Protection of the proposed project including the pipeline and compressor station from vandalism, or natural disaster such as forest fire is a concern. A forest fire may increase the soil temperature to a dangerous level for the pipeline. Many remote areas do not have sufficient sources of water for adequate protection to suppress forest fire quickly.

Information Request(s): Provide information about the response of safety personnel during a forest fire. To be prepared for fire emergencies, describe the appropriate size and locations of fire ponds and access to them as well as the equipment needed. Information should also include the methods of protection proposed for the compressor station to prevent vandalism or natural disaster from causing damage, explosion or other emergency situation. Provide a plan for the ongoing maintenance of any access roads that may need to be developed.

5. Context: According to Weston Observatory at Boston College, The State of New Hampshire has experienced 13 small earthquakes in a one year period (10/3/14 to 9/9/15). Although these are small in nature, ranging from 1.5 to 2.3 on the Richter scale, larger earthquakes have occurred in Northern New England within the past 5 years (3.4 on 9/26/10 in Concord, NH and 4.0 in Gorham, Maine on 10/16/12). On a broader scale, there have been approximately 118 earthquakes in New England, between 1/1/15 and 9/9/15. According to the State of New Hampshire Multi-Hazard Mitigation Plan Update 2013, “. . . during a damaging earthquake (magnitude 5 or greater), it can be expected that there is widespread damage due to the historically built environment. There are a large number of un-reinforced masonry structures still in use and much of our infrastructure, including bridges and many of our gas and waterlines, are very vulnerable to seismic forces”. In the past 5 years, there have been two earthquakes at or above 5.0 magnitude with epicenters that were close enough to be felt in this Region (a 5.0 earthquake on 6/23/10 on the Ontario/Quebec border, and a 5.8 earthquake on 8/23/11 in Virginia).

Concern(s): The frequency of earthquakes leaves concern for the structural integrity of the proposed project including the pipeline and compressor station. Movements in the earth can cause shifts in the granite or in the pipeline itself thereby creating weakness and potential ruptures and/or leaks in the pipe and joints.

Information Request(s): Provide information about the proposed project that indicates its ability to withstand earthquakes. Provide information minor and major earthquakes as it relates to similar type projects. Describe construction practices for the proposed project which address these concerns.

6. Context: The proposed project serves a specific purpose - the transportation of natural gas. However, the supply of gas will eventually be depleted and/or the project will no longer serve its intended purpose.

Concern(s): At the point that the proposed project extends beyond its intended purpose and function the infrastructure could 1) be in need of removal, or 2) potentially be used for purposes that may have a different set of impacts and concerns.

Information Request(s): Additional information is needed to determine the best approach to poten-

tial abandonment of the proposed project including the pipeline and compressor station. All possible alternatives need to be clearly stated and evaluated. A bond amount should be calculated for removal of the infrastructure if that is determined to be the best alternative.

7. Context: Development pressures affect the flood storage benefit that wetlands provide. Wetlands that have been filled in or altered will reduce flood storage capabilities. The increase in the frequency and magnitude of severe storm events magnifies the need to protect these areas.

Concern(s): The potential for flooding and its associated threat to life and property will be increased with the modification to and loss of flood storage areas.

Information Request(s): Information is needed to show the flood storage areas within the proposed area of activity. Any areas that may be affected should show mitigation methods proposed to handle the additional flow during storm events and spring thaw.

8. Context: The development of the proposed project will require both temporary construction sites and permanent equipment to be installed along the length of the corridor.

Concern: Temporary construction sites and permanent equipment may result in acts of trespass and/or vandalism. This creates safety concerns as well as the need for increased vigilance on the part of local law enforcement departments.

Information Request(s): Provide a plan for the security of temporary and permanent sites along the pipeline corridor. This plan should discuss potential security challenges and threats, as well as mitigation strategies. Additionally, the plan should highlight how local law enforcement departments will be impacted by the need for security at these locations.

INFRASTRUCTURE

Introduction

The project and its proposed facilities will have significant temporary and permanent impacts on to the public and private transportation, water supply, and utility infrastructure of Southwest NH. Information provided during the pre-filing stage is insufficient to adequately assess these impacts. Following are comments which describe several concerns and identify information needs.

Comments

1. Context: The base and subbase of most municipal roads were not designed or built to accommodate heavy loads. Pavement conditions on most municipal roads were not built to accommodate heavy loads nor were they designed to accommodate moderate to high volumes of traffic (over 400 vehicles per day). Current revenue streams for paving, rehabilitating and rebuilding municipal roads are consistently inadequate, resulting in roads that are vulnerable to damage from increased traffic volume and/or weight.

Concern(s): Many municipal roads in the project area will be used to build and maintain the proposed pipeline. Construction and post-construction activities could damage municipal roads' base, subbase and pavement, as well as accelerate road deterioration already happening.

Information Request(s):

- a. Provide a table listing all municipally owned roads that are proposed for use, including the municipality in which the roads are located, the road names, location by milepost, surface type (paved or unpaved), geometrics of the road (lane, shoulder, clear zone and right of way), and the type of modification required on existing roads in order to accommodate pipeline construction and maintenance. This should include all roads that are NH legislative class IV, V and VI in the vicinity of the proposed project area of the Southwest Region.
- b. Provide a map and geodata indicating the same information for 1a above.
- c. For each road identified in 1a above, indicate the maximum weight, height, width and length of vehicles and their loads which may use any municipal roads during and after construction

activities.

- d. Provide a table showing the estimated daily number of project-related vehicle trips on each road identified in 1a above.
 - e. Provide information from an engineering study evaluating the existing condition of municipal roads identified in 1a above, including but not limited to assessments of pavement, the road's base and subbase to help better determine the existing conditions of the highway and evaluate the adequate conditions necessary to handle NED construction traffic without further damaging each municipal road.
 - f. Provide a descriptive summary of municipal road improvements that the applicant has participated in when conducting similar projects in the last ten years. For each project, indicate the miles of road paved, rehabilitated or reconstructed for each project as well as the dollar amount contributed by the applicant for each category of improvement (paving, rehabilitation, reconstruction). Describe the range of arrangements that the applicant has had with municipalities or counties to address similar-type project impacts to municipal or county roads.
2. Context: In the Southwest Region, state roads are Tier II, III and IV highways with the NED proposal mostly situated near Tier III and IV highways. According to NHDOT, most Tier III and IV highways were not built to endure heavy truck loads. Furthermore, pavement conditions on most Tier III and IV highways are in poor or very poor condition, according to NHDOT's latest International Roughness Index calculations. Revenue for paving Tier III and IV roads has not kept pace with NHDOT's target schedule for maintaining all state roads. Meanwhile, rehabilitation and reconstruction of Tier III and IV roads has been virtually non-existent. The result is that state roads are extremely vulnerable to new traffic pressures.

Concern(s): Many state roads in the Region will be used to build and maintain the proposed project. The concern is that additional traffic and heavy loads associated with construction and post-construction activities will damage state roads, particularly Tier III and IV highways. Today the State is losing ground maintaining Tier III and IV highways in particular, resulting in an increasing number of roads that are falling further into disrepair. Vehicle traffic from construction and maintenance activities will expose already vulnerable roads to more and heavier vehicles, potentially accelerating road deterioration. Increased road deterioration will place the State in an even more precarious situation, requiring even more investment to return roads back to manageable conditions.

Information Request(s):

- a. Provide a table listing of all state owned roads that are proposed for use, including the municipality in which the roads are located, the road names (or route numbers if applicable), location by milepost, geometrics of the road (lane, shoulder, clear zone and right of way), and the type of modification required on existing roads in order to accommodate pipeline construction and maintenance. This should include all roads that are NH legislative class I, II, III and IV in the SWRPC Region.
- b. Provide a map and geodata indicating the same information for 2a above.
- c. For each road identified in 2a above, indicate the maximum weight, height, width and length of vehicles and their loads which may use any state roads during and after construction activities.
- d. Provide a table showing the estimated daily number of project-related vehicle trips on each road identified in 2a above.
- e. Provide information from an engineering study evaluating the existing condition of state roads listed in 2a above, including but not limited to assessments of pavement, the road's base and subbase to help better determine the existing conditions of the highway and evaluate conditions necessary to adequately handle NED pipeline traffic without further damaging each

state road.

- f. Provide a descriptive summary of state road improvements that the applicant has participated in when conducting pipeline projects in the last ten years. For each project, indicate the miles of road paved, rehabilitated or reconstructed for each project as well as the dollar amount contributed by the applicant for each category of improvement (paving, rehabilitation, reconstruction). Describe the range of arrangements that applicant has had with states to address pipeline project impacts to state roads.

3. Context: For decades, it has been very unusual for NHDOT, state agencies with responsibilities for state-owned park or recreational roads, or municipalities to build new roads in the Monadnock Region. This is partly because population growth has slowed in the area so there is not much demand for new roads, but also because of the cost of building and maintaining new roads. In cases where new roads have been built, municipalities have elected to leave road construction to private entities and then take over the road's maintenance responsibilities. Other towns, wanting to avoid long term maintenance costs, have left roads private. Either way, many towns struggle with the costs and management challenges of new roads such as serving the road with police, fire or ambulance services, or water and sewer services.

Concern(s): The costs and management responsibilities associated with new roads such as maintenance, police, fire, ambulance, water and sewer if new roads are proposed to serve the proposed pipeline and its associated facilities.

Information Request(s):

- a. Provide a table listing of all new proposed roads including the municipality in which the roads are located, the planned location, the planned geometrics of the road (lane, shoulder, clear zone and right of way), a construction plan for each road, and whether the proposed road would be private, municipal or state owned.
 - b. Provide a map and geodata indicating the locations of the road.
 - c. For each road identified in 3a above, indicate the maximum weight, height, width and length of vehicles and their loads which may use these roads during and after construction activities.
 - d. Provide a table showing the estimated daily number of project-related vehicle trips on each road identified in 3a above.
 - e. Provide a descriptive summary of new roads that the applicant has participated in when conducting pipeline projects in the last ten years and impacts on municipal or state government such as maintenance, police, fire, ambulance or water/sewer infrastructure costs.
4. Context: In the Southwest Region, there are 272 bridges currently owned by municipalities. Seventy-two of these bridges are considered red list bridges, which is a state definition that means that at least one of three bridge components (deck, substructure or superstructure) is considered "poor" or worse. There are 103 E2 bridges owned by municipalities, some of which are among the red list bridges mentioned above. E2 designated bridges exclude all combination and single unit certified vehicles (heavy loads requiring permits) from crossing a bridge. Thirty-one additional bridges are weight limit restricted. These bridges restrict weights ranging from three tons to 15 tons. There are also seven municipal bridges that have less than ideal height allowances ranging from 7'2" to 13'9".

Concern(s): Traffic related to the proposed project may damage municipal bridges during and after pipeline construction.

Information Request(s):

- a. Provide a table listing of all municipally owned bridges that are proposed for use, including the municipality in which the bridges are located, the road names, location by milepost, surface type (paved or unpaved), geometrics of the bridge (lane, shoulder, clear zone and right

of way), and the type of modification required on existing bridges in order to accommodate pipeline construction and maintenance.

- b. Provide a map and geodata indicating the same information for 4a above.
- c. For each bridge identified in 4a above, indicate the maximum weight, height, width and length of vehicles and their loads which may use any municipal bridge during and after construction activities.
- d. Provide a table showing the estimated daily number of project-related vehicle trips on each bridge identified in 4a above.
- e. Provide a descriptive summary of municipal bridge improvements that the applicant has participated in when conducting pipeline projects in the last ten years. For each project, indicate the number of bridges improved for each project as well as the dollar amount contributed by the applicant for each category of improvement (rehabilitation, reconstruction). Describe the range of arrangements that applicant has had with municipalities or counties to address pipeline project impacts to municipal bridges.

5. Context: In the Southwest Region, there are 222 bridges currently owned by NHDOT. Twenty of these bridges are considered red list bridges, which is a state definition that means that at least one of three bridge components (deck, substructure or superstructure) is considered “poor” or worse.

There are 29 E2 bridges owned by NHDOT, some of which are among the red list bridges described above. E2 designated bridges exclude all combination and single unit certified vehicles (heavy loads requiring permits) from crossing a bridge. There are also eight E1 bridges which are bridges that restrict crossing by certified single unit vehicles only. There are five bridges with either a C1 or C2 designation which means that vehicles must cross a bridge one at a time. Furthermore there are two 8 ton weight limit restricted bridges.

Among the state bridges in the Region, there are 13 bridges that have less than ideal height allowances ranging from 9’0” to 14’3”.

Information Request(s):

- a. Provide a table listing of all state owned bridges that are proposed for use, including the municipality in which the bridges are located, the road names, location by milepost, surface type (paved or unpaved), geometrics of the bridge (lane, shoulder, clear zone and right of way), and the type of modification required on existing bridges in order to accommodate pipeline construction and maintenance.
- b. Provide a map and geodata indicating the same information for 5a above.
- c. For each bridge identified in 5a above, indicate the maximum weight, height, width and length of vehicles and their loads which may use any municipal bridge during and after construction activities.
- d. Provide a table showing the estimated daily number of project-related vehicle trips on each bridge identified in 5a above.
- e. Provide a descriptive summary of municipal bridge improvements that the applicant has participated in when conducting pipeline projects in the last ten years. For each project, indicate the number of bridges improved for each project as well as the dollar amount contributed by the applicant for each category of improvement (rehabilitation, reconstruction). Describe the range of arrangements that applicant has had with States to address pipeline project impacts to state bridges.

6. Context: In the Southwest Region, there are an unknown number of culverts currently owned by municipalities. Many of these culverts are in poor condition or are a poor design for accommodating significant additional traffic or heavy loads.

Concern(s): Road and culvert damage and/or failure due to additional traffic pressures associated with the construction and post construction phases of the proposed project.

Information Request(s):

- a. Provide a Statewide Asset Data Exchange System (SADES)-compliant inventory of municipal culverts including photo documentation.
 - b. Provide a map and geodata indicating the same information for 6a above.
 - c. Provide information about the locations of any municipal roads or drainage areas that will require modification to accommodate construction or post-construction activities and whether culvert modifications are also anticipated. Describe any planned culvert modifications.
7. Context: In the Southwest Region, there are an unknown number of culverts currently owned by NHDOT and other state agencies that are in unknown condition.

Concern(s): Road and culvert damage and/or failure due to additional traffic pressures associated with the construction and post construction phases of the proposed project.

Information Request(s):

- a. Provide a Statewide Asset Data Exchange System (SADES)-compliant inventory of state owned and managed culverts including photo documentation.
 - b. Provide a map and geodata indicating the same information for 7a above.
 - c. Provide information about the locations of any state roads or drainage areas that will require modification to accommodate construction or post-construction activities and whether culvert modifications are also anticipated. Describe any planned culvert modifications.
8. Context: The Southwest Region towns of Winchester and Greenville operate municipal water/wastewater systems that will be crossed by or in the vicinity of proposed project construction activities.

Concern(s): The proposed project construction and post-construction activities could potentially damage municipal water/wastewater systems.

Information Request(s):

- a. Provide a map showing water/wastewater system infrastructure on routes identified in 1a and 2a above (municipal and state roads) as well as within a 100 foot buffer area from the proposed NED pipeline.
 - b. Indicate the below ground depth to water and wastewater pipelines identified in the map developed in 8a.
 - c. Provide a description of construction activities such as ground excavation for all relevant water/wastewater areas of the map developed in 8a.
 - d. Provide information about how much water will be used by the proposed NED pipeline project during construction and post construction activities and indicate whether Winchester and/or Greenville's water and/or wastewater systems will be utilized.
 - e. Provide information about how the operation of public water systems could be disturbed or potentially damaged during construction of the proposed NED project.
9. Context: In a recent survey of freight haulers conducted by SWRPC, the agency learned that some utility lines in the Southwest Region are reported by truck owners to be lower than regulated height.

Concern(s): The proposed construction and post-construction activities may encounter potential conflicts with existing utility lines, including construction equipment, trucks, cranes and other equipment.

Information Request(s):

- a. Provide maximum heights of loads associated with NED construction and post construction

activities and the routes that certified oversize (tall) loads will be sent.

- b. Provide the locations of where any cranes or other tall construction equipment will be used and their vicinity to utility poles and lines.
- c. Provide information of the lowest height of all power lines along all proposed NED transportation routes, staging areas and within 100 feet of the proposed pipeline.

10. Context: A major goal of the Southwest Region comes from its newly adopted Broadband Plan which is to “provide and maintain reliable, high capacity broadband infrastructure and technology in all areas of the Region over time” (Goal 2, p. 46). A strategy for achieving this goal is to “promote the inclusion of broadband infrastructure development and maintenance in public works projects” (Strategy 2a.iii, p. 46). The Plan also recommends that broadband development “[r]espect those features that define the Region’s cultural and physical landscape while meeting the broadband infrastructure needs of the future” Goal 4, p. 48). The Plan also looks to promote infrastructure that will aid areas which are either unserved or underserved by broadband service, some of which include areas along the proposed pipeline corridor. The corridor passing through Winchester, Richmond, Fitzwilliam, Troy, Rindge, New Ipswich and Greenville could potentially be used as a corridor for broadband infrastructure.

Concern(s): The proposed pipeline, which will be collocating proximate to a utility line, may prevent the collocation of other public utility needs that Southwest Region communities favor such as broadband infrastructure. The proposed natural gas pipeline may block other activities from happening along the corridor, such as broadband line construction and maintenance, in order to better protect the natural gas pipeline from liability exposure.

Information Request(s):

- a. Provide information about the applicant’s practice of sharing right of way corridors with other uses including broadband infrastructure based on projects owned and operated by the applicant in the U.S.
- b. Provide information about the applicant’s plan for sharing right of way with other infrastructure including broadband infrastructure.

MUNICIPAL AND REGIONAL PLANNING

Introduction

Throughout Southwest NH, towns have developed and pursued methods and procedures for the orderly use of land for the health, safety, and welfare of their community. Within the scope of these parameters visioning sessions have resulted in the development of Master Plans, ordinances, policies, and other planning documents that define desired characteristics, acceptable and appropriate uses of land, and community priorities. The role of these existing documents during the NED application and FERC review processes is not explicit. Following are comments which describe concerns and identify information needs.

Comments

1. Context: Communities in Southwest NH recognize the value of maintaining environmental quality and have a long history of maintaining rural character which serves as a fundamental component of the identity of the Monadnock Region.

Concern(s): NED may interfere with past and ongoing efforts of community leaders to plan for and regulate land development within their jurisdictions and promote specific development and conservation priorities.

Information Request(s): Provide specific information to indicate how the NED proposal can be constructed and maintained while respecting the long term efforts of communities in Southwest NH to provide for orderly development, protecting the environment and maintaining rural character. Indicate specific measures and actions which will be taken to address these concerns.

2. Context: All of the towns within the Southwest Region of New Hampshire have adopted ordinances, master plans, building and health codes, subdivision and site plan review regulations, and other methods to guide development (and preservation) in a manner that is consistent with the desires of the community.

Concern(s): The process for the development and approval of this proposal may not require that local ordinances, land use regulations (and others) are adhered to.

Information Request(s): Studies of ordinances, land use regulations, policies (and others) from each town should be submitted. Information should indicate areas where the proposed project is and is not in compliance with local land use regulations.

3. Context: Zoning ordinances, subdivision and site plan procedures, permit requirements, transportation and road maintenance policies, identification of geological features and constraints, existing and proposed development, public land, open space, agricultural lands, scenic areas, and coordination with regional plans; all reflect the values that are determined to be of major importance to communities within Southwest NH.

Concern(s): The role of local ordinances, procedures, and planning documents has not been specified in the environmental review process to be administered by FERC.

Information Request(s): Review town master plans to identify those areas where the proposed project would potentially be in conflict with established and stated goals and objectives.

4. Context: Each community in NH are encouraged to conduct an inventory of their natural resources in an effort to promote wise land use planning. As such, certain towns within Southwest NH have identified conservation focus areas to help promote informed land use planning.

Concern(s): The proposed project will impact many established local conservation focus and scenic areas.

Information Request(s): Identify conservation priorities, management strategies, and other aspects of local natural resource inventories and how these issues will be resolved in the environmental impact statement and/or FERC review process.

5. Context: *Monadnock Region Future*, the regional plan for Southwest NH speaks to many issues pertinent to the proposed project including the need for reliable and affordable sources of energy. In light of the void of clear information regarding positive impacts associated with the proposed project during the pre-filing phase, we are left with a preponderance of concerns on potential negative impacts of the proposal as expressed in this document. As such, the following excerpts from *Monadnock Region Future* are relevant for consideration:

o “Although we want to support and foster economic development, it should not be at the expense of our greatest assets. Part of our Region’s competitive advantage is its rich scenic, recreational, cultural, and historic resources.”

o “The value of our Region’s natural ecosystems and cultural resources is vast. These features play an important role in sustaining quality of life and well-being, establishing both local and regional identity, and in attracting visitors to our Region.”

o “Given the diversity of interests and values related to the landscape, establishing collective priorities for resource conservation and management is a challenge. Priorities range from maximizing the commodity value of resources to ensuring the availability of clean air and water to preserving scenic views and rural character. Management strategies must balance meeting an array of needs and uses for our resources and natural systems with protecting them from current and future threats (e.g. loss of biodiversity, development pressure, and the impacts of climate change).”

Monadnock Region Future also speaks to the importance of reducing our reliance on fossil fuels and the importance of promoting renewable sources of energy.

Concern(s): That proposed project appears to be at cross-purposes with the above specified overarching themes of Monadnock Region Future, the regional plan for Southwest NH.

Information Request(s): Describe how the proposed NED project can be implemented in such a way as to respect the sentiments and policy directions outlined above as excerpted from Monadnock Region Future, the regional plan for Southwest New Hampshire. In addition, provide clear and convincing information as to positive impacts of the proposed project and how these can be balanced against negative impacts of the proposal to the benefit of Southwest NH.

CONCLUSION

It is clear that there is yet significant additional information and detail required in order to adequately understand and assess impacts associated with the NED proposal on the resources of the SWRPC region and the communities in which we serve. In the initial stages of the pre-filing process, the importance of the proposed project was continually stressed as critical to addressing our future energy needs, reducing our energy costs, and providing a low-cost energy source which would provide us with the means to become more competitive from an economic development standpoint. Yet, ironically, approximately one year later, we are left with little if any clear and quantifiable data which would allow us to assess the positive aspects of the proposal. The information which has been made available suggests a multitude of concerns, many of which have been expressed within the comments contained in this submittal. It is our hope that the comments expressed herein will assist in developing sufficient information and detail to clearly understand and assess the impacts associated with the NED proposal in order for FERC and others to adequately and accurately conduct their work in an equitable and efficient manner.

Finally, we understand that the FERC process is focused on the transport of natural gas and is less concerned with its production and consumption. Monadnock Region Future, the regional plan for Southwest New Hampshire, encourages us to reduce our reliance on fossil fuels and focus more on energy conservation and the use of renewable energy sources. In addition, there are many questions about effects associated with the practice of fracking as used in the Marcellus shale fields where this energy supply is sourced. It's important that we find ways to make these issues relevant in the FERC process during the continued review of this NED proposal

FERC NOI SCOPING SESSIONS - PF14-22

STUDIES AND INFORMATION REQUESTED AS PART OF THE ENVIRONMENTAL IMPACT STATEMENT (EIS)

Kinder Morgan Northeast Energy Direct Project

September 23, 2015

The following Study and Information Requests have been prepared for submission to the Federal Energy Regulatory Commission (FERC) as part of the scoping process for the Northeast Energy Direct (NED) PF14-22 project. The proposed studies and information requests pertain to information that should be included in either the Resource Reports that will accompany Kinder Morgan - Tennessee Gas Pipeline's (KM- TGP) Application for the NED project, or evaluated as part of the environmental review process in connection with preparation of the Draft Environmental Impact Statement (DEIS).

This request for studies and information has been prepared jointly by the:

Berkshire Regional Planning Commission, Berkshire County, MA;

Franklin Regional Council of Governments, Franklin County, MA;

Northern Middlesex Council of Governments, Greater Lowell Region, MA;

Montachusett Regional Planning Commission, Western Worcester County, MA;

Pioneer Valley Planning Commission, Hampshire County, MA;

Southwest Region Planning Commission, Southwest NH; and

Nashua Regional Planning Commission, Southern NH.

These Regional Planning Agencies serve the impacted municipalities along the proposed route of the NED project in Massachusetts and New Hampshire. The Resource Report references are to the July 2015 Resource Reports submitted by Tennessee Gas Pipeline Company (TGP) to FERC.

{ body of reports is omitted here, but is contained in submission 20151007-5074 above}

{ from Franklin Regional Council of Governments }

{end of 20151016-5351}

20151016-5353

{PRIVILEGED}

20151016-5354

USA PROPERTIES, INC.
POST OFFICE BOX 296
DUBLIN, NH 03444-0296

Ms. Kimberly D. Bose
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington DC

Ref.: PF14-22

October 12, 2015

Dear Ms. Bose,

I am writing on behalf of USA Properties, Inc. to express my opposition to the proposed NED gas pipeline that will run through and/or beside our properties on Stowell and Cedar Ridge Roads in New Ipswich, NH and my concerns about the proposed compressor station that would be built on an adjoining parcel.

The area around Stowell and Cedar Ridge Roads, as well as the two large parcels (48 acres and 95 acres) that our company owns and which would directly impacted by the pipeline contain beautiful untouched wetlands areas replete with wildlife of all kinds, from deer and moose to salamanders and birds. The disruption cause by the installation of the pipeline and the construction of the compressor complex would be severe, and the effect of the noise and pollution caused by the compressor station would continue indefinitely.

In addition, a planned subdivision of one of our tracts has a cluster of wells located just a few hundred feet from the planned pipeline route. Any leak or rupture of the thin-walled pipe could have devastating consequences for the water quality on that tract and in the area generally.

There will also be severe financial repercussions. We currently own a number of building lots that will border or be in close proximity to the pipeline. Several, on Cedar Ridge Drive are on a high ridge facing northeast and are currently being marketed as having 'potential views'. The proposed ten acre compressor station is planned to be built directly across from these lots, meaning that the view will be one of a large industrial facility that has the potential to release harmful chemicals into the air at any time. And public concern about the safety of the pipeline and the health risks of chemicals released by the compressor facility means few families will consider purchasing house lots on Cedar Ridge Drive. I will follow this letter with one setting out the economic losses we expect if the pipeline is constructed.

Construction of the pipeline means that the land we own will become next to worthless, as no one will be interested in building their dream house beside the pipeline and within view (and probably hearing) of a compressor station. Likewise, the property values of our neighbors in the area will plummet, causing severe economic hardship for families whose homes are their primary asset. Please see the attached letter for detailed information on the economic losses our company can expect to suffer if the pipeline and compressor station is constructed.

In addition, there is little hard evidence to support the claim that this pipeline will benefit the people of New Hampshire, and good evidence that the gas transported in the pipeline will end up overseas. And although Kinder-Morgan rightfully claims that natural gas is a cleaner fuel than the fuel oil that is widely used here, it doesn't take into account the adverse environmental impacts of fracking to the air, land, and water of the areas where fracking is carried out. When considering the environmental impact of this pipeline, FERC should also take into consideration the off-site environmental impacts of the source of the natural gas that will pass through the pipeline. Fuel oil, which is currently quite cheap, can serve as our bridge fuel as we continue converting to renewable energy sources. This process is already under way in our area, where solar and wind energy systems are being installed in increasing numbers in the past few years.

I join with thousands of my New Hampshire neighbors in asking your Commission to deny this application.

Thank you for your consideration,

Sincerely,

Bruce Simpson, Pres.
USA Properties, Inc.
PO Box 296
Dublin NH 03444
603-563-8471

20151016-5356

Jennie L. Hill, Richmond, NH.

Please note that there are bats living in the vicinity of the proposed pipeline. Several species of bats are protected by State and Federal statutes. The proposed route through this part of Richmond has changed several times in the past 3 months, so it is impossible to say just how many bat habitats will be disrupted by this project. Bats reside in many structures and in the wild in Richmond and in other locales along the proposed route. It is imperative that any environmental assessment take that into account, and that they be afforded the protection granted them by State & Federal regulations.

20151016-5371

WilmerHale

Mark C. Kalpin

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mark.kalpin@wilmerhale.com

October 16, 2015

Tennessee Gas Pipeline Company, L.L.C.

Docket No. PF14-22-000

Comments of FMR LLC

Dear Secretary Bose:

On behalf of FMR LLC, please accept these comments concerning the Northeast Energy Direct Project ("Project"), which is proposed by Tennessee Gas Pipeline Company, L.L.C. ("Tennessee").1

On September 15, 2014, Tennessee requested use of the Commission's pre-filing process for the Project under 18 C.F.R. 157.21. In connection with that process, Tennessee and the Commission engaged in open houses and outreach to various stakeholders. On June 30, 2015, the Commission issued a notice of intent to prepare an Environmental Impact Statement ("EIS") for the Project, opening the scoping period under the National Environmental Policy Act. On September 3, 2015, the Commission extended the scoping com-

ment period on the EIS to October 16, 2015. Tennessee has indicated that it expects to file an application on November 20, 2015 for Commission authorization to construct the Project.

Background

FMR LLC is the parent company for the various financial services and related businesses more commonly known as “Fidelity Investments.” These comments are provided on behalf of FMR LLC and its related affiliates and subsidiaries (collectively, hereinafter “FMR”).

A subsidiary of FMR owns a 554-acre campus in Merrimack, New Hampshire (the “Merrimack Campus”). At the Merrimack Campus, more than 5,400 FMR employees provide asset management and financial services to various institutional and individual clients, including retirement services and investment and customer support, as well as corporate services to FMR’s enterprise.

Comments

On December 8, 2014, Tennessee proposed to adopt an alternative route for the Project (the so-called “Market Path” component) (depicted by the blue line in Figure 1 below) that would be located entirely outside the boundaries of the Merrimack Campus (depicted as the orange shape in Figure 1). Subsequently, in response to comments from the Town of Amherst, New Hampshire (“Amherst”), Tennessee developed an alternative route, “Amherst Option 1” (depicted by the dashed green line in Figure 1), located along Continental Boulevard, which would run alongside and within the western boundary of the Merrimack Campus.

In a September 24, 2015 submittal to the Commission regarding the Project, Amherst indicated that Tennessee intended to change the proposed route for the Project. Specifically, Amherst’s submittal included maps and minutes from a September 16, 2015 meeting between the Amherst Pipeline Taskforce and representatives from Tennessee. Those materials indicated – for the first time – that Tennessee planned to propose to the Commission a preferred route for the Project – as depicted in Figure 2 below – that would run directly through the Merrimack Campus (depicted as the orange shape in Figure 2).

Routing the Project through the Merrimack Campus could result in catastrophic consequences. The Merrimack Campus houses a data center that contains computer servers and other sensitive equipment whose operation may be severely impacted by blasting or other vibration-causing installation activities that are associated with pipeline construction. Disruption of this data center, or any of the other numerous activities associated with FMR’s asset management, customer service, or fund accounting business units at the Merrimack Campus (where FMR’s Fixed Income Division trades daily on an asset base in the hundreds of billions of dollars) could substantially affect national and international financial markets, particularly if the disruption occurs during the daily pricing of FMR’s funds. Because the Merrimack Campus currently handles, on average, 23,000 customer calls to FMR on a daily basis, any disruption to phone lines or servers would result in a substantial and significant impact to FMR’s customers, including market exposure and financial risk. Simply put, routing the pipeline directly through the Merrimack Campus would present an uncontrollable and, therefore, unacceptable risk to FMR’s continuous Disaster Recovery and Business Continuity planning as well as the nation’s financial markets.

As one of New Hampshire’s largest employers, FMR has, for two decades, become an increasingly sustaining element of the state’s economy. As we submit this letter, FMR is considering a multi-year plan to refurbish its 1.2 million-square-foot office space at the Merrimack Campus. The economic impact of this initiative and the significance of FMR’s reinvestment in its presence in New Hampshire would be substantial. The route shown in Figure 2 would directly impact the portion of the Merrimack Campus that is most suitable for development, and would directly affect the ability of FMR to increase its headcount at the Merrimack Campus in the future. Due to the uncertainties raised by the Project, including its potential to significantly impact FMR’s existing operations and future development of the Merrimack Campus, all future projects and development plans are currently on hold pending the outcome of the Project.

In light of the magnitude of these impacts, upon learning of Amherst’s September 24 submittal, FMR promptly contacted Tennessee to discuss the proposed Project route. In meetings with Tennessee on October

7 and 8, FMR explained the aforementioned concerns regarding the substantial impacts that would result from routing the Project directly through the Merrimack Campus. Tennessee acknowledged the legitimacy of those concerns, and on October 8th agreed not to pursue a Project route that ran directly through the Merrimack Campus. Instead, as memorialized in the attached letter (Attachment A), Tennessee has revised the preferred route for the Project so it is now located along the southern and eastern perimeter of the Merrimack Campus, as depicted by the blue line shown in Exhibit A of Attachment A.

While FMR does not endorse or support the Project, FMR nevertheless appreciates Tennessee's willingness to relocate the preferred route of the Project to accommodate FMR's legitimate business concerns. Consistent with these concerns and Tennessee's commitment, FMR is willing to continue to work with Tennessee to further refine the preferred route, if necessary.

FMR appreciates the opportunity to provide comments on the Project. If you have questions or need additional information, please contact me at 617-526-6176 (mark.kalpin@wilmerhale.com) or my colleague David Gold at 617-526-6425 (david.gold@wilmerhale.com).

Respectfully submitted,

Mark C. Kalpin

1 Tennessee is a subsidiary of Kinder Morgan, Inc.

Attachment

{7 pages omitted: maps, copies of KM letter}

20151016-5373

October 16, 2015

Federal Energy Regulation Commission

888 First Street, NE

Washington, DC 20426

RE: PF14-22

I live in New Ipswich where the Northeast Energy Direct pipeline and compressor station are proposing to site. I have serious concerns that New Ipswich's natural resources and watershed resources may be impacted by the Northeast Energy Direct pipeline and compressor station. It is difficult to fully determine impacts because Kinder Morgan has announced a proposed route and the final route has not yet been identified. Additionally, there are inaccuracies in the maps and overlays.

Potential impacts include:

Impact on Water Resources

Water is a primary element for all life. People depend on clean water as an essential to health. Water bodies are all interconnected, and the quality of water is directly related to activities on the land. What each property owner does on his or her property affects the water of their neighbor's well, stream water or pond. The demands for clean water continue to increase as New Ipswich becomes more populated.

All citizens of New Ipswich rely on wells for water. There are three stratified drift aquifers that feed many of the wells. The NED pipeline has the potential to impact these aquifers, as well as groundwater and surface water along its route and around the compressor station. Additionally, airborne particles released by the compressor station may also contaminate ground water of properties not directly on the route, but where the prevailing winds and atmospheric conditions may carry them before they come to ground.

More specifically, water resources may be impacted as follows:

- Contamination from nitrites or nitrates introduced during blasting.
- Contamination from previously bound naturally occurring pollutants, such as radon and arsenic that

may be released by blasting.

- Loss of well or reduction of well production through changes in bedrock channels by blasting.
- Contamination through prolonged herbicide use to control vegetation in certain parts of the ROW.
- Contamination from fluids leaked by construction vehicles operating in wetlands or above aquifers, or spilled during fueling or maintenance.
- Disruption of hydrology through soil disturbance, especially in wetlands. Soil layering in wetlands takes centuries to develop and is difficult to recreate once disturbed. Additionally, changes in topography affect runoff patterns and rainwater accumulation needed to recharge aquifers.
- Direct drawdown of aquifers for hydrostatic testing may require more water than the aquifers normally produce.

Impact on Air Quality

Potential adverse effects on air quality come in two forms:

- Direct release of methane into the atmosphere.
- Additional air pollutants released at compressor stations as a side effect of burning hydro fractured gas to provide power, as well as through “blow downs.”

Methane has twenty times the global warming potential of carbon dioxide according to the EPA. Methane loss has been measured in distribution systems, at compressor stations, valve stations, and metering stations along supply lines. The loss of methane from leaks in production, storage, and transmission stations is well documented, and recent studies show that the amount lost to leaks is greater than previously thought.

Air pollutants released along with fugitive methane emissions include nitrogen dioxide and other air toxics, such as benzene, toluene, ethylbenzene, and xylene. 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 documented in recent health studies.

Impact on Wildlife Habitat

Wildlife need water for their survival. Most wildlife species in New Ipswich depend on the habitat of water itself and the surrounding forest and others plants in the wetlands. Bodies of water, because of their function as wildlife habitat and their natural beauty, are important resources for hunting, fishing, nature study, photography, hiking, canoeing, and kayaking. The NED pipeline will destroy forest buffers and vernal pools, and put sediment into streams from long stretches of exposed soil. The wetlands’ ability to function may be diminished by heavy equipment compacting wetland soil. Wetland species will be threatened through the use of herbicides used for ROW maintenance. It is also possible invasive species will be introduced that out-compete native wildlife foods. Wildlife might also be adversely affected by noise, vibration and light as a result of compressor station operation.

Impact on Forests

When property is clear cut, it is left barren of trees or any vegetation, leaving the landscape scarred and prone to erosion. Clear cutting is done because it is thought that trees are obstacles to construction. This lessens the aesthetics of the property and has the potential to lower real estate values. When mature, healthy trees exist on land that is to be developed, it makes good sense, both economically and environmentally, to protect these real estate assets. Keeping mature trees can result in enhanced property value and maintain the traditional wooded aspects of our town.

Mature trees can lower energy costs. In hot weather, the shade provided from the tree can reduce the energy requirements for air conditioning and decrease temperatures both in and outside the house. Trees also act as windbreaks reducing heat loss from a house. Trees help maintain a more constant temperature throughout a building’s interior year-round to provide a more comfortable living environment. This can result in a significant savings to the home owner.

Noise, Vibration and Light Pollution

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. The US Environmental Protection Agency and the World Health Organization have published warnings in regard to quiet environments. 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. Industrial and commercial noise level limits for a “Quiet Rural Community” need to be significantly lower than those for an urban setting. Noise standards used by FERC, while appropriate for an urban setting, are not appropriate for a “Quiet Rural Community”. We request that Kinder Morgan be required to meet a noise level standard for the compressor station that is less than 38 dBA leq nighttime at the boundary of residential properties.

Large gas turbine compressors may also create vibrations and infra-sound frequencies below the threshold of hearing. While not considered audible sound, vibration and sound level pressures at low frequency can cause annoyance and sleep interference, potentially resulting in negative health effects. We request that Kinder Morgan conduct analysis of project-induced vibrations and infra-sound generation due to compressor operations, provide turbine manufacturer data, and analysis sufficient to demonstrate that vibrations and low-frequency infra-sound will not affect the surrounding community.

New Ipswich also benefits from a dark night sky because there are very few industrial or commercial sources of light pollution. We request that Kinder Morgan conduct a survey of night-time lighting conditions in the compressor station corridor to determine the nature of night lighting, and to characterize the existing conditions experienced by residents of the community. We also request that Kinder Morgan minimize excess facility lighting and contain any lighting within the immediate property boundaries. For security or other nominal lighting needs, lighting should minimize off-site lighting impacts. Lighting designed to illuminate areas within the station yard should avoid trespass beyond station limits and avoid up-lighting. Lighting should be designed by a lighting engineer and detailed in an illumination plan to specifically avoid off-site lighting impacts by use of full cut-off lighting fixtures (to eliminate off-site light spread and glare), without drop-down optics that can spread light horizontally. Lighting that does not glare or obscure colors should be used to enhance security as needed. Spot lights should be discouraged, and only be used for task lighting as needed to accomplish maintenance.

Impact of Abandonment

It is possible that the pipeline and compressor station may eventually be abandoned in the future. Kinder Morgan does not discuss how it plans to deal with the pipeline or supporting facilities if the line is abandoned. It is not possible to evaluate impacts to the Town’s natural resources if we don’t know what Kinder Morgan plans to do. Similarly, it is not possible to evaluate impacts if the pipeline is repurposed at some point in the future for some other product. In each of these scenarios, it must be incumbent upon Kinder Morgan to pay for all studies that New Ipswich would require to fully understand the impacts of abandonment or change of product being transported. Kinder Morgan must also be fully responsible financially and environmentally, for any subsequent mitigation related to abandonment or change of product being transported.

The protection of our natural resources is a fundamental right. NED pipeline and compressor station construction and associated disruptive activities will pose a threat to private landowners in New Ipswich. I ask that FERC and Kinder Morgan thoroughly attend to the points made and questions raised here as well as those made by the citizens of New Ipswich and our neighboring towns. I further request that ALL citizens impacted by this project be made whole, as impacts extend beyond the artificial incineration zone boundaries and the half-mile distance surrounding the compressor station site.

Sincerely,

Lisa Derby Oden

6 Upper Pratt Pond Road
New Ipswich, NH 03071

20151016-5377

Gian Andrea Morresi, Bridgeport, CT.
Dear FERC,

Drinking water reservoirs need healthy lands around them to filter and protect the water our families use. Clear-cutting and digging a trench 90 feet wide, 5.5 feet deep, and 5.7 miles long through land that protects my drinking water and that of hundreds of thousands of my neighbors is a bad idea! Natural gas pipelines nationwide have suffered alarming failures that pollute water and soil, and put people at risk. Kinder Morgan should find another place for its pipeline—or better yet, invest in renewable energy and stop wasting money on outdated fossil fuel infrastructure.

Thank you for taking my views in consideration.

20151016-5379

Mary Bickerstaffe, Dracut, MA.

I have so many concerns about this pipeline. First off, I know this is different from the pipeline but, in 10 years from when the is in will we turn out like the, Old Pees Air Force Base? They have to live with well contamination from the stuff they sprayed on airplanes to prevent freezing and now they are learning that people are getting sick from this. With this compressor station so close to the properties of so many children, women, and men's families that have come to live in a safe place. In my heart I know this is wrong. Kinder Morgan have pulled the wool over so many people. This is a plan to export we all know this. Why can't you people see this? My home is all I have. More than anything, I love having my family come spend time with me at my home. We have cook outs & we swim in our pool, which by the way is the pool that is right in the way of where you people want to dig up my yard. Are you going to replace my pool that will be ripped down. I love my yard and my family does too! We don't want this. Also, St. Francis Church is where I can go to God's House. Its so beautiful there. The blessed Mother's Garden with my pavers in the ground. What will happen to those and the bridge where we walk in song? We the people of Dracut, MA built that so everyone can feel the joy of the spirit. If more people felt that the world would be a better place. The Devil is involved when there is greed and all you can see is dollar signs. I read this prayer every week and so should you!!

Prayer to the Guardian Angel of the United States

O Glorious Angel of the United States, to whom God has entrusted the care of our beloved country, we honor you and thank you for the care and protection you have given to this great nation from the first moment of its inception.

O Powerful Angel Guardian, whose watchful glance encompasses this vast land from shore to shore, we know that our sins have grieved you and marred the beauty of our heritage. Pray for us.

O Holy Angel, before the throne of God. Obtain for us, from the Queen of Heaven, the graces we need to overcome the forces of evil so rampant in our beloved land.

Help us, our God-given protector and friend, to respond wholeheartedly to the urgent pleas of the Mother of God at Fatima. Assist us to offer the prayer and sacrifice necessary to bring peace and goodness to our nation.

We want to make you known and loved throughout our land, so that with your help we may become once more "a Nation under God"! Amen

20151016-5384

Date: 10/16/15

To: Federal Energy Regulatory Commission (FERC)

From: Gail S. LaGoy
Michael F. LaGoy

Docket: PF14-22

Please find listed below our preliminary comments and concerns regarding the Tennessee Gas Pipeline Northeast Energy Direct pipeline project. Thank you for your time and consideration.

Please Note:

We are significantly impacted landowners in Montague, Massachusetts, and have formally declined permission to survey.

• **Provide corrected maps, and add all additional/available map layers to identify:**

(Note: Our land is not identified correctly)

- o Chapter 61 Forestry land
 - o Agricultural land
 - o Conservation lands of any type
 - o Rare and Endangered Priority and Estimated Habitat
 - o All bodies of water, including but not limited to: seasonal streams, streams, brooks, rivers, ponds, lakes, ocean, other.
 - o Watershed areas for all bodies of water, including: seasonal streams, streams, brooks, rivers, ponds, lakes, ocean, other.
 - o Water supply drinking areas – public and private supplies.
 - o Wells
 - o Springs
 - o Interim wellhead areas – public and private supplies
 - o Flood Zones, including 100 year floodplain areas – public and private
 - o Areas considered to be “bald knobs” with shallow depth soil
 - o Soil types
 - o Other map layers not listed above.
- **Identify all areas with one or more potentials impacts, and assess the environmental, cultural, structural, and financial impacts in the aggregate:**

Including, but not limited to:

- o Forestry and Agricultural
- o Rare and Endangered Priority and Estimated Habitat
- o Vernal pools
- o Water Supply districts
- o Historical and cultural interest
- o Planned Open Space
- o Tourism areas – including scenic vistas and overlooks
- o Conservation land of any type
- o Interim wellheads
- o Flood Zones
- o Watershed
- o Wells
- o Springs
- o Bald knobs with shallow depth soil
- o Driveways and roadways – public and private
- o Other potential impacts not listed above.

• **Assess the financial impacts:**

- o Loss of tax reduction due to loss on conservation classifications
- o Loss of landowner, business, or public entity income (current and future potential, over expected life of owners and heirs) related to:
 - Tourism
 - Real Estate Sales, resales, and rentals
 - Forestry and Wood Products
 - Agricultural
 - Quarry
 - Metals and Minerals
 - Sand and Gravel
 - Soils
 - Water sources
 - Other not listed above
- o Loss of or pollution of soils
- o Additional costs to landowner, business, or public entity due to limitations presented by pipeline and related structures
- o Loss of real and personal property value
- o Loss of tax basis to cities, towns, counties, states, other public entities
- o Loss of clean energy sector jobs
- o Damage to buildings, other structures
- o Damage to forestry and agricultural land
- o Damage to personal property
- o Other financial impacts not listed above.
- o Cumulative financial burden assessments and compensation
- **Impact of groundwater flow alteration to:**
 - o Forestry and Agricultural land
 - o Conservation land of any type
 - o Watershed areas for all bodies of water, including: seasonal streams, streams, brooks, rivers, ponds, lakes, other.
 - o Water supply drinking areas – public and private supplies.
 - o Interim wellhead areas – public and private supplies
 - o Flood Zones, including 100 year floodplain areas.
 - o Wetlands crossings – public and private
 - o Drainage controls – public and private
 - o Retention Ponds – public and private
 - o Reservoirs – public and private
 - o Swales – public and private
 - o Driveways, paths, roadways – public and private
 - o Buildings and other Structures – public and private
 - o Soils
 - o Wells
 - o Springs
- **Impact of air flow and wind pattern alterations to:**
 - o Forestry and Agricultural land
 - o Conservation land of any type
 - o Driveways, paths, roadways – public and private
 - o Buildings and other Structures – public and private
 - o Soils
- **Identification and mapping of all vernal pools in all areas of proposed project:**

- o Impact to vernal pools from proposed project
- o Impact to vernal pool reliant species – animals and plants
- **Identification and mapping of all habitat and range areas, of all species of animal and plants that are:**
 - o Migratory species - all
 - o Federal Endangered, Threatened, or Species of Concern
 - o Massachusetts Endangered, Threatened, or Species of Concern
 - o New Hampshire Threatened, or Species of Concern
 - o New York Endangered, Threatened, or Species of Concern
- **Impact to all habitat and range areas, of all of all species of animal and plants that are:**
 - o Migratory species - all
 - o Federal Endangered, Threatened, or Species of Concern
 - o Massachusetts Endangered, Threatened, or Species of Concern
 - o New Hampshire Threatened, or Species of Concern
 - o New York Endangered, Threatened, or Species of Concern
- **Impact of fragmentation of habitat for:**
 - o Migratory species - all
 - o Federal Endangered, Threatened, or Species of Concern
 - o Massachusetts Endangered, Threatened, or Species of Concern
 - o New Hampshire Threatened, or Species of Concern
 - o New York Endangered, Threatened, or Species of Concern
- **Geological studies should be required to identify potential impacts and alterations to:**
 - o Underground water flows
 - o Aquifers
 - o Fault lines
 - o Radon containing rock
 - o Springs
 - o Wells
- **Geological studies should be required to identify all areas where blasting will be required.**
- **Impact of blasting to:**
 - o Underground water flows
 - o Aquifers
 - o Fault lines
 - o Ground water flow
 - o Radon release into underground water supplies – public and private
 - o Radon release into structures – public and private
 - o Radon release into air
 - o Soil loss
 - o Soil pollution
 - o Springs
 - o Wells
- **Air quality impacts:**
 - o Identification of ALL chemicals in the transported gas itself, along with MSDS and health impact information for each chemical
 - o Identification of ALL chemicals used in the transportation and compression of the gas, along with MSDS and health impact information for each chemical
 - o 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

- **Water quality impacts:**
 - Identification of ALL chemicals in the transported gas itself, along with MSDS information for each chemical
 - Identification of ALL chemicals used in the transportation and compression of the gas, along with MSDS information for each chemical
 - 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
- **Fire danger identification, compensation, and remediation:**
 - Identification of all areas that are known high fire danger areas (example = Montague Plains)
 - Identification of all areas that are inaccessible to fire equipment
 - Detailed plans of how fires in high fire danger, inaccessible, and all other areas would be addressed
 - How training and compensation would be provided to first responders and their communities.
 - How compensation would be assessed and provided to landowners, businesses, and public entities in the event of a loss.
- **Evacuation impacts:**
 - Identification and mapping of all possible evacuation areas
 - Evacuation routes for all areas
 - Detailed plans of how evacuations in high fire danger, inaccessible, and all other areas would be addressed and implemented.
 - How training and compensation would be provided to first responders and their communities.
 - How compensation would be assessed and provided to landowners, businesses, and public entities in the event of an evacuation (example = loss of use, loss of rental income, other).
- **Health impacts:**
 - Air pollution from planned and unplanned releases, including impacts to persons with respiratory diseases or conditions
 - Water pollution from planned and unplanned releases
 - Soil pollution from planned and unplanned releases
- **Quality of Life impacts:**
 - Noise pollution impacts
 - Light pollution impacts
 - Smells/Odors
- **Security and Privacy impacts:**
 - How will trespassing onto pipeline areas be stopped?
 - How will trespassing onto property adjacent to the pipeline areas be stopped?
 - How will adjacent property owner privacy be protected from pipeline employees or their contractors, both on foot and aerial?
 - How will the pipeline areas be protected from degradation from motor vehicles, motorcycles, all-terrain vehicles, etc. How will these incursions be stopped?
- **Proximity to other easements:**
 - Require thicker walled pipeline and cathodic protection near power lines.
 - Consider that locating next to existing easement may constitute an overburden of the existing easement.
 - Does locating next to the existing power line easement restrict upgrade or expansion for that existing easement use?
 - Will pipeline be engineered for potential upgrades and expansion of that existing easement use?

- o Require enhanced vibration controls near railroad tracks and roadways.
- **Brownfields and other potentially polluted areas:**
 - o Identify all brownfields and polluted areas in pipeline areas and related structures, and provide a list of all pollutants, with MSDS (Material Safety Data Sheets) and health impact information for each pollutant.
 - o Test for and identify all areas with PCB contamination from adjacent power lines. Note: This is a known issue.
 - o Test for and identify all pollutants present in the waterway beds that will be crossed, and provide a list of all pollutants, with MSDS (Material Safety Data Sheets) and health impact information for each pollutant.
 - o How will these waterway pollutants be captured, contained, disposed of, and downstream impacts avoided?
 - o How will all polluted areas be remediated, contained, disposed of, and the remediation independently be verified?
- **Identification and proper decommissioning of all non-used wells and springs.**
- **Short nose Sturgeon:**
 - o Require pipeline path to be moved well to the south of any known habitat of this federally endangered species.
 - o Require pipeline company to pay for independent monitoring of species impact.

20151016-5386

Date: October 16, 2015

I am writing as a concerned citizen of Windsor, Massachusetts. The proposed Kinder Morgan pipeline presents great risks to the health and safety as well as survival of this community. It will pollute clean air, clean water and our natural environment – what the Berkshires are known for.

The residents of the Town Of Windsor voted and approved a referendum last year stating that we did not want a pipeline through our land – much of which is conserved or protected wetlands. Furthermore, these lands are protected in Massachusetts under Article 97.

The pipeline itself presents major environmental risks. Methane, a greenhouse gas 20 times more potent than carbon dioxide, has been shown to leak as it moves through the pipeline. Methane leakage is a significant contributor to climate change, which threatens our communities, natural resources, and way of life.

Also as a rural community we are dependent on our private wells and the blasting and leakage from such a pipeline could pollute our water supply, essentially resulting in a catastrophe for our communities.

In addition to the pipeline, Windsor is being asked to host a now 41,000 horsepower compressor station as well. The compressor station presents known health risks including methane emissions, as well as emissions of harmful NOx and VOC's which not only affect the climate, but cause local air quality and many health problems, especially for children and pregnant women.

I would like to see both air and water quality tests provided before and after to assure the safety of these resources that we are all dependent on.

On January 14, 2015, President Obama announced a major executive action to reduce the release of methane into the environment by 40% below 2002 levels by 2025. Given that reducing methane pollution is a major goal of the administration, FERC should reject permits for the construction of new infrastructures that are known to leak methane - as well as other toxins – including the Kinder Morgan pipeline and compressor stations.

In Massachusetts our energies should be focused on alternative energy production.

Sincerely,

Cynthia White
885 North Street
Windsor, MA 01270

20151016-5389

WOOLMAN HILL

Quaker Retreat Center

107 Keets Road Deerfield MA 01342 + 413-774-3431 + info@woolmanhill.org + www.woolmanhill.org

Norman Bay, Chairman

Federal Energy Regulatory Commission

via FERC Online filing

Re: Docket No. PF 14-22-000

Tennessee Gas Pipeline Company, L.L.C. (TGP),
Proposed Northeast Energy Direct (NED) Project

October 16, 2015

Dear Norman Bay,

Woolman Hill Retreat Center (Woolman Hill, Inc.) filed initial scoping comments on August 31, 2015 about the proposed Kinder Morgan/Tennessee Gas Northeast Energy Direct project. These are additional comments we ask the Federal Energy Regulatory Commission to review.

Sincerely,

Margaret Cooley

Executive Director, Woolman Hill

(margaret@woolmanhill.org)

COMMENTS for the FEDERAL ENERGY REGULATORY COMMISSION

Re: FERC Docket No. PF 14-22-000

Tennessee Gas Pipeline Company, L.L.C. (TGP),
Proposed Northeast Energy Direct (NED) Project

October 16, 2015

NOTE: Woolman Hill Inc., (Woolman Hill) is submitting these statements in response to the Federal Energy Regulatory Commission's request for comments from the public. Submission of these statements is not a waiver of Woolman Hill's rights as per Civil Action No. 15-cv-30131 (MAP) filed in Federal Court for the Western District of Massachusetts on July 28, 2015.

Woolman Hill Retreat Center (Woolman Hill, Inc.) filed initial scoping comments on August 31, 2015. These are additional comments.

In assessing the impact of the proposed Northeast Energy Direct project, based on detailed examination of map TE-SEG_H011 dated 7/20/2015, we provide these additional comments.

The Woolman Hill northern property line borders the proposed pipeline route between stations 528 and 542. Along this section the pipeline right-of-way centerline would fall just north of the Woolman Hill property line within the right-of-way of an existing overhead power line; the proposed permanent easement would extend onto Woolman Hill property; the proposed temporary workspace would extend an additional 35 feet on Woolman Hill property and additional temporary workspaces would further intrude on our property. If carried out, these intrusions will require removal of a substantial number of trees. Removing these trees will have serious long-term impacts on Woolman Hill operations. The line of trees along Woolman Hill's northern boundary (roughly between stations 528 and 531) is a critical sound buffer to the operation of the quarry and asphalt plant adjacent to it, as well as a visual buffer from the power line. The forest that lies between

stations 521 and 542 was designated by the Woolman Hill Board of Directors over twenty years ago as a portion of our land that should be preserved un-disturbed.

These concerns could be ameliorated by adjustments to the right of way and workspaces. In particular we make these specific observations:

- Constructing the pipeline on the northern margin of the electric utility corridor, rather than the southern margin would resolve the concerns expressed above and would also cluster this new industrial activity with the existing activities to the north (a quarry and asphalt plant).
- If the pipeline remains on the southern margin of the electric utility corridor, these steps should be considered:
 - o moving the pipeline centerline northward approximately 15 feet would eliminate the presence of the permanent easement on Woolman Hill property.
 - o Placing the temporary workspace north of the pipeline centerline (and within the electric utility corridor) would eliminate the need for removal of a 35-foot wide swath of forest.
 - o Additional workspaces on Woolman Hill property can be moved to existing open space within the electric utility corridor. Specifically, eliminating ATWS-H-067 and ATWS-H-068 can be accomplished by expanding ATWS-H-065 and ATWS-H-066.

Two additional issues require comment:

- There is a very popular trail along the ridge at the western edge of Woolman Hill's property. One of the trailheads for that trail lies at the west side of the junction with Keets Road and Woolman Hill's northernmost corner (the northwest corner abutting Keets Road) near station 527.5. The proposed route, and particularly the additional workspaces proposed for that area (ATWS-H-064) would decimate the trailhead and the entry into the forest there, as well as a significant portion of the trail. Expansion of ATWS-H-065 and elimination of ATWS-H-065, which lies within the electric utility corridor, would significantly reduce this impact.
- A well at a residential unit appears to be within 200 feet of the construction zone. Again, the workspace extends to the south of the proposed pipeline easement, bringing the disturbance closer to that well.

In closing, we reiterate Woolman Hill's concerns about temporary and long-term damage to our property, as well as concerns about fossil fuel reliance and climate destruction regionally, nationally and globally.

Thank you for your consideration.

Margaret Cooley, Executive Director Patricia Higgins, Clerk, Board of Directors
Woolman Hill Quaker Retreat Center Woolman Hill Quaker Retreat Center

(Also see comments filed 8/31/15 by Woolman Hill.)

20151016-5392

Christine D'Ippolito, Nassau, NY.

Please do not approve the NED pipeline. The project will have a negative and possibly devastating effect on our environment, families and wildlife. The poisons that will emit from the 90,000 hp compressor station will carry over to our lakes, creeks, groundwater and wells. Please carefully note that most of the people living in Nassau, Averill Park, Stephentown and Schodack, NY receive water from private wells.

The pipeline is certainly not a public convenience for the people of the State of New York and the compressor station will definitely change the character of our beautiful area. Family farms and several local businesses will more than likely not survive the incursion.

What purpose will the pipeline serve the country? Cheaper oil? Short term employment in order to give the false impression of job growth? Am I and my neighbors considered collateral damage for a project that will do more harm than good in the long run for the country as a whole?

Please do not give into to quick fixes and immediate gratification. The pipeline runs contrary to the gov-

ernment's claims that it is seeking solutions to improve the climate and environment by investing in clean energy. Please invest in people and the future and not corporate greed.

20151016-5393

Rosemary Wessel, Cummington, MA.

Kinder Morgan has just announced that it plans to file on November 20. While this delay makes sense given the late and largely incomplete nature of their Resource Reports, it's a full 3 months later than their originally stated filing date of August 2015 that was included in their community presentations throughout 2014 and early 2015; yet their intended finish date for the project has not changed.

Kinder Morgan should specify how they're expecting the 3 months will be made up to make this completion date of November 2018 possible. Do they expect FERC to expedite it's processes to make up for the lost 3 months, or do they intend to rush through the construction process more quickly. Neither option sounds viable for matters of public health and safety.

Please require that they be more specific in revising the rest of their plans accordingly.

20151016-5397

{ skip to end of 20151016-5397 }

TOWN OF NEW IPSWICH

661 Turnpike Rd New Ipswich NH 03071

Board of Selectmen

Kimberly D. Bose, Secretary October 16, 2015
Federal Energy Regulatory Commission 888 First Street, NE
Washington, DC 20426

Re: Scoping Comments

Docket No. PF-14-22, Tennessee Gas Pipeline Co., Northeast Energy Direct Proposal

Dear Ms. Bose:

The Board of Selectmen of the Town of New Ipswich, New Hampshire, respectfully submit the following scoping comments:

As mentioned in previous letters to you and in our discussion with Mr. Eric Tomasi, your Environmental Project Manager for the NED Project, we find the burden of identifying what needs to be "avoided, mitigated, minimized or compensated" that has been placed on the Town of New Ipswich without adequate resources, has been unreasonable.

Further, given the need for NED has yet to be determined by your Commission, this burden only adds insult to injury. Based on the facts that New Ipswich, NH will not benefit in any way from this primarily export pipeline, the limited long-term contracts currently subscribed for the NED pipeline, the existence of more environmentally sound pipeline alternatives to serve New Hampshire's needs, and the existing LNG infrastructure in place to address the region's peak winter heating and electricity demands, we fail to see how the NED project can meet the Commission's criteria for determining whether there is need for NED.

Despite all of the "TBDs" and the severely incomplete sections of Kinder Morgan 24 July 2015 submission of Resource Reports, we have reviewed each of these documents in great detail. In the table below, you will find a reference to the Resource Report, including paragraph and page numbers where applicable, and the Town's associated comment, question and/or request.

In summary, we believe this project will have, not only negative environmental impacts, but also negative socioeconomic impacts, and the Town of New Ipswich will suffer irreparable harm from this project.

Sincerely,

BOARD OF SELECTMEN

George H. Lawrence, Chairman

Rebecca M. Doyle

David S. Lage

cc: Maggie Hassan, Governor of New Hampshire
 Joseph Foster, Attorney General of New Hampshire
 Shawn Jasper, Speaker of the New Hampshire House of Representatives
 Chuck Morse, President of the New Hampshire State Senate
 David Wheeler, Executive Councilor
 Kelly Ayotte, U.S. Senator
 Jeanne Shaheen, U.S. Senator
 Ann McLane Custer, U.S. House of Representatives

Comments to FERC

Resource Report	Paragraph Number	Page Number	Comments
1	1.1.1	1-12	“Additionally, the New York, Massachusetts, and New Hampshire route, which predominantly follows existing utility corridors for its Project, will provide economic service to several geographic areas in northern Massachusetts and southern New Hampshire that are not currently served by an interstate pipeline.” Please explain how Southwest New Hampshire communities, including New Ipswich, will receive economic service.
1	Table 1.1-2	1-28	Width of Existing ROW is identified as TBD; Width of Existing ROW to be Used During Construction is identified as 30-60 ft; Width of Existing ROW to be Used During Operation is identified as 20 ft. Our understanding is no portion of the Existing ROW can be used for operations. Please explain how these widths were calculated.
1	1.1.2.2.1	1-31	The Market Path Mid Station 4, located in New Ipswich, is described to include Titan 130 turbines. Due to emissions, electric turbines should be required.
1	1.1.2.2.1	1-31	The Market Path Mid Station 4, located in New Ipswich, is described to include Titan 130 turbines. Due to emissions, filters for PM2.5 should be used on the turbines.
1	Table 1.2-7	1-74	Based on the Non-Surveyed Areas of the Project, none of New Ipswich, NH has been surveyed.
1	1.3.1.3	1-77	Timber in New Hampshire is a commodity and belongs to the landowner. Unless alternative arrangements have been made with the landowner, proceeds from the sale of timber belong to the landowner. An Intent to Cut permit is required in New Ipswich and all related timber tax must be paid to the Town.
1	1.3.1.4	1-78	Tennessee states “landowner request or permitting requirements may dictate greater depth” than the minimum specifications set forth in Table 1.3-1. Given the frost line in New Ipswich, NH is approximately 48 inches, we request that the depth of cover be no less than 48 inches in all areas.
1	1.3.2.1	1-83	Tennessee states “in areas of rugged topography, ROW restoration will begin within 20 days of final pipeline installation to minimize potential erosion and sedimentation control problems.” It is unclear what is meant by the “20 days.” We request that restoration begin immediately, as weather permits, once backfill has been completed to minimize potential erosion and sedimentation control problems.
1	1.3.2.2	1-84	Due to the sensitive nature of our groundwater in New Ipswich, NH, we request that water wells within 500 feet of the construction workspace along the ROW be tested before and after construction for water quantity and quality.
1	1.3.2.2	1-84	The Town of New Ipswich requests that bonds be in place before any construction work begins within a roadway ROW. All funds should remain in escrow for a period of one year post completion of the project.
1	1.3.2.6	1-89	Due to probability of bedrock aquifer contamination and damage, we request that no blasting be allowed in New Ipswich, NH. New Ipswich has no public water. All homes and businesses rely on private wells which draw their water from both stratified drift aquifers and bedrock aquifers. A hydrogeological study should be performed prior to permitting to identify the bedrock aquifers that will be impacted by the construction of the pipeline. In addition, all wells drawing water from those bedrock aquifers should be identified and tested before and after construction for water quantity and quality.

1	1.3.3.3	1-93	Tennessee states it “will perform air quality impact modeling to support its applications to the ... New Hampshire Department of Environmental Services (“NHDES”) for air permits to construct and operate the proposed turbine-compressors.” We are concerned, based on recent health studies at compressor stations that emissions modeling is proving to be insufficient. What additional efforts are being considered in light of these findings?
1	1.4.2	1-96	Due to the potential for groundwater and surface water contamination, and the resulting contamination of private water wells, the use of herbicides or pesticides should be prohibited on the ROW or at aboveground facilities in New Ipswich, NH.
1	1.4.5	1-120	Tennessee states lithe compressor stations will be remotely linked to Tennessee’s information and data software networks and infrastructure which monitor the pipeline system on a 24-hour per day basis. Tennessee’s Gas Control Center monitors the pipeline system 24 hours a day, 365 days a year from the Gas Control Center using Tennessee’s Supervisory Control and Data Acquisition (“SCADA”) system.” It is unclear how a reliable connection will be established between New Ipswich, NH and Tennessee’s Gas Control Center in Houston, TX. New Ipswich requests 24/7 on-station coverage to ensure rapid communications should an emergency occur.
1	1.5	1-121	Tennessee failed to address abandonment. It is unclear what will happen to the pipeline or the compressor station when no longer in operation.
1	Table 1.6-1	1-127	It is unclear how permit applications can be submitted to NH Department of Environmental Services in December 2015 given 75% of affected landowners have denied access to their property and surveys are likely not to be conducted until after issuance of the certificate of public need and necessity.
2	2.1.1.4.1	2-10	Tennessee failed to identify radon as a water quality concern for bedrock aquifers.
2	2.1.1.4.2	2-11	Tennessee discusses the stratified drift aquifers in Amherst, Hollis, Hudson, etc. which supply municipal public supply wells. However, the three stratified drift aquifers impacted by pipeline construction in New Ipswich are not mentioned. Given all of New Ipswich relies on private water wells for drinking water and many of these wells draw water from stratified drift aquifers, it is necessary to identify both the stratified drift aquifers impacted by pipeline construction and the private wells utilizing those aquifers to ensure proper testing and monitoring is accomplished.
2	2.1.6	2-27 and 2-28	Tennessee states that “owners of wells located within 200 feet of the Project workspace or within 200 feet of blasting activities will be offered pre- and post-construction well testing.” We request that this be extended to SOD feet as suggested by Tennessee in a meeting on 17 September 2015 at the NH Farm Bureau.
2	2.2.5.2	2-43	The proposed site for Market Path Mid Station 4 is a known EPA brown field site. It is unclear why Tennessee has failed to identify it as such. We request that the contamination at the Market Path Mid Station 4 site be mitigated and the lead be removed from the soil prior to construction and prior to any subdivision or sale of land associated with lot.
2	2.2.10.2	2-60	Tennessee failed to identify the surface waters located on the Market Path Mid Station 4 site or the proximity to the Greenville, NH reservoir. We believe these surface waters are “sensitive surface waters” and construction, modification and operation of these facilities will have a negative impact on sensitive surface waters.
2	Table 2.3-8	2-88	The wetland impact summary identified for New Ipswich, NH is inconsistent with the Town’s Natural Resource Inventory. This information should be corrected.
2	Figure 2.1-1a		Bedrock aquifers in New Ipswich, NH have not been identified. Given all of New Ipswich relies on private water wells for drinking water and many of these wells draw water from bedrock aquifers, it is necessary to identify both the bedrock aquifers impacted by pipeline construction and the private wells utilizing those aquifers to ensure proper testing and monitoring is accomplished.
2	Figure 2.1-1b		Stratified drift aquifers in New Ipswich, NH have not been identified. Given all of New Ipswich relies on private water wells for drinking water and many of these wells draw water from stratified drift aquifers, it is necessary to identify both the stratified drift aquifers impacted by pipeline construction and the private wells utilizing those aquifers to ensure proper testing and monitoring is accomplished.

3	Table 3.4-6	3-93	Tennessee failed to identify two plant species in the vicinity of the project in New Ipswich, NH: Lady's-slipper, showy (<i>Cypripedium reginae</i>) and Bearberry.
3	Table 3.4-8	3b-22 and 3b-23	Tennessee failed to identify amphibians for New Hampshire. Three species within the vicinity of the project in New Ipswich, NH are the Marbled Salamander, the Blue Spotted Salamander, and the Northern Leopard Frog.
4	Table 4.4-46	4-63	Tennessee failed to identify the Seventh Day Advent's holy site in New Ipswich, NH.
4	Attachment 4b	4-b3	Tennessee failed to identify or contact the New Ipswich Historical Society.
5	Table 5.9-1	5-24	Given property taxes are collected by towns in New Hampshire, it is unclear why estimated property tax revenues would be identified by county. Estimated property tax revenues should be identified by Town.
5	5.10.2.3	5-31	Tennessee states "during normal operation of the Project, the need for emergency services is not anticipated. In the unlikely event of an incident, local emergency officials will be responsible for managing and protecting people (i.e., traffic control, handle injuries)." New Ipswich, NH relies on an all-volunteer fire department and emergency management department. It is unclear what resources will be required or what responsibilities these departments will assume in the event of an emergency. However, we strongly disagree with Tennessee's statement that "no long-term cumulative impact on infrastructure and public services is anticipated." Any additional resources for emergency services will increase the Town's operating budget thereby increasing property taxes. The short-term and long-term socioeconomic impacts to New Ipswich, NH should be identified and mitigated.
5	5.10.2.3	5-32	Many of the roadways in New Ipswich, NH were not built to handle the weight of the vehicles anticipated during construction. Many town roads are weight-restricted. The use of local roadways during construction will accelerate degradation of roadways and require early replacement of road surfaces, at best. Damage to local roadways is likely so we disagree with Tennessee that "its contribution to this potential cumulative impact will be minimal." The Town of New Ipswich requests that bonds be in place before any construction work begins within a roadway ROW and that all posted weight limits be respected.
5	5.10.2.6	5-34	Tennessee states "it is not anticipated that the Project would adversely impact property values along or outside the proposed pipeline ROW." However, documented studies show this not to be the case, such as the 2014 Fremont Center NY study by a certified real estate appraiser that determined homes close to a compressor station should be reduced by 25% to 50%. The decrease in property values and resulting tax abatements should be addressed along with the short-term and long-term socioeconomic impacts due to an increase in property taxes in New Ipswich, NH.
5			Tennessee failed to address the impact to the Town of New Ipswich, NH for the significant impact to one of the few businesses within the Town (91% residential), Windblown Cross Country Ski Area. In addition to losing a significant portion of the "easy" or beginner trails due to the pipeline ROW, access roads were recently identified which further impact the business. What is the impact on tourism in the area?
5			Tennessee failed to identify the impact to the Wapack Trail.
5			Tennessee failed to identify the impact of deforestation along the pipeline route.
5			Tennessee failed to address the Windblown Cross Country Ski Area in New Ipswich, NH. In fact, Windblown was not mentioned once in the Resource Report. Opened for business in 1972, Windblown attracts tourist from Massachusetts, Rhode Island, Connecticut and Vermont to New Ipswich with approximately 10,000 to 15,000 skier visits per year. The pipeline is proposed to cross seven existing ski trails. The impact to Windblown and, in turn, to New Ipswich should be assessed and identified.

6	6.1.1.6	6-18	Tennessee states “The Project facilities in New Hampshire cross the southern region of the state where the land slopes gently downward toward the ocean from the New England Upland Section to the Seaboard Lowland Physiographic Province. The Seaboard Lowland Section extends 15 to 20 miles into New Hampshire. The Seaboard Lowland Province is characterized by mostly level or gently rolling topography that is underlain by Precambrian igneous rocks (USGS 2014d).” Most of the pipeline and associated facilities are greater than 20 miles from the ocean so it is unclear how this statement applies. In New Ipswich, NH we have significant steep slopes and significant granite at or near the surface. Please clarify the geological conditions and the intent of the statement above.
6	6.1.2.6.1	6-21	Tennessee states “in New Hampshire, one new compressor station is proposed, Market Path Mid Section 4, located in Hillsborough County. The compressor station is situated within areas that consist primarily of glacial till.” First, we believe Tennessee was referring to the Mid Station 4 in New Ipswich, NH. Second, in paragraph 6.1.3.6.1, Tennessee states “New Hampshire has one new compressor station, Market Path Mid Station 4, located in Hillsborough County and is situated within Early Devonian quartz diorite.” Please clarify the apparent contradiction.
6	6.2	6-31	Given the areas of shallow depth to bedrock or outcrops in New Ipswich, NH and due to probability of bedrock aquifer contamination and damage, we request that no blasting be allowed in New Ipswich, NH. New Ipswich has no public water. All homes and businesses rely on private wells which draw their water from both stratified drift aquifers and bedrock aquifers. A hydrogeological study should be performed prior to permitting to identify the bedrock aquifers that will be impacted by the construction of the pipeline. In addition, all wells drawing water from those bedrock aquifers should be identified and tested before and after construction for water quantity and quality. Quality should be tested according to the strategy established by Southwest Pennsylvania Environmental Health Project’s (SWPA-EHP’s) Well Water Contamination: SWPA-EHP Ranking System and Monitoring Strategy, dated 31 May 2012.
6	6.3.4	6-38	What is the impact to taxes collected from sand and gravel removal in New Ipswich?
6	6.4.5.4	6-67	New Ipswich, NH has a steep slopes ordinance which prohibits and construction on slopes greater than 15%. It is unclear why Tennessee only address slopes greater than 30% as steep. Please clarify.
8	Table 8.1-3	8-14	Tennessee states that 20 feet of the width of the existing ROW is to be used during operation. This contradicts what we have learned from Tennessee during Open House events where it has been stated that no overlap of the powerline ROW and the pipeline ROW can occur. Please clarify.
8	Table 8.2-1	8-36	Tennessee has failed to identify the subdivision In New Ipswich, NH currently planned by USA Properties.
8	8.3.1.1.4	8-73	Tennessee has failed to identify contiguous undeveloped land in New Ipswich, NH with deeded conservation easements or conservation restrictions. Many parcels with such restrictions are impacted by the pipeline and should be addressed. These unfragmented lands are of significance for wildlife as well as identifying large areas of open space, minimizing the impacts of development.
8	8.3.3.2.4	8-98	Tennessee has failed to identify contiguous undeveloped land in New Ipswich, NH with deeded conservation easements or conservation restrictions. Many parcels with such restrictions are impacted by the pipeline and should be addressed. These unfragmented lands are of significance for wildlife as well as identifying large areas of open space, minimizing the impacts of development.
8	8.3.4.3	8-104	Tennessee failed to identify specialty crop farms impacted by the pipeline in New Ipswich, NH. Please identify.
8	8.3.6.4	8-108	The proposed site for Market Path Mid Station 4 is a known EPA brown field site. It is unclear why Tennessee has failed to identify it as such. We request that the contamination at the Market Path Mid Station 4 site be mitigated and the lead be removed from the soil prior to construction and prior to any subdivision or sale of land associated with lot.

8	8.4.4	8-116	Outdoor lightening at the Market Path Mid Station 4 should be controlled so that our current conditions of rural sky and truly dark sky are maintained. Please identify the current conditions using the Bortle scale and what measures will be taken to ensure these conditions are maintained.
8			Tennessee failed to address the Windblown Cross Country Ski Area in New Ipswich, NH. In fact, Windblown was not mentioned once in the Resource Report. Opened for business in 1972, Windblown attracts tourist from Massachusetts, Rhode Island, Connecticut and Vermont to New Ipswich with approximately 10,000 to 15,000 skier visits per year. The pipeline is proposed to cross seven existing ski trails. The impact to Windblown and, in turn, to New Ipswich should be assessed and identified.
8	Table 8.3-5	8b-250	Tennessee has failed to identify contiguous undeveloped land in New Ipswich, NH with deeded conservation easements or conservation restrictions. Many parcels with such restrictions are impacted by the pipeline and should be addressed. These unfragmented lands are of significance for wildlife as well as identifying large areas of open space, minimizing the impacts of development. Please identify.
8	Table 8.3-5	8b-250	Tennessee has failed to identify the parcels in Current Use as described in paragraph 8.3.3.2.4 (page 8-99). Please identify all parcels in Current Use.
9	9.1.3.2	9-25	Tennessee states “Detailed air emissions for the compressor stations are not yet available for this draft filing of Resource Report 9 but will be quantified to support the development of the air permit applications and the final Resource Report 9 that will be submitted in the final ER that will be included with the Project’s certificate application.” New Ipswich, NH does not wish to be the next Minisink, NY. Based on the Southwest Pennsylvania Environmental Health Project’s Summary on Compressor Stations and Health Impacts, dated 24 February 2015, we believe there is reason for concern. We request the following be required: build the compressor station to control emissions and prevent air pollution, including the installation of loop lines to capture blowdowns/blowouts; electric turbines rather than gas; 24/7 monitoring of pollution, using the NAAQS standards as a maximum; test all dug wells within a 5-mile radius; and health registry / health monitoring program which should begin at least 2 years in advance of operations at the facility or whatever is deemed by Tennessee to be required in order to establish a health baseline for legal purposes.
9	9.2.1.2.4	9-34	New Ipswich, NH does have a noise ordinance which limits noise between the hours of 10pm and 7am. Given large industry is not allowed per our Zoning Ordinances, a noise ordinance specific to such has not yet been enacted. However, we do have a Large Wind Energy Systems Requirements Ordinance which we would expect Tennessee to use as guide for noise (audible and inaudible, low frequency monitoring) and vibration levels allowed at the Compressor Station (Market Path Station 4) during operations, including blowdowns. We request this be a requirement of the application and any certificate of need that might be issued.
9	9.2.2	9-35	Tennessee appears to be using the existing noise levels at Station 319 as the baseline noise levels for the new compressor stations. However, Station 319 is proposed to be upgraded to a 31,000 HP station but is not that size today as the baseline noise levels were determined. It is unclear how a much smaller station is applicable to the proposed Market Path Mid Station 4. Please clarify.
11	Table 11.2-2	11-4	The pipeline segment in New Ipswich will cross three stratified drift aquifers which are used to supply drinking water to homes and businesses via private drinking wells. We believe this should be considered when determining High Consequence Areas for the Project.
11	11.2.5	11-8	Tennessee states that “Tennessee field personnel are available to respond to emergency events on its pipeline system at any time of day. Typically, the response time is less than one hour, but is dependent on the location of the situation, location of personnel, time of day, weather conditions, and traffic conditions.” Given the remote location of Market Path Mid Station 4, located in New Ipswich, NH, automatic shut-off valves should be required. Otherwise, New Ipswich requests 24/7 on- station coverage to ensure rapid communications should an emergency occur.

11	11.2.5	11-8	Tennessee states that “Tennessee field personnel are available to respond to emergency events on its pipeline system at any time of day. Typically, the response time is less than one hour, but is dependent on the location of the situation, location of personnel, time of day, weather conditions, and traffic conditions.” Given the remote location of Market Path Mid Station 4, where is the closest service field representative located and what is the response time to New Ipswich, NH? Please provide details. New Ipswich requests 24/7 on-station coverage to ensure rapid communications should an emergency occur.
11	11.2.9	11-10	Please provide an impact analysis due to lack of 24-hour police coverage in New Ipswich, NH.
11	11.2.9	11-10	Please provide an impact analysis, including personnel and infrastructure requirements, given the New Ipswich, NH fire department is a call department with minimal manpower during the daytime.
11	11.2.9	11-10	Please identify any involvement required by the FEMA Region 1 in the event of an incident at Market Path Station 4. Does FEMA Region 1 have a plan for response to an incident?
11	11.2.9	11-10	Please identify any involvement required by the State of New Hampshire in the event of an incident at Market Path Station 4.
11	11.2.9	11-10	Please identify the manpower requirements, including those that may be required via Mutual Aid. How does this compare to the current available resources?
11	11.2.9	11-10	Please identify the funding available to the Town of New Ipswich, NH for an emergency response (including alarm activations, incidents), initial and ongoing training for all first responders (police, fire, ambulance, emergency management and highway), and special protective gear needed for first responders.
11	11.2.9	11-10	Please identify the special protective gear or special equipment (e.g., gas meters, ATVs) required for first responders. Please identify how these items will be procured and maintained.
11	11.2.9	11-10	Please identify what messaging system will be used in the event of an incident. How will training on this system be accomplished?
11	11.2.9	11-10	Please identify how a detailed site plan will be provided to local officials. How will this be maintained?
11	11.2.10	11-11	Please provide a copy of the Emergency Response Plan for New Ipswich, NH.
11	11.2.10	11-11	Please identify how scene security will be provided in the event of an incident.
11	11.2.12	11-11	Tennessee failed to identify whether the Market Path Station 4 will have an Active or Passive fire suppression system. Please provide details.
11	11.2.12	11-11	Tennessee failed to identify whether the Market Path Station 4 will have gas leak detectors. Please provide details.
11	11.2.12	11-11	Tennessee failed to identify the water source for dissipation of vapors at the Market Path Station 4. Given New Ipswich, NH has no public water supply, please provide details.
11	11.2.12	11-11	Tennessee failed to identify whether a foam bank for fire suppression will be provided and maintained at the Market Path Station 4. Please provide details.
11	11.2.12	11-11	Tennessee failed to identify how road access would be maintained to the Market Path Station 4. Please provide details, including snow removal and roadway maintenance and upkeep to allow emergency vehicles to respond.
11	11.2.12	11-11	Tennessee failed to identify the security monitoring (e.g., alarms, fences, manpower, cameras, patrols) to be implemented at the Market Path Station 4 or along the pipeline. Please provide details.

{ end of 20151016-5397 }

20151016-5399

STOP NY FRACKED GAS PIPELINE

1409 County Route 5, Canaan, NY 12029, 518-781-4686

www.stopnypipeline.org * www.facebook.com/stopnyfrackedgaspipeline

October 13, 2015

Federal Energy Regulatory Commission

800 First Street, NE
Washington, DC 20436

RE: Docket #14-22-000

To the Honorable Committee Members,

SNYFGP would like to express our appreciation for your complete and diligent consideration of the innumerable and extensively detailed scoping comments crossing your desks. We wish to add no undue burden and will do our best to give the bigger picture as we see it, supported by only the most necessary details to render an accurate and coherent account of our perspective.

We understand that the task before you is to assess the consumer need for the proposed NED natural gas pipeline, and to balance this need with consideration of adverse impacts to the environment and residents. Expressed in accordance to legal provisions, on the one hand you are responsible to the Natural Gas Act, section 7, to assess whether “the proposed service, sale, operation, construction, extension, or acquisition, to the extent authorized by the certificate, is or will be required by the present or future public convenience and necessity; otherwise such application shall be denied.” On the other hand, you must be in compliance with NEPA guidelines to evaluate all aspects of environmental impact, which in turn, impacts all living within said environment.

PART 1. Need for NED Pipeline.

Present and Future Domestic Demand for NED Pipeline Natural Gas

We are in a historically dynamic time of change with regards to how we accommodate our energy needs. Electric generating utility companies are presently transitioning from primarily coal-based electricity to primarily natural gas based electricity. If the current trend of increased reliance on natural gas for electricity generation continues, by 2050, fully two-thirds of our electricity nation wide will be fueled by natural gas. Although natural gas emits less carbon than oil or coal when burned, it will fall short by a factor of three in meeting our goal of a 90% decrease in power sector carbon emissions needed to avoid catastrophic consequences of climate change, as recommended by the National Research Council. This shortfall would have considerable impact, as the electric power sector contributes one third of this nation’s carbon emissions, and is the largest source of carbon emissions. In addition, natural gas releases methane, which is a far more potent greenhouse gas than carbon dioxide. Over a 25-year period, methane is 70-86 times more potent than carbon dioxide.

In concluding its review on the risks of the power sector’s over-reliance on natural gas, the Union of Concerned Scientists (UCS) explains, “To meet the NRC’s carbon budget for the power sector, the U.S. needs to invest heavily in energy efficiency and increase renewable energy’s share of the total power supply to 25 percent by 2025 and 80 percent by 2050.” <http://www.ucsusa.org/climate-risks-overreliance-natural-gas-electricity-2013>

Those in positions to look to the future herald the above truth in policies or caveats that move us away from an over-reliance on natural gas.

- Consider that ISO-New England has expressed concern about the over-reliance on natural gas for electricity generation.
- Consider a report by Synapse Energy Economics, Inc, “Avoided Energy Supply costs: 2013 Report”, which fails to substantiate Kinder Morgan’s assertion that New England will need additional natural gas. To the contrary, SEE projects that shortfalls in energy generation for Massachusetts will be isolated to only certain days of the year, and that, at only peak demand. SEE also critiques that KM’s projections do not factor in increases in energy efficiency and an ever-growing reliance on renewable energy sources.
- Consider a new study by Energyzt Advisors LLC. They foresee that the demand for natural gas in the Northeast will decline. They also believe that this region would benefit from diversifying their

sources of energy generation. They contend that, “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.” <http://www.businesswire.com/news/home/20150817006123/en/Report-England-Energy-Winter-Reliability-Solutions-Finds>

- Consider that because we CAN doesn't always mean we SHOULD. For whatever many and obvious reasons, we are basically in another proverbial gold rush. This is our national psyche. We are rich with natural gas and ever improving ways to get at it. We have finally achieved the national energy independence we have longed for. But the most optimistic estimates give us 92 years of this resource wealth. Sounds great, but is it really? The methane that is released in extraction, leaks and blow-downs has devastating greenhouse effects. It is a short lived, but intense climate changer. It is a 100 times more powerful greenhouse gas than carbon dioxide within a 5 year period, and 72 times more within a 20 year period. Contamination of our ground water and water ways are very real possibilities, as well as the exhaustion of water resources in the extraction process in times of real or imminent threat of drought: this is not wealth but a squandering of wealth. The lulling comfort natural gas affords us while we are in a critical time of climate change escalation whose tipping point may already be behind us SHOULD be displaced by a realistic and acute discomfort with our lack-luster response to climate change, so that we as a nation are motivated to aggressively pursue the transition to renewable energy upon which our survival depends.

The broader and unavoidable truth is that even though we are currently experiencing an abundance in extractable natural gas, these fossil fuel deposits are finite in nature, and we know we will have to transition to alternative sources of energy, both for the foreseeable end of fossil fuel availability and for preservation of a livable biosphere. The question becomes, when should we start taking this transition seriously? In between our current reliance on fossil fuels and a hoped for successful transition to a sustainable energy infrastructure lurks a danger that Tom Murphy has coined The Energy Trap. In summary, he writes: “But our reaction to a diminishing flow of fossil fuel energy in the short-term will determine whether we transition to a sustainable but technological existence or allow ourselves to collapse. One stumbling block in particular has me worried. I call it The Energy Trap.

In brief, the idea is that once we enter a decline phase in fossil fuel availability—first in petroleum—our growth-based economic system will struggle to cope with a contraction of its very lifeblood. Fuel prices will skyrocket, some individuals and exporting nations will react by hoarding, and energy scarcity will quickly become the new norm. The invisible hand of the market will slap us silly demanding a new energy infrastructure based on non-fossil solutions. But here's the rub. The construction of that shiny new infrastructure requires not just money, but...energy. And that's the very commodity in short supply. Will we really be willing to sacrifice additional energy in the short term—effectively steepening the decline—for a long-term energy plan? It's a trap!” <http://physics.ucsd.edu/do-the-math/2011/10/the-energy-trap/>

In other words, we need energy, and financial health, to invest in new energy source infrastructure, and if we wait too long, we will fall into the energy trap, and experience widespread collapse of life as we know it. (See also the following link for a more recent and concise explanation of the energy trap.<http://cleantech-nica.com/2014/09/14/energy-trap-world-uae-can-avoid/>)

To conclude this section, multiple sources confer that the distribution area of the NED pipeline will not be providing the demand for the additional gas supply that justifies its construction. Furthermore, this expansion of NG distribution flies in the face of a growing awareness and initiative to veer away from an over-reliance on natural gas while making strides to achieve the NRC's carbon budget to avert climate change disaster.

Foreign Demand for NED Pipeline Natural Gas

Kinder Morgan understands that domestic allocation of NED NG is not adequate to justify the expense and full usage of this pipeline. And, unfortunately, to compound matters, the domestic market is glutted with natural gas, prices have plummeted, and the profit margin is narrowed. It behooves the NG industries to

look for international buyers, where they can exact prices up to four times that of national prices. Nationally, natural gas producers are seeking federal permission from the Department of Energy to ship as much as 50% of their production to foreign markets.

Kinder Morgan is no different in this regard. When Kinder Morgan's President and CEO, Steve Kean, was asked about Northeast supply/demand balance, he replied, "Okay, yeah, so a few things there. I mean one is, again, lower commodity prices do dampen the enthusiasm for making longer term commitments by producers.... quite frankly, we started working on the market side of this. And Ron McClain and his team have been talking to international off-takers who have a different time frame and perspective that they bring to the table." "Kinder Morgan's (KMI) CEO Steve Kean on Q2 2015 Results - Earnings Call Transcript", <http://seekingalpha.com/article/3329175-kinder-morgans-kmi-ceo-steve-kean-on-q2-2015-results-earnings-call-transcript>.

However, there are a few problems with this marketing strategy.

1. According to the Wall Street Journal, in their February 7, 2015 article, Funding Dries up for U.S. Gas Export Terminals, <http://blogs.wsj.com/moneybeat/2015/02/17/funding-dries-up-for-new-u-s-gas-export-terminals/>, "Big international buyers don't feel pressure to sign more long-term contracts. The national utility companies that wanted them have already signed, Mr. Boudrias said. Without more committed buyers, financiers won't step in. They don't want to take the risk that prices can rise enough to support a profitable spot market."

The above is but a reflection of a larger momentum for major investors to divest from the fossil fuel economic sector. Although widespread awareness of environmental urgency fuels this movement, so do pragmatic financial considerations of the risks involved in continued investment in an industry that will be phasing out over the next few decades. As Alan Rusbridger of The Guardian explains, "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." <http://www.theguardian.com/environment/2015/mar/16/argument-divesting-fossil-fuels-overwhelming-climate-change>

2. According to the Natural Gas Act, Section 7a, "public convenience and necessity" is circumscribed to the local domestic market by the following statement:

"... to establish physical connection of its transportation facilities with the facilities of, and sell natural gas to, any person or municipality engaged or legally authorized to engage in the local distribution of natural or artificial gas to the public, and for such purpose to extend its transportation facilities to communities immediately adjacent to such facilities or to territory served by such natural-gas company, ..."

Kinder Morgan's dependence of international off-takers to make the NED pipeline a viable business prospect is at odds with the motives and intents of the Natural Gas Act designed to serve the needs of the domestic public. This should disqualify Kinder Morgan from the Certificate of Public Convenience and Necessity, as well as from the associated empowerment of eminent domain.

To summarize this section, Kinder Morgan's strategy to rely on international off-takers to make this pipeline a viable reality not only risks failure due to the growing disinterest of financiers and foreign markets, but also is in violation of the uses of a Certificate in Public Convenience and Necessity.

Part 2. Environmental and Resident Costs of NED Pipeline.

It is the task of FERC, as we understand it, to balance the need for a pipeline with the environmental and public costs of a pipeline, as the pipeline and associated infrastructure adversely impact environmental and

human health, and has other costs as well. (However, in this balancing act it should be duly noted that Rensselaer County residents have nothing to gain from this pipeline and everything to lose.) This is where the list of concerns gets quite extensive, repetitive across comments, and hence unnecessarily burdensome to the review process. As you have heard all these concerns before, we will keep this listing as abbreviated as possible while once again striving to create the bigger picture to frame the local concerns.

For ease of review, inevitable and unavoidable adverse impacts will be reviewed separately from the risks of accidental adverse events.

1. Pipeline's inevitable and unavoidable adverse impacts.

- **Water:** Rensselaer County is a rural residential region that is heavily dependent upon wells to meet their needs for water.
 - o The very construction of the pipeline, the blasting of bedrock, will disrupt the integrity of our aquifers, establishing extensive contaminant pathways into our ground water. KM expects blasting to result in at minimum temporary disruption to our wells. Blasting, installment of the pipeline, maintenance of the right of way, all involve the use of chemicals detrimental to the quality of our ground water and the health of our residents. Air emissions eventually precipitate to the ground, wetlands, and other bodies of water, and will compromise the health of our waters. Water for pipeline integrity testing will be taken from an EPA Superfund site, The Dewey Loeffel landfill watershed, and spread its contaminants to who knows where, and it will eventually end up in the ground water of our aquifers. The pipeline will pass under the Hudson River, another Superfund site, disturbing sediment and re-releasing contaminants such as PCB's.
- **Land:** The NED pipeline will cut a 100 foot right of way through residential and greenfield ecosystems. It will cut through the Rensselaer Plateau, a treasured forested ecosystem scattered with glacial lakes that residents have gone to extensive measures to conserve. Our treasured scenic environment will be scarred. Wildlife habitat will be irreversibly altered for the life of the pipeline, and perhaps beyond. Construction vehicles will stress our rural infrastructure, roads (many unpaved), culverts, and bridges. The burden of repair will fall upon resident taxpayers.
- **Air:** Mainline valve releases and blowdowns release a soup of chemicals detrimental to health, especially to vulnerable subpopulations, with health challenges such as asthma, COPD, and chemical sensitivities. Dispersal stacks may mitigate local impact, but does not resolve it (as attested by notices to local residents to evacuate or close windows with some blowdowns), and broadcast the impact to further reaches. Nearby agriculture will be affected, and organic farms will likely lose their certification.
- **Light, Noise, and Low Frequency Vibration**, otherwise known as The Hum: The compressor station will be a source of light pollution to the surrounding area. Valve releases and blowdowns are loud and jarring.
 - o The Hum is a low frequency vibration and noise that is emitted by high volume pipelines. A minority of people are sensitive to it, but these people experience serious mental and physical consequences from the hum. The hum is implicated to have affected the mental stability of Adam Lanza in the years and weeks before he murdered his mother and then went on to Sandyhook Elementary School where he fatally shot 20 children. Adam Lanza lived only 1500 feet from a high volume pipeline. For a more thorough understanding of "the pipeline syndrome", read the links below. The hum is becoming a subtle, elusive, but very serious environmental stressor. <http://newtownbee.com/node/183812>, <http://mic.com/articles/91091/a-mysterious-sound-is-driving-people-insane-and-nobody-knows-what-s-causing-it>

2. Risks of accidental impact events.

It is appreciated that the regulatory provisions and pipeline construction companies do everything they can think of to make the pipelines as safe as is possible. Pipeline transport of NG compared to other modes of

transport is relatively safer in that fewer accidents occur, but the accidents that do occur create more widespread and long term damage. And while the probability of an accident involving pipeline infrastructure is low, there are nonetheless hundreds of pipeline spills and ruptures a year over this country's over 2.5 million miles of pipeline. <http://www.propublica.org/article/pipelines-explained-how-safe-are-americas-2.5-million-miles-of-pipelines>

Considering the number of things that can go wrong in the construction and wear of a pipeline, keeping the number of accidents down to a few hundred a year is a remarkable achievement. In other words, accidents WILL happen. This document by the U.S. Department of Transportation Pipeline and Hazardous Materials Safety administration (PHMSA), discusses innumerable factors that can go wrong, from the pipes' creation in steel mills to pipe installment. Construction companies have the responsibility of assuring the qualification of both workers and their inspectors, which is yet another variable in pipeline safety. <https://primis.phmsa.dot.gov/construction/faqs.htm>

Sooner or later, pipelines WILL corrode, no matter the precautions. Once again, the number of variables impacting pipe corrosion are many and intractable. The following two links explain the science of pipeline corrosion.

<http://corrosion-doctors.org/Pipeline/Internal-corrosion.htm>, <https://www.emlab.com/s/sampling/2010-11-Corrosion-Gas-Pipes.html>

That the proposed NED pipeline is designated to share right of way with high voltage electric transmission introduces another source of pipe corrosion from AC discharges.

"Installing pipelines in energy utility corridors containing high voltage AC transmission lines subjects the pipelines to induced AC voltages. This can be caused by an imbalance in the transmission system, and by high voltages near transmission grounding systems resulting from lightning strikes and phase faults." (Transmission line EMF interference with buried pipeline. M.H. Shwedi and U.M. Johar, Electrical Engineering Department at King Fahdu of Petroleum and Minerals, Dhahran, Saudi Arabia.)

3. Additional concerns that need to be addressed:

- **Comprehensive Health Impact Assessment is needed:** 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. We think this is vital.
- **Cumulative Effects:** We second the comments by New York State Senator Jim Seward on June 30, 2015, in which he 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."
- **Frost lines:** An additional source of risk to pipelines in the frigid Northeast are frost heaves. These pipelines are not buried sufficiently deep to avoid this risk.

Summary

In summary, Kinder Morgan's proposed NED pipeline does not meet the conditions for a Certificate of Public Convenience and Necessity due to the current lack of need for this gas along the pipeline's domestic distribution network, and because of the anticipated decline in reliance on natural gas due to the on-going shift to alternative energy sources that is necessary to avert climate change disaster. Kinder Morgan's specu-

lative foreign market is not a robust prospect due to investment trends and market unreliability. In addition, international distribution of NED pipeline natural gas violates the Natural Gas Act section 7a stipulation that the gas will be transported for local use and need. Our conclusion is that a strong case cannot be made for the necessity of this pipeline.

As for the costs of the pipeline incurred by the environment and the residents along its path, our conclusion is that there are many significant adverse impacts that are an unavoidable part of pipeline construction and usage. It is also our conclusion that accidents WILL happen, and that its impacts can be catastrophic. Knowing all of this, the most precious thing that residents along its path will lose is peace of mind. And they will not benefit in any manner.

We once again thank you for taking the time to read our scoping comments and look forward to seeing how they will be addressed.

Sincerely,

Stop NY Fracked Gas Pipeline

20151016-5402

TOWN OF LENOX
TOWN MANAGER'S OFFICE
6 Walker Street, Lenox, MA 01240
www.townoflenox.com

Christopher J. Ketchen,
Town Manager
cketchen@townoflenox.com
413) 637-5500 (x1201)

Ms. Kimberly Bose, Secretary

Federal Energy Regulatory Commission (FERC) 888 First StreetNE, Room 1A
Washington DC, 20426

October 16, 2015

Dear Secretary Bose,

The Town of Lenox is submitting formal comments in response to the identification of the Proposed Northeast Energy Direct Massachusetts Alternative Route as one that would take the same path and cause the impacts to our resources in Lenox as the original pipeline path which the Town so vehemently opposed in 2014.

The community is gravely concerned about the impacts to our sole public water resource, Upper and Lower Root Reservoir and its feeder stream, Lenox Mountain Brook. It is also concerning that the proposed alternate route would transect lands special to the residents of Lenox and the hundreds of thousands visitors who profit the community annually: Kennedy Park, the Massachusetts Audubon Society Pleasant Valley Sanctuary, October Mountain State Forest, and the George L. Darey Housatonic Valley Wildlife Management Area.

An ongoing challenge Lenox faced by Lenox is the EPA mandated Rest of River cleanup of the Housatonic River. This is a massive project which will last years, excavate and disturb large areas of land along the Housatonic River. This work would directly intersect with the alternate pipeline path. The confluence of both projects would be a confluence of risk and negative impacts to our natural resources in the river corridor as well as the private properties that will be impacted by both projects.

Lenox has taken legal steps to protect its lands and resources from the Northeast Energy Direct, through the placement of a Conservation Restriction on its watershed land, and the formal acceptance of all watershed lands under Article 97. We empathize with the Berkshire and New England communities still facing the pipeline challenge, and will continue to comment on the desultory impacts of development such as the pipeline on our shared Berkshire interests: the landscape, the natural resources, and the cultural and historic institutions which draw visitors from all over the world, making tourism a backbone of our local and regional economy.

Sincerely,

FERC Public Comment Period: October 16, 2015

Introduction

The Town of Lenox is directly impacted by the Northeast Energy Direct Project's Massachusetts Alternative route. The concerns for Lenox extend to other communities and conservation lands on both the alternative and preferred routes. The alternate route proposed would cut through the Lenox watershed land near its Upper and Lower Root Reservoirs and Lenox Mountain Brook, an Outstanding Resource Water which feeds the reservoirs. This brook is a protected waterway under the Massachusetts Surface Water Quality Standards and provides drinking water to thousands of residents in Lenox. The land is also unique for the intact nature of the forest and habitat it provides for species of state-listed concern. The alternate route would also cut directly through an Area of Critical Environmental Concern (ACEC), the Upper Housatonic ACEC, which encompasses land area around the Housatonic River in Lenox's eastern valley. Not only would the alternate route potentially impact the ecological integrity of special natural areas and impact the quality of Lenox's sole public water source, it also has the potential to impact places in Lenox that are important to an integral activity of the local and regional economy: tourism, hospitality and recreation/leisure activity.

While some of the resources and impacts described in this document are specific to Lenox, some are general and will be felt by any community, be it in the Berkshires or in southern New Hampshire, impacted by the Northeast Energy Direct Project's route. The Town of Lenox is empathetic to those towns now in the pipelines path, whose conservation lands, watersheds and aquifers which supply their own water sources are now in peril.

The alternative path identified in the project enters Lenox at approximately 73°19'17.713"W 42°22'57.222"N and exits Lenox at approximately 73°13'22.373"W 42°23'50.231"N. The six (6) mile long segment and its associated 1/4 mile buffer through Lenox would create a swath of 1,760 acres.

This document describes the resources that would be impacted by the proposed alternate route and describes the direct conflict between the proposed alternate route and ongoing planning and management efforts of Lenox.

Inventory of Lenox Resources

Root Reservoirs and Lenox Mountain Brook Watershed Land

Perhaps the most important resource in Lenox to be affected by the alternate pipeline route is the town's sole public drinking water supply, Upper and Lower Root Reservoir. These water supplies are fed by Lenox Mountain Brook, and are protected by approximately 996 acres of land owned by Lenox and governed by a conservation restriction (CR) held jointly by regional land trust Berkshire Natural Resource Council (BNRC) and the Lenox Conservation Commission. The land and water resources are additionally cushioned by conservation land owned and managed by BNRC and the Massachusetts Audubon Society (MAS). The watershed property itself contains over 90% of the topographic watershed of both the Upper and Lower Root Reservoirs. It also includes 200 acres of land not in the reservoir watershed but which is home to historic reservoirs that could one day provide an alternative or new water supply to the Town of Lenox.

The watershed land itself commands a scenic and secluded location on Lenox Mountain. The majority of the property is forested. The area not forested is open water—the two reservoirs – and the cleared areas around the reservoirs includes the water treatment facility. The land is primarily forested with northern hardwoods and oak-hardwoods timber types. There are a few substantial stands of hemlock-hardwoods and small (less than five acres) stands of almost pure evergreens which include Norway spruce, red pine and white pine.

Lenox Mountain Brook and the Root reservoirs have a 400' buffer area within which public access is re-

stricted to protect water quality. Passive recreation is allowed within the watershed boundary but is limited to non-motorized uses. In fact, a person could begin hiking at the southern end of Lenox Mountain and hike Yokun Ridge on Lenox Mountain to Pittsfield, passing through the Lenox watershed land. In this way, the property provides not only clean drinking water to residents, it is also part of a larger land conservation network and recreation system that transcends municipal boundaries and creates a special place beloved by locals and the Berkshire region.

Ninety percent of Lenox residences use town water. The water quality is excellent, with minimal water treatment necessary. The water supply in Lenox is ample, with an average daily demand of 300,000 gallons and peak daily demand of about 700,000 gallons. In the last two years, the Town has taken strong measures to permanently protect the watershed land as both a drinking water supply and as a place of conservation and recreation through the adoption of a Conservation Restriction held both by the Lenox Conservation Commission and BNRC and by ensuring that all watershed land is protected under Article 97.

The size and ecological integrity of the watershed property is evident in data collected by the Massachusetts Geographic Information System (MassGIS), and the Natural Heritage and Endangered Species program of Fish and Wildlife.

- **The watershed property provides habitat for three state listed species and several potential vernal pools¹:**
 - o Eastern Veined White Butterfly *Pieris Olceracea*,
 - o Wood Turtle *Glyptemys insculpta*,
 - o Jefferson Salamander *Amystoma jeffersoniana*
- **The watershed property is classified entirely as BioMap Core Habitat² for**
 - o Twenty two (22) rare plant species,
 - o Two (2) rare invertebrate species,
 - o Eight (8) rare vertebrate species and
 - o Four (4) exemplary natural communities
- **The watershed property includes upland forest identified as Forest Core³ in Bio Map²,**
 - Meaning the area is one of the best examples of large, intact forests least impacted by roads and development providing critical habitat for numerous woodland species”.
- **The area is classified as a Living Waters Critical Supporting Watershed⁴**
- **The area is a central portion of a 4,100 acre block of lands on Lenox Mountain long the object of land protection efforts for over fifty (50) years⁵.**
 - The area is adjacent or in close proximity to 770 acres of protected conservation land owned by BNRC; 1,291 acres owned by the Massachusetts Audubon Society, and another 565 acres known as Kennedy Park owned by the Town of Lenox, creating a large swath of protected conservation land in the heart of the Berkshires;
- **A portion of the premises are located in an area designated as Scenic Landscape in the MassGIS⁶,** meaning that the landscape is of important visual quality in the Commonwealth.

The large-scale deforestation, excavation and likely blasting required for the NED pipeline to traverse this small watershed and its main feeder stream pose serious risks to the Lenox water supply and the natural resources described above. Any contamination by a toxic substance during either construction—from fuel oil or hydraulic fluid, for instance—or due to the pipeline’s leaking or failure, would be catastrophic.

Kennedy Park

Owned by the Town of Lenox, Kennedy Park is the former site of a historic grand hotel. The park connects to the MAS lands as well as the Town’s watershed property and is part of the long swath of protected open space, which includes Lenox Mountain, along the western flank of Lenox. The park hosts a trail network

that encourages walking, hiking, mountain biking, cross country skiing and equestrian use throughout the year. Kennedy Park is also noted by the Natural Heritage and Endangered Species Program of Mass Fish and Wildlife to host habitat for rare animals and rare plants. The Massachusetts Alternative route would use the town park's main access trail, destroying the trail's natural, forested surroundings and canopy, and there, destroying a large part of the park's appeal, which is an attraction to residents and tourists alike.

Massachusetts Audubon Pleasant Valley Sanctuary

Along the slopes of Lenox Mountain, Mass Audubon manages approximately seven (7) miles of varied trails winding through forests, meadows and wetlands. The area is a draw to not only residents who appreciate the ongoing education and gentle hiking opportunities but also to visitors looking to experience a true natural sanctuary. Since 1947, the sanctuary has provided a nature camp which introduces children to the Berkshire landscape and environment, creating lifelong stewards of special places such as Pleasant Valley and Kennedy Park.

Upper Housatonic ACEC

Areas of Critical Environmental Concern (ACEC) are places in Massachusetts with special recognition because of the quality, uniqueness and significance of their natural and cultural resources. ACECs are identified and nominated at the community level, and reviewed and designated by the state's Secretary of the Executive Office of Energy and Environmental Affairs. This designation creates a framework for local and regional stewardship requiring stricter environmental review of specific types of proposed development under state jurisdiction within the boundary of an ACEC.

The Upper Housatonic River ACEC is the only ACEC which spans land in Lenox. The majority of land area within this ACEC is in Lenox. This resource management area encompasses the thirteen (13) mile corridor of the Housatonic River from southern Pittsfield into northern Lee and some area of Washington. This area encompasses a multiplex ecosystem of the river, adjacent wetlands and floodplains, cold water tributary streams, large areas of wildlife and rare species habitat, and the steep, forested, western slopes of October Mountain State Forest, the largest state forest in Massachusetts. According to the Department of Conservation and Recreation, this wildlife habitat offers regionally significant biodiversity, with thirty-two (32) rare species, forty-six (46) certified and potential vernal pools, and 11,405 acres, or 93% of the area, delineated as viable habitat by the Division of Fisheries and Wildlife's Natural Heritage and Endangered Species Program. The corridor has more than 21 river miles of Coldwater Fisheries, providing breeding habitat and populations of native brook trout and other fishery resources totaling roughly thirty (30) fish species. Common wildlife in the area includes bobcat, coyote, deer, bear and moose.

The 2009 ACEC designation identifies the wetland resources within the Upper Housatonic River ACEC as important to the protection of groundwater and public water supply, the prevention of pollution, flood control, the prevention of storm damage, and the protection of fisheries and wildlife habitat. In the process of designation, the state received 136 comments, 114 of which were in support of the designation. Along with the natural biodiversity and ecosystem complex, the area includes historical and archaeological resources, farmland, open space, scenic and recreational areas.

October Mountain State Forest

The largest state forest in Massachusetts at 16,500 acres, October Mountain State Forest provides hiking and camping opportunities. The Appalachian Trail cuts through the park. The state owned property forms the eastern boundary of Lenox. Views from Washington Mountain encompass a great portion of Lenox and the Housatonic River. It is a popular area of recreation for Lenox residents and visitors: trails for all levels of users. Hiking, mountain biking, boating, and skiing are included among the non-motorized activities encouraged at the park.

G. Darey Housatonic Valley Wildlife Management Area

Eight hundred and eighteen acres shared between Lenox, Lee and Pittsfield along the Housatonic River

provides hunting opportunity for sportsmen in Lenox and beyond. The area is stocked with pheasant, waterfowl, aquatic furbearers, woodcock, deer and other nongame, lowland habitat species.

Housatonic River Watershed Priority Conservation Areas (PCAs)

Between 2008 and 2009, NHESP identified Priority Conservation Areas throughout the Housatonic River watershed, several of which are in Lenox and within the buffer area of the original pipeline route. The Housatonic River watershed is considered one of the most biologically diverse areas in Massachusetts, home to plants and animals uncommon and found nowhere else in the Commonwealth.

The survey also identified town conservation priority areas. The PCAs are areas containing especially high concentrations of state-listed species and priority natural communities located in close proximity to relatively intact natural landscapes.

Additional information can be viewed in Appendix B, “The River and Its Valley: Conserving Biodiversity in the Housatonic River Watershed of Western Massachusetts”; “Guiding Land Conservation for Biodiversity in Massachusetts: Lenox”; and “Conserving the Biodiversity of Massachusetts in a Changing World: Lenox”

Tourism in Lenox

Lenox is a destination. Tanglewood, Edith Wharton’s The Mount, Shakespeare and Company, and the Morris Frelinghuysen Home and Studio, along with many other institutions, provide historic and cultural attractions. Inns and hotels provide quality accommodations and hospitality services to guests and employment to residents. The strongest industry in Lenox is Leisure & Hospitality. This sector is also an important economic driver regionally. The Berkshire Visitors Bureau and State office of Travel and Tourism estimates that in 2013, the total direct visitor spending county wide totaled \$403,000,000. They estimate further that Lenox accounts for 40% of this total, or \$161,200,000. This is generated through public transportation, lodging, food service, entertainment/recreation and retail, as well as automobile. Lenox alone provides approximately 24% of accommodations throughout the county. Annual Tanglewood visitation is about 300,000 visitors a year. The scenic landscape and number of recreation amenities in Lenox provide a backdrop to the cultural activities that is unique and makes many visitors return to the area and decide to live here. The alternate pipeline route is not the only threat to the main economic engine of Lenox. In the near future, Lenox will bear the brunt of the EPA mandated Housatonic River restoration. This work, while necessary, will impact municipal services such as our roadway quality and will also impact the use of adjacent recreation and conservation properties, and the value of residential properties along the river restoration work.

Ongoing Planning and Management Efforts

The alternate route through Lenox is not compatible with existing planning or management efforts related to the Lenox watershed land, nor the Upper Housatonic River ACEC. It is in direct conflict with the vision, goals and objectives identified in the Lenox Open Space and Recreation Plan.

The Lenox Comprehensive Master Plan (1999)

The vision crafted for the 1999 Master Plan states that the town, when faced with change, should strive to “Guide the development, enhancement and conservation of the town to create a more diverse yet tightly woven community that pride fully sustains its rich cultural base and excellent amenities as it meets the economic and social needs of present and future residents”. It highlights the distinct aesthetic and natural beauty formed by the town’s extensive forested areas, mountainous topography, pastoral lands and wetlands which are treasured by residents and draw visitors, new residents, institutions and businesses to Lenox.

To achieve its stated vision, it identifies the following goals, all of which are in direct conflict with the proposed alternative route through Lenox:

- The preservation of Lenox’s outstanding historical, cultural and visual resources
- Meeting community needs while promoting cultural tourism as a vital part of the economy
- Preserve communal qualities and enrich opportunities for social diversity and interaction among the

population and with nature

- The provision of varied recreational opportunities to serve all ages, physical conditions and interests of year-round and summer residents
- Maintain the local business and employment base
- Promote and support a strong local and regional base of tourism
- Maintain a viable system for cost effective delivery of high quality drinking water
- All water resources areas related to public health and safety are preserved and protected
- Valuable diversity of plant and wildlife habitat and other ecologically sensitive areas are protected
- Lenox's outstanding historical, cultural and visual resources are preserved
- Kennedy Park is well preserved as a multi-use recreation/conservation area
- When development does occur, strong efforts are made to protect the environment from adverse impacts.

The Lenox Community Dialogues (2006)

In 2006, the Town organized visioning workshops to determine community priorities for growth and change. Participants frequently identified the continued protection of Lenox's semi-rural environment, including ridge lines and vistas. Attention was also paid to how development and growth could impact the quality of the Town's water supply.

The Lenox Open Space and Recreation Plan (2013, Approved 2015)

The most recent planning initiative identifies Root Reservoir as the sole public water supply in Lenox. A primary goal of the OSRP is to:

- Protect water resource areas
- Protect plant and wildlife habitats
- Protect critical visual and historic resources

An objective of the most current OSRP is to eliminate and reduce the threat of invasive plants within Lenox. An ongoing and grave concern to the Town is the presence of Hardy Kiwi in Kennedy Park. This plant dominates areas in which it has colonized, crowding out any native plant. The clearing of a right of way for the pipeline would create an area vulnerable to the spread of Hardy Kiwi as well as listed invasive plants such as Japanese Knotweed, Multiflora Rose, Bittersweet and Barberry, plants which have been identified in lands adjacent to the watershed property.

A second item discussed in the OSRP is the ongoing Rest of River clean up proposed by the US EPA. This immense excavation of miles of the Housatonic River is designated to mitigate the river's PCB contamination caused by General Electric. The operation is multi-year. At its commencement and through its implementation, will unavoidably intersect with the NED pipeline the Town of Lenox. As of October 2015, the Town of Lenox has received no insight or information regarding how this intersection of two large-scale excavation and construction projects, one involving a high-pressure natural gas pipeline would be addressed.

A third item identified in the OSRP is the large, undeveloped block of land in the north-center of Lenox which is currently unprotected. The plan suggests protecting this area with a link from Route 7/20 to the floodplain on East Street, due to this area's tremendous value as a wildlife corridor. It links large, forested area to the west with wetlands along the Housatonic River and October Mountain. This area includes core habitat surrounding two vernal pools.

The Lenox Watershed Forestry Management Plan (2015)

The watershed management plan names a number of goals for its management in response to the unique and special natural resources and public water supply:

- The retention of unique forest areas through sustained forest product yield and management
- The maintenance of the watershed property as a protected area preserving functional watercourses, wetland and wildlife habitat with the retention of riparian ecosystem
- The maintenance of a healthy wildlife habitat to retain or create desirable features including riparian habitat, wildlife cavity trees, mast availability, logs and brush for shelter, vertical and horizontal diversity, vernal pools, coarse woody debris and features species management.
- The ongoing identification and protection of important, functional ecosystems which support rare plant and animals.
- To minimize or eliminate the use of pesticides and fertilizers, and when used, to do so in compliance with state, local and federal laws and regulations.
- The reduction or elimination of non-native plants with invasive tendencies.
- The maintenance of the property's aesthetic quality to maintain or enhance the scenic and/or monetary value of the watershed land.

Footnotes:

- 1 BioMap2
- 2 BioMap2
- 3 BioMap2
- 4 Living Waters: Guiding the Protection of Freshwater Biodiversity in Massachusetts
- 5 Lenox Watershed Conservation Restriction
- 6 MassGIS Scenic Landscape Inventory (June 2012)

Attached Documents

- Maps
 - o Alternate Route and Buffer
 - o Upper Housatonic ACEC
 - o BioMap2 Components
 - o Priority Conservation Areas
 - o Scenic Landscape
 - o Estimated/Priority Habitat
 - o Drinking Water Resources
 - o Potential Vernal Pools
 - o Certified Vernal Pools
 - o NHESP Natural Communities
 - o Map Accompaniment
- Designation of the Upper Housatonic River ACEC
- Lenox Watershed Forest Management Plan
- Lenox Watershed Conservation Restriction
- NHESP Documents Describing Conservation Value of Natural Areas in Lenox

{NOTE: Attached Documents omitted; entire submission (57 MB) can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=14016752> }

20151016-5404

{duplicate copy of 20151016-5384 above}

20151016-5406

Norma Traffie, New Ipswich, NH.

I have read many of the comments already posted and don't really feel the need to reiterate what has already been said and proven. I feel that this project does need to be evaluated. I am not in favor of the gas line and think that there are several other options that could be done instead. This is very close to the house I am living in and don't want to be concerned about my well water, the fracking that could/would be taking place and any possible leaks.

Please consider other options for moving our state forward instead of a gas line that could be solved with a myriad of other options.

20151016-5408

Bernard T Martin, JR, La Grange, IL.

Law Offices

of

Bernard T. Martin, Jr.

901 West Hillgrove Avenue

La Grange, Illinois 60525

Phone: (708) 579-1610

FAX (708) 579-3130

POSTED IN SITE, AND SENT CERTIFIED MAIL

October 16, 2015

Federal Energy

Regulatory Commission

888 First Street NE

Washington, DC 20426

Re: Docket #PF14-22-000

Dear Members of the FERC Commission:

I am a land owner in southern New Hampshire, and the proposed pipeline will transverse my property.

I do not live in New Hampshire, and if I saw any indication that this pipeline would benefit my New Hampshire neighbors, or other residents of southern New Hampshire in any significant way, I would not comment; but I see no such evidence.

My family purchased this property back in the 1870s, and farmed and raised timber on it for many years. As a teenager in the 1960s, I spent many hours helping my Grand Uncle (then well into his 80's) tend the hundreds of pine trees he had recently set out for the use and enjoyment of future generations. We were taught that this was a legacy we all owed to the future. I am quite certain he did not envision that we were preserving it for a future gas pipeline.

In the years since, my sister and brother and I have purposely left the property vacant in field and woods. We thought this was a good investment in the future of the environment. We do not view this property as an economic investment, but instead view it as an investment in the beauty and resources of the Monadnock Region, and in our family's history. The air is still clear, and you can actually still smell the pines and the other aromas of nature. The water is generally fresh and clean. You can still arise in the morning and have a variety of birds serenade you. As Thornton Wilder said about the Monadnock Region in the iconic play "Our Town": "Things around here don't change very much." With the coming of the pipeline, all things are

likely to change significantly.

From all that I have read, our property, which is mostly ledge rock in the pipelines route, will be blasted to kingdom come. The air will be subject to releases from the nearby compressor station, the water table will be in peril, and significant noise will be generated by the compressor station day and night. The gas pipeline will run adjacent to a power line, which presents its own set of perils.

And for what purpose is all of this environmental sacrifice being made? It appears it is to allow the transport of gas across the region and exported in one fashion or another for the use of others. Only recently has the company proposed some accessibility to a few towns on the eastern side of the New Hampshire portion of the pipeline route, in what appears to be a last minute response to the objection that the pipeline doesn't serve the region. How has a need been established that will justify the use of eminent domain, and the future environmental impact on this region?

This may serve as three lessons to all who own property in rural areas: 1) don't leave it vacant of development, or it will be viewed as an easy and convenient route for any utility; 2) don't donate your land to any environmental preservation organization either, since big corporate interests have no hesitation to seize their properties with impunity; 3) if you want to own rural property, make sure it is in a very wealthy area, where you and your neighbors can afford to fend off large business and government interests. If it is in a less wealthy area, you will be an easy target.

Finally, Kinder Morgan stopped contacting me after its very first contact. I suppose I will be required to contact KM myself.

Please reject the application I Docket #PF 14-22-000.

Sincerely,

Bernard T. Martin, Jr.

20151016-5409

Patricia H. Silvestro, Temple, NH.

Comment on FERC Docket PF14-22-000

Dear Secretary Bose:

Temple is one of many towns in southern New Hampshire that is situated in a heavily forested area of the state. It's a spectacularly beautiful area, especially during autumn's peak foliage season. My home is nestled among white pine, maple, oak, ash, birch, hemlock, and poplar trees that provide shelter to numerous wild-life species.

In the event there is a fire as a result of a pipeline or compressor station accident, our town's volunteer fire department does not have the manpower to conduct an evacuation, never mind deal with a raging forest fire. Loss of life is certain, especially when taking into account the close proximity of the pipeline/compressor station to the Temple Elementary School. Are these young children expected to outrun a fire? What about the loss of homes, property, and businesses, not to mention wildlife and domesticated animals?

We are expected to play Russian roulette with our lives for K/M's benefit. FERC, do the right and moral thing and deny approval for the NED pipeline/compressor station project.

Patricia H. Silvestro

20151016-5410

**AMC APPALACHIAN
MOUNTAIN CLUB**

October 16, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission

888 First St NE, Room 1A
Washington, DC 20426

Re: Docket No. PF14-22-000, Tennessee Gas Pipeline Company, L.L.C., Northeast Energy Direct, EIS Scoping Comments

Thank you for the opportunity to provide comments in response to the Notice of Intent to prepare and Environmental Impact Statement for the proposed Northeast Energy Direct (NED) project.

The Appalachian Mountain Club (AMC) is the oldest conservation and recreation organization in the country, with 150,000 members, supporters, and advocates from Maine to Washington, DC. Our mission is to promote the protection, enjoyment, and understanding of the mountains, waters, forests, and trails of the Appalachian region. Because successful conservation depends on active engagement with the outdoors, we encourage people to experience, learn about, and appreciate the natural world.

AMC maintains over 1,800 miles of trail throughout the northeast, including the Massachusetts portions of the Appalachian National Scenic Trail (A.T.) and New England National Scenic Trail (NET) that would be affected by the NED project as it is currently proposed. AMC also collaborates in the maintenance of New Hampshire's Metacomet-Monadnock Trail, which is connected to the NET at the New Hampshire border, and which would also be crossed by the NED project. AMC collaborates in the management of the Bay Circuit Trail in Massachusetts and had a historical role in the establishment and maintenance of New Hampshire's Wapack Trail, both of which would also be crossed by the NED project as it is currently proposed. AMC also has over 30 years of experience researching the effects of air pollution and climate change on the northeast environment and hiker health.

AMC is concerned about the suite of impacts the proposed Northeast Energy Direct project would have on protected lands, nationally and regionally significant recreational resources, air quality, and climate. It is important for the Environmental Impact Statement (EIS) to include a review of the full scope of this multi-state project, including connected actions, cumulative actions, similar actions, as well as direct, indirect, and cumulative impacts as defined by 40 CFR Sec. 1508.25.

The importance of scope under NEPA is especially apparent when considering a project that crosses borders such as this pipeline project. The impact in one individual state may not be large but cumulatively across states the impact on land, water, regional air quality, and/or climate could be substantive. For example, states have mechanisms to address in-state emissions under federal Clean Air Act (CAA) regulations but this capacity is more limited for addressing out of state sources. Therefore NEPA is an important federal program that can and must address the cumulative impacts across the full aerial extent of the project.

AMC's comments on the scope of the EIS below are comprised of two components below and on the following pages: (1) land and direct impacts to recreational resources, and (2) air quality and climate impacts.

1. Project Scope with Regard to Land and Direct Impacts to Recreation Resources

It is the policy of the AMC that public interest lands in our region should be the choice of last resort for energy and energy transmission projects that would create long-term adverse impacts to the ecological, recreational, and scenic values of these lands. Specifically, these values include managing for natural ecosystem and backcountry recreation values, preserving forests for their carbon sequestration abilities, providing 'reserves' that could serve as refugia for ecosystems to adapt to climate change or provide resilience to the impacts of climate change, and protecting recognized outstanding scenic characteristics. When large-scale energy projects occur on these lands, there must be no reasonable alternatives available.

The pipeline route as currently proposed would impact several significant recreational resources managed by AMC, including:

- Would cross the Appalachian Trail in Dalton, MA with disturbance very near, if not impinging upon, the Crystal Mountain Campsite.
- Would cross the New England National Scenic Trail (NET) twice in Northfield, MA and a compressor station and mainline valve/remote blowoff is proposed to be located in Northfield, MA just .75 mile

south of the NET's 4-season Richardson-Zlogar cabin that is heavily used for its unparalleled views of Mt. Ascutney (VT), Mt. Monadnock (NH), and Mt. Wachusett (MA).

- Would cross the NET several times in Bloomfield, Farmington, Simsbury, and West Hartford, Connecticut.
- Would cross the Metacomet-Monadnock Trail in New Hampshire's Rhododendron State Park
- Would cross the Bay Circuit Trail in Andover and Middleton, Massachusetts
- Would impact more than 100 parcels of land in Massachusetts that have been "protected" by public and private entities. At least 85 of these parcels are protected by Article 97 for the Massachusetts Constitution, which 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."
- Would impact nearly 50 properties in New Hampshire that have been protected by a combination of private and public entities for public conservation values, including but not limited to forest habitat, water quality, and recreation.

AMC therefore urges FERC to review and evaluate the following impacts as part its EIS:

- Full review of impacts to recreational resources and the user experience, including the impacts to water supplies at overnight sites (on the Appalachian Trail and New England Trail for example) and the impacts of noise, lights, and visual blight associated with the proposed compressor station location in Northfield, which is near a New England Trail overnight sight that was created with federal funding and has become a popular overnight destination.
- Review of cumulative impacts to long-distance trails; the Tennessee Gas Company's Resource Report 8 "Land Use, Recreation, and Aesthetics" section 8.4.1.7 incorrectly states that there is one crossing of the New England Trail. In fact there are two crossings of the NET in Massachusetts, as was confirmed by AMC in a meeting with TGP as recently as 7/23/15. The project would cross the New England Trail a total of five times in Massachusetts and Connecticut. The impacts to the Appalachian Trail would contribute to impacts associated with approximately one dozen proposed and reasonably foreseeable projects on the A.T.
- Review the extent to which expanded corridors will exacerbate problems and associated impacts of uncontrolled access by all-terrain-vehicles associated impacts to trails and conserved habitat areas that are inappropriate for ATV use. For example, illegal ATV use is already problematic in the area of the proposed A.T. crossing and the adjacent Chalet Wildlife Management Area. ATV traffic would likely increase if the existing utility corridor is widened, particularly where it crosses roads to the east and west of the A.T.
- Impacts to the Metacomet-Monadnock Trail in New Hampshire. This section of trail is a critical link between the New England National Scenic Trail and the Monadnock Sunapee Greenway, which then connects with the Sunapee Ragged Kearsage Greenway, together connecting Long Island Sound to popular natural features in New Hampshire. Although a volunteer stewards of the Metacomet-Monadnock Trail met with a TGP representative on April 28, 2015 to convey information about the trail and discuss potential impacts, there is no mention of this trail or the potential impacts in the July 24, 2015 Resource Report 8 "Land Use, Recreation, and Aesthetics."
- Review alternatives based on a premise that permanent protection of land under the terms of Article 97 of the Massachusetts Constitution should be upheld, including conservation land adjacent to existing utility rights-of-way.
- Include alternatives to locate the pipeline within utility rights-of-way rather than adjacent to them, and review the full impacts of installing and operating pipelines in and along these corridors that may be

far greater than the impacts of the existing transmission towers. The Tennessee Gas Pipeline Company proposes to align much of the pipeline's route next to existing corridors in undeveloped areas despite the technical feasibility of constructing the pipeline within the ROW. The expanded impacts to the habitat and recreational resources should be thoroughly evaluated against other alternatives.

- Evaluate the full value of the conservation lands that would be impacted. Significant public and private investment has been applied with deliberate intention to the lands for their ecological, cultural, and recreation values that now appear to be viewed as a “path of least resistance” in direct conflict to the intentions of the investments in protecting these lands. The evaluation should also reflect the value of the ecosystem services that would be impacted as part of the project. For reference, a 2013 report by the Trust for Public Land, “The Return on Investment in Parks and Open Space in Massachusetts,” found that every dollar invested in land conservation returns \$4 in value of the natural goods and services associated with clean air and water, recreation and tourism, and fish and wildlife habitat.¹
- Include proposed mitigation in the Draft Environmental Impact Statement, as opposed to being developed at a later time, so it can be subject to full public review for its nexus and adequacy relative to the proposed project's impacts.

2. Project Scope with Regard to Air and Climate Impacts

AMC believes FERC must consider all of the “connected,” “cumulative,” “similar,” and “reasonably foreseeable future” actions of this project not only to lands, waters, and recreation, but also with regards to air quality and climate impacts because air pollutants are not restricted to the boundaries of the direct project area and air and climate impacts can incur from direct, indirect, and cumulative actions.

The Council on Environmental Quality (CEQ) recently issued a Revised Draft Guidance for Greenhouse Gas Emissions and Climate Change Impacts² that recognizes the challenge of addressing greenhouse gas impacts for projects that fall under NEPA but also provides a useful roadmap for decision-making in regards to a project's potential impact to climate forcing. The AMC commented in support of this guidance and recommended further strengthening of it.

While the EIS should cover all related regulations under which the project is subject to review, they should not dictate or limit the full scope of the EIS, particularly for cumulative hazardous air pollutant and climate impact analysis. For example, the Clean Air Act (CAA) has a definition of “major sources” under the oil and gas National Emissions Standards for Hazardous Air Pollutants (NESHAP) for natural gas transmission and storage. That definition of major source is used to determine if the project falls under CAA regulations but should not be used to limit FERC's consideration of what is included in a hazardous air pollutants impact analysis under NEPA from this project. We believe this distinction in defining scope of a project under NEPA is particularly important for both air pollution and climate impacts. States have mechanisms to address in-state emissions under federal CAA regulations but this capacity is more limited for out-of-state sources. Therefore NEPA is an important federal program that can and must address the cumulative impacts across the full aerial extent of the project.

FERC should consider alternative locations to the current proposed pipeline corridor and specifically consider siting locations that are not upwind of nonattainment or maintenance areas for the 8-hour Ozone, or Fine Particulate Matter, National Ambient Air Quality Standards (NAAQS). Further discussion of downwind impacts to recreational areas is discussed below.

Air and Climate Cumulative Impacts

We urge FERC to require a thorough cumulative impact analysis of the air and climate impacts of this project. The definition of a cumulative impact can be found in 40 CFR §1508.7 and is as follows:

...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.

FERC should not limit the impact analysis to the transmission and storage segment of the proposed project but to all connected actions such as upstream production. This graphic shows the full natural gas system from production to distribution. Beyond direct impacts this project will facilitate more natural gas production and processing as well as increase distribution. The cumulative air quality and climate impacts from these connected segments must be considered.

{illustration omitted}

Air Pollution Impacts

Because hikers, joggers, bikers, paddlers, and other people who spend time exercising in the outdoors risk increased exposure to air pollution such as particulates, ozone, and other hazardous air-borne substances which threaten their cardiovascular and pulmonary health, AMC urges FERC to examine potential air quality degradation from this project in relation to health impacts to these user groups and to the general public, both independently and cumulatively along with other projects with open FERC dockets. Potential air pollution associated with the natural gas pipelines includes methane, ethane, benzene, toluene, xylene, nitrogen oxides, carbon monoxide and secondary ozone and fine particulate formation from the compressor station and pipeline; as well as diesel emissions from construction vehicles. NOx and VOCs contribute to ozone formation downwind of the source emissions. The project's proximity to numerous recreation trails and areas makes these areas vulnerable for increased levels of ozone pollution. This is particularly dangerous for children and young adults who have higher ventilation rates.³ Further, ozone can also be harmful to plants and forests, causing oxidative stress, disrupting carbon sequestration capacity, water resource allocation efficiency, and prematurely browning leaves.

The added ozone precursor emissions from this project may push a number of counties along the pipeline route into non-attainment, even without the additional emissions of VOCs and NOx which would be contributed by this project. EPA recently lowered the current ozone National Ambient Air Quality Standards (NAAQS) from 75 to 70 ppb but impacts, to both human health and plants, are still likely at levels between 60 and 70 ppb. EPA decision should not limit FERC's consideration of the scientific literature and the Clean Air Science Advisory Committee's recommendation to EPA that the standard should be between 60 and 70 ppb and that the lower end of this range is most protective of people and plants at risk from ozone pollution.

We are also concerned about the project's proximity to rural landscapes frequented for outdoor recreation, where air quality may not be currently monitored, but where it could be negatively impacted. The EIS should include requirements for air quality monitoring that ensure these areas are monitored. The nine compressor stations proposed by the applicant, including the one proposed in Northfield, MA approximately .75 miles away from a popular overnight site on the New England National Scenic Trail, are of particular concern as it poses significant air pollution risks to the outdoor recreation community and visitors nearby recreational destinations as well as local residents.

In addition, alternatives should be strongly considered in order to minimize potential air pollution risks to the outdoor recreation community: powering the compressor station turbine with an electric motor instead of natural gas; including zero emission pneumatic control features in plans for the compressor; and supporting other measures that ensure that the pipeline and associated storage tanks and compressor stations can meet and exceed the standards set in EPA's on-the-books and on-the-way regulations controlling all air pollution emissions from the oil and gas industry.

While EPA's 2012 NSPS for VOCs for natural gas and oil new rule did not address compressors and pneumatic controllers in the transmission segment they have been included in the recently proposed Methane Rule. EPA did not include them in 2012 because the agency argued that the downstream sources are processed to remove the impurities like VOC, EPA claimed there just were not enough VOC emissions to justify regulation. However, by regulating methane, EPA now views these sources as having enough emissions now to warrant regulation. FERC should consider this pending regulation that may well be finalized by the start of this project.

Climate Change Impacts

In addition to providing an analysis of local and regional air pollution effects of the proposed pipeline as discussed above, AMC strongly urges FERC to consider the potential for climate change impacts from the NED pipeline. The Council on Environmental Quality (CEQ) recently issued draft guidelines on the process for federal agencies to evaluate greenhouse gas (GHG) emissions when conducting reviews under the National Environmental Policy Act (NEPA). This guidance should supersede the previous 2010 guidance and directs agencies to address the potential climate change impacts of a proposed project as indicated by its GHG emissions. It dictates that the EIS should consider both long and short term effects and benefits based on the duration of the generation of emissions.

These recommendations will likely be formalized during the permitting process for this project. FERC should include climate change as a discussion item in their final record of decision and therefore should demonstrate due diligence by fulfilling these requirements early in the process and including the topic of climate change impacts and opportunities for mitigation within the draft EIS. In this way, FERC can ensure that the public has had a fair opportunity to comment on potential impacts and proposed mitigation measures throughout the lengthy public permitting process.

The CEQ guidance also directs federal agencies to consider the implications of climate change impacts, including potential adverse environmental effects. The potential impacts of a project of this scale are wide-ranging and include contributions to global sea level rise and changes in avian migration patterns, as well as localized impacts that have the potential to hit more close to home, for example, an increased occurrence of intense storm events and extreme flooding along the eastern seaboard. Both local and cumulative climate change and air quality impacts should be thoroughly evaluated, and alternatives to avoid or minimize these impacts should be presented and analyzed. In addition to outlining the potential impacts of carbon dioxide, nitrous oxide, methane and diesel emissions from the project, it is imperative that the EIS also consider the loss of forested lands as an impediment to the landscape's natural ability to sequester carbon.

The analysis should pay special attention to the proposed compressor stations, given that recent studies show compressor stations account for 25% of the methane emissions from the oil and gas industry, much of which is leaked.⁴

These are just some of the many issues to consider in evaluating the need, impacts, and alternatives of this complex project. Thank you for the opportunity to comment.

Sincerely,

Heather Clish

Director of Conservation & Recreation Policy

Footnotes:

1 <https://www.tpl.org/return-investment-parks-and-open-space-massachusetts>

2 <https://www.whitehouse.gov/administration/eop/ceq/initiatives/nepa/ghg-guidance>

3 United States Environmental Protection Agency Office of Air and Radiation, Office of Air Quality 2014 Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards, (Research Triangle Park, North Carolina) p. 3-81.

4 McCabe et al, 2015: Waste Not: Common Sense Ways to Reduce Methane Pollution from the Oil and Natural Gas Industry, (Washington, DC) p. 19

20151016-5411

Gwen Miller, Lenox, MA.

Dear Secretary Bose,

I wish to submit to you comments regarding the Northeast Energy Direct Massachusetts Alternative Route that would cut through Lenox. The community has grave concerns regarding the alternate route's impacts to our drinking water, to our scenic resources, to our ecological resources, and to our economy.

Perhaps the most important resource in Lenox to be affected by the alternate pipeline route is the town's sole public drinking water supply, Upper and Lower Root Reservoir. These water supplies are fed by Lenox Mountain Brook, and are protected by approximately 996 acres of land owned by Lenox and governed by a conservation restriction (CR) held jointly by regional land trust Berkshire Natural Resource Council (BNRC) and the Lenox Conservation Commission. The land and water resources are additionally cushioned by conservation land owned and managed by BNRC and the Massachusetts Audubon Society (MAS). The watershed property itself contains over 90% of the topographic watershed of both the Upper and Lower Root Reservoirs. It also includes 200 acres of land not in the reservoir watershed but which is home to historic reservoirs that could one day provide an alternative or new water supply to the Town of Lenox. The watershed land itself commands a scenic and secluded location on Lenox Mountain. The majority of the property is forested. The area not forested is open water—the two reservoirs – and the cleared areas around the reservoirs includes the water treatment facility. The land is primarily forested with northern hardwoods and oak-hardwoods timber types. There are a few substantial stands of hemlock-hardwoods and small (less than five acres) stands of almost pure evergreens which include Norway spruce, red pine and white pine. Lenox Mountain Brook and the Root reservoirs have a 400' buffer area within which public access is restricted to protect water quality. Passive recreation is allowed within the watershed boundary but is limited to non-motorized uses. In fact, a person could begin hiking at the southern end of Lenox Mountain and hike Yokun Ridge on Lenox Mountain to Pittsfield, passing through the Lenox watershed land. In this way, the property provides not only clean drinking water to residents, it is also part of a larger land conservation network and recreation system that transcends municipal boundaries and creates a special place beloved by locals and the Berkshire region. Ninety percent of Lenox residences use town water. The water quality is excellent, with minimal water treatment necessary. The water supply in Lenox is ample, with an average daily demand of 300,000 gallons and peak daily demand of about 700,000 gallons. In the last two years, the Town has taken strong measures to permanently protect the watershed land as both a drinking water supply and as a place of conservation and recreation through the adoption of a Conservation Restriction held both by the Lenox Conservation Commission and BNRC and by ensuring that all watershed land is protected under Article 97.

The proposed alternate route would directly alter and impact special places in Lenox, attractive to residents and visitors alike:

Kennedy Park

The Massachusetts Audubon Society Pleasant Valley Sanctuary

October Mountain State Forest

The Upper Housatonic Area of Critical Environmental Concern

The George L. Darey Housatonic Valley Wildlife Management Area

Much of the land area is considered unique or important by the Commonwealth of Massachusetts due to its intact habitat for native species. These include estimated and priority habitat area as designated by NHESP, and Priority Conservation Areas of the Housatonic River Valley as designated by NHESP.

The Town of Lenox guides land use through a several documents whose goals are in direct conflict with the development of an alternative pipeline route through Lenox. These include:

Our Open Space and Recreation Plan, approved in 2015:

An objective of the most current OSRP is to eliminate and reduce the threat of invasive plants within Lenox. An ongoing and grave concern to the Town is the presence of Hardy Kiwi in Kennedy Park. This plant dominates areas in which it has colonized, crowding out any native plant. The clearing of a right of way for the pipeline would create an area vulnerable to the spread of Hardy Kiwi as well as listed invasive plants such as Japanese Knotweed, Multiflora Rose, Bittersweet and Barberry, plants which have been identified in lands adjacent to the watershed property.

A second item discussed in the OSRP is the ongoing Rest of River clean up proposed by the US EPA. This

immense excavation of miles of the Housatonic River is designated to mitigate the river's PCB contamination caused by General Electric. The operation is multi-year. At its commencement and through its implementation, will unavoidably intersect with the NED pipeline the Town of Lenox. As of October 2015, the Town of Lenox has received no insight or information regarding how this intersection of two large-scale excavation and construction projects, one involving a high-pressure natural gas pipeline would be addressed.

Our Watershed Forest Management Plan, 2015

Our Comprehensive Master Plan, 1999

And our 2006 Community Dialogue Visioning Document

In addition to threatening the water supply of Lenox, and hurting scenic and natural resources, the alternate route has the potential to hurt our economic jewel, tourism and hospitality. Cultural institutions and the scenery in Lenox draw visitors from all over the world. Tanglewood alone attracts 300,000 visitors a year. While here, the special landscape and places entices them to return in the future and even buy homes or businesses here. Anything that threatens the special qualities which attract people to visit, live and work is a threat to the local and regional economy.

This comment is a truncated version of the document submitted via mail and via the eFiling feature on FERC Online.

20151016-5413

Carol Malz, Oneonta, NY.

While I currently reside in Oneonta, New York, I own land in the Town of Davenport, New York, that is in the path of this pipeline (as it also is for the Constitution Pipeline). That land is 2707 McIwain Road (a/k/a Old 96). The land was transferred to me from Barbara Elmore, whose name is on the Constitution Pipeline filings and who also received mail from Kinder Morgan. Barbara was against both pipelines and so am I. (1) The land is beautiful and should not be disturbed by such development. I have a cabin, mobile home, 2 acre pond, blueberry field, and acres of untouched forest there. A pipeline and the destruction it brings does not belong. It interferes with current and projected uses. (2) Throughout upstate New York, I have seen how invasive species are harming the ecology, and sometimes destroying native species. This pipeline will just bring more. There are no wash stations for the trucks (like the ones they do for boats), and even if there were, invasives can still come through. (3) This country should also be moving in a different direction when it comes to energy. I don't want my land to be sacrificed for an industry that is dying or should be dying due to the pollution and contribution to global warming that it brings. (4) Those of us fighting the pipelines know what we would lose. We don't need it to be gone to know how valuable it was. Trees are more important than gas.

20151016-5415

Kathleen Gauvin, New Ipswich, NH.

Minisink, NY is a rural town much like New Ipswich, NH. It is a story of a population much like the population of New Ipswich, NH. The people in Minisink, NY enjoyed their rural living in a close knit community. Their lives and community were forever ruined once the compressor station was constructed in Minisink.

I recall hearing that Eric Tomasi visited Minisink, NY during a meeting in New Ipswich, NH. We had already been researching the horrors of Minisink when the subject of Minisink was broached by myself in the audience. In retrospect I wonder why Mr. Tomasi made a trip to the town of Minisink? He wasn't the project manager for the Millennium pipeline and compressor station, but he was there. Was he doing some fact finding of his own? It is quite a curious question to consider.

Newspaper articles in the UTNE reader, health studies conducted by numerous experts document the environmental issues that result in health issues:

Harvard study by Epidemiologist, Joel Schwartz and his colleagues

David Brown and colleagues of the Southwest Pennsylvania Environmental Health Project

Harvard epidemiologist, Marc Weisskopf and colleagues' study published in Environmental Health Perspectives in December 2014

American Environmental Scientist, Wilma Subra, President of Subra Company, an environmental consulting firm that helps people facing problems because of environmental health issues

So I ask, "What is FERC going to do differently as far as permitting the NED? What have you learned from the Millenium permit and the disastrous effects in Minisink, New York?"

20151016-5416

Maryann Harper, Rindge, NH.

REQUEST TO DENY N.E.D. Project due to lack of NEED, improper segmentation and excessive burden to stakeholders.

Dear Secretary Bose:

I have written to FERC in regards to PF14-22-000 several times as well as entering comments at the Scoping Sessions held in Nashua, NH and Lunenburg, MA.

In Nashua I addressed the socio-economic impacts of this project, particularly on those whose life investment in their home is now at risk. Those at or nearing retirement age, like myself and my husband, will not live long enough to see the forest grow back between our property and the existing power line easement if the N.E.D. project is constructed. Nor will we live long enough to see our property values recover to pre-N.E.D. days. We will lose much and gain nothing.

In Lunenburg I addressed the issue that the FERC approval process minimizes the concerns of and impacts to landowner's property. I used the Constitution Pipeline approval as an example of how broken this review process is. In addition, I asked that reports from experts with local ties be given the same weight as the reports of experts hired by Kinder Morgan/Tennessee Gas Pipeline Company. I think we should all be able to agree that relying on a study financed by the subject can lead to biased conclusions.

Today, as the formal commenting period for scoping draws to a close, I am asking the FERC Commissioners to shoulder the responsibility inherent in their job with the utmost respect to the citizens of the Northeast that will be harmed should this project be approved. The decision is in your hands and you have received more than ample information to deny this project.

The NEED for this project has been questioned at great length and in great detail. The lack of reviewing the cumulative impacts of all the current pipeline proposals have been questioned by many including the improper segmentation of the Connecticut Expansion.

Simply put, this is not a level playing field and we look to you to do justice in this process. You have heard (through approximately 6,000 comments) that the N.E.D. project does nothing for the Northeast other than to place a burden on those who live here. Many intelligent and researched comments have been placed on the docket documenting this burden whether it is risks to our wells and wetlands or harm to our children and their futures.

A vast amount of information has been filed in opposition to this project that one can see no other resolution than to recognize the N.E.D. project for what it is – a massive overbuilding of infrastructure that will require excessive and abusive use of eminent domain – and this project must be denied.

Respectfully submitted,

Maryann B Harper
Rindge, NH

20151016-5422

Jill L Manfield, Merrimack, NH.

WE know there is NO NEED for Kinder Morgan/TGP's Northeast Energy Direct transmission gas pipeline. No need = No Certificate of Public Convenience and Necessary.

It will ruin our waters, air quality and Merrimack residents will be at risk. We are strongly against it. I will live 50 feet from the proposed pipeline. If you approve, I will not live here nor will my neighbors. They will need to buy us out with a fair market value. Why should you be putting people through this. There is absolutely no need for it and the people in Merrimack are the ones going to be paying the price if this goes through. Please do the right thing and decline it. It is simply not good for Merrimack or NH.

20151016-5425

Kathleen Gauvin, New Ipswich, NH.

MINISINK, NY- A STORY OF FAILURE

Failure of state legislative leaders to act before and after the fact

Failure of the FERC system for pipeline approvals

Failure of the EPA standards being weakened by big companies with big money and influence

Failure of state & federal approval agencies to accept weakened emission models to be accepted as within EPA rules

Failure of inexperienced citizens who didn't have expensive air and water testing done before a toxin emitting CS was built

Failure of ALL the citizenry to be involved

Failure of the news media to fairly and seriously investigate the hazards

Failure of Federal officials who allowed the natural gas industry to circumvent the Clean Air and Clean Water Act due to the Halliburton loophole

WE HAVE LEARNED MUCH FROM THE MINISINK, NEW YORK STORY! WE WILL NOT BE THE NEXT MINISINK!

Should I even wonder why Kinder Morgan didn't bring any experts to answer public health and safety questions that were asked at the New Ipswich Open House?

20151016-5431

Federal Energy Regulatory Commission 16 October 2015

888 First Street, NE, Room 1A

Washington, DC 20426

Re: Tennessee Gas Pipeline Company, L.L.C. ("TGP")

Docket No. PF14-22-000: Proposed Northeast Energy Direct ("NED")

Sir,

In my opinion there are two significant environmental issues with respect to the NED Pipeline routing through Hudson, NH between milepost 31.5 and 34+ of Segment J, which I do not see being addressed by Tennessee Gas Pipeline (TGP) in their updated publicly available submissions of 24 July 2015.

First, sightings have been made within or in near proximity to the proposed corridor of at least two rare species, Blanding's Turtles and Brook Floaters, identified by the State of New Hampshire Natural Heritage Bureau (see Figure 5 of attached Long Term Variable Milfoil & Fanwort Management Plan: Robinson Pond, Hudson, New Hampshire, prepared by the New Hampshire Department of Environmental Services in March 2013). TGP has only made vague comments on the methods of pipeline construction to be used for lesser stream crossings and in wetland areas, and the procedures they would use to protect these habitats.

Secondly, The Town of Hudson and the State of New Hampshire have expended significant resources to control invasive species in Robinson Pond, the location being seen in Figure 5. The proposed pipeline corridor near Mile Post 32.3 crosses a wetland (NWI-502) which feeds into Robinson Pond. Again, in reading the submission by TGP regarding construction of wetland crossings, I find the discussion of control of invasive species to be vague at best.

To fully evaluate the potential impacts of construction of wetlands on the control of invasive species, The Federal Energy Regulatory Commission must require TPG to provide more definitive discussions of the methods of construction at wetland and lesser stream crossings and sensitive habitat protection and control of invasive species during construction.

James Battis
6 Potter Road
Hudson, NH 03051

**Long-Term Variable Milfoil & Fanwort Management Plan
Robinson Pond, Hudson, New Hampshire**

Prepared by:
NH Department of
Environmental Services

March 2013

{ 36 page DES report omitted, full report can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14016802> }

20151016-5435

Steve Clark, Richmond, NH.

I totally oppose this pipeline coming into the State of NH for many reasons as listed below :

- 1} Puts my family at risk for being what is known as the incineration zone, less than 200' from my home.
- 2} Drilling into the nearby Granite for blasting which will then off gas Radon which is known as a deadly gas.
- 3} Possibility of contamination of my well, which is in the aquifer.
- 4} The Town of Richmond in case of an explosion an large fire have a volunteer fire department, and no way could handle this. Most of the fighter work in during the day and not even in the town during the day.
- 5} The State itself will not gain a thing, this pipeline is nothing but a transit line for profit of Kinder Morgan to line their pockets with money by exporting most of the "Fracked" Natural Gas.
- 6} The Town of Richmond is nothing more than a corridor to get the gas to an export facility, gaining not on drop for heating or generation of electricity.
- 7} The possibility of paying a tariff in my energy bill for something that we don't receive, with the knowledge of a 15 year lifespan of this gas, and a proposed tariff for 20 years.
- 8} Being so close to the ROW in which proposed any blasting would probably crack our house foundations, in which any damage being caused with fall back on the property owners.

I could go on and on but as you can hopefully see this is no good for the New England States, and definitely not Southern or any part of NH.

20151016-5436

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH**

Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner

Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

October 16, 2015

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

RE: Tennessee Gas Pipeline Company, LLC-Northeast Energy Direct Project
FERC Docket Number PF 14-22-000

Dear Secretary Bose:

Thank you for the opportunity to provide comments to the Federal Energy Regulatory Commission (“FERC”) on the Northeast Energy Direct Project (“NED”) as proposed by the Tennessee Gas Pipeline, LLC (“Tennessee”). The Connecticut Department of Public Health (“CT DPH”) is concerned with the proposed construction on, and the proposed crossing of the natural gas pipeline through, a public drinking water supply watershed in the Connecticut towns of Bloomfield and West Hartford. Moreover, the CT DPH is concerned with the proposed construction on, and the proposed crossing of 5.7 miles of, Class 1 and 2 water company owned land within these watershed areas as owned and managed by the Metropolitan District Commission (“MDC”) (“water company land”). The MDC public water supply reservoirs provide public drinking water to over 400,000 people in the greater Hartford area with over ten municipalities reliant upon these reservoirs for their daily public drinking water supply; therefore, the protection of water company land is vital to public health.

In Connecticut, public drinking water supply watershed areas have been protected and preserved for public health, water quality and quantity protection. Numerous unique state laws and policies exist that provide Connecticut’s watershed areas with special protections. Each of these laws under the multibarrier approach has preserved Connecticut’s special watershed areas to assure long term public drinking water quality and to protect public health. Use of these watershed lands for commercial purposes is inconsistent with the multi-barrier approach and the intent of the water company land laws. To that end, in a November 2000 formal Connecticut Attorney General opinion, U.S. Senator Richard Blumenthal, at that time Connecticut’s Attorney General, stated:

“Watershed lands are among Connecticut’s most precious natural resources - a legacy for future generations that we have a responsibility to preserve and protect. Besides their vital role in protecting the purity of the state’s water supplies, the natural beauty of these lands, undisturbed and tranquil, provides a refuge and respite from development and commercialism. These pristine lands are irreplaceable; once developed they are forever lost.”

A specific watershed protection Connecticut law as administered by the CT DPH is a requirement for a change of use permit pursuant to section 25-32 of the Connecticut General Statutes (Conn. Gen. Stat.). This law requires a water company who wishes to move forward with any change of use of water company land to apply to the CT DPH for a permit prior to moving forward with construction. The Connecticut water company land statute restricts the type of actions allowed on water company land. Proposals specific to public water supply purposes are generally allowed. Under Conn. Gen. Stat. section 25-32, MDC would be required to apply to the CT DPH for a change of use permit prior to any construction on their water company land.

Given the concerns expressed by the CT DPH for the protection of the public drinking water supply watershed lands, including water company land, and the water supply, the CT DPH respectfully recommends and requests that:

1. All other route alternatives be fully vetted prior to deciding on a final pipeline route. Traversing a public drinking water supply watershed should be seen as a last resort for a pipeline crossing;
2. During the review of alternatives, the vetting process must be fully cognizant and respectful of Connecticut's public health laws that protect the public drinking water supply, including the requirements and restrictions under Conn. Gen. Stat. section 25-32;
3. Permits required pursuant to Conn. Gen. Stat. section 25-32 be added to the list of permits that Tennessee is required to obtain and that CT DPH be added to the list of federal and state agencies in the project area with permitting requirements; and
4. Any order issued by the FERC with respect to the portion of the NED in Connecticut require that Conn. Gen. Stat. section 25-32 be complied with and permits under such section be obtained.

The CT DPH respectfully requests an opportunity to supplement or revise these comments.

It is without question that Connecticut's water company land laws are unique and have afforded the state of Connecticut with the highest level of public drinking water quality in the country. These laws were in place in the 1970s and strengthened in 1980 in order to assure that the over 100,000 acres of water company land are protected and remain in a natural state. Coupled with numerous other source water protection laws, Connecticut has a unique and strong investment in the preservation of its public drinking water supply and the protection of public health. It is with that background that the CT DPH requests that FERC and Kinder Morgan, Tennessee's parent company, strongly consider other routes and alternatives versus the use of public drinking water supply lands in Connecticut.

The CT DPH offers to FERC and Tennessee its technical assistance in the review of alternatives, discussion and application of Connecticut public health law, and the protection of public health and Connecticut's public drinking water supply.

Sincerely

Lori J. Mathieu
Public Health Section Chief
Drinking Water Section

Connecticut Department of Public Health
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20151016-5437

Frank Barrus, New Ipswich, NH.

I am writing concerning the low-frequency vibration impact of the compressor station coming to New Ipswich. How will FERC ensure that the vibrations coming from the compressor station and its turbines does not have a negative impact on health and the quality of life in the surrounding area, or an impact on wildlife? Compressor stations are known for emitting low frequency vibrations that do not show up in the range measured for the 55dB audible sound limit at the fence line. These low frequency vibrations travel through the earth, and can potentially transmit for miles, if they are intense enough and the ground conditions are right. They are known to be disruptive to wildlife and livestock, as well as to cause subtle illnesses, sleep disruptions, disorientation and vertigo, and general feelings of unease with people. They also impact recording devices, such as music studios, and wildlife recordings, imparting an undesirable low frequency to them, as well as higher frequency harmonics if they cause objects to resonate. Since NH is notorious for having extensive amounts of granite bedrock, there is much potential for such low frequency vibrations to be spread for great distances.

How will FERC ensure that the compressor station being built minimizes or eliminates the transmission of low frequency vibrations? This needs to be considered as part of the construction, since it will require some way of absorbing these vibrations before they reach the ground. This isn't as simple as adding an acoustic

foam enclosure around the building, which could work for to reduce audible noise, but not the deep low frequency vibrations that are conducted through the foundation into the earth.

How will FERC ensure that the vibrations are accurately measured, both near the compressor station, and at greater distances? And how will they make sure a limit is set low enough to ensure that there is no harm to people, wildlife, livestock, or pets? Simply following federal regulations is insufficient since there is no regulation in place currently that sets any vibration limits and requires mandatory testing of it.

If the compressor station is built, and issues with low frequency vibrations later arise, how will FERC deal with such issues to ensure that all cases are addressed, and appropriate measurements are taken to ensure that no additional ones occur, or are occurring?

If the public need for the NED Pipeline cannot be proven to outweigh this impact on human and animal health and the quality of life in New Ipswich, Temple, and the surrounding region, it should be denied.

20151016-5441

Deborah Jacobs, Leeds, MA.

I understand that FERC has federal preemption over gas pipeline projects, but as a citizen of Massachusetts I am disturbed and disheartened that you would consider allowing a private company, Tennessee Gas, to cross conservation lands that are protected under the provisions of Article 97 of our state constitution.

The idea that the fracked gas flowing through the pipeline, should it be built, would be cleaner and cheaper does not take into account the degradation of the environment at the production end and the cost of the subsequent clean up which would most likely be passed on to the rate payers. This needs to be considered as it reduces the public benefit.

I would like to thank FERC for agreeing to extend today's deadline for Massachusetts Attorney General Maura Healy commissioned study on the natural gas needs for our region. Like many others at the July 29, 2015 scoping session held in Greenfield, MA I am not convinced the the pipeline as proposed is appropriate for our area. I also wanted to commend you on your no doubt well earned skill in conducting a highly charged hearing.

20151016-5445

OTSEGO
2000

October 16, 2015

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

Re: Northeast Energy Direct Pipeline; Docket PF14-22-000, Scoping Comments

Dear Secretary Bose,

Please accept the following comments from Otsego 2000, Inc. regarding FERC's scope of review for the Northeast Energy Direct (NED) Pipeline (Docket No. PF14-22-000).

Enclosed are our previous scoping comments on the Constitution Pipeline submitted October 9, 2012 (Docket No. PF12-9-000), as well as our comments on the draft EIS submitted to FERC on April 4, 2014 (CP13-499-000 and CP13-502-000). Also attached are our comments on the Constitution Pipeline submitted to the New York State Department of Environmental Conservation on February 27, 2015. At the outset, we must emphasize that we strongly disagree with FERC's decision to support the Constitution Pipeline. The concerns we expressed regarding that project have not been mitigated — indeed, they will be drastically compounded by construction of the proposed NED.

Our prior comments and those of other intervenors and commentators identified numerous severe environmental threats which would be caused by the Constitution Pipeline, including but not limited to: failure to utilize existing transportation or utility corridors to limit ecosystem fragmentation and other impacts, risk of erosion and flooding due to the removal of 700,000 trees in a region that has experienced increased flooding in recent years, impacts to wildlife and habitat loss, harms to plant and wildlife species from pesticide and fire retardants, woefully inadequate wetland and stream crossing measures, and potentially high levels of radon in Marcellus shale gas delivered to consumers in the Northeast. In addition, we discussed at length the direct, indirect, and cumulative impacts associated with fracking and related infrastructure on human health and the environment, including climate change that would be exacerbated by construction of a pipeline which intensifies fossil fuel extraction from Marcellus and Utica shale formations.

The many concerns outlined in each of the enclosed documents are equally applicable to NED, which is proposed to run adjacent to the Constitution Pipeline in the 117 mile “supply path” section of the project from Pennsylvania to Wright, New York. Added to the threats previously identified, are the environmental and public health impacts, which will be induced by the additional 179 mile “market path” section of the NED pipeline proposed from Wright, NY to Dracut, Massachusetts.

Compounding these concerns are nine (9) new compressor stations proposed as part of the NED project in communities along the entire pipeline corridor, which are projected to collectively pump more than a million tons per year of greenhouse gas emissions and pollutants hazardous to human health. Many of these facilities, like the proposed 30,000 horsepower compressor station near Franklin, NY, would introduce industrial pollution into pristine natural areas, permanently diminishing air quality and negatively impacting the character of rural agricultural communities. It is well established that compressor stations are among the most polluting components of the entire natural gas infrastructure chain. Peer reviewed research has documented high levels of formaldehyde and other toxic emissions from compressor stations at levels dangerous for acute and chronic exposures. These are not only the product of combustion, but are also associated with fugitive leakage, blowdowns, and the operation of dehydrators and other equipment. Negative health effects of exposure to these chemicals (and resultant groundlevel ozone) include cardiovascular, respiratory, and neurological damage; birth defects, cancer; leukemia; infertility; burning of lungs, eyes, and throat; muscle pain; mental impairment, headaches, and a host of other acute and chronic illnesses. The research on air pollution from gas infrastructure and health impacts is alarming and growing.¹

The disingenuous justification that has been put forth for both NED and Constitution pipeline projects: namely that their purpose is to serve the public good, i.e. “public convenience and necessity,” is equally disturbing. It is readily apparent that the purpose of both projects is actually to facilitate the export of domestically produced natural gas to foreign markets. This would occur through transmission of gas to the Maritimes and Northeast Pipeline along the eastern seaboard to export facilities in Maine and Canada, as well as transmission of gas to the Iroquois Pipeline, once flow reversal in that pipeline is permitted as part of the announced Iroquois South-to-North (“SoNo”) project. Depleting U.S. gas reserves and selling them to the highest foreign bidder, promoting future escalation of gas prices, ignoring the adverse health and environmental impacts of fossil fuel infrastructure, and dismissing the global ramifications of climate change certainly do not square with “public convenience and necessity”.

Nor can the segmentation of these projects be justified. Within the proposed “supply path” segment alone, construction of the NED pipeline would effectively double the number of stream water and wetland crossings associated with the two projects (from approximately 277 to 544). With respect to FERC’s scope of review, the Constitution, NED, SoNo, and other related pipeline projects now proposed for the Northeast region are intimately connected and their impacts must be considered cumulatively, including impacts upon ecosystems, air and water quality, public health, and climate. We must also emphasize that the Constitution Pipeline has not been built, nor has it received state approvals for construction. As such, the proposed NED corridor is a “greenfield” corridor, and must be treated as such by FERC in its review.

Thank you for your consideration of these comments.

Respectfully submitted,
Nicole A. Dillingham, Esq.
President, Otsego 2000, Inc.

Footnotes:

- 1 Macey, Breech, Chernaik, Cox, Larson, Thomas, Carpenter; Air concentrations of volatile compounds near oil and gas production: a community-based exploratory study, Environmental Health, 2014, 13:82 <http://www.ehjournal.net/content/13/1/82> ;
- Breech, et al.; Warning Signs: Toxic Air Pollution Identified at Oil and Gas Development Sites—Results from Community Air Monitoring Reveal Chemicals Linked to Health Hazards. Coming Clean and Global Community Monitor, October 2014. <http://comingcleaninc.org/assets/media/images/Reports/Warning%20Signs%20Report.pdf> ; Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking (Unconventional Gas and Oil Extraction) - Third Edition, Concerned Health Professionals of New York, October 14, 2015 <http://concernedhealthny.org/wp-content/uploads/2012/11/PSR-CHPNY-Compendium-3.0.pdf>

Note: In addition to addressing impacts associated with gas production, each of these references contain specific information on health impacts associated with compressor stations and other gas infrastructure.

ATTACHMENTS:

- ATTACHMENT 1: Otsego 2000 Scoping Comments on Constitution Pipeline (PF12-9-000)
ATTACHMENT 2 : Otsego 2000 comments on Draft EIS for Constitution Pipeline (CP13-499-000 and CP13-502-000)
ATTACHMENT 3 : Otsego 2000 comments to NYS-DEC on 401 Water Quality Certificate and permits for the Constitution Pipeline

{ attachments omitted; entire submission (66 pages, 2.3 MB) can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14016840> }

20151016-5449

William Dennis Latimer, Pittsfield, MA.

Any analysis of the impact of Kinder-Morgan’s proposed natural gas pipeline across New York, Massachusetts, and New Hampshire should consider the long-term effects of not only the pipeline installation itself, but also the long-term environmental effects of using more fossil fuels as well as the economic impacts of diverting resources away from renewable and sustainable energy sources.

There is no question that our planet is changing drastically, quickly, and inevitably. There can be no question that climate change is caused by human activity since the dawn of the industrial age. Changes are happening, more will take place, and they threaten the very existence of the human species. Even the world’s militaries have recognized fossil-fuel-driven climate change as the number-one threat to the security of their respective nations.

The time has come to include the long view, the big picture, in deliberations over infrastructure for an obsolete, and globally dangerous, energy source.

On an individual basis, my wife and I are doing what we can. We are spending our life savings to fashion a modest home that will use no fossil fuels and will actually produce more energy than it uses. We see some irony that we are doing this in our later years as a gift to future humanity, while a planet-destroying pipeline is being proposed for the very town where we are fighting for our species’ survival.

Yes, we as individuals are taking the long view, digging deep into our pockets, and sacrificing to ensure a future for human beings. We’d like to think that our government agencies too would keep the continued existence of a habitable planet as a primary goal while debating the “need” for more fossil-fuel infrastructure.

Dr. Flora Sadri, D.O., MPH, FAAFP
Board of Health
69 Main Street
Northfield, MA 01360
(413) 498-2901 x17

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

October 13, 2015

Re: FERC Docket # PF14-22

Dear Ms. Bose:

I am a Physician and a member of the Northfield board of health, whose duty is to protect Northfield's environment from damage and pollution, and to protect the health of Northfield residents. I feel compelled to comment on the Northeast Energy Direct (NED) project, in FERC Docket #PFI4-22, regarding the proposed NED pipeline and the NED compressor station proposed to be sited here in Northfield, Massachusetts.

An overarching concern is that information available to date, including the draft Environmental Report, is quite incomplete; consequently, my comments will necessarily also be incomplete until more detailed project information becomes available. Despite this, I have many concerns that are detailed below:

- The most prevalent are medical conditions in individuals living in close proximity to compressor stations and metering stations. Close proximity is defined as "Reported by community members living 50 feet to 2 miles from compressor stations & gas metering stations along gas transmission pipelines" (re: Luzerne County Citizens for Clean air website). The author cites 15 medical conditions associated with individuals living in close proximity. Some of the medical conditions are: respiratory impacts; throat irritation; weakness & fatigue; nasal and eye irritation; joint pain; breathing difficulty; allergies; severe headaches; swollen & painful joints; frequent irritation; . vision impairment; sleep disturbances & sinus problems.
- There are serious long term health concerns regarding contamination from compressor stations & valve stations in Western Massachusetts, Franklin County, Northfield - as cited in a University of Massachusetts Natural Resources Assessment of the Tennessee Gas Pipeline Companies Proposed NED Project's Pipeline Route within Massachusetts, Vol. 1: The Mainline; authors: ... ! Scott Jackson, Bethany Bradley & Thomas Cairns, April 2015
- Two primary crop producing areas are classed as Prime Farmland Soils from NRCS SSURGO.~ Certified Soils and Farmland of Statewide Importance. In both cases the percent of Pipeline route thru Franklin County Prime Farmland Soils is 12%. The percent of pipeline route going thru Farmland of Statewide Importance is 23%. The concern is that protecting these two vital productive land resources is critical to maintaining crop safety for products consumed in these farmland areas;
- The exhaust emissions from the compressor turbine engines produce approximately 2,000 tons of exhaust per day;
- The pipeline will have a regular maintenance program involving "pigging operations" to remove condensate & other contaminants at the Northfield site, and these byproducts may pose a direct threat to local water resources.
- A local hydro geologist disclosed that "the dredging, drilling & blasting of such an extremely large manmade preferential groundwater pathway for containment transport is likely to cause a foreseeable harmful impact to drinking water & human health, and "damage to the environment," as defined by Massachusetts Environment Act (MEPA) regulations (310 CM,R 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.”

- Radon is shipped thru the pipeline thereby increasing the risk of lung cancer to residents. This risk is present during any Raw Gas releases;
- The noise from a compressor station is 24/7, and 365 days per year except for maintenance or system failures. The Massachusetts Department of Environmental Protection states that: “Noise is a public health concern.”
- The 55 dB noise limit set by FERC, surrounding the proposed compressor station, greatly exceeds the average rural background sound level of 35 dB. However, the average dB sound range from an operating compressor station varies widely from near 55dB to over 90 dB during blow down operations at any time of day with no notice to nearby residents. My concern is these sound levels and variations, together with vibration generated by the compressor station may have a significant negative impact on resident’s mental health, not factoring in the wildlife; <’, disturbances.

In conclusion, I am very concerned about the possible harmful effects of the proposed NED pipeline, and particularly, the proposed NED compressor station. Sincerely,

Flora Sadri, D.O., MPH, FAAFP
Northfield Board of Health, Member

20151016-5458

October 15, 2015

MEMO: FERC comments regarding the proposed NED Pipeline

Dear FERC members:

I am respectfully and formally requesting that FERC investigate the need and safety for the proposed NED pipeline. The following areas of concern are provided below:

NEED Issues

- There are several pipelines already approved or in process of approval for addressing the need for more natural gas. This has to be considered in your evaluation. FERC would be allowing an over-build scenario that adds unneeded risk to the environment, human health and safety issues related to a new pipeline build and negative economic impact for New England residents.
- Justification submitted by Kinder Morgan is questionable since it is based on future demand on optimistic cost assumptions.
- New England rate payers would be penalized by having to ultimately pay tariffs for the building and support of this pipeline, which will be underutilized due to true demand. It would be unconstitutional and unfair for FERC to allow this to happen.

HEALTH and SAFETY Issues

- Explosions occurring at various areas of the pipeline due to ruptures based on difficult environmental conditions. The pipeline is proposed to go over several locations in Western Massachusetts that are susceptible to seismic activity and bitter climate conditions.
- Inability for local fire departments to manage any catastrophe in the event of a rupture or explosion.
- Kinder Morgan should not be allowed to implement a thinner lined pipe in the event of deployment even in rural areas based on the harsh environmental considerations.
- Kinder Morgan has a history of fouling water supplies and has not reasonably addressed how it will assure that this will not happen in New England.

ECONOMIC HARDSHIP Issues

- FERC and the US Federal Government should not allow a corporation the right to implement eminent domain without proving the absolute need and promoting more profitability to a corporation while negatively impacting landowners.
- Kinder Morgan and FERC cannot arbitrarily over turn Article 97 of the Massachusetts constitution; these land holdings were put in place to be preserved.

Please consider all of these items during your review.

Best regards,

Jaime Reloj, Massachusetts Resident

20151016-5459

nofracked
gasinmass.org
Protect our
Common Wealth

A Program of Berkshire Environmental Action Team

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

Rosemary Wessel, Founder
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October 16, 2014

Kinder Morgan / Tennessee Gas Pipeline Co.
Northeast Energy Direct
FERC Docket #PF14-22

REPORTING OF RISKS AND VULNERABILITIES IN REMOTE PIPELINE OPERATION SYSTEMS (SCADA)

Kinder Morgan's website states that they use SCADA (Supervisory Control and Data Acquisition) systems for remote operation of their pipelines¹. While this is a fairly common industry standard, there are substantial concerns in the IT and security communities about internet-based control systems like these being vulnerable to cyber-attack and acts of terrorism². A 2010 case was the Stuxnet worm that threatened the Iranian nuclear power system, setting a precedent that has left the door open for copy-cat attacks³. Since then, multiple cracks into pipeline and electric generation plants have been found AFTER the system was compromised, the number of such attacks doubling in 2014⁴. While the DOT and TSA have authorization to put regulations in place, the resources to implement and enforce them are not available, leaving the public reliant on industry participation⁵.

"While the pipelines sector has many cybersecurity issues in common with other critical infrastructure sectors, it is somewhat distinct in several ways:

- *Pipelines in the United States have been the target of several confirmed terrorist plots and attempted physical attacks since September 11, 2001.*
- *Changes to pipeline computer networks over the past 20 years, more sophisticated hackers, and the emergence of specialized malicious software have made pipeline SCADA operations increasingly vulnerable to cyber attacks.*
- *There recently has been a coordinated series of cyber intrusions specifically targeting U.S. pipeline computer systems.*
- *TSA already has statutory authority to issue cybersecurity regulations for pipelines if the agency chooses to do so, but may not have the resources to develop, implement, and enforce such regulations if they are mandated. TSA maintains that voluntary cybersecurity standards have been effective in protecting U.S. pipelines from cyber attacks. Based on the agency's corporate security reviews, TSA believes cybersecurity among major U.S. pipeline systems is good. However, without formal cybersecurity plans*

and reporting requirements, it is difficult for Congress to know for certain. To a great extent, the public must therefore rely on the pipeline industry's self-interest to protect itself from cyber threats. Whether this self-interest is sufficient to generate the level of cybersecurity appropriate for a critical infrastructure sector, and whether imposing formal regulations would be counterproductive, is open to debate."

~ Pipeline Cybersecurity: Federal Policy 6

With this understanding in place, for the sake of public safety and the ability of federal and state emergency management agencies and local first responders to prepare and carry out their duties, we need to have a thorough understanding of what security protocols are currently in place on the Kinder Morgan / Tennessee Gas pipeline system and how further security measures relating to NED would be structured and implemented and how known vulnerabilities in their standard systems will be addressed.

While attending the Hampshire & Franklin County Municipal Conference in Northampton, MA in May of 2015, I asked Kurt Schwartz, Director, Massachusetts Emergency Management Agency, what plans were in place to deal with the possible 5 new pipeline projects being proposed for Massachusetts between Kinder Morgan and Spectra. When realizing that there was a potential for an additional 4.5 Billion cubic feet a day of gas, much of it at pressures around 1,500 psi, and that they were to be operated on internet based SCADA management systems, he admitted that he had not been given detailed information about any of these pipeline plans, and often doesn't find out about increased risk like these until after something goes wrong.

Filing a detailed plan of operating systems, safety and security protocols and known weaknesses in the system with the DOT, TSA, and federal, state and local emergency management should be required by FERC and PHMSA in their respective duties. Please ask Kinder Morgan to provide this information to such agencies and elected officials, and as much as is possible to the general public as a condition of permitting this project.

Rosemary Wessel

Founder, No Fracked Gas in Mass

Footnotes:

1 http://www.kindermorgan.com/ehs/pipeline_safety/

2 "Next Generation Cyber Attacks Target Oil And Gas SCADA" By Eric Byres, P. Eng., ISA Fellow, Tofino Security Product Group, Belden Inc., February 2012, Vol. 239 No. 2, <http://www.pipelineandgasjournal.com/next-generation-cyber-attacks-target-oil-and-gas-scada>

3 The Stuxnet Enigma – Implications for the future of Cyber Security - by Irving Lachow Article originally published in the Georgetown Journal of International Affairs, <http://www.gcsec.org/blog/stuxnet-enigma-%E2%80%93-implications-future-cyber-security-irving-lachow>

4 Attacks Against SCADA Systems Doubled in 2014. By Mike Lennon, <http://www.securityweek.com/attacks-against-scada-systems-doubled-2014-dell>

5 "CRS Report for Congress: Prepared for Members and Committees of Congress - Pipeline Cybersecurity: Federal Policy", Paul W. Parfomak, Specialist in Energy and Infrastructure Policy, August 16, 2012, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB424/docs/Cyber-076.pdf>

20151016-5461

I am a resident of and attorney in West Hartford, Connecticut. I am writing to comment on the proposed pipeline expanding and siting of the Kinder Morgan/Tennessee Gas Pipeline on MDC lands in West Hartford, particularly within the watershed area and Class I and Class II public drinking water supply areas of the Farmington Avenue and Reservoir 6 reservoirs and related infrastructure and water treatment areas. My comments to date are broken down into several categories that I do not believe had been addressed in prior comments that I have read on the FERC docket, although I would reiterate many of the concerns expressed therein and at the October 7th, 2015 public meeting in West Hartford, CT. As such, I have organized my more limited comments as follows:

Public Notices/Public Outreach - Kinder Morgan/Tennessee Gas Pipeline Lack of Transparency and

Intentional Failure to Solicit Public and Local Official Comment Prior to deadline

On October 1st our MDC sent a single email blast to residents who are signed up for its reports. The email attached a notice about a presentation by Kinder Morgan, requested by the MDC, to provide information to the public about the Tennessee Gas Pipeline proposed expansion project through the MDC watershed and reservoir areas serving a group of eight towns and cities, including West Hartford. When I received this email, sent only two weeks prior to the comment period deadline, I undertook a thorough search of media outlets in the Hartford, West Hartford area as well as a two hour search of Kinder Morgan's website, which no notices or effort to undertake public outreach in any sort of timely manner with respect to the project, nor was there any solicitation of town feedback. A poll of our public officials also demonstrated that Kinder Morgan did not undertake to reach out to local public officials regarding the project. A single email blast from the MDC, in format typical of their regular reporting so that it did not stand out, was the only notice provided to the public and to our town council. Given Kinder Morgan's vast resources, including legal resources, media resources and financial resources, its unique ability to reach out to the public and the world when it so chooses, **the lack of public notification was a clear attempt to fly under the radar screen and forward its pipeline projects with little or no meaningful discussion with impacted town.** If and to the extent that a public outreach plan is claimed to have been in place, it either was not implemented or was not implemented in a meaningful way so as to ensure wide dissemination of information or broad public participation.

Kinder Morgan's Attempts at Exploitation of Ordinary Citizens at a Public Meeting

At the informational meeting finally held on October 7th, 2015, Kinder Morgan executives presented its project as a fait accompli and invited individual homeowners to come up to speak with them after the meeting about how they would be compensated - an attempt to begin negotiations without any disclosures of risk and without affording ordinary citizens the opportunity to consult with counsel. Kinder Morgan's approach is clearly calculated to deceive individuals with less knowledge, less information and at a time of great emotion, is certainly not in the "spirit of helping" that their executives declared. The burden of "buyer beware" should never apply to such projects, nor should a federally regulated company be permitted or encouraged by those federal regulators to exploit vulnerable individuals. FERC should not facilitate such actions or any associated exploitation but, rather, should as part of its process, ensure that the public is advised, in a meaningful way, of their legal, physical, environmental and financial risks in dealing with Kinder Morgan and that they can and should be represented by counsel.

Siting Considerations - i.e. the Need for FERC to Recognize a Balance with respect to Public Policy Considerations – The Need for Further Refinement of Natural Gas Policies when Considering Actual Implementation at the Local Level

While I recognize that there is some governmental support of natural gas in Connecticut generally, and specifically for the purpose of reducing winter heating costs, not all public officials or resident agree as to what that implementation might look like "On the Ground." Any approval process for the proposed pipeline expansion project on MDC lands should NOT BE RUSHED until such global policy statements are refined into comprehensive, workable local plans and siting that takes into account potentially conflicting "public necessities." Our state is a bit schizophrenic as to its views and all views should be considered. Additionally, Kinder Morgan should not be in a position to capitalize on the fact that such a comprehensive plan, coordinated with local constituencies, has not been prepared. There is a critical need to evaluate "global policy statement" against its likely impacts at the local level. "Global" position statements should not result in "carte blanche" pipeline approvals for private companies without further policy refinement at the local level to consider specific and local health, safety and environmental impacts. Governors come and go, winters can be more or less cold and costs rise and fall naturally but constituencies and residents remain in place, their homes are immovable, their neighborhoods stationary, and policies protecting their health and safety as well as their environment should form a part of policy and not merely an accessory consideration.

With so many pipelines and expansions thereof affecting such a small state it is imperative that FERC stop,

pause and reflect upon, and recognize that a call for “general” or “global” policy, as requested by the Governor and a Connecticut senator does not and should not be so rapidly implemented and on such a wholesale basis without examination and practical consideration of conditions on the ground. There is NO RUSH. As my son discussed his summer reading for A.P. Biology with me, it became clear that a major concept that came out of his summer reading was that **human actions and policies, implemented in haste, nearly always have PERMANENT effects on local environments.**

The risks to the public, our watershed area, our water supplies and our water infrastructure, as well as our environment, wildlife and recreation areas should NOT be viewed as “**PERMISSIBLE COLLATERAL DAMAGE**” in furtherance of a conceptual policy. Re-routing should be considered each and every time public drinking water supplies could potentially be impacted and particularly in this specific and sensitive area.

Kinder Morgan is stating that constructing high pressure natural gas pipelines through the watershed and supply areas serving the eight towns and cities minimizes impacts due to existing easements in place. That is certainly not true when, under current law, construction of any such pipelines would be prohibited. While we must live with the fact that historical (lower pressure and smaller) pipelines exist to a certain degree in that area, this does not mean that new, expanded and more impactful activities are advisable or safe merely because an easement is in place. While Kinder Morgan states that it “has mitigation policies in place,” “provides necessary training to municipalities on how to deal with explosions, leaks and other emergencies,” and “identifies impact zones,” the terms mitigation, necessary training and impact zone implies known and severe risks. As Kinder Morgan indicated when confronted with its record of safety and maintenance, mitigation measures are not a guaranty and, importantly, that Kinder Morgan is not responsible for third party causes of catastrophe – which includes acts of God. Who then, should suffer the risks and cost of a private party’s risky practices? When it comes to drinking water and watershed areas, there is, in fact, a guaranteed way to minimize impact – through reconsideration of the project entirely in light of the sensitive nature of the proposed location, or consideration of re-location of the proposed project. Minimal impact should not be interpreted merely as minimal impact vis a vis construction timetables, cost and maintenance. Alternatives are certain to be expensive for this private company – but affordable and scaled to the size of the company. The public cannot afford such risks, either on a personal or financial level. Towns and cities cannot afford the risks of permanently damaged water supplies, of public health emergencies, of emergency response or of damage to sensitive environments.

The purported “Public necessity” or “Public convenience” cited for pipeline expansion and construction must not exclude or overshadow the public. It must not override public policies and laws in place – regardless of whether at the municipal, state or federal level – that are designed to serve and protect the necessities of the public – particularly sensitive and critical public drinking water supplies and sensitive environments. Our local and regional watershed and drinking water cannot be replaced. There are no viable alternatives. FERC and Kinder Morgan decision makers should consider the permanent damage to the West Hartford reservoir areas and the towns and cities that they serve that could be caused by the expansion project – as if they too live in the area and as if they too had to decide whether the risks to their own families are “acceptable collateral damage.” We are not “other” and do not wish to be treated as acceptable collateral damage. I would like to note that at the October 7th meeting Kinder Morgan executives were asked if any of them live or would choose to live in the pipeline expansion area. While the room went silent, none of the executives was able to answer that simple yes or no question in the affirmative.

MDC

The MDC is charged by the State with ensuring and protecting our watershed resources and public water supply as well as protecting the environment as stated on their website and in investor relations materials. MDC’s “Town Partners” consist of eight Towns and Cities. As stated on their website “One of the most important measures that can be taken to strengthen source protection efforts is to permanently protect watershed lands.” It is my understanding that The MDC has not been provided with responses to critical questions

so that they can work with their partners in an informed manner to evaluate the pipeline expansion project. FERC should not rush a process wherein it appears that the MDC is being stonewalled.

FERC should formally recognize that Kinder Morgan's lack of transparency and failure to share and produce information, and statements such as those heard from Kinder Morgan at the October 7th meeting stating that "if we can't enter land we can't answer questions" preclude the MDC from doing the job that they are tasked with. An experienced pipeline company such as Kinder Morgan surely has data, planning and other materials, whether from the local area, aerial photography and other aerial technology data, as well as existing pipeline data (as they stated), or similar and relevant data from comparable regions, pipeline systems and the like, that they can provide to the MDC and that the MDC can likewise provide to its Town Partners. The FERC clock should be stopped and the time period for the filing of responses as well as intervening should be tolled to allow for delivery and comprehensive analysis of information by the MDC and its Town Partners and intervenors.

Our Youth

I am not against natural gas. Natural gas is what we have as the alternative to our history and it is a good (albeit not the only) alternative – for now and for the foreseeable future. But it is an alternative that must be monitored, approved and managed by responsible, transparent, wise people who truly respect the public that they claim they are trying to serve and the local environments in which they propose to operate, not just during construction, but for the duration of the use of any pipelines, and not just to satisfy global policy but to consider how that can be implemented responsibly on a local level.

Our "next generation" took the time to study and speak publicly to the proposed pipeline project in the West Hartford reservoir area. The speaker happened to be my 15 year old son, a high school sophomore and A.P. Biology student who may yet become an environmental engineer and work with "you," the reader, some day. I recall that as a 15 year old I never thought about the quality of my drinking water, whether my favorite stomping grounds or my back yard could be permanently contaminated or destroyed. At the time we had coal and oil for fuel – dirty fuels that destroy our environment globally, but that also destroyed our air quality locally, our landscapes, our environments, our mountainsides, our aquifers... That damage can't be undone. We, as a society, didn't take note of that at the time and that is why we are where we are.

Hopefully our kids will come up with better and better fuel alternatives over time. They no longer live in a bubble like we did.

They are watching the decision makers and studying what is being done to protect their safety and local environment (as well as our global environment). My son plans to save the photo I took of Kinder Morgan's executives' faces and body language while my son read, one by one, a list of safety violations, citations, accidents, spills, leaks, human casualties and environmental damage and asked "whether towns should trust Kinder Morgan's "commitment to safety" that they discussed and, if so, why?" He did not receive a response but rather had to stand there and listen to the "collateral damage" discussion and it didn't make him very happy.

Count on a teenager to know when he is being played!

Would you like to see the photo?

20151016-5463

Carol Hammond, Townsend, MA.

This project is WRONG on so many levels. Please do the right thing and do NOT approve this project. This is being shoved down our throats. We'll have to foot the bill so KM can stuff their pockets with \$\$\$.

The price?? Environmental damage that can never be undone. Our precious water supplies contaminated. Our landscapes destroyed. It sounds like a really bad movie but it's real. Unless FERC stops it!!! I want my Granddaughters to grow up with clean air and water.

20151016-5466

Attilio J. Qualtieri, Lynnfield, MA.

The Kinder Morgan/Tennessee Gas pipeline is not needed, and putting it in place will compromise the safety of US citizens. It is also going to negatively impact our environment. There are better alternatives including utilizing pre-existing pipelines and renewable-energy sources. Of particular note, Lynnfield/Peabody lateral is being put in play for one reason: export. That is WRONG, and Kinder Morgan is not being honest with communities.

Yes, the pipeline will go through my property, so I have a vested interest. But when you look at Kinder Morgan's abysmal safety record, how can I not be concerned for myself or my family? Kinder Morgan – run by former Enron executive Richard Kinder – has incurred a host of accidents and safety violations. In August 2003, a Caddo County, Oklahoma Kinder Morgan pipeline failed in a rural arming area and the 26" pipe exploded, throwing a 54-foot long section of pipe 30 feet from the ditch [PHMSA Corrective Action Order, CPF No.4-2003-1008H]. In 2004 a 14" pipeline ruptured in Salano County, California and spilled 120,000 gallons of diesel fuel. In 2005, a 30" Kinder Morgan pipe exploded near Marshall, Texas and sent a giant fireball into the sky, hurling a 160-foot section of pipe onto the grounds of an electric power generating plant. In 2006, a Kinder Morgan Tennessee Gas pipeline exploded near Campbellsville, Kentucky. In 2008, a Kinder Morgan Pipeline exploded and burned for more than 10 hours at Pasadena, Texas. In 2009, a Kinder Morgan Florida Gas Transmission Company 18" pipeline ruptured near Palm City, Florida. In 2014 near East Bernard, Texas, a gas pipeline next to the Kinder Morgan compressor plant blew out and destroyed the road and set a truck on fire.

There are an unbelievable amount of these examples! Just in terms of Kinder Morgan's poor safety record. We cannot have this pipeline. A better plan needs to be thought out and established, and we should seek better alternatives.

Please help the community of Lynnfield, MA. And please help my current (and future) family.

Thank you, AJ Qualtieri

20151016-5467

Mary Candels, Barkhamsted, CT.

To Whom It May Concern:

I am against the proposal by Kinder Morgan/Tennessee Gas Pipeline Company to run their pipeline across Class I and II public drinking watershed lands owned by the Metropolitan District Commission in West Hartford. Using that route undermines Connecticut's protections for its drinking water sources.

Thank you for your consideration.

Sincerely,

Mary Candels

20151016-5468

Steve Clark, Richmond, NH.

The proposed NED / KM Pipeline will destroy the quality of life we enjoy in the State of NH. The air will be laden with known toxic chemicals, water contaminated by blasting, wells and septic systems destroyed. Our rural town roads cannot handle the amount of heavy construction traffic that would be required. I hunt these ROW where this pipeline is proposed to go, and in the hilly granite ROWs when erosion washes away the ground covering over the pipeline the possibility of a bullet could puncture the line causing life ending cycle for anyone or thing in its path, keep in mind the thinnest steel allowed would be in this area since the population density is so few. My and my neighbors life do matter !!!!

20151016-5469

Alanna Casey, Mason, NH.

I am writing to express my opposition to the NED pipeline proposal. I am a Mason resident, and the collective concerns of the residents in my town have been well voiced.

This proposal has a disproportionately large impact on my town and its residents. We do not have the need for a pipeline or a natural gas supply, nor do the residents seek natural gas as a residential energy source. We take great pride in our conservation lands and wildlife presence, which would be jeopardized by such as effort. We also maintain a small government and municipal footprint, which cannot support the risks that such a project would bring to the area.

I've followed the scoping process with great interest, although I haven't been able to attend the hearings due to family commitments. If you continue to the permitting phase and allow a corporation to run a natural gas pipeline through southern NH, you have done a grave injustice to American taxpayers who live here and who have united in opposition to the project. Please, please listen to the officials who represent us, including Executive Councilor David Wheeler who seeks "no build" as an outcome, as well as our local officials who clearly outlined their concerns and requested a change in plans if the project proceeds, for example, to follow existing rights of way more closely.

I personally live in fairly close proximity to the path of the pipeline, and if the project proceeds, I wouldn't be able to sell at a reasonable price to leave the area. Realtors and sellers alike are expressing that buyers who learn about the potential for a pipeline in Mason abruptly lose interest in the area altogether.

Thanks for your time.

Alanna Casey
Mason, NH

20151016-5470

Lucia Aviles, Temple, NH.

I am a resident of Temple NH and have attended many the FERC hearings. the people and our leaders that live in the region have solidly proven that we will not have any significant benefit to the NED Pipeline, and have alternatives to makeup the 3% we "might need over the next 10-20 years. Massachusetts may need the pipeline so it should be move back to where there is a significant benefit.

Please move the New Ipswich NJ compressor station. It is 1/4 mile for our 1-4 grade school which also serves as our emergency shelter. Please have the decency to not allow the toxins and carcinogens that are released during the pressure relief of the pipeline to affect our childrens health and well-being. Please do not build the compressor station in New Ipswich. Please do your jobs.

20151016-5471

Rosemary L Wessel, Cummington, MA.

I've recently heard that there is consideration of a gas-powered electric generation plant that could be built on the former site of Entergy's VT Yankee Nuclear Power Plant in Vernon, VT. Articles about it have stated that if it goes ahead, it would need to tap into the NED pipeline. If this plan is decided upon during the permit approval period for NED, would lateral pipelines supplying the plant be added into the main project, or would that be a separate permitting process?

If part of the NED project, would the lateral run up from the Deerfield, MA side of the Connecticut River to avoid another river crossing, or would the lateral come from closer-by Northfield MA or Winchester NH, necessitating a SECOND Horizontal Direction Drill under the CT River up in that area?

20151016-5472

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The following was written for The Global Warming Desk Reference published by Greenwood Press.

The relationship of Ozone Depletion and the Greenhouse Effect

Bruce E. Johansen

Chloroflourocarbons (CFCs), initially raised no environmental questions when they were first marketed by Dupont Chemical during the 1930s under the trade name Freon. It was a time when such questions usually were not asked. At about the same time, asbestos was being proposed as a high-fashion material for clothing, and radioactive radium was being built into timepieces so that they would glow in the dark.

By 1976, manufacturers in the United States were producing 750 million pounds of CFCs a year, and finding all sorts of creative uses for them, from propellants in aerosol sprays, to solvents used to clean silicon chips, to automobile air conditioning, and as blowing agents for polystyrene cups, egg cartons, and containers for fast food. "They were amazingly useful," wrote Anita Gordon and David Suzuki. "Cheap to manufacture, non-toxic, non-inflammable, and chemically stable." (Gordon, 24) By the time scientists discovered, during the 1980s, that CFCs were thinning the ozone layer over the Antarctic, they found themselves taking on a \$28-billion-a-year industry.

The ozone shield is important because it protects plant and animal life on land from the sun's ultraviolet rays, which can cause skin cancer, cataracts, and damage to the immune system. Thinning of the ozone layer also may alter the DNA of plants and animals.

By the time they were banned internationally during the 1980s, CFCs had been used in roughly 90 million car and truck air conditioners, 100 million refrigerators, 30 million freezers, and 45 million air conditioners in homes and other buildings. Because CFCs remain in the stratosphere for up to 100 years, they will deplete ozone long after industrial production of the chemicals ceases.

These human-created chemicals do more than destroy stratospheric ozone. They also act as greenhouse gases, with several thousand times the per-molecule greenhouse potential of carbon dioxide. What's more, the warming of the near-surface atmosphere (the lower troposphere) seems to be related to the cooling of the stratosphere, which accelerates depletion of ozone at that level. An increasing level of carbon dioxide near the Earth's surface "acts as a blanket," said NASA research scientist Katja Drdla. "It is trapping the heat. If the heat stays near the surface, it is not getting up to these higher levels." (Borenstein)

During the middle 1990s, scientists were beginning to model a relationship between global warming and ozone depletion. A team led by Drew Shindell at the Goddard Institute for Space Studies created the first atmospheric simulation to include ozone chemistry. The team found that the greenhouse effect was responsible not only for heating the lower atmosphere, but also for cooling the upper atmosphere. The cooling poses problems for ozone molecules, which are most unstable at low temperatures. Based on the team's model, the buildup of greenhouse gases could chill the high atmosphere near the poles by as much as 8 degrees C. to 10 degrees C. The model predicted that maximum ozone loss would occur between the years 2010 and 2019. (Shindell, et. al., 589)

At about the same time, scientists were looking for reasons why the ozone layers over the Arctic and Antarctic were failing to repair themselves as expected following the international ban on production of CFCs. They began to suspect that global warming near the surface might be related to ozone depletion in the stratosphere. In 1998, the Antarctic ozone hole reached a new record size roughly the size of the continental United States. Some researchers came to the conclusion that, as Richard A. Kerr describes in *Science*:

Unprecedented stratospheric cold is driving the extreme ozone destruction.... Some of the high-altitude chill... may be a counterintuitive effect of the accumulating greenhouse gases that seem to be warming the lower atmosphere. The colder the stratosphere, the greater the destruction of ozone by CFCs. (Kerr, 1998, 291)

"The chemical reactions responsible for stratospheric ozone depletion are extremely sensitive to temperature," Shindell, et. al. wrote in *Nature*. "Greenhouse gases warm the Earth's surface but cool the stratosphere radiatively, and therefore affect ozone depletion." (p. 589) By the decade 2010 to 2019, Shindell, et al. expect ozone losses in the Arctic to peak at two-thirds of the "ozone column," or roughly the same ozone loss

observed in Antarctica during the early 1990s. “The severity and duration of the Antarctic ozone hole are also expected to increase because of greenhouse-gas-induced stratospheric cooling over the coming decades,” Shindell, et al. assert. (p. 589)

During the middle 1990s, scientists began to detect ozone depletion in the Arctic after a decade of measuring a growing ozone “hole” over the Antarctic. By the year 2000, the ozone shield over the Arctic had thinned to about half its previous density during March and April. Ozone depletion over the Arctic reaches its height in late winter and early spring, as the Sun rises after the midwinter night. Solar radiation triggers reactions between ozone in the stratosphere and chemicals containing chlorine or bromine. These chemical reactions occur most quickly on the surface of ice particles in clouds, at temperatures less than minus 80 degrees C. (minus 107 degrees F.)

Space-based temperature measurements of the Earth’s lower stratosphere, a layer of the atmosphere from about 17 kilometers to 22 kilometers (roughly 10 to 14 miles) above the surface, indicate record cold at that level as record surface warmth has been reported during the 1990s. Roy Spencer of NASA and John Christy of the University of Alabama at Huntsville and the Global Hydrology and Climate Center, obtained temperature measurements of layers within the entire atmosphere of the Earth from space, using microwave sensors aboard several polar-orbiting weather satellites. They found that, despite significant, short-lived warming following the eruptions of El Chichon in Mexico in 1982 and Mt. Pinatubo in the Philippines in 1991, the stratosphere as a whole has been cooling steadily during the past fifteen years.

Steve Hipskind, atmospheric and chemistry dynamics branch chief at NASA’s Ames Research Center, Moffett Field, California, has been quoted as saying that chlorine atoms use clouds as “a platform” to destroy stratospheric ozone. (Arctic Region, 4) Clouds form more frequently in the stratosphere at lower temperatures. Ice crystals, which form as part of polar stratospheric clouds, assist the chemical process by which ozone is destroyed. CFCs’ appetite for ozone molecules rises notably below minus 80 degrees C. (minus 107 degrees F.), a level that was reached in the Arctic only rarely until the 1990s. During the winter of 1999-2000, temperatures in the stratosphere over the Arctic were recorded at 118 degrees F. or lower (the lowest on record), forming the necessary clouds to allow accelerated ozone depletion.

As Dennis L. Hartmann, et al. explain:

The pattern of climate trends during the past few decades is marked by rapid cooling and ozone depletion in the polar lower stratosphere of both hemispheres, coupled with an increasing strength of the wintertime westerly polar vortex and a poleward shift of the westerly wind belt at the Earth’s surface....[I]nternal dynamical feedbacks within the climate system...can show a large response to rather modest external forcing.... Strong synergistic interactions between stratospheric ozone depletion and greenhouse warming are possible. These interactions may be responsible for the pronounced changes in tropospheric and stratospheric climate observed during the past few decades. If these trends continue, they could have important implications for the climate of the twenty-first century. (Hartmann, et al., 1412)

Ozone depletion has been measured only for a few decades, so these researchers caution that they are not entirely certain that rapid warming at the surface is not caused by natural variations in climate, which is powerfully influenced by the interactions of oceans and atmosphere. “However,” they conclude, “It seems quite likely that they are at least in part human-induced.” (Hartmann, et al., 1416) Hartmann and associates also raise the possibility that the poleward shift in westerly winds may be accelerating melting of the arctic ice cap, part of what they contend may be a “transition of the Arctic Ocean to an icefree state during the twenty-first century.” (Hartmann, et al., 1416). A continued northward shift in these winds also could portend additional warming over the land masses of North America and Eurasia, they write. (Hartmann, et al., 1416)

The connection between global warming, a cooling stratosphere, and depletion of stratospheric ozone was confirmed in April, 2000, with release of a lengthy report by more than 300 NASA researchers as well as several European, Japanese, and Canadian scientists. The report found that while ozone depletion may have stabilized over the Antarctic, ozone levels north of the Arctic circle were still falling, in large part because the stratosphere has cooled as the troposphere has warmed. The ozone level over the some parts of the Arc-

tic was 60 per cent lower during the winter of 2000 than during the winter of 1999, measured year over year. In addition, scientists learned that as winter ends, the ozone-depleted atmosphere tends to migrate southward over heavily populated areas of North America and Eurasia. “The largest ultraviolet increases from all of this are predicted to be in the mid-latitudes of the United States,” said University of Colorado atmospheric scientist Brian Toon. “It affects us much more than the Antarctic [ozone ‘hole’].” (Borenstein)

Ross Salawitch, a research scientist at NASA’s Jet Propulsion Laboratory in Pasadena, Calif. said that if the pattern of extended cold temperatures in the Arctic stratosphere continues, ozone loss over the region could become “pretty disastrous.” (Scientists Report, 3-A) Salawitch said that the new data has “really solidified our view” that the ozone layer is sensitive not only to ozone-destroying chemicals, but also to temperature. (Stevens, A-19) “The temperature of the stratosphere is controlled by the weather that will come up from the lower atmosphere,” said Paul Newman, another scientist who took part in the Arctic ozone project. “If we have a very active stratosphere we tend to have warm years, when stratosphere weather is quiescent we have cold years.” (Connor, 5) New research indicates that global warming will continue to cool the stratosphere, making ozone destruction more prevalent even as the volume of CFCs in the stratosphere is slowly reduced. “One year does not prove a case,” said Paul Newman of NASA’s Goddard Space Flight Center in Greenbelt, Maryland. “But we have seen quite a few years lately in which the stratosphere has been colder than normal.” (Aldhous, 531)

“We do know that if the temperatures in the stratosphere are lower, more clouds will form and persist, and these conditions will lead to more ozone loss,” said Michelle Santee, an atmospheric scientist at NASA’s Jet Propulsion Laboratory in Pasadena and co-author of a study on the subject in the May 26, 2000 issue of Science. (McFarling, A-20) The anticipated increase in cloudiness over the arctic could itself become a factor in ozone depletion. The clouds, formed from condensed nitric acid and water, tend to increase snowfall, which accelerates depletion of stratospheric nitrogen. The nitrogen (which would have acted to stem some of the ozone loss had it remained in the stratosphere), is carried to the surface as snow.

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The Relationship of Ozone Depletion and the Greenhouse Effect

<http://www.ratical.org/ratville/ozoneDepletion.html> 9/9/2015

20151016-5473

{map, omitted}

20151016-5475

Steve Clark, Richmond, NH.

Strongly oppose having a transit pipeline coming through NH for export. I have no desire to pay a tariff on goods and services that no one can get in the state. They talk of potential lateral lines for home heating from

this 30" 1400PSI line, since most homes heat with oil or electricity in the state who would pay to convert. I sure wouldn't and Kinder Morgan is not going to, or the provider that hasn't committed to any of the gas. I use a renewable wood pellet as many for my source of heat. NO GOOD FOR NH

20151016-5476

Dear FERC, USACE and EPA,

Please do not approve the Northeast Energy Direct Project as the current route is too close to my water supply and runs directly through the water shed of my valley and a head waters system of the Schoharie Creek therefore it violates the Clean Water Act. It also must go through the watershed of the Town of Coleskill Reservoir system in order to reach me. So Please disapprove of this current route.

Sincerely,

Harold Wright

20151016-5477

Andrew King, Bloomfield, CT.

To whom it may concern,

I am writing to voice my strong opposition to the proposed Kinder Morgan pipeline through West Hartford and Bloomfield, CT. Listed below are my reasons:

The proposed pipeline would go through Class I and II lands owned by the Metropolitan District Commission (MDC). This could adversely affect the drinking water of 400,000 residents.

The MDC reservoirs are a valuable recreational resource for the residents of greater Hartford. The construction of the pipeline would disrupt our access to this tranquil and important land, especially since the pipeline would intersect with, at multiple points, the Metacomet Trail. The clear cutting necessary would also irrevocably mar this incredible and precious resource.

The MDC reservoirs also provide habitat for many species of birds, plants, and animals. The blue-winged Warbler, a species of special concern, breeds in the unique habitat of the reservoir. A major population of this bird breeds in this location and destruction of its habitat could result in major decline of the species.

The proposed pipeline would devastate the Wintonbury Land Trust's Speer Preserve. Two community wells are very close to this land and disruption of groundwater through blasting and/or excavating could pollute our wells and render our neighborhood without potable water.

Thank you for the opportunity to comment.

20151016-5480

Frank Barrus, New Ipswich, NH.

I am writing this letter concerning the justification of public "need" for the building of the NED pipeline. If the need cannot be justified, then eminent domain should not be allowable as a means to acquire right of ways in which to build the pipe or place compressor stations. This need currently rests on providing enough gas capacity to NH and New England to justify the need for public good. However, it is my understanding that much of the capacity being listed as required and coming from the new NED pipeline is already being provided by other pipelines. So much of the "need" is coming from transferring service from other existing pipelines over to the new NED pipeline. This is not a true "need" unless there's some reason the other pipelines are being shut down.

How will FERC ensure that the classification of "need" really is fair and in the best interest of the public, before allowing eminent domain to be used to acquire land rights?

Placing this pipeline on private land where it is neither needed nor wanted is not fair or just, and goes against the intent of eminent domain laws if no true greater public need can be shown.

20151016-5481

Sightline Institute

“The Facts about Kinder Morgan”, December 2014

Table of Contents

- 1 Introduction
- 2 What is Kinder Morgan?
- 3 Air and water pollution in Louisiana
- 5 Towering piles of petcoke in Houston, Texas
- 6 Coal dust problems for Charleston, South Carolina
- 7 Coal dust problems at Newport News, Virginia
- 8 Kinder Morgan’s failed plan to bring coal to Oregon
- 8 Bribery and pollution in Portland, Oregon
- 9 Fraud, scams, and thefts
- 10 Wall Street worries
- 11 Pipelines failures result in deaths, felonies, and environmental damages
- 13 Labor violations and unsafe working conditions
- 14 Controversy over oil sands pipeline in Northwest
- 14 Buying influence
- 15 What do the facts about Kinder Morgan mean for the Gulf Coast?
- 15 About the author
- 16 Endnotes

{21 page report omitted; can be downloaded from: <http://www.sightline.org/download/48359/> }

20151016-5482

nofracked
gasinmass.org
Protect our
Common Wealth

A Program of Berkshire Environmental Action Team

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

Rosemary Wessel, Founder
90 Trow Road, Cummington, MA 01026
(413) 634-5726
nofrackedgasinmass@gmail.com

October 16, 2014

Kinder Morgan / Tennessee Gas Pipeline Co.
Northeast Energy Direct
FERC Docket #PF14-22

Impermissible Segmentation

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). Also mentioned by the court were “Connected actions” include actions that are “interdependent parts of a larger action and depend on the larger action for their justification.” Id. § 1508.25(a)(1)(iii), citing physical, functional and temporal connection between the segments.

These two projects, going through permitting nearly simultaneously and having construction schedules just months apart show a temporal connection. Physically and functionally, the ties are even closer, with looping along several points of construction along Northeast Energy Direct’s “Market Path” in eastern upstate New York, Berkshire County, MA and in Connecticut. This clearly shows that these projects are two parts of the same expansion of capacity for Kinder Morgan / Tennessee Gas Pipeline Co.

Please investigate this aspect of both dockets and reject them both as impermissibly segmented. If Kinder Morgan feels it needs a larger project, it should start the process over with both of these projects under one property documented pipeline plan.

Rosemary Wessel
Founder, No Fracked Gas in Mass

20151016-5488

Dear Secretary Bose,

I ask that the FERC consider the following in the scope of the environmental impact statement for Tennessee Gas Pipeline Company's Northeast Energy Direct project (PF14-22):

1. **Air Quality:** Compressor station emissions need to be fully known by the public, and regulated for the health of residents and wildlife. Air currents, including seasonal air inversions, must be understood before compressor stations can be sited. Air quality should also be monitored closely for at least a full year before any construction begins.
2. **Water and Pollution:** There must be an acceptable plan for the removal of liquid condensate produced out of pigging operations. The chemical makeup of this condensate must be fully known by the public. There should be full hydrogeological studies along the pipeline, with adequate detail in areas surrounding value stations, pigging facilities, and compressor stations, so that if liquid condensate were to be leaked or spilled, it would be clear how possible contaminants might move through the watershed. In the event of a spill, the pipeline company must be held liable.
3. **Wetlands and Wildlife:** There must be on-the-ground, springtime surveys of wetland resources, and subsequent protection of them, including buffer zones as established in Massachusetts (which include part of the essential upland habitat for mole salamanders). Many vernal pools, seasonal streams, and small wetlands are still unmapped. These resources are protected from the actions of landowners, and an out-of-state corporation must be held to the same standards.
4. **Land Use and Local Bylaws:** Northfield, MA (my town) is in the midst of revising our bylaws; a bylaw study was started several years ago. Part of this revision includes regulations for industrial sites. Tennessee must follow these bylaws if Northfield voters have passed the bylaws before construction begins.
5. **Alternatives and MA energy policy.** Massachusetts energy policy has encouraged a transition away from fossil fuels in an effort to meet the mandates of our Global Warming Solutions Act, passed in 2008. The idea is that even when slightly more expensive to use renewable energy and demand solutions, it is worth it for the sake of reducing our impact on global warming. Any New England fuel needs should first be met by efficiency measures (including life-style changes, insulation, energy star appliances, a smart grid, etc.), then renewables (solar, wind, responsible hydro, tidal), by fixing leaks in existing pipelines, by utilizing existing resources for peak demand shortages (such as LNG), and by increasing the capacity of gas or electricity storage. If the Attorney General's study reveals that there is an actual need for additional natural gas capacity (not simply a desire on the behalf of companies that would profit from it), then I suggest expanding the capacity of existing pipelines moderately. Building this entirely new, very large transmission pipeline would lock us into its use for many years, rather than encouraging a swift transmission to renewable energy and storage systems.
6. **Socioeconomics:** This pipeline and the associated facilities are sited in rural areas where people have low income. Franklin Co, MA, which would host about 35 miles of pipeline and a compressor station, has an average per capita income of \$29,259, compared with the MA average per capita personal income of \$35,763. People who live here have, in many cases, chosen to live far from the convenience of cities because they love being connected to nature, the small-town, rural feel, and the assurance that the air is clean. To live here, people have sacrificed proximity to employment, economic welfare, and access to other benefits of city life, such as entertainment and shopping, in order to enjoy the rural nature of these towns. Imposing the pipeline and associated facilities on this area, where the residents would bear the

burden of them but not enjoy the benefits, is deeply unjust.

7. Land use and Recreation: In Northfield, MA, the pipeline as proposed would cross the New England National Scenic Trail in two places, quite close to a well-used hiker's cabin, and the compressor station would be situated less than a mile from the hiker's cabin and within 1/3 mile of the trail. Further, the town has developed a hub of hiking trails on the ridge where the proposed compressor station has been sited. This includes multiple loop and long-distance trails in the Northfield Town Forest, Brush Mountain Conservation Area, and Northfield State Forest. The town hopes to capitalize on our excellent scenery and many hiking trails; we have plans to build additional trails in the area, and the close proximity to the compressor station, we fear, would compromise the peaceful and scenic nature of the area.

Thank you for your consideration of these comments. I ask that you consider all applications for the Northeast so that the region is not overbuilt, consider the climate impacts of allowing additional pipelines (i.e. the ability of drillers to export gas leading to additional wells being drilled, resulting in more gas being released into the atmosphere), and ultimately, I ask that you discourage Tennessee Gas from proceeding with this application.

Julia Blyth & Charley Eiseman
276 Old Wendell Rd
Northfield, MA 01360

20151016-5489

October 16, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Re: Scoping Comments, Kinder Morgan Northeast Direct Project, Docket No. 14-22-000

As a resident of Massachusetts, I am writing to express my serious concerns with the Northeast Direct project proposed by Kinder Morgan /Tennessee Gas Pipeline. I believe this project will have the most detrimental impact on the environment of Western Massachusetts since the creation of the Quabbin Reservoir in the 1930's. I support the comments of the Environmental Protection Agency, Region 1 filed on October 16, 2015 and further support a no build alternative.

Cumulative Impacts

The cumulative impacts of the project must be fully addressed in the environmental impact statement. Cumulative impacts are: "impact[s] on the environment which result 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."¹

FERC, therefore, is required to consider the impacts of the Project in the context of existing and reasonably foreseeable Marcellus Shale development, which includes, but is not limited to, the hundreds of miles of gathering and transportation pipelines that have been and will need to be constructed to move the gas from the thousands of wells that have been and will be drilled to interstate markets.

This expansion project is specifically being proposed to facilitate transportation of Marcellus Shale natural gas and the NEPA document must review the environmental consequences of using hydraulic fracturing techniques in the Marcellus Shale as a cumulative impact of the project. This must include an examination of the impacts to all watersheds in the Marcellus Shale region from withdrawing water for drilling purposes, use, and disposal of water containing fracking compounds back into the ecosystem.

The cumulative impact of the multiple utility and other projects that are being proposed or constructed

across the region on our publically owned lands and critical resources must be examined. These projects do not occur in a vacuum and as each one depletes the natural and scenic resources of the region, their combined impact could be devastating. Within the past five years, FERC has approved numerous pipeline and related infrastructure expansion projects, including twenty-nine in Pennsylvania, eleven in New York, and one each in Connecticut, Rhode Island and Massachusetts. Numerous additional projects have been filed and are in pre-filing status, or have been publicly announced by companies including Spectra Energy, Kinder Morgan and Transco Williams.² If proposals continue to move forward, the impacts would be ruinous and must be addressed in the NEPA document. The cumulative consequences of all these projects, some previously subject to FERC approval, must be assessed in the NEPA document.

The Council on Environmental Quality issued Guidance on how climate change impacts and greenhouse gas (GHG) emissions should be considered in NEPA documents. The revised draft guidance states:

“When assessing direct and indirect climate change effects, agencies should take account of the proposed action – including “connected” actions – subject to reasonable limits based on feasibility and practicality. In addition, emissions from activities that have a reasonably close causal relationship to the Federal action, such as those that may occur as a predicate for the agency action (often referred to as upstream emissions) and as a consequence of the agency action (often referred to as downstream emissions) should be accounted for in the NEPA analysis.”³

Additionally, the Guidance suggests that consistency with goals such as those outlined in Massachusetts’ Global Warming Solutions Act (GWSA) should be included in agencies’ environmental review.

“To provide a frame of reference, agencies can incorporate by reference applicable agency emissions targets such as applicable Federal, state, tribal, or local goals for GHG emission reductions to provide a frame of reference and make it clear whether the emissions being discussed are consistent with such goals.”⁴

With regard to the previously approved Algonquin AIM expansion, the Environmental Protection Agency (EPA) states:

“The EIS should have more fully considered the potential for increased gas production associated with the development of the related pipeline capacity. In addition, we note that the FEIS [Final Environmental Impact Statement] discussion continues to make reference to gas extraction occurring more than 10 miles from the proposed project location as a rationale for limiting the discussion of cumulative impacts. **Geographic proximity is not in and of itself the standard for NEPA’s requirement to consider impacts that have a reasonably close causal relationship to the proposed federal action.**”⁵

In their comments on Spectra’s AIM Final Environmental Impact Statement (FEIS), EPA states:

“EPA notes and agrees with FERC staff acknowledgement that ‘disparate sources of greenhouse gas (GHG) emissions individually contribute to the global climate change issue.’ ... we continue to believe that FERC should avoid the comparison of project related GHG emissions to those associated with an entire regions. The goal of the analysis should not be to make emissions seemingly more or less significant; rather, it should be to disclose the emissions from the project in a manner that allows for an informed discussion of the emissions and measures that can be taken to address them... We also continue to recommend that FERC consider relevant studies regarding methane leaks and emissions.”⁶

Methane and other emissions from the pipeline infrastructure and compressor stations must also be examined. Cumulative impacts of future emissions from the proposed Connecticut Power Ventures (CPV) Towantic Energy Center in Oxford, CT must be considered in the NEPA document. The Connecticut Siting Council granted proposed modifications in May 2015, expanding the size of this facility, which was granted an original certificate in June 1999, pending approval of its Development and Management Plan. ⁷

Export

Pieridae Energy and Bear Head LNG Corporation and Bear Head LNG (USA) LLC (Bear Head) were granted approval by the Department of Energy (“DOE”) to export gas through Spectra Energy’s pipelines

from the United States to the Liquefied Natural Gas (“LNG”) facilities in Canada to Free Trade Agreement countries. There are currently four companies with applications before the Department of Energy to contract with pipeline companies, including Spectra, for gas to export from the US to Canada, and to both FTA and non Free Trade Agreement Countries from existing or planned LNG facilities in Eastern Canada. The other two are Downeast LNG, Inc. (Downeast) and American LNG Marketing, LLC. (American).

In Pieridae and Bear Head’s applications to the DOE, they refer to Kinder Morgan Northeast Direct project, and Bear Head states regarding Spectra’s Maritimes & Northeast pipeline (M&NP):

“M&NP’s current operations involve moving gas from Canada to the United States (i.e., north to south)... An operational reversal of the M&NP would be required in the first instance to enable gas supplies to flow on a firm basis from south to north (i.e., from the Dracut, MA delivery point on the M&NP system to the Project pipeline header).”⁸

The fact that Spectra is proposing to reverse the flow in the M&NP as part of the Atlantic Bridge project shows that their long-term aim is to gain access to export markets and not to serve the public need in the United States. In fact, exporting natural gas is contrary to the public’s interest.

Environmental Impacts Resulting from Fracking

As the project will encourage the expansion of the gas drilling technique of fracking by expanded the infrastructure to export supplies from the region, the consequences of fracking must be examined as a cumulative impact of this project. Between 2 to 9 million gallons of water are mixed with hazardous chemicals and sand and injected into each fracked well. According to a Congressional report, 750 different chemicals are used in fracking in the U.S.⁹ Fracking threatens our water supply with hundreds of toxic chemicals and major water withdrawals. FERC must examine in its review of the proposed pipeline all secondary and cumulative impacts the project will have on encouraging the expansion of fracking in the region.

As noted above, the contribution of fracking to climate change must be studied as a cumulative impact of this pipeline project. Moreover, a cumulative impact analysis requires that these GHG emissions be considered in the context of GHGs emitted from the aggregate of natural gas that have been and will reasonably be extracted from the Marcellus Shale region in the foreseeable future.

Climate Change and Greenhouse Gases

The impacts outlined below that we urge you to examine in the NEPA document are in addition to the concerns with greenhouse gas footprint of shale gas and emission rates of gas fields and pipelines systems expressed earlier.

The construction of the project will require a massive amount of fossil fuel to power construction equipment, which will have a significant impact on climate change. The NEPA document must explore what impact construction vehicle emissions will have on global warming.

FERC should consider the cumulative impacts of the Project’s direct and indirect GHG emissions. Direct emissions may include but are not limited to carbon dioxide (“CO₂”) and nitrous oxide (“N₂O”) emissions from compressor engines, line heaters, and generators; fugitive methane emissions from compressors and pipelines; and black carbon emissions from diesel vehicles and equipment. Notably, N₂O is 280 times more warming than CO₂ over a twenty-year period,¹⁰ while black carbon is estimated to be 2,200 times more warming than CO₂ over the same period.¹¹

Production, processing, transport and use of natural gas accounts for slightly under 30 percent of U.S. climate pollution.¹² Methane is a greenhouse gas over 87 times more effective in trapping heat in the atmosphere than carbon dioxide (CO₂) over a twenty year period.¹³ The contribution of Spectra’s current pipeline system to global climate change through methane emissions and how that would be augmented by expanding that system through the Northeast Direct project must be disclosed by FERC in the NEPA document.

Thank you and I look forward to your full consideration of these comments.

Sincerely,
Karina Wilkinson
35 Hawthorne St #1
Somerville MA 02144

Footnotes:

- 1 40 C.F.R. § 1508.7 (2010) (emphasis added).
- 2 Federal Energy Regulatory Commission, Approved Major Pipeline Expansions (2009-present) and Pipeline, Storage and LNG Projects for Commission Pre-filing, FY 2014, FY 2015.
- 3 Council on Environmental Quality Revised Draft Guidance on the Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in NEPA Reviews, December 18, 2014 at 11 available at: https://www.whitehouse.gov/sites/default/files/docs/nepa_revised_draft_ghg_guidance_searchable.pdf
- 4 Id. at 14.
- 5 EPA Region 1 Comments on FERC's Final Environmental Impact Statement on Spectra's AIM Expansion Project, CP14-96-000, March 2, 2015 at 5 (emphasis added).
- 6 EPA Region 1 Comments, supra footnote 5.
- 7 State of Connecticut, Connecticut Siting Council, letter dated May 20, 2015 referring to Docket 192B, http://www.ct.gov/csc/lib/csc/pendingproceeds/docket_192b/decision/192bdecisionltr_certification052015.pdf
- 8 BEAR HEAD LNG (USA) LLC. 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 at 50, available at: <https://fossil.energy.gov/app/gpc/docket.aspx?15-33-LNG>
- 9 United States House of Representatives Committee On Energy And Commerce, Minority Staff, Chemicals Used In Hydraulic Fracturing, April 2011.
- 10 MacMillan, Hugh The Urgent Case for a Ban on Fracking, Food & Water Watch Report, February, 2015 at 22, and United Nations Framework Convention on Climate Change, Global Warming Potentials available at: http://unfccc.int/ghg_data/items/3825.php.
- 11 See L. Bruce Hill, Clean Air Task Force, The Carbon Dioxide Equivalent Benefits of Reducing Black Carbon Emissions from U.S. Class 8 Trucks Using Diesel Particulate Filters: A Preliminary Analysis 3 (2009), available at <http://www.catf.us/resources/publications/files/CATF%20BC%20DPF%20Climate.pdf>.
- 12 Food & Water Watch calculation based on U.S. EPA Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2013 (April 2014) at 3-6 and ES5 to ES-7.
- 13 Myhre, G., D. Shindell, F.-M. Bréon, W. Collins, J. Fuglestedt, J. Huang, D. Koch, J.-F. Lamarque, D. Lee, B. Mendoza, T. Nakajima, A. Robock, G. Stephens, T. Takemura and H. Zhang, 2013: Anthropogenic and Natural Radiative Forcing. In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Stocker, T.F., D. Qin, G.-K. Plattner, M. Tignor, S.K. Allen, J. Boschung, A. Nauels, Y. Xia, V. Bex and P.M. Midgley (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.

20151016-5495

Dear FERC, USACE, EPA and N.Y. DEC,

This project with its current route will bisect the eco system and massive wetlands of this valley. As the current route stands it will inevitably destroy it and the many creatures living here. Please disapprove it and force them to use the I-88 corridor and or the existing rows.

Sincerely,
Harold Wright

20151016-5497

Proposed "Northeast Energy Direct" Project
Tennessee Gas Pipeline Company, LLC
U.S. Federal Energy Regulatory Commission
(FERC Docket #: PF14-22-00)

NH DES Comments

October 16, 2015

NH DES point of contact:

Timothy W. Drew
Administrator
Public Information & Permitting
Office of the Commissioner
NH DES
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1. Office of the Commissioner

General Comment: Partial list of NH DES permitting programs potentially triggered by the proposed North-east Energy Direct (NED) project.

Permitting Guidance: <http://des.nh.gov/organization/commissioner/pip/index.htm>

Pre-application Meetings: <http://www4.egov.nh.gov/DES/PreApp/>

- Alteration of Terrain: <http://des.nh.gov/organization/divisions/water/aot/index.htm>
- Wetlands Permitting: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>
- Drinking Water/Groundwater Protection: <http://des.nh.gov/organization/divisions/water/dwgb/index.htm>
- Drinking Water Source Protection: <http://des.nh.gov/organization/divisions/water/dwgb/dwspp/index.htm>
- Groundwater Discharge Program: http://des.nh.gov/organization/divisions/water/dwgb/dwspp/gw_discharge/index.htm
- Instream Flow Protection (e.g., Souhegan River): <http://des.nh.gov/organization/divisions/water/wmb/rivers/instream/index.htm>
- Rivers Management & Protection Program: <http://des.nh.gov/organization/divisions/water/wmb/rivers/index.htm>
- Shoreland Program: <http://des.nh.gov/organization/divisions/water/wetlands/cspa/index.htm>
- Storm Water Program: <http://des.nh.gov/organization/divisions/water/stormwater/index.htm>
- Climate Resilience for Drinking Water & Wastewater Systems: <http://des.nh.gov/organization/divisions/water/dwgb/climate-resilience.htm>
- Section 401 (federal Clean Water Act) Water Quality Certificate: <http://des.nh.gov/organization/divisions/water/wmb/section401/index.htm>
- Water Use Registration & Reporting Program: <http://des.nh.gov/organization/divisions/water/dwgb/dwspp/wurrrp/index.htm>

NH Geological Survey

The statements describing geologic conditions and hazards are factual and relevant. Flooding and seismicity represent the greatest vulnerabilities as indicated. Paleontological resources are not an issue, although to the best of my knowledge, no “consultation” was ever initiated with the NH State Geologist as stated on page

6-76. The characterization that NH's igneous and metamorphic rocks are of Precambrian age (page 6-75) is inaccurate but the error is of little consequence given the overall context of the Paleontology section.

NH DES questions whether the stated 200-foot blast radius is sufficient to identify wells at risk from impacts of blasting on water quality and quantity. A 1,000-foot buffer may be more reasonable to establish ambient groundwater conditions in wells prior to blasting and safeguard well owners.

2. Water Division

Resource Report 2 – Water Use and Quality:

Reporting must show in all cases that the Least Environmentally Damaging Practicable Alternative (LED-PA) has been evaluated and selected.

In addition, compensatory wetlands mitigation needs to be provided for unavoidable impacts or conversion that is proposed to take place outside of co-location of the pipeline installation in existing utility ROWs.

Wetlands, stream, river and waterbody crossings must be undertaken under low flow conditions – usually from mid-June through September.

Wet open cut waterbody crossings are discouraged. Dry crossing methods or HDD are preferred.

Page 2-58 reports on the Amherst Conservation Commissions' concern for the proposed HDD crossing of the Souhegan River due to the fluvial erosion which occurs there because of the highly erodible soils along the meandering river course. It is recommended, that if at all possible, an alternative route for the pipeline be found to avoid impacts to the Souhegan River, its' associated oxbow ponds and vernal pools.

All wetland impact areas must be field surveyed / ground truthed in addition to being located on aerial photography to determine soils, vegetation & hydrology of the proposed impact areas.

The identification, location, classification and delineation of wetlands using the USACE Wetlands Delineation Manual of 1987 plus the 2012 Northeast Region supplement as well as the USFWS Cowardin et al. 1979 classification system is appropriate. However, section 2.3 Wetlands refers to field surveys conducted in 2014 which covered only a small portion of the areas of wetlands to be impacted. This procedure must be followed for all wetland impact areas whether permanent impact, TWS or ATWS.

The conversion of PFO to PEM wetlands over the pipeline is acceptable. Stream and waterbody crossings must restore the riparian buffer to preexisting conditions.

Section 2.3.1.4 indicates that surveys of permanent and temporary wetlands impact areas have been based on field surveys and publically available data, but are not complete as there are areas where the pipeline is proposed to be installed where access was not available or provided.

Table 2.3-11 shows the total wetland impact in NH to be 73.57 acres.

Resource Report 3 – Fish, Wildlife and Vegetation:

Section 3.4.2.2.4 recognizes the need to coordinate with NHHB and NHFG on NH State-Listed Endangered and Threatened species and habitats to develop survey protocols and appropriate protection measures.

A NH-specific Invasive Species Management Plan needs to be developed and implemented prior to the installation of the pipeline (<http://des.nh.gov/organization/divisions/water/wmb/exoticspecies/index.htm>).

The permittee shall provide the NH DES Wetlands Bureau with a restoration monitoring report for all wetland and waterbody impact areas, including photographs taken from established photo stations, with a special emphasis on the removal of any invasive species that might appear in the impact areas.

Resource Report 4 – Cultural Resources:

The applicant has coordinated with NH DHR and filed a Request for Project Review. A Phase 1A archaeological survey has been undertaken in addition to an above-ground survey has been initiated.

Resource Report 7 – Soils:

See Mapsheet 57 of 99 Figure 7.1-1.

The pipeline segment MP20 to MP21 involving several crossings of the Souhegan River and riparian areas associated with the Souhegan River in Amherst needs to be rerouted to avoid adverse environmental impacts to the River and its environs. This proposed route for the pipeline segment between MP20 and MP21 is certainly not the Least Environmentally Damaging Practicable Alternative.

Resource Report 10 – Alternatives:

See Page 10-75 and Mapsheet 1 of 1 Figure 10.3-15

Town of Amherst, NH Segment J MP20.5 to MP21.5 Reason for Minor Deviation: Deviation to reduce number of crossings of Souhegan River. The Souhegan River will be crossed by HDD to mitigate impacts to the river. Status N/A = Not Adopted = deviation not incorporated.

This issue needs to be resolved and an explanation given as to why the pipeline cannot be rerouted to avoid impacts to the Souhegan River altogether!

The intent of this project was to identify any parcels of land within the proposed right of way for the Kinder Morgan pipeline that were associated with wetland mitigation for a NH DES permit. NH DES reviewed 22 wetland permit files that were identified in the towns the pipeline crosses. These files were identified as permits that provided mitigation in the form of an easement within the Town. The dates of these files ranged from 1998 to 2014. Table 1 (below) summarizes each site and the data reviewed.

Table 1 - Relevant Wetland Mitigation Files

FILE	YEAR	NAME	Address	Town	Database Notes
1998-00447	1998	SALEM CORP PARK ASSOC	Stiles Road	Salem	Mitigate with two easements totaling 5.34 acres (1.13 acres of upland) and dense plantings. Easement appears to be just to the north.
1998-02267	1998	Town of Londonderry	West Road	Londonderry	No information on mitigation.
2000-00321	2000	K.E.M. REALTY	Off Equestrian Road	Salem	Construct 9,000 sq. ft. of wetlands and provide 8.6 acres of Conservation Easement (4 acres of upland and 4.6 acres of wetland).
2000-00787	2000	FRITCH, UDO	32 Northwestern Drive	Salem	Place approximately 60,000 sq. ft. in conservation easement on new lot 10580 shown as 4.17 acres.
2000-02219	2000	WINDHAM, TOWN OF	Griffin Park Range Rd	Windham	Mitigate by providing an 8.15 acre Conservation Easement. Recorded in Rockingham Cty Registry of Deeds on April 16, 2002, at 10:10 a.m., Bk 3755, Pg2626.
2000-02610	2000	CONTINENTAL PAVING	Colby Road	Litchfield	Mitigate by providing an 8.15 acre Conservation Easement. Rec'd recorded Conservation Easement on 10/31/02 from David Sullivan, Town of Windham (Recorded in Rockingham Cty Registry of Deeds on April 16, 2002, at 10:10 a.m., Bk 3755, Pg2626
2001-01318	2001	ASHWOOD CO.		Milford	Easement information not in file. See also 2004-02718. See attached map.
2002-00312	2002	LITTLE MACKENZIE DEV LCC	Route 31 / Route 124	Greenville/New Ipswich	Preserve 13.8 acres of land in a conservation easement, consisting of approximately 4 acres of jurisdictional wetlands and 9.8 acres of contiguous upland buffer.
2002-00327	2002	MERRIMACK SCH. DIST./SAU 26	Baboosic Lake Road	Merrimack	Thirty five acre conservation easement.

2002-01135	2002	CLUFF RD RLTY TR&BRADDOCK, J.	59 Cluff Road	Salem	File box/cabinet not found. A 7.5-acre parcel must be transferred to the Town of Salem; A conservation easement must be recorded on the 100-foot Prime Wetland buffer; PARCEL NOT CONFIRMED, but nothing on the pipeline in the vicinity of the project location.
2002-01717	2002	AGAWAM LTD / M. FREDERICKS III	Independence Drive	London-derry	A 25-acre conservation easement to the Town of Londonderry. RECORDED EASEMENT RCVD 3/9/06.
2002-02297	2002	R&D LONDONDERRY DEV., LLC	Wiley Hill Road	London-derry	Mitigation will be provided as a total of 13.16 acres of land. One parcel is in Londonderry (Lot 5-10-40) and the second in Litchfield (Map 14-48). Identified as Kamko Easement.
2003-01188	2003	H & B HOMES CORP / BENCHMARK E	Rte 28/Rockingham Road	Windham	RECORDED EASEMENT RCVD 10/23/06. Compensatory mitigation for wetlands and surface waters impacts preserve approximately 107.5 acres on-site, including 27.6 acres of wetlands and 79.9 acres of contiguous upland buffer. (Subdivision). Parcel not identified but is well to the northeast of the pipeline. Multiple conservation parcels in the area so need to identify which parcel is for this permit
2003-01296	2003	CHAMBERLAIN, THOMAS & GERTRUDE	Rte 3A	Litchfield	Cabinet is locked. Compensatory mitigation is provided as a 10.2 acre conservation easement deeded to the Town of Litchfield. Parcel identified just to south of project location. Parcel was reported as 10.2 acres, but recorded as 27.8 acres. Note in ConsNH layer identifies it as DES Mitigation parcel.
2003-01878	2003	BACON, HOLLY / BACON, ROBERT	Perry & Old Wilton Rds	Milford	Compensatory Mitigation: A 10 acre conservation easement on the same parcel will be reserved to provide habitat for Bobolinks and other field nesting birds. (Warehouse construction). Parcel not identified and none noted in area but well out of area of pipeline
2004-00670	2004	FRANKLIN PIERCE COLL./KIRSH, B	Mountain Road	Rindge	Preserve 64.2 acres in a conservation easement. RECORDED CE RECVD 8/19/05. Parcel in permit area identified as 49 acres
2005-02083	2005	COMEAU, JOHN & OLIVIA	100 Dutton Rd	Pelham	File not located. See attached Map -Lot 10-10. From Database: Wetland impact mitigation consisting approximately 38 acres of preservation land that includes 15.24 acres of uplands and 22.39 acres of wetlands, vernal pool easements on lots 10-10-11 and 10-10-12, and an amphibian crossing tunnel and an amphibian diversion walls connecting lots 10-10-11 and 10-10-12 to preservation lot 10-10.
2007-00364	2007	H&B HOMES CORP.	Northland Rd Off Rte 28	Windham	Compensatory mitigation consists of a total of 195.08 acres of land that will remain, in perpetuity, in open space through conservation easements, donation of land to the Windham Conservation Commission. (Cluster development). Parcel does not appear on conservation layers, but is well out from the pipeline. Look in file for conservation information.

2007-02278	2007	DODD, FREDERICK J.	357 Robbins Rd	Rindge	Compensatory mitigation for the wetland impacts consists of a conservation easement on a 17 acre parcel created on the project property that will connect to an existing conservation parcel.
2007-02324	2007	CHELSEA PROPERTY GROUP		Merrimack	File not in drawer. Parcel likely not adjacent to impact (Merrimack Outlets). "Grater Road" parcel? However mitigation amount in database indicates 59 acres and these two parcels are only 14.2 acres and are in Amherst. The South Grater Rd. parcel is in Merrimack and is 72 acres but the conservation layer indicates it was added in 1998.
2010-00247	2010	SAU-87/MASCENIC REG. SCHOOL DI	Turnpike Road (NH Rte 124)	New Ipswich .	Mitigation includes preservation of an adjacent ± 45 acre parcel (Greenville Tax Map 2, Lot 8). Need to confirm with tax layer
2013-02888	2013	COLBURN, CAROLE M.	Osgood Rd	Milford	File not available. Recently recorded, not shown on conservation layer. File information indicated 44.146 acres will remain as open space in perpetuity, as part of 96 acres subdivision.

While DES accepts these parcels as mitigation; the parcels are typically turned over to the Town, or a local conservation group. Many of these parcels have been digitized and are identified in a state-wide conservation layer available on New Hampshire's Statewide Geographic Information System (GIS) Clearinghouse, NH GRANIT (<http://www.granit.unh.edu/>); however, given the limited resources of DES, GRANIT and local municipalities, as well as the age of some of these parcels, it is possible some have not been digitized or added to the GRANIT. In addition, since the parcels are not retained by DES, the parcels may not be flagged as mitigation parcels in the GIS layers. To this end, DES has taken the following steps to cross-reference information in DES files and available GIS layers to locate the mitigation parcel associated with each file, and its spatial location in reference to the proposed Kinder-Morgan Pipeline.

1. A list of permits with mitigation required was generated from the Wetland's Foxpro database.
2. Permits in the towns which the proposed pipeline crosses were selected by wetland GIS staff.
3. A GIS Map was created with the following information:
 - a. The location of each of the permitted projects identified in Step 2;
 - b. The location of the pipeline as provided by OEP in March 2015;
 - c. The New Hampshire Conservation lands layer (CONSNH) maintained by NH GRANIT (last updated April 2013);
 - d. The State-wide parcel Mosaic parcel data as available on March 31, 2015.
 - e. A DES layer "deslands" was added; and
- 1.)
4. Information in DES's database was reviewed for each file and relevant information regarding the location of the parcel was noted. In some instances a lot and parcel number were referenced; however other times information only the parcel acreage was noted or a Book and Page number.
- 2.)
5. An attempt was made to locate the paper files for each project in the DES Concord office. The table notes if the file was located. A list of files to be followed up by the Pease office will be forwarded to them.
- 3.)
6. Based on the information in the database and the paper files, the mitigation parcel was identified on the GIS map. In some instances the parcel was adjacent to the mitigation site (i.e. in housing de-

velopments) or a lot number was provided. If only a book and page number for the transaction was noted, the Registry of Deeds was reviewed on line for additional information.

4.)

7. A map for each file number was printed with relevant information and details are noted in the attached table.

5.)

8. Used GIS to select all the parcels that are within 50 feet of the pipeline and the laterals (39 conservation parcels were identified). These selections were reviewed to see if there were any notes within the CONSNH database related to DES Mitigation sites. One site with permit number 1998-02267, associated with a parking area for proposed athletic fields on West Road in Londonderry was identified from this search. Of note, one other parcel noted during this search (SOURCE TAX MAP 15/8-209,210,211), associated with the Pelham Transfer station, indicated it was 70% Prime Wetland.

6.)

Conclusions and Follow-Up

7.) A mitigation parcel associated with Wetlands Permit 2005-02083 is adjacent to the proposed pipeline route from the plan provided by OEP in March, 2015. This parcel is within the current utility corridor based on aerial photographs. The parcel is identified as FID 8170 on the New Hampshire Conservation/Public Lands available from NH GRANIT (<http://www.granit.unh.edu/data/download-freedata/alphabetical/databyalph.html>) and is shown in the attached Figure. While the pipeline as currently shown does not transect this parcel, it is possible access may be necessary on this parcel and is important to note in the event the proposed pipeline route is altered.

8.)

9.) A mitigation parcel associated with Wetlands Permit #1998-02267 is within the proposed pipeline. It is identified in the CONNH Layer as the West Road Fields Easement. TID 197-067-001

Follow-Up/Notes

10.) Litchfield parcel 14-48 from 2002-2297 is not in the Cons NH layer/GRANIT.

NH DES Drinking Water & Groundwater Bureau:

Overall Document Comment – The Kinder-Morgan project documents focusses on the construction of an underground natural gas pipeline. In New Hampshire, some utility easements allow for the conversion of a natural gas pipeline to a liquid oil pipeline. If this the case with the proposed Kinder Morgan natural gas pipeline, all aspects of the Environmental Report should be updated to assess this pipeline use scenario.

Section 2.0 – Overall Comment

This section needs to be update to discuss:

- 1) The location of the pipeline relative to potential groundwater sources of drinking water required to meet future water needs.
- 2) The impact of constructing an extensive pipeline across the state of New Hampshire on water systems that need to install or replace water mains that cross through or are located in closed proximity to the pipeline.
- 3) Methods to manage vegetation once the pipeline is constructed and impacts on groundwater and drinking water quality.

2.1.1.4.1 Aquifers

This section states, “Figures 2.1-1a and 2.1-1b in Attachment 2a to this Resource Report depict the bedrock aquifers and surficial aquifers crossed by the proposed Project in New Hampshire.” This is not correct;

mapsheets 13-15 and 17-18, which depict the New Hampshire portion of the proposed route, do not depict surficial aquifers. DES suggests that the maps also depict wellhead protection areas (WHPAs) on maps included in this report. WHPAs were clearly considered in the preparation of the draft resource report, since they are mentioned, but the term is also inappropriately applied to the watersheds of Canobie Lake and Arlington Mill Pond, both public water supply sources. Also, the discussion in this section focuses on major stratified-drift aquifers and then on WHPAs for the wells in those aquifers, so it is not clear whether the scope of the discussion has been narrowed down based on the location of major aquifers. The discussion should include all WHPAs: groundwater classified GB, GA1, and GAA; and water supply watersheds.

2.1.1.4.3 Groundwater Quality

Correction: the groundwater quality classifications referred to are actually groundwater protection classifications. They refer to different levels of protection. This section discusses groundwater protection under the NH Groundwater Protection Act (RSA 485-C). Equally important is groundwater protection implemented on the local level through land user ordinances, such as aquifer protection ordinances, adopted and implemented by municipalities as authorized by state land use statutes. This section references the groundwater protection BMPs adopted by NHDES under the RSA 485-C; it should be noted that some aspects of the proposed project are subject to those BMPs. The draft RR states, "The Project is not anticipated to have impacts on any aquifers or public and private water supplies." With respect to potential impacts to groundwater quality in general and to water supply sources in particular, the EIS should report on any incidents of groundwater or water supply contaminations associated with Tennessee Gas Pipeline's facilities similar to those associated with the proposed project. The rationale for this request is not that Tennessee's record is at issue, but that it would be informative with respect to potential impacts associated with these types of facilities.

Section 2.1.5 & Table 2.1-2

The document references a using data from NH Granit to identify wells within 200 feet of the proposed pipeline. Wells within 2000 feet not 200 feet need to be identified.

Table 2.1-2 indicates that wells were identified using data from NH Granite and it is unknown if the wells identified or public or private. NHDES has GIS coverages that specifically identifies the location of all sources of water for public water systems. Additionally, NHDES has developed methods to identify if a private well is present on a given lot for all areas of New Hampshire. The most current dataset for identifying the location of sources of water for public water systems needs to be utilized. Additionally, revisions to this document should utilize information from NHDES that identifies lots within 2000 feet of the pipeline with private wells.

2.1.5.1.4 – The document states that it is awaiting a response to an December 2014 request to NHDES regarding the location of public water systems. NHDES has responded to multiple requests for data from consultants working on this project. Additionally, this data can be obtained on the internet from NH DES's OneStop.

2.4.2.3 – Despite the implementation of rock blasting best management practices to avoid the contamination of groundwater, rock blasting has contaminated groundwater sampled from drinking water supply wells up to 2000 feet away in New Hampshire

Section 6.2 – Blasting & Appendix M (Attachment M8 Blasting Management Plan)

The provisions to protect groundwater and public and private water supply wells from becoming contaminated by activities and materials associated with rock blasting are not adequate. In New Hampshire, rock blasting has contaminated groundwater obtained from drinking water wells with nitrate, nitrite and volatile organic compounds. The document needs to be revised to include provisions to:

- 1) Always utilize blasting best management practices to prevent the contamination of groundwater;
- 2) Identify wells within 2000 feet, opposed to 200 feet where blasting will occur. Monitor the water

quality (nitrate, nitrite and volatile organic compounds) in representative wells before , during and after rock blasting;

- 3) Identify methods that will be employed to identify private and public water supply wells
- 4) Identify methods that will be employed to address increased turbidity in wells due to excavating bedrock using mechanical or rock blasting methods.

The provisions proposed in the document do not meet the following standard requirements for NH DES's Alteration of Terrain Applications:

- 1) **[If more than 5000 cubic yards are blasted]** Identify drinking water wells located within 2000 feet of the proposed blasting activities. Develop a groundwater quality sampling program to monitor for nitrate and nitrite either in the drinking water supply wells or in other wells that are representative of the drinking water supply wells in the area. The plan must include pre and post blast water quality monitoring and be approved by NH DES prior to initiating blasting. The groundwater sampling program must be implemented once approved by NH DES.
- 2) **[Applies to all Blasting]** The following Best Management Procedures for blasting shall be complied with:
 - (1) Loading practices. The following blasthole loading practices to minimize environmental effects shall be followed:
 - (a) Drilling logs shall be maintained by the driller and communicated directly to the blaster. The logs shall indicate depths and lengths of voids, cavities, and fault zones or other weak zones encountered as well as groundwater conditions.
 - (b) Explosive products shall be managed on-site so that they are either used in the borehole, returned to the delivery vehicle, or placed in secure containers for off-site disposal.
 - (c) Spillage around the borehole shall either be placed in the borehole or cleaned up and returned to an appropriate vehicle for handling or placement in secured containers for off-site disposal.

Lastly, the document should include provisions to address the potential for rock blasting resulting in the indoor air of nearby structures being contaminated with carbon monoxide.

NH Geological Survey has commented With reference to <http://elibrary.ferc.gov/idmws/common/OpenNat.asp?fileID=13939516>:

NH DES questions whether the stated 200 foot blast radius is sufficient to identify wells at risk from impacts of blasting on water quality and quantity. A 1,000 foot buffer may be more reasonable to establish ambient groundwater conditions in wells prior to blasting and safeguard well owners.

Waste Division has commented:

1. Resource Report 2, 2.2.5 Contaminated Sediments, page 2-41. The report mentions that Figure 2.1-3 (sheets 14-18 of 28) depicts the location of known state and federal hazardous waste sites. It appears that it also includes other contaminated sites such as landfills, leaking underground storage tanks and sites listed as "remediation sites" on DES' One Stop web page. The report does not evaluate in detail whether the anticipated construction may encounter contamination (soil, groundwater or wastes) associated with the sites. In some instances where the planned construction is near known contamination sites, pre-construction sampling and assessment may be prudent to determine if contaminated materials will be encountered and to develop to specific plans to manage the contaminated materials. There are numerous asbestos disposal sites in the Nashua-Hudson area that historically received wastes from the former Johns-Manville when it operated. DES suggests you add asbestos sites to Figure 2.1-3 to anticipate where asbestos may be encountered and require management during construction.
2. Resource Report 2, 2.1.1.4.3 Groundwater Quality, page 2-11. In the discussion of the Groundwater Protection Act RSA 485-C the reference to the Department of Safety "NHDOS" is not correct and should be

deleted.

3. Resource Report 2, 2.1.1.4 Groundwater Hazards, page 2-12. DES recommends that Figure 2.1-3 and Table M7-A-1 include the location of known asbestos sites that may be near the proposed project. There are a number of asbestos disposal sites in the Nashua and Hudson area that received asbestos waste from the former Johns-Manville manufacturing plant.

1. Appendix M, Environmental Construction Plan for New Hampshire

a. Page M-27, Section 4.3 Spill Prevention and Response Plan and Attachment M3 Spill Prevention And Response Plan

- i. DES has a fact sheet on notification for spills and the discovery of contamination <http://des.nh.gov/organization/commissioner/pip/factsheets/rem/documents/rem-13.pdf>. The report should be updated to include the information in the fact sheet relative to reporting spills.
- ii. Please provide a list of materials and quantities expected to be used during the construction of the pipeline such as fuels used for construction vehicles, hazardous wastes, hazardous substances and other chemicals.
- iii. In the event of the spill/discharge of oil and/or hazardous wastes or substances the investigation and remediation must be conducted in compliance with Env-Or 600 Contaminated Site Management Rules. These rules contain soil and groundwater clean-up standards and the procedures to be followed to investigate and remediate contamination resulting from a spill or discharge of oil, hazardous waste/substances or other regulated release of contamination.
- iv. Section 3.0 of Attachment 3. If any of the locations are a federal small quantity generator or large quantity generator of hazardous waste, New Hampshire law requires compliance with 40 CFR 265.50, Contingency Planning.

b. Page M-28, Section 4.4 Waste Management Plan and Attachment M4

- i. Please clarify whether this plan is intended to address wastes produced from the actual activities associated with construction of the pipeline and appurtenances. Attachment M7 addresses unanticipated discovery of contamination from buried wastes, contaminated soil and contaminated groundwater and DES provided additional comments to that section.
- ii. DES requests a more detailed description of the wastes that are anticipated to be generated based on construction of other pipeline projects. For example what types and quantities of hazardous wastes (pipeline sludge, spent pig wastes, sandblast abrasives, paint thinner and solvents), asbestos, PCB wastes and non-hazardous wastes (oily rock/soil, oily rags, sandblast abrasive and general trash/garbage) are generated during construction? The information would be helpful to DES in order to better understand the scope of wastes to be generated during the pipeline construction in New Hampshire. With that additional information DES may be able to provide more specific guidance.
- iii. PCBs wastes are subject to the federal Toxic Substances Control Act (TSCA) program administered by the U.S. Environmental Protection Agency. Please describe how PCBs wastes are generated during pipeline construction and the expected quantities to be generated during construction in New Hampshire.
- iv. Page M4-2 Section 3.1 HAZARDOUS WASTE.
 1. A variety of waste streams would be generated during construction and operation of the pipeline, and under the New Hampshire Hazardous Waste Rules, generators of waste are required to determine if that waste is a hazardous waste (see Env-Hw 502.01). The waste management plan (WMP) does a decent job of describing how that will be done in section 2.2. These determinations are the responsibility of the generator.
 2. If and when it is determined, that hazardous waste will be generated, please notify DES to obtain an EPA ID number by calling the Reporting and Information Management Section (Maria

Michel) at 603-271-2921.

3. The WMP uses the term “Large Quantity Generator” where in New Hampshire a generator is either a Full Quantity Generator (basically generates greater than 100 kilograms in any single month), or a Small Quantity Generator (basically generates less than 100 kilograms in each and every month). New Hampshire has certification programs for each of these classifications of generators which will need to be complied with.
 4. New Hampshire also regulates Used Oil as a state hazardous waste, although when it is a “used oil for recycle” it is subject to less stringent standards than a hazardous waste.
 5. New Hampshire has specific requirements for the outside storage of hazardous waste which can be found in Env-Hw 507.01(e) which includes set-back requirements, and Env-Hw 509.02(c) which includes a fence, means to control access, and a sign.
 6. During construction and operation of the pipeline, any wastes that is generated needs to be managed properly (i.e., not dumped along the pipeline), and if the waste is hazardous waste, the waste needs to be delivered to a facility authorized to accept the waste. Depending on the circumstances, it may be possible to self-transport the hazardous waste but DES recommends it be discussed further either by contacting the Hazardous Waste Compliance Section or at a future meeting.
 7. The following is the link to the DES Hazardous Waste Compliance Section webpage which has information on the Hazardous Waste Rules, including Fact Sheets., <http://des.nh.gov/organization/divisions/waste/hwcb/hwcs/index.htm> .
 8. There are different provisions for storing hazardous waste at the site of generation (on-site) and off-site (must be delivered to a permitted TSD facility). Please clarify to what constitutes “on-site” and what constitutes “off-site”. Additionally, specify who is the generator (Morgan Kinder? Contractor? Property Owner?) and the generator’s responsibilities to under New Hampshire Hazardous Waste Rules, including those aspects of the rules that are more stringent than federal requirements, including small quantity generator requirements, and hazardous waste coordinator requirements.
- v. Page M4-3 SECTION 3.2, NON-HAZARDOUS WASTE: Last bullet should read “Non-hazardous waste can only be transported to and disposed of at approved facilities”, i.e. it can’t be hauled to any place that is not properly permitted to receive it. Once it leaves the site of generation, in NH, and with few exceptions, it must go to a permitted transfer station, processing/treatment, or final disposal facility.
- vi. Page M4-4 Section 3.3.1, Asbestos/ACM:
1. It is not clear how the asbestos waste might likely be generated, it is difficult to assess the adequacy of the plan. If the asbestos waste is the result of abatement (i.e., the removal of asbestos from structures and roads) the work must be done by a New Hampshire licensed asbestos abatement contractor, in accordance with RSA 141-E and Env-A 1800.
 2. First tier Bullet #2:
 - Subbullet #2—revise to read: “Gloves and other non-hazardous solid can be added before sealing.”
 - Subbullet #4 regarding storage of containers should be moved to be first tier bullet #4, for logic purposes;
 - Subbullet #5—for better grammar and clarity, DES suggests revising to read: “For accumulation containers, each item placed therein must be individually wrapped and placed in the drum.
 3. First tier bullet #3—revise to read: “Mark of label the outer most container with the following

information:”

4. First tier bullet #4---the “company-approved disposal facility” must be properly permitted to receive the asbestos. Additionally, in NH, prior to shipping asbestos waste to a landfill, the landfill must be notified of the pending delivery.
 5. First tier bullet #5, allowing asbestos pipe to be sold or transported to scrap dealers or individual buyers---this is not allowed in New Hampshire. Env-Sw 901.05 prohibits reuse of asbestos waste.
 6. First tier bullet #6, subbullet #4, referencing use of a “manifest”---a manifest is not required. The correct term is “asbestos shipping papers”.
 7. Transportation vehicles must be placarded.
- vii. Page M- 28 Section 4.7 Unanticipated Discovery of Contamination Plan and Attachment M7.
1. The plan deals with management of contamination that is discovered during excavation activities for the pipeline and not contaminated wastes/materials generated by the actual construction of the pipelines and appurtenances.
 2. The report states that known hazardous waste sites within 0.25 miles of the project were identified (Table M7-A-1 and Figure 2.1-3, sheet 14 of 28 thru sheet 18-28). The sites identified are from NH DES Site Remediation and Groundwater Hazardous Inventory and include a wide range of sites that are known to currently have contamination or had contamination in the past. NH DES recommends that table and figure also include known asbestos disposal sites, particularly prevalent in the Nashua and Hudson area where there are numerous waste asbestos disposal sites associated with the former Johns Manville manufacturing plant.
 3. Several sites were identified relatively close to the pipeline. NH DES recommends a more detailed analysis of the proposed construction (e.g., depth of construction, need to dewater) near those sites and consideration be given to performing some pre-construction environmental assessment to better analyze whether any contaminated materials (wastes, soil or groundwater) would likely be encountered during the construction activities. And this would apply to the Nashua and Hudson area, where there are numerous asbestos disposal sites and it is common to encounter asbestos wastes during construction
 4. As mentioned in a comment above NH DES included link to a fact sheet outlining the requirements for reporting contamination (oil and hazardous waste).
 5. DES request more detailed information on the field screening procedures that will be used. Soil and groundwater with odors or discoloration should be sampled. Liquids other than water should be sampled. The field screening methods (such as photoionization detector (PID)) should be specified. DES also requests a list/table of analytes (e.g. VOC, SVOCs, RCRA metals, TPH, PCBs, pesticides etc.), with their respective analytical methods, that will be sampled should unanticipated/unknown contamination be discovered. DES recommends that the qualified professional doing the assessment and sampling of materials suspected of being contaminated be a professional engineer or professional geologist licensed in New Hampshire.
 6. If soil or groundwater contamination is detected above the standards contained in Env-Or 600 Contaminated Site Management Rules, the requirements of those rules shall apply to the investigation and remediation of the contamination.
 7. DES recommends the preparation of a materials management plan to deal with different categories of contaminated materials:
 - Materials that must be managed as a hazardous waste.
 - Contaminated groundwater (exceeds Ambient Groundwater Quality Standards (AGQS) encountered during pipeline construction. The options are off-site disposal at an approved

facility, temporary groundwater discharge permit, USEPA remediation general permit, treatment under an approved remedial action plan, and discharge to a wastewater treatment plant if allowed.

- Non-hazardous contaminated soil.
- Miscellaneous solid waste such as trash, mattresses, demolition debris.
- Mildly contaminated soil/urban fill such as soil that typically contains low concentrations of contaminants (e.g., metals and polyaromatic hydrocarbons) and meets the definition of “background” per Env-Or 602.03.
- TSCA regulated materials (PCBs).

3. Waste Management Division

1. Resource Report 2, 2.2.5 Contaminated Sediments, page 2-41. The report mentions that Figure 2.1-3 (sheets 14-18 of 28) depicts the location of known state and federal hazardous waste sites. It appears that it also includes other contaminated sites such as landfills, leaking underground storage tanks and sites listed as “remediation sites” on DES’ One Stop web page. The report does not evaluate in detail whether the anticipated construction may encounter contamination (soil, groundwater or wastes) associated with the sites. In some instances where the planned construction is near known contamination sites, pre-construction sampling and assessment may be prudent to determine if contaminated materials will be encountered and to develop to specific plans to manage the contaminated materials. There are numerous asbestos disposal sites in the Nashua-Hudson area that historically received wastes from the former Johns-Manville when it operated. DES suggests you add asbestos sites to Figure 2.1-3 to anticipate where asbestos may be encountered and require management during construction.

2. Resource Report 2, 2.1.1.4.3 Groundwater Quality, page 2-11. In the discussion of the Groundwater Protection Act RSA 485-C the reference to the Department of Safety “NHDOS” is not correct and should be deleted.

3. Resource Report 2, 2.1.1.4 Groundwater Hazards, page 2-12. DES recommends that Figure 2.1-3 and Table M7-A-1 include the location of known asbestos sites that may be near the proposed project. There are a number of asbestos disposal sites in the Nashua and Hudson area that received asbestos waste from the former Johns-Manville manufacturing plant.

1. Appendix M, Environmental Construction Plan for New Hampshire

2.

a. Page M-27, Section 4.3 Spill Prevention and Response Plan and Attachment M3 Spill Prevention And Response Plan

i. DES has a fact sheet on notification for spills and the discovery of contamination <http://des.nh.gov/organization/commissioner/pip/factsheets/rem/documents/rem-13.pdf> . The report should be updated to include the information in the fact sheet relative to reporting spills.

ii. Please provide a list of materials and quantities expected to be used during the construction of the pipeline such as fuels used for construction vehicles, hazardous wastes, hazardous substances and other chemicals.

iii. In the event of the spill/discharge of oil and/or hazardous wastes or substances the investigation and remediation must be conducted in compliance with Env-Or 600 Contaminated Site Management Rules. These rules contain soil and groundwater clean-up standards and the procedures to be followed to investigate and remediate contamination resulting from a spill or discharge of oil, hazardous waste/substances or other regulated release of contamination.

iv. Section 3.0 of Attachment 3. If any of the locations are a federal small quantity generator or large quantity generator of hazardous waste, New Hampshire law requires compliance with 40 CFR 265.50, Contingency Planning.

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 - TSCA regulated materials (PCBs).

4. Air Resources Division

Resource Report 9, Section 9.1.1.2, Table 9.1.7, p.9-7 shows air quality monitoring data, but does not specify the monitoring period from which these data were taken. The report should indicate the monitoring period for the data.

Resource Report 9, Attachment 9b -Emissions Calculations, Footnote 15, repeated on multiple pages throughout. Footnote 15 cites the 2007 IPCC report values for GHG emissions as Table 2.14 of Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the IPCC - CO₂ = 1, CH₄ = 25, N₂O = 298

This report was updated in 2013 and the value for CH₄ was increased to 34. This assessment uses 2013 report values in other places (e.g. Note 8 throughout uses NO₂ factors from a 2013 TCR protocol). The calculations should be updated to use 2013 IPCC values.

Resource Report 9, Section 9.1, p. 9-1: The report notes that detailed compressor station emissions are not yet available. NHDES may have additional comments once detailed compressor station emissions are available.

Resource Report 9, Section 9.1, p. 9-2: A new ozone NAAQS of 140 ug/m³ announced on 10/1/2015. This new NAAQS should be included in Table 9.1-1.

Resource Report 9, Section 9.1, p. 9-3: The report includes a presumptive conclusion that visibility will not be affected at Class I areas due to distance. Emissions of NO_x are cumulative in ammonium nitrate formation. This conclusion should be revisited with final emissions, considering all new NO_x sources.

Resource Report 9, Section 9.1.1.2, p. 9-7: Representative monitoring data for NH should use Londonderry data for CO, O₃, and SO₂. For PM_{2.5}, use Keene for Cheshire County and Londonderry for remaining portions of affected project area.

Resource Report 9, Section 9.1.1.2, p. 9-8: Currently, the only pollutant in nonattainment in NH is SO₂ (outside project areas as noted). Ozone is currently in attainment state-wide and in maintenance. This is expected to continue to be the case with the new ozone NAAQS. Table on Page 9-13 is correct.

Resource Report 9, Section 9.1.1.2, p. 9-8 & Section 9.1.2.5, p. 9-18: NH recently updated its nonattainment NSR program. The nonattainment NSR major source threshold for NO_x is now 100 tpy statewide. While NH is currently classified as attainment for ozone, it is part of the Northeast Ozone Transport Region (OTR). NH's presence in the OTR requires implementation of nonattainment NSR based on moderate ozone nonattainment thresholds. This is the source of the 100 tpy NO_x nonattainment threshold in NH. USEPA approved NH's updated program in September 2015 (see FR Vol 80 P 57722) <http://www.gpo.gov/fdsys/pkg/FR-2015-09-25/pdf/2015-23176.pdf>.

Resource Report 9, General comment: Cumulative in-state and upwind emissions of NO_x and PM_{2.5} are of air pollution transport concern for ozone and regional haze in the Northeast, especially during the summer ozone season.

Resource Report 9, Attachment 9b -Emissions Calculations, p. 71-93. NOTE 4 references use of The Climate Registry General Reporting Protocol as the source for the HAP emissions factors, but does not say which version of the protocol these factors are from. The most recent version of the protocol should be used and cited.

{map omitted}

20151016-5498

New Hampshire Natural Heritage Bureau
DRED - Division of Forests & Lands
172 Pembroke Road, Concord, NH 03301
(603) 271-2214

October 16, 2015

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

From: Amy Lamb, Ecological Information Specialist, NH Natural Heritage Bureau

**Subject: NH Natural Heritage Bureau comments regarding the second Draft
Environmental Report (dated July 24, 2015) for the Northeast Energy Direct
Project, FERC Docket No. PF14-22-000, Tennessee Gas Pipeline Company, L.L.C.**

The NH Natural Heritage Bureau (Division of Forests and Lands, Department of Resources and Economic Development) is the State entity which is responsible for enacting RSA 217-A, the New Hampshire Native Plant Protection Act of 1987. This Act gives the NH Natural Heritage Bureau (NHB) the ability to investigate and research the native plants and natural communities of New Hampshire, to propose legislation regarding the listing of plants as Endangered or Threatened, and to conserve and protect these resources through management and project environmental review.

NHB has reviewed the proposed Northeast Energy Direct natural gas pipeline project (FERC DOCKET NO. PF14-22-000), as filed in July, 2015, for impacts to rare plants and exemplary natural communities. Below, please find NHB's comments regarding this filing. Please note that all comments listed herein reflect only upon the content of the report itself, as well as our concerns regarding New Hampshire's natural resources, including but not limited to: threatened and endangered plants, exemplary natural communities and systems, and Stateowned lands. The numbers and headings listed below reference section headings as written in Resource Report 3, Appendix H, and Appendix M.

3.2 WILDLIFE RESOURCES

3.2.2 Significant or Sensitive Wildlife Species and Habitats

3.2.2.4 New Hampshire

- The Ponemah Bog Wildlife Sanctuary is the property that houses one of the exemplary Kettle Hole Bogs that is intersected by the Project corridor. This association is not noted in this section of the report text. Kettle hole bogs have a State rarity ranking of S2; ranks are on a scale of 1 to 5, with a 1 indicating critical imperilment, a 3 indicating that the species or natural community is uncommon, and a 5 indicating that the species or natural community is common and demonstrably secure. Kettle hole bogs are thus fairly rare, and the project should seek to avoid impacting these resources altogether. - As specified in a letter dated August 31, 2015, from William Carpenter, Administrator of the Lands Management Bureau of the Division of Forests and Lands, to Robert Varney of Normandeau Associates, Inc., permission has been granted for Normandeau to complete pedestrian surveys of natural and historical resources on DRED-managed State lands that are intersected by this project. No vehicle access is permitted on these lands.

3.3 VEGETATION

3.3.1 Existing Resources

3.3.1.4: New Hampshire

- Plant names are referenced inconsistently throughout the filing, beginning in this section. In some instances, Latin names of plants are used, while in other sections, only common names are referenced. Using both Latin and common names when first mentioning a plant would prevent confusion and provide consistency in nomenclature.

3.3.2 Vegetation Communities of Special Concern

3.3.2.4 New Hampshire

3.3.2.4.1: Natural Community Systems

- Drainage marsh-shrub swamp system erroneously named 'emergent marsh-shrub swamp system'. This system is located south of an existing ROW; impacts associated with ROW expansion should be located and/or shifted to the north to avoid impacting this resource.
- Moderate gradient Sandy-Cobbly Riverbank System: more information is needed about directional drilling to determine whether or not impacts are to be expected.
- Mapped portion of swamp white oak floodplain forest is outside of impact area; however, surveying is recommended where pipeline crosses associated wetlands
- Will the existing right-of-way be expanded where it crosses the exemplary red maple - sensitive fern swamp?

3.3.4 Measures to Avoid, Minimize, and Mitigate Impacts

3.3.4.1: Clearing

- As cited in the text regarding wetland boundaries, any exemplary natural community boundaries and rare plant population boundaries should be clearly marked prior to clearing so that Project personnel and inspectors will know where these sensitive environmental resources are located

and where specialized mitigation measures and techniques must be implemented.

- Timber mats should not be used on rare plants wherever possible. Timber mats should only be used on rare plant populations in certain circumstances, such as after seed-set and only on annuals or perennials with vigorous root systems. Consultation with NHB is needed to determine where timber mat usage is appropriate, and what alternatives are available.
- Data that is being supplied by NHB should be utilized for continued planning, design, and modification of the pipeline alignment.
- After rare plant and exemplary natural community surveys have been completed, a discussion between Kinder-Morgan, its consultants, and NHB is needed to review the locations of these resources and anticipated impacts, and to determine measures to avoid, minimize, and mitigate impacts. This discussion should include measures such as clearing by hand with chain saws in the vicinity of rare plants.

3.3.4.3: Cleanup/Restoration

- The text states that, “Once backfilling is complete, Tennessee will restore the original contours and drainage characteristics of the ROW to the extent practicable, with the exceptions of unnatural features and unstable grades.” In areas where wetlands are impacted, particularly exemplary natural communities and systems, more information is needed regarding how contours and drainage characteristics will be restored.
- Any seed mixes used to restore vegetation on disturbed areas within the NH portion of the corridor must have prior approval from NHB. Seed mixes should contain nonaggressive, native vegetation so that disturbed areas may be restored as close to their natural state as possible.
- Whenever possible, disturbed areas should be allowed to revegetate naturally, especially in the vicinity of rare plants.
- Any mulch used should be free of weed seeds. Mulch should not be used in the vicinity of rare plants unless the area is prone to erosion and weather conditions necessitate its use.

3.4 ENDANGERED AND THREATENED SPECIES

3.4.1 Existing Resources

3.4.1.1 Federal-Protected Species

- A recently discovered (October 2014) population of a federally-listed threatened plant species, *Isotria medeoloides* (small whorled pogonia), occurs within 1 mile of the project centerline. The plant is located in the vicinity of the proposed lateral that extends from Mason, NH into Massachusetts. Rare plant surveys should include this plant, and consultation with the US Fish & Wildlife Service is required. Refer to the U.S. Fish & Wildlife Service’s IPaC website for habitat information, and contact Maria Tur of the New England Field Office at 603-223-2541, extension 12.

3.4.1.5 New Hampshire State-Listed Species

Table 3.4-6: State-Listed Species Potentially Occurring in the Vicinity of the Project in New Hampshire

- The State rarity status of waxy-leaved meadow-rue (*Thalictrum revolutum*) was previously listed as “indeterminate”. However, the species is now tracked in NH as state endangered.
- Please note the following suggested edits to the preferred habitats of the following species:
 - o Meadow garlic (*Allium canadense*) - various floodplain forests, riverside outcrops, enriched terraces
 - o Round-leaved trailing tick-trefoil (*Desmodium rotundifolium*) – Dry to dry-mesic forests and woodlands, commonly associated with rocky slopes

- o Northern blazing Star (*Liatris novae-angliae*) - fire-influenced landscapes (grasslands, heathlands, barrens, sandplains), as well as dry, open managed areas, dry river bluffs, gravelly slopes, and railroad beds associated with these areas
 - o Early crowfoot (*Ranunculus fascicularis*) – Rocky forests and woodlands, especially in oak forests, thin tills, often associated with circumneutral to highpH bedrock
 - o Licorice goldenrod (*Solidago odora*) – Dry, open woods, especially oak, oak-pine, and oak-hickory communities on till soils; can also be found in open right of way areas
 - o Late purple American-aster (*Symphotrichum patens*) – dry open woods, dry meadows or fields
 - o Waxy-leaved meadow-rue (*Thalictrum revolutum*) – dry forests, ridges, talus slopes, and ledges, and open or disturbed areas including meadows, fields, and rights-of-way
 - o Bashful clubsedge (*Trichophorum planifolium*) – Dry-mesic to mesic forests and woodlands (often rocky), usually with oak
 - o Perfoliate bellwort (*Uvularia perfoliata*) – Dry-mesic to mesic deciduous forests, moist rocky woodlands, and open woods and clearings
 - o Palmate violet (*Viola palmata*) – open woods, meadows, fields, and talus or rocky slopes, disturbed areas
 - o Bird-foot violet (*Viola pedata*) – similar habitat to palmate violet (*Viola palmata*): open woods, meadows, fields, and talus or rocky slopes, disturbed areas
- Survey areas for rare plants and exemplary natural communities and systems should include all potential areas of impact, including but not limited to: the proposed pipeline footprint and associated excavation areas, existing and proposed rights-of-way (ie., tree clearing areas), access roads, compressor stations and other facilities, and all associated staging areas.

3.4.2: Construction and Operation Impacts and Measures to Avoid, Minimize, and Mitigate Impacts

- As noted above, any seed mixes used for Erosion Control Practices should be approved by NHB prior to construction, and should consist of native, non-aggressive species. Any sensitive areas (rare plants and natural communities) that are impacted should be allowed to revegetate naturally, whenever possible.

3.4.2.2 State-Listed Species

3.4.2.2.4 New Hampshire State-Listed Species

- Under NH law, NHB develops and implements measures for the protection, conservation, enhancement and management of native New Hampshire plants (RSA 217-A:3XII). The NH Fish and Game Department assists in the protection of species of wildlife which are determined to be threatened or endangered (RSA 212-A). Please contact the Nongame and Endangered Wildlife program in NHFG regarding state listed wildlife species.

Table 3.4-8: Locations and Timing of Pending Species Specific Biological Surveys Associated With the Project

- In New Hampshire, Ecological Systems and Natural Communities are ranked according to rarity within the state and globally. Ranks are on a scale of 1 to 5, with a 1 indicating critical imperilment, a 3 indicating that the species or natural community is uncommon, and a 5 indicating that the species or natural community is common and demonstrably secure. For the purposes of the FERC Environmental Report, only the state rankings are applicable. The state rankings for the three exemplary ecological systems and four exemplary natural communities should be listed as follows under the “Status” column of Table 3.4-8:

- o drainage marsh - shrub swamp system S5

- o kettle hole bog system S2
- o moderate-gradient sandy-cobbly riverbank system S3
- o mixed pine - red oak woodland S1/S2
- o red maple - sensitive fern swamp S3/S4
- o silver maple - false nettle - sensitive fern floodplain forest S2
- o swamp white oak floodplain forest S1
- NHB suggests the following edits to the proposed survey times for state listed rare plant species present within the project area:
 - o *Allium canadense*: Late May to mid-July would be a more appropriate search time frame. If survey is done too early in May, the plant might not have emerged.
 - o *Solidago odora* – August-September or even July would capture this plant in flower, but October might be too late as the plant would be senescing.
 - o *Thalictrum revolutum* – Surveys are requested as this is now a state endangered plant. The proposed June – July timing is appropriate.

3.5 CUMULATIVE IMPACTS TO FISH, WILDLIFE, AND VEGETATION

3.5.2 Cumulative Impacts Evaluation

- Exemplary natural communities, by their nature, are either a rare type of community, or are high-quality examples of a common community type. Thus, any impacts to these communities (direct or indirect), including but not limited to buffer disturbance, community conversion or partial loss, increased human presence, and increased access could be considered major, permanent impacts (as opposed to the minor cumulative effects listed in this section.) Similarly, any permanent conversion of previously conserved land undermines the integrity and the protection afforded these parcels, and could make inroads for further conversion and development.
- A complete inventory of the existing right-of-way areas and the forested areas that will be converted to right-of-way has never been conducted. Unless thorough surveys for rare plants are completed throughout the entire corridor, accurate pre-existing conditions are not known and it cannot be assumed that impacts resulting from this and other projects will be inconsequential.
- Many rare plants occur within utility rights-of-way because this maintained early successional habitat type is not common in New Hampshire. Any direct impacts to known rare plant populations existing within the corridor should not be considered minor due to “abundance of comparable habitat in the area,” as rare plants often need specialized conditions and lack of competing overstory species to establish. These conditions are not frequently found in New Hampshire, which is why these plants continue to be rare.
- All efforts should be made to ensure that rare plants and natural communities within the project area are identified and avoided to the extent possible. Tennessee Gas Pipeline, LLC should seek to find alternative routes that have as few rare species and exemplary natural communities as possible. Any species that are identified should be protected; relocating species or spreading seed have a high rate of failure, and avoiding impacts to rare plants is always preferable to attempting to restore disturbed populations.
- Any and all erosion control and revegetation practices that will be employed in NH should be reviewed with NHB. Disturbed areas should be allowed to revegetate naturally whenever possible to prevent introduction of non-native, exotic, aggressive, and/or invasive species. In rare plant areas, allowing natural revegetation is particularly important, as fast-growing species used for stabilization can often out-compete rare plants. If a seed mix must be used, it should be comprised of native seed, used only where appropriate, and should be approved by NHB prior to its use. Areas that are allowed to revegetate naturally should be monitored and any invasive vegetation should be controlled, in a man-

ner approved by NHB, as vegetation is re-established.

- In rare plant areas, special care should be taken to not spread invasive plant species.

Appendix H

Part 1

II. SUPERVISION AND INSPECTION

B. RESPONSIBILITIES OF ENVIRONMENTAL INSPECTORS

- It is not listed explicitly, but it should be known that Environmental Inspectors are responsible for ensuring the protection of rare plants and exemplary natural communities. All of these areas should be properly demarcated, and Best Management Practices relating to rare plants and exemplary natural communities and systems should be implemented, as agreed upon through consultation with the NHB, prior to, during, and after construction.

III. PRECONSTRUCTION PLANNING

A. CONSTRUCTION WORK AREAS

- Item number 2 states that “Project sponsors are encouraged to consider expanding any required cultural resources and endangered species surveys in anticipation of the need for activities outside of authorized work areas.” Threatened and endangered plant and exemplary natural community survey areas should be determined in conjunction with NHB. Areas to be surveyed should include all potential rare plant habitats and potential exemplary natural communities and systems, proposed access roads, and all areas where compressor stations and other structures will be constructed.

F. AGENCY COORDINATION

- Item number 1 states that the project sponsor must “Obtain written recommendations from the local soil conservation authorities or land management agencies regarding permanent erosion control and revegetation specifications.” NHB should be included among the ‘land management agencies’ and should provide input regarding revegetation practices as they relate to rare species and exemplary natural communities and systems.

IV. INSTALLATION

A. APPROVED AREAS OF DISTURBANCE

- NHB should be notified when any work areas will be expanded beyond previously determined rights-of-way, so that we may evaluate potential impacts to rare species and exemplary natural communities and systems.

B. TOPSOIL SEGREGATION

- In areas where rare plants occur, topsoil should not be stripped. Instead, Tennessee Gas Pipeline Company, LLC should coordinate with NHB to determine the appropriate measures for handling soils and vegetation in locations where rare plants could be impacted.

F. TEMPORARY EROSION CONTROL

- Temporary erosion control measures and structures should not be installed in areas where rare plants occur such that the plants would be negatively impacted.
- Use of mulch in rare plant areas and in the vicinity of exemplary natural communities and systems should be reviewed by NHB. Mulch should be free of seeds and weeds to prevent adverse impacts to vegetation.

V. RESTORATION

- Sensitive vegetation areas should not be plowed.
- Rare plant and exemplary natural community areas should be allowed to revegetate naturally. Fertilizers and pH balancers should not be used in rare plant/exemplary natural community areas because

they often have unique soil requirements.

- Restoration practices in rare plant/exemplary natural community areas should be discussed with NHB prior to construction.

VII. POST-CONSTRUCTION ACTIVITIES AND REPORTING

A. MONITORING AND MAINTENANCE

- Any rare plant mitigation areas should be monitored for a minimum of 3 years, and monitoring specifications should be developed in consultation with NHB.
- Routine maintenance activities should be reviewed by NHB to prevent further impacts to sensitive vegetation areas.

Part 2

V. WATERBODY CROSSINGS

- Any water body crossings that occur through exemplary natural communities or systems should be reviewed by NHB prior to construction.
- Directional drilling beneath exemplary natural communities or systems (and other sensitive areas) is the preferred crossing method.
- Any restoration in exemplary natural communities or systems should be reviewed by NHB prior to construction.

VI. WETLAND CROSSINGS

- Extra work areas and access roads should be located 100' from exemplary natural communities or systems wherever possible.
- The text states, "The project sponsor can burn woody debris in wetlands, if approved by the COE and in accordance with state and local regulations, ensuring that all remaining woody debris is removed for disposal." Please clarify what is meant by this statement.

Appendix M

ATTACHMENT M9-B

INVASIVE SPECIES FACT SHEETS – NEW HAMPSHIRE

(To be submitted in the final ER)

- A plan detailing procedures related to invasive species management should be developed and submitted to NHB for review prior to construction.

In summary, the New Hampshire Natural Heritage Bureau requests ongoing involvement with this project, as any changes in the project footprint occur and if the project progresses through permitting. It is NHB's mission to conserve, protect, and study the rare plants and exemplary natural systems and communities of New Hampshire. Through our continued involvement in this process, we will ensure that impacts to these resources will be avoided, minimized, and mitigated to the fullest extent possible. We appreciate the opportunity to comment.

20151016-5499

Ernest Andre Kirslis

The Calhoun Pasture, 220 Goddard Road, Rindge, New Hampshire
(Mailing address: P.O. Box 6, Central Village, Connecticut 06332)

October 15, 2015

Kimberly D. Bose, Secretary
Federal Regulatory Energy Commission

Dear Secretary Bose:

On April 10, 2015 I wrote to you and the Commission regarding the NED Project and some of the concerns I have as a landowner with property I own in Rindge, New Hampshire. This separate letter is now, in addition, being sent to you to make certain requests and express additional comments and concerns during the scoping process for your consideration in preparation of the EIS.

1) SECTION 106 REVIEW

I understand the FERC is responsible for initiating Section 106 review regarding TGP's NED Project. This process includes gathering information on properties that may be affected by the project "that are listed, or are eligible for listing in the National Register of Historic Places." As you may be aware I also sent a copy of the above mentioned April 10 letter to Elizabeth Muzzey, Director of the New Hampshire Division of Historical Resources "NHDHR", and State Historical Preservation Officer "SHPO". In that letter, among other things, I drew attention to a number of adverse effects of the NED Project pipeline's current design path crossing the historically significant land parcel I own, the Calhoun Pasture, in Rindge, NH. I also proposed an alternative path that reduced or eliminated those effects should the pipeline project be ultimately approved. In addition, I provided specific documentation to Director Muzzey's office in hopes of their advocacy on my behalf for consideration during Section 106 review of the National Historic Preservation Act.

Normally, the NHDHR, as a state agency, through the SHPO consults with the FERC and other agencies during Section 106 review. After further discussion with Director Muzzey's office however, specifically with Ms. Edna Feighner the Review and Compliance Coordinator and Historical Archaeologist, I was advised by her to request consulting party status for myself directly to you under Section 106 of the National Historic Preservation Act. In addition it was suggested I also provide additional information already sent to Director Muzzey's office, due to the complexity of information related to my property, with Section 106 review, directly to FERC and Kinder Morgan's cultural resource consultants. To that end please note that I am hereby requesting consulting party status under Section 106 of the National Historic Preservation Act as an affected landowner regarding the NED Project and my Rindge, NH property. Despite myself having legal and economic interests in the project as an affected land owner, there is obviously no guarantee whether I would normally be granted consulting party status by the FERC. Furthermore if I was denied such status by you, I would then have to ask the Advisory Council on Historic Preservation to review the denial, and make recommendations to the FERC regarding my participation. Kindly note that my request to you is also at the recommendation of the NHDHR.

In consideration for consulting party status please note the rarity and historic significance of the Calhoun Pasture, its characteristics and features, as truly representative of working farm properties typical of America's colonial and agricultural past. It is on an unpaved road and in a visually pristine setting unto itself. In particular the importance of its "setting" or its physical environment, character if you will, as well as a 'feeling' or the expression of its aesthetic or historic sense of the past is unique and worthy of preservation. Visually, removal of its northern stands of pines in the targeted path of the pipeline through it would destroy this completely. It would also effect the property's capacity to operate as a farm properly in the same way without this physical windbreak. In addition, how its features and their relationships should be examined however not only within the exact boundaries of the property, but also between the property and its surroundings is important. This is particularly important for properties in agriculturally zoned districts, and involves not just where, but how, a property is situated and its relationship to it surrounding features and open space.

For over two centuries the Calhoun Pasture has been kept an un-subdivided parcel of land that is specifically and completely stone wall enclosed and preserved as such. My family has maintained this preservation in our ownership for more than the last fifty years. In addition to it possessing the aforementioned stone walls, even noted "as the walls now stand" in its deed description currently, it is also important to note two of the property's boundary walls are in fact 'lot' and 'range' walls from the time when it was even more notably a

parcel in a corner of “lot 10 in the 4th range”. Its namesake owner, the Rev. Andrew Calhoun purchased it from the Platts family (John Varnum Platts a descendant of Able Platts) whose ownership of it traces directly back to the very ‘father of the Town’ of Rindge, Captain Abel Platts (b. 1704 – d. 1777), credited as being the town’s first settler. (See Enclosure F). In addition, one of the families that owned and worked the property from an era of agricultural splendor, and lived during the time of our colonial historic past was Rindge’s noted Hubbard family. Specifically, Hezekiah Hubbard (b. 1757-d. 1822), a highly respected citizen and Revolutionary War soldier who is noted by name in Ezra S. Stearns’, History of the Town of Rindge, New Hampshire (Boston: Press of George H. Ellie, 1875; 136-139) (See Enclosure A – it is an astounding account of the times and the lives of the men of Rindge and specifically the experiences of one of the Calhoun Pasture’s past owners, Hezekiah Hubbard during the late 1700’s) and later Deacon of the Congregational Church, as well as his eldest son, Otis Hubbard. Each of these gentlemen were among Rindge’s most highly respected citizens in each era with Otis Hubbard the individual who bequeathed the money, in trust to the town, for a clock in the late 1800’s (See Enclosure E, Page 1 of 2, Seventh provision). To this day that clock, with a dial on each side of the town’s Second Meeting House’s spire graces it. The town’s meeting house, coincidentally also one of the largest meeting houses in New England, is on the National Register of Historic Places. This is but one example of the relationship the Calhoun Pasture has as a part of the town’s history. If historic connections and relationships aren’t preserved, they are in time forgotten and lost forever. The wealth of the Hubbard family allowed them to continue to actively work and use the Calhoun Pasture, further building its stone walls to such a degree that boulders exceeding five feet in length pulled by oxen have been built into it in places and routinely, sections of its walls measure over four feet in width and two feet or more above grade. (See Enclosure G) The Hubbard family also had the Calhoun Pasture name added into the property deed description even long after, decades after, Hezekiah purchased it from its namesake owner during the Hubbard family’s ownership of it from 1821 to 1895. Typically, land parcels are simply renamed by subsequent families, for a variety of reasons including the relationship between Rev. Calhoun and Deacon Hezekiah Hubbard, this was deliberately not the case. In part it was due to a sense of respect for the history of the land and commitment made to preservation of the cultural and agricultural lifestyle from the era. Kindly note the following:

- 1) I am the owner of Rindge’s historic “Calhoun Pasture” so named in its deed to this day.
- 2) For a site to receive historic preservation consideration under Section 106 review it needs to meet the standards of eligibility for listing in the National Register of Historic Places which it does due to many factors including its unique historic significance.
- 3) The site and land parcel is associated with the lives of specific persons from the colonial era through the late 19th century in Rindge’s, even the state and our country’s history, and events that have made a significant contribution to patterns of history. The Rev. Andrew Calhoun, Revolutionary War private and Deacon Hezekiah Hubbard, his son were all owners of it with Otis and other Hubbard family members actively working the property throughout the 1800’s.
- 4) The parcel embodies distinctive characteristics unique to American agricultural and cultural history. It is even specifically referenced and named in town records and annual reports related to its agricultural function throughout the 1800’s.

Agriculture has long been an integral and vital part of the social, economic, and cultural fabric of New Hampshire. Farmers have been producing crops from New Hampshire soil for more than 375 years. As important as agriculture is, it faces significant challenges from the increasing pressure of growth and development. Its site possesses value worthy of protection because it is representative of the colonial and post-colonial agrarian lifestyle of New England. It has maintained the integrity of location and site, and its setting and feeling physically as well as visually with the exception of the scar across the rural landscape of the area from the electric utility corridor and transmission power lines, which it should not be further exposed to.

The NED Project and pipeline if approved and constructed on or near my property will adversely affect and

negatively alter characteristics that qualify my property, Rindge's historic Calhoun Pasture, for inclusion in the National Register in a manner that would diminish the integrity of the property. Specifically its integrity as a historically intact agricultural property and its ability to convey its significance based on its location, setting, feeling, and association would be permanently destroyed. The property's ongoing careful development committed to its continued preservation as an agricultural property and consistent zoning use as a working farm would be undermined and utterly ruined. The NED Project will:

- 1) In its present path permanently bisect the Calhoun Pasture itself.
- 2) Permanently eliminate agriculturally zoned land from the future use consistent with its USDA identified soil type for uses as described in my previous April 10, 2015 letter on file with the FERC and also sent to Tennessee Gas Pipeline, LLC.
- 3) Needlessly further and permanently expose the property visually and physically to the adjacent eyesore and scar across the landscape of the 345kV power transmission lines destroying its location, setting, feeling, and association within the rural landscape

The Calhoun Pasture, represents a direct nexus to very specific and significant facets of the Town of Rindge's, the State of New Hampshire's, and our country's colonial and post-colonial agricultural culture and history. To receive historic preservation consideration under Section 106 review it needs to meet the standards of eligibility for listing in the National Register of Historic Places which it does due to many factors including its unique historic significance.

The National Historic Preservation Act of 1966 was enacted by Congress to preserve the historical and cultural foundations of the nation as a living part of community life. I ask you kindly consider your ability to recognize that in this case preservation of this property involves little more than requiring TGP to respect this living part of the town's heritage being developed as an organic farm. I ask you mandate, should the NED Project be approved, the pipeline be instead constructed on the adjacent four acre land tract which possesses none of the attributes of the Calhoun Pasture and as already land owner by another energy infrastructure entity and is a far more appropriate location for it.

Lastly, kindly note although none of the enclosures are copies of certified copies of deeds as recorded in the Registry in Keene, NH, or documents held at the State's archives in Concord, NH, the information contained herein is easily subject to verification and if necessary during Section 106 review I am able to provide such if requested for further consideration.

2) PRESERVATION OF HISTORIC STONE WALLS

The Calhoun Pasture's walls are an important part of its history. The TGP pipeline through it and disruption of its stone walls would permanently destroy its stone walls and their appearance over a length under their current permanent and proposed easements of over 480 feet in length; 372 feet on its northern boundary, and 110 feet in length on its eastern boundary. The rebuilding of an historic wall changes when it must be entirely removed and reconstructed alters the appearance of it and its stones. The majority of the walls possess bases four feet in width and wider. Boulders that are landmarks, pulled into them by oxen from yesteryear are at times over four feet in length. Moving such stones by modern mechanical methods will deface and scar them destroying their appearance. They have aged with lichen, moss, and weathering that are a part of their character that once disturbed takes decades if not centuries to return to the same state. The colonial stone walls in New England are some of the most important and beautiful walls ever built. It is absolutely impossible to demolish the walls on the Calhoun Pasture and rebuild them without destroying the character of the property. For examples, please refer to enclosed imagery. (See enclosure G)

3) RIPARIAN BUFFER ZONE

The Calhoun Pasture possesses two significant wetlands. More importantly, they, and a much larger adjacent wetland south on another land parcel are fed by a riparian buffer zone that is vital for seasonal streams and vernal pools. This riparian zone extends through the targeted NED Project path of the Calhoun Pasture and

starts on the four acre land parcel north of the Calhoun Pasture. TGP has failed to indicate this area on their existing maps. Kindly refer to the attached images regarding an area that if disturbed will severely impact the health of the aquatic ecosystem of these wetlands. In particular, the topography of the spur at an elevation of approximately 1200 feet on my property declines toward the property's saddleback wetland. Polluted runoff will head through that buffer zone damaging it and the wetlands if the pipeline is constructed in its current part. An enormous amount of water seasonally runs across this area and disturbing the soil structure will affect that runoff drastically. I must request formally here during the scoping period that a study be conducted to identify the size of this area, and determine the environmental impact. Merely even moving the pipeline construction path off the Calhoun Pasture may not be adequate to eliminate the adverse impact. Kindly consider a comprehensive study of this area.

4) DRIVEWAY IMPACT.

Kindly consider TGP has proposed the pipeline route and adjacent temporary easement area which would adversely impact the property as completely obliterating the driveway access to Goddard for the property. Kindly consider require this area not being affected and the pipeline not allowed to destroy it. (See Enclosure I).

Thank You,

Ernest A. Kirslis

Cc: Tennessee Gas Pipeline, LLC

Elizabeth Muzzey, Director, New Hampshire Division of Historical Resources, and State
Historical Preservation Officer

Encl. Enclosure A – 4 Pages. Account narrative from the History of the Town of Rindge.

Enclosure B – 1 Page. Copy of Deed from Andrew Calhoun to Hezekiah Hubbard.

Enclosure C – 1 Page. Copy of Deed, Calhoun Pasture, 1850.

Enclosure D – 1 Page. First page of the Inventory, probate file of Hezekiah Hubbard. Enclosure E – 2
Pages. Will of Otis Hubbard.

Enclosure F – 2 Pages. Miscellaneous ancestry information.

Enclosure G – 3 Pages. Images of the Calhoun Pasture's northern boundary walls

Enclosure H – 4 Pages. Calhoun Pasture Riparian Buffer Zone Area Images.

Enclosure I – Calhoun Pasture North Driveway on Goddard Road.

{ 20 pages of enclosures omitted }

20151016-5510

To FERC committee,

This is in reference to the natural gas pipeline which has been proposed to be dug in southern New Hampshire starting in January 2017.

I have two requests of the committee. First, I would like to see a study conducted which would estimate the effect on the value of properties close to the pipeline but which will not be purchased by the government and/or the private company constructing the pipeline. If it is found that the property values will be significantly impacted in a negative way, I would like to know if FERC intends to have the owners of the properties compensated by the government and/or the private company constructing the pipeline for the loss in value.

Second, I would like to see a study conducted which would investigate the impact of a natural gas compressor station on the health of children attending a school that is located less than a mile from the station. My understanding is that the current proposal would build a compressor station less than one mile from the elementary school in my town, Temple, NH. If the study finds that it would be unhealthy or unsafe for the

children to have the compressor station built at this distance, would the government and/or the private company building the compressor station be responsible for compensating the school district for relocating the children and for having one of its buildings rendered unuseable?

Thank you.

Sincerely,

Bruce Stockwell
39 Flander Lane
Temple, NH 03084

20151019-0006

Hand written letter, 3 page, Catherine W, PO Box 447, New Ipswich, NH 03071: opposing

20151019-0007

CHRIS GIBSON
19th District, New York

**Congress of the United States
House of Representatives**

October 15, 2015

Norman C. Bay, Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Dear Chairman Bay:

Before the formal comment period closes for Docket No. PF14-22-000, the Northeast Energy Direct pipeline proposed by the company Kinder Morgan, I want to reiterate my position on this project.

I support expanding access to a broad range of energy resources, including the modernization and improvement of infrastructure to move these resources. Expanded access will lower energy costs for my constituents, create jobs, and improve our energy security. However, I have significant concerns with this proposed project for a variety of reasons and, therefore, I do not support the proposal in its current form.

Based on my many conversations with concerned residents across the 19th District, my reservations focus on public safety and potential environmental and economic impacts. It's vital that we make improvements to our infrastructure with tremendous care and maximum input from local residents. Unfortunately, Kinder Morgan has not provided adequate information about its plans, as outlined in an October 8, 2015 news article in *The Recorder*). Neighbors of this pipeline have many questions, and those questions should be answered by the applicant in a public forum.

It is important that the process by which this proposal moves forward is transparent and proves the safety of the project. In addition, there should be substantial risk mitigation planning and the process should engage and be responsive to local concerns. The project should also provide significant local benefit, especially given potential financial burdens from decreased property value. 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. Furthermore, 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.

I concur with the concerns of many of my constituents and also believe that the industrial compressor station, if the proposal is approved, should not be located in a residential area. Just because an area is rural, the lives of its residents do not matter any less than those in a more densely populated area.

I believe it is important that, as an elected representative, I listen to all of my constituencies and advocate for what is best for our communities. The current proposal will not provide a long term benefit to these communities and I will continue my advocacy [0 ensure our communities and constituents have a seat at the table.

If you have any questions, please do not hesitate to contact me or my staff at my Kinderhook District Office at 518-MO-8133 or by mail to »0 Box 775, Kinderhook, NY 12106.

Sincerely,

Chris Gibson
Member of Congress

1 <http://www.recorder.com/news/18946139-9 S/ferc-seeks- missing-gas-pipeline-details>

20151019-0008

Storrs Friends Meeting
57 Hunting Lodge Ter
Storrs, CT 06268

October 1, 2015

Norman C. Bay, Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Dear Norman Bay,

At our September 27 Meeting for Worship with Attention to Business, Storrs Friends Meeting unified in approval of a minute to support Woolman Hill, the Quaker Retreat Center in Deerfield, MA, in its opposition to the Tennessee Gas Pipeline proposed to run through retreat center property. As members of the Religious Society of Friends (Quakers) in Storrs, CT, we are part of the wider community of Quakers who contribute to Woolman Hill, and cherish the tranquil setting it provides for Friends to gather in worship, for workshops, for youth programs, and other Quaker events. We also contribute to the center to support its continued availability as a uniquely valuable site for local community gatherings, including retreats, conferences, and weddings.

We urge you to read the public statement written by the Board of Directors of Woolman Hill (attached) and to join us in opposing the proposed gas pipeline.

Thank you for your consideration.

Anna Andrews,
Clerk, Storrs Friends Meeting

Cc: Margaret Cooley, Woolman Hill Executive Director
Patricia Wallace, Clerk, Connecticut Valley Quarterly Meeting

PUBLIC STATEMENT REGARDING THE PROPOSED TENNESSEE GAS PIPELINE

Woolman Hill Quaker Retreat Center joins with other communities, organizations and individuals in opposing the proposed Tennessee Gas Pipeline through Massachusetts and New Hampshire, and in calling for sustainable solutions to energy needs.

In addition to significant concerns about the danger, environmental destruction and economic disturbance posed to Woolman Hill by the pipeline's proposed route across our land, we carry equal concern for the broader implications of the pipeline's regional and global impact. We have found no convincing demonstration that New England needs more natural gas pipelines for its residences, businesses, or power plants. Tennessee Gas has not denied that a large portion of the gas to be transported through the pipeline is for export

to foreign countries. Exporting fossil fuels depletes a finite resource, increases dependent on non-renewable energy elsewhere in the world, and contributes to greenhouse gas emission levels that further damage the earth's ability to support humans and other animal and plant species.

Situated on the beautiful Pocumtuck ridge in Deerfield, our retreat center emphasizes the importance of reflection, spiritual engagement, and connection with nature. We provide simple, comfortable facilities for individual retreats, group gatherings and programs that nurture spiritual growth and foster peacemaking, simplicity, integrity, social responsibility, and stewardship of the earth.

Beginning with Antoinette Spruyt's original intent to "further the causes of peace and brotherhood in the world" when she donated the land to Quakers in the 1950s, Woolman Hill has a long history of advocacy and witness in western Massachusetts and beyond. It has served as the locus of peace conferences, international youth work camps, an alternative school, the birthplace of Traprock Peace Center, the home of war tax resisters Juanita and Wally Nelson, and innumerable spiritual and social justice events.

Consistent with Woolman Hill's purpose and its Quaker values, we encourage lifestyles that reduce dependence on non-renewable energy and minimize negative impact on the earth. We acknowledge that fossil fuel and climate change issues are very complex, and that at this point in time we ourselves are often complicit with unsustainable environmental, economic, political and social systems. We grieve the destruction of the natural environment and of vulnerable communities due to human disregard for finite resources and for the sanctity of all life. We support the development of renewable and responsible energy systems which will allow us all to live sustainably on the earth.

We call on our local, state, and federal officials to promote sustainable energy use, to protect public conservation land and private landowners' rights, and to make decisions that prioritize the well-being of our natural environment and of future generations. We call on them to prevent the construction of the Tennessee Gas pipeline. May we all work towards furthering the causes of peace and kinship in the world.

Woolman Hill Board of Directors:

Virginia Barker, Boscawen NH

Peter Bishop, Leeds MA

Kathryn Cranford, Laconia NH

Maureen Flannery, Nonhampton MA

Patricia Higgins, Hanover NH

Dan Hoskins, Brattleboro VT

Tom Hoskins, Putney VT

Mary Link, Ashfield MA

Greg Melville, Cheshire CT

Suzette Snow-Cobb, Turners Falls MA

Pat Wallace, Contoocook NH

Honor Woodm, Jamaica Plain MA

Woolman Hill Executive Director:

Margaret Cooley, Greenfield MA

May 2015

20151019-0009

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20420

October 15, 2015

OFFICE OF THE CHAIRMAN

The Honorable Seth Moulton

U.S. House of Representatives

Washington, DC 20515

Dear Congressman Moulton:

Thank you for your September 10, 2015, letter regarding Tennessee Gas Pipeline Company's proposed Northeast Energy Direct Project (No. PF 14-22-000).

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. Pursuant to the Notice, Commission staff has conducted 14 public scoping meetings for the Northeast Energy Direct Project. The meeting locations were selected to be convenient for the greatest number of people who might be interested in the project. One of these locations was in Dracut, Massachusetts, at the start of the Lynnfield Lateral which runs about 16 miles through Middlesex and Essex Counties and terminates in Lynnfield, Massachusetts.

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 Commission's attention. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at public meetings. In addition, we accept and will address comments made after the end of the extended scoping comment period on October 16, 2015. 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 planned project.

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

20151019-0011

Steven and Niki McGettigan
PO Box 101
Temple, New Hampshire 03084

October 14, 2015

Mr. Norman C. Bay, Commissioner
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Project Docket Number PF14-22000

Dear Chairman Bay:

We are writing to you regarding the Northeast Energy Direct (NED) pipeline being proposed by Kinder Morgan/Tennessee Gas Pipeline.

We are extremely concerned that FERC approval process is rigged in favor of the oil and gas companies that fund the commission. FERC has apparently only denied one pipeline project, ever. Citizens in New Hampshire alone have put in thousands of hours over the past months educating themselves and writing and speaking to FERC about the negative health, financial, and environmental problems this project would create. But, with a track record of approving almost all past pipeline projects, history demonstrates that FERC doesn't in all honesty weigh both sides equally. We fear that FERC will not give any real credence to these public comments during its hearings. KM/TGP have submitted incomplete plans filled with "To Be

Determined” information, yet the public comment period will close before we learn what those new TBD points will be. How is this process fair and impartial?

New Hampshire citizens are extremely frustrated with the ongoing dishonesty of Kinder Morgan/TGP officials who continue to smile and tell us that we have nothing to be concerned about, hoping we will eventually believe them if they repeat it enough. We are concerned that almost all the fracked gas this pipeline would carry would never be used in New Hampshire, but would instead be exported to Canada where it would be converted into Liquid Natural Gas and exported to European and Asian buyers at higher prices.

Yet, company officials claim there is a shortage of supply here and that our electric bills will be lower. It makes no economic sense to us that if there is a smaller supply of fracked gas remaining after having exported most of it, that the companies will sell it to us at a lower price, or that our electric rates will be lower once we start paying an additional new tariff to cover KM/TGP’s costs for building this pipeline. Why aren’t they paying for their project? New Hampshire is already a net exporter of electricity to the rest of New England and our state currently has several environmentally sound energy proposals on the table for hydro, wind, and solar with virtually none of the frightening long term health and environmental issues the KM/TPG fracked gas pipeline would bring.

We are extremely concerned about the noise and health hazards that the proposed 40,000 to 80,000 horsepower compressor station would bring to our particular area. This compressor station would regularly blow off poisonous gas and toxic carcinogens into the air, as within shouting distance to our elementary school, hazardous emissions that never have to be disclosed to the public by the company. The company officials just tell us they are highly regulated and that even though they have never built a compressor station this large, they know the compressors really won’t produce that much noise and that the emissions during daily operations and blow-offs are really nothing for us to worry about. We wonder why the company will have no personnel working on-site if it’s so safe. If a major explosion or disaster occurs, how long will it take for the company to first realize it and then to send response crews from Texas’

It’s incredulous that in America five FERC commissioners have the power to allow a for-profit company to take over hundreds of both longtime family owned and publicly conserved properties using the eminent domain process that was once strictly reserved for truly public sector projects such as interstate highways. After our state and communities have worked for decades to protect environmentally fragile lands for perpetuity, how can just five people have the power to approve a project that will forever negatively impact our lives, property, and environment all for the purpose of steering billions of dollars of profit to corporations whose leaders have repeatedly shown us they have no intentions of doing “what’s right”?

We respectfully ask that you, Chairman Bay, and each commissioner of FERC conduct this project review with the utmost integrity, honesty, understanding, and empathy for those of us who do not have deep corporate pockets, but who have instead, put our hearts and souls into doing “what’s right” raising our families and bettering our communities in this beautiful unspoiled part of America. We are the people who will be forever negatively affected by this project.

Respectfully,

Steven and Niki McGettigan

20151019-0013

{ duplicate copy of 20151016-5402 above }

20151019-0014

{ duplicate copy of 20151015-5180 above }

20151019-0016

Hand written letter, Ann S. ?/ Harriet St?, 12 Hickory Hill Rd / 428 Mammoth Rd, Pelham, NH 03076: opposing

20151019-0020

Typed FERC Comment form: Nancy Brandt, 16 Pikes Pond Rd, Averill Park, NY 12018

Respectfully submitted by: Nancy Brandt, 16 Pikes Pond Rd., Averill Park, (Town of Nassau) NY 12018, July 15, 2015 to Federal Energy Regulatory Commission's Scoping Hearing RE: Docket No. PF14-22-000

I am a resident of Town of Nassau and am in opposition to routing a fracked gas pipeline and compressor station in Rensselaer County.

I am requesting that FERC use new and independent data specific to Rensselaer County as requested by residents, local, county, state and federal officials; and to use this new data as the basis for review and in making an informed and uncompromised decision regarding how the health, safety and welfare of the residents, including our air quality, drinking water quality, soil quality, current rural residential noise levels, property values, and forests, lakes, streams and wetlands, plant and animal life and historic and cultural land marks of our peaceful rural communities will be preserved; and moreover that this new data become the basis for standard measures in developing an environmental impact statement for a large scale and industrial gas pipeline and compressor station infrastructure in the rural Rensselaer County.

Statement Regarding the Proposed Tennessee Gas/Kinder Morgan Pipeline and Compressor Station (Northeast Energy Direct) to be routed through southern Rensselaer County, including the entire width of the northern portion of the town of Nassau. The proposed project would utilize a 30-36 inch in diameter pipeline and a 41,000-90,000 horse power compressor station operating 24 hours a day, 7 days per week, 52 weeks year.

The Town of Nassau's Natural Resources Committee analyses by experts in ecosystems and the town's natural resources, made it clear that the proposed project would impact Nassau's groundwater, sensitive habitat and economic development. In addition, the proposed project would negatively impact the sensitive and economically important Rensselaer Plateau and oppose county-wide economic development efforts. As a result of these findings, the Nassau Town Board issued a strong resolution in opposition to the Proposed Northeast Energy Direct pipeline project and compressor station proposed by Kinder Morgan and its subsidiary Tennessee Gas Pipeline, LLC.

In addition, the proposed Tennessee Gas/Kinder Morgan pipeline and compressor station (Northeast Energy Direct) operation in the Town of Nassau, Rensselaer County would violate numerous provisions of the 1986 Town of Nassau's Land Use and Development Regulations. The law's Enacting Clause and Purposes (Article I C.) state that this law was enacted:

- ~ "To permit growth and development, while protecting the rural, scenic, historic, aesthetic, economic, recreational and environmental qualities of the Town."
- ~ "To preserve and protect the physical characteristics- of soils, topography, vegetation and water sources which sustain low density rural housing dependent upon septic systems and wells."
- ~ "To protect public health, safety and welfare"
- ~ "To encourage the management of natural resources, including the land, plant life, minerals, surface waters, ground waters, soils, wildlife and aquatic life throughout the town, to ensure that their economic, recreational, social, health and aesthetic benefits will remain."

The proposed Northeast Energy Direct pipeline/compressor station project is not only in opposition to the purpose of the 1986 law it is antagonistic to its intent to preserve and protect a healthy and safe environment for all of the residents.

Like the other residents, I chose to live in the Town of Nassau for its beautiful and tranquil environment

with clean water and clean air and the peace and quiet of the natural sights, sounds and fragrances of an attractive natura I rura I residentia I community.

The Tennessee Gas/Kinder Morgan pipeline and compressor station (Northeast Energy Directj proposed for the Town of Nassau would threaten this safe and clean environment. It would be replaced by the disturbing, violent sounds and smells and discolored and highly toxic exhaust from blasting and compressor station blow offs and pipelines; and the constant threat of leaking pipelines and explosion 24 hours a day—seven days a week--52 weeks a year in our rural residential community.

The proposed industrial gas pipeline and compressor station would threaten the health and lives of residents and potentially destroy the Town of Nassau's:

- ~ Natural resources, including water quality and quantity, air quality, and wildlife and plant habitats;
- ~ The public health, safety, and welfare of the residents living in areas near the proposed pipeline and compressor station sites;
- ~ The rural character of the Towns and its "orderly development"
- ~ Economically sound and safe rural community

I recognize from other communities', adverse experiences with gas pipelines and compressor stations, without having't'o directly experience these effects would have on the quality and safety not only on my life but of my neighbors. My neighbors are all the residents of the Towns of Nassau, Schodack and Stephentown.

Thank you

20151019-0021

{ duplicate copy of 20151013-5361 above }

20151019-0022

TOWN OF
TEMPLE, NEW HAMPSHIRE
03084
OFFICE OF THE SELECTMEN

P.O. Box 191
Phone: 603-878-2536
FAX: 603-878-5067

October 13,2104

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

Docket 14-22

Dear Ms. Bose:

We are the Board of Selectmen, the governing body for the Town of Temple, New Hampshire. We have a responsibility to look out for the health and security of our residents and are extremely concerned about the KNOWN HEALTH EFFECTS of the compressor station planned for New Ipswich which would be approximately one-quarter mile &om our town.'s Elementary School and in close proximity to many of our residents.

While that compressor station is now officially planned to be 41,000 HP; Kinder Morgan has, repeatedly said in recent weeks that they are considering increasing its size to the original 80,000 HP.

In 2012 FERC was asked to consider a 12,260,HP compressor:station in the town of Minisink NY which is

very. similar in population and geography as the Temple/New Ipswich..area. There were warnings then that, if built, there would be severe human health consequences. The FERC Commissioners were split in their decision but, in the end, it was approved, built and put into operation. Today ninety percent of residents are experiencing health problems associated with the emissions &om this facility.

Frankly, we hope that FERC has learned an important lesson from Minisink. The compressor station in New Ipswich would be thirteen times the size of the one in Minisink, emitting 400,000 tons of toxins, VOC's, and greenhouse gases a year thus causing a tremendous degradation of human health over a much wider area.

Kinder Morgan is obviously expert in convincing elected and appointed officials as well as the. genend public that this pipeline is needed domestically and-that it will lower domestic energy. costs; The.local distribution, companies attempting to show need have a financial interest in this pipeline and thus a conflict. Similarly, studies by the Department of Energy have consistently shown that this export project will drive up the price of energy domestically.

This project is bad for New Hampshire and the United States. We urge you to deny this application.

Sincerely,

Gail Cromwell, Chairman, Board of Selectmen

George Willard, Selectman

Ken Caisse, Selectman

20151019-0024

Hand written FERC Comment form, 3 pages, Marion J. Hoesch, 85 NH 45, Temple, NH 03084: opposing

20151019-0027

Hand written letter, Michael & Amy Conley, 102 Elm St, Milford, NH 03055: opposing

20151019-0029

The Senate of the State of New Hampshire
107 North Main Street, Concord, NH 03301-4951

ANDY SANBORN

District 9

October 12, 2015

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

Re: Docket No. PF14-22-000

Dear Commission Members,

Thank you for giving me the opportunity to have Mr. John Keiley read my letter for the record, as I am out of state and unable to be present for this meeting. I also appreciate the many meetings with representatives from afi entitles involved in this proposed pipeline, and I look forward to a continuing open dialog where we can discuss the concerns residents have and the solutions to ensure we protect this great state and the people in it.

Nevertheless, I do want to comment on this matter before FERC tonight due to the significant potential impact on the residents in the district and to afi those who enjoy the natural beauty of New Hampshire. This project is projected to cross miles of the most conserved, pristine, traditional land in this wonderful state, and the prospect of disturbing this habitat is alarming and appears unnecessary. The thought that, to accomplish this task, people will be vacated from their family home against their will only adds insult to afi those who treasure traditional NH values.

Acknowledging you will hear much tonight concerning many existing issues and challenges which need to be addressed prior to a meaningful consideration of a project like this, due to my 3-minute limit, I wish to focus my comments on the fundamental need to protect people from eminent domain “takings” as authorized by your agency.

Frankly, there is no issue more precious than the right of people to safely own and manage their land, free of the fear that their government will come take it away. The concept of a Government empowered to take, by legislative proxy, their home defies the most basic sanctity of “rights” of people in America. To protect individual and property rights, New Hampshire has worked hard to create a fair, level process where projects like this can and should be given robust consideration through existing legislative intent and the recently enacted Site Evaluation Committee (SEC).

There continues to be confusion as to what role, if any, the NH SEC plays in this project, and I do believe FERC needs to clearly confirm if it intends to fully and faithfully comply with the SEC process, findings and recommendations. I am formally requesting that FERC publically state to what extent it will support and follow recommendations put forth through the SEC and under what conditions, if any, it may choose to preempt local statutes.

Clarification of FERC’s position on this issue will help NH residents better understand to what extent the federal government and its regulating agencies will respect NH laws. I believe that it is incumbent upon FERC to clearly express its position on this critical issue. Thank you for your time.

Best to you all,

Andy Sanborn
District 9
New Hampshire State Senate

20151019-0030

Hand written letter, 2 pages, Jeannette & Dudley M. Baker, 136 Middle Rd, Hancock, NH 03445: opposing

20151019-0031

Hand written letter, Sarah Simaitis, 83 Main Street, Durham, NH 03824: opposing

20151019-0032

Montague Energy Committee

1 Avenue A
Turners Falls, MA 01376
413-863-3200

October 9, 2015

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

RE: Tennessee Gas Pipeline-Northeast Direct Project

Docket 1PF14-22-000 Public Scoping Comments.

Response to Environmental Impact Statement

The Montague Energy Committee (MEC) was established in 2008. Our mission is to reduce energy use in Montague by the municipality, residents and businesses. We oppose the Northeast Direct Pipeline project proposed to run through our town as inconsistent with our mission for the following reasons.

First, it would result in the diversion of our limited town funds away from spending on infrastructure im-

provements, particularly those promoting energy efficiency, in order to address pipeline-caused needs such as special training and outfitting of first responders.

Secondly, it would make our work implementing energy-saving upgrades more difficult, by encouraging even greater dependence on natural gas.

Third, the MEC is not convinced the Northeast Direct (NED) project is necessary to satisfy regional energy needs in the long term. We share the concern with many stakeholders that increased dependence on natural gas will undermine conservation and the transition to renewables.

We also believe that the FERC criteria for determining “public necessity,” developed before both the recent natural gas boom and the concurrent expansion of renewables, is outdated. ‘The criteria take a very narrow, short-term view of “need” and do not sufficiently take into account the cumulative impact of the NED pipeline, together with other recent proposals for new pipeline infrastructure.

Thank you for the opportunity for local input.

Sincerely,

Chris Mason, Chair Montague Energy Committee

On behalf of the Montague Energy Committee

20151019-0033

Hand written letter, Jordan Falvey, Sabrina Beck, Michael Barberi, Durham, NH 03824: opposing

20151019-0034

Hand written letter, Anne Meaney & Dan Roche, 332 Stage Road, Nottingham, NH 03290: opposing

20151019-0035

Hand written letter, Colin Etzel, 34 Mason Rd, Mont Vernon, NH 03057: opposing

20151019-0036

Hand written letter, Gianna Tempera, 83 Main Street GSS 11468, Durham, NH 03824: opposing

20151019-0037

Hand written letter, Molly Belanger, 12 Walcott Rd, Beverly, MA 01915; Emily Dutton, 4 Colt Road, Franklin, MA 02039; Karl Wieck, 516 Shaker Rd, Canterbury, NH 03224: opposing

20151019-0039

Hand written letter, Robert Keefe, Emily Cook, James Blunt, 4 Mountain Rd, Brookline, NH 03033: opposing

20151019-0040

Hand written letter, Danielle Flanagan, 83 Main Street GSS 6372, Durham, NH 03824: opposing

20151019-0041

Hand written letter, Kelsey Lozier, 63 Stillwater Circle, Rochester, NH 03839: opposing

20151019-0050

Hand written letter, Erna Johnson, 41 Quarry Circle, Milford, NH 03055: opposing

David M. Hunt, Ph.D.
Rensselaer County Biodiversity Greenprint Project
October 8, 2015

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

RE: Additional Comments for Proposed Kinder-Morgan Pipeline,
Rensselaer County, New York.
Docket # PF-14-22-000

Important Biodiversity Features, Presence & Mitigation.

Dear Ms. Bose and Federal Energy Regulatory Commission Staff,

Attached, please find an 8-page document summarizing the findings of field surveys for important biodiversity features in the Towns of Stephentown and Schodack, New York along the existing National Grid powerline proposed for use for the Kinder-Morgan Pipeline throughout Rensselaer County, New York. These comments serve as a supplement to my July 12, 2015 scoping hearing comments which were based on three previous documents referenced in those comments suggested for FERC review and presented in person to FERC staff at the July 16, 2015 meeting in Schodack, New York.

Again, I suggest that the presence, importance, and mitigation of impacts to all the regionally-important biodiversity features in the attached document be addressed in the EIS. 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 II", I hope that the numerous regionally-important biodiversity features of various scales that are known along the proposed pipeline are addressed in the EIS. The supplemental features of importance addressed in the attached document focus on rare plant species populations and significant natural communities encountered on various field surveys during 2015.

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

Proposed Kinder-Morgan Pipeline, Rensselaer County Segments.
Prioritized 2015 Field Surveys of Important Biodiversity Sites
Towns of Stephentown and Schodack, New York

David Hunt, Ecological Intuition & Medicine

October 8, 2015

OVERVIEW.

Field visits to five sites within the Towns of Stephentown and Schodack representing those among the most regionally important for native biodiversity throughout the proposed Rensselaer County route for the Kinder-Morgan pipeline were conducted between May and October 2015 to gather more information on these sites, especially to expand known information on their importance or to confirm suspected importance based on underlying physical features known from remote means. From west to east, these sites are: East Schodack Powerlines (Town of Schodack), Stump Pond Outlet Wetlands (Town of Stephentown), Crumb Pond Bog (Town of Stephentown), Cemetery Hill (Town of Stephentown), and Rounds Mountain South (Town

of Stephentown). Several other sites in the Town of Nassau were also visited in 2015, including some with similar regional importance, and were summarized in a separate, more detailed report for and funded by the Town of Nassau (Hunt 2015c). A sixth site, Calvin Cole Road Powerline, part of the broader Stephentown Powerline site with sandplain vegetation, was casually encountered during the 2015 field season. The 6 sites addressed here were mapped and summarized prior to field surveys in a brief report focusing on the most important biodiversity sites along the entire portion of the proposed pipeline route following the National Grid powerline across the county (Hunt 2015b). That report served as a supplement to a similar prior one for the Rensselaer Plateau portion of the proposed pipeline route (Hunt 2015a) that provided more detailed site information. The current summary provides updated information on the six selected sites. Focus was placed especially on finding rare plant and animal species, although confirmation or refinement of information for important examples of natural communities was also conducted. Essentially all remaining sites of “suspected” regional biodiversity importance along the National Grid portion of the proposed pipeline in the county from the prior report (Hunt 2015b) have now been field checked. Important biodiversity features from other areas along the proposed pipeline in the western half of the Town of Schodack outside of the existing National Grid powerline, including the Hudson River and its associated tidal wetlands, have not yet been summarized by me in a compilation report.

--Site Categorization.

Surveyed sites were displayed via maps in a prior report (Hunt 2015b) from three perspectives to assist with efforts to conserve them and/or protect them against potential impacts from any pipeline construction/malfunction: regional importance (Map 2), site type (Map 3), and importance certainty (Map 4). A comparison of prior and revised designations is shown in the table below. Designated regional importance levels are: very high, high, moderately high, moderate, and uncertain. Recent field surveys documented in this report suggest that the Stump Pond Outlet Wetlands is of high, not moderately high, regional biodiversity importance based on county-rare plant findings. Three other sites of prior uncertain importance, Cemetery Hill, Rounds Mountain South, and Calvin Cole Road Powerline, are now designated as sites of moderate importance. Designated site types are: aquatic networks, ecosystems, and isolated natural communities. No changes to these designations resulted from field surveys. Lastly, designated importance certainty categories are: certain, probable, and suspected. All sites are now of certain importance based, especially for sites formerly of only suspected importance, on the 2015 field surveys, some only to parts of much larger sites under and immediately adjacent to the powerline.

{table omitted}

--Rare Species.

New information in this report focuses on species rarity, which relies on field surveys and cannot be determined accurately by remote means. All rare species observed in 2015 are plants, mostly vascular plants but also some mosses. While some globally-rare and state-rare species were previously known from these sites and relocated in 2015, newly discovered populations of rare species were all for county-rare species. Global and state rarity ranks and categories are those designated by the New York Natural Heritage Program. County-rare species are categorized as either “county-active list species”, those most rare in the county and warranting active tracking with recommended conservation for all sites, or “county-watch list species”, those slightly less rare in the county and warranting periodic monitoring of their status and trends in abundance throughout the county. County rarity ranks for plant species referenced below are based on very specific numbers of sites and individuals in the county, as follows:

Dounty Rarity Ranks.

C1: extremely rare in region, with 1 to 5 known/suspected sites or 1 to 1000 known/suspected individuals.

C2: rare in region, with 5 to 20 knowr./suspected sites or ICCO to 10,000 known/suspected i~dividuals.

C3: uncommon in region.

Plants with rarity ranks of C1 to C1C2 are generally included on the county active list; those with rarity ranks of C2 to C2C3 are generally included on the county watch list.

SITE DESCRIPTIONS.

The six important surveyed sites are documented below on separate pages. For each site, information is summarized on the reason for the 2015 survey, rare species previously known and encountered in 2015, new or revised data on important natural communities, and any special concerns about potential pipeline impacts (construction and/or malfunction). Site biodiversity information was derived through rapid field surveys of up to about 2 hours per site. Surveys were conducted by a combination of the Capital District Friday Field Group and personal trips of David and Terrason Hunt. Site boundaries are shown on three maps (Maps 1 to 3), superimposed over copies of 1:24,000 USGS quadrangles. Precise maps for some of these important sites, as derived from GIS boundaries, were shown in previous pipeline reports (Hunt 2015a, 2015b), although at a very broad scale. Fine-scale maps for most of these important sites are available on the Rensselaer Plateau Alliance computer including sites on the Rensselaer Plateau that are inferable from available online datasets (Databasins).

LITERATURE CITED.

- Hunt, David. 2015a. 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.
- Hunt, David. 2015b. 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 a maps.
- Hunt, David. 2015c. Town of Nassau, New York. Important Biodiversity Sites Along the Proposed Kinder-Morgan Pipeline. Ecological Intuition & Medicine. May 31. 2S pp with 11 tables, 4 appendices, and g maps.

Site #1. East Schodack Powerlines (Town of Schodack)

The importance of this site in the context of Rensselaer County was previously detailed in a report summarizing known and suspected important biodiversity features potentially impacted by the portion of the proposed Kinder-Morgan pipeline along the National Grid powerline route throughout Rensselaer County (Hunt 2015b). The site was identified as part of the East Central Schodack Region (Map 8 in that report). Site boundaries are shown on Map 1 (Site 1A) on the Nassau and East Greenbush USGS topographic quadrangle maps, representing the most precise mapping of this site to date. Surveys in previous years in the vicinity of this site focused on the abandoned trolley line, now part of a proposed rail-to-trail system. A 2015 revisit to the site was planned to better delimit the extent of the known rare biodiversity features, especially along the National Grid powerline. The 2015 survey on August 21 focused on the powerline, especially the 0.2-mile stretch north of the abandoned trolley line. This survey revealed that a 0.1-mile stretch of the powerline north of the abandoned trolley line contains part of the populations of some (3), but not all, of the regionally-rare plants that were previously known from the abandoned trolley line. All 3 rare plants occur in a dry open grassland/shrubland with shallow to exposed shale substrate. The rarest plant is Bicknell's Sedge (*Carex bicknellii*), a plant that is both state-rare (S3 ranked and on the state watch list) and county rare (C1 ranked and on the county active list), with 10 observed individuals on a shale outcrop along the powerline. It is known from only two sites in the county and concentrated in the Hudson Highlands region within New York state. Two county-watch list plants: scrub oak (*Quercus ilicifolia*), ranked C2 with about 5 individuals, and field milkwort (*Polygonum sanguinea*), ranked C2C3 with about 100 individuals, were observed in similar habitats. One other county-uncommon plant, ebony spleenwort (*Asplenium platyneuron*), ranked C3, was observed here along the powerline. Nearby rare species characteristic of dry open habitats with shale or sand substrate known from the abandoned trolley line, not yet found along the powerline here, but potentially present on the powerline farther away from the trolley line include the county-rare plants big bluestem (*Andropogon gerardii*), slender flatsedge (*Cyperus filiculmis*), grass-leaf rush (*Juncus marginatus*), and round-headed bushclover (*Lespedeza capitata*).

Site #2. Stump Pond Outlet Wetlands (Town of Stephentown)

The importance of this site in the context of the Rensselaer Plateau was previously detailed in a report

summarizing known important biodiversity features potentially impacted by the proposed Kinder-Morgan pipeline throughout the Rensselaer Plateau (Hunt 2015a). Several remotely-mapped natural community types were noted as being vulnerable to pipeline impacts in that report. Site boundaries are shown on Map 2 (Site 2A) on the Stephentown Center USGS topographic quadrangle map, however the most precise mapping of this site is represented by a composite of natural community types in one of the ecological datalayers of the Rensselaer Plateau Alliance (Databasins: Rensselaer Plateau, ecological community polygons). The 2015 field visit to this site was planned to conduct an initial evaluation of the presence of regionally-important community types and any regionally-rare plants. This ~80-acre wetland complex appears to be the largest crossed by the proposed Kinder-Morgan pipeline in Rensselaer County and is suspected to be among the largest ones along the entire proposed natural gas route between Pennsylvania and New Hampshire. The 2015 survey on June 26 (5:45pm-7:45pm) focused on the portion of the National Grid powerline that bisects former Cowee Timber Company lands, especially in the western half of the wetland. This survey confirmed the presence of regionally-important examples of sedge meadow, shrub swamp, and dwarf shrub bog, with small embedded patches resembling inland poor fen. Plants characteristic of acidic open peatlands (lfbog plants”) were suspected at this site and several were found. The rarest plant found is alpine cottongrass (*Trichophorum alpinum*, synonymous with *Eriophorum alpinum* and *Scirpus hudsonianus*). This county-active list plant, ranked C1, is known from only about 2 other sites in the county, both large peatlands, and about 300 individuals were observed in a small inland poor fen patch at this site. One county-watch list plant, bog laurel (*Kalmia polifolia*), ranked C2C3 with about 100 individuals, was observed in a similar microhabitat. A moss likely to be classified as county rare, woolly haircap moss, *Polytrichum strictum*, was also observed in the same spot. Several other county-uncommon plants were observed in the inland poor fen and dwarf shrub bog patches under the powerline: pitcher plant (*Sarracenia purpurea*), round-leaf sundew (*Drosera rotundifolia*), tamarack (*Larix laricina*), bristle-stalked sedge (*Carex leptalea*), all ranked C3, and dwarf St. Johnswort (*Hypericum mutilum*), ranked C2C4. The 2015 survey was limited in time and area. Several other rare plants are suspected from this large wetland complex, especially in large patches of dwarf shrub bog mapped in the online Rensselaer plateau Alliance ecological datalayers to the south and including areas further east along the powerline.

Site #3. Crumb Pond Bog (Town of Stephentown)

The importance of this site in the context of the Rensselaer Plateau was previously detailed in a report summarizing known important biodiversity features potentially impacted by the proposed Kinder-Morgan pipeline throughout the Rensselaer Plateau (Hunt 2015a). Three previously known regionally-important natural community types at this site were noted as being vulnerable to pipeline impacts. Site boundaries are shown on Map 2 (Site 2B) on the Stephentown Center USGS topographic quadrangle map, however the most precise mapping of this site is represented by a composite of natural community types in one of the ecological datalayers of the Rensselaer Plateau Alliance (Databasins: Rensselaer Plateau, ecological community polygons). The 2015 field visit to this site was planned to better delimit the extent of known rare plants. This ~15-acre wetland complex has the rarest known plant potentially impacted by the proposed Kinder-Morgan pipeline in Rensselaer County, Angerman’s Peat Moss, a globally-rare species. While not directly under the powerline, the wetland complex is directly downslope of the proposed pipeline route and in close enough proximity to it to be vulnerable as a kettlehole wetland to pollution from any leaks. The 2015 survey on July 31 (5:45pm-7:30pm) focused on the southern and western halves of the wetland complex. This survey confirmed the continued presence of regionally-important examples of dwarf shrub bog, bog lake, and inland poor fen, as well as possibly highbush blueberry bog thicket. The rarest plant at the site is Angerman’s Peat Moss (*Sphagnum angermanicum*), one that is globally rare (ranked G3G4), state rare (ranked SI and on the state-rare moss list), and county rare (ranked C1 and on the county-active list). In Rensselaer County, it is known from only this site, and at a regional perspective this “inland” population is widely disjunct from the Coastal Plain of New York and New Jersey. Thousands of individuals of this moss were observed in various peatland communities at the site, representing about 7% overall cover in the dwarf shrub bog and inland poor fen communities. The importance of this disjunct population was previously documented in the pub-

lished bryological literature. Another county-active list plant, hatpins (*Sriocaulon aquaticum*), ranked C1 and previously documented from the bog lake (Crumb Pond) in the 1980s (Hunt 2015a), was not found during 2015 surveys. It may still be at this site, as the 2015 survey was focused more on the peatland than the lake. One county-watch list plant, water sedge (*Carex aquatilis*), ranked C2C3, was observed in the fen patches. Several other county-uncommon plants known as characteristic bog plants were observed in the inland poor fen and dwarf shrub bog patches at this site: pitcher plant (*Sarracenia purpurea*), round-leaf sundew (*Drosera rotundifolia*), small-leaved cranberry (*Vaccinium oxycoccus*), all ranked C3, plus tawny cottongrass (*Eriophorum virginicum*) and white beakrush (*Rhynchospora alba*), both ranked C3C4. Additional county-rare plants are suspected from this site, especially bog laurel (*Kalmia polifolia*), ranked C2C3, and woolly haircap moss (*Polytrichum strictum*).

Site #4. Cemetery Hill (Town of Stephentown)

The importance of this site in the context of Rensselaer County was previously detailed in a report summarizing known and suspected important biodiversity features potentially impacted by the portion of the proposed Kinder-Morgan pipeline along the National Grid powerline route throughout Rensselaer County (Hunt 2015b). While no field information was previously available from this site, it was thought to have good potential to contain some county- to state-rare calciphilic plants (Hunt 2015b) that could be vulnerable to pipeline impacts based on its physiographic setting. Site boundaries are shown on Map 3 (Site 3A) on the Hancock, Massachusetts USGS topographic quadrangle map, representing the most precise mapping of this site to date. The site represents an isolated hill in the Taconic Valley region near the lowest slopes of Taconic Mountains, which are known to contain rich soils and support many circumneutral to calciphilic plants. The 2015 field visit to this site was planned to gather initial information on the presence of any regionally-important natural communities and/or regionally-rare plants. The 2015 survey on May 21 (1:30pm-2:30pm) focused on the western half of the portion of the hill under the National Grid powerline, which crosses the steep southern slopes of the hill. This survey confirmed the suspected presence of multiple regionally-important biodiversity features including an apparently large, and probably regionally-important example of Maple-Basswood Rich Mesic Forest surrounding the powerline, especially towards the summit of the hill north of the powerline, as well as two county-rare circumneutral plants. The rarest plants encountered at the site during the brief survey are roundleaf ragwort (*Senecio obovatus*) and wild leek (*Allium tricoccum*), both countywatch list plants ranked C2C3 and both estimated at about 700 individuals within this site. Both species were found in dry gravelly open habitat with shallow to exposed shale substrate on the upper crest of the hill. Several other county-uncommon plants known as characteristic circumneutral upland plants were observed at this site: bitternut hickory (*Carya cordiformis*), smooth rock-cress (*Arabis laevigata*), both ranked C3, fragile fern (*Cyrtopteris fragilis*), ranked C2C4, and bloodroot (*Sanguinea canadensis*), ranked C3C4. More common characteristic circumneutral upland plants known from this site include Virginia waterleaf (*Bydrophyllum virginicum*), columbine (*Aquilegia canadensis*), and herb-robert (*Geranium robertianum*). The Maple-Basswood Rich Mesic Forest north of the powerline, situated on private land, was observed only from its edge and is suspected to contain several county-rare plants. The rare plants under and adjacent to the powerline are susceptible to pipeline construction impacts, especially if the very steep slopes of this hill are to be drastically altered to meet any construction grade requirements (e.g., blasted to decrease the slope to less than 25 degrees).

Site #5. Rounds Mountain South. (Town of Stephentown)

The importance of this site in the context of Rensselaer County was previously detailed in a report summarizing known and suspected important biodiversity features potentially impacted by the portion of the proposed Kinder-Morgan pipeline along the National Grid powerline route throughout Rensselaer County (Hunt 2015b). While no field information was previously available from this site, it was thought to have good potential to contain some county- to state-rare calciphilic plants (Hunt 2015b) that could be vulnerable to pipeline impacts based on its physiographic setting. Site boundaries are shown on Map 3 (Site 3B) on the Hancock, Massachusetts USGS topographic quadrangle map, representing the most precise mapping of this

site to date. The site is situated near the lowest slopes of Taconic Mountains, which are known to contain rich soils and support many circumneutral to calciphilic plants. A 2015 field visit to this site was planned to gather initial information on the presence of any regionally important natural communities and/or regionally-rare plants. Two separate field surveys were conducted at this site in 2015, one near East Road and one near Rounds Mountain Road.

The first of two 2015 surveys focused on the westernmost slopes of Rounds Mountain under the National Grid powerline east of East Road on June 19 (1:30pm-2:30pm). This survey confirmed the suspected presence of multiple important biodiversity features including a large, probably regionally important example of Maple-Basswood Rich Mesic Forest surrounding the powerline, especially along the midslopes of the hill north of the powerline, as well as four county-rare circumneutral plants. The rarest plants encountered at the site during the brief survey are roundleaf ragwort (*Senecio obovatus*), wild leek (*Allium tricoccum*), bottlebrush grass (*Elymus hystrix*), and false melic (*Schizachne purpurascens*), all county-watch list plants ranked C2C3 and all estimated at hundreds of individuals within this site. They were found near the ecotone of the dry gravelly open powerline habitat with shallow to exposed shale substrate and the rich forest north of the powerline on the midslopes of the hill. Other county-uncommon plants known as characteristic circumneutral upland plants were observed at this site including bitternut hickory (*Carya cordifolia*), ranked C3. More common characteristic circumneutral upland plants known from this site include Virginia waterleaf (*Bydrophyllum virginicum*) and columbine (*Aquilegia canadensis*), and herb-robert (*Geranium robertianum*). The Maple-Basswood Rich Mesic Forest north of the powerline, situated on private land, was observed only from its edge and is suspected to contain several county-rare plants. The rare plants under and adjacent to the powerline are susceptible to pipeline construction impacts, especially if the very steep slopes of this hill are to be drastically altered to meet any construction grade requirements (e.g., blasted to decrease the slope to less than 25 degrees).

The second 2015 survey focused on the part of Rounds Mountain under the National Grid powerline both west and especially east of Rounds Mountain Road on October 4 (2:45pm-3:45pm). This survey confirmed the suspected presence of one regionally-important biodiversity feature, county-uncommon nodding ladies tresses (*Spiranthes cernua*), ranked C3C4, with six individuals growing on a dry gravelly open slope directly under the powerline east of Rounds Mountain Road.

Site #6. Calvin Cole Road Powerline. (Town of Stephentown)

The importance of this site in the context of the Rensselaer Plateau was previously detailed in a report summarizing known important biodiversity features potentially impacted by the portion of the proposed Kinder-Morgan pipeline throughout the Rensselaer Plateau (Hunt 2015a) under the broader site "Stephentown Powerline". Site boundaries are shown on Map 2 (Site 2C) on the Stephentown Center USGS topographic quadrangle map, representing a casual but most precise mapping of this local survey area. The Stephentown Powerline site was most precisely mapped in the Rensselaer Plateau pipeline document (Hunt 2015a). Two previously known county-rare to uncommon plants at this site were noted as being vulnerable to pipeline impacts. The brief 2015 field visit to this site was spontaneously conducted to check on the status of the known rare plants and search for additional rare species. The 2015 survey on July 31 (5:10pm-5:20pm) confirmed the continued presence of county-watch list plant field milkwort (*Polygonum sanguinea*), ranked C2C3, and county-uncommon plants round-leaf sundew (*Drosera rotundifolia*), ranked C3, and nodding ladies tresses (*Spiranthes cernua*), ranked C3C4, all growing in a dry gravelly. open habitat under the powerline with localized peaty seeps. An additional county-watch list plant, pineweed (*Hypericum gentianoides*), ranked C1C3, was discovered in 2015 at this site.

{3 pages of maps omitted}

20151019-0054

October 9th, 2015

Patricia Campbell

7 Patrice Lane
Lynnfield, MA 01840

Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street North East
Room 1A
Washington, DC. 20428

Dear Secretary Bose,

I am writing out of concern regarding Docket number PF14-22 called the Lynnfield Lateral a proposal by Kinder Morgan/Tennessee Gas to lay additional gas pipeline not just in my town but also in neighboring towns throughout Massachusetts.

As you know, the Lynnfield Selectmen have taken a position against the proposal as have many community members who have been attempting to educate themselves. To date, Kinder Morgan hasn't seen fit to have an open meeting with the citizens of Lynnfield.

My objections to the pipeline concern existing leaks, the impact on the environment, neighborhoods and wetlands. I am also concerned about the contention that additional gas service is needed by consumers.

The Boston Globe on August 21", 2015 published a front page article entitled, "Leaks widespread in state's gas lines . Lynnfield is one of the communities with the most leaks which have cost rate payers more than one billion dollars. How much damage is this doing to human health and the ozone layer and our environment in general? It is important to repair the leaks before it is said that more gas is needed. Massachusetts has goals for increasing renewable energy. The growth of solar and wind power are in evidence everywhere.

In Lynnfield we have a high water table and many wetlands. We also have Reedy Meadow, one of the largest reedy meadows in the country according to the Ipswich Watershed Association. The wetlands include, "interior forest species'. Our drinking water comes from shallow wells and drilled wells. I am concerned about the impact of a pipeline on wetlands and trees.

Lynnfield has many beautiful neighborhoods which I visited recently to view the areas most impacted by the pipeline. Properties will be impacted and some subjected to the noise of the meter station and blowouts.

I question the need for this further endangerment to human and animal health, neighborhoods, and the environment.

I request that you study:

- √ The leaks we already have, the cost to the consumers, and the contention we need more and larger pipelines
- √ Environmental Impacts including on wetlands, animal and plant species, and drinking water
- √ The impact on residential homes

Additionally, I ask you to consider what I have recently heard that the intent is to import gas to Europe and that residents would not benefit from the pipeline which would negatively impact Lynnfield forever.

Thank you for your consideration.

Sincerely,

Patricia Campbell

20151019-0055

Hand written letter, Giselle Hart, 62 B Court St, Dover, NH 03820: opposing

20151019-0062

October 10,2015

Kimberly Bose:

The birdfoot violet is slated as being imperiled and threatened by the slate's aiteria. It has only 9 sfies and it can be located on lot 7-11 of Pelham's map. There are three distinct areas the plants are located on this krt which is just south of the electric tower 214-114. Each area as 20 to 30 pktnts. There are a few plants heated just South of tower 214-117near the edge of Brierwood Road (formerly called Old Lawrence Road). Tower 2114-116has a couple of plants near the side of the same road. Note that Brierwood Road is a Cktss six road. See the New Hampshire Natural Heritage for exact locations. Pktnts were verified by John Viera senior project manager and senior ecologist -Company Vanasse Hangen Brustlin, Inc.

Thank you for your consideration

Alicia Symonovit Hennessey

Dsve5star(Samail.com

71 Dutton Road

Pelham, NH 03076

20151019-0063

Hand written letter, 3 pages, Catherine Wartt, PO Box 447, New Ipswich, NH 03071: opposing

20151019-0077

Hand drawn postcard, McKeon family, 260 Birnam Rd, Northfield, MA 01360: opposing

20151019-0089

Hand written card, Marilyn Griska, 18 Atlantic Dr, Rindge, NH 03461: opposing

20151019-0090

Hand written card, Charles Fletcher, Heath Road, Jaffrey, NH 03452: opposing

20151019-0091

Hand written card, Karen M. Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151019-0092

Hand written card, Karen M. Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151019-0093

Hand written card, Karen M. Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151019-0094

Hand written card, Karen M. Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151019-0095

Hand written card, Susan Fletcher, 91 Heath Road, Jaffrey, NH 03452: opposing

20151019-0096

Hand written card, Lisa Douglas, 20 Longbow Cirle, Lynnfield, MA: opposing

20151019-0097

Hand written card, Amanda Connell?, 84 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151019-0098

Hand written card, Amanda Connell?, 84 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151019-0099

Hand drawn postcard, Somero family, 420 Old Jenney Rd, New Ipswich, NH 03071: opposing

20151019-0116

Hand drawn postcard, Cameron family, 130 Stonebridge Drive, Dracut, MA 01826: opposing

20151019-0117

Marilyn Reinacher
584 Old New Ipswich Rd.
Rindge, NH 03461

My concern is for the watershed in the Rindge, NH area. Most of the area surrounding the proposed construction sites are dotted with large bodies of water, vernal pools and wetlands containing endangered specks of frogs and salamanders. Most concerning are three large bodies of water including Hubbard Pond, Emerson Pond and Converse Meadow Pond. Pollution of any of these aquifers would pose a major environmental disaster. There are many more ponds and pools in the area of construction the above are located close to our immediate area. I strongly encourage your review of this potential devastation.

20151019-0118

Hand written letter, Julia Steed Mawson, 17 So Shore Dr, Pelham, NH: opposing

20151019-0149

Hand written letter, Catherine Wartt, PO Box 447, New Ipswich, NH 03071: opposing

20151019-0150

Steven and Niki McGettigan
PO Box 101
Temple, New Hampshire 03084

October 12, 2015

Ms. Colette D. Honorable, Commissioner
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Project Docket Number PF14-22-000

Dear Commissioner Honorable:

We are writing to you regarding the Northeast Energy Direct (NED) pipeline being proposed by Kinder Morgan/Tennessee Gas Pipeline.

We are extremely concerned that FERC approval process is rigged in favor of the oil and gas companies that fund the commission. FERC has apparently only denied one pipeline project, ever. Citizens in New Hampshire alone have put in thousands of hours over the past months educating themselves and writing and

speaking to FERC about the negative health, financial, and environmental problems this project would create. But, with a track record of approving almost all past pipeline projects, history demonstrates that FERC doesn't in all honesty weigh both sides equally. We fear that FERC will not give any real credence to all these public comments during its hearings. KM/TGP have submitted incomplete plans filled with "To Be Determined" information, yet the public comment period will close before we learn what those new TBD points will be. How is this process fair and impartial?

New Hampshire citizens are extremely frustrated with the ongoing dishonesty of Kinder Morgan/TGP officials who continue to smile and tell us that we have nothing to be concerned about, hoping we will eventually believe them if they repeat it enough. We are concerned that almost all the fracked gas this pipeline would carry would never be used in New Hampshire, but would instead be exported to Canada where it would be converted into Liquid Natural Gas and exported to European and Asian buyers at higher prices.

Yet, company officials claim there is a shortage of supply here and that our electric bills will be lower. It makes no economic sense to us that if there is a smaller supply of fracked gas remaining after having exported most of it, that the companies will sell it to us at a lower price, or that our electric rates will be lower once we start paying an additional new tariff to cover KM/TGP's costs for building this pipeline. Why aren't they paying for their project? New Hampshire is already a net exporter of electricity to the rest of New England and our state currently has several environmentally sound energy proposals on the table for hydro, wind, and solar with virtually none of the frightening long term health and environmental issues the KM/TPG fracked gas pipeline would bring.

We are extremely concerned about the noise and health hazards that the proposed 40,000 to 80,000 horsepower compressor station would bring to our particular area. This compressor station would regularly blow off poisonous gas and toxic carcinogens into the air, all within shouting distance to our elementary school, hazardous emissions that never have to be disclosed to the public by the company. The company officials just tell us they are highly regulated and that even though they have never built a compressor station this large, they know the compressors really won't produce that much noise and that the emissions during daily operations and blow-offs are really nothing for us to worry about. We wonder why the company will have no personnel working on-site if it's so safe. If a major explosion or disaster occurs, how long will it take for the company to first realize it and then to send response crews from Texas?

It's incredulous that in America five FERC commissioners have the power to allow a for-profit company to take over hundreds of both longtime family owned and publicly conserved properties using the eminent domain process that was once strictly reserved for truly public sector projects such as interstate highways. After our state and communities have worked for decades to protect environmentally fragile lands for perpetuity, how can just five people have the power to approve a project that will forever negatively impact our lives, property, and environment all for the purpose of steering billions of dollars of profit to corporations whose leaders have repeatedly shown us they have no intentions of doing "what's right"?

We respectfully ask that you, Commissioner Honorable, and each commissioner of FERC conduct this project review with the utmost integrity, honesty, understanding, and empathy for those of us who do not have deep corporate pockets, but who have instead, put our hearts and souls into doing "what's right" raising our families and bettering our communities in this beautiful unspoiled part of America. We are the people who will be forever negatively affected by this project.

Respectfully,

Steven and Niki McGettigan

20151019-5001

Marilyn Learner, Hollis, NH.

I would think that preserving the integrity of our living environment, which includes ensuring the continuation of life-sustaining clean drinkable water, clean breathable air, and a healthy self-sustaining ecosystem for future generations would be the first and primary concern for a federal energy regulatory agency.

FERC has been given authority to approve highly invasive and permanently planet-altering energy infrastructure. That authority, given by the people, and subject to review and revocation by the people, should be used very sparingly and judiciously, and only when other, better options for essential energy services is not possible. Kinder Morgan is hard put to justify building NED, as “need” is obviously contrived and invented. Additionally, KM’s cavalier attitude toward scoping comment concerns reveals their overall attitude, “yeah yeah, we complied, check off the boxes; let’s get on with it.” According to their Resource Report KM intends to utilize the minimum standards required in construction materials, practices and maintenance if ever allowed to build NED.

This is not “just” a pipeline. NED highly impacts the environmental future and energy future of PA, NY, MA, NH, NE, the USA and Earth. It is time for FERC to throw off the “regulatory capture” that guides its decision making processes and start REGULATING corporate oil and gas’ deceit and greed.

20151019-5002

Kathleen Ziobrowski, Averill Park, NY.

I am in opposition to PF14-22 creating the pipeline and natural gas compressor station proposed for Nassau. It will devalue my home, cause my family and I potential serious health issues, and hurt the wildlife in my area. Please don’t let this project move forward. It will also potentially hurt the well water we drink. This compressor station is too close to residential and recreational areas. Please don’t do this, or move it out of our area to more rural area. This is not the correct place for this pipeline and compressor station.

20151019-5003

Holly B Koski, Rindge, NH.

This is my last comment (of this period)... My only request is to Please -Do what you were hired to do - do your jobs. The Northeast Energy Direct Project is not - I repeat- NOT needed. This project is of no direct benefit to Southern New Hampshire or to New England. NED will benefit Kinder Morgan / Tennessee Gas and its subsidiaries- it will not benefit the residents of New Hampshire... How can FERC approve a project that will benefit a private companies pockets... Look at all of the other small countries in this world that are succeeding with Solar Energy and with Wind Turbines. I do not want to live in an “Incineration Zone- or an Impact Blast Radius”. We do not have the resources to deal with faulty natural gas pipes and the destruction of our wells- our water- our means of life....

I hope that the last FERC Scoping meeting held at Franklin Pierce University was listened to by your commission. I do wonder how FERC was able to come up with all of those questions to the EIS report - (dated BEFORE- the FERC scoping meeting)

Don’t we matter? Don’t the Kids of the Pipeline Matter? Don’t Rural Lives Matter?

I think all that matters is \$\$\$\$\$ - I am personally holding you accountable for all of the future accidents(that occur from Natural Gas) in New England- and they will happen if you approve this NED “disaster”

Sincerely

Holly Koski

If NED is put in I expect Kinder Morgan to improve the Road that I live on and I expect them to pay for an Emergency Egress....

20151019-5006

Mary Rickel Pelletier, Hartford, CT.

15 October 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,

Park Watershed is a 501c3 urban-suburban watershed stewardship organization for Park River regional watershed, which stretches east of the Metacomet Ridge through MDC reservoir properties to the Connecticut River. West Hartford, Hartford and Bloomfield as well as parts of Newington, New Britain, Farmington and Wethersfield are within the Park River watershed. Our organizational goal is to improve the water quality and ecosystem health of water courses and water bodies that enhance neighborhood character even within high-density urban development. Park Watershed is currently focused on green infrastructure for stormwater management, as we work on implementation of the North Branch Park River Watershed Management Plan, which was approved in 2010 by US Environmental Protection Agency.

The Northeast Energy Direct (NED) project (FERC Docket No. PF14-22-000) proposed by Kinder Morgan would cross through headwaters of the Park River regional watershed. Park Watershed is opposed to new pipeline construction through Class I and Class II land that protects our exceptionally pure drinking water. With a population that exceeds two hundred and fifty thousand, the seventy-eight square mile Park River regional watershed is one of the most densely developed metropolitan areas in the state of Connecticut. Well-managed landscapes of the MDC reservoir system have considerable cultural and recreational value, because most other areas of the Park River watershed have been extensively developed. The landscapes along the Metacomet Ridge also host habitat for wildlife and migratory birds, and significant cultural heritage features, such as the New England National Scenic Trail.

In addition, Park Watershed seriously questions the ethics of a pipeline for gas extracted with problematic “fracking” methods that negatively impact human, environmental and community health. In the future, clean water will surely increase in value. The NED project threatens to undermine the integrity of the historic MDC reservoir system and the clean water that it provides to Connecticut residents. As a federal agency, we recommend the Federal Energy Regulatory Commission prioritize preservation of local cultural assets, especially our drinking water reservoirs.

Sincerely,

Mary Rickel Pelletier
Founding Director
Park Watershed
www.ParkWatershed.org

20151019-5007

Cory Kern, Bloomfield, CT.

I strongly oppose the proposal by Tennessee Gas/Kinder Morgan to install a natural gas pipeline through the Class I and Class II watershed land owned by the Metropolitan District Commission (MDC). A gas pipeline installation on this land has potential to impact a high quality drinking water source. Also, granting permission for a new pipeline through this land undermines Connecticut’s current protections for drinking water.

CT General Statute 25-32 requires a change of use permit from the CT Department of Public Health for projects like this one. Furthermore, it restricts the use changes that are allowable. The existing gas pipeline and easement on the MDC property pre-date the statute. A proposal now, to install new pipeline and enlarge the permanent right-of-way, is inconsistent with the letter and intent of CGS 25-32.

Regardless of the degree of threat posed by this particular pipeline, allowing an exception to the statute sets a dangerous precedent, paving the way for other encroachments on water supply land. Connecticut’s standards for drinking water quality are second to none in the country. They are important in maintaining public health and quality of life in our state. While other regions face increasing threats from contaminants in their

drinking water sources, Connecticut's protective legislation stands out as a model and should not be compromised.

The first drafts of the NED Environmental Reports submitted to FERC contained an erroneous statement that the proposed pipeline route is not located within any public drinking water or aquifer protection areas. In the recent public forum held by Kinder Morgan in West Hartford on October 7 (held after an emphatic request by the MDC) it was clear that Tennessee Gas/Kinder Morgan has every intention of putting more pipeline through the MDC's drinking water supply area. During the question and answer session, alternate routes were dismissed as impracticable.

20151019-5008

Gina Rosati, Merrimack, NH.
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

October 16, 2015

RE: Kinder Morgan/Tennessee Gas Pipeline Company, LLC (KM/TGP)
Docket No. PF14-22-000
Northeast Energy Direct (NED) Pipeline Project

Dear Secretary Bose:

I oppose the above referenced project. This is Part 1 of a 2 part letter, as I had insufficient space to e-comment the entire letter.

On 10/8/15, at a special town meeting, KM/TGP reps surprised the Merrimack (MMK) Town Council/residents with yet another revised map, showing a legend with six different routes through parts of south MMK.

These routes have 2 things in common:

1. They all end on the Anheuser Busch property, located on the DW Highway, MMK, in the area where KM/TGP has stated they must deliver the pipeline for Liberty Utilities to build a metering station, and
2. They all negatively impact MMK.

I ask that FERC does not issue KM/TGP a Certificate of Public Convenience and Necessity, because there is a documented lack of necessity.

- KM/TGP bought a full page ad in the 9/18/15 MMK Journal sub-headed "NH's ENERGY CRISIS". FERC knows there is no energy crisis in NH. There is a winter reliability issue that has been handled, and energy prices are dropping. (1) (2) (3) (4)

KM/TGP will try to prove "need" in NH with their one NH anchor shipper, Liberty Utilities (LU), who is owned by Algonquin Power & Utilities Corp, who has partnered with KM/TGP (5)

KM/TGP's press release of 9/29 claims commitments for 627,000 Dth/d, between their market and supply paths, including a group of "producers, local distribution companies and a NY end-use market participant" who "did not wish to be named". (6)

LU now gets gas from KM/TGP through the Concord Lateral. The 115,000 dekatherms/day requested from NED would fuel their hopes of expansion to other parts of NH. "Melissa Whitten, a utility consultant hired by the PUC staff, testified in May that the pipeline deal would leave Liberty with "substantial excess capacity that it would not completely absorb or grow into over the life of the contract." (Union Leader 10/5/15)

Sharon Chamberlin, NH's Consumer Advocate, advised the NH PUC not to allow Liberty to buy gas from NED, because "if Liberty buys a huge share in a brand-new pipeline, and then fails to grow its business, its customers will be stuck paying for a big empty pipe."

She says the company hasn't done enough analysis to compare the cost of signing on to the NED pipeline to

other proposals that are floating around.

“There are many different pipeline proposals out there right now, and it’s a moving target,” she says, “We know we’re in a period of transition right now, so we don’t know that it is the least cost means of supplying the customers.” (7)

The NH PUC Consumer Advocate Residential Ratepayers Advisory Board Roster should comprise of nine (9) members. At the time of LU approval on 10/2/15, 6 out of 9 commissioners on the NH PUC Consumer Advocate Residential Ratepayers Advisory Board Roster had expired terms. Sharon Chamberlin, who advised against approving LU, was not reappointed to her position by the three who approved LU. (8)

Other energy projects on the table for New England include 2 other pipelines (Access Northeast and AIM), that total 1.5B cubic feet of natural gas/day, at a total cost of \$4.5B, and both use existing pipeline corridors. In addition, there are 4 wire projects, with the potential of up to 5,000 megawatts of power, costing about \$8.5B.

NED has customers signed for 627,000 Dth/d, but says it could bring up to 1.3B cubic feet/day of gas. “Co-location” must sit outside the power line corridors because of EM interference, requiring a clear cut corridor of over 100 feet beside the power lines. NED is estimated to cost \$5B, which is more than Access and AIM combined. (9)

New England’s actual energy needs vary daily. Yesterday, we peaked at 15,168MW, out of an available total of 18,577MW. The all time winter peak was 22,818MW on January 15, 2004. (10)

According to the ISO-NE website (11) our energy is a mix of:

- 67% Natural gas
- 16% Nuclear
- 11% Renewable
- 5% Hydro
- 1% Oil and coal

Combined gas from Access Northeast, AIM and NED totals up to 2.8B cubic feet of gas/day = 845,600MW, according to this converter (12). That leaves us with quite an excess, and that doesn’t take into account the 6 wire projects, which adds between 5,500 to 6,900 MW? AIM and Access Northeast would provide plenty of gas for all of New England, with lots to spare.

I respectfully ask the FERC Commissioners to please say no to Kinder Morgan/TGP’s NED.

Thank you,

Gina Rosati

Merrimack, NH 03054

- (1) <http://commonwealthmagazine.org/environment/were-not-facing-an-energy-crisis-in-new-england/>
- (2) <http://nhpr.org/post/power-plant-owners-argue-energy-crisis-overblown>
- (3) <http://www.clf.org/blog/clean-energy-climate-change/cold-sets-new-england-winter-energy-crisis-fizzles/>
- (4) <http://www.businesswire.com/news/home/20150817006123/en/Report-England-Energy-Winter-Reliability-Solutions-Finds#.ViAR9JWFMDk>
- (5) <http://www.prnewswire.com/news-releases/algonquin-power--utilities-corp-to-partner-with-kinder-morgan-283776631.html>
- (6) http://www.masslive.com/news/index.ssf/2015/09/kinder_morgan_announces_new_an.html
- (7) <http://nhpr.org/post/libertys-pipeline-push-relies-rapid-expansion>
- (8) http://www.unionleader.com/PUCs_consumer_advocate_won%26%238217;t_be_reappointed
- (9) <https://www.bostonglobe.com/business/2015/10/13/where-else-will-new-england-get-its-energy/NkcACsMutixn5G7C3ytw1O/story.html>
- (10) <http://www.iso-ne.com/about/what-we-do/key-stats>

(11) <http://www.iso-ne.com/>

(12) <http://www.convertunits.com/from/hundred+cubic+foot+of+natural+gas/to/megawatt+hour>

20151019-5009

Gina Rosati, Merrimack, NH.
Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

October 16, 2015

RE: Kinder Morgan/Tennessee Gas Pipeline Company, LLC (KM/TGP)
Docket No. PF14-22-000
Northeast Energy Direct (NED) Pipeline Project

Dear Secretary Bose:

I oppose the above referenced project. This is part 2 of a 2 part letter.

If the reasons I outlined in Part 1 of this letter are not enough to convince the FERC that NED is not needed, please consider the following impact on the town of Merrimack.

- Water – there are several aquifers that provide over 50% of Merrimack’s drinking water located along the proposed routes. If KM/TGP goes near Greens Pond, they will affect one. If they go Route 101A/Continental Boulevard by Home Depot, they will affect another. South of Continental Boulevard, much of that land is Pennichuck wetlands. I’ve seen the maps where KM/TGP brings their pipeline right up to the edge of the green wetland legend, as if the thin line between green legend and the white is a magical barrier that will keep contaminants from the installation of their pipe and any potential gas leaks from contaminating Nashua’s drinking water.
- Thorntons Ferry Elementary School (TFS), a public elementary school attended by about 500 students, including several special needs children, is along the route, as well as a private school and at least one pre-school. KM/TGP is under the impression that their latest route has taken the pipeline further from TFS, but this route is not only closer, it zigs and zags 15 times within about one mile, and it’s now on the same side of Continental Boulevard as TFS, separated only by a grove of pine trees/ thick layer of ground brush.
- Barry Duff, Kinder Morgan Project Manager, told me the Merrimack Community Hospice House (MCHH) is 400 feet from the pipeline. According to the legend on Google Maps, the MCHH is less than 200 feet from the pipeline.
- The pipeline will come close to several historic buildings in Merrimack, notably the Merrimack Historic Society (Boston Post Road) and 16 Tinker Road, which is registered with the National Register of Historic Places, as well as the barn at 15 Tinker Road, which is considered older than 16 Tinker. Records show the land on which 16 Tinker Road sits was sold from Joshua Converse to William McClure back in 1741. Until 2015, only two families have lived in the house at 16 Tinker – generations of the McClure family, and the Hilton family. It recently sold to a young family with small children, and one of the proposed routes is less than 300’ from their front door. Tinker Road is an old road connecting two bodies of water - Bowers Pond (providing much of Nashua’s public water supply) and Naticook Pond. Along Tinker Road, you’ll find some of the Pennichuck wetlands which feed into Nashua’s public water supply. Because Tinker Road is so old, there are several homes from the early 1700’s that will be very near this pipeline. Their foundations are not built to handle the blasting that will be necessary to trench this pipe.
- Wildlife – Merrimack is home to moose, bear, deer, bobcat, fox, coyote, beaver, porcupine, heron, wild turkey, many songbirds, including bluebirds, and numerous smaller animals. They’ve already lost habitat to the Merrimack Premium Outlets. Clearing the acreage needed for this pipeline would further decimate the animals’ habitat. Two proposed pipeline routes are through popular hunting spots, as well.

- The New Ipswich compressor station isn't near Merrimack, but it's proposed to be within 1/2 mile of an elementary school, nursing home, and closer to numerous homes. More doctors are coming out saying compressor stations emit toxins that are harmful to humans, animals and the environment (1). I would hope FERC will agree that more research needs to be done on the long-term health effects of those living near compressor stations before approving any more.

Commissioners Norman Bay, Tony Clark, Colette Honorable, Cheryl LaFleur, and Philip Moeller hold our climate, our water, our air, our land, our health, our safety, the value of our homes, and our peace of mind in their hands. I respectfully ask them to please say no to NED.

Thank you,

Gina Rosati

Merrimack, NH

(1) <http://www.utne.com/environment/gas-compressors-and-nose-bleeds-zm0z15fzsau.aspx?PageId=2>

20151019-5010

sarah h reloj, Deerfield, MA.

1. I ask FERC for Ask for a No Action Alternative on PF14-22-000, with a complete Restart to the Scoping Meetings to allow time to review and share materials with valid energy demand data provided by Mass. AG Maura Healey to be disseminated by 10-31-15.

TGP/Kinder Morgan left out so much in their reports that I cannot even believe your branch accepted them at FERC. It is shameful. They used maps that are 30 to 35 years old for sections of the Franklin County towns in Massachusetts to underplay to FERC the amount of buildings and number of people living on certain streets and in certain areas in their "Incineration Zones", I have counted buildings and compared the maps they used to submit to FERC with actual streets by driving around and counting. Their submitted maps from July 2015 do not show many, many known structures built around 1980 onward. TGP KINDER MORGAN IS DOWNPLAYING THEIR IMPACTED LAND OWNERS. THEY ARE NOT TELLING YOU ALL THE TRUTH ABOUT IMPACTS BY DELIBERATE USE OF OLD MAPS.

I have many Questions:

2. How would they plan to work around Protected Lands and Protected species in NHESP and other gov. agencies, that are there for our and their protection, by law? HOW?

3. How would they place pipes/ Drill, Dynamite, Frack and Monitor in areas of known seismic activity, on or near fault lines? How to monitor granted access roads for continued, year over year, enforce on violations and quantify/track erosions of soil?

4. I'd like to bring up: the total lack of emergency response capabilities across the entire line in these rural towns. No equipment, NOT ENOUGH Responders, NO Burn Units nearby for fighting pipeline disasters.

5. How will they ensure the multiple areas of Native American artifacts and known burial grounds will remain, in situ, and also protected from access roads, equipment, and the pipeline itself? Ditto: for Colonial Heritage artifacts, including the Revolutionary War sites and sites from the French and Indian War. As well as documented finds of Dinosaur and fossils from the Jurassic and Triassic periods that dot our lands across the entire valley.

6. And, how is the horizontal bore done? How deep, exactly where and how wide? They skipped all that in their reports in Dec. '14 and July '15 filings with FERC so we cannot even know their proposed ideas about our land and waters here in western Mass.

7. How do they test for radon being forced into homes from dynamiting the land and fracking the land or rivers to get the line through?

8. FERC: Do they have a schedule forever for that testing on our homes? Or a proximity?

9. Deerfield: How do the homeowners get home when they blow through there to lay a pipe? Ask the Same for emergency vehicles? How do we get across 91 N or S? What time do they bore or blast through all our roads and streams and fields? Their reports are incomplete, inaccurate and ill-conceived based on our many cultural assets and varied soils.
10. How do they actually do that drilling or blasting on fault lines?
11. How can Pipe then be laid in known fault zones and flood zones and in our cases in Deerfield, both issues at the same time?
12. How would the hills be cleared of trees in such a way as we do not have landslides when the snow melts or when we get a Cat. 3, 4, 5 Hurricane Irene's Sister or Another Sandy coming by?
13. How do they monitor and maintain the welds under rivers during plate shifts, epic floods? It is a seismic area all over here, and is predicted to have more seismic events. On faults and near faults, edge to edge from French King Bridge on down. How FERC? HOW?
14. How do they fix the pipe if it breaks under a river in an icejam, with heavily frozen ground or epic, extended ice storms? We have those.

FERC: All the gorgeous towns in MA + NH, CT, NY, & PA cannot bear the disaster this could bring. Enough is enough.

FERC to re-look at NED's lack of foresight & detail on the actual HOW this thing can get built. It is 3X to 4 X capacity needed -ever- and WE KNOW THAT GAS IS NOT FOR US TO USE HERE. IT CANNOT EVEN BE USED IN SO MANY TOWNS IT CROSSES.

FERC: Kinder MORGAN bribes, toxifies and pays off landowners to take their beloved land in such a way as they cannot actually use it for farming as we know it.

DID FERC EVER farm around herbicides, clear cuts 100 feet wide that pollute crops and animals and the watershed here including the Deerfield and CT that we cherish like our own babies?

SAY NO KINDER MORGAN! SAY NO TO NED.

IT IS NOT APPROPRIATE AND WE WILL NOT ACCEPT THIS POWER PLAY TO GET GAS OUT TO EXPORT AT TOO LARGE A COST TO OUR REGION FOR NO LONG TERM OR SAFE, COST-EFFECTIVE BENEFIT. THE RISKS OUTWEIGH THE REWARDS.

WE CAN FIX LEAKS AND USE BETTER METHODS TO CONSERVE.

NED IS OVERBUILT FOR PROFIT THAT VIOLATES ARTICLE 97 of our Mass. Constitution.

FERC NEEDS TO STOP PERMITTING PROJECTS THAT DESTROY OUR LOCAL COMMUNITIES, LAND, WATER AND PEOPLE'S LIVES FOR CORPORATE GREED. NED IS NOT INFRASTRUCTURE.

20151019-5011

Tammy Fareed, Hollis, NH.

I've read thousands of eComments and eFilings on this site this past year pertaining to the Kinder Morgan/Tennessee Gas Pipeline NED project. Aside from a few NY job seekers (who probably would not be able to compete successfully for good pipeline jobs against the guys who'll be trucked in from TX and OK), the overwhelming evidence from most commenters has indicted this project and its creators for the profiteering grab it is.

The overwhelming evidence also indicts FERC itself. Many commenters have called FERC a rubber-stamp agency in regulatory capture. Several have challenged FERC to do its job and Regulate the very industries that pay its way.

As I've contemplated all this - if FERC isn't doing its job, legally, how is it still in business? - I've come to realize that FERC has molded its job into doing just that: helping ensure that all applicants make their projects REGULAR. In other words, to become FERC-certified, all a project has to do is to become a REGU-

LAR FERC PROJECT. FERC isn't a rubber-stamp agency, it's a cookie cutter agency.

No matter how egregiously against all sense and law a project may be, if it can conform to FERC's measuring formats, it will become REGULAR and FERC can (and will) approve it. Regardless of the intent behind FERC founding. Regardless of a project's excesses, redundancies, superfluosities, mendacities, and the severe harm it will cause to thousands, if an application meets FERC's checklist, it is deemed REGULAR and thus it is REGULATED and certified.

And for this REGULATION, FERC is paid by those whom it has made REGULAR. This reminds me of the image of a snake swallowing itself, which suggests that in the near future FERC will disappear.

Until then, thousands upon thousands of American citizens will suffer the kinds of losses and harms associated with the unfortunates who live in lawless countries subject to despotism and oppression. Never mind Ukraine, North Korea, Syria. Pity the folks who are subject to FERC's REGULATION process, invisible victims of a sycophantic agency aiding and abetting the pillaging of lives by its corporate masters.

No doubt FERC has seen many, many projects it didn't like. But it never bites the hand that feeds it. That would be irregular.

20151019-5012

Susan, Nassau, NY.

I am very concerned about many issues concerning the proposed compressor station site on Clarks Chapel Road. This site is directly across the street from my daughters organic farm. The blow downs will cause chaos with her beef cattle and also cause pollution both noise and air. There are at least 50 children within 1/2 mile of the site. We already deal with issues from the Dewy Loffel GE polluted site approximately 3/4 mile away. I personally have invested in 200 acres within 1/2 mile of the proposed site. I was a realtor and know that this compressor station will bring a financial hardship to my husband and myself if it goes in. All of my children and many of my relatives have built within 1 1/2 mile of this site. I grew up on a farm next to the 200 acres and many family members have all built homes on these two farm sites. There are 35 of us all within 1 1/2 mile of the site and most in the incineration zone of the pipeline. This is a lot to ask of one family to bear. It is a very unusual circumstance and I am asking ferc to consider the human aspect of this as well as the environmental. This site is surrounded by many homes with young children, Burden Lake which is in the direct path of the prevailing wind and a highly populated area.

There are Eagles on the proposed site, bee farming at three of the sites in the 1/2 mile zone and farms that surround it.

Thank you for considering my request.

Susan Phelps

20151019-5013

Hugh Rogers, Washington Depot, CT.

October 16, 2015

To the Federal Energy Regulatory Commission,

As a resident of Connecticut, I am deeply concerned about the proposed gas line through Metropolitan District Commission land and strongly urge you to disapprove the project. This land is classified as Class I and Class II, and disturbing it, for anything other than its maintenance as natural and open land, is prohibited by state law. To allow this pipeline would undermine the legal protections of Connecticut's drinking water and set a precedent that would threaten the future of clean drinking water.

I urge FERC to consider whether the entire project is necessary, the legality and safety of a route through Class I and II land, and alternate routes and their impacts.

Sincerely,

Hugh Rogers
21 Moody Bridge Rd. W.
Washington Depot, CT 06794

20151019-5014

Michelle Krichbaum, New Ipswich, NH.

Please do NOT approve the pipeline or compressor station, we the people do NOT want this. This pipeline and/or compressor station will destroy what makes us want to live here, peace and quite, nature's splendor, fresh air, fresh water and so on. There is no need for a pipeline to destroy all this beauty when it appears to be going in solely to line Kinder Morgan's pockets as they EXPORT the gas. We implore you to deny their application.

20151019-5015

Susan Landon, Tewksbury, MA.

My husband and I sent a letter, certified mail receipt, to Tennessee Gas Pipeline LLC on October 3 informing them and their representatives, contractors and other associates that we deny permission to enter our property. We are strongly against this project not only because of the significant impacts to our property but the significant environmental and public impacts across the Commonwealth of Massachusetts. A 24-inch 1400 psi pipeline does not belong in residential areas, much less the larger transmission pipes and enormous compressor stations. An additional significant concern is that this project is ultimately intended to deliver natural gas for overseas export and corporate profit at the expense of Commonwealth residents quality of life.

Sincerely, Jeff and Susan Landon

20151019-5016

Chip Caton, Bloomfield, CT.

First, although I followed your recommended procedure and created a Word File this section is not taking it. In any case, I am a resident of Bloomfield, CT and am opposed to this project for many reasons. The primary one involves the safety of the MDC's watershed. At the least you should extend the time for public comment. And, if it must go through, the route and the land-taking - ninety feet is ridiculous - should be modified.

Respectfully,

Chip Caton
59 Duncaster Rd.
Bloomfield, CT 06002

20151019-5017

Jean Nigro, Temple, NH.

Dear FERC Commissioners,

You must consider the cumulative effect of the multiple natural gas initiatives that are proposed for the New Hampshire and New England region.

What NED/Kinder Morgan proposes is overkill of the highest order. This, as only one project of many is just the company's strategy for getting in on the glut of gas that is coming out of the Marcellus Shale. There is no way all this gas can be consumed locally. They are in the business of export and they cannot do it at the expense of the health, welfare, and livelihood of New Hampshire residents.

DENY KINDER MORGAN'S APPLICATION!!

20151019-5018

Scott Campbell, New Ipswich, NH.

-Dear FERC

Kinder Morgan says there will only be five permanent jobs that come to New Hampshire. This is nowhere near enough permanent jobs that could make any type of impact. Only providing five jobs is a joke compared to the amount of land that will be taken, amount of money lost to current homeowners due to losses in property values, and future health issues related to the pipeline.

20151019-5019

Scott Campbell, New Ipswich, NH.

-Dear FERC

Kinder Morgan should be required to fix all current leaks at any location before it gets any opportunity to build a new pipeline. Why should Kinder Morgan be able to keep taking on infrastructure when they cannot maintain what they currently have. They need to take proper care of what they currently have before I would even consider letting them create more of a headache. So NO from me.

20151019-5020

Hughes Pack, Northfield, MA.

Thank you for this opportunity.

The "NEED" for the Northeast Energy Direct Project has NOT been established. Either, we in the northeast need it or we do not. It is not rocket science to figure this out. Without comprehensive studies providing incontrovertible evidence of its need, you cannot approve this project. That would be so very wrong.

The damage that will be done to the areas through which this pipeline passes simply during the construction phase must be far outweighed by the short term AND long term benefits to the area before approval can be granted. These benefits have not been shown to exist.

So far, you do not have the evidence to approve this project unless it is a secret.

Please do not approve this project.

Thank you.

Hughes Pack

20151019-5021

Elizabeth Spencer, Averill Park, NY.

Re: Scoping Notice; Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000 Northeast Energy Direct Project

I am a resident in the Town of Nassau less than a quarter mile from the proposed pipeline corridor south of Pikes Pond in Averill Park NY.

The loss of environmental quality, economic opportunity and property values along the entire pipeline route and in the communities in the compressor station impact zones and in the natural gas production fields should be the FERC's primary concern and any project approved should maintain or protect the public health of the communities of the production, transport and distribution infrastructure.

The preparation of detailed emergency response plans addressing dedicated financial, equipment resources and staffing for the entire northeast direct pipeline and all of its component segments and proposed compressor stations is needed to ensure that public health and safety are protected in the event of accidents including pipeline and compressor stations leaks or explosions,

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. Cost burden for providing a substantially less polluting emissions as a means of powering a station should fall on the applicant and not the public communities where compressor stations are proposed to be located.

The estimated emissions from construction may exceed the tons-per-year threshold for major sources for multiple of the pollutants emitted, including NO_x, VOCs, CO, and PM. If it is determined during analysis that the project exceeds the limits for attainment status for VOCs and NO_x'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.

Of concern for all proposed compressor station locations along the NED route and the Nassau NY location in particular. The construction and operation of the proposed projects will result in significant emissions of various air pollutants, including NO_x, 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_x is a precursor of both ozone and fine particulate matter (“PM_{2.5}”). 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 NY as a nonattainment area for ozone pollution. http://www.epa.gov/oaqps001/greenbk/anayo_ny.html

I formally request that FERC supplement its review of compressor station impacts by seeking the assistance of the U.S. Dept. of Health and Human Services.

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.

Thank you for the opportunity to comment and for your diligence in protecting the health of the communities proposed to be impacted by this infrastructure development by Kinder Morgan and Tennessee Gas Pipeline.

20151019-5022

Scott Campbell, New Ipswich, NH.

-Dear FERC

I would require by law and constant enormous fines that if the pipeline running across New Hampshire goes into construction, no flow will go through the pipeline at any point if there is a leak. We the people who live here mean something. So NO from me.

20151019-5023

Robert, Dianna, Jayme & Alexander Laroche

958 Starch Mill Road

Mason, N.H. 03048

October 15, 2015

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: FERC docket PF14-22-000

Dear Ms. Bose:

The purpose of this letter is to express our grave concerns about the proposed Northeast Energy Direct natural gas pipeline project, which, if approved will pass through our land (Mason NH Tax Map parcel B-19-2). In this part of Mason granite quarries surround us. Large amounts of blasting through granite will pose a great risk to our well from shifting bedrock and contamination from the chemical byproducts of explosive materials. Our well is the only clean water supply we have. There is no replacement. Please do not risk it on a pipeline we will not benefit from.

The pipeline will be crossing several wetlands in this vicinity. THESE WETLANDS ARE HOME TO A PAIR OF VERY RARE AND ENDANGERED SPOTTED TURTLES. The wetlands also feed the largest stratified drift aquifer in Mason. This is essentially our public water supply! Contamination of this aquifer will affect hundreds of wells. This resource is too precious to risk. Mitigating the damage after the fact is not an option!

Kinder Morgan claims that a 30" high-pressure gas pipeline in our back yard will not devalue our home. We beg to differ. Any family looking to buy our house or any other in this area would need to give very serious consideration to the fact that an otherwise attractive property is in an INCINERATION ZONE! It is illogical to believe the pipeline will not be used as a negotiation ploy to reduce the price significantly, or compelling reason to SEEK SAFER ALTERNATIVES. Our house insurance rates will certainly rise while our ability to secure equity capital will be reduced.

Adding insult to injury ratepayers will be charged a tariff to pay for the NED pipeline construction. We would much prefer to invest our money to build a system of solar panels on roofs of existing and new dwellings, which could provide an abundance of truly clean, renewable energy to the grid without any risk to our lives and environment.

Please DO NOT ALLOW Kinder Morgan to violate nearby Conservation Lands such as the Fifield Tree Farm. It was Mr. Fifield's' dying wish that his land be forever protected from just such a desecration. NED would invalidate agreements which took years of effort by the State & municipality working together with land owners.

One of the main reasons we moved to Mason was for the quiet solitude we enjoy here in our log cabin haven. If approved the pipeline project will literally be a CATAclysmic Event, creating an unprecedented impact on this region for years to come. One we may never recover from.

Our final question is: do you represent "government of the people, by the people, for the people", or do you represent government of the corporations, by the corporations, for the corporations? We implore you consider what is best for the people in the affected towns of Southern New Hampshire, all of whom unanimously object to Kinder Morgan's' invasion of our land for PRIVATE BENEFIT, NOT PUBLIC NEED.

Respectfully,

Robert, Dianna, Jayme & Alexander Larochelle

20151019-5024

Scott Campbell, New Ipswich, NH.

-Dear FERC

We hear that we have been chosen to host the pipeline across our backyard because if something happens the life lost is low. We the People mean something and the last I checked we are all equal. We are the same here as the people that are in Memphis, Tennessee. We here are the same as the people in Corvallis, Oregon.

We are the same here as the people in Valdosta, Georgia. Do not ever rate us a lower class than how Kinder Morgan has made us feel as “Our Lives Matter.” So NO from me.

20151019-5025

Scott Campbell, New Ipswich, NH.
-Dear FERC

Kinder Morgan says they can do things such as “trout in the classroom” or donate trees for arbor day. I am deeply troubled by this train of thought. I have seen more wildlife in my backyard then I have seen in my life. I have seen different salamanders, frogs, birds, and owls. I do not want to see these in the classroom. Seeing these animal in their natural habitat has been quite peaceful to me in knowing that there is a whole ecosystem right outside my door. I never saw any of what I currently see in a classroom. In a classroom I saw pictures. When you see pictures of wildlife, they are usually extinct or on their way. I went to the University of Massachusetts in Amherst and have a degree in Environmental Science. I was taught that if there are amphibians in the area then the ecosystem is good and there are plenty of amphibians around. Do not let this pipeline change this ecosystem by giving Kinder Morgan a permit. So NO from me.

20151019-5026

Scott Campbell, New Ipswich, NH.
-Dear FERC

Kinder Morgan says they are going to be working with Unitil so that Unitil can meet their needs. In late 2008 Unitil was heavily criticized for their response to power issues and an ice storm. According to the Sentinel & Enterprise, “State Rep. Stephen DiNatale, D-Fitchburg, quite rightly lashed out at power company Unitil on Saturday about their lack of communication with city officials at the outset of the major ice storm on Thursday night that left thousands of people in North Central Massachusetts without power.

“I don’t believe Unitil has responded the way they should have,” DiNatale said. “The response, up until today, has been lackluster to say the least.”

Fitchburg Ward 4 City Councilor Kevin Starr said Unitil did not send enough work crews to the city when the storm hit, delaying the needed repair work to restore power.

“They have set the progress back hours and hours and hours,” Starr said Saturday.

Read more: http://www.sentinelandenterprise.com/editorial/ci_11243903”. That is not good company for Kinder Morgan to be with as I was definitely a witness to Unitil’s lackluster performance. Is this what we can expect from Kinder Morgan too? So NO from me.

20151019-5028

Robert T. Duby, Sunderland, MA.

The proposed pipeline will cross approximately 2500’ of my land in Northfield, MA. The filing by Kinder Morgan for the NED project suggests that at the end of the pipeline’s useful life it will be “abandoned in place” suggesting that landowners will be responsible for the deteriorating pipeline. This seems unreasonable. The pipe line will eventually rust through and leave craters on the surface as well as fill with water that will dissolve whatever is contained in the residues within. This will result in a 400 mile disaster as the materials will leach into and onto private property. It is easy to visualize a situation where the pipe rusts through and a high elevation and then sends the contaminated water to lower elevations where it would flood those properties. The landowner will then be responsible for the cleanup. If the pipeline is built, a condition should be that Kinder Morgan be required to remove the pipe from all property it crosses. Funding should be guaranteed through the establishment of a trust fund that will be funded by a “use tax” based on the estimated total gas to be transmitted through the pipe during its lifespan.

KM has indicated that the pathway would parallel existing utility ROW. Over much of the proposed path-

way this will expand the ROW by up to 100 feet creating a scar across the primarily wooded wooded areas. Again, this is unacceptable as it will severely impact the rural character of the area.

Based on several studies, it is not clear that the gas the pipeline will deliver is not essential to Massachusetts' requirement for heating or electrical generation. Since the vast majority of the gas is for export, the project does not meet the requirements of demonstrated need required for the granting of a permit. Hopefully the permit will be denied to prevent an environmental disaster. Thank you.

20151019-5029

Glenn and Laura Bertrand
465 Rose Lane
Davenport, New York 13750

October 16, 2015

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

RE: Docket Number PF14-22-000

Dear Ms. Bose,

We are directly affected landowners in the proposed route of the Northeast Energy Direct (NED) Project. The proposed route takes the pipeline approximately 150 feet upslope from our home and cuts a swath through 52 acres of our tree farm. We are opposed to the construction of the pipeline. Building this in the proposed route will cause irreparable damage to our trees, wildlife habitats, and the aesthetics of our property. We are also deeply concerned about the safety of the pipeline. The right of way for the Constitution Pipeline which was taken by eminent domain parallels the NED route 500 feet further to the north. Why should we be subjected to two pipelines crossing our property? What more can we expect?

In 2006 we commissioned a Landowner Forest Stewardship Plan from the New York State Department of Environmental Conservation, (DEC). Their survey included characterization of the soils and topography of the property. The entire proposed pipeline route crosses an area composed of Lackawanna/Bath soils. To quote the report: "The steep slopes, (15-35%), and excessive surface stones limit the use of these soils to woodland and pasture. A severe erosion hazard exists whenever this soil is disturbed". In addition, the plan states that "this is the most valuable stand from a timber perspective on this property". The eventual goal with this stand is to increase the sugar maple component. What will become of this area if the pipeline is constructed? Obviously, this is no place to run a pipeline.

In addition, the placement of the pipeline will cause irreparable damage to our wells and the numerous springs found on our property. Many of these springs feed wetlands adjacent to our 10 acre pond. Erosion and runoff from pipeline construction will cause sedimentation to occur in these sensitive areas. The stewardship plan emphasized the need to protect these natural features.

We do not believe that gas pipelines are safe. There have been two pipeline explosions in our area since 1990. The North Blenheim explosion in 1990 took two lives and destroyed eight homes. The second explosion was in 2004 involving a 6" Texas Eastern pipeline which burned for three days, and was less than a mile from our home. Flames were 200' high and we could see them from our house. What would be the consequences of a leak in a 30" pipeline next to our house?

Construction of this pipeline will forever disfigure the landscape and degrade the quality of our water and wildlife habitats. It will destroy our potential income from timber and maple sugar production. It will harm our water. It will create an unacceptable safety hazard. The FERC must not allow this dangerous and unnecessary project to proceed for the sole benefit of Kinder Morgan's profit.

Thank you for your consideration.

20151019-5030

Nancy Bowden, Bloomfield, CT.

I oppose the expansion of existing gas pipelines in CT, and in particular ANY pipeline that is running through protected watershed or other preserved spaces. Sooner or later (likely sooner) this pipeline will be carrying fracked gas - I believe that is what is spurring the expansions across the region, NOT supposed increased consumer demand.

The risks of fracked gas - the damage from the process itself as well as the harm that comes from pipeline mishaps - is well understood by the public, even if industry officials go to great lengths to bury or deny them. This is all heading in the WRONG direction as we approach the diminishing stores of fossil and non-renewable fuels. We need to put human energy to work on alternatives (including changes in lifestyles) that will the health and well-being of all of us.

Please deny the request from Tennessee Gas / Kinder Morgan to run a pipeline though MDC land.

20151019-5031

Susan Dunham, Worthington, MA.

Dear FERC:

I am writing to briefly express a few of my concerns regarding the proposed NED pipeline project.

- There is no clear evidence that this pipeline is actually necessary. Conservation and more efficient systems, plus more sustainable energy sources, should take care of the tiny winter shortfall. Furthermore, according to studies by the Home Energy Efficiency Team and the Conservation Law Foundation, there are approximately 20,000 gas leaks in Massachusetts alone, which lost an estimated 8-12 billion cubic feet of natural gas in Massachusetts alone in 2010. Repairing the leaks alone might cover the shortfall.
- There is grave concern over the possibility of major contamination of drinking water. The drilling, blasting and dredging that will be required in order to build and bury the pipeline will alter the geologic formations and alter the current paths that connect the underground aquifers. A variety of hazardous chemicals are used in some of the drilling processes, and the drilling is also likely to transport high concentrations of underground radium and arsenic (shown in US Geologic Survey maps) to underground aquifers which currently have no contact with these chemicals. Furthermore, the hydrofracked shale gas which will be transported through the pipeline, if it is built, also contains numerous known toxins and carcinogens. Many Massachusetts and New Hampshire residents have private wells for their drinking water – and these wells will be at great risk.
- The massive compression stations proposed for this project will be sources of massive noise and light pollution in essentially rural areas, as well as sources of numerous air-borne toxins.
- The proposed pipeline route will pass through numerous public conservation lands, which have been protected. It is unconscionable that these protected public lands should be violated for private profit.
- Virtually every town which would be affected by the proposed pipeline has voted overwhelmingly to reject and/or fight this pipeline. Private companies should not have the right to overrule the rights and wishes of the majority of the people.
- Inasmuch as so many people whose land would be affected by the proposed pipeline are fighting against it, their land would have to be taken by the rights of eminent domain – which should not be applicable and/or utilized for the private profit of corporations.
- The amount of gas proposed to pass through this massive pipeline is far more than could even remotely be considered as necessary for the northeast. It is clearly intended primarily for export.
- Hydrofracking is a filthy, dangerous, and environmentally unsound and unsustainable source of energy. At a time when it has become obvious to almost everyone that we need to back away from fossil fuels and

that we need to leave deposits of oil and gas in the ground if we are to have any hope of slowing or reversing the effects of global warming, we should not be supporting fracking or destroying more land and polluting the environment even more in order to transport fracked gas.

Thank you.

20151019-5032

Debra Huffman, Merrimack, NH.

October 16, 2015

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

RE: Docket PF14-22-000

Dear Secretary Bose,

As you evaluate the Northeast Energy Direct (NED) project, I request that particular consideration be paid to the following issues:

ASSESSMENT OF ALTERNATIVES

- Resource Report 10 does not adequately assess alternatives to NED. Advantages of alternatives are ignored; disadvantages of NED are understated. The public deserves nothing less than an independent, complete and accurate assessment of all alternatives, including the ‘no build’ option, and a comprehensive cost/benefit comparison of alternatives.
- Analysis of alternative solutions must not be segmented. We are told time and again that New Hampshire must not look at our state’s needs in isolation (the fact that we produce 40% more electricity than we use; the fact that only 19% of our energy is produced by natural gas, and so on), we must always consider our state as part of the New England region. If that’s true, then surely when we assess solutions we must look at all potential solutions being proposed in our entire region and consider their effects as a whole.
- It must be proven that NED 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. That well-researched policy focuses on grid modernization and other forward-thinking strategies. Strapping New England to 20th century technologies will hamper our growth in the 21st century.

ENVIRONMENTAL IMPACTS

The Town of Merrimack is at a disadvantage when requesting that specific issues be addressed in the Environmental Impact Statement (EIS), because the applicant has proposed several routes through our town and we have no idea which route will be ultimately selected. I respectfully request, therefore, that the following issues be thoroughly addressed in the Environmental Impact Statement (EIS) for all properties along the various proposed pipeline routes:

- Impacts to wildlife during the construction, operation, 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, operation, 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.
- 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.

- Specific information on air and water quality, based on studies before, during, and after construction, within a one-mile radius of the meter station being proposed for Merrimack. Studies must include all components that may be released, including VOCs, radon, particulate matter, and so on. The results of pre-construction tests, and a specific plan for ongoing monitoring and notification, must be included in the EIS.

SAFETY

Industry wisdom seems to be that natural gas transmission pipelines are extremely safe, but recent PHMSA data calls that wisdom into question. Please address the following:

- Data suggests that natural gas transmission lines built within in the last 10 years have a worse failure rate than pipes built at any other time in the last 50 years. Please describe this data at length, and detail how NED will avoid all pitfalls that have caused pipeline safety to be compromised.
- Extreme temperatures have an effect on pipelines. 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.

Thank you for your careful attention to these requirements.

Sincerely,

Debra Huffman Merrimack, NH

20151019-5033

Diane K Varney-Parker, Mason, NH.

I am seeking clarification on a comment made by Eric Tomasi at the Scoping Meeting in Lunenburg, MA on Aug. 2, 2015. As residents from the MA route in Townsend, etc. spoke at the hearing explaining why the pipeline should NOT go through properties originally proposed, Eric stated that "If a new route (or old) is decided on this whole process will have to Start Over". My question is - Where is the the deliniation of a "New Route"? Both before and since that hearing there have been MANY route changes, most recently the change of route from areas in Amherst and Merrimack NH. Yet even though these changes were made after the scoping hearings and so close to the deadline for comments there has been NO Extension and certainly no "Starting Over" in the process. The rule Eric suggested sounded "fair" - yet Once Again the people are let down by FERC's system. Kinder Morgan again gets all the benefit of changing their mind with no consequence while the people try to do research and protect themselves following a blind plan and a highly ambiguous set of rules. Please clarify what the rule is and how FERC believes this process is fair to the stakeholders of NED (besides Kinder Morgan). Thank you!

20151019-5034

Catharine Grady-Benson, Farmington, CT.

I strongly oppose the proposal by Tennessee Gas/Kinder Morgan to install a natural gas pipeline through the Class I and Class II watershed land owned by the Metropolitan District Commission (MDC). A gas pipeline installation on this land has potential to impact a high quality drinking water source. Also, granting permission for a new pipeline through this land undermines Connecticut's current protections for drinking water.

CT General Statute 25-32 requires a change of use permit from the CT Department of Public Health for projects like this one. Furthermore, it restricts the use changes that are allowable. The existing gas pipeline and easement on the MDC property pre-date the statute. A proposal now, to install new pipeline and enlarge the permanent right-of-way, is inconsistent with the letter and intent of CGS 25-32.

Regardless of the degree of threat posed by this particular pipeline, allowing an exception to the statute sets a dangerous precedent, paving the way for other encroachments on water supply land. Connecticut's standards for drinking water quality are second to none in the country. They are important in maintaining public health and quality of life in our state. While other regions face increasing threats from contaminants in their drinking water sources, Connecticut's protective legislation stands out as a model and should not be com-

promised.

The first drafts of the NED Environmental Reports submitted to FERC contained an erroneous statement that the proposed pipeline route is not located within any public drinking water or aquifer protection areas. In the recent public forum held by Kinder Morgan in West Hartford on October 7 (held after an emphatic request by the MDC) it was clear that Tennessee Gas/Kinder Morgan has every intention of putting more pipeline through the MDC's drinking water supply area. During the question and answer session, alternate routes were dismissed as impracticable.

I do not feel any natural gas pipeline is necessary. The exploration and implementation of solar and wind need to be considered first before something this invasive is considered. It is my opinion that this is just a conduit for moving the gas to the Long Island Sound for export. That is the last thing we need as a state and as a country.

I hike on the land they wish to exploit and ultimately destroy. Where would we be without the ability to see nature in its unadulterated form? To take land that is home to native species of both animal and plant life in order to fill the pockets of a few is unconscionable.

Thank you for this opportunity to comment.

20151019-5035

Conrad Liebenow, Cumington, MA.

This comment poses a safety related question:

Please explain the AC Mitigation implementation that will be utilized for the extensive distances where the pipeline runs parallel with, and in close proximity to high voltage transmission lines. Will TGP be able to guarantee that even under transient conditions, such as faulted transmission circuit, or lightning strikes, that damage to the pipeline will not occur? Potential damage includes creating a pipe coating holiday, structural loss of pipe steel through arcing, and destruction of installed active DC Cathodic protection systems. While the conductive and inductive interference due to normal electric transmission line operation, and even a faulted condition, may be modeled with reasonable confidence, it may be impossible to characterize the worst case lightning scenario. The collocation of this gas pipeline with electric transmission lines appears to pose an unnecessary risk to the host communities.

20151019-5036

Cynthia M Boundy, West Townsend, MA.

We are abutters to the lateral line running of the main pipeline of the Northeast Energy Direct Project.

There is no need for this pipeline. There is no need to destroy historic properties, pristine farmlands, woodlands, wetlands, rivers, aquifers, conservation lands, and neighborhoods. This project will not benefit anyone in my community. We are Unitil customers and we already pay some of the highest electric and gas bills in the country. Unitil has not placed an order for gas from this pipeline.

We were given a lot of conflicting information from TGP and Kinder Morgan. The last letter we received from them dated October 6, 2014, indicated that our property was no longer affected by the project. When the maps came out this past summer, the "construction zone" is in my yard. The tree line that separates two historic homes will be gone, our family's pet cemetery will be destroyed, and we will have no privacy. Our septic and leach field are placed in the vicinity of the "construction zone". Our neighborhood will be devalued. The quality of our community will be diminished. And to what end, this destruction, so Kinder Morgan and TCP can reap profits on a misguided energy plan based on a manufactured energy crisis.

We ask you, FERC, to dismiss this project as there is no need for this pipeline. This project will not provide value or benefit to any of the people whose lands and homes you will take by eminent domain. Instead, our communities will be scarred and degraded while a huge energy companies line their pockets with profits.

Sincerely,

Cynthia M Boundy
Paul F Boundy

20151019-5037

Alison Jaskiewicz, Mason, NH.

NO need

NO build

NO environmental impact (beyond the extreme stress imposed on impacted citizens over the past year+ and the hours not devoted to their families and communities in order to oppose the pipeline)

20151019-5038

Cathy Bertinuson, South Deerfield, MA.

PLEASE CONSIDER BEFORE RUSHING TO APPROVE THIS PROJECT:

1. Need has not been demonstrated: what are results of attorney general's study? What about already available options, like conservation, fixing leaks, using LNG? What about capacity in Whately and other storage facilities?
2. What would be the impact on vernal pools? Waterways that are used for recreation? Farmland? Aquifers? Conservation land? Scenic byways? Hiking trails?
3. What is the impact on property values? Ability to obtain insurance? Tourism industry? Quality of life?
4. How can this project be justified within the parameters of the Global Warming Solutions Act and the Green Energy Act? What effect will this have on global climate change?
5. How well have you considered the other energy solutions which are growing, , including wind and solar?
6. Please detail all research on health and safety costs presented by the pipeline, including chemicals in the gas, emissions from pipelines, effects on drinking water and air, and risks of explosions. Detail how communities would deal with a leak/explosion/accident.
7. Please address the proximity of proposed pipeline to railroad tracks, high tension wires, toxic wast site in East Deerfield.
8. Just how financially stable is Kinder Morgan anyway? And how long is the Pennsylvania going to be producing this fracked gas.
9. Since so many landowners have denied access to Kinder Morgan, and people here don't want this pipeline, what "public good" do you claim to justify the taking of private and public property for the financial gain of Kinder Morgan?

Thank you

20151019-5039

Jane Livziey, Bloomfield, CT.

Ms. Kimberly D. Bose

Secretary

Federal Energy Regulatory Commission

888 First Street, NE, Room 1A

Washington, DC 20426

RE: Proposed Northeast Energy Direct (NED) Pipeline Project, Tennessee Gas Pipeline
LLC/Kinder Morgan (FERC Docket No. PF14-22-000)

Dear Secretary Bose,

I am writing over a matter of great concern to our community and to my family: the Kinder Morgan/Tennessee Gas Pipeline. The proposed route of the pipeline would take it across land owned by the Metropolitan Water District (MDC) on land designated by the State of Connecticut as Class I and Class II land. Kinder Morgan's poor safety record with regard to pipeline maintenance and the large number of accidents involving Kinder Morgan pipelines poses a risk to major drinking water sources in this area of Connecticut.

In addition, the pipeline is projected to run through the Wintonbury Land Trust, a large area of protected land that they intend to clear cut with a 90 foot path. I am also greatly concerned about the prospect of this new pipeline running through our one-acre lot. While Kinder Morgan contacted me on several occasions to indicate that they needed to make measurements on my property on an existing line, they never indicated that this new project would definitely be moving forward. There have been no efforts on the part of the company to inform me of any property restoration subsequent to the installation of the proposed pipeline, nor have they provided any details about the amount of damage this project will do to our property. As you can imagine, I am worried about the safety for my family and the potential devaluation of my property as a result of the installation.

The meeting held to give West Hartford residents the opportunity to express their concerns about potential contamination of drinking water sources was very poorly publicized and many questions were left unanswered by Kinder Morgan representatives. I can only conclude that the company has no intention of answering the community's concerns. The town of Bloomfield has not been offered any meeting to address the community's questions, so I am requesting that the deadline for comments be extended and that Kinder Morgan provide other venues for residents to have questions answered.

Thank you for your consideration of this request.

Sincerely,

Jane Livziey

20151019-5040

Danika Padilla, Great Barrington, MA.

I could send in a long, detailed, well-documented outline of all that is wrong with the proposed natural gas pipeline, but I trust the organizations such as MassPLAN and No Fracked Gas In Mass to do this more ably than I ever could.

Berkshire Environmental Action Team in particular is a great organization and I urge you to listen to them.

The EIS is supposed to take into account the concerns of the public. This is my primary concern: runaway human exploitation of the earth we live on, exemplified by climate change as a result of greenhouse gas emissions, is killing species and people and making life more difficult on this planet. This isn't only about Massachusetts, or the ponds and fields and forests this pipeline would destroy, or the waters and air it would pollute. This is about the communities in the Marcellus shale whose groundwater is being destroyed by fracking. Most importantly it is about frontline communities worldwide who are feeling the effects of climate change, not in the future, but now - from islands rapidly disappearing to once-fertile farmland being covered by desert. Natural Gas isn't providing a "bridge"; it is distracting from resources and effort which should be spent developing more renewable energy resources.

The environmental laws that serve as the basis for the process of assessing this pipeline aren't built to deal with the global nature of these concerns.

That doesn't mean they shouldn't. Any assessment of the impact of the proposed pipeline is incomplete and inadequate without acknowledging its impacts on the global climate and continuing environmental degradation whose impacts are most acutely felt far from the hills and wetlands of my home Western Massachusetts.

20151019-5041

Elizabeth Reilly, Nassau, NY.

The proposal of this pipeline/compressor station to be located on Clarks Chapel Road has already greatly disrupted the lives of my family and neighbors. We have experienced great anxiety, loss of sleep and valuable family life. Having a panic attack disorder I fear if the compressor station is to go in across the street from me on Clarks Chapel Road, my condition will worsen leaving me in constant fear. I also fear for the health of my children and the other 50 that border the compressor station location. My son's and I have a condition that prevents us from detoxing like the average person, we have structured our lives around clean eating and living.

We have taken on a business adventure with a plan to continue expanding on our beef cattle, pigs, meat chicken, honey bees and maple syrup production for sale to local markets. Our cliental purchases our products because we are organic. If a toxic compressor station is built next to my cow pasture, I will experience a major economic loss. We will not be able to continue our farm and fulfill our business plan. The installation of an industrial complex across the street from our home, which is located in a residential neighborhood is outrageous. We should not be being subject to this type of infrastructure. Our town has set zoning laws for a reason, to protect the citizens of their town, to protect their health and economic investment. Kinder Morgan has caused great anxiety amongst the population and should be shut down from moving forward with this unnecessary project. In the event the compressor station is approved for this outrageous location I and the 11 other households of Family members that live on this section of the pipeline will file a lawsuit.

20151019-5042

Kristen Brassard, Temple, NH.

I am deeply concerned about the possibility of a pipeline going through our nearby community in New Ipswich, NH. I live in Temple the next town over and I feel it is in my best interest, as well as many others to fight against this pipeline. It serves no greater good for the NH residents. Also, it is dangerous and harmful. The compressor site is located near my 5 year old son's school, Temple Elementary School. This is ridiculous and angering! How is this ok?! Our livelihoods are at stake. If this happens, my family and I are going to have to sell our home, which will be worth a lot less then what we bought it for and find a new place to live. This just doesn't seem right. I would not want to keep my son in a school right near a compressor site! We moved here knowing this is a peaceful and happy community and we want it to remain that way! I want to continue to live in a healthy and peaceful place and to do that, the pipeline should not be here.

Sincerely,

Kristen Brassard
Temple, NH

20151019-5043

Jay Koutavas, Windham, NH.

As a home owner who's property will literally have this proposed pipeline running through it, I've become quite concerned over the value and purpose of the pipeline.

My assessment of the this proposed pipeline route through 71 miles of the southern NH region, namely, the Pelham, Windham, and Merrimack area, indicates the environmental and community impact being far worse than any tangible gains for having such a pipeline. The pipeline does little to improve the energy needs for the region. Material provided by Kinder Morgan indicate that NH has "energy needs" and yet NH is actually an exporter of energy. From my understanding, the majority of what will be pumped is an export, one that NH doesn't benefit from.

For these reasons, I oppose the routing of the pipeline through southern NH. Please do not allow our beautiful rural country side be torn-up by this unnecessary pipeline. Thank you.

Signed,

Jay Kouatavas

20151019-5048

Wayne R Stinson, Summit, NY.

To: Federal Energy Regulatory Commission

RE: PF14-22, Northeast Energy Direct pipeline

I am one of the many citizens resisting the Constitution Pipeline and have previously submitted comments concerning that project, all of which apply to this ill-conceived project as well. I submit this additional comment in the interest of my children and grandchildren who will have to live with the world we leave them.

This is absolute insanity! Over the past few years we have learned much more about climate disruption caused by global warming and yet we are presented with another fossil fuel infrastructure project. We have learned that we are fast approaching a tipping point, a point of no return for avoiding a sixth great extinction. Can we respect the science? Can we behave intelligently? Can FERC do the right thing?

I appeal to you, do the right thing, the smart thing, do not allow the NED project to go forward.

Wayne R. Stinson
108 Southmeadow Dr
Summit, NY

20151019-5049

Royal S Graves, IV, Wethersfield, CT.

The proposed clear-cut trench 90 feet wide, 5.5 feet deep, and 5.7 miles long through land that protects my drinking water and that of hundreds of thousands of my neighbors is a bad idea!

Drinking water reservoirs need healthy lands around them to filter and protect the water our families use. Natural gas pipelines nationwide have suffered alarming failures that pollute water and soil, and put people at risk. Kinder Morgan should find another place for its pipeline—or better yet, invest in renewables and stop wasting money on outdated, polluting, and dangerous fossil fuel infrastructure.

Thank you for considering my thoughts.

20151019-5092

{ skip to end of 20151019-5092 }

THE COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD
ONE SOUTH STATION
BOSTON, MA 02110
(617) 305-3525

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

October 16,2015

BY ELECTRONIC FILING

Ms. Kimberly Bose, Secretary
Federal Regulatory Energy Commission
888 First Street, NE
Washington, DC 20426

Re: Tennessee Gas Pipeline Company, LLC, PFI4-22-000

Dear Ms. Bose:

The Massachusetts Energy Facilities Siting Board (“Siting Board” or “EFSB”) appreciates the opportunity to comment on filings related to the Tennessee Gas Pipeline Company, LLC (“Tennessee,” “TGP,” or “Com-

pany”) Northeast Energy Direct Project (“NED” or “Project”) in the Federal Energy Regulatory Commission (“FERC” or “Commission”) proceeding PFI4-22-000. These comments are intended to provide additional information to both FERC and Tennessee relative to the portion of the NED project that the Company is proposing to construct in Massachusetts. For each topic presented, the comments provide: (1) an introductory context; (2) a summary of the comments received by the Siting Board; and (3) recommendations of the Siting Board staff.

The Siting Board is an independent board of the Commonwealth of Massachusetts with a statutory mission to ensure a “reliable energy supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost.” G.L. c. 164, § 69H. The Siting Board is required by regulation at 980 C.M.R. § 7.07(9)(a) to conduct public information hearings and intervene at PERC when an interstate natural gas pipeline company applies to PERC to construct or modify pipeline facilities within Massachusetts. In addition, the Siting Board participates in the pre-filing phase of FERC proceedings in order to preserve the rights of interested residents of the Commonwealth, consistent with the Siting Board’s statutory and regulatory mandate.

Siting Board staff attended four public scoping meetings held by the Commission, in Pittsfield (July 28), Greenfield (July 29), Dracut (August 11), and Lunenburg (August 12). The Siting Board separately held public comment hearings in the same four communities during the week of August 3, 2015. Siting Board staff also invited and received written comment from the public. Siting Board staff has monitored postings on the FERC website for NED and has participated in bi-weekly interagency telephone calls coordinated by PERC.

These comments reflect the Siting Board staff’s understanding of the Project as it has developed during the Pre-Filing process, which commenced on September 15, 2014 and is now nearing its completion. The next step of the FERC review process would be the submission by Tennessee of a formal application to FERC for a Certificate of Public Convenience and Necessity. At the conclusion of the application review process, FERC will make its decision whether or not to approve the Project.

As referenced in Section I below, a recent Order issued by the Massachusetts Department of Public Utilities (“Department” or “DPU”) has concluded that, in general, there is a need in Massachusetts for additional natural gas pipeline capacity to serve both gas and electric customers. 1 However, the Department also noted that all possible options should be considered in developing a solution to the natural gas capacity constraint issues facing Massachusetts. Recognizing that there are many issues and concerns about the Project yet to be addressed and resolved, such as its design, environmental impacts, choice of proposed route, and currently unsubscribed capacity, the Siting Board will remain actively engaged in this process to help ensure that these and other key issues are fully addressed. Accordingly, this letter neither endorses the Project, as currently proposed, nor rejects the possibility that it can ultimately be appropriately routed, designed, built, and operated in a manner that would warrant PERC approval- provided that all necessary environmental, economic, safety, and other regulatory requirements are satisfied.

Attached to these comments (in Appendix B) are additional comments of the Siting Board’s sister agencies: The Massachusetts Department of Environmental Protection; the Massachusetts Department of Fish and Game; the Massachusetts Department of Agricultural Resources; and the Massachusetts Department of Conservation and Recreation. The staff of the Siting Board urges PERC and the Company to fully address these agencies’ recommendations as well as those articulated in this letter.

I. INTRODUCTION

Tennessee proposes construction of the Project to expand its natural gas transmission pipeline network and facilities in Pennsylvania, New York, Connecticut, Massachusetts, and New Hampshire. PERC is reviewing the Project under its regulations in compliance with the Natural Gas Act (“NGA”) and the National Environmental Policy Act (“NEPA”).

The Commission issued a “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” (“Notice”) on June 30, 2015, in keeping with procedure at this stage of FERC project review. The Company, in accordance with PERC requirements, provided the Commission with a second draft of its Environmental Report (Resource Reports 1 through 13), on July 24, 2015? Comments herein reflect the July 24, 2015 draft of the Company’s Environmental Report.

Tennessee has stated that it plans to submit an Environmental Notification Form (“ENF”) to the Massachusetts Environmental Policy Act Office (“MEPA”) regarding NED later this fall. MEPA staff will conduct scoping sessions after the ENF is filed to take comments on the ENF. MEPA expects that the Project will also require a mandatory Environmental Impact Report because of the size and scope of NED. As a result, MEPA expects that Tennessee will file both a Draft Environmental Impact Report and a Final Environmental Impact Report. The Draft and Final Environmental Impact Reports will be subject to a minimum 30-day comment period. The Secretary of the Massachusetts Executive Office of Energy and Environmental Affairs will issue Certificates following each submittal indicating whether the Draft and Final Environmental Impact Report adequately address MEPA requirements. The Certificates may also identify issues requiring further analysis. State agencies cannot issue any permits or licenses, and cannot grant any easements, until the MEPA process has been concluded.

Tennessee has also represented that it will seek permits from the MassDEP relating to water quality and air quality requirements. Other state agencies whose permits and approvals will be sought by Tennessee include: the Massachusetts Division of Fisheries and Wildlife, the Massachusetts Historical Commission, the Massachusetts Department of Transportation, and the state legislature for Article 97 land disposition, if an easement on state lands is sought (as proposed by Tennessee). In addition, Tennessee has committed to seek local approvals under the Massachusetts Wetlands Protection Act. This list is not exhaustive, and other permits, approvals, and authorizations from federal, state, and local authorities may also be necessary for construction and operation of NED.

A. Proposed Massachusetts Facilities

As of the Company’s July 24, 2015 filing, Tennessee proposes construction and operation of approximately 418 miles of natural gas transmission pipeline and associated facilities in Massachusetts, Pennsylvania, New York, New Hampshire, and Connecticut. The Company’s Project, as now proposed, would provide 1.3 billion cubic feet per day (“bcf/d”) of natural gas” transmission capacity east of Wright, New York (the so-called “Market Path” portion of NED) to local distribution companies (“LDCs”), and potentially to gas-fired generators, electric distribution companies, industrial plants, natural gas producers, and other customers in New England.” Tennessee has executed precedent agreements for long-term firm transportation capacity for a total of approximately 500,000 dekatherms per day (“Dth/d”) with Market Path shippers.

In Massachusetts, Tennessee would construct approximately 64 miles of mainline pipeline and 38 miles of lateral pipeline. The tables below provide a summary of pipeline and other NED facilities proposed for Massachusetts. As of August 31, 2015, Tennessee has performed biological surveys on 36 percent of the NED Project Market Path route, and performed cultural resource surveys on approximately 20 percent of the NED Market Path route (Tennessee Monthly Status Report, September 23, 2015). The Siting Board notes that Tennessee has not sought land survey permission from the Massachusetts Department of Public Utilities, which has the authority under G.L. c. 164, §§ 72A, 75D to grant or deny survey petition requests by natural gas pipeline companies.

Table 1: Proposed New Pipeline Facilities in Massachusetts

Facility Name	Diameter (inches)	Location	Length (miles)	Maximum Allowable Operating Pressure (pounds per square inch)	Maximum Operating Pressure (pounds per square inch)

				square inch)	
Wright to Dracut Pipeline Segment	30	Hancock, Lanesborough, Cheshire, Dalton, Hinsdale, Peru, Windsor, Plainfield, Ashfield, Conway, Shelburne, Deerfield, Montague, Erving, Northfield, Warwick, & Dracut	63.75	1,460	1,460
Fitchburg Lateral	12	Townsend & Lunenburg	9.00	1,460	1,460
Lynnfield Lateral	24	Dracut, Andover, Tewksbury, Wilmington, North Reading, Reading, & Lynnfield	15.86	1,460	1,460
Haverhill Lateral	20	Dracut & Methuen	5.67	1,460	750
Concord Delivery Line	24	Dracut	0.51	1,460	750
Maritimes Delivery Line	30	Dracut	1.20	1,460	1,460
Peabody Lateral	24	Lynnfield, Middleton, Peabody, & Danvers	5.33	1,460	730

Compressor Stations

The Company proposes to construct three new compressor stations in Massachusetts, in Windsor, Northfield, and Dracut. The proposed compressor stations and sites are summarized below.

Table 2: Proposed New Compressor Station Facilities in Massachusetts

Town	Total Horsepower	Number of Compressor Units	Estimated Acreage of Compressor Station Site (acres)	Estimated Acreage of Property (acres)	Residents Within Half Mile of Property
Windsor	41,000	Two	10	89	6
Northfield	41,000	Two	10	242	10
Dracut	23,000	One	10	29	260

Meter Stations

The Company would construct nine new meter stations and modify eleven meter stations in Massachusetts, listed by town in Table 3 below.

Table 3: Additional Metering Facilities in Massachusetts

Facility Type	Location
New meter stations (nine in total)	Dracut (3), Lanesborough, Deerfield, Lynnfield, Lunenburg, Longmeadow, Everett
Modifications to existing meter stations	North Adams, Methuen, Southbridge, Spencer, Leominster,

B. Public Comments

At the four Siting Board public hearings held during the week of August 3, 2015, members of the public had an opportunity to comment on the Project. At these hearings, a total of approximately 550 people attended, with 129 individuals providing oral comments, including those of 51 elected and other public officials. The transcripts from these hearings are attached as Appendix A.

In addition, the Siting Board staff invited members of the public to submit written comments by August 13, 2015. The Siting Board received almost 250 written comments, which are attached as Appendix B.

The comments covered a wide range of issues involving environmental, safety, and socio-economic impacts of the Project, which the following sections of this letter summarize in detail. The vast majority of oral and written comments received by the Siting Board expressed concerns and/or opposition to the Project.' Some commenters reported difficult encounters and communications with Company officials, representatives, and contractors, particularly with regard to survey requests on landowner property. Some municipal officials expressed frustration that Company officials apparently contacted landowners before town officials were notified, and thus, they were unable to respond knowledgeably to constituent inquiries (Carolyn Smart Comments, 8/6/2015).

A significant number of commenters questioned the need for NED. Many commenters maintained that the energy needs of the Commonwealth and the New England region could be met with non-fossil fuel energy resources, such as wind, solar, and energy efficiency, or by repairing existing gas pipeline systems - particularly at the distribution level- where a number of leaks have been identified and are in need of repair.? A number of commenters cited the importance of reducing greenhouse gas emissions and meeting the requirements of the Massachusetts Global Warming Solutions Act. The Project's reliance on gas supplied from the Marcellus Shale formation, where hydraulic fracturing (or "fracking") is increasingly used to produce natural gas, elicited concerns about the environmental impacts of such gas production. In addition, some commenters voiced concerns about the constituents in the "fracked" gas that could be released into the environment in Massachusetts given potential pipeline leaks, compressor station venting, or other potential releases. Others questioned the need for ratepayer financial support for NED (estimated by Tennessee to cost \$3.3 billion for the Wright, New York to Dracut, Massachusetts "Market Path" segment). They maintained that existing LNG import terminals off the Massachusetts coast are underutilized and might be a more cost-effective solution for meeting peak winter gas needs when interstate gas pipelines lack sufficient capacity to heat homes and businesses and supply fuel to electric generators. Several commenters asserted that FERC is either required by NEPA or should otherwise conduct a comprehensive regional analysis of the various pending pipeline proposals to determine which of them (if any) are necessary and best suited to meet any identified regional need, at the lowest cost both to consumers and the environment.

Another concern expressed during hearings and in written comments relates to the markets NED would supply, and that a substantial amount of the intended pipeline capacity remains unsubscribed. Some commenters expressed concerns that the capacity might ultimately be used for export to Atlantic Canada, or for liquefaction and transshipment to global LNG markets, where prices may be at a premium. Some expressed a view that supplying gas for export is the fundamental objective of Tennessee, and that by serving such markets gas prices in New England could rise. A number of commenters took exception to the Company seeking eminent domain for siting NED facilities when a significant portion of the Project's capacity could potentially be destined for use beyond New England. Some expressed their belief that NED is not needed in New England, but rather, reflects Tennessee's pursuit of export-related markets.

While Project supporters were few in number at the Siting Board hearings and in written comments submitted, these individuals contended that NED would help residents and businesses by providing affordably priced energy (especially in relation to the price of heating oil); helping reduce the region's high electric power prices; and also creating a number of skilled trade jobs during pipeline construction. Some also

referred to the existing moratoria on new gas customer hookups in certain areas of the Berkshire Gas Company and the Columbia Gas Company service territories as an economic impediment that they maintained could only be alleviated by NED.

A number of studies conducted or sponsored by government agencies, non-governmental organizations, industry groups, and others were cited by the Company and commenters in asserting either support for need, or lack thereof, associated with the Project. Referenced studies finding need for NED (or some form of additional pipeline capacity in New England) include the following (starting with the most recent):

- Report on Investigation into Potential Approaches to Mitigate Wholesale Electricity Prices, September 15, 2015, prepared by Staff of the New Hampshire Public Utilities Commission for the New Hampshire Public Utilities Commission.
 - New England Energy Market Outlook, Demand for Natural Gas Capacity and Impact of the Northeast Energy Direct Project, 2015, prepared by ICF International for Kinder Morgan, Inc.
 - Massachusetts Low Gas Demand Analysis: Final Report, January 7, 2015, prepared by Synapse Energy Economics, Inc, for the Massachusetts Department of Energy Resources.
 - Natural Gas Infrastructure and Electric Generation: A Review of Issues Facing New England, December 14, 2012, prepared by Black & Veatch, for The New England States Committee on Electricity,”
- Studies cited questioning the need for NED include the following:
- Analysis of Alternative Winter Reliability Solutions for New England Energy Markets, August 2015, prepared by Energyzt for GDF SUEZ Energy North America.
 - Examiners’ Report, Staff Recommendation in Docket No. 2014-00071, October 1, 2014, prepared by Commission Staff for the Maine Public Utilities Commission.
 - Solving New England’s Gas Deliverability Problem Using LNG Storage and Market Incentives, 2015, prepared by SkippingStone, LLC for Conservation Law Foundation.

C. Recent Orders Issued by the Massachusetts Department of Public Utilities

1. Precedent Agreements

There have been Orders issued recently by the Massachusetts Department of Public Utilities (“Department”) that are relevant to the issue of gas capacity in Massachusetts and the region. Three relate directly to precedent agreements between LDC’s over whom the Department has jurisdiction and Tennessee. Another was an order relating to the need for gas capacity to address pipeline constraints that are affecting gas availability to electric generators in during the winter. Each is described briefly below:

The development of new interstate gas pipeline capacity to serve the firm gas supply requirements of Massachusetts customers typically occurs through the execution of gas transportation Precedent Agreements between local distribution companies (“LDCs”) and interstate pipeline companies, such as Tennessee. Pursuant to G.L. c. 164, § 94A, gas or electric distribution companies seeking to enter into a contract for the purchase of gas or electricity covering a period in excess of one year must obtain the approval of the Department for such contracts. The Department has reviewed and approved several such Precedent Agreements recently in connection with the Algonquin Incremental Market Project, and is currently reviewing a Precedent Agreement associated with the Algonquin Atlantic Bridge Project.

The Department reviewed and recently issued orders approving three precedent agreements for NED capacity with Bay State Gas Company (114,300 Dth/day), Berkshire Gas Company (36,000 Dth/day), and Boston Gas Company (151,962 Dth/day). Bay State Gas Company, D.P.U. 15-39 (August 31, 2015); Berkshire Gas Company, D.P.U. 15-48 (August 31, 2015); Boston Gas Company, D.P.U. 15-34 (August 31, 2015). In Massachusetts, no LDC may enter into a gas capacity contract unless it receives approval by the Department. (G.L. c. 164, § 94A) The Department reviewed these agreements applying precedent and applicable standards. It is important to note that Department consideration of the filed agreements did not, as a matter of law, address the pipeline route, any environmental issues, or other impacts on property that might be caused

by the proposed Project.

In each case, the Department found the acquisition of NED capacity to be consistent with the standards for approval. Specifically, each agreement was consistent with the LDC's portfolio objectives and the Massachusetts Global Warming Solutions Act, and that the NED capacity would be needed to meet growing customer demands given growing gas conversions from fuel oil- even with significant energy efficiency programs currently in place, or as enhanced. The Department found that the NED Project will enable The Berkshire Gas Company to end its moratorium on new customers in both its Eastern and Western Divisions. D.P.U. 15-48, at 50. Similarly, the Department found that Bay State Gas Company's precedent agreement is necessary for the Company to continue to serve existing customer load reliably and at least cost, and to serve future customer growth. D.P.U. 15-39, at 40.

The Department further found that the precedent agreements for NED "compare[s] favorably to the range of alternative options" such as LNG, and that demand response programs for natural gas do not currently exist in the Massachusetts market. The Department also found that the subject LDCs established a need for incremental pipeline capacity to ensure reliability and deliverability of natural gas to meet their existing and future customer requirements.

2. Investigation Regarding Gas Capacity for the Electric Sector

In D.P.U. 15-37 (October 2, 2015), the Department recently concluded an investigation on its own motion to examine how new natural gas delivery capacity may be added to the New England market, including possible capacity purchases by the electric distribution companies ("EDCs"). It is important to note that the investigation did not review any specific pipeline projects. Rather, the investigation addressed gas capacity needs for the electric generation sector generally, including the legal authority of EDC's to contract for gas capacity. The Department concluded that sufficient information had been provided in the docket to arrive at a conclusion that increasing regional gas capacity will lead to lower wholesale gas and electricity prices. The Department did not make a finding that voiced a preference for any particular gas pipeline project over any other potential capacity constraint solution. However, the Department found that innovative solutions and a menu of options are required to alleviate capacity constraints and the associated downstream market price impacts experienced by Massachusetts ratepayers. The Department further concluded that, pursuant to G.L. c. 164, § 94A, it has the requisite authority to approve EDC contracts for the acquisition of new natural gas capacity and to allow recovery of such costs through electric distribution rates.

II. ARTICLE 97 PROTECTION

A. Introduction

Potential consequences of the Project include impacts to "Article 97 lands" as defined in Article 97 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts," Massachusetts assigns the Article 97 designation to lands protected for their significant value for conservation purposes. As currently proposed, of the more than 110 public and private conservation and recreation parcels impacted by the proposed NED route, approximately 85 would be afforded Article 97 protection.¹ In addition, many farms in Massachusetts are preserved through the Massachusetts Department of Agricultural Resources Agricultural Preservation Restrictions ("APRs"). APR land has a permanent deed restriction, which precludes any use of the property that will have a negative impact on its agricultural viability. Article 97 lands, APRs, and other such conservation-restricted properties are protected in perpetuity, for the benefit of the Commonwealth, its residents, and its ecosystem.

NED facilities that pass through Article 97 lands would trigger a process that requires that both houses of the Massachusetts Legislature approve by a two-thirds vote any change in use or disposition of lands held under the provision's constitutional strictures. State practice requires that an equal amount of protected conservation land must be secured to offset any land removed from Article 97 protection.

B. Public Comment

Speakers at EFSB and FERC scoping hearings raised a number of concerns around Article 97 lands. These comments focused on the disposition of Article 97 lands for private commercial uses (such as that proposed by Tennessee) given the outlay of public funds originally made for their purchase; the potential loss of conservation values associated with the disposition of Article 97 lands; and impacts on Massachusetts farming in general, and specific farm properties should NED cross Article 97 -designated lands.

Commenters asserted that natural gas pipelines and their ancillary facilities impact all of the values articulated in Article 97 such as air and water quality, and natural, scenic, historic, and aesthetic qualities. Specifically, the commenters maintained that a pipeline built across public protected lands reduces public use and enjoyment of the agricultural, mineral, forest, water, air and other resources that are declared a public purpose consistent with the intent and values for which a parcel was protected. Land preservation organizations and conservation agencies also stated their belief that donor and public trust is the cornerstone of existing land protection efforts, and the foundation of every land conservation project. They asserted that disposition of such lands for construction of a gas pipeline would harm such donations and bequests in the future.

C. EFSB Recommendations

As some commenters noted, the proposed Project may contradict the terms of the conservation trust documents or other conservation requirements underlying affected Article 97 properties and this could diminish the public's confidence that such programs offer permanent, protection for conservation land. The disposition of Article 97 lands for pipeline easements, or other commercial or industrial uses, could certainly send a detrimental message to donors and benefactors of future conservation lands.

FERC should direct Tennessee to avoid Massachusetts Article 97 lands, to the extent possible. Where avoidance is not possible, Tennessee must adhere to Massachusetts law and seek legislation for the disposition of Article 97 lands through the Massachusetts Legislature, including the Commonwealth's no net loss policy. Such "converted land" must be replaced with land of equal monetary value and recreational or conservation utility. This will ensure that Massachusetts experiences no net loss of Article 97 lands today, and that future conservation efforts are not jeopardized. I I

III. PROPERTY VALUES

A. Introduction

The Project, as proposed, would require easements on public and private properties in Massachusetts involving some 659 acres, and approximately 101 linear miles. To the best of our knowledge, compensation for easements sought by the Company has yet to be negotiated with landowners or determined through eminent domain legal proceedings (if and when a certificate is issued by PERC). A basic principle underlying acquisition of easements, whether through voluntary negotiation or by eminent domain, is just compensation. Project proponents and affected landowners can sometimes be quite far apart in their relative assessments of the proper compensation for project easements. While Tennessee's stated goal is to arrive at mutually beneficial terms and conditions in obtaining easements with landowners, this is not always the outcome achieved. In cases where eminent domain is used, the law requires that the landowner be fully compensated for the rights obtained under the easement.

B. Public Comment

Commenters described a number of reasons for anticipating impaired value of their properties stemming from a potential pipeline: preclusion of intended development use of the property; loss of value in the eyes of future buyers due to aesthetics, undesirable land use characteristics, and safety-related issues; or other factors. Some commenters noted that homes often represent the largest single asset in the asset portfolio of the property owner. A number of property owners voiced concern that whether negotiating voluntary easements with Tennessee or having their property condemned through eminent domain proceedings following FERC certificate approval, they stand to receive inadequate levels of compensation for their property, and that the impairment of property value may not be fully recognized by the Company.

Some commenters noted that property values would be adversely affected by both pipelines and compressor stations. For example, Paul and Patricia Zapert, property owners in Dracut, MA, submitted comments to the Siting Board concerning the “co-location” of the proposed pipeline with existing electric transmission utilities (Zapert Comment, 8/12/2015). Tennessee proposes a 50-foot easement “alongside” the existing electric utility easement behind homes on Heather Road in Dracut. However, the existing band of trees that provides a natural barrier to the easement would be entirely removed for the new pipeline easement. As a result, direct abutters and neighbors will no longer have this natural tree screening the transmission line. As the Zaperts state in their comments, “[t]he landscape of the Heather Road properties will be permanently altered and this, along with the end result of living across the street from a massive gas pipeline, will negatively affect the property values of every home on the street.”

The Northern Middlesex Council of Governments (“Council”) also submitted comments to the Siting Board concerning property values (Council Comments, undated). According to the Council, numerous paired-sale studies have shown that there may be long-term loss of property value caused by the presence of natural gas pipelines (Council Comments at 3-4).

Inconvenience, restrictions on use, unsightly paths cut through wooded areas, and potential stigma are all likely to have a negative impact on property values, particularly in communities such as Dracut, where nine miles of new pipeline, three metering stations and a compressor station are proposed by Kinder Morgan. Hard data should be provided outlining the impacts that other projects of this magnitude have had on property values and marketability.

Edward C. Dow, of West Townsend, MA, raised the concern that he may experience a “loss of income from our hay crop for an unknown number of years.” (Edward C. Dow Comment, 8/7/15). Similarly, the Town of Dalton asked how the Project would affect people’s timber rights (i.e., the timber income they would have derived but for the perpetual clearing required by the Project) (Town of Dalton Comment, 8/4/2015).

C. EFSB Recommendations

In the past, FERC has acknowledged the possibility that pipeline facilities could, in fact, adversely affect the property values of nearby residents, but it has not been able to quantify with any degree of certainty the impact on or decrease in property values that may be experienced. Millennium Pipeline Company L.L.C., 145 PERC 61,007, at’ 96 (2013). In other cases, FERC has found only that “a significant loss of property value due to construction of a pipeline is not supported by the literature.” Constitution Pipeline Company, LLC, 149 FERC, 61,199 at’ 95 (emphasis added).

Many of the available studies on property value impacts of gas pipelines were funded directly by the pipeline industry. For example, the Interstate Natural Gas Association of America (“INGAA”) produced a study in 2001, titled “Natural Gas Pipeline Impact Study,” concluded that there is no significant impact on the sales price of properties located along natural gas pipelines” in the areas studied. Some experts have suggested that additional research is necessary to achieve any conclusions about the effects compared to earlier study results. See Diskin, B., Friedman, J., Peppas, S., January/February 2011, The Effect on Natural Gas Pipelines on Residential Value, Right of Way at 24-28.

By analogy to property value losses, in at least one FERC pipeline case, a pipeline company itself proposed to compensate landowners for reduced crop yields due to construction of the Rockies Express East pipeline facilities and use of the easement. Rockies Express Pipeline LLC, CP07-208-000, Final EIS at ES-5 (April 11, 2008). According to the PEIS, “[c]onstruction of the pipeline may affect the fertility of the agricultural fields for several years.” Id. Of course, reduced crop yields arising from pipeline construction are not limited to the Rockies Express case. And reductions to crop yields and timber growth, which have tangible financial consequences, are not dissimilar to the loss of homeowner property values.

Given the concerns related to general use, visual impacts, agricultural productivity and marketability, the Siting Board concurs that the time is ripe to conduct additional research into the relationship between property values and interstate pipeline facilities, including compressor stations. The Siting Board requests that PERC fund and conduct third-party studies so that homeowners may be compensated, as appropriate, for

any demonstrated loss of value associated with the proposed NED Project.¹²

IV. FARMLAND

A. Introduction

The proposed NED route would run through significant farming regions of the Commonwealth. Various impacts to farms along and in the vicinity of NED facilities may result from construction of the Project. Relative to other regions of the country, farmland in Massachusetts is at a premium, farms tend to be smaller, and production costs higher. To promote viability in a challenging business climate, Massachusetts farmers therefore tend to specialize in high-value production and property uses (~. bed and breakfast tourism, “pic-your-own,” farmstand marketing, cultivation of organic or specialty produce, etc.) to achieve and maintain profitability. In fact, many farms along the NED route are considered in practice, and in some cases, certified as “organic.” Some commenters were wary that the construction and operation of NED could threaten their farms due to pollution of land, air and water, degradation of prime agricultural soils, or through disruptive effects on livestock, drainage, wetland and delicate farmland eco-systems.

B. Public Comment

Some who provided comments at the scoping hearing detailed anticipated changes to particular farms. On one farm that Tennessee has designated for a 12-inch lateral, the Company also anticipates use of a field for equipment storage (Edward C. Dow Comment, 8/7/15). In addition to any impacts of the lateral, the owner of the farm expressed concern about potential damage to his septic leach field, loss of his hay crop for an undetermined number of years, and reduction of tree cover, with localized erosion resulting. Among concerns expressed by certain organic farmers (David Fisher and Anna Maclay Comments, 8/13/15) along the NED route was that the agricultural operation they run (Natural Roots Farm, Conway, Massachusetts), located in a valley, would be subject to emissions from a nearby blowoff valve. In the commenters’ view, exposure to blowoff valve emissions might jeopardize their ability to certify, advertise, or otherwise promote their farm as organic.

C. EFSB Recommendations

The Siting Board notes that many of the farms along the NED route may be protected Article 97 lands where every effort should be made to avoid siting the Project. As noted by commenters, potential impacts to farms concern both the quality of resources required for their operation and their aesthetic and perceived market appeal. Their success depends on the ability of farm owners to establish their reputation and a loyal clientele. These are both hard-earned assets that could be threatened by pipeline development. The Siting Board asks that PERC direct Tennessee to submit a list of farms along the route of its proposed pipeline and facilities and the construction and operational impacts of the Project on such properties. The Siting Board suggests that PERC require that Tennessee honor any protections now associated with individual farms under Article 97 and other Massachusetts state protection provisions. The Siting Board further suggests that FERC encourage Tennessee to locate its pipeline and facilities to avoid working farms to the extent possible. Where complete avoidance of working farms is not possible, Tennessee should accommodate requests for route alterations by farmland owners that would minimize the impacts to the ongoing viability of Massachusetts’s scenic and highly valued - but fragile - farms.

v. WETLANDS

A. Introduction

Wetlands protection practices in Massachusetts under the Massachusetts Water Protection Act (“WPA”) are, as a rule, more stringent than protections at the federal level under the Clean Water Act (“CWA”). Furthermore, municipalities and townships may adopt local protections that are above and beyond those required under the WPA. While Tennessee acknowledges such provisions, neither the Company nor FERC has yet guaranteed the protection of Massachusetts wetlands at the level of protection required under state and local regulations. Meeting these regulations would require the Company to operate within the bylaws and ordi-

nances of Massachusetts communities, wherever appropriate, to file Notices of Intent with local conservation commissions and to implement any resulting conditions contained in an Order of Conditions.

B. Public Comment

Commenters at EFSB and PERC scoping hearings expressed particular concern regarding alteration of wetlands for NED construction in Massachusetts and the potential of these changes to have irreversible impacts. Many of these comments suggested taking strong measures necessary to safeguard long-term wetland ecosystem health. The described measures included establishing a pre-construction baseline for wetlands and planning for their post construction restoration. Commenters also called upon FERC to require, and Tennessee to effect, a five-year program of wetlands management after NED construction to ensure that full wetland resource restoration occurs.

C. EFSB Recommendations

The Siting Board asks that FERC act in accord with the high value that Massachusetts places on wetland resources. The Siting Board suggests that FERC might do this, first and foremost, by directing Tennessee to avoid disturbance to wetlands for NED construction or operation to the extent possible. Tennessee should mitigate unavoidable wetland impacts by restoring wetlands to their original condition. The Siting Board agrees with commenters who suggest that pre-construction study of wetlands along the NED route is advisable as an aid to wetland restoration. The Siting Board recommends that Tennessee underwrite research by a third-party consultant both for initial wetland studies and for continued study of affected wetlands for several years after NED completion to check for the success of resource restoration efforts. The Siting Board observes that on-going changes to the NED proposal present a challenge to participants in the PERC pre-filing process attempting to evaluate wetland impacts of the Project.

VI. WATER QUALITY, WATER SUPPLY, AND WELL WATER

A. Introduction

On the proposed route, the Project would cross 139 waterbodies in addition to groundwater protection zones and other water resources. The impacts of the Project on surface water quality, well water quality, and other water resources are issues of concern. Additional water quality issues relate to construction methods for the Project and the potential for disturbance of river sediments; river-bank work associated with horizontal directional drilling; removal of protective vegetation from river edges and habitat degradation for wild trout and other fisheries

B. Public Comment

General concerns around community water supplies and NED stem from the potential of a pipeline leak or break to contaminate aquifers and wells; the potential of a horizontal drilling borehole to trigger groundwater migration; and the potential of air pollutants released with venting at meter and compressor stations to contaminate surface waters. The possible infiltration of water resources and wells by NED-related contaminants is a particular issue in western Massachusetts where reliance on private wells and natural springs is common, increasing the number of points where drinking water contamination may occur.

Scoping hearing remarks addressed possible NED impacts to the sources or delivery system of public water supplies, particularly in Berkshire County. Flows within watershed networks exacerbated concerns around the persistence and physical extent of NED pipeline installation impacts on local water resources. Commenters provided specific information regarding watersheds, wells, and other water supply sources that serve close to half the Berkshire County area and the location of these resources vis-a-vis proposed NED facilities. In at least one case (Town of Dalton), the community provided a route alternative that would, among other advantages, avoid watersheds associated with local drinking water supplies. Stakeholder remarks also addressed the reduction or elimination of impacts to water resources and water quality potentially gained by installing TGP's pipeline in roadways rather than across resource areas and residential properties. Additional commenters (~, Town of Montague) urged PERC to mandate the Company's adherence to relevant state

regulation, especially MA Drinking Water Regulations, 310 CMR 22.00.

Other commenters expressed concern about the lack of baseline water resource information currently available. The Conservation Commission of the Town of Warwick, for example, explained that the town's hydrology is largely unknown. Because its residents rely entirely on private wells and natural springs for their water supply, Warwick requested thirdparty testing of all private wells and public drinking water supplies within five miles of the proposed pipeline corridor to establish a baseline for water quality prior to natural gas pipeline construction.

Illustrative of landowner concerns, H. John and Sebern Fisher, of Plainfield Massachusetts, suggested pre- and post-Project testing of well water; in addition, they questioned whether the Company can guarantee remediation of well water in the event that testing reveals construction-related contamination. The Fishers not only sought assurance of water resource protection in the near-term, but also wondered about water resource protections over the life of the NED Project. The Fishers also expressed concern about hydrostatic testing of the pipeline and the chemical composition and disposal of any additives that might be used in the hydrostatic testing process.

C. EFSB Recommendations

The Siting Board requests that FERC review, or require Tennessee to review, the modification to the NED pipeline route submitted by the Town of Dalton (Town of Dalton Comments, 8/7/15, at 4) and those modifications submitted by other commenters. FERC should also direct Tennessee to test and monitor public and private water supply wells potentially impacted by NED before and after pipeline construction sufficiently to assure pre-construction water quantity and quality is not adversely affected. The Siting Board further suggests that PERC direct Tennessee to submit measures the Company will take to prevent, reduce, and mitigate any impacts to public water supplies associated with Project construction. As part of such mitigation, Tennessee must communicate and coordinate with the public water supplier regarding protection of the public water supplier's infrastructure and all its resources. The public water supplier conducts required water quality testing and has emergency plans that could be modified, with assistance of the Company, to include contingencies related to the Project.

VII. COMPRESSOR STATIONS AND ABOVEGROUND FACILITIES

There would be three new compressor stations, nine new meter stations, eleven modified meter stations, and additional aboveground appurtenant facilities (~, mainline valves) constructed for the Project. The impacts of aboveground facilities are related to air quality, noise, and site selection. Many commenters addressed concerns and provided recommendations related to those permanent impacts.

A. Air Impacts

1. Introduction

The analyses provided in Resource Report 9 do not contain information about the existing or operational climatological conditions and air emissions for the compressor station locations (Resource Report 9, at 9-1 and 9-25). The Siting Board will provide comments on the complete data analyses when available. Below, the Siting Board has identified specific recommendations related to the air analyses.

2. Public Comment

There were many comments regarding the impacts on ambient air quality, agriculture, and recreational land uses due to air emissions of normal operations, blowdowns, emergency shutdowns, and fugitive emissions. Many local residents expressed concerns about the lack of information about the scale, frequency, and duration of blowdowns. While most of the comments received were related to compressor stations, concerns with blowdowns and fugitive emissions were also identified for meter stations and mainline valve locations.

3. EFSB Recommendations

The Siting Board requests that the Company provide ambient air quality data from air monitoring stations

closer to and more representative of each individual compressor station compared to the locations identified in Table 9.1.6. The towns of Windsor and Northfield are rural communities, and could be misrepresented by the suburban air monitoring station in Loudonville, NY. Similarly, Dracut is a suburban community, and could be misrepresented by the rural nature and geographic locations of air monitoring stations in Greenfield or at the Quabbin Reservoir. For example, the MassDEP monitoring station in Chelmsford, MA (ID 25- 017-0009), appears to be closer to, and more representative of Dracut. The Siting Board requests that the Company consult with MassDEP to identify the most representative monitoring stations for each pollutant for all aboveground facility locations.

The Siting Board requests that the Company provide information related to the frequency and duration of blowdowns for compressor stations in its portfolio, specifically for both (1) gasfired compressor stations around 40,000 hp; and (2) electric-powered compressor stations around 20,000 hp. For each of these examples, the Company should provide the number of unit and station blowdowns on a monthly and annual basis over a ten-year period, the duration of each blowdown, the quantity of natural gas released, and the quantity of criteria pollutants released (See Resource Report 9, at 9-2). For each facility used as an example, the Company should provide information about the location; the numbers of residents, businesses, and industrial facilities within a half-mile radius of each facility; the total horsepower; the total property acreage; the acreage of the compressor station facilities; and an air quality analysis completed pre- and post-construction.

The Siting Board requests that the Company provide information about blowdowns at meter stations and mainline valves, including the typical number and duration of blowdowns, the quantity of natural gas released, and the quantity of criteria pollutants released for existing facilities in the Company's portfolio. The Siting Board also requests a full discussion on how post-construction air quality monitoring will be conducted for all aboveground facilities.

B. Noise Impacts

1. Introduction

Resource Report 9, at 9-33 states that the Commonwealth of Massachusetts noise regulations "may be more stringent than the PERC criterion." MassDEP standards vary from PERC criteria in several ways in that a new noise source: (a) must not increase ambient noise levels by 10 dBA at the facility property line; (b) must not create a "pure tone,"¹³ and (c) are evaluated on a background A-weighted L90 scale.

2. Public Comment

Concerns about the noise impacts from normal compressor station operations were expressed by many commenters. Additionally, many residents stated concerns about the noise from blowdowns and emergency shutdowns. Similar to the concerns about information available for air emissions, many commenters said that there was little information about the frequency, duration, and sound levels of any compressor station activity. Many commenters worried that noise impacts of the compressor stations would disrupt the quality of life in comparison to their existing quiet surroundings.

3. EFSB Recommendations

The Siting Board requests that the Company provide a detailed noise analysis for compressor stations and meter stations based on both MassDEP and FERC standards. Each analysis should incorporate the following factors:

- The noise analysis should include a table that consists of at least the following columns: receptor, measured ambient sound level, modeled facility-only noise level, combined ambient and facility noise level, and increase above ambient.
- Nighttime measurements should be taken between midnight and 4:00 a.m., which is likely to be the time period with the quietest ambient sound levels in the Project area.
- Background noise measurements were taken in late May and early June 2015 when leaf cover from wooded tree buffer would mitigate noise impacts and not account for noises that are buffered by tree

cover in summer and fall months (Resource Report 9, at 9-45, 46 and 48). The noise analysis should therefore be adjusted for the mitigation of tree buffer or completed after November, to more accurately represent the maximum sound levels.

- The noise analysis should also discuss options for noise mitigation during normal operations and blowdowns. The noise analysis should include a description of mitigation practices at other similar facilities and the effectiveness of such practices.
- Attachment 9a identifies the distance and direction of “Noise Sensitive Areas” (“NSAs”) from compressor station locations, and states that the Company will provide NSAs for meter stations in the Company’s certificate application. The Siting Board asks that the maps show the location of noise-producing equipment, station property boundaries, and all residential properties within a half-mile radius.
- Additionally, the Company should provide a description of the anticipated frequency of blowdowns for the three compressor stations, including a description of Company, federal, and industry requirements or recommendations for the frequency of blowdowns, as well as ambient noise measurements, both pre- and post-construction.

C. Site Selection

1. Introduction

The three compressor stations proposed in Massachusetts would provide a total of 105,000 hp of compression. These facilities are being proposed in both suburban and rural areas, with multiple impacts, as outlined below. Many commenters have raised questions regarding the need for the compressor stations in each specific location, especially with respect to existing land use.

2. Public Comment

Many commenters, including Tim Crane and Douglas McNally of the Windsor Selectboard, voiced opposition to the siting of an industrial facility in the rural community of Windsor (Tim Crane Comments, 8/4/2015; Douglas McNally Comments, 8/4/2015). Commenters stated that the entire town of Windsor is zoned for residential and agricultural use, and the development of a heavy industrial facility would disrupt the bucolic and rural nature of Windsor. Commenters also cited the proximity of the compressor station to conservation and recreation land, such as the Tamarack Hollow Nature and Cultural Center and Notchview Reservation.

The Siting Board received many comments related to the proximity of the Northfield compressor station to the town center and watershed (Andrew Vernon, President of the Greater Northfield Watershed Association Comments, 8/3/2015). Commenters also stated that the compressor station will be located in close proximity to conservation and open space areas, such as the Northfield State Forest and New England National Scenic Trail.

Many commenters expressed concerns with the land use characteristics and residential density surrounding the Dracut compressor station location. Several individuals filed very detailed and specific comments with PERC outlining alternatives to the proposed location (~, Dana Atwood Comments to PERC, 8/26/2015). Resource Report 8, at 8-115 states that there are 260 landowners within a half-mile radius of the Dracut location. John Yurka of Dracut estimated that there are approximately 200 to 500 homes in the “blast zone”, likely totaling over 1,000 people (John Yukra Comments to PERC, 8/11/2015). Many commenters from Dracut noted that one fire station is located within this half-mile radius and the single Dracut Police Station is located very close to the edge of this radius.

3. EFSB Recommendations

The compressor station alternatives presented by Tennessee are limited to the specific municipalities included in the proposed design, and do not consider potential alternative locations in other towns. The Siting Board requests that the Company expand Resource Report 9 to include alternatives for each compressor

station outside of Windsor, Northfield, and Dracut. Additionally, the alternatives analysis should include a description of how each town was selected over other towns as well as over other parcels within the preferred town, and the pipeline engineering specifications which make each location ideal.

The Siting Board requests that the Company provide a detailed analysis, based on engineering and safety requirements, to support the geographic site selection of the proposed compressor stations. Specifically, the analysis should include the following;

- Describe in general how the Company identifies the location of a compressor station. Include all factors such as pipeline diameter, maximum operating pressure, maximum allowable operating pressure, pipeline capacity, and pipeline length. Given this information, explain the basis for the specific geographic locations selected for the Project's compressor stations.
- With regard to any pipeline diameter or capacity (bcf) changes in general, describe whether the number of compressor stations, amount of compression at each, and total Project compression changes given the change in pipeline size and/or capacity.
- Specifically describe if the reduction in proposed pipeline capacity from 2.2 bcf to 1.3 bcf, announced shortly before the July 24 issuance of the resource reports, changes the need for any of the compressor stations, the distance between compressor stations, and the total compression (208,600 hp) needed for the Project. If there is no change in the compressor station status since July 24, please explain why given the change in pipeline capacity.
- Describe the land use requirements for the compressor stations, specifically the amount of land purchased versus the land use required for the physical compressor station structures.

The Siting Board requests that the Company identify compressor stations within their portfolio which are located on similar parcel characteristics as the proposed Dracut compressor station, including either (or both): (a) greater than 100 residences or businesses within a half-mile radius; and (b) total parcel size less than 30 acres. For each comparable compressor station, provide the total number of residences and businesses within a half-mile radius, property size, compressor station size, total horsepower, number of compressor units, type of unit (gas or electric turbine), average monthly and annual number of partial and full system blowdowns, and site safety standards developed for the specific location.

Resource Report 10, Table 10.5-7 contains a description of two alternatives to the Dracut compressor station, but without geographic information about the identified alternate locations. The Siting Board requests that the locations of the alternative sites be provided, specifically a map showing the location of the preferred and two alternative sites, and the Project pipeline facilities (mainline and laterals). The maps should identify locations of wetlands and wetland buffer zones, locations of transmission line within the ROW as well as ROW boundaries, and the location and number of residences within a half-mile radius.

With respect to Alternative 1 described in Table 10.5-7, the Siting Board requests that the Company expand further on the "Reason for Dismissal," specifically in comparison to the property characteristics of the preferred property location.

- The Company states that Alternative 1 was not selected because "close proximity to existing residences and subdivisions ... over 30 homes are located less than 0.5 mile away" (Resource Report 10, at 10-82). In Resource Report 8, at 8-115, the number of homes within a half-mile radius of the proposed compressor station property is listed as 260. The Siting Board requests that the Company expand on this reason, specifically outlining the weight of this characteristic versus the other identified concerns (i.e., parcel size, restrictions from the electric transmission company).
- The Company states that Alternative 1 was not selected because "the area north of the power ROW is too small to use." Does this statement refer to the parcel size - 45 acres for Alternative 1 and 29 acres for the preferred site? The Siting Board requests that the Company expand on this reason, and provide a map of this location which clearly shows the distance from the ROW, land to be acquired within the ROW, and where the compressor station equipment could be placed within the parcel.

- The Company states that Alternative 1 was not selected because “the power line company will not allow any permanent, aboveground structures within their ROW.” Please explain why the structures could not be located outside of the ROW.
- The Company states that Alternative 1 was not selected because “there is an existing home/business within the property that would require purchase and removal.” The Siting Board requests that the Company specify if the structure is a home or a business. In considering this alternative, was the Company in contact with the owner to discuss property acquisition?

With respect with Alternative 2 described in Table 10.5-7, the Siting Board requests that the Company expand further on the “Reason for Dismissal” provided. The Company stated that Alternative 2 was not selected due to the identification of numerous wetlands. The Siting Board requests that the Company provide the number of residences within a half mile of this location. In addition, please discuss if the Company has considered an option of wetland replication if permanent impacts to wetlands would be unavoidable at this alternative location.

Additionally, the Siting Board requests that the Company update the following maps and aerial images related to compressor station locations in the Company’s certificate application and PERC’s draft EIS:

- The Siting Board requests that the Company provide a public version of the Preliminary Draft Compressor Station Drawings. These documents, contained in Volume IV of the Appendices filed on July 24, have been classified as Critical Energy Infrastructure Information (“CEII”), and are not available for public review. These drawings contain valuable information, such as the location of specific noise producing equipment and the layout of the compressor station on the total property to be acquired.
- The Siting Board requests that the aerial mapping included in the June 1 and June 5 supplemental filings to the docket be updated and included in the Company’s Application and FERC’s draft EIS. The aerial mapping contained compressor station locations, property acquisition status, and sensitive receptors within a half-mile radius. These images were not included in the July 24 resource reports.
- The Siting Board requests that Appendix E and F be updated to show, at a minimum, the entire proposed compressor station property boundary. Appendix E and F only contain a milepost marker to indicate the location of compressor stations, not the entire footprint of the property. If the scale of the appendix permits, the layout of equipment should also be included.

VIII. SAFETY

A. Introduction

Safety concerns stem from the proximity of the pipeline and compressor stations to homes, farms, businesses, government facilities, and other properties coupled with the potential for pipeline incidents involving a gas release, fire, explosion, or other safety emergencies. According to Tennessee, NED will be designed, installed, operated, and maintained in accordance with best industry practices and federal safety and operational regulations for interstate natural gas pipelines. The Company indicated that NED safety practices would be similar to those used on Tennessee’s existing pipeline system.

B. Public Comment

A number of commenters voiced concern that the proposed pipeline will traverse many small communities that do not currently have the necessary equipment or training to address a significant emergency associated with either pipelines or compressor stations. Other commenters expressed concerns about the proximity of high-pressure natural gas pipelines to high-voltage electric transmission lines (“co-location”), as proposed by the Company for most of the Massachusetts pipeline route. These commenters noted that pipeline corrosion is accelerated by chemical reactions between the pipe and the surrounding soil, and also from externally generated electric current passing between soil and pipeline.

The Town of Conway, Massachusetts submitted comments to the Siting Board stating:

It is expected that the applicant, [Tennessee], 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.

A full and detailed independent risk analysis for the placement of the proposed NED pipeline in or adjacent to an existing right-of-way for high [voltage] 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. (Town of Conway Comment at 7-8, 8/12/2015)

As shown in Table 4, below, some examples of similar requests were made by other Massachusetts cities and towns in their comments to the Siting Board.

Table 4: Comments on Fire Equipment

Commenter	Comment on Fire Equipment
Berkshire Regional Planning Commission (“BRPC”), August 13, 2015, at 2-3	“Require TGP to provide training to local volunteer fire departments for responses to fires created by construction activities. Assess materials and equipment available for their response to such incidents. Provide at no cost all necessary response training, materials, and equipment.”
Town of Dalton, MA, August 4, 2015, at 8.	“The cost of any emergency response related to the construction, maintenance, or failure of the pipeline cannot be borne by the Town.”
Dalton Fire District, August 11, 2015, at 2.	“The cost of any emergency response related to the construction, maintenance, or failure of the pipeline cannot be borne by the Dalton Fire District. How will TGP ensure that these costs are paid for?”
Town of Deerfield, Report to FERC, August 2015, at 1.	“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”

C. EFSB Recommendations

The certificate application and the draft EIS should include a detailed description of all the federal, state, and local safety regulations and inspections that pertain to the Project, as well as any additional Company safety protocols. The Siting Board further requests that the Company provide a detailed history of its safety record, which would include failures, incidents, and accidents with respect to pipelines and compressor stations within the Company’s portfolio. The information should include the cause of the incident; the quantity of leaked gas and pollutants, and other environmental impacts; and any related injuries or fatalities. Additionally, the Siting Board requests that the Company provide information on incidents and accidents at any compressor station across the United States in the past ten years.

Historically, PERC has found that the U.S. Department of Transportation (“DOT”) is solely responsible for establishing criteria and requirements for the safety of natural gas pipeline facilities. Questar Pipeline Company, 95 FERC, 61,404, at’ 6 (2001). FERC has also held in Section 7(c) proceedings, “once a pipeline certifies that it will comply with its [Natural Gas Pipeline Safety Act of 1968] obligations, [PERC] “is generally precluded from further consideration of pipeline safety issues.” Independence Pipeline Company, 91 FERC, 61,102, at ,40 (2000).

Existing DOT pipeline safety standards require different pipeline specifications be used based on population density in the vicinity of the pipeline, “and specifies more rigorous safety requirements for populated areas.”

Independence Pipeline Company, 89 FERC, 61,283 at' 62 (1999).

Class locations representing more populated areas require higher safety factors in pipeline design, testing, and operation Class locations also specify the maximum distance to a sectionalizing block valve (~, 10.0 miles in Class 1, 7.5 miles in Class 2, 4.0 miles in Class 3, and 2.5 miles in Class 4). Pipe wall thickness and pipeline design pressures, hydrostatic test pressures, maximum allowable operating pressure, inspection and testing of welds, and frequency of pipeline patrols and leak surveys must also conform to higher standards in more populated areas.

Id. at' 62 (emphasis added).

However, there have been a number of pipeline applications submitted to PERC, which PERC has approved pursuant to Section 7(c), where the applicant has included additional safety measures that exceed DOT's minimum standards. Constitution Pipeline Company, 149 FERC '61,199, at' 97 (2014) (Constitution will put in place several measures that exceed DOT's requirements, including installation of Class 2 design pipe in all Class 1 locations, installation of the pipeline deeper than required for Class 1 locations with a minimum depth of 36 inches in normal soils, inspection of 100 percent of mainline pipeline welds, hydrostatic testing of the entire pipeline at a higher level suitable for Class 3 locations, and spacing of mainline valves at closer intervals to meet Class 2 requirements in all areas); Rockies Express Pipeline LLC, 123 PERC, 61,234, at' 182 (2008) (following construction, Rockies Express will initiate a pipeline integrity management plan to ensure public safety during operation); Questar Pipeline Company, 95 PERC, 61,40, at' (2001) (Company proposed higher pipe-yield strength from X-65 to X-70 in anticipation of future community development in the area); Independence Pipeline Company, 89 PERC, 61,283, at' 66 (1999) (FERC orders Transco to implement additional measures it discussed in Company responses to FERC Staff information requests).

Recognizing that pipeline companies may voluntarily propose to construct pipeline that exceed DOT standards, the Commission has stated that "[w]e would not necessarily preclude the installation of facilities consistent with a higher DOT class standard that does not now apply." Transwestern Pipeline Company LLC, 122 FERC, 61,165, at ftnt. 90 (2008).

The Siting Board is troubled by any design and construction methods that fail to ensure that only the best and most protective safety standards are used throughout Massachusetts, regardless of whether construction occurs in a rural, suburban, or urban location. No community, no matter its size, should be required to host an interstate pipeline with safety standards that are less than best practices or that fail to provide the greatest assurance of safety.

Although safety is regulated by the DOT, Tennessee should adopt the highest levels of safety standards for the entire Massachusetts portion of the proposed pipeline. Accordingly, the Siting Board requests that Tennessee study those additional safety measures put forth by its sister pipeline companies in the above-referenced cases and voluntarily propose, as appropriate, to incorporate safety standards for NED that would exceed the "minimum" DOT standards required by 49 C.F.R. Part 192.

Historically, PERC has required developers of approved LNG terminals to file an Emergency Response Plan ("ERP") that includes a "Cost-Sharing Plan" identifying the mechanisms for funding all project-specific security/emergency management costs that would be imposed on state and local agencies. See Dominion Cove Point LNG, LP, 148 FERC, 61,244, at Appendix B, Environmental Condition No. 32 (2014). This FERC condition also states that "[i]n addition to the funding of direct transit-related security/emergency management costs, this comprehensive plan shall include funding mechanisms for the capital costs associated with any necessary security/emergency management equipment and personnel base." Id.

The proposed pipeline route goes through numerous small towns in Massachusetts that often lack the equipment and personnel to respond to large-scale potential emergencies. These communities may lack the financial resources to upgrade their existing police and firefighting equipment to accommodate the pipeline. Such towns should not be required to fund the cost of emergency management equipment, training and programs associated with an interstate natural gas pipeline. The Siting Board suggests that FERC require that Tennes-

see file an ERP that includes a “Cost-Sharing Plan” identifying the mechanisms for funding Project-specific security and emergency management costs that would otherwise be borne by state and local agencies.

IX. ALTERNATIVE ROUTES

A. Background

In its Draft Resource Reports 1 and 10, filed with FERC July 24, 2015, Tennessee provided an overview of major and minor route alternatives to the Massachusetts portions of its proposed Wright to Dracut mainline pipeline and its Lynnfield, Haverhill, and Fitchburg Laterals. Tennessee indicated that the factors it considered in its selection of the proposed route for the Project, rather than alternative routes and deviations, include: landowner concerns; minimization of the number of affected landowners; minimization of adverse environmental impacts; constructability; safety; and minimizing disruption during construction. Tennessee acknowledged that, due to the lack of available survey data, desktop data were used for the alternative route analyses, although some field reconnaissance data were also evaluated. As data sources for its alternative route analysis, the Company cited its use of aerial photography; topographic maps by the U.S. Geological Survey; and National Wetland Inventory maps.

The Company evaluated a number of major alternatives to the Proposed Project mainline route in Massachusetts (previously called the New Hampshire Powerline Alternative): the original proposed route (also known as the Massachusetts Alternative); the Massachusetts Powerline Alternative; the Mass Turnpike Alternative; the Massachusetts Route 2 Alternative; the Article 97 A avoidance Route; and the Existing 200 Line Alternative. Based on its quantitative and qualitative analysis of the mainline options, Tennessee chose the Proposed Project as the preferred route for the Project, accepting some minor route deviations proposed by landowners and agencies.

Similarly, Tennessee evaluated a number of major and minor routing alternatives to the Project’s lateral pipelines for the Lynnfield, Haverhill, and Fitchburg Laterals, as well as landowner- or agency-requested minor deviations of the Peabody Lateral and the Maritimes Delivery Line. Again, Tennessee chose the Proposed Route as it preferred option, making a small number of minor route deviations requested by landowners and agencies.

B. Public Comment

Attendees at EFSB and FERC scoping hearings asserted that there were information gaps hindering a comprehensive evaluation of the impacts of proposed Massachusetts NED pipeline, lateral facilities, compressor station locations and their alternatives. Commenters maintained that Tennessee inappropriately used a “bean counting” methodology to compare alternatives. These speakers also maintained that totaling the number, type, and linear distance or acreage of natural resource disturbances is not the same as a real analysis of the relative ecological values and impacts of Project alternatives. Stakeholders noted, in particular, their concerns stemming from continued uncertainties with respect to the physical location of the mainline pipeline and lateral alternatives.

In its comments, Massachusetts Audubon and The Trustees noted the availability of useful tools to guide an analysis of protected open space and to avoid, minimize, and better mitigate impacts. They cited BioMap2, produced by the Division of Fisheries & Wildlife Natural Heritage & Endangered Species Program, as a tool that “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.” In addition, they cited the University of Massachusetts study of the Project and its potential impacts to habitat values using the Conservation Assessment and Prioritization System (“CAPS”) analysis technique that assesses the ecological integrity of lands and waters and subsequently identifies and prioritizes land for habitat and biodiversity conservation. Massachusetts Audubon and The Trustees maintain that CAPS can be used to further assess the Project, impacts to natural resources, and any future route changes.

The Town of Deerfield attested to a long list of concerns with the Project, including the lack of information

about horizontal drilling under railroads, Interstate 91, the Deerfield River, a contaminated aquifer in the East Deerfield rail yard, and the Connecticut River. According to Deerfield officials (EFSB Tr. C, pages 21-22), the information they received was both incomplete and perpetually changing. Residents and officials of Deerfield also faulted Tennessee for a lack of information provided with respect to historic and archaeological resources impacted by the Project.

The comments of Carolyn Smart, a member of the Townsend Board of Selectmen, typified community concerns specific to lateral alternatives and information shortfalls. Selectwoman Smart reported that Townsend views the proposed Fitchburg lateral and its uncertain route as a potentially significant disturbance to local ecological, historical, and water resource areas, including a brook (Willard Brook), state park (Pearl Hill Brook State Park), and area of critical concern (Squannacook ACEC). Carol Regan, a Methuen resident, voiced concerns about environmental impacts and the lack of complete siting information with respect to the Haverhill lateral and the potential impacts to densely populated neighborhoods, wetlands, conservation land, and groundwater resources.

Many comments regarding the proposed Lynnfield and Haverhill Laterals noted that they would operate in areas already criss-crossed by existing pipelines. Some residents in these affected communities contended that the proposed NED laterals would contribute to an already unacceptable burden in the area, and would provide no additional benefit to local residents.

C. EFSB Recommendations

The Siting Board observes that, in Resource Report 10, the Company analyzed the Massachusetts pipeline and lateral route alternatives for NED by tabulating the number, type, and linear distance and area of natural resource disturbances for each considered alternative. No specific data were provided on the number of affected residents, noted as a “TBD” in the comparisons. The Company’s methodology appears to omit any explicit consideration of cultural resources such historical or archeological sites impacted.

As noted by Massachusetts Audubon and The Trustees, the comparative approach used by the Company fails to capture qualitative differences between resources disturbed and lacks any objective or defined method of weighing the inevitable tradeoffs between the quantity and quality of resources impacted, and other siting considerations considered by the Company. The Siting Board urges PERC to direct that the Company incorporate a complete set and well-defined set of qualitative as well as quantitative factors in its ongoing analysis and comparisons of Project alternatives.

X. CLOSING COMMENTS

In summary, the Massachusetts Siting Board staff appreciates the opportunity to file comments on the scope of the Draft EIS and available resource reports, as well as filings relating to the Northeast Energy Direct Project, FERC proceeding number PFI4-22-000.

Sincerely yours,

Stephen August Presiding Officer
Andrew Greene Director

Enclosures:

Appendix A - Transcripts of EFSB Public Comment Hearings *{see 20151019-5094 below}*

Appendix B - Written Comments Submitted to EFSB *{see 20151019-5097 below}*

Footnotes:

- 1 See Order Determining Department Authority Under G.L. c. 164, § 94A, D.P.U. 15-37 (October 2, 2015).
- 2 Prior to submitting the second draft of its Environmental Report, the Company provided FERC with drafts of Resource Reports 1 and 10 for the Project on November 5, 2014, and a revised draft of Resource Report 1 on December 8, 2014. Tennessee filed the first draft of its Environmental Report (Resource Reports 1 through 13) with FERC on March 13, 2015.
- 3 On July 16, 2015, Tennessee scaled back the Project to a 30-inch diameter pipeline of 1.3 bcf/d from its original

36-inch diameter with a maximum capacity of up to 2.2 bcf/d. The Company's press release noted, however, that "while TGP is now moving forward with a 30-inch pipeline design, circumstances could arise in the very near term as more capacity commitments are made that would necessitate a design modification to a 36-inch pipeline design, and that would require us to file an amended application with the FERC" (Kinder Morgan Press Release, July 16,2015). Kinder Morgan, Inc. is the parent company of Tennessee Gas Pipeline Company.

- 4 In its September 15,2014 Pre-Filing Request to FERC, Tennessee noted that NED may also access potential customers in Atlantic Canada through interconnections with the Maritimes & Northeast Pipeline and the Portland Natural Gas Transmission System at Dracut, Massachusetts. The filing noted that such customers might include LDCs, power generators, industrial customers, and liquefied natural gas ("LNG") export projects.
- 5 As of August 5, 2015, approximately 55 Massachusetts municipalities voted on some form of resolution in opposition to the Project. Transcript of Siting Board Comment Hearing, at 102, Greenfield (August 5, 2015).
- 6 See, for example, the DPU's recent Gas System Enhancement Plan Orders, D.P.U. 14-130 through D.P.U. 14-135.
- 7 This is not a comprehensive list of studies that have been conducted on the subject. There are others not listed here.
- 8 It is our understanding that, pursuant to PERC's policy on determination of need, approved precedent agreements carry significant weight at FERC in establishing the need for pipeline capacity. [See Certification of New Interstate Natural Gas Pipeline Facilities, 88 PERC, 61,227, at' 19, (1999), clarified, 90 PERC, 61,128, further clarified, 92 FERC, 61,094 (2000)].
- 9 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."
- 10 See Mount Grace Land Conservation Trust Comment, 8/5/2015.
- 11 In this letter, the Siting Board staff is not addressing the scope of federal preemption authority to authorize the taking of land designated as Article 97 property should the Legislature not grant its approval.
- 12 To the extent that Tennessee is able to reroute the pipeline under roads and streets rather than through other public or private lands, it is possible that property value reductions could be avoided or minimized.
- 13 MassDEP defines a pure tone condition where anyone octave band sound pressure level exceeds the two adjacent frequency bands by three dBA or more. *{end of 20151019-5092}*

20151019-5094

THE COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD
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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

October 16,2015

Appendix A

The following appendix contains the transcripts from the Siting Board public hearings held on:

- August 3, 2015 in Dracut, MA
- August 4, 2015 in Pittsfield, MA
- August 5, 2015 in Greenfield, MA
- August 6, 2015 in Lunenburg, MA.

{transcripts omitted, full transcript (191 pages, 966 KB) can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14017213> }

Ernest Andre Kirslis
The Calhoun Pasture, 220 Goddard Road, Rindge, New Hampshire
(Mailing address: P.O. Box 6, Central Village, Connecticut 06332)

October 15, 2015

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

Docket: PFI4-22-000

Dear Secretary Bose:

On April 10, 2015 I wrote to you and the Commission regarding the NED Project and some of the concerns I have as a landowner with property I own in Rindge, New Hampshire. This separate letter is now, in addition, being sent to you to make certain requests and express additional comments and concerns during the scoping process for your consideration in preparation of the EIS.

1) SECTION 106 REVIEW

I understand the FERC is responsible for initiating Section 106 review regarding TGP's NED Project. This process includes gathering information on properties that may be affected by the project "that are listed, or are eligible for listing in the National Register of Historic Places." As you may be aware I also sent a copy of the above mentioned April 10 letter to Elizabeth Muzzey, Director of the New Hampshire Division of Historical Resources "NHDHR", and State Historical Preservation Officer "SHPO". In that letter, among other things, I drew attention to a number of adverse effects of the NED Project pipeline's current design path crossing the historically significant land parcel I own, the Calhoun Pasture, in Rindge, NH. I also proposed an alternative path that reduced or eliminated those effects should the pipeline project be ultimately approved. In addition, I provided specific documentation to Director Muzzey's office in hopes of their advocacy on my behalf for consideration during Section 106 review of the National Historic Preservation Act.

Normally, the NHDHR, as a state agency, through the SHPO consults with the FERC and other agencies during Section 106 review. After further discussion with Director Muzzey's office however, specifically with Ms. Edna Feighner the Review and Compliance Coordinator and Historical Archaeologist, I was advised by her to request consulting party status for myself directly to you under Section 106 of the National Historic Preservation Act. In addition it was suggested I also provide additional information already sent to Director Muzzey's office, due to the complexity of information related to my property, with Section 106 review, directly to FERC and Kinder Morgan's cultural resource consultants. To that end please note that I am hereby requesting consulting party status under Section 106 of the National Historic Preservation Act as an affected landowner regarding the NED Project and my Rindge, NH property. Despite myself having legal and economic interests in the project as an affected land owner, there is obviously no guarantee whether I would normally be granted consulting party status by the FERC. Furthermore in was denied such status by you, I would then have to ask the Advisory Council on Historic Preservation to review the denial, and make recommendations to the FERC regarding my participation. Kindly note that my request to you is also at the recommendation of the NHDHR.

In consideration for consulting party status please note the rarity and historic significance of the Calhoun Pasture, its characteristics and features, as truly representative of working farm properties typical of America's colonial and agricultural past. It is on an unpaved road and in a visually pristine setting unto itself. In particular the importance of its "setting" or its physical environment, character if you will, as well as a 'feeling' or the expression of its aesthetic or historic sense of the past is unique and worthy of preservation. Visually, removal of its northern stands of pines in the targeted path of the pipeline through it would destroy this completely. It would also effect the property's capacity to operate as a farm properly in the same way with-

out this physical windbreak. In addition, how its features and their relationships should be examined however not only within the exact boundaries of the property, but also between the property and its surroundings is important. This is particularly important for properties in agriculturally zoned districts, and involves not just where, but how, a property is situated and its relationship to its surrounding features and open space.

For over two centuries the Calhoun Pasture has been kept an un-subdivided parcel of land that is specifically and completely stone wall enclosed and preserved as such. My family has maintained this preservation in our ownership for more than the last fifty years. In addition to its possessing the aforementioned stone walls, even noted “as the walls now stand” in its deed description currently, it is also important to note two of the property’s boundary walls are in fact ‘lot’ and ‘range’ walls from the time when it was even more notably a parcel in a corner of “lot 10 in the 4th range”. Its namesake owner, the Rev. Andrew Calhoun purchased it from the Platts family (John Varnum Platts a descendant of Able Platts) whose ownership of it traces directly back to the very ‘father of the Town’ of Rindge, Captain Abel Platts (b. 1704 - d. 1777), credited as being the town’s first settler. (See Enclosure F). In addition, one of the families that owned and worked the property from an era of agricultural splendor, and lived during the time of our colonial historic past was Rindge’s noted Hubbard family. Specifically, Hezekiah Hubbard (b. 1757-d. 1822), a highly respected citizen and Revolutionary War soldier who is noted by name in Ezra S. Stearns’, History of the Town of Rindge, New Hampshire (Boston: Press of George H. Ellie, 1875, 136-139) (See Enclosure A - it is an astounding account of the times and the lives of the men of Rindge and specifically the experiences of one of the Calhoun Pasture’s past owners, Hezekiah Hubbard during the late 1700’s) and later Deacon of the Congregational Church, as well as his eldest son, Otis Hubbard. Each of these gentlemen were among Rindge’s most highly respected citizens in each era with Otis Hubbard the individual who bequeathed the money, in trust to the town, for a clock in the late 1800’s (See Enclosure E, Page 1 of 2, Seventh provision). To this day that clock, with a dial on each side of the town’s Second Meeting House’s spire graces it. The town’s meeting house, coincidentally also one of the largest meeting houses in New England, is on the National Register of Historic Places. This is but one example of the relationship the Calhoun Pasture has as a part of the town’s history. If historic connections and relationships aren’t preserved, they are in time forgotten and lost forever. The wealth of the Hubbard family allowed them to continue to actively work and use the Calhoun Pasture, further building its stone walls to such a degree that boulders exceeding five feet in length pulled by oxen have been built into it in places and routinely, sections of its walls measure over four feet in width and two feet or more above grade. (See Enclosure G) The Hubbard family also had the Calhoun Pasture name added into the property deed description even long after, decades after, Hezekiah purchased it from its namesake owner during the Hubbard family’s ownership of it from 1821 to 1895. Typically, land parcels are simply renamed by subsequent families, for a variety of reasons including the relationship between Rev. Calhoun and Deacon Hezekiah Hubbard, this was deliberately not the case. In part it was due to a sense of respect for the history of the land and commitment made to preservation of the cultural and agricultural lifestyle from the era. Kindly note the following:

- 1) I am the owner of Rindge’s historic “Calhoun Pasture” so named in its deed to this day.
- 2) For a site to receive historic preservation consideration under Section 106 review it needs to meet the standards of eligibility for listing in the National Register of Historic Places which it does due to many factors including its unique historic significance.
- 3) The site and land parcel is associated with the lives of specific persons from the colonial era through the late 19th century in Rindge’s, even the state and our country’s history, and events that have made a significant contribution to patterns of history. The Rev. Andrew Calhoun, Revolutionary War private and Deacon Hezekiah Hubbard, his son were all owners of it with Otis and other Hubbard family members actively working the property throughout the 1800’s.
- 4) The parcel embodies distinctive characteristics unique to American agricultural and cultural history. It is even specifically referenced and named in town records and annual reports related to its agricultural function throughout the 1800’s.

Agriculture has long been an integral and vital part of the social, economic, and cultural fabric of New Hampshire. Farmers have been producing crops from New Hampshire soil for more than 375 years. As important as agriculture is, it faces significant challenges from the increasing pressure of growth and development. Its site possesses value worthy of protection because it is representative of the colonial and post-colonial agrarian lifestyle of New England. It has maintained the integrity of location and site, and its setting and feeling physically as well as visually with the exception of the scar across the rural landscape of the area from the electric utility corridor and transmission power lines, which it should not be further exposed to.

The NED Project and pipeline if approved and constructed on or near my property will adversely affect and negatively alter characteristics that qualify my property, Rindge's historic Calhoun Pasture, for inclusion in the National Register in a manner that would diminish the integrity of the property. Specifically its integrity as a historically intact agricultural property and its ability to convey its significance based on its location, setting, feeling, and association would be permanently destroyed. The property's ongoing careful development committed to its continued preservation as an agricultural property and consistent zoning use as a working farm would be undermined and utterly ruined. The NED Project will:

- 1) In its present path permanently bisect the Calhoun Pasture itself.
- 2) Permanently eliminate agriculturally zoned land from the future use consistent with its USDA identified soil type for uses as described in my previous April 10, 2015 letter on file with the FERC and also sent to Tennessee Gas Pipeline, LLC.
- 3) Needlessly further and permanently expose the property visually and physically to the adjacent eyesore and scar across the landscape of the 345kV power transmission lines destroying its location, setting, feeling, and association within the rural landscape

The Calhoun Pasture, represents a direct nexus to very specific and significant facets of the Town of Rindge's, the State of New Hampshire's, and our country's colonial and post-colonial agricultural culture and history. To receive historic preservation consideration under Section 106 review it needs to meet the standards of eligibility for listing in the National Register of Historic Places which it does due to many factors including its unique historic significance.

The National Historic Preservation Act of 1966 was enacted by Congress to preserve the historical and cultural foundations of the nation as a living part of community life. I ask you kindly consider your ability to recognize that in this case preservation of this property involves little more than requiring TGP to respect this living part of the town's heritage being developed as an organic farm. I ask you mandate, should the NED Project be approved, the pipeline be instead constructed on the adjacent four acre land tract which possesses none of the attributes of the Calhoun Pasture and as already land owner by another energy infrastructure entity and is a far more appropriate location for it.

Lastly, kindly note although none of the enclosures are copies of certified copies of deeds as recorded in the Registry in Keene, NH, or documents held at the State's archives in Concord, NH, the information contained herein is easily subject to verification and if necessary during Section 106 review I am able to provide such if requested for further consideration.

2) PRESERVATION OF HISTORIC STONE WALLS

The Calhoun Pasture's walls are an important part of its history. The TGP pipeline through it and disruption of its stone walls would permanently destroy its stone walls and their appearance over a length under their current permanent and proposed easements of over 480 feet in length; 372 feet on its northern boundary, and 110 feet in length on its eastern boundary. The rebuilding of an historic wall changes when it must be entirely removed and reconstructed alters the appearance of it and its stones. The majority of the walls possess bases four feet in width and wider. Boulders that are landmarks, pulled into them by oxen from yesteryear are at times over four feet in length. Moving such stones by modern mechanical methods will deface and scar them destroying their appearance. They have aged with lichen, moss, and weathering that are a part of their character that once disturbed takes decades if not centuries to return to the same state. The colonial

stone walls in New England are some of the most important and beautiful walls ever built. It is absolutely impossible to demolish the walls on the Calhoun Pasture and rebuild them without destroying the character of the property. For examples, please refer to enclosed imagery. (See enclosure G)

3) RIPARIAN BUFFER ZONE

The Calhoun Pasture possesses two significant wetlands. More importantly, they, and a much larger adjacent wetland south on another land parcel are fed by a riparian buffer zone that is vital for seasonal streams and vernal pools. This riparian zone extends through the targeted NED Project path of the Calhoun Pasture and starts on the four acre land parcel north of the Calhoun Pasture. TGP has failed to indicate this area on their existing maps. Kindly refer to the attached images regarding an area that if disturbed will severely impact the health of the aquatic ecosystem of these wetlands. In particular, the topography of the spur at an elevation of approximately 1200 feet on my property declines toward the property's saddleback wetland. Polluted runoff will head through that buffer zone damaging it and the wetlands if the pipeline is constructed in its current part. An enormous amount of water seasonally runs across this area and disturbing the soil structure will affect that runoff drastically. I must request formally here during the scoping period that a study be conducted to identify the size of this area, and determine the environmental impact. Merely even moving the pipeline construction path off the Calhoun Pasture may not be adequate to eliminate the adverse impact. Kindly consider a comprehensive study of this area.

4) DRIVEWAY IMPACT.

Kindly consider TGP has proposed the pipeline route and adjacent temporary easement area which would adversely impact the property as completely obliterating the driveway access to Goddard for the property. Kindly consider require this area not being affected and the pipeline not allowed to destroy it. (See Enclosure I).

Thank You,

Ernest A. Kirslis

Cc: Tennessee Gas Pipeline, LLC

Elizabeth Muzzey, Director, New Hampshire Division of Historical Resources, and State Historical Preservation Officer

Enc: Enclosure A - 4 Pages. Account narrative from the History of the Town of Rindge.

Enclosure B-1 Page. Copy of Deed from Andrew Calhoun to Hezekiah Hubbard.

Enclosure C - 1 Page. Copy of Deed, Calhoun Pasture, 1850.

Enclosure D - 1 Page. First page of the Inventory, probate file of Hezekiah Hubbard.

Enclosure E - 2 Pages. Will of Otis Hubbard.

Enclosure F - 2 Pages. Miscellaneous ancestry information.

Enclosure G - 3 Pages. Images of the Calhoun Pasture's northern boundary walls

Enclosure H - 4 Pages. Calhoun Pasture Riparian Buffer Zone Area Images.

Enclosure I - Calhoun Pasture North Driveway on Goddard Road.

{photos and scanned materials omitted, only captions and printed material included below}

Enclosure A - Page 1 of 4. Hezekiah Hubbard noted by name in Ezra S. Stearns', History of the Town of Rindge, New Hampshire (Boston: Press of George H. Ellie, 1875; 136-139). Page 136:

Enclosure A - Page 2 of 4. Hezekiah Hubbard noted by name in Ezra S. Stearns', History of the Town of Rindge, New Hampshire (Boston: Press of George H. Ellie, 1875; 136-139). Page 137:

Enclosure A - Page 3 of 4. Hezekiah Hubbard noted by name in Ezra S. Stearns', History of the Town of Rindge, New Hampshire (Boston: Press of George H. Ellie, 1875; 136-139). Page 138:

Enclosure A - Page 4 of 4. Hezekiah Hubbard noted by name in Ezra S. Stearns', History of the Town of Rindge, New Hampshire (Boston: Press of George H. Ellie, 1875; 136-139). Page 139:

Enclosure B - Page 1 of 1. Copy of Deed from Andrew Calhoun to Hezekiah Hubbard (V. 90=P. 143) (1821).

Enclosure C - Page 1 of 1. Copy of Deed from Otis' brother Eliphalet and Betsy Hubbard regarding his last children's interest in Hezekiah Hubbard's estate to John and Otis Hubbard (V. 167-P. 363- 364 (1850) Last deed referring to parcel by Lot and Range; no mention of acreage.

Enclosure D - Page 1 of 1. First page of the Inventory from the probate file of Hezekiah Hubbard filed at the NH State Archives, Concord, NH. The entirety of real estate he owned, including the Calhoun Pasture, was listed in one line which all together totaled "about 160 acres."

Enclosure E - Page 1 of 2. Will of Otis Hubbard from his probate file at the NH State Archives, Concord, NH. Note the Calhoun Pasture mentioned by name in the "SECOND" provision and funds bequeathed in trust to the town for a clock in the "SEVENTH" .

Enclosure E - Page 2 of 2. Will of Otis Hubbard from his probate file at the NH State Archives, Concord, NH.

Enclosure F - Page 1 of 2. Miscellaneous ancestry information. (<http://archiver.rootsweb.ancestry.com/threadN ARNUMI2000-0210949865253>)

2. LT. ABEL PLATTS. Born in England and the son of Samuel and Sarah. Lt. Abel was the first of the Platts to settle in Rowley. He was a rebel and in considerable trouble with the town fathers. He was a soldier and a colorful character (see Platts family story). He was an ensign in the Rowley Company of the Canadian Expedition. At the time of his appointment as ensign, objection was made by the two ministers of Rowley for reasons set forth in their letter to the General Court accusing him of not taking communion or showing proper respect for religion. He was Rowley's first shipbuilder. Abel appears to have been a rebel who chafed under the strict Puritan church. He was excommunicated from the church. He went off to fight the French at Quebec in 1690 and died of exposure and starvation at Cape Breton. His heirs appealed for redress and were granted land in New Hampshire to which his grandson, Captain Abel moved and settled, calling this town 'Rowley, Canada'. The name was later changed to Rindge. He commenced clearing land as early as 1742 and started a permanent residence in the 1750's upon the shores of Pool Pond. His lots were 16 and 17 in the 8th range. B. England Md. Lydia Bailey (see Bailey Addenda) May 8, 1672, b. September 1644 Moses 2-4-1672 Abel 6-13-1675 Hannah 2-5-1678 Samuel 2-5-1681 D. Died in Battle at Cape Breton in 1690.

3. MOSES. Son of Abel and Lydia. He is recorded as serving as selectman in 1717. In 1734 he was employed by the town in settling the boundaries of Plum Island, Mass. He charged the town "for three days at Plum Island and one quart of 'Rume 0-14- 0'". About 1750 he appears to have owned a store in Rowley. B. February 4, 1673 Md. Hannah Platts (see Platts II addenda) on November 22, 1693 b. April 16, 1676, d. March 31, 1755 Children of that marriage were: Abel 8-26-1694 Lidia 3-20-1695 Elizabeth 2-8-1698 an infant 7-15-1701 Hannah 11-8-1702 Abell 2-6-1703 Moses 4-9- 1707 Hannah 3-27-1710 Mehitable 11-11-1712 Nathan 7-23-1715 Jonathan 11-10-1719 D. March 30, 1739

Enclosure F - Page 2 of 2. Miscellaneous ancestry information. (<http://archiver.rootsweb.ancestry.com/threadN ARNUMI2000-0210949865253>)

4. CAPT. ABEL. Son of Moses and Hannah. He was known as Capt. Abel Platts. He was granted unsettled land in Rindge, NH for the service of his father in the war. He was a 'chainman' and in 1738 he proceeded to this area which was called Rowley, Canada. He is credited with being the first settler, which was incorporated as the town of Rindge, NH. in 1768. He is called the 'father of the town', and his wife was the first woman settler. B. February 6, 1703 in Rowley, Mass Md. Mary Varnum on April 21, 1725 (see Varnum Family) b. 1705, d. Date unknown. She is buried on the faDm at Pool Pond. The children of this marriage were: Joseph 2- 19-1725 Mary 2-2-1727 Ruth 9-30-1729 an infant 8-11-1733 Abel 5- 31-1734, d. 2-12-1735 Abel 10-15-1735 Hannah 1-13-1741 Sarah 9- 4-1744 D. 1777 of Small pox.

5. A. ABEL, JR. Son of Abel and Mary. On his father's death he inherited his father's estate in Rindge,

NH. He took part in the 'Lexington Fight', April 19, 1775 and also marched with his company to Ft. Ticonderoga in 1777. B. 1738 in Lunenburg, MA. Md. Phebe Wetherbee on April, 26, 1759. (see Wetherbee Family) They had eleven children. D. March 3, 1819.

Enclosure G - Page 1 of 3. Images of the Calhoun Pasture's northern boundary walls. Image 1.

Enclosure G - Page 2 of 3. Images of the Calhoun Pasture's northern boundary walls. Image 2.

Enclosure G - Page 3 of 3. Images of the Calhoun Pasture's northern boundary walls. Image 3.

Enclosure H - Page 1 of 4. Calhoun Pasture Riparian Buffer Zone Area Images. Landmark boulder in Calhoun Pasture north boundary wall and area with view toward northwest into the existing 345kV utility corridor.

Enclosure H - Page 2 of 4. Calhoun Pasture Riparian Buffer Zone Area Images. View at higher elevation than Page 1 of 3 in this enclosure. Calhoun Pasture north boundary wall and area with view toward northwest into the existing 345kV utility corridor.

Enclosure H - Page 3 of 4. Calhoun Pasture Riparian Buffer Zone Area Images. View north from Calhoun Pasture with tree line into existing utility corridor. Note riparian vegetation, characterized by hydrophilic plants including the extensive fern cover ground cover in these and other images.

Enclosure H - Page 4 of 4. Calhoun Pasture Riparian Buffer Zone Area Images. View north from Calhoun Pasture with tree line into existing utility corridor. Buffer zone edge. Note riparian vegetation, characterized by hydrophilic plants including the extensive fern cover ground cover in these and other images. Pipeline construction in this area will adversely impact watershed feeding this area and adjacent extensive wetlands outside the pipeline easement area.

Enclosure 1- Calhoun Pasture North Driveway on Goddard Road.

20151019-5097

THE COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD
ONE SOUTH STATION
BOSTON, MA 02110
(617) 305-3525

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

October 16, 2015

Appendix B

The following appendix contains copies of 263 comments received by the Siting Board as of October 16, 2015 in reference to FERC Docket No. PF14-22.

{ comments omitted, full submission (925 pages, 46 MB) can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14017217> }

20151019-5098

October 16, 2015

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

Re: Docket No. PF14-22

Revised and corrected from that previously submitted October 15, 2015

Dear Secretary Bose,

Greenville NH, while geographically one of the smallest towns in the State, has a relatively large population (over 2100) relative to its land area. It developed as an industrial village centered around the textile mills that proliferated throughout the northeast in the 1800's. As such, the housing is tightly clustered within the village district with a large majority of the population living within this area. The densely settled village district begins at the northwestern corner of the town slightly over one half mile downwind in a southeasterly direction from the proposed Kinder Morgan Market Path Mid-Station 4 compressor station off of Route 45. The heart of the village district lies approximately one mile from the proposed compressor station; in this area lies a mix of closely spaced residences, businesses, churches, town offices, police, fire, and school district department buildings, as well as the large Greenville Falls housing complex for the elderly and disabled which serves the needs of not just Greenville, but the entire region as well.

The dense housing and business in Greenville precludes the possibility of private wells and septic systems, and these necessities are provided by the Town with a local sewage treatment plant, and a reservoir situated in the Town of Temple. Greenville is unique in this regard in relation to the neighboring towns of Temple, New Ipswich and Mason which are not so densely settled and can rely on both private wells and septic systems.

The above mentioned reservoir is located approximately one half mile downwind in a northeasterly direction from the proposed compressor station. Moreover, the compressor station sits on land elevated above this reservoir, and which drains in several directions into streams which feed into the water supply. As mentioned previously, this reservoir supplies the only source of water for most of the Greenville residents and businesses, as well as the Temple Elementary School.

The densely populated areas of Greenville, as well as the municipal water supply, both located in close proximity to, and downwind from (westerly winds prevail regionally) the compressor station, place Greenville at greater risk than surrounding communities from the toxic emissions. The less densely populated village districts of Temple and New Ipswich would be similarly affected when the winds shift to the south [for Temple] and the northeast [for New Ipswich], a far less common occurrence when averaged over the year.

In Summary,

The FERC should deny the approval for placement of the Market Path Mid-Station 4 compressor station as sited by Kinder Morgan for the following reasons:

- 1) The compressor station location poses the greatest health risk to the most densely populated (and one of the lowest income) community along the pipeline route in this region. The thickly settled sections of Greenville are located approximately one half mile at the nearest point, to approximately one mile at the very center of the village to the proposed compressor station. This district contains a tight mix of residences, businesses, churches, municipal offices (town hall, police, fire, district school dept. buildings), as well as the large Greenville Falls Elderly Housing facility which serves the needs of the elderly and disabled throughout the region. The location of this district downwind from (westerly winds prevail regionally) the compressor station places Greenville in a very vulnerable situation from the toxic emissions of this auxiliary pipeline infrastructure.

- 2) The location of the Greenville municipal water reservoir, a mere one half mile downwind from the compressor station, places what is the only source of water for the majority of both residences and businesses in Greenville (as well as the Temple Elementary School) at high risk from both air and surface contamination (the Temple Elementary School is also at great risk here from air contamination). Moreover, the placement of the compressor station on land elevated above the reservoir, and which drains into streams feeding the reservoir, greatly enhances the danger of contamination of this water supply. It is inconceivable that any other industrial infrastructure - even one having a far lesser environmental impact - would be permitted by any state or local agency in this watershed in such close proximity to a municipal water supply.

The Kinder Morgan Market Path Mid-Station 4 compressor station poses an unreasonable risk to the community of Greenville - a community with one of the lowest median income rates in the region - and a com-

munity which can ill afford to sustain the environmental degradation and health risks that would ensue with Kinder Morgan's plans. In light of this and the above mentioned conditions, it would be irresponsible for the FERC to approve this compressor's siting, and expose the residents of Greenville to its inherent and well-documented harmful effects.

Sincerely,
Henri Vaillancourt
Greenville NH
03048

20151019-5118

{ skip to end of 20151019-5118 }

**THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
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MAURA HEALEY
ATTORNEY GENERAL

TEL: (617) 727-2200
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Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 02426

October 16, 2015

**Re: Tennessee Gas Pipeline Company, L.L.C., Docket No. PF 14-22-000
Northeast Energy Direct Project;
Scoping Comments of Massachusetts Attorney General Maura Healey**

Dear Secretary Bose:

The Office of Massachusetts Attorney General Maura Healey (AGO) is pleased to submit the following scoping comments pursuant to the National Environmental Policy Act, as part of the pre-filing process for the Northeast Energy Direct interstate gas pipeline project ("NED Project"). These scoping comments are submitted in response to the Federal Energy Regulatory Commission's (FERC) June 15, 2015 Notice of Intent to Prepare an Environmental Impact Statement in connection with the Project's application for a certificate of public convenience and necessity.

The AGO's attached comments call on FERC to undertake a full assessment of the need for the NED pipeline in conjunction with other natural gas pipeline proposals for the region. The AGO's comments also urge FERC to undertake a rigorous and comprehensive review of the proposed NED pipeline. Specifically, the AGO's scoping comments:

- Insist that FERC undertake a full evaluation of the nature and extent of the regional need for new gas capacity. The AGO urges FERC to consider the results of the AGO's Regional Electric Reliability Options Study, prepared by the Analysis Group, to evaluate options to address regional electricity reliability in New England, including natural gas capacity needs, through 2030.
- Propose that FERC combine its NEPA reviews of several pending New England pipeline projects into a single process (a combined Environmental Impact Statement) to avoid piecemeal review, to utilize a common analysis of regional gas demand, and to compare each projects' impacts and benefits.
- Focus on the need for FERC to scrutinize and condition any approval on adherence to two important

Massachusetts policies - the protection of conservation lands under Article 97 of the Massachusetts Constitution, and the Massachusetts Global Warming Solutions Act greenhouse gas emissions reduction targets.

- Insist on a thorough review of the many environmental and socioeconomic implications of the project (including its impacts on important ecological resources, public safety, and local communities), and all reasonable alternatives to the current proposal.

AG Healey would like to thank the Commission for this opportunity to provide detailed scoping comments on the NED Project.

Respectfully submitted,
Melissa A. Hoffer,
Chief, Energy and Environment Bureau,
Christophe Courchesne,
Chief, Environmental Protection Division,
Matthew Ireland,
Assistant Attorney General, Environmental Protection Division

**Scoping Comments of Massachusetts Attorney General Maura Healey to
Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission
for the Tennessee Gas Pipeline Company, L.L.c., Northeast Energy Direct Project,
Docket No. PF 14-22-000**

INTRODUCTION AND SUMMARY OF COMMENTS

The Office of Massachusetts Attorney General Maura Healey is pleased to submit the following scoping comments pursuant to the National Environmental Policy Act, as part of the pre-filing process for the Northeast Energy Direct interstate gas pipeline project (the “NED Project” or “the Project”). These scoping comments are submitted in response to the Federal Energy Regulatory Commission’s (“FERC” or the “Commission”) June 15, 2015 Notice of Intent to Prepare an Environmental Impact Statement in connection with the Project’s application for a certificate of public convenience and necessity (“CPCN”).

The NED Project proposed by the Tennessee Gas Pipeline Company, L.L.C. (“Tennessee Gas”) is among the most significant energy infrastructure proposals in recent Massachusetts history. As proposed, the NED Project calls for construction of a 188-mile, 30-inch pipeline designed to deliver up to 1.3 billion cubic feet per day (“Bcfjday”) of natural gas from Wright, New York, to Dracut, Massachusetts, at a total cost of at least \$3 billion. As currently designed, 64 miles of pipeline would be located in Massachusetts.[1] The NED Project also would construct nine new compressor stations and thirteen new meter stations, and modify an existing compressor station and twelve existing meter stations to service the new pipeline.[2]

If constructed, the NED Project would have major and lasting consequences for Massachusetts communities, the Commonwealth’s natural resources, and the economy and energy systems throughout the Northeastern United States. The NED Project would double the capacity of Tennessee Gas’s pipeline system in New England and increase New England’s total interstate natural gas pipeline capacity of 3.951 Bcfj day by nearly one-third in a single project.[3]

In New England and in Massachusetts in particular, there is intense debate regarding the nature and extent of the need for additional natural gas pipeline capacity-both for the projected future growth in demand for customers of local natural gas distribution companies (“LDCs”) and for natural gas-fired power plants on which the region is increasingly dependent for electric power generation. Gas and electric utilities, gas pipeline developers, and the Independent System Operator (“ISO-NE”) claim that there are capacity constraints in New England’s existing pipeline infrastructure during periods of peak winter demand-constraints that can lead to natural gas pricing volatility and corresponding spikes in wholesale electric prices-and have argued

that significant new pipeline development is needed to alleviate these constraints, preserve electric system reliability, and lower market prices.[4] Other stakeholders, including over fifty Massachusetts municipalities, regional planning organizations, clean energy advocates, property owners, environmentalists, community groups, power generators, and liquefied natural gas (“LNG”) interests, have vigorously opposed new pipeline development, and the NED Project in particular, arguing that such development requires significant environmental and other impacts that are unacceptable to local residents and communities; new fossil fuel pipelines are antithetical to the region’s goals to reduce energy sector greenhouse gas emissions; and pipeline system constraints and incremental gas capacity needs, if any, are short in duration and can be addressed through better use of the existing natural gas system and alternative energy solutions like energy efficiency and renewables.[5] The Attorney General’s Office (“AGO”) will soon release a study it commissioned, discussed in more detail below, that examines the extent of New England’s need for additional energy supplies to ensure electric system reliability through the year 2030, and analyzes alternative solutions to meeting any such need, including the costs to ratepayers and effects on greenhouse gas emissions.

Against the backdrop of this debate, pipeline developers have proposed multiple natural gas pipeline projects affecting New England, including the largest single project the NED Project. FERC has recently approved two projects, Spectra Energy’s Algonquin Incremental Markets (itAIM”) project and Tennessee Gas’s Connecticut Expansion project (“CT Expansion”), which are now under construction and together will add more than 0.4 Bcf/ day of additional capacity to New England. A series of additional projects are at various stages of securing customers and applying for FERC CPCNs, including the NED Project, Portland Natural Gas Transmission System’s (ItpNGTS”) Continent to Coast (ItC2C”) project (currently 0.168 Bcf/day), Spectra Energy’s Atlantic Bridge project (currently 0.13 Bcf/ day, in FERC pre-filing) and Access Northeast project (proposed jointly with Spectra Energy, National Grid and Eversource Energy, up to 1 Bet/day) projects.[6] Together with the AIM Project and the CT Expansion project, these projects total nearly 3.0 Bcf/day of additional capacity.

With these projects on the table, New England is at crossroads in the development of new energy infrastructure. While many decisions about New England’s energy future will arise in other venues, FERC’s overriding siting authority for natural gas infrastructure encompasses the obligation to provide a comprehensive and rigorous review of all proposed interstate natural gas pipeline projects pending before it, including the NED Project.

Under both the Natural Gas Act and the National Environmental Policy Act (“NEPA”), FERC’s review must address a series of issues that are fundamental to New England’s and Massachusetts’s energy future: the nature and extent of the regional need for gas capacity; the reasonable alternatives to meeting that need, if any; and the environmental and socioeconomic impacts of those reasonable alternatives. Federal law also requires that FERC’s review address the full range of impacts from new gas pipelines (including the direct and indirect air and greenhouse gas emissions caused by the projects), the impacts to public and conserved lands, the economic burdens for residents and communities, and the many other impacts to natural resources as well as public health and safety. As evidenced by the thousands of scoping comments filed thus far expressing concerns about the NED Project, these issues are of significant concern to stakeholders throughout Massachusetts and New England.

For the reasons set forth in these comments, the AGO believes that FERC should undertake an integrated, inclusive review of all pending pipeline projects affecting New England in one combined Environmental Impact Statement (“EIS”) in order for FERC to meet its obligations under NEPA and the Natural Gas Act consistent with U.S. Supreme Court and other federal court authority. A combined EIS would reasonably consider the issues discussed above and the various projects as alternatives to each other in delivering additional energy to New England, along with the other reasonable alternatives consisting of alternative pipeline routes and alternative energy sources like energy efficiency, renewables, and LNG. The combined EIS should place the projects in the context of the region’s overall need for gas pipeline capacity, which FERC should independently study. FERC’s standard practice of reviewing individual projects piecemeal is simply not adequate to address the overriding and common issues affecting all pending proposals and could result

in the approval of much more pipeline capacity than is consistent with the public interest.

Regardless of whether FERC prepares a combined EIS, the AGO also requests in these comments that FERC scrutinize the specific need for, and the full range of impacts from, the NED Project as proposed, including several concerns of special importance to the AGO and the Commonwealth. Foremost among these concerns is the availability of reasonable alternatives to the Project. Under NEPA, FERC must undertake a meaningful review of available pipeline and no-build alternatives that would allow the region to meet any identified need without the NED Project. Similarly, FERC must analyze all reasonable routing alternatives to the NED Project as proposed, including the use of Tennessee Gas's existing pipeline right-of-way and collocation with state and federal highways such as the Massachusetts Turnpike. With regard to the Project's impacts, FERC should place special emphasis on its evaluation of the Project's impacts on land protected under Article 97 of the Massachusetts Constitution, on the significant ecological resources along the proposed route, and on the Commonwealth's greenhouse gas emission reduction goals under the state's Global Warming Solutions Act ("GWSA").⁸ Finally, FERC must review the public health impacts of the proposed Project, particularly compressor station emissions.

ABOUT THE ATTORNEY GENERAL'S OFFICE AND THE ENERGY AND ENVIRONMENT BUREAU

Attorney General Maura Healey is the chief law enforcement officer for the Commonwealth of Massachusetts. The AGO, through its Energy and Environment Bureau, works to protect utility ratepayers and our environment, and to reduce the threat of climate change for the people and families of the Commonwealth. As the state's Ratepayer Advocate, the Bureau's Energy and Telecommunications Division represents consumers in matters involving the price and delivery of natural gas, electricity, water, and telecommunication services before state and federal regulators. The Bureau's Environmental Protection Division and Environmental Crimes Strike Force enforce the laws that protect our air and water, preserve our lands and open space, require the cleanup of contaminated sites, and govern the use of pesticides and the handling and disposal of hazardous waste. The Bureau's integration of energy and environmental advocacy ensures that our office speaks with one voice in addressing the intertwined ratepayer and environmental protection matters that impact the Commonwealth and our residents.

The AGO is committed to a clean energy future in Massachusetts built around cleaner, renewable energy sources that allow Massachusetts to achieve regional and federal climate goals, as well as to meet the mandates of the GWSA.⁸ Attorney General Healey also is seeking to protect ratepayers by ensuring that when the Commonwealth makes long-term decisions about additional gas capacity investments, it is done on the basis of facts that quantify future natural gas demand, and take into account all cost-effective sources that can be deployed to meet that demand, including energy efficiency, renewables, large scale hydropower, LNG, and natural gas.

DETAILED COMMENTS

I. FERC Should Undertake a Robust Assessment of the Need for Additional Natural Gas Capacity as the Starting Point for the EIS.

FERC's NEPA review of the NED Project must begin with a complete and inclusive statement of the project's "purpose and need." 40 C.F.R. § 1502.13. An appropriate purpose and need statement is critical because "the range of alternatives that is deemed reasonable depends upon the underlying purpose and need to which the agency is responding." *NRDC v. Evans*, 232 F. Supp. 2d 1003, 1038 (N.D. Cal. 2002). In other pipeline EISs, FERC has defined purpose and need with reference to applicant objectives, including its proposed pipeline receipt and delivery points and the volume of gas proposed to be delivered by the projects.⁹ Although FERC has committed to considering the need for the gas capacity and the related AGO study of the New England region's as part of its review of Tennessee Gas's application for a certificate of public convenience and necessity.¹⁰ FERC has indicated that this inquiry will not be part of the EIS.

That approach is insufficient here, and inconsistent with the Council on Environmental Quality's ("CEQ")

NEPA guidance and federal court authority. [11] For these reasons, the AGO urges FERC to evaluate New England's gas capacity needs in the EIS. In a purpose and need statement, "an agency cannot define its objectives in unreasonably narrow terms." *Nat'l Parks & Conservation Ass'n v. Bureau of Land Mgt.*, 606 F.3d 1058, 1070 (9th Cir. 2010). Because the purpose and need statement drives the selection of alternatives for study in the EIS, agencies "cannot define a project's purpose and need so narrowly that it contravenes NEPA's mandate to evaluate [all] reasonable alternatives." *Coalition for the Advancement of Required Transp. v. FHA*, 576 Fed.Appx. 477, 487 (6th Cir. 2014), citing *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190, 196 (D.C. Cir.1991).

Here, the NED Project proposes to increase gas pipeline capacity to New England to address a supposed need for fuel to serve electric generators and LDC load. The NED Project justifies its proposal with an unprecedented expectation that electric utilities may contract for more than a majority of the Project's capacity. However, the applicant's views of the project purpose and need are not controlling, and the EIS should be guided by FERC's independent judgment. See, e.g., *Nat'l Parks & Conservation Ass'n*, 606 F.3d at 1072 (agency erred by "adopting private interests to draft a narrow purpose and need statement that excludes alternatives that fail to meet specific private objectives"). Thus, as part of the EIS for the NED Project, it is FERC's obligation under NEPA to evaluate and define the nature and extent of New England's gas capacity needs. This task requires searching scrutiny of the supposed need for the NED Project to serve New England's electric system and LDC load.

A. Electric System Needs

First and foremost, FERC must take into account and evaluate the need for Tennessee Gas's unprecedented plan to support the balance of the NED Project's capacity through contracts with electric utilities. Under this plan, electric utilities will purchase firm natural gas capacity and resell that capacity in the market to increase gas availability for electric generation, primarily during winter peak demand, which occurs only a few dozen days per year. Tennessee Gas recently announced an open season for the entire uncommitted portion of the NED Project's capacity to achieve this objective.[12] In the announcement, Tennessee Gas specifically referenced regulatory proceedings in four of the six New England states, including Massachusetts, which could advance approvals of such contracts.[13]

The Massachusetts Department of Energy Resources petitioned the Massachusetts Department of Public Utilities ("DPU") to open an investigation into how new natural gas delivery capacity may be added to the New England market, including through a proposed mechanism that would allow Massachusetts electric distribution companies ("EDCs") to purchase pipeline capacity and recover costs from customers.[14] The AGO was an active participant in the proceeding, filing detailed comments that urged the DPU to focus on finding the most beneficial and cost effective way to address spikes in winter electricity prices due to gas capacity constraints, and to undertake a rigorous regional economic study of new gas capacity and alternatives before considering any proposal to authorize EDCs to purchase gas capacity with ratepayer backing.[15] The AGO also urged the DPU to consider the interrelationship of gas and electric markets in Massachusetts and to conduct a factual analysis of future demand and cost-effective energy efficiency resources before making any decisions regarding additional gas capacity investments.[16] The AGO warned that the proposed mechanism for the EDCs to procure gas capacity appeared contrary to state law.

A wide range of other stakeholders-including environmental groups, power generators, and clean energy advocates and businesses-also expressed strong objections to such a mechanism. Of the fifty-two sets of comments received in the DPU's investigation, only eight commenters supported EDCs entering into long-term pipeline capacity contracts; of those eight commenters: five are EDCs or pipelines companies (National Grid, Eversource Energy, Tennessee Gas Pipeline, PNGTS, and Algonquin Gas Transmission / Spectra Energy) that stand to profit from the proposal; one commenter is an industry group that promotes natural gas; and one commenter, Coalition to Lower Energy Costs, is an end user group funded in part by, and represented by the same counsel as, Tennessee Gas [17] On October 2, 2015, the DPU nonetheless issued an order urging EDCs to file proposals to purchase natural gas pipeline capacity for resale to electric generators, finding

no legal or other impediment to such proposals.[18] Any such EDC proposals are likely to be vigorously opposed by numerous stakeholders, including the AGO, and any DPU approval of said proposals would likely be subject to legal challenge.

The AGO's Electric Reliability Options Study for the New England Region

In light of the AGO's call for a detailed factual analysis of gas capacity constraints and electric system options to address those constraints, if any, the AGO received a private grant to commission an independent and comprehensive study by The Analysis Group to evaluate all options to address any electricity reliability needs in New England through the year 2030.[19] The study will provide an assessment of costs and benefits, including price impacts, of each option, consistent with the region's energy and climate goals. The study will address both winter and summer reliability needs, and include an analysis of all potentially available resource options, in specific quantities, to meet those needs, including natural gas (both natural gas pipelines and LNG), oil, hydropower imports, energy efficiency, demand response, and renewables. The study has benefited from significant input from a stakeholder advisory group, which provided feedback on modeling assumptions and inputs and included representatives from major utilities, electric generators, the natural gas industry, the business community, and clean energy advocates. The study will be completed soon, and the AGO will immediately submit the study to FERC for its consideration in this docket. At a minimum, the AGO urges FERC to consider and discuss all relevant findings of the study in defining the purpose and need for the project in the EIS, as well as in the EIS's alternatives analysis.

B. LDC Needs

Second, FERC should consider whether the gas capacity amounts under Tennessee Gas's precedent agreements with New England LDCs-the only transportation service commitments currently supporting the NED Project's development-are justified not only by the LDC's need but also an absence of reasonable alternatives. On August 31, 2015, DPU approved 20-year firm transportation service agreements between three LDCs and Tennessee Gas to purchase natural gas capacity on the NED Project. Pursuant to the precedent agreements between the LDCs and Tennessee Gas, Tennessee Gas will deliver a total of 151,962 dekatherms per day (Tith/day"), 114,300 Dth/day, and 36,000 Dth/day of interstate pipeline capacity to the distribution systems of Boston Gas Company d/b/a National Grid, Bay State Gas Company d/b/a Columbia Gas of Massachusetts, and the Berkshire Gas Company, respectively.[20] Separately, on October 2, 2015, the New Hampshire Public Utilities Commission approved a similar precedent agreement between Liberty Utilities, a New Hampshire LDC and Tennessee Gas for the delivery of 115,000 Dth/day of capacity on the NED Project.[21] Tennessee Gas has also announced several other smaller LDC agreements.[22]

However, three of the NED Project commitments are in legal limbo because the DPU approvals by the Department of Public Utilities are now on appeal to the Massachusetts Supreme Judicial Court [23] and there are numerous alternatives that allow these LDCs to meet their projected future gas demand without the NED Project but that the DPU failed to consider. In this latter regard, we direct FERC's attention to the record before the DPU, where the AGO and other stakeholders opposed approval of the precedent agreements.[24] Under these circumstances, FERC should consider the nature and extent of the LDC need for gas in the context of both pipeline and non-pipeline alternatives, in order to evaluate and define the overall purpose and need for the NED Project in the EIS.

II. FERC Should Undertake a Combined EIS Encompassing All Pending Gas Pipeline Proposals Affecting New England

As discussed in the introduction to these comments, FERC's review of the NED Project coincides with pending and upcoming FERC reviews of several other gas pipeline proposals affecting New England. Together with the two approved incremental pipeline projects, these proposals would add up to 3 Bcf/day of additional natural gas capacity to the region. The following table lists these projects and their current status.[25]

Table: Present and Proposed New England Natural Gas Pipeline Capacity

Existing New England interstate natural gas pipeline capacity: 3.95 Bcf/day

Incremental approved projects		
Spectra AIM	0.342 Bcf/day	<i>under construction</i>
Tennessee Gas CT Expansion	0.072 Bcf/day	<i>under construction</i>
	0.414 Bcf/day	
Announced projects		
NED Project	1.3 Bcf/day	<i>FERC pre-filing</i>
Spectra Access Northeast	≤1.0 Bcf/day	<i>open season ended</i>
Spectra Atlantic Bridge	0.13 Bcf/day	<i>FERC pre-filing</i>
PNGTS C2C	≤0.13 Bcf/day	<i>open season ended</i>
Total	Up to 2.974 Bcf'/day, approximately 75% of existing	

These projects would collectively increase New England’s existing interstate natural gas pipeline capacity by approximately 75% within a relatively short period of time. With so many active natural gas pipeline projects, there is a real risk that, if FERC considers each new project in isolation, it will fail to capture the common, synergistic, and cumulative impacts presented by these similar projects during its NEPA reviews. Consequently, this method could threaten the legal integrity of the NEPA process and impair FERC’s ability to reach a well-informed decision on the respective applications for CPCNs under the Natural Gas Act. As the Supreme Court has noted, “when several proposals for [] actions that will have cumulative or synergistic environmental impact upon a region are pending concurrently before an agency, their environmental consequences must be considered together.” *Kleppe v. Sierra Club*, 427 U.S. 390, 410 (1976). See 40 C.F.R. § 1508.25(a) (EIS must include other “connected,” “cumulative,” and “similar” actions). The First Circuit has likewise urged comprehensive review of multiple projects in a single EIS:

[O]ne initial comprehensive study, which could be referred to and supplemented by less comprehensive individual studies ... would appear to reflect a better use of scarce resources. In such a case it would not seem sensible to adopt the piecemeal approach which [the agency] seeks to adopt, whereby it will prepare a modified impact statement separately for each proposed [project], an approach akin to equating an appraisal of each tree to one of the forest [I]t seems a perversion of NEPA for [the agency] to approach each parcel, wholly depending in its timing of environmental review on the filing of applications ... and considering anew the scene as it is changed by each subsequent approval. Not only would this be wasteful of bureaucratic resources, but the plurality of possible appeals would suggest a wasteful prolongation of time spent in litigation.

Jones v. Lynn, 477 F.2d 885, 890 -91 (1st Cir. 1973).

A well-established tool for addressing similar projects within a geographic area is a programmatic EIS. The NEPA implementing regulations urge agencies to consider conducting a programmatic EIS in several circumstances, including when an agency is considering approvals for multiple projects in one geographic region, or for multiple projects that are similar in other ways. See 40 C.F.R. § 1502.4(c)(1)-(2) (EISs on broad issues appropriate when federal actions share “relevant similarities, such as common timing, impacts, alternatives, [and] methods of implementation”). In addition, 40 C.F.R. § 1508.25(a)(3) requires agencies to consider preparing a singular, programmatic EIS for “similar actions, which when viewed with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography.”

A recent CEQ memorandum emphasizes that agencies should prepare a regional or programmatic EIS when “approving multiple actions” that are “temporally or spatially connected and will have a series of associated

concurrent or subsequent decisions.[26] This may include similar projects in a region, or a “suite of ongoing, proposed or reasonably foreseeable actions that share a common geography or timing, such as multiple activities within a defined boundary n [d. See also *Churchill Cnty. v. Norton*, 276 F.3d 1060, 1077 (9th Cir. 2001) (“At least when the projects in a particular geographical region are foreseeable and similar, NEPA calls for an examination of their impact in a single EIS”) (internal quotations and citations omitted); *Nat’l Wildlife Fed’n v. Appalachian Reg’i Comm’n*, 677 F.2d 883, 888 (D.C. Cir. 1981) (“the environmental consequences of proposed actions must all be considered together in a single, programmatic EIS when their impacts will have a compounded effect on a region”).

While a full programmatic EIS with full tiered supplemental EISs for each project may not be necessary, a combined EIS covering all pending projects would be efficient and avoid delay. See CEQ NEPA Guidance at 15 (encouraging combined programmatic and sitespecific environmental analysis in single EIS when appropriate).

A combined EIS would achieve the same goal of addressing the projects in a comprehensive, integrated manner that ensures a single assessment of regional need, a common base of environmental information, methodological consistency, and a robust NEPA-compliant alternatives analysis.

A combined EIS would also most effectively and efficiently identify and evaluate system and route alternatives that avoid or minimize environmental impacts for the entire region, and provide a more comprehensive and informed cumulative impacts analysis than provided by separate, isolated NEPA reviews for each pending pipeline project. In a combined alternatives analysis, FERC would be able to compare the environmental impacts of all pending projects and determine the optimal combination and alignment of pipelines to deliver any needed gas to the New England market.[27] At the end of the process, FERC can utilize the information in a combined EIS to reject proposals with capacity that exceeds the identified regional need or with inferior environmental impact profiles.

Given the current status of FERC review for all pending pipeline projects, combining them all into a single EIS would not cause delay, and would result in a more efficient and robust EIS which fulfills FERC’s mandate under NEPA.[28]

Even if FERC declines to perform a combined EIS for all pending projects, in order to meet its NEPA mandate, FERC should, at the very least, conduct a comprehensive alternatives analysis that includes a detailed study of the wide range of pipeline and energy alternatives to the NED Project, as discussed in Section III below. Thereafter in Section IV, the AGO provides detailed comments concerning the environmental impacts that FERC must address in its NEPA review of the NED Project, regardless of whether that NEPA review is pursued jointly with other projects.

III. FERC Should Include Detailed Study of the Wide Range of Pipeline and Energy Alternatives to the NED Project, including the No-Action Alternative, in the EIS.

FERC’s analysis of alternatives to the proposal is “the heart of the environmental impact statement,” and “should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public.” 40 C.F.R. § 1502.14 (emphasis added). CEQ regulations make clear that FERC must “rigorously explore and objectively evaluate all reasonable alternatives ... devot[ing] substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.” 40 C.F.R. §§ 1502.14(a)-(b). FERC must consider the “no action” alternative and all reasonable alternatives, including those that are not within the applicant’s direct capabilities. See 40 C.F.R. § 1502.14(c)-(d).[29] FERC also must (i) justify-as supported by independent, expert analysis-the exclusion of any of these alternatives from detailed analysis in the EIS, and (ii) provide a detailed and holistic comparison of the impacts and benefits of the analyzed alternatives, which must guide FERC’s ultimate determinations on the application. See 40 C.F.R. §§ 1502.14(a)-(b).

A NEPA-compliant alternatives analysis depends on an appropriately framed purpose and need statement because the selected alternatives must meet the purpose and need for the project. As discussed above, the

NED Project EIS's purpose and need statement (or the statement in any combined EIS covering multiple projects) should build on FERC's analysis of New England's need for natural gas capacity or equivalent energy resources. That analysis will guide FERC in identifying the reasonable alternatives to the NED Project in the EIS.

FERC's alternatives analysis should address, at a minimum, the following alternatives:

Alternative Pipeline Routes, including Existing Pipeline Rights-of Way. Tennessee Gas has already proposed shifts to the route to its original NED Project proposal, including the relocation of the original proposed right-of-way to the north through southern New Hampshire. FERC should assess all reasonable alternative routes for the NED Project, especially routes that either make use of existing pipeline infrastructure like Tennessee Gas's existing interstate pipeline, or follow disturbed rights-of-way like the Massachusetts Turnpike or railroad rights-of-way. In addition, FERC should analyze, on a mile-by-mile basis, those potential alternative routes that avoid or minimize impacts to conserved land and other community resources identified by commenters, and also environmental impacts like the disruption of wetland resources and priority habitat for species of special concern.

Alternative Pipeline Sizes and Configurations Given Current Contractual Commitments. FERC should analyze potential options for alternative pipeline sizes and configurations that would cost-effectively provide the pipeline capacity for which Tennessee Gas has currently entered into precedent agreements with New England LDCs, in lieu of the 1.3 Bcf/day identified in Tennessee Gas's filings in this docket to date. In particular, FERC should study in depth those alternative configurations that would permit use of Tennessee Gas's or another pipeline company's existing pipeline infrastructure in New England.

Non-Pipeline Energy Alternatives. As discussed above, the purpose and need for the NED Project should be defined with reference to a comprehensive and independent assessment of regional gas capacity needs. To the extent that gas capacity needs are identified, FERC should analyze non-pipeline gas system alternatives, including LNG imports and LDC storage. Moreover, gas is only one of many energy resources that are capable of supplying electric and thermal energy to consumers. As numerous commenters have argued in submissions to this docket, these other resources-like gas and electric energy efficiency, renewable thermal energy, renewable electric generation, and electric system demand response-are readily available and viable means of meeting customer electric and thermal loads. As such, incremental additions of these resources are reasonable alternatives to the NED Project that should be studied in depth in the EIS. The AGO understands that FERC typically views such alternatives as beyond the scope of its required NEPA alternatives analysis for pipeline projects.[30] However, in light of the evident public interest in non-pipeline alternatives and the clear command of NEPA that all reasonable project alternatives be included in an EIS, FERC should evaluate energy resources available to New England that would substitute for natural gas and provide equivalent amounts of electric and/ or thermal energy to consumers.

The No-Action Alternative. NEPA itself requires FERC to perform a robust and impartial assessment of the environmental, cultural, and socioeconomic implications of simply denying the project. 40 C.F.R. § 1502.14[d]. See, e.g., *Pit River Tribe v. U.S. Forest Serv.*, 469 F. 3d 768, 786 (9th Cir. 2006) (EIS inadequate for failure to consider noaction alternative). In the context of the ongoing debate about the nature and extent of the need for new gas capacity in New England and FERC's potential findings in assessing the purpose and need for the project, FERC should be open to deciding in the EIS that the impacts of the proposed project and other reasonable "action alternatives" are unacceptably significant and that the "noaction" alternative is the preferred alternative.

IV. FERC Should Conduct a Comprehensive and Robust Evaluation of All Environmental Impacts of the NED Project Proposal and Alternatives

Introduction

As a part of its NEPA mandated analysis, FERC must evaluate the proposed NED Project's effects on natural resources and affected ecosystems, along with the direct, indirect, and cumulative impacts of the

project's aesthetic, historic, cultural, economic, social, and health effects. See 40 C.F.R. § 1508.8. In addition, FERC must evaluate strategies to mitigate any identified harmful effects to the environment that would result from the proposed NED Project.

At the outset, FERC's preparation of a thorough and accurate EIS depends on full and complete information from Tennessee Gas about its NED Project proposal and its impacts. Despite the flexibility of the pre-filing process, Tennessee Gas's filings and submissions to date have failed to provide FERC and the public with sufficiently detailed information about the NED Project, its route, its impacts, and the alternatives considered by Tennessee Gas. The AGO is concerned that Tennessee Gas's Draft Resource Reports filed to date do not adequately address, among many other data gaps, NED Project impacts on conservation land protected by both Massachusetts constitutional and statutory provisions, or adequately evaluate the Project's greenhouse gas emissions and effect on Massachusetts' ability to meet GWSA greenhouse gas reduction targets.

Therefore, FERC should require Tennessee Gas to complete all surveys, studies, data compilations, and evaluations undertaken during pre-filing preparation of Draft Resource Reports and to provide FERC with all information and documents necessary to clarify deficiencies and to supply missing information, as requested in FERC's October 8, 2015 comments on Tennessee Gas's July 24, 2015 Draft Resource Reports. This thirtythree [33] page information request includes one hundred and sixtysix (166) paragraphs identifying missing or incomplete data—often simply identified by Tennessee Gas as “TBD” (to be determined)—on nearly every environmental or natural resource impacted by the NED Project proposal, as well as missing or deficient information concerning pipeline route and compressor station location alternatives.³¹ The AGO's comments below highlight some specific deficiencies that Tennessee Gas must address.

In addition, the Commission should require that Tennessee Gas address all comments timely filed by all stakeholders before the close of the public scoping comment period. Despite the massive volume of comments filed to date, FERC should insist that Tennessee Gas specifically respond to all individually filed comments and to all specific issues, concerns and questions raised by individuals, governmental entities, elected officials, or nongovernmental groups and organizations.

The AGO strongly urges that FERC not initiate formal NEPA review, including any substantive preparation of a draft EIS, until Tennessee Gas has responded to all timely received stakeholder comments [filed during the scoping period ending October 16, 2015]. Further, FERC should not commence NEPA review until Tennessee Gas has fully addressed FERC's October 8, 2015 request for information—or until Tennessee Gas has otherwise remedied all deficient or incomplete data and documentation that is required to be provided to FERC, such that FERC has a complete and sufficiently detailed record to enable formal NEPA review.

FERC and its consultant should complete all of its own pending evaluations, surveys, and studies in advance of formal NEPA review. The AGO also urges FERC to identify, develop, perform, or contract for performance of all additional research, surveys and studies necessary for FERC to develop a robust and comprehensive EIS that enables FERC to meet its mandate under NEPA.

The scoping comments that follow address many, but not all, of the resource areas identified in the Commission's June 15, 2015 Notice of Intent to prepare an EIS. However, rather than providing comprehensive scoping comments on all resource areas impacted or potentially impacted by the NED project preferred route and alternatives, the following comments focus on a few areas of particular interest and concern to the AGO.³² First, the AGO discusses conservation land protected by both Massachusetts constitutional and statutory provisions, and urges FERC to condition any CPCN on Tennessee Gas's compliance with all substantive and procedural legal protections afforded such conservation land under state law. Second, FERC must examine Tennessee Gas's plans and proposals to reduce greenhouse gas emissions, and fully assess the effect of NED Project related emissions on Massachusetts's ability to meet its GWSA reduction targets. Third, the AGO urges FERC to scrutinize Tennessee Gas's plans and proposals to address and reduce methane emissions, including opportunities to implement new and state-of-the-art methane emission reduction technologies during pipeline construction, as well as during pipeline and compressor station operation and maintenance. Finally, and in general, FERC should assess the NED project's net effect on greenhouse gas

emissions in accordance with the recent draft CEQ guidance on addressing climate impacts in NEPA analysis.

A. The Commonwealth’s Substantial Investment in Constitutionally-Protected Conservation Land Should Not Be Subject To Eminent Domain by the NED Project When Less Disruptive Alternatives Can Meet the Same Gas Needs

Natural resource conservation and protection is an important part of the Commonwealth’s identity and heritage. Beyond traditional state and local regulatory controls or land recording mechanisms such as conservation easements, “conservation and environmental protection are express obligations of the [state] government,” enshrined in Article 97 of the Massachusetts Constitution.³³ As Massachusetts’s highest court recently noted, the environmental benefits provided by protected conservation land “extend beyond the parcel of land itself,” and include sustaining wildlife and species habitat, purifying the air by filtering harmful particulates, maintaining clean drinking water sources by filtering contaminants from groundwater, controlling the damaging effects of storm water runoff, and promoting “ecosystem resilience” in the face of climate change.³⁴

Approved and ratified in 1972, Article 97 of the Amendments to the Massachusetts Constitution superseded Article 49 of the Amendments (“Article 97”) and provides, in pertinent part:

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.

...

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 or easements taken or acquired for Article 97 conservation purposes shall not be subject to any change in use or other disposition except by law enacted by a two-thirds vote of each branch of the legislature, taken on a roll call vote. See Article 97.

Many conservation parcels subject to Article 97 are also subject to specific controls and prohibitions imposed by deed through various forms of conservation-based restrictions established by Massachusetts statutory provisions, including conservation, preservation, watershed and agricultural restrictions. See M.G.L. c. 184, § 31.³⁵ Conservation restrictions may be held by a state or local government entity or by a charitable corporation or trust dedicated to land and natural resource conservation. M.G.L. c. 184, § 32, 2.³⁶ Approvals and releases of said restrictions must be certified and recorded by the Secretary of Energy and Environmental Affairs [“EOEEA”], the Massachusetts Historical Commission secretary, the commissioner of food and agriculture, the town selectmen, or the Mayor or city council, as applicable. See M.G.L. c. 184, § 32, Tf 1, 4.³⁷

Conservation Land Impacted by the NED Project

Although incomplete, Tennessee Gas has identified fifty-six [56] parcels subject to protection under Article 97, including those protected by M.G.L. c. 184, § 31 conservation-based restrictions, which would be directly impacted by Tennessee Gas’s preferred NED route.³⁸ The Commission should insist that Tennessee Gas completely identify and evaluate all such conservation parcels directly and indirectly impacted by the NED Project, not only by the company’s preferred pipeline route and compressor station locations, but also by all alternative routes, laterals, and compressor station locations.

FERC and its consultants should conduct their own accounting, assessment, and evaluation of all conservation land—including all land subject to M.G.L. c. 184, § 31 restrictions and Article 97—impacted by the

NED Project preferred route, laterals, and compressor stations, and by all alternative routes and compressor station locations during preparation of the draft EIS and final EIS.

EOEEA's No Net Loss Policy

Tennessee Gas has committed to “working to avoid” impacts to conservation land subject to protection by recorded conservation-based restrictions and Article 97 “to the extent feasible.”³⁹ Tennessee Gas has also acknowledged EOEEA’s longstanding policy to assure “no net loss” of Article 97 lands under the control or ownership of the Commonwealth or its political subdivisions.⁴⁰ This policy requires that disposition of Article 97 land should only be pursued in cases of “exceptional circumstances,” when all other options to avoid Article 97 disposition have been explored and no feasible and substantially equivalent alternatives exist.⁴¹ In addition, any proposed disposition or change in use must not destroy or threaten a unique or significant resource, including habitat for statelisted and protected rare species,⁴² unique or unusual terrain, or areas of significant public recreation.⁴³ Tennessee Gas expects that, “to the maximum extent practicable,” any disposition of Article 97 lands sought or required by the NED Project “will be evaluated and determined to meet the policy conditions identified above” [the conditions noted in this paragraph].⁴⁴

However, EOEEA’s “no net loss policy” requires more; the loss of any disposed Article 97 land must be mitigated, including by protecting replacement real estate “of equal or greater fair market value or value in use of proposed use, whichever is greater, and significantly greater resource value.”⁴⁵

The Commonwealth’s Investment in Conservation Land Should Not Be Subject to Eminent Domain Taking Without Adequate Demonstration of Need and Public Benefit

The Commonwealth invested over \$360 million in land protection between 2007 and 2014, acquiring significant state-owned conservation land including wildlife management areas, protected core habitat areas, and priority habitat lands for statelisted species,⁴⁶ which does not include the significant expenditures on conservation land made separately made by charitable trusts and nonprofits.

As identified by the Massachusetts Division of Fisheries and Wildlife [“DFW”], the NED Project preferred pipeline path and laterals alone impact large areas of conservation and wildlife management land owned, managed, and controlled by DFW, or land subject to conservation restrictions held by DFW. These areas include the Chalet Wildlife Management Area, the Montague Plains Wildlife Management Area,⁴⁷ the Peru Wildlife Management Area, the Upper Westfield River Management Area, and the Windsor Brook Wildlife conservation restriction.⁴⁸

The Massachusetts Fisheries & Wildlife Board has raised concerns about the “the longterm effects” of governmental and private entities’ ability to acquire and hold land in trust for conservation purposes in the event of any change in use or dissolution of Article 97 land to accommodate the NED Project, especially by an eminent domain taking.⁴⁹ “The reputational cost to those entities charged with protecting public lands is significant and needs to be understood and evaluated.”⁵⁰

FERC should require that the NED Project fully comply with all substantive and procedural protections afforded Article 97 conservation land by the Massachusetts Constitution, including an express requirement that Tennessee Gas seek legislative approval by a two-thirds, roll call vote of a bill allowing a change in use or disposition of Article 97 land. To the extent that Tennessee Gas is able to secure legislative approval for the disposition of Article 97 land—whether owned or controlled by the Commonwealth, a municipality, or a private individual, land trust or other nongovernmental organization— to accommodate NED pipeline impacts, FERC should condition any CPCN on Tennessee Gas’s strict compliance with EOEEA’s No Net Loss Policy, including that policy’s mitigation and replacement land goals and requirements. Further, FERC should expressly require that Tennessee Gas prepare a detailed plan for each Article 97 parcel detailing all proposed mitigation and land replacement plans for review and approval by the Commonwealth prior to any disposition.

Given the longstanding, strong, and unique constitutional protection afforded conservation land in the Commonwealth, any CPCN for the NED Project should strongly encourage Tennessee Gas to avoid preemption

at all costs by securing legislative approval for any Article 97 dispositions or land use alterations and fully complying with EOEEA's No Net Loss Policy. To the extent that Tennessee Gas seeks eminent domain land takings or easements through conservation land protected by Article 97 or conservationbased restrictions, the Commission must not only weigh the impacts to constitutionally and statutorily protected resources reflected in the NEPA assessment, it must also determine that the Project's public benefit is sufficient to justify the extent of eminent domain takings required by the Project when making its ultimate CPCN determination.⁵¹

As discussed above, FERC's NEPA review should independently analyze the need for the NED Project by collectively evaluating all currently pending pipeline proposals together, as well as alternatives potentially capable of meeting any regional need for additional capacity.⁵² FERC's ultimate determination on a Tennessee Gas application for a CPCN should weigh any need by the NED Project to exercise eminent domain takings against less environmentally disruptive alternatives.

B. FERC Should Scrutinize the NED Project's Greenhouse Gas Emissions, Including Assessment of Compliance with GWSA Reduction Targets

Massachusetts has led the nation in combatting climate change, including by playing a leading role in the fight to regulate greenhouse gases under the federal Clean Air Act. The Commonwealth led a coalition of states, in coordination with numerous environmental groups, in the landmark case of *Massachusetts v. EPA*.⁵³ Massachusetts has also been a national leader in promoting a clean energy economy. The Commonwealth has taken costeffective measures to reduce carbon emissions from the power sector, including establishing renewable portfolio standards to encourage greater reliance on clean energy, implementing energy efficiency programs, and participating in marketbased programs, such as the Regional Greenhouse Gas Initiative ("RGGI").⁵⁴ For the past four years, Massachusetts has topped the American Council for an EnergyEfficient Economy's State Energy Efficiency Scorecard, leading the nation on energy efficiency efforts.⁵⁵ FERC should scrutinize Tennessee Gas's plans and proposals to reduce greenhouse gas emissions, including by evaluating opportunities for the NED Project to implement new and stateoftheart methane emission reduction technologies during pipeline construction, as well as during pipeline and compressor station operation and maintenance. The AGO urges FERC to assess the NED Project's net effect on all greenhouse gas emissions in accordance with the recent draft CEQ guidance on addressing climate impacts in NEPA analysis, and to fully evaluate the Project's effect on Massachusetts's ability to meet GWSA greenhouse gas reduction targets.

In recent revised draft guidance, CEQ requires that federal agencies assess climate impacts during NEPA review ["2014 CEQ Climate Impact Guidance"].⁵⁶ This draft guidance specifically addresses how agencies should analyze greenhouse gas emissions during EIS preparation.⁵⁷ The 2014 CEQ Climate Impact Guidance directs agencies to perform and publish an estimate of a project's net effect, both direct and indirect, on greenhouse gas emissions if they are likely to be above 25,000 metric tons of CCh_e (Carbon dioxideequivalent).⁵⁸ Agencies are further instructed to assess not only a proposed project's greenhouse gas emissions and other potential impacts to climate change, but also to evaluate how climate change may potentially impact the project in ways requiring climate change adaptation planning and measures, including from sealevel rise, more frequent and intense storms, and increased occurrences of wildfires and drought conditions.⁵⁹

The Massachusetts GWSA

In 2008, the Massachusetts legislature set ambitious goals for ensuring greenhouse gas emissions reductions over time by enacting the GWSA.⁶⁰ The GWSA sets a 25 percent [25%] greenhouse gas emissionreduction target [from 1990 levels] for 2020, and an 80 percent [80%] reduction target for 2050.⁶¹ With these important state targets in place, the EIS should analyze the net effect of the NED Project on energyrelated greenhouse gas emissions against the GWSA targets. In addition, the GWSA includes mandatory emissions reporting from facilities that emit more than 5,000 tons of greenhouse gas per year. As part of any CPCN for the NED Project, FERC should mandate full compliance with all GWSA reporting requirements.

More broadly, as part of its analysis of cumulative impacts in the EIS, FERC must scrutinize all NED Project-related cumulative impacts of greenhouse gas emissions and the effect of such cumulative impacts on Massachusetts' ability to meet GWSA targets. This NEPA-required cumulative impact analysis should evaluate the potential combined greenhouse gas emissions from the NED Project together with emissions from the recently approved AIM and Tennessee Gas CT Expansion projects, from all NED Project systems alternatives, from all other pipeline project proposals currently pending in the New England region. See discussion in Section III, above. FERC should evaluate the extent to which these cumulative impacts impair Massachusetts' achievement of its GWSA targets.

C. Methane Emission Reduction Technology and Efforts

FERC should scrutinize Tennessee Gas's plans and proposals to address and reduce methane emissions, including opportunities to implement new and state-of-the-art methane emission reduction technologies during pipeline and new compressor station construction, as well as during pipeline and compressor station operation and maintenance.

Natural gas is primarily composed of methane, a potent greenhouse gas that is over thirty [30] times more powerful than carbon dioxide in its ability to trap heat in the atmosphere over a 100-year time frame, and is eighty-six (86) times more potent over a twenty-year timeframe.⁶² According to the EPA, methane emissions from the oil and gas sector are the largest industrial source of methane emissions in the United States, accounting for about 30 percent of total U.S. methane emissions.⁶³

The climate impacts of natural gas must be analyzed in terms of lifecycle greenhouse gas emissions (i.e. from "wellhead to burner tip"). When methane leaks throughout the entire natural gas production and delivery system are taken into account, the climate benefits of natural gas is significantly diminished in the short term (over a few decades). Recent studies have demonstrated that if total fugitive emissions (gas leaks) from the production, transmission, and distribution systems are greater than about two and a half to three percent (2.5%–3%), the benefits from natural gas as a substitute for coal disappear.⁶⁴

The EPA recently proposed new rules for methane emissions reduction from the oil and gas sector, and also to further limit emissions levels of volatile organic compounds ("VOCs"), such as benzene and formaldehyde, from the oil and gas sector. FERC should require that the NED Project address EPA's new rules and the CPCN should require compliance with all prospective regulatory changes.

Pipeline Infrastructure Leaks and Slowdowns

FERC should evaluate Tennessee Gas's current and proposed methods and schedules for identifying and repairing leaks from its existing pipeline infrastructure and from the new pipeline and laterals proposed for the NED Project.⁶⁵ Any CPCN for the NED Project should require that Tennessee Gas's pipeline leak monitoring schedules and methodology utilize state-of-the-art leak detection and repair technology, including infrared camera technology to the greatest extent possible.

The AGO also urges FERC to evaluate Tennessee Gas's current practice and proposed plans for managing pipeline blowdown frequency, including ongoing efforts to reduce blowdown frequency without sacrificing public safety.⁶⁶

Compressor Station Emissions

FERC should scrutinize the NED Project's new compressor station construction proposals and plans and require that Tennessee Gas demonstrate that its plans appropriately evaluate and incorporate compressors and pneumatics that decrease methane emissions to the greatest extent possible using available, state-of-the-art technology. In addition to evaluating the necessary horsepower, FERC should analyze Tennessee Gas's turbine proposals, and evaluate the extent to which the NED Project has employed waste heat electric (cogeneration) or other turbine technology.⁶⁷

The AGO also urges FERC to evaluate Tennessee Gas's proposed plan for directed inspection and maintenance of compressor stations to prevent and repair methane emissions from gas leaks. In its NEPA review

for the NED Project, FERC should carefully analyze Tennessee Gas's plans for regular monitoring of compressor stations, with a special focus on Tennessee Gas's use of state-of-the-art leak detection technology and methodology, including, without limitation, infrared cameras, acoustic leak detection technology, and electronic screening.

FERC should also require that Tennessee Gas record and report emission reductions from all leak detection monitoring and repair, and other procedures to minimize fugitive emissions during blowdowns.⁶⁸

D. Additional Environmental Impacts of Concern, including Those Which Tennessee Gas Has Failed to Address Adequately to Date

Many stakeholders across Massachusetts have raised a multitude of concerns about impacts to specific environmental resources from the NED Project's preferred pipeline and lateral routes, and from the construction and operation of new compressor stations.⁶⁹ In addition, many of these stakeholders have carefully analyzed the Tennessee Gas Draft Resource Reports filed to date, noting missing information and deficient data, including some of the incomplete information noted in FERC's October 8, 2015 request for information to Tennessee Gas. While not intended to be comprehensive, the AGO raises the following concerns we share with other stakeholders about the NED Project's impacts and the scope of NEPA review. In addition, the AGO is particularly concerned about the following issues regarding the scope of NEPA review for the NED Project:

- **Wildlife and Massachusetts Listed and Protected Endangered Species**

The Commonwealth is home to a rich diversity of plant and animal species, including many which are listed and protected under the Massachusetts Endangered Species Act ["MESA"], and for which DFW's Natural Heritage and Endangered Species Program ("NHESP") has delineated protected upland and wetland habitat. Habitat destruction is also widely recognized to be a significant threat to species. Thus, maintaining large, continuous tracts of various ecosystems is important for protecting and maintaining biodiversity.⁷⁰ In any draft and final EIS, FERC should thoroughly evaluate NED Project's compliance with all applicable MESA required project review procedures, including requirements that Tennessee Gas perform all necessary wildlife or vegetation studies for MESA listed and protected species (in addition to the surveys for federally listed and protected species which Tennessee Gas has already begun).⁷¹ Any CPCN for the NED Project should include conditions expressly requiring that the NED Project fully comply with all substantive MESA statutory and regulatory requirements, including MESA's "take" prohibition, either by avoiding a prohibited take, by altering the NED Project with conditions allowing a take, or by full MESA conservation and management review and permitting.⁷²

- **Public Safety**

Many residents, public safety officials, and elected town officials have raised several concerns and questions about public safety and emergency preparedness.⁷³ In some cases, the proposed pipeline route passes not only within residential areas, but within 50 feet of homes.⁷⁴ Several communities have expressed concern about local emergency response capacity to take on the additional burden of responding to pipeline-based emergencies. Many commenters have raised concerns about the need for first responder trainings in and around affected areas. Public safety is of paramount importance, thus the AGO urges FERC to include a rigorous analysis of these issues in the draft EIS and final EIS.

- **Public Health and Air Emissions**

Many residents, especially those living near proposed new compressor stations, have expressed concern over air emissions from the NED Project, including from pipeline blowdowns and compressor station blowdowns.⁷⁵ In its July 24, 2015 Resource Report, Tennessee Gas stated that "[d]etailed air emissions for the [newly proposed] compressor stations are not yet available."⁷⁶ FERC should condition any CPCN on Tennessee Gas making publically available all chemical constituents of transported gas. Tennessee Gas must ensure that those living within a mile of a compressor stations will

suffer no increased adverse health risk from blowdown or other emissions of criteria pollutant levels, including carbon monoxide, lead, nitrogen dioxide, ozone, particle pollution (both small particle, PM2.5, and large, PM10], and sulfur dioxide, as well as VOC emissions.⁷⁷

• **Property Values and Homeowners Insurance**

Property owners living near the preferred pipeline route, near proposed laterals, and near newly proposed compressor station locations are very concerned about the NED Project's effect on the value of their homes and property, which is often the single largest lifetime investment made by an individual or family.⁷⁸ These concerns include fears about home resale value and the cost or availability of adequate homeowners, property, or business insurance.⁷⁹ The AGO urges FERC to review and seriously consider all resident and business owner concerns about the NED Project's effect on property values, as well as the many concerns raised about the need for eminent domain takings for a pipeline proposal that may ultimately export a large amount of its transported gas capacity. The AGO encourages FERC to follow through on the commitment it made publically to contract for new research study analyzing natural gas pipeline effects on property values.⁸⁰ As FERC has acknowledged, existing studies cited by Tennessee Gas in its Resource Reports are old and outdated, and/or were commissioned by pipeline interests or by representatives of the natural gas industry.

• **Noise**

Many stakeholders have expressed serious concern about noise impacts on their homes and business from pipeline construction, operation and maintenance, including blowdown and other noise impacts from compressor stations.⁸¹ Increase in ambient noise levels resulting from the proposed project is an important consideration which FERC must fully address in any draft EIS and final EIS. MassDEP has established a Noise Level Policy for implementing Massachusetts law, 310 C.M.R. 7.10, regarding noise pollution. Namely, the ambient sound level, measured at the property line of the facility or at the nearest inhabited buildings, may not be increased by more than 10 decibels due to the sound from the facility during operating hours.⁸² Additional ambient noise has implications both for public health and for local wildlife. The current NED Resource Report on Air Quality and Noise is incomplete and missing data about decibel increases in ambient noise from proposed NED Project facilities.⁸³ These must be addressed in the draft and final EIS.

• **Environmental Justice communities**

Many stakeholders have raised concerns about the NED project's impacts on environmental justice communities, including lowincome rural communities in portions of Western Massachusetts.⁸⁴ The AGO urges FERC to review and seriously consider all stakeholder concerns about the NED Project's impact or disparate impact on environmental justice communities.

The AGO would like to thank FERC for the opportunity to submit these scoping comments for the NED Project.

Respectfully submitted,
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Christophe Courchesne,
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Matthew Ireland,
Assistant Attorney General, Environmental Protection Division

Footnotes:

1 See Tennessee Gas's Updated Draft Environmental Resource Report for the NED Project, filed with FERC on July 24, 2015 (URR"), RR 1 at 1-23.

2 Id.

- 3 U.S. Energy Information Administration, State-to-State Data (2014), http://www.eia.gov/pub/0il_gas/natural_gas/analysis_publications/ngpipelinestate.xls.
- 4 Tennessee Gas contends that the NED Project will “meet the growing energy needs in the Northeast U.S., and more specifically, in the New England Region, by adding significant pipeline capacity that will alleviate the transportation constraints in the region and lead to lower natural gas costs over time.” See Transmittal letter filed with the July 24, 2015, RRs. See also Reply Comments a/the Massachusetts Attorney General, filed July 6, 2015, in An Investigation by the Department of Public Utilities into the Means by Which New Natural Gas Delivery Capacity may be added to the New England Market, Massachusetts Department of Public Utilities, D.P.U. 15-37, at pp. 2-3, attached as “Exhibit 1.”
- 5 In public scoping meetings in Massachusetts, numerous stakeholders questioned the need for the NED project, stated that such a large pipeline project was inconsistent with efforts to reduce dependence on fossil fuels and promote the growth and development of clean energy technology and renewables, and further questioned the project’s impacts on local property owners, the environment, and the Commonwealth’s ability to meet greenhouse gas reduction goals, among other concerns. See e.g. Transcript of Public Scoping Meeting in Dracut, Massachusetts, August 11, 2015 (“Dracut Scoping Meeting”). See also, e.g. Northeast Municipal Gas Pipeline Coalition ((NMGPC,” a coalition of public officials from twelve Massachusetts municipalities and one New Hampshire town), written testimony filed at the August 11, 2015 Dracut Scoping Meeting; Trustees of Reservations scoping comments filed August 26, 2015, at pp. 1-2; Franklin Regional Council of Governments (FRCOG), scoping comments prepared by and filed jointly with five other Massachusetts and two New Hampshire regional planning commissions on September 23, 2015, at pp. 6-9; Northeast Energy Solutions, Inc. ((NEES”) comments filed on August 18, 2015 at pp. 2-3; See also Reply Comments a/the Massachusetts Attorney General, filed July 6, 2015 in D.P.U. 15-37, supra note 4.
- 6 Northeast Gas Association, Planned Enhancements, Northeast Natural Gas Pipeline Systems (Oct. 2015), http://www.northeastgas.org/pdf/system_enhance1015.pdf, (last visited Oct. 14, 2015), attached as “Exhibit 2.” See also RR 10, 7-24-15 at 10-12 -10-18 and table 10-2.1, “Proposed Capacity of Alternate Systems.”
- 7 Global Warming Solutions Act, St. 2008, c. 298. See Massachusetts General Law (“M.G.L.”) c. 21N, §§ 1-9.
- 8 See M.G.L. c. 21N, §§ 1-9.
- 9 See, e.g., AIM Project Final Environmental Impact Statement, Volume I, Docket No. CP14-96-000, “Project Purpose and Need,” at 1-2, <http://www.ferc.gov/industries/gas/enviro/eis/2015/01-23-15-eis.asp> (last visited Oct. 15, 2015) (“AIM Final EIS”) (“The Commission does not ... redefine an applicant’s stated purpose”).
- 10 The AGO is grateful for the Commission’s interest in the findings of the study, as FERC indicated during the August 12, 2015 meeting FERC held with Massachusetts state agencies. See also AGO Comments filed with FERC on September 21, 2015, p. 2, attached as “Exhibit 3” (informing FERC that the AGO’s Electric Reliability Study for the New England Region will be completed soon and will be filed thereafter, along with commentary on the study’s implications for FERC’s CPCN decision).
- 11 See Revised Draft Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions on the Effects of Climate Change in NEPA Reviews, 79 Fed. Reg. 77802, proposed Dec. 24, 2014, http://www.whitehouse.gov/sites/default/files/docs/nepa_revised_draft_ghg_guidance_searchable.pdf (“2014 CEQ Climate Impact Guidance”), attached as “Exhibit 4.”
- 12 See Northeast Energy Direct, The Northeast Pipeline Expansion Solution/or Lower Energy Costs and Enhanced Electric Reliability, Open Season/or Powerserve Firm Service, Open Season 0100, September 9, 2015 _ October 29, 2015, attached as “Exhibit 5.”
- 13 See id. at p. 1, n. 1.
- 14 Investigation by the Department of Public Utilities into the Means by Which New Natural Gas Delivery Capacity may be added to the New England Market, Mass. D.P.U. 15-37 (2015).
- 15 See Initial Comments a/the Massachusetts Attorney General, Investigation by the Department of Public Utilities into the Means by Which New Natural Gas Delivery Capacity may be added to the New England Market, D.P.U. 15-37 (June 15, 2015), attached as attached as “Exhibit 6.”
- 16 See id., at 4-16.
- 17 See Reply Comments of the Massachusetts Attorney General, D.P.U. 15-37 (July 6, 2015), note 4 supra.
- 18 See http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=15-39%2f1539_Order_83115.pdf
- 19 See AGO Press Release, AG Healey’s Office to Lead Regional Gas Capacity Study: 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, July 6, 2015, available at <http://www.mass.gov/ago/newsandupdates/press-releases/2015/2015-07-06-regional-gas-capacity-study.html>.
- 20 See Petition of Boston Gas Company d/b/a National Grid for approval of a Precedent Agreement with Tennessee Gas for the NED Project, D.P.U. 15-34 (March 31, 2015); Petition of Bay State Gas Company d/b/a

- Columbia Gas of Massachusetts for Approval of a Precedent Agreement with Tennessee Gas for the NED Project, D.P.U. 15-39 (April 3, 2015); Petition of The Berkshire Gas Company for Approval of a Precedent Agreement with Tennessee Gas for the NED Project, D.P.U.15-48 (April 21, 2015).
- 21 See State Of New Hampshire Public Utilities Commission, Liberty Utilities (Energynorth Natural Gas) Corp. d/b/a Liberty Utilities, DG 14-380, Order Approving Stipulation and Settlement Agreement and Precedent Agreement for firm transportation agreement with the Tennessee Gas Pipeline Company, LLC, October 2, 2015, <http://puc.nh.gov/Regulatory/Orders/2015orders/25822g.pdf>.
 - 22 See Kinder Morgan Press Release, Kinder Morgan Announces Additional Gas Capacity Commitments to the Northeast Energy Direct Project: New Agreements on the NED Supply Path Provide Additional Link/rom Abundant Natural Gas Fields in Pennsylvania to Existing, Future Northeast Markets, September 29, 2015, http://www.kindermorgan.com/content/docs/NED_Supply.pdf. In October 8, 2015 comments on Tennessee Gas’s July 24,2015 Draft Resource Reports, FERC raised questions and requested additional information about LCD interest in receiving natural gas from the NED Project. See October 8, 2015 FERC request for information to Tennessee Gas at pp. 2-3, ~ 2-4 (requesting information about LCDs and their service areas that have expressed “direct interest” in receiving gas from the NED Project, other potential LDC “viable candidates” to receive NED gas, and with information about potential end-users/customers for capacity created by the NED Project). FERC’s October 8, 2015 request for information is further discussed in Section IV, *infra*.
 - 23 See CLF Petition Appealing D.P.U. 15-39 Final Order http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/Ppath=15-39%2fCLF_Notice_oLAppeal.pdf; PLAN appeal Pursuant to DPU 15-39, http://web1.env.state.ma.us/DPU/FileRoomAPI/api/Attachments/Get/?path=15-39%2fPLAN_Petition_for_Appeal.pdf
 - 24 See Attorney General’s Initial Brief, Petition of Boston Gas Company d/b/a National Grid for approval of a Precedent Agreement with Tennessee Gas for the NED Project, D.P.U. 15-34 (July 17, 2015), attached at Exhibit 7. See also See Attorney General’s Initial Brief, Petition of Bay State Gas Company d/b/a Columbia Gas of Massachusetts for Approval of a Precedent Agreement with Tennessee Gas for the NED Project, D.P.U. 15-39 (July 17, 2015); Attorney General’s Initial Brief, Petition of The Berkshire Gas Company for Approval of a Precedent Agreement with Tennessee Gas for the NED Project, D.P.U. 15-48 (July 17, 2015); See Reply Comments a/the Massachusetts Attorney General, in D.P.U. 15-37 (July 6, 2015), at pp 2-3, note 4 *supra*.
 - 25 Northeast Gas Association, Planned Enhancements, Northeast Natural Gas Pipeline Systems (Oct. 2015), note 6 *supra*.
 - 26 See Council on Environmental Quality, Final Guidance for Effective Use of Programmatic NEPA Reviews (“CEQ NEPA Guidance”), Federal Register, Vol. 79, No. 246, Dec. 23, 2014, at 14, <http://www.gpo.gov/fdsys/pkg/FR-2014-12-23/pdf/2014-30034.pdf>, attached as “Exhibit 8.”
 - 27 The administrative guidance for how the Commission evaluates natural gas pipeline proposalsits Certificate Policy Statement-does not speak to the potential use of a combined EIS. See Certification of New Interstate Natural Gas Pipeline Facilities, 88 FERC ,-r 61,227 (1999), clarified, 90 FERC ,-r 61,128 (2000), further clarified, 92 FERC ,-r 61,094 (2000) (UFERC Certificate Policy Statement”). The AGO urges FERC to utilize its considerable flexibility and discretion under the FERC Certificate Policy Statement to undertake a combined EIS in these specific circumstances.
 - 28 As discussed further in Section IV, *infra*, Tennessee Gas has not yet filed an application for the NED Project, and must first reply to all scoping comments and answer FERC’s October 8, 2015, request for information and comments on Tennessee Gas’s July 24, 2015 Draft Resource Reports. Likewise, applications have not been filed for Spectra’s Atlantic Bridge project, which is currently in pre-filing; Spectra’s Access Northeast project, which Spectra has announced will enter pre-filing this year; or PN GTS’s Continent-to-Coast project, which may enter pre-filing soon. The Atlantic Bridge, Access Northeast, and Continent-to-Coast projects are proposed along existing pipelines and therefore are unlikely to require the level of environmental analysis that the NED Project will require.
 - 29 See also CEQ Executive Office of the President, Memorandum to Agencies, Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act, 2a. A, at <http://energy.gov/sites/prod/files/GCEQ-40Questions.pdf> (“In determining the scope of alternatives to be considered, the emphasis is on what is ‘reasonable’ rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant”) (emphasis added).
 - 30 See, e.g. AIM Final EIS, Volume I, Docket No. CP14-96-000, “Alternatives Considered,” p. ES-9-10.
 - 31 In its October 8, 2015 request for information, FERC noted that much of the stillmissing data had been previously requested in FERC’s May 15, 2015 request for information.

- 32 Stakeholders across Massachusetts and New England have filed thousands of comments with FERC that carefully analyze the NED Project's impacts on specific resource areas, raising multiple questions and concerns regarding the Project's preferred pipeline route and laterals, compressor station locations, and other Project components and alternatives. FERC should carefully and thoroughly consider all of these comments as part of its NEPA review.
- 33 See *New England Forestry Foundation v. Board of Assessors of Hawley*, 468 Mass. 138,152 [2014].
- 34 *Id.* at 150151.
- 35 See also *Breary v. Fagan*, 447 Mass. 68, 74 [2006] [the restrictions established by M.G.L. c. 184 § 31 were "explicitly designed to supplant... commonlaw rules with clearer, more definitive, and more efficient methods of resolving the enforceability of land restrictions"].
- 36 See also M.G.L. c. 44B, § 12 [a], which authorizes municipalities to appropriate funds for purchase of open space "community preservation" lands so long as the parcels are encumbered by conservation restrictions held by another government entity or nonprofit organization.
- 37 A two-thirds vote of the legislature allowing for dissolution of Article 97 protections may be required for geotechnical surveys that require soil boring or excavation work, or for any other land surveys or evaluations that require vegetation disturbance, destruction or removal. Such invasive surveys may also violate specific provisions of conservation restrictions and may also require compliance with Article 97 procedural and substantive requirements.
- 38 See RR 8, 895 897 [noting information about impacted conservation land from state and local government, private land trusts, other conservation organizations and private property owners, and further noting that Tennessee Gas "is still in the process of determining title and compiling a complete list of all Article 97 lands"]. Other stakeholders have noted that there are more than one hundred [100] protected conservation parcels impacted by the NED Project, more than eighty [80] of which are subject to Article 97 protection. See e.g. *Town of Ashby*, Massachusetts Conservation Commission Comments filed August 24, 2015, p. 2; *MassAudubon* comments filed with FERC on July 22, 2015.
- 39 See RR 8, 895.
- 40 See Article 97 Land Disposition Policy, EOEEA, February 19,1998, Section II, <http://www.mass.gov/eea/docs/eea/dcs/dcsarticle97.pdf>, attached as "Exhibit 9."
- 41 *Id.*
- 42 The Massachusetts Endangered Species Act ["MESA"] is administered and enforced by the Massachusetts Division of Fisheries and Wildlife's ["DEW"] Natural Heritage and Endangered Species Program ["NHESP"]. The NHESP maps Priority Habitat to screen proposed projects for the potential to cause a rare species "take" prohibited by MESA. See M.G.L. c. 131A, §§ 24, and 321 C.M.R. 10.11 10.25. See also RR 8, 89596. As discussed in Section IV D, *infra*, FERC should require that the NED Project fully comply with all substantive MESA statutory and regulatory requirements, including MESA's "take" prohibition, either by avoiding a prohibited take, by altering the NED Project with conditions allowing a take, or by full MESA conservation and management review and permitting.
- 43 See EOEEA Article 97 Land Disposition Policy, Section II, note 40 *supra*.
- 44 See RR8, 895.
- 45 See EOEEA Article 97 Land Disposition Policy, Section II, note 40 *supra*.
- 46 See pre-filing comments of EOEEA Secretary Bartlett dated September 16, 2014 for the NED Project, p. 3. See also Massachusetts Division of Fisheries and Wildlife's annual reports 20092013.
- 47 In its October 8, 2015 request for information, FERC asked Tennessee Gas to explain why its proposal for the NED Project's centerline to cross the Montague Plains Wildlife Management Area does not at least collocate the pipeline immediately adjacent to an existing utility rightofway [instead of passing through primarily forested habitat approximately 100 to 140 feet away from the existing rightofway). See FERC October 8,2015 request for information at p, 11, Tf49. See also RR 3, 339.
- 48 See RR 8, at 895, citing correspondence from DFW Director Jack Buckley dated April 29,2015 and other information [Darcy 2014). See also RR 8, 8894 897, and RR 3, 334 344, further discussing the DFW owned or managed Wildlife Management Areas, and other conservation land subject to Article 97 protection in which the DFW or the Massachusetts Department of Conservation and Recreation (DCR) have an interest, including by holding a conservation restriction, by owning and managing conservation land, or partnering with charitable or other nongovernmental, private property owners to manage conservation land.
- 49 See pre-filing comments of the Massachusetts Wildlife Board filed on August 27, 2015 for the NED Project, p. 2.
- 50 *Id.*
- 51 See FERC Statement of Policy PL993000, p. 27 (88 FERC Tf 61,277) ("[i]f the applicant provides support for the benefits of its proposal that justifies the issuance of a certificate and the exercise of the corresponding

eminent domain rights ... [t]he strength of the benefit showing will need to be proportional to the applicant's proposed exercise of eminent domain procedures [emphasis added].

- 52 See discussion in Section III *supra*.
- 53 See *Massachusetts v. EPA*, 549 U.S. 497 (2007). In April 2007, the U.S. Supreme Court ruled in favor of Massachusetts and concluded that EPA had authority to regulate greenhouse gas emissions under the Clean Air Act. The United States Court of Appeals for the District of Columbia has since upheld EPA's subsequent regulations, in response to *Massachusetts v. EPA*.
- 54 See e.g. AG Healey Gives Keynote Address at Northeast Energy and Commerce Association 12th Annual Conference: Highlights Clean and Renewable Energy as Key Factors in Economic Growth and Environmental Health; Formally Introduces New Bureau of Energy and Environment, AGO Press Release March, 12, 2015, <http://www.mass.gov/ago/newsandupdates/pressreleases/2015/20150312energyconference.html>. See also <http://www.mass.gov/ago/newsandupdates/pressreleases/2015/20150803epaletter.html>
- 55 See American Council for an Energy Efficient Economy's State Energy Efficiency Scorecard, <http://aceee.org/statepolicy/scorecard> (last visited October 9, 2015). See also <http://aceee.org/press/2014/10/massachusettscaliforniamostenergyefficientstatewhilearkansasdckentucky>
- 56 2014 CEQ Climate Impact Guidance, note 11 *supra*.
- 57 "Climate change is a fundamental environmental issue, and the relation of Federal actions to it falls squarely within NEPA's focus." 2014 CEQ Climate Impact Guidance at 2, note 5 ["NEPA recognizes 'the profound impact of man's activity on the interrelations of all components of the natural environment' (42 U.S.C. § 4331). It was enacted to, *inter alia*, 'promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man.' [42 U.S.C. § 4321)"].
- 58 2014 CEQ Climate Impact Guidance at 18.
- 59 2014 CEQ Climate Impact Guidance at 78.
- 60 See M.G.L. c. 21N, § 19.
- 61 *Id.* at § 4(a).
- 62 See Gunnar Myhre et al., *Anthropogenic and Natural Radiative Forcing*, 714 *tbl.* 8.7 [Daniel Jacob et al. eds., 2013],
- 63 See <http://www3.epa.gov/climatechange/ghgemissions/gases/ch4.html>
- 64 See Ramon A. Alvarez, et al., Greater focus needed on methane leakage from natural gas infrastructure, *Proc. Nat'l Acad. Sci., U.S.A.*, vol. 109[1] (Apr. 24, 2012) at 6437, available at <http://www.pnas.org/content/109/17/6435> [last visited Oct. 15, 2015] ["new natural gas power plants produce net climate benefits relative to efficient, new coal plants using lowgassy coal on all time frames as long as leakage in the natural gas system is less than 3.2% from well through delivery at a power plant given limited current evidence, it is likely that leakage at individual natural gas well sites is high enough, when combined with leakage from downstream operations, to make the total leakage exceed the 3.2% threshold beyond which gas becomes worse for the climate than coal for at least some period of time,"]. See also Bob Howarth, *A bridge to nowhere: methane emissions and the greenhouse gas footprint of natural gas*. *Energy Sciences & Engineering*, Vol. 2, Issue 2 (May 2014), available at <http://onlinelibrary.wiley.com/doi/10.1002/ese3.35/full> [noting that "breakeven point" is 2.8%, not 3.2% using updated estimates for the radiative forcing of methane from the 2013 IPCC assessment, and further noting that if the uncertainty in the radiative forcing of methane of 30% or more is taken into account, this "breakeven" value becomes a range of 2.4—3.2%."] [citations omitted]. See also Stefan Schwietz et al., *Global Bottom-up Fossil Fuel Fugitive Methane and Ethane Emissions Inventory for Atmospheric Modeling*, *ACS Sustainable Chemistry & Engineering*, Vol. 2 Issue 8 [June 2014], available at <http://pubs.acs.org/doi/pdf/10.1021/sc500163h>.
- 65 Recent studies have scrutinized fugitive methane emissions from various sources of natural gas infrastructure, raising new concerns about greenhouse gas emissions. For instance, a recent study found that fugitive methane emissions from natural gas gathering facilities are approximately eight times higher than EPA estimates. See *Environ. Sci. Technol.*, 2015, 49 [17], pp 1071810727 <http://pubs.acs.org/doi/abs/10.1021/acs.est.5b02275>. Natural gas leaks from aging urban infrastructure are also a major problem. A recent study from the Proceedings of the National Academy of Science [PNAS] found that fugitive natural gas emissions in Boston are two to three times larger than predicted by existing inventory methodologies and industry reports, suggesting that natural gas consuming regions may be larger sources of climate impacting methane emissions than is currently estimated. See PNAS, *Methane Emissions from Natural Gas Infrastructure in the Urban Region of Boston, MA*, December 12, 2014, <http://www.pnas.org/content/112/7/1941.full>, last visited Oct. 10, 2015].
- 66 See generally, EPA Natural Gas STAR Methane Challenge Program; Proposed Framework, July 23, 2015 stakeholder review draft, http://www3.epa.gov/gasstar/documents/methane_challenge_proposal_072315.pdf
- 67 See also FERC's October 8, 2015 request for information at pp. 25, Tftj 124125, requesting information

from Tennessee Gas about the specific manufacturer and model for proposed compressor turbines, including turbine horsepower and other ratings.

- 68 See generally, Reduce Natural Gas Venting with Fewer Compressor Engine Startups & Improved Engine Ignition, EPA Partner Reported Opportunities (PROs) for Reducing Methane Emissions, PRO Fact Sheet No 102 <http://www3.epa.gov/gasstar/documents/reducethefrequencyofenginestarts.pdf>; EPA Natural Gas STAR Methane Challenge Program: Proposed Framework, July 23, 2015 stakeholder review draft, http://www3.epa.gov/gasstar/documents/methane_challenge_proposal_072315.pdf; Reducing Emissions When Taking Compressors Off-line, EPA and Natural Gas Association STAR Partners, http://www3.epa.gov/gasstar/documents/ll_compressoroffline.pdf [Last visited Oct. 15, 2015].
- 69 In July and August, 2015, FERC held public scoping meetings in Dracut, Lunenburg, Greenfield, and Pittsfield, Massachusetts, each of which were attended by hundreds of area residents and other concerned stakeholders. More than 500 individuals attended the Dracut public scoping meeting, with approximately 75 individual stakeholders presenting oral testimony raising a multitude of concerns about impacts from the NED Project and Dracut compressor station on the area's natural resources and local economy, as well as the Project's effects on property values and homeowners' insurance premiums, among other concerns. See transcript Dracut Scoping Meeting.
- 70 See Massachusetts Department of Fish & Game and the Nature Conservancy, "BioMapZ: Conserving the Biodiversity of Massachusetts in a Changing World," 1012 [2010]. See also RR 3, 33444 and RR 8, 89497 discussing NED Project impacts to the Commonwealth's wildlife and MESA-listed and protected species, including discussion of BioMap2 Priority Natural Communities, Core Habitat, Vernal Pool Core Habitat, and MESA-listed Species of Special Concern habitat mapping.
- 71 See RR 8, 89596.
- 72 See M.G.L. c. 131A, §2.
- 73 See e.g. FRCOG scoping comments filed September 23, 2015 at pp 1524; Town of Deerfield scoping comments filed on August 2015 at pp 12.
- 74 RR 8, Vol. 2, Table 8.22, listing locations by milepost designation of hundreds of residential and commercial buildings within 50 feet of the pipeline. See also RR 1,1.3.2.2, p. 18385.
- 75 See e.g. Health Care without Harm scoping comments filed August 27, 2015, pp 13; Pipeline Awareness Network for the Northeast, Inc. ("PLAN") scoping comments filed August 28, 2015, pp 14.
- 76 See RR 9, 925.
- 77 As noted in Section IV C, above, EPA has recently proposed new emissions levels for volatile organic compounds ("VOCs"), such as benzene and formaldehyde, from the oil and natural gas industry.
- 78 See e.g. FRCOG scoping comments filed September 23, 2015, pp 1215.
- 79 Id.
- 80 During the August 12, 2015 meeting FERC held with Massachusetts state agencies, FERC noted that it would conduct, or contract with a consultant to conduct, such a study.
- 81 See e.g. PLAN scoping comments filed August 28, 2015, pp 56; FRCOG scoping comments filed September 23, 2015, pp 3233.
- 82 See MassDEP, Noise Pollution Policy Interpretation, <http://www.mass.gov/eea/agencies/massdep/air/programs/noisepollutionpolicyinterpretation.html>, [last visited Oct. 15, 2015].
- 83 See e.g. RR 9, Tables 9.2.2, 9.2.4, 9.2.6. See also FERC's October 8, 2015 request for information at pp. 2728, 134 143 [requesting additional information concerning NED Project noise impacts and mitigation measures].
- 84 See e.g. FRCOG cover letter to scoping comments filed September 23, 2015 at p. 1. See also FERC's October 8, 2015 request for information at pp. 1617, T1f 85, 92 [requesting additional information concerning Environmental Justice communities].

Appendix: Table of Attached Exhibits

- [Exhibit 1] Reply Comments of the Massachusetts Attorney General, D.P.U. 1537 (July 6, 2015) Northeast Gas Association, Planned Enhancements, Northeast Natural Gas Pipeline Systems (Oct. 2015) http://www.northeastgas.org/pdf/system_enhance1015.pdf.
- [Exhibit 2] Northeast Gas Association, Planned Enhancements, Northeast Natural Gas Pipeline Systems (Oct. 2015), http://www.northeastgas.org/pdf/system_enhance1015.pdf.
- [Exhibit 3] AGO comments filed with FERC on September 21, 2015 (informing FERC that the AGO's Electric Reliability Study for the New England Region will be completed by the end of October and will be filed thereafter, along with commentary on the study's implications for FERC's CPCN decision).
- [Exhibit 4] Revised Draft Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas

Emissions on the Effects of Climate Change in NEPA Reviews, 79 Fed. Reg. 77802, proposed Dec. 24, 2014, (“2014 CEQ Climate Impact Guidance”) http://www.whitehouse.gov/sites/default/files/docs/nepa_revised_draft_ghg_guidance_searchable.pdf.

[Exhibit 5] Northeast Energy Direct, The Northeast Pipeline Expansion Solution for Lower Energy Costs and Enhanced Electric Reliability, Open Season for PowerServe Firm Service, Open Season 0100, September 9, 2015 October 29, 2015.

[Exhibit 6] Initial Comments of the Massachusetts Attorney General, Investigation by the Department of Public Utilities into the Means by Which New Natural Gas Delivery Capacity may be added to the New England Market, D.P.U. 1537 (June 15, 2015).

[Exhibit 7] Attorney General’s Initial Brief, Petition of Boston Gas Company d/b/a National Grid for approval of a Precedent Agreement with Tennessee Gas for the NED Project, D.P.U. 157 34 (July 17, 2015).

[Exhibit 8] Council on Environmental Quality, Final Guidance for Effective Use of Programmatic NEPA Reviews (“CEQ NEPA Guidance”), Dec. 23, 2014, at 14, <http://www.gpo.gov/fdsys/pkg/FR20141223/pdf/201430034.pdf>.

[Exhibit 9] Article 97 Land Disposition Policy, EOEEA, February 19, 1998, <http://www.mass.gov/eea/docs/eea/dcs/dcsarticle97.pdf>. {end of 20151019-5118}

{ submission (32 pages, 21.5 MB) can be downloaded at: }

{ <http://www.mass.gov/ago/docs/energy-utilities/scoping-comments-ferc.pdf> }

20151019-5119

NH AUDUBON

Protecting our environment since 1914

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

Dear Secretary Bose

I write on behalf of the Audubon Society of New Hampshire in regard to the Notice of Intent to Prepare an Environmental Impact Statement (EIS) for Docket No. PF14-22-000, the Northeast Energy Direct Project. We are a statewide, nongovernmental organization dedicated to protecting New Hampshire’s environment for wildlife and for people. My staff has reviewed the information provided in the July 15 Draft Environmental Report, and I am pleased to provide the following scoping comments.

Our comments focus on the following topics:

- Impacts to wildlife and habitats
- Impacts to wetlands and water bodies
- Impacts to protected conservation lands
- Project need in light of regional context

Impacts to wildlife and habitats

- Resource Report 3 (footnote p. 3-2) indicates that proposed impacts on fish, wildlife, and other sensitive resources are based on assumed overlaps of construction workspace and permanent easements with existing power-line rights-of-way (ROWs). However, to our knowledge these overlaps have not yet been negotiated with the affected utility companies. Such overlaps would substantially lessen the need for clearing new ROW and construction workspace, and thereby lessen impacts on wildlife habitat. In your analysis of impacts to wildlife and wildlife habitats associated with the “preferred” alternative, we request that you provide both a best case estimate of potential impacts on wildlife and

wildlife habitat, assuming that all proposed ROW overlaps are implemented, and a worst case estimate assuming that no ROW overlap agreements are approved.

- Table 3.2-1 is entitled “Common Wildlife Species Occurring in Major Habitat Types Crossed by the Project.” This list is inconsistent with Table 3.4-8 and incomplete. Many common species are absent from this list, while a number of uncommon species are included, as are several introduced species. Some species (e.g. Bay-breasted Warbler, Great Cormorant) are included whose presence within the project area is highly unlikely, while others (e.g., American Black Duck, Black-throated Blue Warbler) which are quite likely to occur within the project area are excluded from the list. In addition, no information is provided for mammals, reptiles, amphibians, or invertebrates of conservation concern, despite their inclusion in Table 3.4-8, “Locations and Timing of Pending Species-Specific Biological Surveys Associated with the Project.” We request that FERC prepare a comprehensive list of native fish and wildlife species occurring in major habitat types crossed by any considered alternative, with an additional column indicating whether or not each species is considered a species of conservation concern in an affected state (and thus included on a separate list of pertinent species. Introduced species (e.g. house mouse, rock dove) need not be included. Providing lists in alphabetical order by common name, rather than alphabetical order by scientific name, would greatly enhance the ability of wildlife professionals and the public to review this information efficiently.
- The proposed ROW of the Haverhill Lateral crosses wetlands associated with World’s End Pond in Salem, New Hampshire. This wetland complex is extremely important to migrating waterfowl and shorebirds, and supports an unusual diversity of bird species. To date, observers have documented 170 avian species at this location, including 17 species of waterfowl and eight species of shorebirds. World’s End Pond is also the only known breeding location in New Hampshire for Least Bittern, a Species of Special Concern in the state. Construction activities within these wetlands are likely to negatively impact breeding and migration use of this area, and to result in long-term impacts on hydrology and water quality. We strongly recommend that the DE IS include an alternative that completely avoids impacts to the wetlands associated with World’s End Pond.
- Resource Report 3 (p. 3-14) indicates that the proposed project includes 36 pipeline and 8 access road crossings of streams that support cold water fisheries (CWF). We request that the following information be provided for such streams for all alternatives considered in the DEIS:
 - o Thorough analysis of route alternatives to avoid each pipeline crossing
 - o Number of access road crossings on existing roads and class of said roads
 - o Number of access road crossings requiring new construction
 - o Status of CW populations in affected streams
 - o Habitat conditions extending a minimum of two stream widths above and below center line of crossing (bottom substrate, longitudinal profile, channel pattern)
 - o Minimum and maximum flows for affected stream reach
- Resource Report 2 discusses impacts to floodplains in the context of impacts to flood storage area. Floodplains provide unique and important habitat for wildlife, including some sensitive species. We request that the DEIS address the extent of clearing in floodplain forest associated with each considered alternative.

Impacts to wetlands and water bodies

- While power lines can span the majority of wetlands and water bodies with little or no impacts to aquatic or riparian ecosystems, pipeline burial requires modification of every wetland, water body, and riparian area crossed. Table 2.3-8 indicates nearly 55 acres of wetland impact within New Hampshire, including approximately 13 acres of emergent, 16 acres of forested, and 13 acres of scrub-shrub wetlands as

classified by the National Wetlands Inventory. Trenching across wetlands results in long-term impacts to wetland vegetation and hydrology, both of which have important implications for wildlife habitat. Pipeline sections in ephemeral wetlands and at wetland edges subject to repeated wet/dry cycles are particularly vulnerable to corrosion, and may require more frequent maintenance than sections in drier locations. For these reasons, we urge that the DEIS include alternatives that substantially reduce wetland crossings. We further urge that the DEIS address long-term impacts of wetland crossings on wildlife and wildlife habitat.

- Table 2.2-2 indicate that the proposed route across New Hampshire includes 55 perennial and 27 intermittent stream crossings, affecting 5,118 ft of stream. No details are available as yet regarding crossing methods at specific locations. Open-cut crossings requiring hard nonnative erosion control structures will result in long-term changes to riparian and in-stream habitat conditions. We urge that the DEIS include alternatives that minimize perennial stream crossings, and provide information on current stream-bank conditions (e.g. slope, height, vegetation of bank) at proposed crossings for each alternative considered. We request that the following information be provided for perennial streams for all alternatives considered in the DEIS:
 - o Thorough analysis of route alternatives to avoid each pipeline crossing
 - o Status of fisheries in affected streams
 - o Known or potential occurrence of fish, reptile, and amphibian species of conservation concern in affected streams
 - o Habitat conditions extending a minimum of two stream widths above and below center line of crossing (bottom substrate, longitudinal profile, channel pattern)
 - o Minimum and maximum flows for affected stream reach
- National Wetlands Inventory Data for southern New Hampshire was last revised in 2001, and many changes are likely to have occurred since that time. We strongly recommend that more recent hydrologic data be used in analysis of stream and wetland impacts.

Impacts to Protected Conservation lands

- The proposed project route crosses 37 tracts of protected conservation land, including state, municipal, and non-governmental organization ownerships. Crossing distances range from less than 100 feet (six cases) to more than 1000 feet (11 cases). These lands were originally acquired to protect important natural resource and recreational values for future generations. In many cases, easements or deed restrictions preclude the development or industrial use represented by a pipeline. We request that the DEIS include alternatives that avoid impacts to protected conservation lands.
- The proposed project route crosses New Hampshire Audubon's 75-acre Ponemah Bog Wildlife Sanctuary in Amherst, New Hampshire. We understand that the applicant and local residents have proposed alternative routes through the Town, and that the Board of Selectmen has submitted comments supporting an alternative that incorporates Option 1 proposed by Kinder Morgan and Alternative 2 proposed by Alice and Kenneth J. Bury. We request that this proposal be considered in the DEIS.

Project need in light of regional context

We are aware that energy demand, supply, and delivery in the Northeast are rather dynamic at the present time, with several major infrastructure projects in various stages of proposal and review. We strongly support regional transition to a more efficient and lower-carbon energy market that is both environmentally responsible and affordable for consumers. We urge FERC to consider the environmental costs and public benefits of the Northeast Energy Direct project in the context of all available supply and demand projections and proposals and make all possible effort to ensure that approved infrastructure projects are adequate, but not excessive for meeting regional needs.

We appreciate your attention to our concerns regarding this project.

Sincerely,
Carol R. Foss
Senior Advisor for Science and Policy

20151019-5134

**Scoping Comments of Massachusetts Attorney General Maura Healey to
Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission
for the Tennessee Gas Pipeline Company, L.L.C., Northeast Energy Direct Project,
Docket No. PF 14-22-000**

Appendix: Table of Attached Exhibits

- Exhibit 1: Reply Comments of the Massachusetts Attorney General, D.P.U. 1537 [July 6, 2015] Northeast Gas Association, Planned Enhancements, Northeast Natural Gas Pipeline Systems [Oct. 2015] http://www.northeastgas.org/pdf/system_enhancel015.pdf.
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- Exhibit 9: Article 97 Land Disposition Policy, EOEEA, February 19, 1998, <http://www.mass.gov/eea/docs/eea/dcs/dcsarticle97.pdf>.

{ 153 pages omitted; full submission (155 pages, 12 MB) can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14017335> }

20151019-5170

Dr. Heiko D. Moritz & Heike Moritz 451 Ponemah Hill Road Milford, NH 03055 U.S.A.
Tel: +1 603 672 4974 e-mail: heikodm@comcast.net

Oct-14-2015

Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Northeast Energy Direct Project, Docket Number: PF14-22

I am protesting against the construction of the NED Pipeline through New Hampshire and specifically through the town of Milford for the following reasons:

FERC has failed to provide conclusive proof that a public benefit can even be achieved. The public benefits are not guaranteed for NH residents. Prices for electricity may even increase.

The project is that of a private company, Kinder Morgan, which intends to sell fracked gas to countries abroad. There is nothing wrong with this idea if the company would pay for transportation of the gas to the next harbor. But why pay for transportation, if there is a way to make the general public pay for it?

The US government has implemented a mechanism that a company can take advantage of to make such big pipeline projects happen. How does it work? The company has to prove that there is a public interest for the pipeline running through the backyards of thousands of Americans across land that the company does not own. If the company is successful it can acquire the land from stubborn homeowners by eminent domain. The cost models FERC uses to determine if there is a public interest have not been disclosed and therefore whatever is said about public benefits is most likely a lie, based on fabricated, incomplete, incorrect, inappropriate or negligent assumptions that favor the construction of the pipeline. We do not know if the input data used to model the economic impact of the project were relevant in the first place. We do not know if alternatives have been studied with the same effort as the pipeline project. FERC has failed to publish a conclusive model that can be challenged by a third party. Therefore there is no pipeline project to begin with.

Conclusion: (i) FERC has failed to prove that there is a public benefit and consequently has to stop the pipeline project until such data are provided and have been reviewed. (ii) FERC has to reveal the criteria defining public interest. (iii) Since NH residents would pay for the pipeline, FERC has to prove specifically that there is a benefit for NH residents. (iv) The studies that must have been carried out about alternative strategies to secure the energy supply of the NE states have to be published.

It is intentionally misleading that in glossy brochures about the NED pipeline the gas running through it is touted natural gas. That is not true as it is fracked natural gas laden with undisclosed chemicals in undisclosed concentrations. Since it is unregulated, nobody knows what impact those chemicals will have on the environment and health of exposed residents.

At this point I would like the commissioners to picture their own homes for a moment, and the beautiful and safe neighborhood in which it is located. Now picture the construction crew that comes and puts a nice pipeline right through your property. You are smart enough to know that it will explode. You do not know, however, where and when. It could happen right at your house. It could happen when your grandkids play in the backyard while you are at work. That's why you want to move to another place far away from any pipeline. What about the value of your house? Who do you think will be the buyer? A person equally smart and educated about the risks as you are, who could afford to pay the asking price? Not likely. So you have to drop the price. By how much, nobody knows. For homeowners in New Hampshire this is reality. There will be a price to pay for living close to the pipeline. Unfortunately, the homeowners will not be compensated appropriately for the financial loss. On top of that they will have to pay the same fee as everybody else for the construction of the pipeline and its maintenance. That is not American. I am sure that many lawsuits will be filed based on this injustice.

Dear commissioners, it will be on your conscience if an unneeded pipeline leads to disaster with casualties, financial hardships, loss of homes, and the destruction of the environment. Let us pray that this will never happen. But if it does, I cannot imagine the pain that will overwhelm you knowing that you could have prevented it had you only done the right thing. For your own piece of mind I encourage you to pray every day that there actually is a public benefit from the pipeline. You may also want to remind yourself every day that fracked gas is an inappropriate fuel as it is dirty and carries the risk of making people sick from the toxins it carries. Within ten years nobody will even talk about dirty fuel any more. The pipeline, if ever built, will become obsolete sooner than expected and with it the public benefits that yet have to be proven to exist. We will remember who was responsible for the approval: Tony Clark, Cheryl A. LaFleur, Norman C. Bay, Philip

D. Moeller, Colette D. Honorable.

Like most Granite Staters, I have a private well. A massive project to bury a pipeline of this size may have a catastrophic impact on the productivity of the well and the quality of the water. In order to keep my permit of occupancy, I have to have a functioning well. Should my well dry out during the construction of the pipeline, a new well has to be drilled. I will not pay for it.

Conclusion: FERC must ensure that all wells along the pipeline that could be affected are protected. The protected area is defined by the geology of the aquifers that feed the wells. A geological study has to be carried out by at least two independent companies. After completion of the pipeline the water quality has to be tested every 6 months in perpetuity or as long as the pipeline exists by a randomly selected test company at the expense of the pipeline owner

20151019-5175

October 16, 2015

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

RE: Docket PF14-22-000

Dear Secretary Bose,

As you evaluate the Northeast Energy Direct (NED) project, I request that particular consideration be paid to the following issues:

ASSESSMENT OF ALTERNATIVES

- Resource Report 10 does not adequately assess alternatives to NED. Advantages of alternatives are ignored; disadvantages of NED are understated. The public deserves nothing less than an independent, complete and accurate assessment of all alternatives, including the 'no build' option, and a comprehensive cost/benefit comparison of alternatives.
- Analysis of alternative solutions must not be segmented. We are told time and again that New Hampshire must not look at our state's needs in isolation (the fact that we produce 40% more electricity than we use; the fact that only 19% of our energy is produced by natural gas, and so on), we must always consider our state as part of the New England region. If that's true, then surely when we assess solutions we must look at all potential solutions being proposed in our entire region and consider their effects as a whole.
- It must be proven that NED 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. That well-researched policy focuses on grid modernization and other forward-thinking strategies. Strapping New England to 20th century technologies will hamper our growth in the 21st century.

ENVIRONMENTAL IMPACTS

The Town of Merrimack is at a disadvantage when requesting that specific issues be addressed in the Environmental Impact Statement (EIS), because the applicant has proposed several routes through our town and we have no idea which route will be ultimately selected. I respectfully request, therefore, that the following issues be thoroughly addressed in the Environmental Impact Statement (EIS) for all properties along the various proposed pipeline routes:

- Impacts to wildlife during the construction, operation, 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, operation, 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.
- 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.
- Specific information on air and water quality, based on studies before, during, and after construction, within a one-mile radius of the meter station being proposed for Merrimack. Studies must include all components that may be released, including VOCs, radon, particulate matter, and so on. The results of pre-construction tests, and a specific plan for ongoing monitoring and notification, must be included in the EIS.

SAFETY

Industry wisdom seems to be that natural gas transmission pipelines are extremely safe, but recent PHMSA data calls that wisdom into question. Please address the following:

- Data suggests that natural gas transmission lines built within in the last 10 years have a worse failure rate than pipes built at any other time in the last 50 years. Please describe this data at length, and detail how NED will avoid all pitfalls that have caused pipeline safety to be compromised.
- Extreme temperatures have an effect on pipelines. 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.

Thank you for your careful attention to these requirements.

Sincerely,

Debra Huffman
Merrimack, NH

20151019-5177

Oct 16, 2015

197 Clinton Road
Brookline MA

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,

I write today as a concerned citizen to comment on the proposed Northeast Energy Direct Project (NED) and to ask the committee to weigh the many negative effects of this plan to take people's homes, land and livelihood to serve a poorly justified and possibly nonexistent public need. The considerations I see are the following:

The large capacity pipeline is not needed. There is no substantial shortage of gas in New England at present and in the next decade or more. Such small shortage as exists can be met with smaller projects already in development and/or can be alleviated by the robust conservation efforts and alternative sources increasingly being developed in the New England. Only the developers would benefit. Moreover, the people of

New Hampshire whose land would be taken would potentially pay higher fees to their electricity provider if markets for the pipeline gas are not found.

The proposed pipeline would cause damage to the environment and significant health hazards during the construction process and forever after. Health hazards would be extreme for people living or attending school near power stations. There is no commitment to remove the pipeline and restore the land when its relatively short useable life ends, and thus the benefits of the land would be lost for future generations.

As was obvious at public hearings, entire communities across New Hampshire are united in opposing the proposed plan. At the hearing I attended (Rindge NH), a more dramatic display of involved concerned articulate citizens opposing the plan would be hard to image. How can the proposal possibly be considered a public necessity?

Although I wrote that this message comes from “a concerned citizen”, it is also that of a confirmed and long-time admirer of New England, of its land, its history and its people. Although not originally from the region, I have regularly visited southern New Hampshire for several decades. It is a wonderful part of our nation, rich in history with a varied landscape that has been a welcoming host to city visitors since the early 1800’s. Foreign guests (from England, Germany, Russia, China) who sometimes join me on these visits are amazed that we have access to such beautiful land within easy reach of a coastal city. For my part, I rejoiced when those proposing the Pipeline dropped their threatened route through Massachusetts, but the circuitous route through New Hampshire that was quickly substituted is potentially far more damaging.

Sincerely,

Eileen Remold

20151019-5214

Reginold Brown, Belkshire Rd, NY.

It is a good job for our members in our local and we really need the jobs badly. Please help us to retain this work so we can pa our bills. Thank you.

20151019-5216

Rodney Padden, Andover, NY.

Instead of running good job opportunities out of this state. How about we start creating good paying jobs local to this area and once great state like the NED project. Please help.

20151019-5223

Robin Slaby, Little Sioux, NY.

This job would be very good for our communities and the Unions will be able to man it with good skilled trained guys from our areas Locals. Thank you very much.

20151019-5224

Robin Slaby, Little Sioux, IN.

We really need this project so we can pay our bills and not move out of state. Thanks

20151019-5225

Kevin Moore, Lindley, NY.

I have been a pipeliner for many years. I have witnessed first hand the benefits of the building pipelines in our areas. Things that come along with pipelines are good paying jobs, full motels and campgrounds, business for local stores, restaraunts. No matter how you look at it there are more pros than cons for having a pipeline in your area. please we need these jobs badly. Thank you.

20151019-5226

Micheal B Riley, Scipio Center Ed, NY.

Come on! Good, Clean Cheap energy for the northeast? Its a no brainer, good labor good pay that goes back into the communities. I fully support the Northeast Energy Project for the near future until such time where alternative energy becomes as cheap and efficient as natural gas, coal, and oil and I don't see that coming anytime soon. Thank you.

20151019-5227

David Marsh, Alpine, NY.

As a life long resident of the southern Tier of NY. I am concerned about the loss of jobs and lack of private investment in the area. The Northeast Energy Project Direct will create good job demand and will create a source of long term tax revenue for the southern Tier. I urge the ferc commission to approve this project.

20151019-5231

{ duplicate copy of 20151019-5094 above }

20151019-5286

Donna Dailey, Merrimack, NH.

I am writing to express my strong opposition & concern regarding the proposed pipeline in my neighborhood of Merrimack, NH. I am against having the pipeline installed in NH, especially the proposed route which is near my house & my daughter's school. I believe the risks greatly outweigh any perceived benefits.

The project ends in MA & should not be routed through NH.

Thank you for your consideration,

Tom & Donna Dailey

20151019-5375

{duplicate copy of 20151019-5118 above}

20151019-5382

{duplicate copy of 20151019-5134 above }

20151020-0011

{ duplicate copy of 20150909-0085 }

20151020-0012

Congress of the United States

House of Representatives

Washington, DC 20515

October 16, 2015

Chairman Norman Bay

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

Re: The Tennessee Gas Pipeline Company, L.L.C., Docket No. PF14-22-000 Northeast Energy
Direct Project

Dear Chairman Bay,

I write today regarding the Northeast Energy Direct Project, a natural gas pipeline proposed by the Tennessee Gas Pipeline Company, L.L.C. As you know, 15 miles of the project are proposed to be constructed in Connecticut and through a path predominately in the First Congressional District.

We can all agree on the need to bring affordable energy to the residents and businesses of Connecticut. At the same time, in doing so it is of the utmost importance to protect our land, natural environment, drinking water, recreational areas, and public health. I strongly urge the Commission to ensure this project is fully vetted, the costs and benefits are weighed, all alternatives are considered, and the concerns of the public are addressed. Particularly, a number of my constituents have expressed concerns that a portion of the pipeline route is proposed to go through Metropolitan District Commission (MDC) property which is the source of much of our region's drinking water. When considering whether to grant a certificate of public convenience and necessity for this project, I ask the Commission to take a particularly close look at any possible effects on public water supplies.

I will continue to monitor this project and I urge FERC to ensure that there are continued opportunities for robust public input going forward.

Sincerely

John B. Larson

MEMBER OF CONGRESS

20151020-0014

Congress of the United States

House of Representatives

Washington, DC 20515

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 the long determined and valued by so many of the communities I represent, so that future generations can enjoy our cherished 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 progress would be devastating. Questions such as, Does drilling a pipeline cross-

ing rivers such as the Nashua River, currently being studied for Wild gt Scenic status by the Depsrtnel of interior, agitate Eeiiled pollutants'? How will construction and alterations to the hydrology ofthe headwaters of the Squannacook River impact our water resources? How will farmers bc compensated for loss of future crop production? And, how temponuy is "minimal impacP? IINse questions should be thoroughly exploml.

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 futme generation. As pipelines are sited near reidence, how will homeowners be compensated for potential loss in property value even iftheir property is not directly impacted? I have heard the very reasonable concern that pmperty owners both directly and indirectly impacted by the construction and mute ofthe pipehne may see the value of their property decrease, only to see the gas ultimately movhqt thughb 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 ere simply hosting a portion ofthe mainline? How will FERC know the company has made every effort to avoid utiiliing eminent domain'2 How will public need be determined ifthere is the slightest potential to export natural gas'2

Residents are also concerned with the public safety risks Som potential accidents, a reality we must confiuat with honesty and transparency. While remote technology has impmved 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 ofthe gmund while drilling, blasting, and laying pipe will not negatively affect the wells that so many ofmy constituents depend on for drinking water? WIII there be constant monitoring ofthe gmundwater in residential areas that depend on wells?

I have also head concerns regarding the process with which this project has proceeded. Contact with local town offtciah 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 irdrastructure project from their own constituents. Them 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, tlousands of"To Be Determineds" were noted thugh-out the report. As is the case with very large infmstruciure projects there will be constantly changing information and this process is in the early sieges, however, I fail to sce how my constituents can comment as informed citizens with so many unknowns.

Additionally, I would like io ask thai FERC consider viewing the numerous natumi gas pipeline projects pending or appmved in the New England region in a holistic manner to ensure thai we are not overbuilding our pipeline infnstructure for domestic need. As a country, we have made a commitment io building a renewable future and not reducing the competitiveness of solar, wind, hydropower, and other alternative sources in fitvor ofadditional pipeline infmstrucurL Accordingly, would FDRC consider a "no4uiki" option, instead considering the option to repair our existing pipeline infrastructure io answer our region's energy needs?

Also, knowing that the Massachusetts Attorney Genmul'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 consid-eration in FERC's decision.

I respectfully request consideration ofthese questions raised by my constituents closely and carefully befrom deciding. And, I would like to request additional FERC scoping meetings to be held in the early months of fidi 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 pmviding me with this opportunity to present the concerns my constituents have brought to me.

I look forward to yow responses and to continuing this dialogue on behalf ofthe Third Congressional Dis-trict.

Sincerely,

Niki Tsongas

Member of Congress

20151020-0021

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

Dear Ms. Bose,

We are writing you to voice our concerns regarding the “Lynnfield Lateral” pipeline proposed by Kinder Morgan/Tennessee Gas. We lived in Lynnfield on Timberhill Lane for a period of fourteen years when our children were growing up. During that time there was a huge gas explosion that ran through Timberhill Lane. Friends of ours, the Kelley’s on Edgemere Road, were in the path and their house was very badly damaged. It was a miracle that no one got hurt. This was during the night and the whole South Lynnfield neighborhood had to be evacuated. Since then, there have been many leaks in various underground pipelines in town.

My daughter, husband and three boys purchased a home on North Hill Drive in Lynnfield just a year ago. Theirs is one of the homes in Lynnfield most affected by the pipeline since it goes right through their property. They do have an easement there, however, it is solely electrical for above ground equipment. Nothing about underground gas lines. How are we and our children ever going to skrep weI if that pipeline goes in, not to mention that the boys will lose their play area, all the trees on the side of their property and the possible danger from the chemicals that will be put down to stunt grass growth above the pipeline.

One of the most frustrating aspects of this situation is that is doesn’t benefit any of the communities begin affected. The main benefIciary is Kinder Morgan/Tennessee Gas. Please consider carefully the families everywhere that will be affected when you make this critical decision.

Thank you,

Douglas and Myra Vernon
1002 Sherwood Forest Lane
Saugus, MA 01906
781-231-9549

20151020-0023

Hand written letter, 2 pages, Deidre Consolati, 57 Main Street, Lee, MA 01238: opposing

20151020-0026

{ duplicate copy of 20151015-5243 }

20151020-0029

**NRPC
NASHUA REGIONAL PLANNING COMMISSION**

October 15, 2015

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

Comments of the Nashua Regional Planning Commission, Merrimack NH

Re: Tennessee Gas Pipeline Company, LL.C. (“TGP”)

Dear Ms. Bose:

The Nashua Regional Planning Commission (NRPC) serves 13 municipalities in southern New Hampshire, including Nashua, Hudson, Amherst, Brookline, Hollis, Litchfield, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, Pelham, and Wilton. The Commission focuses on developing and implementing innovative planning strategies that preserve and improve the quality of life of the residents and is dedicated to promoting the orderly development of the region.

Nine of the 13 NRPC member communities are directly impacted by the Proposed Northeast Energy Direct (MNEDM) pipeline. Many of these communities have taken a position or made a public statement to oppose the proposed pipeline. NRPC needs to obtain more information to help our communities to evaluate risks and potential benefits of the NED proposal and impacts to the orderly development of the region. Attached please find a copy of the NRPC “Status Report and Summary of Findings as of September 16, 2015 Relative to The Proposed Northeast Energy Direct Pipeline” which sets forth some of the issues that we believe must be addressed by Kinder Morgan and considered by FERC going forward. In addition, we respectfully request the project applicant address and FERC consider the following questions and concerns.

1. The proposed co-location of the pipeline in Pelham and Hudson, New Hampshire is in direct conflict with an approved expansion of Eversource electric transmission lines known as the Merrimack Valley Reliability project. please have Kinder Morgan provide alignment sheets or other design drawing that describe exactly how the pipeline will be “co-located along the permanent electric utility right-of-way as it will be laid out to accommodate the Merrimack Valley Reliability Project.
2. Please have Kinder Morgan quantify the reduction in electric rates that residential, commercial and industrial consumers will realize should the proposed project go online. In addition, please have Kinder Morgan evaluate implications of the reduced electric rates in attracting economic development. Particular attention should be paid as to how well New Hampshire will compete with other areas of the country, in terms of lower energy costs, due to the presence of additional natural gas supplies in the region.
3. Please have Kinder Morgan justify the need for a lateral through the town of Mason, New Hampshire. The proposed lateral is intended to provide gas to the Fitchburg Massachusetts area, however it is our understanding that no end-customer has committed to purchasing the gas at this time. NRPC strongly urges FERC to require that Kinder Morgan justify in detail this lateral or see that gas needs in the Fitchburg area are met through other projects in Massachusetts. NR pC further requests that Kinder Morgan justify the need to locate this lateral through undisturbed land as opposed to existing right of ways through the area.
4. Require Kinder Morgan to provide a detailed assessment of the ability of localemergency services to respond to incidents involving gas pipeline facilities, and to outline resources needed to keep their training, supplies and equipment up to an adequate standard to respond to those incidents.
5. Kinder Morgan should quantify and FERC should consider the direct economic benefits to the communities in New Hampshire along the proposed pipeline route. For instance, in Hillsborough County, NH the proposed pipeline is anticipated to provide little benefit to the communities directly impacted since the region is largely unserved by natural gas supplies for home heating or businesses. To our knowledge, Liberty Utilities is the only LDC in NH that has contracted for capacity on the NED project. It has committed to purchase 115dekatherms per day from Kinder Morgan which represents only approximately 8.8%of the 1.3 Bcf/day of pipeline capacity.
6. Kinder Morgan should provide and FERC should consider a detailed analysis of the tax revenue impacts as a result of the construction of the pipeline. The methodology utilized for developing the revenue figures should be clearly explained.
7. The proposed pipeline would cross a variety of types of roadways, including unmaintained “Class

VI” roads. While “Class VI” roads in New Hampshire are not maintained, it is critical that they not be viewed as “not used”. Any roadways in NH, including those classified as “Class VI” can be - and in some cases are regularly - used by fully-loaded logging trucks which are of substantial weight. The NRPC concurs with the 15 towns of the NH Municipal Pipeline Coalition and request’s FERC require that Kinder Morgan:

- Use construction techniques across all roadways in New Hampshire, including all unmaintained “Class VI” roads that will account for the heavy loads presented by logging trucks or emergency vehicles.
- We ask that, at a minimum, this includes using pipe under all roadways consistent with that required of a state road.

8. Finally, the NRPC requests Kinder Morgan provide and FERC consider a thorough explanation of the need for the project and the justification for the project to be located in New Hampshire.

Given the unprecedented scale of the project and magnitude of potential impacts to the region the NRPC respectfully requests a response to the questions and comments outlined in this letter.

Sincerely,

NASHUA REGIONAL PLANNING COMMISSION

Tim Roache, Executive Director

Michael Fimbel, Vice Chair-Town of Mont Vernon

Dan Kelly, City of Nashua

James Battis, Town of Hudson

Sarah Marchant, City of Nashua

Karin Elmer, Treasurer-Town of Merrimack

Susan Ruch, Town of Amherst

Thomas Young, Town of Litchfield

Janet Langdell, Town of Milford

20151020-0030

Hand written FERC Comment form: Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing; also enclosing copy of letter from TGP in response to her request for an “emissions report”.

**Tennessee Gas Pipeline
Company, L.L.C.**
a Kinder Morgan company

September 21, 2015

Ms. Karen Miller

161 Ashburnham Road

New Ipswich, NH 03071-4003

Re: Tennessee Gas Pipeline Company

Air and Groundwater Emissions

Northeast Energy Direct (“NED”) Project

Market Path Mid Station 4 Compressor Station

Dear Ms. Miller:

It was a pleasure meeting you at the Tennessee Gas Pipeline Company, L.L.C.’s (Tennessee) open house meeting on September 9, 2015 in New Ipswich, New Hampshire. At the open house meeting, you expressed concern over the potential air and groundwater impacts of the above referenced proposed compressor station. In addition to the discussion of your concerns at the open house meeting, Tennessee wanted to follow-up in writing to provide you with more detailed information, and to provide references that are available to assist you in researching answers to your concerns.

Air Emissions

As part of Tennessee's pre-filing proceeding for the NED Project, a second draft of the Environmental Report ("Draft ER") was prepared and filed with the Federal Energy Regulatory Commission ("FERC") on July 24, 2015. Air emissions related to construction and operation of the NED Project, including new compressor stations, are addressed in Resource Report 9 of the draft ER ("Resource Report 9"), which can be downloaded from the FERC website (www.ferc.gov), eLibrary, under Docket No. PF14-22-000.

In summary, Resource Report 9 notes that the U.S. Environmental Protection Agency ("USEPA") has promulgated National Ambient Air Quality Standards ("NAAQS") to protect human health and welfare. The NAAQS include primary standards which are designed to protect human health, including the health of sensitive subpopulations such as children, the elderly and those with chronic respiratory problems. The NAAQS also include secondary standards designed to protect public welfare, including economic interests, visibility, vegetation, animal species, and other concerns not related to human health.

The NAAQS currently apply to the following criteria pollutants:

- Sulfur dioxide
- Particulate matter with a nominal aerodynamic diameter of 10 microns or less
- Particulate matter with a nominal aerodynamic diameter of 2.5 microns or less
- Nitrogen dioxide
- Carbon monoxide
- Ozone
- Lead

Resource Report 9 outlines the NAAQS standards for each of these criteria pollutants. Equipment installed as part of the above-referenced proposed compressor station will be subject to the New Source Review ("NSR") permitting process. This NSR permitting process ensures that current NAAQS standards are not exceeded for the criteria pollutants listed above after installation of the proposed compressor station. Federal air quality requirements are contained in 40 CFR Parts 50 through 99. Standards of performance for stationary combustion turbines installed after February 18, 2005 are provided in 40 CFR Part 60 Subpart KKKK. Equipment installed by Tennessee as part of the NED Project will meet these performance standards.

While state and municipalities may adopt standards more stringent than NAAQS, the New Hampshire Department of Environmental Services has decided to adopt the NAAQS as promulgated by USEPA. In addition to the above requirements, stationary emissions sources such as industrial turbines would be subject to New Hampshire's air quality requirements contained in Env-A Chapters 100-4800 for facilities in New Hampshire.

The New Hampshire Department of Environmental Services ("NHDES") Air Quality Division ensures that all new projects located in the state will not cause an adverse impact to human health or the environment prior to issuing construction or operational permits.

It is also important to note that the natural gas that Tennessee transports in its existing pipeline system, and that it will transport through the NED Project facilities, is referred to as "pipeline quality" natural gas. Pipeline quality natural gas is the same natural gas that ultimately is consumed by the public, in homes, businesses, hospitals, schools, and other public institutions. This natural gas has already been treated and processed prior to its entry into the interstate pipeline network so the impurities have been removed. Benzenes and other hazardous air pollutants, that may be present as a result of production of the natural gas, have been removed prior to custody transfer into Tennessee's pipeline system.

Groundwater Impacts

Groundwater Impacts are addressed in Resource Report 2 of the Draft ER ("Resource Report 2"), which can be downloaded from the FERC website (www.ferc.gov), eLibrary, under Docket No. PF14-22-000.

As discussed in detail in Resource Report 2, NED Project construction and operation is not anticipated to have any major impacts on groundwater quality or supply (i.e., quantity). During construction, Tennessee will implement Best Management Practices ("BMPs") designed to avoid, reduce, and/or eliminate potential

impacts on groundwater, as detailed within the project Specific Environmental Construction Plans for the State of New Hampshire and Tennessee's Project-specific Plan and Procedures (which Plan and Procedures incorporate the FERC's Plan and Procedures (Draft ER, Volume II, Appendices J through N and Volume II, Appendix H, respectively). Other issues, including but not limited to, equipment refueling and lubrication, well and spring sampling, and potential blasting impacts on groundwater quality and/or quantity are address in Resource Report 2.

In terms of potential impact to groundwater quality that may result from operation of the proposed compressor station, there is also very little chance of groundwater impact. The only potential source of groundwater contamination would be the result of spills of liquids stored on the compressor site. However, only small quantities of liquids would be stored on site. The only source of liquids stored on site would be liquids produced from filtering or separators that result from pipe inspection and cleaning ("pigging") operations. Tennessee expects very small quantities of these liquids because the source natural gas is very dry, and as stated above, the natural gas being transported has already been treated and processed prior to its entry into the interstate pipeline network so the impurities have been removed. Benzenes and other pollutants that may be present as a result of production of the natural gas have been removed prior to custody transfer into Tennessee's pipeline system.

Tennessee hopes the above information is helpful and we want to thank you for taking the time to stop by our open house meeting in New Ipswich and sharing your concerns. If you have any questions or require additional information, please contact me at (860) 763-6033 or Jim.Hartman@kindetmoruan.com

Very truly yours,

James D. Hartman

Agent - Right of Way SR II

20151020-0033

**Nashua Regional Planning Commission
Energy Facilities Advisory Committee (EFAC)
Status Report as of 09/16/2015**

{ see copy in 20151014-5063 above }

20151020-0043

Michael R Doualas
142 Pleasant Street
Wakefield, MA 01880

Please do not approve this pipeline as it is NOT NEEDED in our area%. We have never had a gas shortage and Kinder Morgan wants to use this pipeline to go to Beverly, MA where it will be exported to Europe. Why do electric and gas rate payers have to pay for this profit making pipeline for Kinder Morgan. Existing pipelines have more than enough capacity for our area.

20151020-0044

Hand written card, Melanie Masdea-Dignum & Edward Dignum, 40 Summit Road, Richmond, MA 01254: opposing

20151020-0063

Hand written card, Patricia Lee, 11 Catherine Dr, W. Peabody, MA 01960: opposing

20151020-4001

Mascenic Regional School Board

16 School Street
Greenville, New Hampshire 03048
Tel. 603-721-0160

Jeff Salmonson, New Ipswich
Jim Kingston, New Ipswich

Earl Somero, Chairman
New Ipswich

Tara Sousa, Greenville

October 13, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, 1A
Washington, DC 20426-0001

RE: Tennessee Gas Pipeline, LLC
Northeast Direct Project (NED)
Docket No. PF14-22

Dear Secretary Bose,

We are the School Board of the Mascenic District that serves New Ipswich and Greenville, New Hampshire. The Boynton Middle School that is located in New Ipswich is attended by children from both Greenville and New Ipswich. Our Middle School is located just about 1 1/2 miles from the 40,000 horse power compressor station that is proposed by the NED project. Our Boynton Middle School students use the outdoor sports facilities that are located just outside the 1 mile radius from the compressor station. Kinder Morgan/Tennessee Gas have left their options open regarding the size of this compressor station stating that it may increase to an 80,000 compressor station if necessary. We request that the Tennessee Gas Pipeline's FERC application be denied for the following reasons:

The emissions including numerous toxins from the compressor station are known to produce serious health effects. We know from the research that the emissions from a 40,000 horse power compressor station will easily pollute the air at the Boynton Middle School. We also are well aware that as the size of the compressor station increases so does the tonnage of emissions per year and the distance those emissions travel. As our staff and children spend countless hours during the school year at this close proximity, the air that they will be breathing will expose them to this polluted air that will be drawn into the

HV AC system. Any outside activities conducted at the school complex during the school year and summer breaks will further expose our children and staff. To reiterate, this contamination will expose our students and staff to a long list of chronic health issues. More and more research is appearing constantly regarding this exposure and its effects on health.

Throughout the school year, our Boynton Middle School sports teams use the sports facilities that are located just outside the 1 mile radius from the compressor station. Here again, the children and coaching staff will be exposed to the toxin air when participating in what should be "healthy" activities.

If FERC is considering approving the (NED) application, we request that FERC require the following:

Kinder Morgan/Tennessee Gas will pay for a pre-construction baseline health survey of the students and staff at the Boynton Middle School, conducted by professional public health practitioners. The commitment of the study will continue for a 10 year period, during which time health practitioners will professionally monitor health profiles on an annual basis.

An air quality monitoring facility located at the Boynton Middle School with round the clock reporting to a qualified independent agency charged with timely evaluation of the results.

Due to the fact that the New Ipswich and Greenville fire departments are volunteer units, Kinder Morgan/Tennessee Gas must pay for the development of a safety plan. Training must take place in order to keep our Boynton Middle School students and staff as safe as possible in the event that a pipeline or compressor station emergency situation arises.

We request that you pay attention to our concerns and take action to eliminate the health and safety risks that this project would bring to our students and staff.

Thank you for your consideration,
The Mascenic School Board
Earl Somero, Chairman

20151020-5003

Caroline Zuk, Dracut, MA.
Dear Commissioners,

As a lifelong resident of Dracut, MA, I am concerned about the long term environmental effects of the proposed Kinder Morgan Pipeline Project (Docket # PF-14-22-000) will have on our community after the supply of natural gas has stopped and the pipelines are no longer needed.

My concerns further involve environmental protection guidelines for compressor stations in general. If emissions cannot be further defined, if safety concerns for residents cannot be guaranteed, if noise levels are unpredictable, if protection against terrorism remains a potential threat, if remote controlled (programmable logic devices) cannot be secured from cyber attacks, if design specifications are not subject to independent review, then this project presents a recipe for disaster.

Please do not issue a certificate to proceed. The number of complaints coming from residents who have experienced encounters with Kinder Morgan/Tennessee gas is appalling.

Kinder Morgan's newsletters promising support of residents' concerns without a qualified detached third party to monitor delivery of such solutions on the part of Kinder Morgan is nothing short of irresponsible.

Please make every effort to assure every environmental concern pertaining to potential pollution to our environment and public safety is taken into full consideration.

Please consider alternative energy solutions. As little as twenty five years from now, the Kinder Morgan project positions itself to be not needed and we will all be left to deal with nothing more than industrial junk, underground to degrade the natural water sources we need to protect and sustain the food chain and generations to follow.

Thank you for taking the time to review this project in its entirety as I feel this project is too haphazard to be granted any type of certification to proceed.

Best regards,
Caroline Zuk
100 Old Parker Road
Dracut, MA 01826
Email: sajagirl23@comcast.net

20151020-5004

Lisa Harris, Dracut, MA.

I have concerns regarding this pipeline project, particularly with the proposed compressor station in Dracut, MA, which would cause a major safety risk to the community. I do not feel comfortable with my family and neighbors passing through an "incineration zone" on their way to and from school and work every day. I understand that a major disaster at the compressor station would cause loss of property and life for those in the "incineration zone." I have been to many meetings and heard testimony from several people living near a compressor station, regarding the change in air quality. They are unable to open their windows due to the smell. They also described the noise pollution they must endure day and night. Dracut residents in the area of the proposed compressor station have private wells for their drinking water. Any discharge of chemicals from this compressor station could impact the ground water feeding these wells and ultimately the health

of Dracut citizens. Many Dracut residents are turning to solar generated power as a green alternative and encouraging their neighbors to do the same. It hardly seems fair to put more gas pipes and a compressor station in our community when we can't and won't use it for our own power needs. I respectfully ask that you please consider the impact this pipeline project would have on Dracut and listen to our collective concerns. Thank you, Lisa Harris

20151020-5214

Energy Facilities Siting Board 8/3/15 / FERC Statement 8/11/15

Re: Tennessee gas Pipeline/Northeast Direct FERC Docket# PF 14-22-000

As a resident and **Selectman in Dracut**, a majority of opinions that have been expressed to me have been against the pipeline project or an overwhelming feeling of frustration that the project is coming and there is nothing we can do to stop it. I want to thank you for coming and hearing our concerns. Most clear are my residents' concerns regarding a decrease in their property values, safety issues and residual effects to the agricultural activity of our rural farming community.

As Chairman of the Board of Selectmen, I brought the need for a resolution to oppose the NED pipeline to my colleagues, and voted to uphold such a resolution.

As Selectman, I have been attending meetings of the Northeast Municipal Gas Pipeline Coalition for over a year on behalf of my residents. The information that I have gleaned has helped me formulate the following opinion..

Given the other pipeline projects that are in process at this time which are less intrusive and have much less in new greenfield construction...

Given the varying estimates of the life expectancy of the Marcellus shale field..

Given the significant investments in conservation land throughout the state which this proposal will decimate..

and given the green energy initiatives that the state of Mass. has embraced..

it would therefore be my opinion that NED is not needed in Dracut or anywhere. I demand that FERC look at all of the above factors, not only whether or not NED has secured enough customers, in their opinion, to justify the NED project.

Additionally, an extension of timelines by FERC is absolutely warranted. For instance, in KM's new filings on 7/24, 10 new towns were listed as affected by NED however they were not notified of the EFSB hearings.

Light pollution from the proposed compressor station is concerning, especially given the close proximity of the proposed site to the Dunlap Sanctuary, East Richardson Preserve, Dennis McNamara Way, New Entry Sustainable Farming sites and extensive agricultural lands in our town. These fragile ecosystems house owls, coyote, fox, raccoons and many other nocturnal creatures. FracDallas.org quotes "Cycles of light and darkness are necessary to the production of plants, including food...Bright lights at night can adversely affect ..livestock breeding, foraging and sleep cycles as well as general health... In agriculture, animals such as dairy cows and chickens, this can lead to decreased production and weight loss that reduces agriculture revenues."

In environment about.com " (Over-lighting's) cost to us in terms of energy consumption is staggering. In the US alone, excessive use of light at night wastes over 2 million barrels of oil a day... In the USA, over 5 million birds a year that migrate at night die after becoming disoriented by lights and colliding with all towers. The breeding habits of turtles, toads, frogs and salamanders have all been reported as being damaged by excessive light. Many species of bats are threatened by suburban light; it creates no – go areas for them to search for food or meals. Certain moths..only mate on dark, moonless nights..It's the same for fireflies and glowworms..There is also concern at the sheer number of insects that are killed by flying into the lights at night..This has a great impact on ecosystems as so many animals and birds are dependent on them for

food.”

In physics.fau.edu we read that “bats seem to concentrate around..lights, looking for easy meals from insects captured around the lights. Such concentration could lead to faster disease transmission among predator species not to mention faster depletion of their food source. Studies demonstrate that 10-15 minutes exposure to moderately bright light ,equivalent to twilight levels ,can shift the circadian clock by 1-2 hours for nocturnal animals...Those animals that do not hibernate properly...need more time to find food for their survival. Lights at night therefore reduce the number of hours that they have to find food, leading to hungrier animals.” Where are they to go? Let’s extrapolate this to a station that is lit around the clock.

Although the above cites examples of the disastrous effects of over lighting on animals, there are several studies that cite the negative effects on people as well i.e insomnia, headaches and stress related symptoms.

Finally, Dracut is being burdened with a very large compressor station, 3 metering stations , a major line and 3 lateral extensions. Dracut will be affected in significant ways and it is unclear at best as to how residents will benefit, but it very clear to my residents as to how KM will benefit. This is unacceptable.

In closing, is it acceptable to expect rate payers to share the burden of the expense of a pipeline that only benefits a multibillion dollar for profit company, using eminent domain, and a tariff that is still under legal scrutiny? I think not. Thank you.

Cathy Richardson, Board of Selectmen, 316 Richardson Rd., Dracut, Ma. 01826

20151020-5216

{ duplicate copy of 20151020-5214 above }

20151021-0020

Hand written FERC Comment form: Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: concerns re “infrasonic hum”; opposing

20151021-0021

**Town of
LYNNFIELD**

CHRISTOPHER J. BARRED
PHILIP B. CRAWFORD
THOMAS D. TERRANOVA, JR.
JAMES M. BOUDREAU
Town Administrator

BOARD OF SELECTMEN

October 14, 2015

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

RE: Project docket number PF14-22

Dear Ms. Bose:

Please find enclosed a statement from the Board of Selectmen of the Town of Lynnfield in opposition to the proposed “Lynnfield Lateral” of the proposed Kinder Morgan/Tennessee Gas Pipeline expansion (project docket number PF14-22).

Sincerely yours,

**Town of
LYNNFIELD**

CHRISTOPHER J. BARRED
PHILIP B. CRAWFORD
THOMAS D. TERRANOVA, JR.
JAMES M. BOUDREAU
Town Administrator

BOARD OF SELECTMEN

Resolution Opposing the Expansion of the Tennessee Gas Pipeline in Lynnfield, Massachusetts

WHEREAS, a proposed High-Pressure Pipeline carrying natural gas may come through parts of Lynnfield 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 require maintenance in perpetuity of an expanded utility right-of-way through the possible use of herbicides; and

WHEREAS, said pipeline's proposed route could adversely impact the wells that the Town of Lynnfield relies on for drinking water; and

WHEREAS, said pipeline may adversely impact property values, adversely impact residents' safety, livelihood and otherwise may negatively impact the town's rural 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. ("TPG", a subsidiary of Kinder Morgan Energy Partners, L.P.), potentially making ratepayers bear financial risk for the endeavors of a private corporation; and

WHEREAS, federal eminent domain powers will be used to forcibly take pipeline easements from unwilling landowners;

NOW THEREFORE BE IT RESOLVED THAT the Selectmen of Lynnfield, 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 Lynnfield residents, visitors, or property; and
3. Hereby request that our state and federal legislators and executive branch officials enact legislation and take any such 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.

BOARD OF SELECTMEN

Philip B. Crawford, Chairman
Thomas D. Terranova, Jr., Vice-Chair
Christopher J. Barrett, Clerk

20151021-0022

Hand written FERC Comment form: Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: concerns re emissions & pollution; opposing

20151021-0023

Hand written FERC Comment form: Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151021-0024

Hand written FERC Comment form: Frank Noah, 28 Parker Road, Brookline, NH 03033: opposing

20151021-0025

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

{typed but poor scan quality}

October 15, 2015

Dear Ms. Bose,

I am writing to you about my concerns of the Tennessee Gas Pipeline Company, L.L.C. Docket No. PF14-22-000, who is planning to run a pipeline, through my property. I live in Richmond NH on RTE 32, I am against this project for many reasons. First of all there's a small pond under the power lines that is fed by springs from my land and across the road. The well near the house is the one I use to drink from. It is a free flowing well extra water runs through a pipe all the time into the pond. Who pays for another well if it gets polluted by leachate? I have two more wells that are in a ravine on my land. One is encased with concrete casing which in the 1980's seeped into the house.

The other well was built with field stone. although not usable there may be some historic value. It would be a shame to have them DESTROYED because they are in the way of a new line. My trees which I only have a few of them would be cut down gone. my land would be graded flat and changed for ever. What do I expect out of this??.?

My home. the main part of the foundation was built with field stone. I fear that if any blast of rock nearby could cause damage to the foundation and my house would fall down. Who would pay for the damage if that happens??.??

I live on a high concentration of spring water. in the early Spring months I've seen water bubble right out of the ground. My homestead sits on the aquifer. part of the Rice Brook valley although I live up on the hill the water is plentiful and clean. Why do I want a pipeline 'To Go I'house My Land?????

Sincerely:

Mark J. Baurceard
457 Old Homestead Hwy
Richmond. NH 03470

20151021-0026

Hand written FERC Comment form: Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

{Editor's note: substandard (200 dpi) scanning rendered accurate OCR impossible and much of the smaller text illegible even in the scans. Where possible I have found references and provided links to the original research papers which were included in this 46 page submission}

Arsenic in our state

I would like to talk about As, the 20th most abundant element, naturally occurring in the earth's crust.

It is No. 1 on the EPA's list of hazardous substances

Arsenic in nature Is usually found in sedimentary or igneous rock joined or mixed to other elements. Because it is an element it does not break down, but underground water flowing over arsenic rich rock may be contaminated with high concentrations of a toxic form of arsenic.

40% of New Hampshire residents use private wells - Most residents of most towns, and all residents of some towns along the route of NED (like NI) use private wells.

1/5 of wells sampled in southern NH contain arsenic levels greater than 10 parts per billion- the EPA standard

NH = granite bedrock = arsenic

This is a huge concern as NED blasts through granite and through many aquifers, (3 in New Ipswich alone) on its route through southern NH

A study by Professor Tullis Onstott from Princeton U. shows his concern about Similarly high concentrations of arsenic in Hunterdon County NJ, and the affects of its release during the building of the PENN EAST pipeline there.

The study's results emphatically illustrate our concern about the same thing occurring during construction of NED in Southern NH.

Professor Onstott gives an example in layman's terms. If you took a 1 kg. rock containing 100 ppmillion of arsenic (a fist size rock) and broke it up and leached out all the arsenic and put it in a 1 liter bottle of say Fugi water, the concentration would be 250 parts per billion.

To reach a minimum contamination level you would need to add an additional 50,000 litres of or 12 % thousands gallons of pure well water.

But how much of this arsenic containing rock could be blasted, excavated, broken up, exposed to air, and reburied in a 100ft. trench within the ROW during construction?

He estimates about 75,000 KG in a 100 ft. long trench. Not a lot of rock, but if it contained 100 ppm of arsenic, he estimates 75,000,000,000 litres of water would be needed to dilute it to reach acceptable EPA levels.

If anything like this were to happen -IT MAY NOT BE ABLE TO BE FIXED.

Considering the fact that KM/TGP at this point has contracts for only 38% or .5 bet of the 1.2 bet that will flow through this pipeline, none of which will be available to my town, and only 22% if they pipeline is again made 36", as stated is possible in the fine print -I say considering the severe threat to southern NH's drinking water-

The only conclusion the FERC and this EIS should come to is NO BUILD!

Sincerely,

Maria Schmauz
311 Timbertop Rd
New Ipswich, NH 03071

{map and text omitted}

Mobilization of iron and arsenic from soil by construction and demolition debris landfill leachate.

Wang Y1, Sikora S, Kim H, Dubey B, Townsend T.

Abstract

Column experiments were performed to examine (a) the potential for leachate from construction and demolition (C&D) debris landfills to mobilize naturally-occurring iron and arsenic from soils underlying such facilities and (b) the ability of crushed limestone to remove these aqueous phase pollutants. In duplicate columns, water was added to a 30-cm layer of synthetic C&D debris, with the resulting leachate serially passed through a 30-cm soil layer containing iron and arsenic and a 30-cm crushed limestone layer. This experiment was conducted for two different soil types (one high in iron (10,400mg/kg) and the second high in iron (5400mg/kg) and arsenic (70mg/kg)); also monitored were control columns for both soil types with water infiltration alone. Despite low iron concentrations in the simulated C&D debris leachate, elevated iron concentrations were observed when leachate passed through the soils; reductive dissolution was concluded to be the cause of iron mobilization. In the soil containing elevated arsenic, increased iron mobilization from the soil was accompanied by a similar but delayed arsenic mobilization. Since arsenic sorbs to oxidized iron soil minerals, reductive dissolution of these minerals results in arsenic mobilization. Crushed limestone significantly reduced iron (to values below the detection limit of 0.01mg/L in most cases); however, arsenic was not removed to any significant extent.

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{ citation at: <http://www.ncbi.nlm.nih.gov/pubmed/22209032> }

Ultramafic-derived arsenic in a fractured bedrock aquifer

Applied Geochemistry

By: P.C. Ryan, J. Kim, A.J. Wall, J.C. Moen, L.G. Coenthals, D.R. Chow, C.M. Sullivan, and K.S. Bright

DOI: 10.1016/j.apgeochem.2011.01.004

Abstract

In the fractured bedrock aquifer of northern Vermont, USA, As concentrations in groundwater range from <1 to 327??g/L (<13-4360nm/L) and these elevated occurrences have a general spatial association with ultramafic rock bodies. The ultramafic rocks in this region are comprised mainly of serpentinites and talc-magnesite rocks with average As concentration of 93ppm and a range from 1 to 1105ppm. By comparison, the other main lithologies in the study area are depleted in As relative to the ultramafics: the average As concentration in metabasaltic rocks is 4.1ppm with a range of <1-69ppm, and mean As concentration in meta-sedimentary phyllites and schists is 22ppm with a range of <1-190ppm. In the ultramafic rocks, As is correlated with Sb and light rare earth elements, indicating that As was introduced to the ultramafic rocks during metasomatism by fluids derived from the subducting slab. Evidence from sequential chemical extraction, X-ray diffraction (XRD) and stoichiometric analysis indicates that the majority of the As is located in antigorite and magnesite (MgCO₃) with lesser amounts in magnetite (Fe₃O₄). Hydrochemistry of monitoring wells drilled into fractured ultramafic rock in a groundwater recharge area with no anthropogenic As source reveals above background As (2-9??g/L) and an Mg-HCO₃ hydrochemical signature that reflects dissolution of antigorite and magnesite, confirming that As in groundwater can be derived from ultramafic rock dissolution. Arsenic mobility in groundwater affected by ultramafic rock dissolution may be enhanced by alkaline pH values and relatively high HCO₃⁻ concentrations. ?? 2011 Elsevier Ltd.

{ citation at: <https://pubs.er.usgs.gov/publication/70033931> }

In cooperation with the

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA NEW ENGLAND), NEW HAMPSHIRE DE-

**ARSENIC CONCENTRATIONS IN PRIVATE BEDROCK WELLS IN SOUTHEASTERN NEW
HAMPSHIRE**

U.S. Geological Survey Fact Sheet 051-03

2003

This fact sheet is available in pdf format.(1.1MB)

Major Findings:

- Nearly one-fifth (19 percent) of randomly selected private bedrock wells tested in southeastern New Hampshire contain concentrations of arsenic that exceed 0.010 milligrams per liter, the U.S. Environmental Protection Agency's maximum contamination level for public water supplies.
- An estimated 41,000 people in Hillsborough, Rockingham, and Strafford Counties may have private bedrock wells with concentrations of arsenic that exceed 0.010 milligrams per liter.
- Arsenic concentrations are similar in all three counties; however, the spatial distribution of arsenic concentrations that exceed 0.010 milligrams per liter is variable and relates to geology.
- Although most of the well owners (90 percent) reported that they use the water from their bedrock well for drinking, less than 14 percent had tested for arsenic prior to this study.

{ full report at <http://pubs.usgs.gov/fs/fs-051-03/> }

New Hampshire Department of Environmental Services

Environmental Fact Sheet

WD-DWGB-3-2 2012

Arsenic in New Hampshire Well Water

Wells drilled into New Hampshire's bedrock fractures have about a 1 in 5 probability of containing naturally occurring arsenic above 10 parts per billion. In addition, wells within short distances (~50 feet) can present very different water quality because of our highly fractured bedrock. Arsenic in water has no color or odor, even when present at elevated levels. Therefore, the only way to determine the arsenic level in your well water is by testing.

{full report at <http://des.nh.gov/organization/commissioner/pip/factsheets/dwgb/documents/dwgb-3-2.pdf> }

Arsenic Likely in Nearly 40 Percent of New Hampshire's Groundwater

Summary:

The report and data are posted online.

PEMBROKE, N.H. –Nearly 40 percent of New Hampshire's bedrock groundwater likely contains at least low levels of naturally occurring arsenic, according to a new U.S. Geological Survey report.

<http://www.wrrc.unh.edu/arsenic-likely-nearly-40-percent-new-hampshire's-groundwater>

<http://pubs.usgs.gov/sir/2012/5156/>

http://pubs.usgs.gov/sir/2012/5156/pdf/sir2012-5156_ayotte_508.pdf

Dartmouth Toxic Metals Superfund Research Program

The Facts on Arsenic

<http://www.dartmouth.edu/~toxmetal/arsenic/facts-on-arsenic.html>

20151021-0046

Hand written card, Virginia O. Ansbergs, 133 East Main Street, Plainfield, MA 01070: opposing

20151021-0049

Hand written card, David Haynes, 6 Chamberlain Rd, New Boston, NH 03070: opposing

20151021-0050

Hand written card, A. La?, 84 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151021-0052

Hand written card, Karen Miller, 161 Ashburnam Rd, New Ipswich, NH 03071: opposing

20151021-0053

Hand written card, Whitney Freeman, 6 Chamberlain Rd, New Boston, NH 03070: opposing

20151021-0054

Hand written card, Karen Miller, 161 Ashburnam Rd, New Ipswich, NH 03071: opposing

20151021-0055

Hand colored card, Leigh Cameron, 139 Stonebridge Dr, Dracut, MA 01826: opposing

20151021-0056

Hand written card, Karen Miller, 161 Ashburnam Rd, New Ipswich, NH 03071: opposing

20151021-0057

Hand written card, Frank Scaduto, 1385 State Rd, Richmond, MA 01254: opposing

20151021-0058

Hand written FERC Comment form: Karen Miller, 161 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151021-0061

Kimberly Bose, Secretary
FERC
888 First Street, N.E.
Washington, DC 20426

STOP THE NED PIPELINE!!

Protect NH land from Eminent Domain!

I oppose. the Kinder Morgan Northeast Energy Direct (NED) EXPORT pipeline. The pipelines, and compressor station will scar the NH landscape and put our water, wildlife, forests, agricultural lands and rural character at risk. These include health and safety risks from emissions, industrialization, pollution and the devastating effects of fire and explosions. Greed, not need is fueling this project. Say NO to this private company that will TAKE OUR LANDS with NO BENEFIT TO US.

Kathy Dery

27 Sumac St
Exeter, NH 03833

20151021-0062

{ same text as 20151021-0061, signed by: }

James M. Harrison
130 Castle Hill Rd
Windham, NH 03087

20151021-0063

{ same text as 20151021-0061, signed by: }

Janice D. Harrison
130 Castle Hill Rd
Windham, NH 03087

20151021-0064

{ same text as 20151021-0061, signed by: }

Carole Fonsemie
7 Chester Rd, Unit #306
Derry, NH 03038

20151021-0065

{ same text as 20151021-0061, signed by: }

Corey Sw?
3 Autumn St
Windham, NH 03087

20151021-0066

{ same text as 20151021-0061, signed by: }

Paul Sullivan
3 Autumn St
Windham, NH 03087

20151021-0067

{ same text as 20151021-0061, signed by: }

Linda Leahy
PO Box 922
Windham, NH 03087

20151021-0068

{ same text as 20151021-0061, signed by: }

Jean Frasser
52 Searles Rd
Windham, NH 03087

20151021-0069

{ same text as 20151021-0061, signed by: }

Sheila Prunier
241 East Rd
Hampstead, NH 03841

20151021-0070

{ same text as 20151021-0061, signed by: }

Karen Carchia
28 Pleasant St
Windham, NH 03087

20151021-0071

{ same text as 20151021-0061, signed by: }

Sam Hassen
52 Searles Rd
Windham, NH 03087

20151021-0072

{ same text as 20151021-0061, signed by: }

Maureen Kingsley
12 Nevins Rd
Londonderry, NH 03053

20151021-0073

{ same text as 20151021-0061, signed by: }

Sandra Johnson
5 Autumn St
Windham, NH 03087

20151021-0074

{ same text as 20151021-0061, signed by: }

Nancy Starner
19 Autumn St
Windham, NH 03087

20151021-0075

{ same text as 20151021-0061, signed by: }

Sandra Johnson
5 Autumn St
Windham, NH 03087

20151021-0076

{ same text as 20151021-0061, signed by: }

Dan Michaud
6 Autumn St

Windham, NH 03087

20151021-0077

{ same text as 20151021-0061, signed by: }

Krissy Michaud
6 Autumn St
Windham, NH 03087

20151021-0078

{ same text as 20151021-0061, signed by: }

William Starner
19 Autumn St
Windham, NH 03087

20151021-0082

Hand written card, Kevin Bendler, 7 Williams Farm Rd, New Ipswich, NH 03071: opposing

20151021-0083

Hand written card, Donald Severance, 36 Main St, Frankestown, NH: opposing

20151021-0084

Hand written card, ? Caile, 66 Old Jaffren Rd, Peterborough, NH: opposing

20151021-0085

Hand written card, Larry Thibodeau, 20 Ashburnam Rd, New Ipswich, NH 03071: opposing

20151021-0086

Hand written card, Liz M?, 402 Spring Hill Rd, Sharon, NH 03458: opposing

20151021-0087

Hand written card, Melissa Stanton, 1213 Farmstead, KS 67208: opposing

20151021-0088

Hand written card, Andrew Acker, 1213 Farmstead, Wichita, KS 67208: opposing

20151021-0089

Hand written card, K.E. Korpi, 20 Woodland Hts, Apt 109, Peterborough, NH 03458: opposing

20151021-0090

Hand written card, Karen Thibodeau, 20 Ashburnam Rd, New Ipswich, NH 03071: opposing

20151021-0091

Hand written card, Kathy Fedorken, 107 Kullgren Rd, Temple, NH 03084: opposing

20151021-0092

Hand written card, John L. Pierce, 79 Mansfield Rd, Temple, NH 03084: opposing

20151021-0093

Hand written card, ? Pierce, 79 Mansfield Rd, Temple, NH 03084: opposing

20151021-0094

Hand written card, Joseph Cournoyer, 19 Main Street, Temple, NH 03084: opposing

20151021-0095

Hand written card, Scott Ezell, 624 Brosnan Ct, South San Francisco, CA: opposing

20151021-0096

Hand written card, Daniel Cournoyer, 19 Main Street, Temple, NH 03084: opposing

20151021-0097

Hand written card, Marilyn Ezell, 47 Mtn View Rd, Temple, NH: opposing

20151021-0098

Hand written card, Peggy Cournoyer, 19 Main Street, Temple, NH 03084: opposing

20151021-0099

Hand written card, Bill Ezell, 47 Mountain View Rd, Temple, NH: opposing

20151021-0100

Hand written card, Alison Ezell, 619 Danbury Rd, Ridgefield, CT: opposing

20151021-0101

Hand written card, Elizabeth Peters, 6 Gray Hill Rd, Peterborough, NH 03458: opposing

20151021-0102

Hand written card, Arthur Leavitt, 177 Robbins Rd, Rindge, NH 03461: opposing

20151021-0103

Hand written card, Robin Leavitt, 177 Robbins Rd, Rindge, NH 03461: opposing

20151021-0104

Hand written card, Susan Bowles, 698 NH Rte 123, Sharon, NH 03458: opposing

20151021-0105

Hand written card, Michael T. Darnell, 89 Kullgren Rd, Temple, NH 03084: opposing

20151021-0106

Hand written card, S. Benotti, Temple, NH 03084: opposing

20151021-0107

Hand written card, Ruth E ?, 3 Lythia Spring Rd, Temple, NH 03084: opposing

20151021-0108

Hand written card, Deboarah Person, 44 High Range Dr, New Ipswich, NH 03071: opposing

20151021-0109

Hand written card, Camilla Lockwood, 56 Perkins Lane, Temple, NH 03084: opposing

20151021-0110

Hand written card, Thomas Westheimer, 310 Southfield Ln, Peterborough, NH 03458: opposing

20151021-0111

Hand written card, Ruta King, 17 1st Tavern Rd, Jaffrey, NH 03452: opposing

20151021-0112

Hand written card, Priscilla A. Westen, 79 Colburn Rd, Apt A, Temple, NH 03084: opposing

20151021-0113

Hand written card, Bob Ritchie, 158 NH 119 West, Fitzwilliam, NH 03147: opposing

20151021-0114

Hand written card, David Person, 44 High Range Dr, New Ipswich, NH 03071: opposing

20151021-0201

Hand written card, Amanda Carvill, 84 Ashburnham Rd, New Ipswich, NH 03071: opposing

20151021-5002

Gina Rosati, Merrimack, NH.

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

October 20, 2015

RE: Kinder Morgan/Tennessee Gas Pipeline Company, LLC (KM/TGP)
Docket No. PF14-22-000
Northeast Energy Direct (NED) Pipeline Project

Dear Secretary Bose:

Kinder Morgan's surveyors, Hatch Mott MacDonald were spotted in several locations along the original route near the high school in Amherst, NH and near the power lines in Merrimack, NH trying to enter Horse Hill Nature Preserve from two different entrances.

Kinder Morgan/TGP wonders why so many people in New Hampshire don't trust them, and here's one example. They were told to keep their surveyors off Merrimack land unless there was a Merrimack town official with them. Now they are sneaking around trying to survey without permission and without a Merrimack town official with them. The police were called and they were told to leave.

If Kinder Morgan/TGP cannot respect a simple request from the town, how can we expect them to build a safe and reliable gas pipeline?

Sincerely,

Gina Rosati
Merrimack, NH

20151022-0006

{duplicate copy of 20151016-5451 above }

20151022-0007

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
Northeast Energy Direct Project

Dear Secretary Bose:

It is time to acknowledge the truth.

We are told to ‘trust the process’. How many examples of FERC’s disregard for private property and the public will it take before everyone will acknowledge the truth? FERC does not and will not protect our property, health or safety. Those of us living in the forprofit sacrifice zones (referred to by corporate/governmental agencies as “host communities”) are overwhelmingly opposed to having our towns, property, water, health and future destroyed for corporate profit.

I oppose the Northeast Energy Direct and all other fossil fuel infrastructure projects being proposed by industries whose profits are derived from destroying our atmosphere and planet. Fossil fuel-driven industrial globalization is not only unsustainable, it is a death sentence for humanity.

I understand perfectly well that nothing I say will sway FERC’s decision because you are not bound to honor any ruling from the Court of Public Opinion. You believe you are the designated commission for permitting the Northeast Energy Direct pipeline, but I am writing to tell you that in fact you are not. We the People are. And the Constitution of the State of Massachusetts has got our back:

“All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.”

Those of us living in the profit sacrifice zones are very aware of all the invasive, cruel, destructive greed-driven projects FERC rubber-stamps. Many of us are living with the devastation already and many more are living with the threat of having our world destroyed.

Recently FERC became the target of citizens who were protesting to keep their communities from becoming extraction colonies for the Corporate Elite. When former FERC Chairman Cheryl LaFleur acknowledged the protestors by saying the Federal Energy Regulatory Commission has a “situation here” she sure was right. The situation FERC is experiencing is The People exercising their rights as laid out in the Declaration of Independence:

“Governments are instituted among Men, deriving their just powers from the consent of the governed,
-That whenever any Form of Government becomes destructive of these ends. it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

Let democracy ring,

Anna Fessenden
PO Box 594
Ashfield, MA 01330

20151022-0008

{ duplicate copy of 20151016-5351 above }

20151022-0033

Hand written card, Robert A. Douglas, 20 Longbow Circle, Lynnfield, MA 01940: opposing

20151022-0034

Kimberly Bose, Secretary
FERC
888 First Street, N.E.
Washington, DC 20426

STOP THE NED PIPELINE!!

Protect NH land from Eminent Domain!

I oppose. the Kinder Morgan Northeast Energy Direct (NED) EXPORT pipeline. The pipelines, and compressor station will scar the NH landscape and put our water, wildlife, forests, agricultural lands and rural character at risk. These include health and safety risks from emissions, industrialization, pollution and the devastating effects of fire and explosions. Greed, not need is fueling this project. Say NO to this private company that will TAKE OUR LANDS with NO BENEFIT TO US.

Bernice Richards
212 Range Road
Windham, NH 03087

20151022-0035

{same text as 20151022-0034, signed by}

Kara Sullivan
197 Madison St #4
Portsmouth, NH 03801

20151022-0040

United States Senate
Washington, DC 20510

JEANNE SHAHEEN
NEW HAMPSHIRE

October 19, 2015

Norman Bay, Chaitman
Federal Energy Regulatoqr Commission
888 Fixst Stmet, NE
Washington, DC 20426

Dear Chairman Bay:

I write to the Federal Eneqgr Regulatoqr Commission (FERC) regsxding Kindet Morgan's proposed North-east Energy Ditect (NED) Project, Docket N. PF14-22-000. Many of my constituents have fotwanhd me copies of the comments they have submitted to the Docket for this project. I am enclosing those comments with this letter for yout review.

As you will see, my constituents have raised a number of concetns that warrant consideration by FERC. While reviewing information relative to the proposed NED Project, I trust that you, yom feJIow Commis-sioners and your staffs will carefully consider the comments of all stakeholders of the impacted communi-

ties. Pursuant to the National Environmental Policy Act (NEPA), I also expect that the Commission will conduct a thorough analysis of all potential impacts of the proposed NED route in New Hampshire, as well as all possible alternative routes and configurations that lessen potential impacts to the region.

It is imperative that New Hampshire residents are provided ample opportunity to participate in the FERC permitting process in a meaningful way. The pre-filing comment period is a critical piece in that process and I trust that the comments my office has received, along with all New Hampshire comments submitted to Docket No. PF14-22-000, will play a key role in your continued analysis of the NED project.

Thank you in advance for your careful consideration.

Sincerely

Jeanne Shaheen
United States Senator

20151022-0041

October 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:

On behalf of the Pelham/Windburn Pipeline Awareness Outreach Subcommittee, we respectfully request that the Federal Energy Regulatory Commission reconsider "NO BUILIX" or the Tennessee Gas Pipeline (TGP) Company's proposed Kinder Morgan Northeast Energy Direct (NED) Project. While we have many concerns, we have grave concerns regarding the issues of compressor stations, particularly since the issues surrounding the Dracut MA compressor station crosses state lines.

The compressor station in Dracut MA is located less than a mile from our Pelham NH borders. It causes us great concern not only for us, but for our neighbors across the state line in Dracut, MA. We have never received clear information concerning the amounts, types and frequency of emissions that would be released from this compressor station. Nor have we received clear indication of the effects of these emissions concerning short term and long term health effects on both people and the wildlife (including the threatened loon populations of Little Island Pond and other water bodies in southern NH), water and farms in the path of these emissions. We have similar concerns regarding the larger compressor station in New Ipswich NH. The Dracut compressor station and the Pelham length of the pipeline is located too close to Little Island Pond and its watershed. The pipeline and compressor station are also located too close to a neighborhood in Dracut MA and the surrounding neighborhoods in Pelham, NH. This high-pressure, high-capacity station located in Dracut, MA will bring significant human safety risks to our families and the businesses nearby. In Pelham alone the pipeline affects over 500 families. (18 shutters and 380 in blast zone.)

We therefore request that significant research be done regarding the weather and wind patterns in this region to determine what effects the low altitude air flow and the higher altitude "atmospheric sewer" will have on our town and those in the region. Research concerning the effects of fracked gas 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 needs to be done. Endocrine disrupting chemicals (EDCs) present unique hazards, particularly during fetal and early childhood growth and development and that needs to be clearly documented that that will not be an issue here in NH or with our neighbors in Dracut. We do not want to be exposed to any of these toxic substances. In addition to the compressor station, leakage from existing pipes in the region is well documented and substantial and need to be repaired before any new pipelines are considered.

Based on these issues we again ask that you recommend, "NO BUILD".

Respectfully submitted,

Pelham/Windham Pipeline Awareness Outreach Subcommittee

{ 7 signatures with addresses }

20151022-0042

**FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426**

OFFICE OF THE CHAIRMAN

The Honorable Chris Gibson
U.S. House of Representatives
Washington, DC 20515

October 20, 2015

Dear Congressman Gibson:

Thank you for your September 25, 2015, letter regarding the Northeast Energy Direct (NED) Project, proposed by Tennessee Gas Pipeline Company in (Docket No. PF14-22-000).

There were three main issues raised by Supervisor Fleming: extension of time to comment on the project; access to Critical Energy Infrastructure Information (CEII); and answers and outstanding information that Tennessee Gas has not provided to date. The NED Project is currently within our pre-filing environmental review process. That process allows Commission staff to actively participate with stakeholders, including local governments and elected officials, in order to identify environmental issues of concern, and discuss potential solutions before a formal application is filed. On September 3, 2015, we issued a Notice of Public Scoping Meeting for the Northeast Energy Direct Project and Extension of Scoping Comment Period, that extended the public scoping comment period to October 16, 2015. As always, the Commission will accept and consider written comments from any interested stakeholder at any time during the pre-filing and application review process.

It has been the practice of the Commission not to release materials filed as CEII. However, our pre-filing procedures do require the applicant to file responses to public comments. Therefore, we expect Tennessee Gas to address Supervisor Fleming's questions in its formal application, or in a separate filing. If there are data gaps in the application, Commission staff will send out a data request to address those issues. Lastly, Commission staff will address all the environmental issues raised by Mr. Fleming, including the impacts associated with the planned compressor station in the Town of Nassau, in a forthcoming draft environmental impact statement (EIS). The draft EIS will be published and distributed for a 45-day public review and comment period.

The Commission strives to make its review of energy proposals both accessible and transparent to the public. I hope this information has been helpful. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay
Chairman

20151022-5061

Lawrence Panfil, Dracut, MA.

I am a concerned resident of 17 Cart Path Rd. We have a neighborhood of about 60 homes with families, a lot of small children. As Kinder Morgan/Tennessee Gas has proposed to add even more gas pipe lines to an area with one already going through the middle of our community, I strongly urge you to decline their

proposal. I already have a gas line running directly behind my backyard.

I don't think that a new high pressure line coexisting with high tension electrical lines, also within a 1/2 mile from an active blasting quarry is very safe. Brox's blasting shakes our houses almost weekly, and I can't imagine that it would be a good idea for those to all be close to each other. Explosions involving pipelines of this size and pressure occur often - and are catastrophic, with the fire being fed by many miles of fuel between shut-off stations, leading to prolonged, extremely high-temperature burn.

These woods that we're talking about are often trafficked by 4 wheelers, snowmobiles and motorbikes. They are also used for hunting. Not that I hunt, but I can't imagine a bullet is a good idea for a pipeline either.

As someone who also has very sensitive hearing, I am also deeply concerned about a nearby compressor station (especially of this size) to be running 24/7. One of the reasons that we all moved out here, away from Boston and the city was to be away from such noises and pollutants.

Last but not least, the area behind Cart Path Rd was set aside as land all shared by our neighborhood for conservation purposes, that is supposed to be kept away from the exact thing that they are proposing. Construction would leave permanent degradation of the landscape, private properties, wildlife, forests, agricultural land, and residential wells. Not good for farm area, where we also get our food.

Please help ensure that this does not come to our neighborhood, and vote against this pipeline.

20151022-5076

Robert Ritter, Dracut, MA.

We do not want this project in our neighborhood. A high pressure line coexisting with high tension electrical lines within A 1/2 mile from an active blasting quarry is not a good idea in my opinion. A loud compressor station in our neighborhood would also disrupt a peaceful and enjoyable place to live.

20151022-5119

Tom Jackson, Dracut, MA.

Dear FERC,

My name is Thomas Jackson and I live at 46 Cart Path Rd in Dracut, MA 01826. I am writing to you to protest the project, docket #PF14-20-000, as a concerned abutter. I am concerned for the safety of my neighborhood, specifically a high pressure gas line that would coexist with high tension wires. This is also less than .5 mile from a quarry they do frequent blasting. Also the noise from a nearby compressor will have a negative environmental impact on our area. This is my written statement, as an affected property abutter to this project, that I protest this project going forward. Docket # PF14-20-000

Thomas Jackson
46 Cart Path Rd
Dracut MA

20151023-0014

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

October 22, 2015

OFFICE OF THE CHAIRMAN

The Honorable Kimberly Driscoll
North Shore Coalition
Mayor of Salem, Massachusetts
93 Washington Street
Salem, MA 01970

October 22, 2015

Dear Mayor Driscoll:

Thank you for your September 10, 2015, letter regarding the Northeast Energy Direct (NED) project, proposed by Tennessee Gas pipeline Company in Docket No. PF14-22-000.

On June 30, 2015, we issued a 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 (NOI), which initiated the scoping period and indicated the locations, dates, and times for public meetings. The meeting locations and dates were selected to be convenient for the greatest number of people who might be interested in the project. Commission staff held four meetings in Massachusetts. In addition, on September 3, 2015, the Commission issued a supplemental notice that extended the scoping period to October 16, 2015.

While scoping meetings are a valuable tool for the Commission to receive comments from the public, they are only one of several ways for interested parties to bring their concerns to the Commission's attention. Stakeholders may also file written comments with the Commission. Those comments will receive the same attention and scrutiny as comments received at public meetings. I encourage you and the residents of cities and towns on the North Shore to continue to participate in the review of the project and to file any comments that you believe will help the Commission's consideration of this matter.

As in any Commission matter, please be assured that we strive to make our reviews of proposals both accessible and transparent to the public. If I can be of any further assistance in this or any other Commission matter, please let me know.

Sincerely,

Norman C. Bay
Chairman

20151023-4005

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

September 17, 2015

Agencies in Attendance (list of attendees is attached):

- Federal Energy Regulatory Commission (FERC)
 - 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 Parks and Recreation
- NY State Department of Public Health
- NY Department of Transportation
- MA Attorney General's Office
- MA Department of Conservation and Recreation (MA DCR)
- MA Department of Environmental Protection (MA DEP)
- MA Department of Public Utilities Siting Board (MA DPU)

- NH Department of Environmental Services (NH DES)
- NH Public Utilities Commission (NH PUC)
- NH Division of Historical Resources (NH SHPO)
- NH Department of Transportation (NH DOT)
- Berkshire Regional Planning Commission
- Southwest Regional Planning Commission
- Franklin Regional Council of Governments
- Nashua Regional Planning Commission
- Northern Middlesex 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:

- Status
 - o Final scoping meeting scheduled in Rindge, NH at Franklin Pierce University Field House for September 29, 2015
 - o FERC will be conducting site visits and setting up meetings with regional planning commissions to coincide with the scoping meeting next week.
 - o Formal Comment Period has been extended to October 16, 2015
 - o FERC is in the process of finalizing data request to send to Tennessee Gas on the July Resource Reports.
 - o Tennessee Gas planning to submit Application to FERC on October 23, 2015.
 - o FERC will be meeting with the Northeast Tribes on October 9, 2015 in CT.
- Tennessee Gas status update:
 - o Surveys
 - Continuing to survey accessible lands in all states crossed by the project.
 - Completed surveys on 10 miles of recently accessible land in NH
 - Threatened and Endangered (T & E) species
 - ≠ Surveying mussels this week in CT.
 - ≠ Ongoing plant surveys in PA
 - ≠ Completed acoustical surveys for bats. Bat hibernaculum mist netting surveys ongoing in NY through October
 - ≠ Working on internal plans for turtle surveys in MA
 - Cultural resource surveys ongoing where they have access
 - Survey accessibility is approximately the same as reported on the last agency call.
 - o Meetings
 - Continuing to meet with all state agencies
 - Working on Site Evaluation Committee (SEC) application in NH. Tennessee Gas plans to file the NH SEC application soon after the FERC application is filed.
 - Tennessee Gas will be attending FERC Tribal Meeting October 9, 2015.
 - Finishing up the last of the five Open Houses this week in NH. Number of attendees ranged

from approximately 40 to 100 people for each meeting.

- Miscellaneous:
 - o Contact FERC regarding Section 106 Consultation
 - o FERC Commissioner may be giving an interview to Boston Globe next week and could speak about the NED project.
 - o Agencies that wish to become a cooperating agency need to send request in writing or email to Eric Tomasi at FERC ASAP.
 - As a cooperating agency, you will be able to help write and comment on the Environmental Impact Statement (EIS) documents prior to their release to the public.
 - Agencies cannot be an Intervenor if they are a cooperating agency.

Next Call

- Agency call will be held every 2 weeks.
- Call for October 1, 2015 cancelled.
- Next call scheduled for October 15, 2015.

List of Attendees	
Organization	Name
FERC	Eric Tomasi
FERC	Elaine Baum
FERC (Cardno)	Wayne Kicklighter
FERC (Cardno)	Lorraine Woodman
FERC (Cardno)	Jennifer Harris
FERC (Cardno)	Jackie Layton
USACE	Brad Sherwood
USEPA	Tim Timmerman
USFWS	Tim Sullivan
PA DCNR Forestry	David Mong
NYSDEC	Stephen Tomasik
NYSDEC	Mark Wythall
NYSDEC	Patty Desnoyers
NYS Parks and Rec	Diana Carter
NY DOT	Cathy Nusca
NY Department of Public Health	Jane Thapa
MA Attorney General	Matt Ireland
MA DEP	Michael Stroman
MA DCR	Jennifer Howard
MA DPU – Siting Board	Ashley Ferrer
NH PUC	Bob Wyatt
NH DES	Owen David
NH DOT	Melodie Esterberg
NH SHPO	Edna Feighner
Nashua Regional Planning Commission	Tim Roache
Berkshire Regional Planning Commission	Tom Matuszko
Southwest Region Planning Commission	Henry Underwood
Southwest Region Planning Commission	Tim Murphy
Northern Middlesex Council of Governments	Beverly Woods
Franklin Regional Council of Governments	Peggy Sloane
Tennessee Gas	Michael Letson
Tennessee Gas	Matt Nowak

Tennessee Gas	Mark Hamarich
Tennessee Gas	Jacquelyne Rocan
Tennessee Gas	Kasia Ingram
Hatch Mott	Theresa Albanese
Hatch Mott	John Quinlisk
AECOM	Eileen Banach

20151023-5234

W. Stuart Loosemore, Worcester, MA.
October 23, 2015

Mr. Norman C. Bay, Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: eFiling Docket PF14-22

Dear Chairman Bay:

The **Worcester Regional Chamber of Commerce** is the largest Chamber of Commerce in New England, representing approximately 2,300 from 35 cities and towns in central mass and beyond. The Chamber advocates for its members on a broad range of issues that have both positive and negative impacts on their ability to operate a successful business. In recent years the topics of regulatory compliance, healthcare coverage and energy costs have dominated the issues and discussion brought forth by our members.

The ever increasing costs of energy in New England have created an environment where some businesses are no longer discussing expansion, but instead are looking at contraction or relocation. (See: New England has the highest energy costs in the U.S. – EIA, Table 5.6.A. Average Price of Electricity to Ultimate Customers by End-Use Sector, Table 5.6.A. Average Price of Electricity to Ultimate Customers by End-Use Sector, http://www.eia.gov/electricity/monthly/epm_table_grapher.cfm?t=epmt_5_6_a) Like all businesses their motivation is survival and the Chamber continues to be an advocate for their success and long-term viability in Central Massachusetts.

Saint-Gobain Abrasives, a manufacturing institution in our area, has seen a thirty seven percent (37%) increase in their overall electricity costs between 2013 and 2015. Further, their natural gas expenditures went from \$5.1 million in 2013 to \$6.1 million in 2014. Adding this together, their Worcester, Massachusetts operations have the highest natural gas and electricity costs in comparison to all of their North American operations. These continually increasing costs certainly factor into the decision making process as the company analyzes their business models and operations moving forward.

Additionally, it is estimated that 5 million homes in the Northeast heat with oil averaging 850 to 1,200 gallons in the winter months alone. (See: EIA, Heating Oil Explained, Factor Affecting Heating Oil Prices – Basics, available at: http://www.eia.gov/energyexplained/print.cfm?page=heating_oil_factors_affecting_prices - “A homeowner in the Northeast might use 850 gallons to 1,200 gallons of heating oil during a typical winter, while consuming very little during the rest of the year.”) This accounts for 87 percent of U.S. residential heating oil sales. (See: Ibid)

Furthermore, as we look to transition from relying on oil energy production to renewable energy production there must be a bridge fuel. We recognize natural gas as being the safer and environmentally sound alternative as we seek that renewable energy future. Natural gas, with sufficient infrastructure in place, is a more reliable alternative to meeting emergency power needs. Natural gas plants can go “online” in a relatively short period of time, whereas oil or coal plants need time to “ramp-up” their production. (See: MIT Energy Initiative, “Managing Large-Scale Penetration of Intermittent Renewables” (4.20.11) - “Natural gas-fired power plants provide the greatest generation flexibility to mitigate large-scale penetration of intermittent

renewables with ramp rates of 8% per minute. New natural gas combined-cycle (NGCC) plants continue to improve their capabilities for responding to the intermittency of renewable generation.”) Delays are critical in the event of a major event or shortfall of energy production and could lead to public safety matters.

We want to grow business here in Massachusetts and to aid our region in growing jobs and investment. The Chamber aims to provide our members with an environment where they can compete and be part of a more emission friendly initiative potentially leading to a more renewable future.

On behalf of the Worcester Regional Chamber of Commerce and our 2,300 members I respectfully request that the Commission support the proposed pipeline projects. Increasing the natural gas supply to our region will lower energy costs and improve emissions.

Thank you for your consideration and please do not hesitate to contact me with any questions.

Respectfully Submitted,

Timothy P. Murray
President and CEO
Worcester Regional Chamber of Commerce
446 Main Street, Suite 200
Worcester, MA 01608
Tel. (508) 753-2924

20151023-5255

United States Department of the Interior
NATIONAL PARK SERVICE
Northeast Region
United States Custom House
200 Chestnut Street
Philadelphia, PA 19106

IN REPLY REFER TO:

A.1.2.(NER-RSS)

October 22,2015

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

Subject: FERC Docket PFI4-22-000 - 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 additional comments on the Notice of Intent (NO I) 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. This second set of

comments submitted by NPS address potential impacts of the proposed project on the New England National Scenic Trail.

I. The New England National Scenic Trail

The New England National Scenic Trail (NET) is a 215-mile hiking trail route that has been in existence for over half a century. The NET travels through 40 communities in Connecticut and Massachusetts, and is comprised primarily of the historic Mattabesett, Metacomet, and Monadnock (M-M-M) Trail systems.

The National Park Service manages the New England National Scenic Trail in accordance with the Trail Management Blueprint described in the 'Metacomet Monadnock Mattabesett Trail System National Scenic Trail Feasibility Study and Environmental Assessment', (Spring 2006) and referenced in the Omnibus Public Land Management Act of 2009 (Public Law 111-11 Subtitle C Section 5210-02). Consistent with the Trail Management Blueprint, NPS administers the New England National Scenic Trail's planning, acquisition, protection, operation, development, and maintenance through a partnership-based management framework with the two primary trail partners, the Appalachian Mountain Club and Connecticut Forest and Park Association.

Since the federal designation in 2009, there have been some noteworthy changes to the historic route, including a 15-mile extension to Long Island Sound in Connecticut and a 22 mile eastward deviation from the historic Metacomet-Monadnock Trail in Massachusetts.

The NET experience celebrates classic New England landscape features: long-distance vistas with rural towns as a backdrop, agrarian lands, large unfragmented forests, and scenic river valleys. The trail also connects with colonial historical landmarks and highlights a range of diverse ecosystems and natural resources: mountain ridges and summits, forested glades, wetlands and vernal pools, lakes, streams and waterfalls.

Of note to the proposed NED project is the NET's Richardson-Zlogar Cabin in the project area, near the proposed Market Path Mid Station 3 compressor station. See Figure 1. Located on NET Section 17 in Northfield Massachusetts, the Richardson-Zlogar Cabin offers unparalleled views of Mt. Ascutney, Mt. Monadnock and Mt. Wachusett. Designed for year-round use, the Cabin provides space for up to sixteen and is supplemented by two tent platforms. In 2011, NET landowners and trail maintainers Sam and Barbara Richardson donated a Conservation Restriction to the Town of Northfield on a 38-acre lot on Stratton Mountain. The cabin components were purchased by the National Park Service and built by Appalachian Mountain Club-Berkshire Chapter volunteers in the Fall of 2011 and the Spring of 2012, whose combined efforts contributed over 1,000 hours of work.

{photo omitted}

Figure 1: Richardson-Zlogar Cabin on the New England National Scenic Trail in the vicinity of the Proposed NED Market Path Mid Station 3 compressor station.

II. Potential Impacts

NPS has concerns regarding potential impacts to the NET, and the thousands of trail users, from the proposed NED pipeline and associated infrastructure. The NED pipeline proposes to cross the NET seven times over the course of the pipeline route by NPS estimations from the NED project maps available. See Figure 2, Massachusetts; Figure 3, Northern Connecticut; and Figure 4, Southern Connecticut below. These crossings would be disruptive to trail users in the short and long term as detailed below. Of particular concern are the impacts to trail users from the Market Path Mid Station 3 compressor station, located approximately 1/2 mile from the Richardson-Zlogar Cabin.

Trail Crossings and the User Experience

As noted, NPS estimates there would be seven crossings of the NET over the course of the proposed pipeline route in MA and CT. This is a large number of crossings over a relatively short distance and would likely result in adverse impacts to Trail users during both the construction and operations phases. In the short term, pipeline construction would present safety hazards to trail users, could require reroutes adding

considerable distance to their hikes, and would disrupt the sights and sounds they expect to enjoy while hiking. In the longer term the hiking experience would be altered: the visual landscape trail users enjoy could be degraded by the open corridors created by the maintained rights-of-way (ROW), and could encourage illegal use by motorized vehicles utilizing the pipeline corridor to gain access to the NET, thereby increasing health and safety issues for hikers. Operations phase impacts to trail users could include decreased air quality, increased noise, and negative night sky impacts from nearby pipeline infrastructure. NPS recommends all of these impacts to NET trail users be analyzed and disclosed in the environmental impact statement (EIS) prepared for the proposed NED pipeline.

{3 maps omitted}

Figure 2: The proposed NED pipeline crossings of the New England National Scenic Trail in Massachusetts.

Figure 3: The proposed NED pipeline crossings of the New England National Scenic Trail in northern Connecticut.

Figure 4: The proposed NED pipeline crossings of the New England National Scenic Trail in southern Connecticut.

Pipeline Infrastructure Impacts on the Trail User

The Market Path Mid Station 3 compressor station has the potential to adversely impact NET trail users. The location of additional proposed infrastructure (valve control units, pig launchers and receivers, etc.) should be disclosed so the effects of these units on the NET trail user can be understood. Specific resource concerns include air quality, noise, night sky, and health and safety impacts to the trail user.

Air

The air quality trail users enjoy could be negatively impacted by the construction and operation of the Market Path Mid Station 3 compressor station. In its Resource Report 9 on air and noise, Tap identified federal and state air quality permitting requirements for the nine new and one modified compressor stations proposed for the Northeast Energy Direct Project. There is no emission data for the compressor station at this time; the DEIS should include these emission levels. Report 9 includes air quality analysis of proposed or modified compressor and metering stations, and a variety of modeling analyzes to be completed. These modeling analyses will be required by state air quality requirements; NPS is not requesting any additional modeling work to be conducted. The DEIS analysis should specifically address air quality impacts to Trail users, including those staying at the Richardson-Zlogar Cabin. NPS will review the modeling results as they are completed and released, in addition to proposed mitigation measures.

Noise

Compressor stations, and assorted pipeline infrastructure such as valve control units, pig launchers and receivers, etc. all add noise to the surrounding environment. Trail users use the NET for the nature-based visual and auditory environment it provides. Pipeline infrastructure has the potential to significantly degrade that environment. NPS manages sounds and noise to restore and maintain natural conditions wherever possible. The DEIS should analyze the impacts pipeline infrastructure may have on the noise the NET trail user experiences. NPS is particularly concerned with the noise impacts to trail users staying at the Richardson-Zlogar Cabin, due to its proximity to the proposed Market Path Mid Station 3 compressor station. The Cabin and the compressor station would be located 3/4 mile apart.

Assessing Impacts to the Acoustic Environment

Resource Report 9 on noise focuses the analysis on regulatory thresholds designed to protect humans in residential areas from negative effects of noise. Full environmental analysis of noise would examine a suite of metrics which are appropriate for the array for resources impacted. Other considerations could examine whether existing sound levels exceed certain decibel (dBA) values that relate to human health and speech. At 35 dBA, human and wildlife sleep can be interrupted [4], [2]. The World Health Organization recom-

mends that noise levels inside bedrooms remain below 45 dBA [3]. At 52 dBA, a listener wouldn't clearly hear another person speaking in a raised voice at 10 meters. [1] All of these resources may help to more fully analyze the impacts of pipeline infrastructure on trail users and overnight guests at the Cabin.

The NPS recommends that the DEIS include an acoustic analysis that:

- Includes the NET environment as areas that can potentially be affected by noise
- Uses appropriate metrics to assess potential environmental impacts
- Determines the natural ambient acoustic condition that exists at the Trail and Cabin
- Assesses the effects from the cumulative noise output of all of the equipment on site (compressor, fans, lube oil coolers, utilities, etc.) under full operating conditions
- Determines the distance at which noise from construction, operation, and maintenance of the compressor will attenuate to natural ambient levels
- Calculates noise levels in the area of the Trail in which the noise associated with the compressor station would be above natural ambient levels.
- Assesses the effects that these noise levels would have on trail users, particularly overnight visitors.

NPS can provide technical assistance and guidance on conducting this type of analysis.

Noise Mitigation

NPS recommends measures are taken to mitigate noise impacts. These can include:

- an acoustically designed compressor building;
- high performance turbine exhaust and air inlet systems;
- low noise turbine lube oil coolers;
- unit blowdown silencers.

Night Skies

Trail users, particularly those who stay overnight on the trail, value the dark night skies the NET provides. NPS works to protect natural lightscapes and prevent the loss of dark conditions and of natural night skies. Pipeline infrastructure could degrade that experience for the trail user. The DEIS should analyze the impact of these potential effects. The analysis should include a lighting plan and specific measures that would be taken to mitigate impacts to the naturally dark conditions near the Trail and Cabin.

The NPS recommends the EIS analyze and consider incorporation of the following general lighting principles.

- Light only where needed
- Light only when needed
- Shield lights and direct them downward
- Select lamps with warmer colors (avoid blue-white)
- Use the minimum amount of light necessary
- Select the most efficient lamp and fixture

Health and Safety

The areas around compressor stations sometimes have to be evacuated for safety reasons. Explicit safety planning to make sure visitors staying at the Richardson-Zlogar Cabin are contacted and transported from the area in such an event must be included in an overall safety plan. At this stage of the project, the DEIS should analyze the impacts of ensuring contact and providing transportation out of the area to trail users who will by their nature be on foot.

III. Conclusion

NPS would be interested in meeting with FERC and the project proponent to discuss the overall project, the NET crossings, pipeline infrastructure and ways to reduce or eliminate impacts.

The NPS, New England National Scenic Trail representative and lead contact is Charles Tracy, Superintendent, at charles.tracy@nps.gov or (617) 223-S210.

We appreciate efforts to consider and address NPS concerns regarding the proposed pipeline. While this, and our previously submitted comment letter, together address 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-S066.

Sincerely

Frank R. Hays, Associate Regional Director
Resource Stewardship and Science, Northeast Region

References

1. Environmental Protection Agency (EPA). 1974. Information on Levels of Noise Requisite to Protect the Public Health and Welfare with an Adequate Margin of Safety.
2. Federal Interagency Committee on Aviation Noise (FICAN). 1997. Effects of Aviation Noise on Awakenings from Sleep
3. Berglund, B., Lindvall, T., Schwela, D.H. (Eds.). 1999. Guidelines for Community Noise. World Health Organization, Geneva.
4. Haralabidis Alexandros S., et. al. 2008. "Acute effects of night-time noise exposure on blood pressure in populations living near airports" European Heart Journal Advance Access published online on February 12, 2008

{full report (9 pages, 5.5 MB) can be downloaded at: }

{ <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14022767> }

20151026-0008

{ duplicate copy of 20151016-5314 above }

20151026-0010

**To: Federal Energy Regulatory Commission
888 First St.NE Rm 1A Washington, DC 20426
From: Pelham Pipeline Awareness group
RE: Docket PF 14-22 Kinder Morgan Pipeline
Date: Sept 15,2015**

The Marcellus Shale fields are pumping out frecked product and so the push is on to build pipelines to EXPORT natural gas with all the risk, but no benefit to the communities that they cross. In NY, MA and NH we are facing the Kinder Morgan Northeast Energy Direct (NED) Project

In NH and Dracut Ma, this involves over 75 miles of pipe, two 22,000 - 44,000 hp compressor stations and valves every 10 - 20 miles. In NH they plan to drill under the Merrimack River twice and the Souhegan River 6 times, potentially unleashing the heavy metals in the sediments - consequences from the industrial activities of the mills a hundred years ago - and potentially contaminating the drinking water of towns downstream. Over 5,000 landowners are abutters and 5 times that are in "incineration zones" should an accident occur.

We cherish our rural character and culture and we are deeply concerned that our lands will be taken by

Eminent Domain - all for the profit of one of the largest pipeline transport companies in the US, - Kinder Morgan, started by former executives of ENRON.

We are worried about pollution from emissions, loss of habitat, contamination of our water supplies, and destruction of local food systems as well as the unintended consequences of industrialization including noise, light and air pollution. We cannot get clear answers about what is emitted during blowdowns and leaks, and there is little research about the health effects to people, wildlife or livestock. Kinder Morgan indicates that their pipelines are safe, yet accidents have increased and their track record nation wide is extremely poor. Kinder Morgan states that this is needed, yet there are over 17 other energy projects under consideration in NE alone and energy usage is going down in NE thanks to conservation measures. Further research shows that the number of pipes that are leaking methane is enormous — large enough to keep pipe-fitters working for ten years. Greed not need is fueling this project.

The Kinder Morgan project is a bad one for NH, for the nation and for world environmental health. We firmly oppose this pipeline project and ask that you recommend, “NO Build”.

Thank you for your attention.

Jay Kovtvas
15 Field Road
Windham, NH 03087

20151026-0011

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

Oct. 15, 2015

John Yurka
63 Cranberry Rd
Dracut, MA 01826

Ref. Dracut, MA compression station & high pressure gas line
Tennessee Gas Pipeline Company, L.L.C. / Kinder Morgan

Good Morning

A few questions for FERC. Who do we contact to get some answers on this compression plant/pipeline? I think its very important to get a government investigating this compression plant answers to these questions. It is going to effect our health, lives and property values of approximate 500 homes and 1000 people in the blast zone.

1. At our Dracut, MA town meeting, FERC told us that Kinder Morgan told them there will be no change in our homeowners insurance. Yet when I called my insurance company, they said I would not be covered for any issues caused by the gas line or compression station. I would have to bring Kinder Morgan to court. I ask you; what chance does a home owner have against a 100+ Billion dollar company? I think its safe to say NONE! How can the government allow no coverage for pipeline/compressions station damage or our health for the homeowners in the blast zone?
2. At the Dracut town meeting FERC said they had lots of information for us but do not have time at the meeting. When will Dracut get this information? Hopefully not after the reviews & approvals have past.
3. When is FERC going to address to Dracut the great many safety/violations issues we see on the web for Tennessee Gas Pipeline Company, L.L.C./ Kinder Morgan? We also see articles on Kinder Morgan reducing standard maintenance. After reading the web info, why does Kinder Morgan have a license to build anything any where? I see on the web many articles on violations, safety issues, explosions both large and small, deaths, polluted water/land, lawsuits, etc where they have built. Why are they allowed to continue to build when there are so many issues where they have been based on the web? Shouldn't they have to solve the is-

sues where they have been before building new issues?

4. In 2009 Kinder Morgan was cited by PHMSA for building the pipeline in a high consequence area. What is different from that citation and Dracut? Within the blast zone of the compression station are hundreds of homes and approx. a 1000 or more people living. The Geography Division U.S. Census Bureau says Dracut is a high consequence area. Please explain to Dracut what is the difference is?

5. There are also many web articles on how Kinder Morgan is currently reducing the maintenance on the gas lines. In 2011 Kinder Morgan was cited by the PHMSA for safety issues for what looks to be standard maintenance issues. Wall Street wrote about how horrible their safety record is. Another article found that their own safety records show they have the worst safety record in their own industry. Another article wrote Kinder Morgan has been cited by the U.S. government in 24 incidents which led to five federal enforcement actions from 2006 to 2014. How safe is Dracut's people from the compression station when we consider all the violations, reduced maintenance, safety issues and a automated compression plant? Please answer.

6. Several years ago Dracut had a gas line from Canada to Dracut. We were told that gas line was to solve the northeast energy issues for the future. Why do we need another gas line from PA & Ohio that is many times larger 30/36 inch diameter at a great higher pressure of 1400psi? Was Dracut lied to when the last gas line was presented to us or are we being lied to now for the new gas line or is there another answer? Please explain.

7. We hear the northeast needs the gas. From the web and town meeting my understanding a 30/36 inch diameter high pressure gas line is to transport gas over long distances. The web and at the town meetings we were told that Kinder Morgan has applied for gas export licenses in three place including Maine and also told part of the gas is going to Canada and over seas. Something seams wrong if these things are correct. Canada is sending gas through Dracut and now Kinder Morgan want to send gas back to Canada. Why? Is Canada going to resell the gas back to us on the other gas line?

8. Why do property owners along this pipeline have to sacrifice our property values hundreds of millions so Kinder Morgan can sell their gas over seas for their profit of hundreds of millions? We have worked for 47 years and to loose our home value so a 100 billion dollar company can make more money at our cost is wrong. Please explain.

9. FERC has worked with Kinder Morgan for many years in many towns. Why doesn't FERC tell us how much we can expect our property values will decrease before the compression plant is approved? You must have this data.

10. Gas lines and compression plants are not new. What are the actual chemicals being vented from the compression plants - what health effects are there short & long term from the gases - how many waterways have been polluted from building and operation - what are long term economic & health issues - how much noise pollution is there 1/4, 1/2 & 1 mile from the plant - does Kinder Morgan need to take a bond to protect Dracut - what happens if a major explosion happens - how close is Kinder Morgans response team (assuming there is a team) if a problem occurs - etc. This info I would think should be available from years of operation in other towns. Why hasn' Dracut received this info?

11. Is the government mandating this pipeline to be created or is it Kinder Morgan? If government - who/ what department/agency and what was their reason?

12. Is Kinder Morgan going to take a bond out to cover any damage during and after the construction? If not, why not? Or does Kinder Morgan just have to go bankrupt to get out of any major problems and the people loose everything?

13. Is this project already approved and we just don't know it yet?

I truly do not want to get involved with the Dracut compression plant or pipeline. I also did not believe my neighbors about all the negative things about this compression plant at first. As a father of a family that lives in the blast zone, I felt I should at least look into it a little. Having the chance of my family/home being blown up at any moment from a automated high pressure compression plant by a company that the web says

has the worst safety record in its industry or the web saying the air pollution life issues is not comforting living day to day.

I found that FERC had very little facts to tell us in the town meeting. Which left me looking on the web. What I found on the web about Kinder Morgan & Tennessee Gas scared me! I asked myself, is this info on the web good info - If not good, then why hasn't FERC or Kinder Morgan get the bad info removed from the web'?

As a father I think it's horrible of FERC and other government agencies not to give the people of Dracut facts before we had the town meeting. FERC and other agencies have worked with Kinder Morgan on hundreds if not thousands of towns before Dracut over the years. These other towns I am sure asked the same questions Dracut is now asking. FERC should already know most of the answers to the questions Dracut asked. Yet FERC, to my knowledge, has not given Dracut this info. What Dracut got is incomplete, inaccurate Kinder Morgan information. To have so many Dracut lives and hundreds of millions in property values at stake with little government information I find even more scary. And what are we not being told???????

How do we get answers to these questions?

Sincerely

John Yurka

PS Google Web searches used for data

Kinder Morgan safety - Tennessee Gas Safety - Kinder Morgan violations - Tennessee Gas violations- Kinder Morgan lawsuits - Tennessee Gas lawsuits - Kinder Morgan OSHA violations - Tennessee Gas OSHA violations - Kinder Morgan PHMSA violations - Tennessee Gas PHMSA explosions, Tennessee Gas explosions - Kinder Morgan violations - Tennessee Gas EPA violations - Tennessee Gas OSHA violations, etc.

20151026-0012

{ 3 separate letters bundled into one submission }

October 12, 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
Roger & Joan Crooker
cc:FERC docket number PF14-22

{same text, addressed to}

Senator Ayotte,

{same text, addressed to}

Senator Shaheen,

20151026-0013

**Law Offices
of
Bernard T. Martin, Jr.**
West Hillgrove Avenue
Grange, Illinois 60525
Phone: (708) 579-1610
FAX (708) 579-3130

POSTED IN SITE, AND SENT CERTIFIED MAIL

October 16, 2015

Federal Energy
Regulatory Commission
888 First Street NE
Washington, DC 20426

Re: Docket 1PF14-22-000

Dear Members of the FERC Commission:

I am a land owner in southern New Hampshire, and the proposed pipeline will transverse my property.

I do not live in New Hampshire, and if I saw any indication that this pipeline would benefit my New Hampshire neighbors, or other residents of southern New Hampshire in any significant way, I would not comment; but I see no such evidence.

My family purchased this property back in the 1870s, and farmed and raised timber on it for many years. As a teenager in the 1960s, I spent many hours helping my Grand Uncle (then well into his 80's) tend the hundreds of pine trees he had recently set out for the use and enjoyment of future generations. We were taught that this was a legacy we all owed to the future. I am quite certain he did not envision that we were preserving it for a future gas pipeline.

In the years since, my sister and brother and I have purposely left the property vacant in field and woods. We thought this was a good investment in the future of the environment. We do not view this property as an economic investment, but instead view it as an investment in the beauty and resources of the Monadnock Region, and in our family's history. The air is still clear, and you can actually still smell the pines and the other aromas of nature. The water is generally fresh and clean. You can still arise in the morning and have a variety of birds serenade you. As Thornton Wilder said about the Monadnock Region in the iconic play "Our Town": "Things amund here don't change very much." With the coming of the pipeline, all things are likely to change significantly.

From all that I have read, our property, whic is mostly ledge rock in the pipelines route, will be blasted to kingdom come. The air will be subject to releases form the nearby compressor station, the water table will be in peril, and significant noise will be generated by the compressor station day and night. The gas pipeline

will run adjacent to a power line, which presents its own set of perils.

And for what purpose is all of this environmental sacrifice being made? It appears it is to allow the transport of gas across the region and exported in one fashion or another for the use of others. Only recently has the company proposed some accessibility to a few towns on the eastern side of the New Hampshire portion of the pipeline route, in what appears to be a last minute response to the objection that the pipeline doesn't serve the region. How has a need been established that will justify the use of eminent domain, and the future environmental impact on this regions

This may serve as three lessons to all who own property in rural areas: 1) don't leave it vacant of development, or it will be viewed as an easy and convenient route for any utility; 2) don't donate your land to any environmental preservation organization either, since big corporate interests have no hesitation to seize their properties with impunity; 3) if you want to own rural property, make sure it is in a very wealthy area, where you and your neighbors can afford to fend off large business and government interests. If it is in a less wealthy area, you will be an easy target.

Finally, Kinder Morgan stopped contacting me after its very first contact. I suppose I will be required to contact KM myself.

Please reject the application in Docket 1PF14-22-000.

Sincerely,

Bernard T. Martin, Jr.

20151026-0084

{duplicate copy of 20151016-4090 above }

20151026-0143

Kimberly Bose, Secretary
FERC
888 First Street, N.E.
Washington, DC 20426

STOP THE NED PIPELINE!!

Protect NH land from Eminent Domain!

I oppose. the Kinder Morgan Northeast Energy Direct (NED) EXPORT pipeline. The pipelines, and compressor station will scar the NH landscape and put our water, wildlife, forests, agricultural lands and rural character at risk. These include health and safety risks from emissions, industrialization, pollution and the devastating effects of fire and explosions. Greed, not need is fueling this project. Say NO to this private company that will TAKE OUR LANDS with NO BENEFIT TO US.

Tiffany Pacquette
4 Stagecoach Rd
S. Hampton, NH 03827

20151026-0144

{ same text as 20151026-0143, signed by: }

Adam Shannon
15 Autumn St
Windham, NH 03087

20151026-0145

{ same text as 20151026-0143, signed by: }

Haylea Allard
24 Elkins Rd
Kingston, NH 03848

20151026-0146

{ same text as 20151026-0143, signed by: }

Dennis Allard
95 Leandre Street
Manchester, NH 03102

20151026-0147

{ same text as 20151026-0143, signed by: }

Nancy Allard
95 Leandre Street
Manchester, NH 03102

20151026-0148

{ same text as 20151026-0143, signed by: }

Diane Decker
54 Springdale Rd
Manchester, NH 03103

20151026-0149

{ same text as 20151026-0143, signed by: }

Kevin J. Decker
54 Springdale Road
Manchester, NH 03103

20151026-0150

{ same text as 20151026-0143, signed by: }

Homer Shannon
15 Autumn St
Windham, NH 03087

20151026-0151

{ same text as 20151026-0143, signed by: }

Denise Shannon
15 Autumn St
Windham, NH 03087

20151026-0152

{ same text as 20151026-0143, signed by: }

Cathy Wahl
362 High St
Hampton, NH 03842

20151026-0153

{ same text as 20151026-0143, signed by: }

Robin Heider
11 Crestwood Rd
Windham, NH 03087

20151026-0154

{ same text as 20151026-0143, signed by: }

Judy Pagliarulo
4 Stillwater Rd
Windham, NH 03087

20151026-0155

{ same text as 20151026-0143, signed by: }

Edward W. Richards
212 Range Rd
Windham, NH 03087

20151026-0156

{ same text as 20151026-0143, signed by: }

Ellyn H. Burke
22 Kent St
Windham, NH 03087

20151026-0157

{ same text as 20151026-0143, signed by: }

Trisha Bench
38 Glance Rd
Windham, NH 03087

20151026-0158

{ same text as 20151026-0143, signed by: }

Paul F. Burke
22 Kent St
Windham, NH 03087

20151026-0159

{ same text as 20151026-0143, signed by: }

Ed Clark
12 Karen Rd
Windham, NH 03087

20151026-0160

{ same text as 20151026-0143, signed by: }

Karen J Clark
12 Karen Rd

Windham, NH 03087

20151026-0161

{ same text as 20151026-0143, signed by: }

Robert Terranova
2 Brockview Rd
Windham, NH 03087

20151026-0162

{ same text as 20151026-0143, signed by: }

Steve Allard
4 Stagecoach Rd
South Hampton, NH 03827

20151026-0163

{ same text as 20151026-0143, signed by: }

Tina Sereno
1296 Goffstown Rd
Manchester, NH 03102

20151026-0164

{ same text as 20151026-0143, signed by: }

J. Payne
26 Highland St
Hudson, NH 03051

20151026-5035

Eugene Ronikier, Plymouth, NH.

I support this project. The lack of capacity of NG flow into the New England states has created too much stress on the system. Please approve this improvement in the flow of needed NG to supply our needs.

20151027-0058

{ same text as 20151026-0143, signed by: }

Laura Rennie
1667 Union St
Manchester, NH 03104

20151027-0059

{ same text as 20151026-0143, signed by: }

Draive E. Glines
301 Circle Rd
Manchester, NH 03103

20151027-0060

{ same text as 20151026-0143, signed by: }

Meliussa Kitchin

178 Highland St
Manchester, NH 03104

20151027-0061

{ same text as 20151026-0143, signed by: }

Lawrence Glines
301 Circle Rd
Manchester, NH 03103

20151027-0062

{ same text as 20151026-0143, signed by: }

John Bassett
4 Netherwood Rd
Windham, NH 03087

20151027-0063

{ same text as 20151026-0143, signed by: }

Ron Brown
2 Gunstock Road
Plaistow, NH 03865

20151027-0064

{ same text as 20151026-0143, signed by: }

Charlie Zilch
PO Box 236
Nottingham, NH 03290

20151027-0065

{ same text as 20151026-0143, signed by: }

Alan C ?
17 Autumn St
Windham, NH 03087

20151027-0066

{ same text as 20151026-0143, signed by: }

Susan Kessler
5 Netherwood Rd
Windham, NH 03087

20151027-0067

{ same text as 20151026-0143, signed by: }

Brian Haynes
21 Newton Rd
Plaistow, NH 03865

20151027-0068

{ same text as 20151026-0143, signed by: }

Jim Selesky
140 East Rd
Hampstead, NH 03841

20151027-0069

{ same text as 20151026-0143, signed by: }

Sandra Stohl
88 Talent Rd
Litchfield, NH 03052

20151027-4001

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

October 15, 2015

Agencies in Attendance (list of attendees is attached):

- Federal Energy Regulatory Commission (FERC)
 - 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)
- NY State Department of Environmental Conservation (NYSDEC)
- NY Department of Transportation (NYDOT)
- MA Attorney General's Office
- MA Office of Energy and Environmental Affairs (EEA) – MA Environmental Policy Act (MEPA) Office
- MA Department of Conservation and Recreation (MA DCR)
- MA Department of Environmental Protection (MA DEP)
- MA Department of Fish and Game (MA DFG)
- MA Department of Public Utilities Siting Board (MA DPU)
- NH Department of Environmental Services (NH DES)
- NH Department of Fish and Game (NH DFG)
- Berkshire Regional Planning Commission
- Southwest Region Planning Commission
- Franklin Regional Council of Governments
- Nashua Regional Planning Commission
- Northern Middlesex 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 review the general status of the Northeast Energy Direct (NED) Proj-

ect, including the Project's schedule, field surveys, landowner coordination, and the National Environmental Policy Act (NEPA) process. Topics discussed included:

- Status

- o Final FERC scoping meeting held in Rindge, NH at Franklin Pierce University Field House on September 29, 2015

FERC also attended meetings with NYDOT, the town of New Ipswich, NH, the Southwest Region Planning Commission, and the Berkshire Regional Planning Commission.

FERC attended a meeting with the Tribes and Tennessee Gas on October 9, 2015 to discuss cultural resources surveys and additional tribal monitors.

- o FERC conducted site visits to several locations along the proposed route, compressor station sites, and alternative routes the week of September 28, 2015.
- o Data request sent to Tennessee Gas on October 8, 2015.
- o Formal scoping comment period closes October 16, 2015. Tennessee Gas must respond to all comments received during the comment period by this date. Any comments received afterwards from agencies will be addressed by FERC, or directed to Tennessee Gas for a response.
- o FERC is in the process of analyzing data filed by Tennessee, specifically related to the alternatives. Additional site visits may be scheduled before winter this year.
- o Tennessee Gas planning to submit the application to FERC on November 20, 2015. They are looking at additional information related to route changes suggested by towns and information regarding additional pipeline in PA.
- o Comments from the public and agencies will be addressed in the draft Environmental Impact Statement (EIS). There will be another comment period after the draft EIS, which would last 45 days or longer. Comments received during this comment period would be addressed independently in the Appendix of the next version of the EIS. FERC may address agency comments specifically in the draft EIS.

- Tennessee Gas status update:

- o Surveys

- Recently received permission from Eversource to survey. Surveys may be conducted on fee-owned land and any land in which Tennessee Gas has permission from the private landowner.
- Continuing environmental and cultural surveys on accessible lands in all states crossed by the project. Tennessee Gas is aiming to complete these surveys by December 1, 2015.
- Threatened and Endangered (T & E) species surveys will continue next year as applicable when the snow melts.

- o Meetings

- Three Open House meetings are scheduled in MA from 6:00 – 8:00 pm at the following locations:
 - ≠ Oct. 27 – Windsor, MA – Windsor Fire Department
 - ≠ Oct. 28 – Northfield, MA – Northfield Elementary School
 - ≠ Oct. 29 – Lynnfield, MA – Spinelli's Function Facility
- Continuing to meet with all state agencies to determine permit information.
- Tennessee Gas will be holding a meeting in Franklin, NY. Date of the meeting is still to be determined.
- Meeting was held with FERC and Tennessee Gas to discuss the project schedule and concerns related to survey permission, the EIS, and the projected start date for construction. If there

are any major changes to the routes, FERC will have to open up another scoping period, depending on the route changes and how many landowners need to be notified.

• Miscellaneous:

- USACE application and federal authorizations will be filed simultaneously with the FERC Application on November 20, 2015.
- Tennessee Gas is evaluating the MEPA document submission date. This document will likely be submitted in December 2015 or early 2016.
- Tennessee Gas anticipates submitting the NH Site Evaluation Committee (SEC) application in January 2016.
- Tennessee Gas is completing an in-depth analysis of the I-88 alternative in NY.
- Representatives from the State of MA met with staff at FERC to discuss federal preemption on Article 97 lands

Next Call

- Agency call will be held every 2 weeks.
- Next call scheduled for October 29, 2015.

20151028-0009

Kimberly Bose, Secretary
FERC
888 First Street, N.E.
Washington, DC 20426

STOP THE NED PIPELINE!!

Protect NH land from Eminent Domain!

I oppose. the Kinder Morgan Northeast Energy Direct (NED) EXPORT pipeline. The pipelines, and compressor station will scar the NH landscape and put our water, wildlife, forests, agricultural lands and rural character at risk. These include health and safety risks from emissions, industrialization, pollution and the devastating effects of fire and explosions. Greed, not need is fueling this project. Say NO to this private company that will TAKE OUR LANDS with NO BENEFIT TO US.

Bob & Roberta Murray
22 Rosemary Ct
Nashua, NH 03062

20151028-0058

{ skip to end of 20151028-0058 }

{ part 1 (pages 1-174) of a 333 page submission scanned at low resolution (200 dpi) which reduced legibility and limited OCR. The components of this submission included the following:}

Cover letter to FERC, 2 pages

Court filing in US District Court, *Lovelace et al v USA*, 31 pages

Exhibits, remaining 300 pages

{ omitted with some links provided }

in Part 1:

- 1 Letter Kinder Morgan to Lovelace June 4, 2015
- 2 Proposed Compressor is the Largest in the Country
- 3 Letters Kinder Morgan to Ness January 26, 2015 and March 6, 2015
- 4 Letter Kinder Morgan to Woolman Hill February 5, 2015
- 5 Letter Kinder Morgan to Margret (sic) Worcester December 12, 2014
- 6 Congressional Hearings Seventieth Congress S. Res. 83 (1928).

- 7 Senators Letter to DOE Urging Exports of Natural Gas. July 13, 2013
- 8 Senators Letter to DOE Opposing Exports of Natural Gas. February 11, 2015.
- 9 Northeast Energy Project. FERC's Notice of Intent to Prepare an EIS. Sent July 2, 2015
- 10 Letter Plaintiffs' Counsel to Kinder Morgan. December 30, 2014
- 11 Letter Kinder Morgan to Ness. Notice of Public Comments by Massachusetts Energy Facilities Siting Board. July 20, 2015.
- 12 Expert Report from David Keith June 8, 2015.
- 13 Berkshire Gas Accusation to Plaintiffs of Eco- Terrorism
- 14 Certified Court Transcript Board of Health of Deerfield's Hearings. September 9, 2014.

in Part 2:

- 15 Board of Health of Deerfield's Ruling. October 23, 2014.
- 16 Kinder Morgan Belated Response to the Ruling of Deerfield's Board of Health. November 17, 2014.
- 17 General Accounting Office. Report 2014.
- 18 Industry Expert Opinion by Paul Cicio. June 8, 2015.
- 19 Professor Benson's Article on the History of the Public Use Clause
- 20 US Information Agency Report on the Effect of Gas Exports on Markets.
- 21 Brief City of New London in the Supreme Court in *Kelo v, City of New London*.

LAW OFFICE OF CRISTOBAL BONIFAZ

180 Maple Street P. O. Box 180 Conway, Massachusetts 01341

Telephone 413-369-4263

Fax 413-369-0076

Electronic Mail: cbonifaz@comcast.net

VIA FEDERAL EXPRESS OVERNIGHT DELIVERY

October 27, 2015

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room IA
Washington, D.C. 20426

RE: Carolyn and Eric Ness, Mega Worcester, Michael and Kelly Paulsen, Holly and Gordon Lovelace, and Woolman Hill Inc., Comments in response to FERC Notice of Intent for the Northeast Energy Direct Project, Docket No. PF14-22-000.

Dear Ms. Bose:

The aforementioned individuals and corporation are directly impacted by the Northeast Energy Direct Project (NED) proposed by Tennessee Gas in Pennsylvania, New York, Connecticut, New Hampshire, and Massachusetts.

Your office issued on June 30, 2015 a request for comments from all parties regarding NED asserting that the EIS will discuss impacts that could occur as a result of the construction and operation of the planned Project under these general headings:

- geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- cultural resources;
- land use, recreation, and visual resources;
- socioeconomics;

- air quality and noise;
- cumulative impacts; and
- public safety.

You did not invite comments regarding the jurisdiction of FERC to entertain the proposed NED project on the grounds that most of the natural gas to be transported by NED is for export to foreign countries. In fact in all you documents FERC is derelict in not even requiring the NED proponents to specify what they plan to do with the gas since the amount of gas proposed to be transported is far in excess of the amounts that can be used in New England.

The aforementioned Plaintiffs do not believe that the Natural Gas Act grants PERC jurisdiction over the project on the ground that exportation of gas to foreign countries is not “public use” and therefore FERC’s assumed jurisdiction over NED is unconstitutional. Given their belief the aforementioned Plaintiffs filed a Complaint in Federal Court in Springfield on July 28, 2015 followed by an Amended Complaint filed on August 20, 2015. The filing of this case was extensively covered by the local press thus there is no reason for anyone to believe that you were not aware of these filings.

The United States notified Plaintiffs today that it plans to file a Motion to Dismiss the Complaint on the grounds that Plaintiffs proper place to raise these arguments is with FERC. The US does not explain how an agency that is operating on the assumption that it has jurisdiction to operate, can entertain, or has jurisdiction to entertain, a constitutional challenge of the statute on which PERC bases its jurisdiction.

Plaintiffs believe that the argument by the United States that FERC’s jurisdiction to entertain a challenge to the constitutionality of a statute, on which it bases its on jurisdiction, is wrong and will so argue in Springfield Federal Court on November 17, 2015.

Plaintiffs here nevertheless are filing their Amended Complaint and Exhibits as Comments with FERC given the view taken by the United States today in this matter.

Sincerely,

Cristobal Bonifaz, Esq.

Cc: All Plaintiffs

Enclosures: First Amended Complaint with Exhibits 1-21

{ skip to end of 20151028-0058 }

Case 3:15-cv-30131-MAP Document 5 Filed 08/20/15 Page 1 of 31

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION**

HOLLY AND GORDON LOVELACE,	
CAROLYN AND ERIC NESS,	
KELLY AND MICHAEL PAULSEN,	
WOOLMAN HILL INC.,	
MEG WORCESTER AKA	
MARGARET W. FRIEDRICH, AND	
THE MARGARET W. FRIEDRICH TRUST,	
Plaintiffs,	
v.	
THE UNITED STATES OF AMERICA	

C.A. NUMBER:
3:15-cv-30131 (MAP)

FIRST AMENDED COMPLAINT

I. SUMMARY OF THE CLAIM

1. The Fifth Amendment of the United States Constitution grants the United States the power to take private property for “public use,” by paying adequate compensation to property owners, as well as the right to grant such power to private entities. The sole issue in this litigation is the constitutionality of Section 15 U.S.C. § 717(a) of the Natural Gas Act 42 U.S.C. § 7111 et seq., which grants the United States power to allow private entities to take Plaintiffs’ real property by eminent domain, with adequate compensation, for the construction of pipelines to carry natural gas, **not for “public use” but for exportation to foreign countries.**

II. JURISDICTION

2. This action arises under the Constitution of the United States and the laws of the United States, including 15 U.S.C. § 717(a) and 42 U.S.C. § 7111 et seq. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 as this is a civil action arising under the United States Constitution and pursuant to 28 U.S.C. § 1346(a)(2) as this is a civil action against the United States not exceeding \$10,000.00, said action being founded upon the Constitution and an Act of Congress.

III. VENUE

3. Venue is proper under 28 U.S.C. § 1391(e) (1) (B) because the defendant is the United States; under 28 U.S.C. § 1391(e) (1) because the properties subject matter of this action are located in this district; and 28 U.S.C. § 1402(a) (1) (2) because all Plaintiffs reside in this district.

IV. PARTIES

A. Holly and Gordon Lovelace

4. Holly and Gordon Lovelace have lived in their idyllic 22-acre homestead in Northfield, Massachusetts since February 2007. It is an absolutely amazing property, including a barn, pond, stream, mixed woodlands, blueberries, blackberries, peach and pear trees and an extensive woodlot as well.
5. The home itself is 200 years old, having survived the Civil War, hurricanes, historic blizzards and at least one fire. It has three original fireplaces, a beehive oven and a floor plan nearly identical to one of the reproduction homes in Sturbridge Village. It is truly an historic home.
6. This historic home needed a lot of love -- and work. When the Lovelaces arrived, its basement was just a dirt floor and fieldstone walls.
7. Holly and Gordon installed a pea-stone base and lots of insulation. They refinished and made extensive repairs to the original 12-inch-wide floorboards throughout the main floor. They replaced a wall, three exterior doors, and almost every window. They replaced the ceiling in the dining room, renovated the main bathroom, installed crown molding and repainted nearly every room.
8. Outside, they replaced the front porch completely. They added two levels to the backyard deck, so now there is a view of the stream and wetlands surrounding their home. Several ill trees were professionally removed, as well as an ancient dump area, where they found many bottles and relics from the 1800s. They hired a bulldozer crew to level a massive area of the property.
9. All the work done on the property was worth every penny. Their renovated, historic home is now insulated, warm and comfortable. Sitting on the deck with binoculars and birdwatching books Holly and Gordon have identified more than 50 bird species, and sighted two more as yet unidentified.

Their game camera catches photos of foxes, deer, coyotes and they see black bears round and about at least once a year. The Lovelaces collect garnets, tourmaline and other mineral-rich stones from up their hill and place them in their gardens.

10. This is not just their home. They have three businesses there: Homestead Computing Solutions; Mom's House Estate Finds online collectibles store; and, in addition, they carry out sustainable logging on their land.
11. On June 4, 2015 Holly and Gordon Lovelace received communication from a Kinder Morgan Corporation's subsidiary, Tennessee Pipeline Company, ("Tennessee") stating that a major compression station will be built adjacent to their property. (Ex-1)
12. The proposed compressor station would be one the largest, if not the largest, compression station in the entire United States. (Ex.-2).
13. Building of the compression station adjacent to the Lovelaces' land amounts to a de facto taking of their property since it will make it impossible for Holly and Gordon to continue residing on their property.
14. No one would buy a property so close to what Safety Insurance Company describes as a bio-hazard area. Among the myriad threats are carcinogenic, toxic chemicals -including benzene -- released by the station into the air, probable groundwater contamination due to blasting to build the station, and toxic waste from the periodic cleaning of the massive pipeline. Running 24/7, the massive station would always be brightly lit, ruining the rural night sky. Sporadic blasts of noise at levels in excess of 100 decibels will average, over 24 hour periods, to be significantly in excess of acceptable noise levels for residential use.
15. The construction of such compression station adjacent to their land will destroy the value of their land.
16. The knowledge that the United States, through the Federal Energy Regulatory Commission, would allow the taking of their home and despite the fact that the gas to be pumped by the compression station is primarily for exportation to foreign countries has caused and continues to cause Holly and Gordon Lovelace emotional distress and anguish.

B. Carolyn and Eric Ness

17. Eric and Carolyn were married on 1 May 1977 in Seattle, Washington and moved to 10 Old Albany, Deerfield in August 1980 when they bought their home. Deerfield, being close to Carolyn's family, was chosen as the place to raise their four children, William, Andrew, Samuel and Victoria, and has continually been their home except for Eric's two family-accompanied military assignments outside the continental United States. Despite Eric's current work location in Bloomsburg, Pennsylvania, Deerfield remains the family home, with Eric home regularly on weekends. The Deerfield home is the site for annual hosting of major family events like Thanksgiving and Christmas.
18. While living at their home in Deerfield through the years the Nesses have made significant improvements to their property, including a new septic system, new heating system, potable water, well deepening/improvement, renovations to two bathrooms and five bedrooms, rebuilt kitchen chimney, replaced slate roof flashing, new 200-amp below-grade electrical service, plumbing improvements, kitchen ceramic floor installation, electrical and data line distribution expansion, new workshop outbuilding, land clearing, landscaping, and pasture fencing, to name the most obvious.
19. The Nesses expected to eventually sell their home and use the funds so gained to finance a smaller retirement property.
20. Eric and Carolyn's commitment to this long-term plan for raising their family and financial strategy included retaining the house during overseas military assignments to London and Alaska and has meant Eric has worked away from his family, as a geographical bachelor, for 28 of the past 35 years.

21. Eric and Carolyn received two letters from Kinder Morgan's subsidiary, Tennessee Pipeline Company, dated January 26, 2015 and March 6, 2015 in which Kinder Morgan requested access to their property located at 10 Old Albany Road in Deerfield for the purposes of conducting civil, geotechnical, archaeological, wetlands and water body delineation and an endangered species survey. This request to survey the property is tied to the fact that the proposed pipeline would pass through their property. (Ex-3).
22. This letter has impacted Carolyn and Eric in more ways than one: a) The projected intrusion of the pipeline onto their property has caused a significant decrease in the value of their property if not destroying it completely; b) The proposed taking has caused and continues to cause emotional distress to Carolyn and Eric, as it undermines the purpose of all their sacrifices, time apart over the years, and their dreams and hopes for the future.

C. Kelly and Michael Paulsen

23. Kelly and Michael Paulsen bought their house on 10 Windsor Avenue in Plainfield almost 17 years ago. They didn't have much money but wanted a place with enough land for gardening and horses. When they purchased the house, it had old rattling windows that barely slowed down the wind. It had plywood floors and a hatch with a ladder that led to the basement.
24. Kelly was pregnant with their first daughter at the time. They decided to fix up the house and build equity. Instead of investing in a 401k or like product they poured their savings into the house. They put in hardwood floors, new cabinets, tile, windows, siding, electrical service, spiral staircase, new roof, solar hot water panels, and an addition for a mudroom/laundry room. They put up new window and door trim and baseboard throughout. Outside, they added a stone patio with a concrete soaking tub and a native locust wood pergola. They constructed a full-size riding ring for the horses and installed new fencing.
25. Kelly and Michael knew that all their work would eventually allow them to sell the house and move to a new house, closer to their girls' schools, and still have enough to help out with college tuition. Once their younger daughter became old enough to need her own bedroom, they planned on building an addition that would give Kelly and Michael their own bedroom and bathroom. They planned on adding solar electric panels to save on electric costs, over time, and to do their part to lower their carbon footprint.
26. In the fall of 2014, a man came to their door asking them to sign a piece of paper that would grant him permission to survey their land. The man told them that a gas pipeline was being planned to be built through their property. When they inquired as to the kind of pipeline, they were told it was to transport fracked gas out of Pennsylvania. Kelly and Michael denied him permission. He came back two more times and both times he was denied the requested permission.
27. Kelly and Michael began to inquire as to the nature of the proposed gas pipeline and finally established that the pipeline was going to be built by Kinder Morgan, a Texas corporation. The plan was to put the pipeline through their property, cutting a giant one-hundred-foot wide path to bury and hide a 36-inch pipeline planned to transport billions of cubic feet of natural gas per day from Pennsylvania to Dracut, Massachusetts, a natural gas hub from which natural gas could be transported for liquefaction to natural gas plants and then for exportation to foreign countries.
28. The value of the Paulsens' house was destroyed by this news, as no one wants to buy a house with a massive amount of explosive gas passing through the property.
29. Kelly and Michael quickly established that natural gas pipelines could leak and break and explode, destroying their house and ending their lives and the lives of their children. They can no longer sell their house and their equity has disappeared. They cannot move and have nothing to leave their daughters. They can no longer fulfill their plans to build an additional bedroom and bath or to add the planned solar panels.

30. They have been paralyzed by the pipeline proposal. Their emotional distress has damaged their marriage and it has made it impossible for their teenaged daughters to do the things that their friends do.

D. Woolman Hill Inc.

31. Situated on the beautiful Pocumtuck Ridge in Deerfield, Woolman Hill Retreat Center is a non-profit organization dedicated to the importance of reflection, spiritual engagement, and connection with nature. It provides simple, comfortable facilities for individual retreats, group gatherings, and programs that nurture spiritual growth. In its operations and its programming, Woolman Hill seeks to foster the values of peacemaking, simplicity, integrity, social responsibility, and stewardship of the earth.
32. Beginning with Antoinette Spruyt's original intent to "further the causes of peace and brotherhood in the world" when she donated the land to Quakers in the 1950s, Woolman Hill has a long history of advocacy and witness in western Massachusetts and beyond. Woolman Hill has served as the locus of peace conferences, international youth work camps, alternative school, the birthplace of Traprock Peace Center, the home of war tax resisters Juanita and Wally Nelson, and innumerable spiritual and social justice events.
33. The Nelson homestead was intentionally built with no reliance on fossil fuels or electric power. A demonstration fruit tree and nut project, begun several decades ago, continues to this day. Over the years, significant financial and human resources have been invested in the upkeep, improvement and renovation of Woolman Hill's buildings and land.
34. Consistent with its purpose and its Quaker values, Woolman Hill encourages lifestyles that reduce dependence on non-renewable energy and minimize negative impact on the earth. It places a high value on environmental stewardship in its operations --for example, using wood as the primary heating source, benefiting from solar panels for two of its buildings, and recently installing on-demand hot water heaters in its main building.
35. On February 5, 2014, Kinder Morgan's subsidiary Tennessee Gas Pipeline Company (jointly "Tennessee") sent a letter to Woolman Hill requesting permission to survey Woolman Hill's property because Tennessee was planning to expand its natural gas transmission system in the area. (Ex. -4).
36. On March 11, 2014, Tim Corcoran, an agent of Tennessee, met with two Woolman Hill staff members (Margaret Cooley and Will Stark) and indicated that the projected pipeline would require Tennessee to acquire an easement over Woolman Hill's property.
37. Tennessee has indicated in public meetings and informational pronouncements that the gas projected to be transported through the pipeline originates in the Marcellus Shell located in Pennsylvania and other states, will cross Massachusetts and other New England states, terminating at a natural gas hub located in Dracut, Massachusetts.
38. Tennessee and KM have also indicated at public meetings that the size of the projected pipeline would be 36" to 42" and that the pipeline will transport 2.2 billion cubic feet per day of fracked natural gas per day.
39. The energy that can be generated from two and two tenths billion cubic feet of fracked natural gas per day is the equivalent of one half the equivalent energy expected to be generated by tar sands oil scheduled to be transported by the heavily litigated Keystone pipeline, or the energy than can be generated by eleven nuclear power plants each of the size of the Vermont Yankee nuclear power plant.
40. Tennessee and KM have never denied that the great portion of the fracked natural gas to be transported through the pipeline is for exportation to foreign countries after the gas is liquefied at facilities expected to be approved by the Department of Energy of the United States ("DOE").
41. Woolman Hill relies on income from services that depend on a peaceful, quiet, naturally beautiful setting. Woolman Hill's setting, and its financial wellbeing, would be severely impacted by the con-

struction and installation of the pipeline. Keets Road is also the only egress from the retreat center, and the pipeline would cross that road in three places. Woolman Hill hosts large groups of people, and emergency response or evacuation would be seriously hampered in the event of any pipeline malfunction.

42. In addition to significant concerns about the danger, environmental destruction and economic disturbance posed to Woolman Hill by the pipeline's route across its land, the Woolman Hill community carries equal concern for the broader implications of the pipeline's regional and global impact. All that Woolman Hill stands for would be challenged by the taking of its property for the purpose of fossil fuel export.
43. Installation of the proposed pipeline through Woolman Hill will destroy the moral, spiritual and physical value of Woolman Hill, reducing significantly its future value as a Quaker retreat center and/or the value of the property which could be derived from other possible uses.

E. Meg Worcester aka Margaret W. Friedrich and the Margaret W. Friedrich Trust.

44. Meg Worcester married Edmund E. Friedrich, "Eddie," on December 28, 1989 and moved into the home where she has resided ever since. Eddie died on May 30, 2011.
45. During her lifetime Meg has lived in many homes around the country, but the home where she now lives, in Deerfield, Massachusetts, holds a great deal of significance for her. It is the modern version of her family's 150-year-old home in the White Mountains of New Hampshire. The setting is similar, has a view of the mountains, and it is where she has lived now for 25 years, a longer period in one home than anywhere else in her lifetime.
46. This home is Meg's ideal home, and finding it was the culmination of a life-long spiritual journey. It was designed by her beloved late husband 25 years ago, and where she lived with him there for 21 and half years, before his passing four years ago. She expected to live in this home with memories of him for the rest of her life, hosting guests at her bed and breakfast, all of whom are enchanted not only with the beauty of the accommodations (newly renovated last year) but with the view and quietness of the rural setting as well.
47. On December 12, 2014, Kinder Morgan, on Tennessee Gas Pipeline stationery, sent a three-page letter to Margret (sic) W. Friedrich Trust, owner of the property where Meg Worcester resides, stating that her home and property would be affected by a proposed natural gas pipeline expected to be built through her property. (Ex.-5).
48. The aforementioned letter was clear indication to Meg that Kinder Morgan or Tennessee Pipeline intended to take an easement by legal action on the property where she has resided for 25 years.
49. Meg was devastated when she learned that Kinder Morgan wanted to install a 36inch- wide natural gas pipeline across her property. She is still in a state of shock, suffering from nightmares about it. She is concerned about not only the construction noise that will completely destroy the sense of peace on her hill, but also the awful realization that her well water (within 30 feet of Kinder Morgan's proposed route) could be ruined by either contamination or mechanical malfunction of the pipeline. There is no other place on the property to build a new well.
50. Uppermost in her mind is the potential for an explosion, the fear of which would loom over her constantly.
51. Consequences of the construction of a pipeline across her property would be, for her, devastating. At her age (a healthy, active septuagenarian who is just trying to remain independent and productive) she is distraught, to say the least, and suffering from enormous emotional distress. She feels she belongs on this land and home, and she is not at an age when she can embark on a "fresh start" away from familiar, safe, and nostalgic surroundings. The pipeline would rip all of that away and destroy who she is.
52. The property is in her Trust, with the understanding that it will be given to Eddie's son, Kris, (if still

alive) or to her daughter (if Kris is deceased). However, the value of the property has been destroyed by the announcement of the proposed pipeline.

F. Defendant The United States

53. Defendant the United States of America is the proper defendant in an action arising under 28 U.S.C. § 1331, a civil action arising under the Constitution, and under 28 U.S.C. § 1346(a)(2), a civil action against the United States not exceeding \$10,000.00 and founded upon the Constitution and an Act of Congress.

V. THE NATURAL GAS ACT AND THE FEDERAL ENERGY

REGULATORY COMMISSION

54. The Natural Gas Act was enacted by Congress in 1938 and was subsequently amended in 1954 and 1992. June 21, 1938, ch 556, § 1, 52 Stat. 821; March 27, 1954, ch 115, 68 Stat. 36; Oct. 24, 1992, P.L. 102-486, Title IV, § 404(a) (1), 106 Stat. 2879.

55. In 1977 Congress created the Federal Energy Regulatory Commission (“FERC”) and granted the newly-created agency responsibility for formulation and implementation of a national energy program, whereas previously that responsibility had been fragmented among various departments and agencies of the Federal Government. 42 U.S.C. § 7111 et seq.

56. The newly-created federal agency assumed, as of that date, full responsibility for creation of regulations and for implementation of the Natural Gas Act, previously assigned to the Federal Power Commission and terminated as of the date of enactment of 42 U.S.C. § 7111 et seq., 15 U.S.C. § 717. Transfer of Functions.

57. From the date of its inception in 1977 through 2005 the Federal Energy Regulatory Commission lacked the power to regulate natural gas for import and export and Courts clearly recognized this lack of power:

An exporter of natural gas that, like Entex, is not otherwise engaged in interstate gas transactions is not a “natural-gas company” within the meaning of the Act, because the Act defines a “natural-gas company” as a “person engaged in the transportation of natural gas in interstate commerce, or the sale in interstate commerce of such gas for resale,” Natural Gas Act § 2(6), 15 U.S.C. § 717a(6) (1976), and defines “interstate commerce” as “commerce between any point in a State and any point outside thereof, or between points within the same State but through any place outside thereof, but only insofar as such commerce takes place within the United States,” Id. § 2(7), 15 U.S.C. § 717a(7) (emphasis added). See *Border Pipe Line Co. v. Federal Power Commission*, 84 U.S.App.D.C. 142, 171 F.2d 149 (1948); *Compañía de Gas de Nuevo Laredo v. Energy Regulatory Commission* 606 F. 2d 1029 (1979) (emphasis here only).

58. In 2005, with the advent of fracking in the United States, Congress amended the Natural Gas Act and extended jurisdiction of the Federal Energy Regulatory Commission (“FERC”) to the exportation of natural gas with the following language:

Necessity of regulation in public interest. As disclosed in reports of the Federal Trade Commission made pursuant to S. Res. 83 (Seventieth Congress, first session) and other reports made pursuant to the authority of Congress, it is hereby declared that the business of transporting and selling natural gas for ultimate distribution to the public is affected with a public interest, and that Federal regulation in matters relating to the transportation of natural gas and the sale thereof in interstate and foreign commerce is necessary in the public interest. 15 U.S.C. § 717(a). (Emphasis here only).

59. Congress erred in justifying the inclusion of jurisdiction of gas for export based on public interest by referring to “...S. Res. 83 (Seventieth Congress, first session) and other reports made pursuant to the authority of Congress.” Id., since S. Res 83 of the Seventieth Congress (1928) was based on

Federal Trade Commission reports which dealt solely with 1928 interstate commerce. (Ex.-6, Hearings before the Committee on Intrastate Commerce Seventieth Congress Record of S. Res. 83 of the 1928, applicable discussions at pgs. 10, 16, 79, 94, 97, 98 and 221).

60. The Natural Gas Act was enacted in 1938, and the awarding of gas for export jurisdiction to FERC took place in 2005. Congress' assertion of public interest in its amendment to the Natural Gas Act of 2005 was not only baseless but highly premature, as evident from the two attached letters to the Department of Energy of the United States ("DOE") by two different groups of senators, one group arguing that gas exportation is in the public interest, the other asserting that it is not in the public interest. (See attached letters to DOE by senators, dated July 13, 2013 and February 11, 2015). (Exs.-7 and 8).
61. Important public policy issues related to exportation of gas have not yet been dealt with by either group of senators.
62. Exportation of United States gas to foreign countries depletes a national resource for the use of future generations without bringing any benefit whatsoever to the public interest.
63. Exportation of United States gas to be burned into carbon dioxide and water in foreign countries adds significantly to climate change, an issue of great concern to the people of the United States and their government.
64. It is a self-evident fact that exporting natural gas depletes a national resource from usage by future generations.
65. The issue of climate change, the result of such export, touches on an issue which has generated a great deal of concern to the government of the United States and other governments across the world. The purpose of reducing carbon dioxide emissions is vacated when at the same time a country exports fossil fuels. If and when the United States becomes an exporter of energy reaped by fracking, any agreement between the United States and countries such as China for emission reduction within the United States is rendered meaningless since those exported fossil fuels will be converted to carbon dioxide in other countries. Carbon dioxide emitted by exported fossil fuels is not taken into account in the United States-China agreement to reduce carbon dioxide emissions within each country.
66. Public interest is not, however, the deciding factor as to why FERC cannot regulate transportation of natural gas across the United States for export, and as to why DOE cannot approve export of natural gas transported across the United States in gas export pipelines regulated by FERC.
67. **The critical issue is that the 2005 Amendment to the Natural Gas Act permitting jurisdiction by FERC, to regulate transport of gas for export, is unconstitutional because the Natural Gas Act provides for eminent domain taking of property to satisfy goals set by FERC.**

h) Right of eminent domain for construction of pipelines, etc.

When any holder of a certificate of public convenience and necessity cannot acquire by contract, or is unable to agree with the owner of property to the compensation to be paid for, the necessary right-of-way to construct, operate, and maintain a pipe line or pipe lines for the transportation of natural gas, and the necessary land or other property, in addition to right-of-way, for the location of compressor stations, pressure apparatus, or other stations or equipment necessary to the proper operation of such pipe line or pipe lines, it may acquire the same by the exercise of the right of eminent domain in the district court of the United States for the district in which such property may be located, or in the State courts. The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated: Provided, That the United States district courts shall only have jurisdiction of cases when the amount claimed by the owner of the property to be condemned

exceeds \$3,000. 15 U.S.C. § 717f. (Emphasis here only).

68. To the extent that FERC includes exportation of gas in its regulatory domain, it is violating the Fifth Amendment of the United States Constitution which clearly states that:

“[N]or shall private property be taken for public use, without just compensation.” U.S. Const., Amdt. 5. That Clause is made applicable to the States by the Fourteenth Amendment. See *Chicago, B. & Q. R. Co. v. Chicago*, 166 U.S. 226, 41 L. Ed. 979, 17 S. Ct. 581 (1897). (Emphasis here only).

69. FERC’s consideration for approval of pipelines carrying gas for export is in conflict with Fifth Amendment law as interpreted by the Supreme Court of the United States.

On the one hand, it has long been accepted that the sovereign may not take the property of A for the sole purpose of transferring it to another private party B, even though A is paid just compensation. On the other hand, it is equally clear that a State may transfer property from one private party to another if future “use by the public” is the purpose of the taking; the condemnation of land for a railroad with common-carrier duties is a familiar example. *Susette Kelo et al., v. City of New London* Supreme Court of the United States 545 U.S. 469, 477; 125 S. Ct. 2655, 2661; 162 L. Ed. 2d 439, 444 (2005.) (Emphasis here only).

70. In *Kelo Id.*, in an opinion by Justice Stevens, J., joined by Justices Kennedy, Souter, Ginsburg, and Breyer, JJ., it was held that the city’s proposed disposition of property under the development plan qualified as a “public use” under the Fifth Amendment, so that the city properly could use the power of eminent domain to acquire the unwilling sellers’ property.

We emphasize that nothing in our opinion precludes any State from placing further restrictions on its exercise of the takings power. Indeed, many States already impose “public use” requirements that are stricter than the federal baseline. Some of these requirements have been established as a matter of state constitutional law, while others are expressed in state eminent domain statutes that carefully limit the grounds upon which takings may be exercised. As the submissions of the parties and their amici make clear, the necessity and wisdom of using eminent domain to promote economic development are certainly matters of legitimate public debate. This Court’s authority, however, extends only to determining whether the City’s proposed condemnations are for a “public use” within the meaning of the Fifth Amendment to the Federal Constitution. *Kelo Id.* 545 U.S.469 at 489; 125 S. Ct. 2655 at 2668; 162 L. Ed. 2d 439 at 457-458 (2005.) (Emphasis here only).

71. Were the Supreme Court to eventually rule that a foreign trade benefit justifies Fifth Amendment takings, the prophetic words of Judge O’Connor in her dissent, joined by the Chief Justice and Justices Scalia and Thomas, in *Kelo Id.*, would come to pass:

...nearly any lawful use of real private property can be said to generate some incidental benefit to the public. Thus, if predicted (or even guaranteed) positive side effects are enough to render transfer from one private party to another constitutional, then the words “for public use” do not realistically exclude any takings, and thus do not exert any constraint on the eminent domain power. *Kelo Id.* 545 U.S.469 at 501; 125 S. Ct. 2655 at 2675; 162 L. Ed. 2d 439 465 (2005.) (Emphasis here only).

72. Once trade benefit is accepted as “public use” Congress could allow the taking of virtually any private property that could more profitably be marketed abroad, which taking might improve the economy of the United States. Congress could, for example, permit one of its agencies to confiscate all automobiles in the United States older than three years. This congressional agency could then confer this power on a corporation, which would pay wholesale value for the automobiles (just compensation) and sell them at a profit in foreign markets. This too-easily imagined nation would no longer be the United States of America.

73. Kelo Id. is not the case here. The strip mall to be built on Mrs. Kelo's property was to be used by the public, and that is exactly what the majority of the justices concluded. Furthermore, contrary to Congress's vague referral to an obscure 1928 interstate trade report, the City of New London clearly put forward the argument that the taking of Mrs. Kelo's property was for public use. (See Ex.-21, City of New London's Response Brief in Kelo Id.)
74. FERC is about to approve the installation of a gas pipeline, subject matter of this action, destroying the value of Plaintiffs' properties, while this pipeline cannot be considered, under any definition of the term, to be for "public use" since it is only going to transport less than thirty percent of the gas for use within the United States, with the balance going for export to foreign countries for the sole purpose of enrichment of the corporations planning the gas transportation.
75. Defendant may argue that because thirty percent of the natural gas to be transported by the pipeline is for "public use" (as it will be used in New England) the entire pipeline transporting the balance of the gas for export qualifies as "public use" within the meaning of the Fifth Amendment.
76. Such an interpretation of the Fifth Amendment "public use" clause will create a slippery slope, destroying the meaning of the "public use" term. How far would the defendant go if it uses this argument? Is it thirty percent? Is it twenty percent? Is it one percent? Is it one thousandth of one percent?
77. The United States Department of Energy is considering granting permits for construction of Liquefied Natural Gas Plants ("LNGP") for export of natural gas approved for transportation, for eventual export, by pipelines approved by FERC.
78. The exportation of natural gas is a very profitable venture for private parties and, per Kelo Id., such enrichment of a private party is not justification for Fifth Amendment takings.
79. In the last analysis, what FERC and DOE are overlooking is that "public interest" is not equivalent to "public use" within the meaning of the Fifth Amendment.
80. The framers of the United States Constitution did not say that governments had the right to take private property if such takings are in the public interest. What they said was that government had the right to take private property for "public use." (See also Exhibit-19 Professor Bruce L. Benson Article Published in the Independent Review Volume XII Winter 2008 pgs. 423-432, filed here with permission from Professor Benson).
81. Taking of private property because it is in the public interest is a fallacious excuse for eminent domain takings since in a democratic society anything a government does is by definition in the "public interest."
82. Adoption of the "public interest" term as a justification for eminent domain takings will simply turn the Fifth Amendment provision permitting eminent domain takings into useless paper.
83. Congress, the Executive branch, and the Courts can approve gas or oil transportation pipelines for exportation of oil and/or gas or the building of LNG facilities using transported gas or oil for export only when the proposed oil and gas pipelines carrying gas or oil for exportation do not take private land by eminent domain or threaten to take private land by eminent domain. This is the restriction imposed by the Fifth Amendment whether the proposed pipeline is the Kinder Morgan ("KM") pipeline, pipelines scheduled to transport tar sands' oil for export, or any other similar pipelines.

VI. KINDER MORGAN AND THE FRACKING GAS INDUSTRY

84. Kinder Morgan's subsidiary, the Tennessee Gas Pipeline Company, L.L.C. ("Tennessee"), filed on September 15, 2014 a request with the Federal Energy Regulatory Commission seeking eventual approval to build a pipeline to carry 2.2 billion cubic feet of natural gas per day from the Marcellus Shale through New England.
85. Prior to September 15, 2014 and starting sometime in 2014, Kinder Morgan conducted a series of

public meetings in Franklin County, Massachusetts, describing the nature and extent of the project, including the projected pipeline capacity and the volume of gas expected to be transported through the pipeline.

86. At no time has FERC conveyed to Kinder Morgan, or any of its subsidiaries or affiliated companies, that, since a portion of the gas expected to be transported through the pipeline is for export to foreign countries rather than for usage within the United States, FERC has been and will continue to be in violation of the United States Constitution if it continues to take any action regarding the project.
87. On or about July 6, 2015, FERC mailed Plaintiffs' counsel a Notice of Intent to Prepare an Environmental Impact Statement ("EIS") for the Planned Request for the "Northeast Energy Direct Project...involving construction and operation of facilities by Tennessee Gas Pipeline Company, L.L.C. ('Tennessee')" (Ex-9).
88. FERC states in its July 6, 2015 communication, referred to in ¶ 87, that "The Commission will use this EIS in its decision-making process to determine whether the Project is in the public interest and necessity." Id. at pg.-1.
89. FERC continues on in its July 6, 2015 communication:

If you are a land owner receiving this notice a Tennessee Gas Representative may contact you about the acquisition of an easement to construct, operate, and maintain the planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the Project, the approval conveys with it the right of eminent domain. Therefore if easement negotiations fail to produce an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accord with state law. Id., at pg.-2
90. The majority of gas to be transported by the proposed Tennessee pipeline is for export to foreign countries. (Ex.-12, Expert Report of David Keith.)
91. Neither Kinder Morgan nor Tennessee nor FERC have ever denied in any forum that the great portion of the natural fracked gas to be transported in the Tennessee pipeline is, in fact, for export.
92. FERC is aware that a great portion of the natural gas to be transported by the proposed Tennessee pipeline is for export to foreign countries.
93. FERC is aware Tennessee has not been able to contract more than thirty percent of the gas projected to be transported by the proposed pipeline for sale within the United States.
94. On December 30, 2014, counsel for the Plaintiffs raised the issue of exportation of gas through the Tennessee pipeline with Tennessee and Kinder Morgan's counsel. (Ex.-10).
95. Neither Kinder Morgan nor Tennessee ever responded to counsel's letter dated December 30, 2014, referred to in ¶ 94, thus admitting by their silence that FERC has no jurisdiction over the proposed pipeline given the fact that most of the gas to be transported is for export to foreign countries.
96. The Department of Energy of the United States ("DOE") claims jurisdiction over the exportation of natural gas.
97. At no time has DOE taken into account, in its permitting processes for exportation of natural gas, that gas for foreign export, including KM's gas, is transported through pipelines approved by FERC under authority allegedly granted them by the 2005 Amendments to the Natural Gas Act ("NGA") and that approval by FERC of such transportation of natural gas for exportation is in violation of the Constitution of the United States.
98. The United States Department of Energy is aware that a great portion of the natural gas to be transported by the proposed Tennessee pipeline is for export to foreign countries.
99. The United States Department of Energy is aware that Tennessee has only been able to contract for sale within the United States less than thirty percent of the gas projected to be transported through

the proposed pipeline.

100. The lack of communication to anyone by DOE of these facts, while at the same time continuing to grant permits to transport natural gas for foreign export through FERC- approved export gas pipelines, represents a continuing violation of Fifth Amendment rights of individuals such as Plaintiffs who stand to have their land taken for transportation of natural gas intended for exportation to foreign countries, solely for the enrichment of Kinder Morgan and Tennessee.
101. On July 20, 2015, Plaintiffs Eric and Carolyn Ness received a letter from KM addressed through Plaintiffs' counsel. (Ex.-11).
102. KM's submission through the July 20, 2015 letter is a Notice for Public Comment Hearings by the Massachusetts Energy Facilities Siting Board regarding the gas pipeline and associated facilities in Berkshire, Essex, Franklin, Hampden, Hampshire, Middlesex, and Worcester Counties proposed by the Tennessee Gas Pipeline Company. Id.
103. Tennessee admits in its application to the Energy Facilities Siting Board that the diameter of the Main Line Pipeline is 30 or 36 inches. Id.
104. Tennessee also admits that the diameter of the Maritime Delivery Line is 30 inches. Id.
105. The admissions made by Tennessee as per paragraphs 103 and 104 are, in fact, admissions that a minimum amount of gas scheduled for export through the Maritimes Delivery Line is, in fact, a minimum of seventy per cent of the gas to be transported by the Main Pipeline entering Massachusetts.
106. The admission comes about from the fact that the volumes to be transported through the Main Delivery Line and the Maritimes Lines are proportional to the square of the diameters of the pipelines.
107. Berkshire Gas ("Berkshire") is a supplier of natural gas to some Western Massachusetts towns. Berkshire is owned by UIL Holding Company ("UIL").
108. In May or June of 2015, a major European Conglomerate, Iberdola, won federal approval for the purchase of UIL, which also owns Connecticut Natural Gas and Southern Connecticut Gas.
109. Iberdola is a Spanish corporate giant who already owns Rochester Gas and Electric Company, New York State Electric and Gas, and Central Maine Power.
110. The amount of natural gas Berkshire Gas projects to purchase from Tennessee is less than 1.6 per cent of the total gas expected to be transported by Tennessee's pipeline. (Ex-12, Expert Report by David Keith.)
111. Berkshire, given the profit it is going to derive from the sale of UIL to Iberdola, has a keen interest in the construction of the Tennessee pipeline.
112. Iberdola's interest in small gas suppliers in the United States, such as Berkshire Gas, is directly related to the importation of natural gas by Iberdola into Europe.
113. Berkshire appears to have overstepped its bounds in its sale to Iberdola when its principal spokesperson, Mr. Christopher Farrell, accused those opposed to the Tennessee pipeline, including Plaintiffs in this litigation, of eco-terrorism for their efforts to protect their lives and property. (Ex.-13).
114. The matter of the Tennessee pipeline came before the Deerfield Massachusetts, Board of Health ("BOH") at the request of citizens of Deerfield, who asked the BOH to hold adjudicatory hearings to determine whether the fracked gas pipeline KM and Tennessee propose to build through Deerfield's boundaries presents unreasonable risk to the health and lives of the citizens of Deerfield. (Ex.-14, Transcript of the Hearings by a Certified Court Reporter).
115. Between September 9, 2014 and October 23, 2014, the BOH held the requested adjudicatory hearings to establish facts and to evaluate the dangers to the health and well-being of the residents of Deerfield. Id.
116. KM and Tennessee were invited to participate and introduce evidence at the adjudicatory hearings

in person and in writing. Id.

117. KM and Tennessee refused to participate in any way at the adjudicatory hearings, thereby showing nothing but contempt for the BOH and the law in Massachusetts which grants boards of health in Massachusetts the right to ban from their respective towns activities that may endanger the health and well-being of the residents of the town. M.G.L. Ch. 111 §§s. 31 and 143. Id.
118. The Massachusetts Supreme Court has ruled that federal preemption does not apply to such rulings or regulations issued by Boards of Health or Town Commissioners of Health. *Arthur D. Little v. Commissioner of Health of Cambridge* 395 Mass. 535; 481 N.E.2d 441; 1985 Mass. LEXIS 1720 (1985).
119. After extensive adjudicatory hearings before the BOH of Deerfield between September 9, 2014 and October 23, 2014, the BOH banned the building and operation of the projected Deerfield pipeline within the boundaries of Deerfield. (Ex.-15).
120. The Deerfield BOH established a series of facts, not contested or objected to by KM or Tennessee, at the adjudicatory hearing. Id.
121. The uncontested facts, upon which the BOH based its decision to ban the pipeline, follow.
122. A Kinder Morgan subsidiary was convicted in California of six felony counts regarding the deaths of Javier Ramos, Israel Hernandez, Tae Chin, Victor Rodriguez and Miguel Reyes. Id.
123. 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 U.S. 310 at 343; 130 S. Ct. 876 at 900; 175 L. Ed. 2d 753 at 784 (2010)(citations omitted).
124. 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.
125. 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.
126. The Deerfield BOH found 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 through Deerfield. (Ex.-15).
127. The Deerfield BOH found that Kinder Morgan was cited by the Hazardous Materials Safety Administration for violating its regulations five times in 2011. Id.
128. The Deerfield BOH found that, in Texas alone, from 2003 to 2014 Kinder Morgan experienced 36 “significant incidents” resulting in fatalities or hospitalization, fires, explosions or spills. Id.
129. The Deerfield BOH found that allowing Kinder Morgan--a corporation known to have acted with willful disregard for regulations enacted to prevent injury to, or death of, residents and citizens--the right 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. Id.
130. The Deerfield BOH found that Kinder Morgan has a record of bribery, pollution, fraud, scams, thefts, deaths, felonies, environmental disasters, labor violations, unsafe working conditions, and influence-buying. Id.
131. The Deerfield BOH found that Kinder Morgan’s operations in Portland, Oregon, have been host to pollution, law-breaking, and even bribery. Id.
132. The Deerfield BOH found that the Federal Bureau of Investigation 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.” Id.

133. The Deerfield BOH found that 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. Id.
134. The Deerfield BOH found that, 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.” Id.
135. The Deerfield BOH found that 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 on 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. Id.
136. The Deerfield BOH found that 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. Id.
137. The Deerfield BOH found that allowing Kinder Morgan--a corporation with a record of having acted with such willful disregard for regulations, enacted to prevent injury to, or death of, residents and citizens--to operate within the bounds of the town of Deerfield would present unreasonable risk to the health and lives of residents of Deerfield. Id.
138. The Deerfield BOH found that Kinder Morgan’s pipelines have endangered lives in many communities across the United States and Canada, as enumerated below. Id.
139. The Deerfield BOH found that 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. Id.
140. The Deerfield BOH found that 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. Id.
141. The Deerfield BOH found that 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. Id.
142. The Deerfield BOH found that 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. Id.
143. The Deerfield BOH found that in 2005 Kinder Morgan had 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. Id.
144. The Deerfield BOH found that 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. Id.
145. The Deerfield BOH found that 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. Id.
146. The Deerfield BOH found that allowing Kinder Morgan, a corporation with a known record of endangering 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. Id.
147. The Deerfield BOH found that pipeline transportation of fuels is a dangerous operation in the United States and worldwide, as instances enumerated below illustrate. Id.
148. The Deerfield BOH found that from 2000 to 2009 there were 460 accidents on record related to pipeline discharges of fuels, whether gas or liquids, in the United States. Id.
149. The Deerfield BOH found that pipeline-related incidents have brought pipeline safety to national —and presidential —attention. Id.
150. The Deerfield BOH found that 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. Id.
151. The Deerfield BOH found that National Public Radio reported in January of 2014 that more than 6,000 leaks of gas had occurred in the District of Columbia alone. Id.
152. The Deerfield BOH found that in Massachusetts in the last ten years it has cost consumers more than \$1.5 billion for fuel leaked from pipelines. Id.
153. The Deerfield BOH found that there is a danger to the health and lives of residents of Deerfield if the BOH were to permit construction and operation of a natural gas pipeline within the town of Deerfield, particularly when the company constructing and operating the pipeline is Kinder Morgan. Id.
154. The Deerfield BOH found that 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 fracked gas planned to be transported through the proposed pipeline. Id.
155. The Deerfield BOH found that 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 materials such as petroleum distillates, ethylene glycol, methanol, polyacrylamide and many others. Id.
156. The Deerfield BOH found that Kinder Morgan has not denied that some of these fracking chemicals might be present in the fracked gas to be transported through the pipeline.
157. The Deerfield BOH found that the statement of 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. Id.
158. The Deerfield BOH found that the unknown composition of the gas in the pipeline will indeed present a danger to the health and lives of residents of Deerfield if the BOH were to permit construction and operation of a 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. Id.
159. The Deerfield BOH issued an Order, dated October 23, 2014, banning construction and operation of the proposed pipeline through Deerfield based on the factual, uncontroverted evidence presented at the public adjudicatory hearings held between September 9, 2014 and October 23, 2014. Id.
160. Kinder Morgan’s and Tennessee’s response to the Deerfield BOH Order, based on the board’s findings through its extensive adjudicatory hearings (where neither Kinder Morgan nor Tennessee were willing to participate, nor did they object to the facts introduced), was a letter sent on November 17, 2014 by Kinder Morgan and Tennessee’s counsel, stating that “...the Order is a nullity.” (Ex.-16).
161. The aforementioned letter also states that “Tennessee expressly reserves all legal rights and remedies, including, without limitation, the right to dispute the factual allegations and legal claims in

the Order.” Id.

162. Neither KM nor Tennessee seems to be aware that by not participating, as repeatedly requested to do so, at the BOH hearings held between September 9, 2014 and October 23, 2014, they waived their right to object to the factual findings of the BOH.
163. Kinder Morgan stated at a public relations meeting held at Greenfield Community College on July 14, 2014 that the thickness of the walls of the proposed 36-inch to 42-inch pipeline will be only 60% of the thickness of other pipelines that pass through more populated areas.
164. Wall thickness of gas pipes is one of the major costs of pipelines for manufacture, installation, and operation. The thinner projected pipeline represents savings in the hundreds of millions of dollars in the projected five-billion-dollar project.
165. KM/Tennessee rationalizes implementation of the thinner-walled pipelines by using a cost-benefit analysis which values total expected lives lost in an explosion in rural areas much lower than total expected lives in a more populated area because of projected lower number of deaths.
166. Plaintiffs’ lives and other lives possibly lost by an explosion are thus merely a cost of doing business for KM/Tennessee.

**VII. THE ALLEGATION BY FERC THAT THE PIPELINE
PROJECT IS IN THE “PUBLIC CONVENIENCE AND
NECESSITY” IS IRRELEVANT
TO THE FIFTH AMENDMENT CLAIM
SUBJECT MATTER OF THIS COMPLAINT
AND IT IS ALSO NOT TRUE**

167. FERC justifies, in its July 6, 2015 communication referred to in ¶ 87, that the pipeline project subject matter of this action is “in the public convenience and necessity.” (Ex.-9).
168. FERC is now arbitrarily modifying the language of 15 U.S.C. § 717 (a) from public interest justified by a 1928 interstate trade report to “public convenience and necessity,” thus in its mind trying to simulate desperately, the Fifth Amendment language of “public use.”
169. What the Fifth Amendment states is that:

“[N]or shall private property be taken for public use, without just compensation.” U.S. Const., Amdt. 5. That Clause is made applicable to the States by the Fourteenth Amendment. See Chicago, B. & Q. R. Co. v. Chicago, 166 U.S. 226, 41 L. Ed. 979, 17 S. Ct. 581 (1897). (Emphasis here only).
170. The 2005 amendment to the Natural Gas Act, subject matter of this action, allegedly grants FERC jurisdiction over exported gas when such exportation is in the public interest, justified by a 1928 interstate trade report, which is not “public use.” The effort of FERC to redefine its jurisdiction based on public interest, justified by a 1928 interstate trade report, into “public convenience and necessity,” is a futile effort to place a square peg into a round hole.
171. Defendant cannot re-write the statute. This attempted re-writing of 15 U.S.C. § 717(a) as justifying takings of land based on “public convenience and necessity” deserves an E grade for effort on the part of the agency, and nothing more, since the statute reads public interest justified by a 1928 interstate trade report and the Fifth Amendment reads “public use.”
172. Defendant’s attempt to re-write the statute suffers from an identical flaw as does the term public interest justified by a 1928 interstate trade report language of 15 U.S.C. § 717(a) since neither “public interest justified by a 1928 interstate trade report” nor “public convenience and necessity” can be equated with “public use.”
173. Defendant admitted in 2014 in a report prepared by one of its agencies, the General Accounting

Office (“GAO”), that “In passing the NGA, Congress did not define public interest.” (Ex.-17 at pg. 11).

174. This Court is faced with three separate and distinct explanations as to why Defendant claims justification for KM/Tennessee to take Plaintiffs’ property by eminent domain:
- A. Congress, in enacting 15 U.S.C. § 717(a), justified the taking of private property by eminent domain on the basis of an obscure 1928 interstate trade report. (Ex. - 6).
 - B. FERC justifies the taking of private property by eminent domain based on a rabbit pulled out of a hat which it calls “public convenience and necessity.” (Ex.-9)
 - C. The General Accounting Office (“GAO”) comes clean and admits that Congress failed to define the public interest, for taking private property, for a multibilliondollar- company to enrich itself by exportation of gas to foreign countries. (Ex.-17 at pg. 11).
175. The fact that GAO in 2014 finds that the Natural Gas Act has not defined public interest should give this court pause as to how far Defendant is willing to go to redefine the statute as if it said “public convenience and necessity,” which it does not say, which furthermore is, in fact, not “public use” satisfying the requirements of the Fifth Amendment.
176. Moreover, the projected pipeline is not even in the “public convenience and necessity” since it is going to result in a sharp increase of natural gas costs and it is not needed to supply natural gas to New England. (Exs.-12, 18, 20).
177. Plaintiffs’ expert David Keith has testified that the natural gas expected to be transported through the pipeline is not needed in New England. (Ex.-12).
178. Industrial expert Paul Cicio, CEO of Industrial Energy Consumers of America, has opined that consumer prices of natural gas will most likely increase if natural gas is exported to foreign countries. (Ex.-18).
179. Defendant’s own agency, the United States Energy Information Administration, has concluded unequivocally that “Increased LNG exports lead to increased natural gas prices.” (Ex.-20 at pg. 12).

VIII. RESERVATION OF RIGHTS

180. This case is filed under 28 U.S.C. § 1331 and 28 U.S.C. § 1346(a) (2) since this is a civil action against the United States arising under the Constitution and does not claim damages in excess of \$10,000.00, as per 28 U.S.C. § 1346(a) (2), and it is based on the Constitution and an Act of Congress, in this case 15 U.S.C. § 717(a).
181. Plaintiffs, through this filing, are not waiving any damages to which they might be entitled under Massachusetts tort laws and the Federal Torts Claim Act.

IX. CAUSE OF ACTION

182. Plaintiffs re-allege and incorporate by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.
183. This is an action to halt the approval under consideration by federal agencies of the Kinder Morgan/Tennessee pipeline, as described in this Complaint. The purported basis for considering construction and operation of the pipeline is Section 15 U.S.C. § 717(a) of the Natural Gas Act 42 U.S.C. § 7111 et seq., which grants the United States the power to allow private entities to take real property by eminent domain, with adequate compensation. In a case such as this, however, where the pipeline is expected to carry a minimum of seventy per cent of the gas for foreign export, approval by these federal agencies amounts to an unconstitutional exercise of their powers.
184. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 because this is a civil action arising under the Constitution and pursuant to 28 U.S.C. § 1346(a)(2) and because this is a civil action against the United States not exceeding \$10,000.00, and founded upon the

Constitution and an Act of Congress.

185. The defendant is the United States of America.

186. As a direct result of 15 U.S.C. § 717(a) of the Natural Gas Act 42 U.S.C. § 7111 et seq., the federal government is considering permitting KM/Tennessee to take Plaintiffs' properties or an easement over Plaintiffs' properties.

187. These actions of the United States are unconstitutional and have caused damages to Plaintiffs, granting them Article III standing to bring this action to have 15 U.S.C. § 717(a) of the Natural Gas Act 42 U.S.C. § 7111 et seq., declared unconstitutional, in that it permits the United States to allow KM/Tennessee to take Plaintiffs' properties by eminent domain or to place an easement over Plaintiffs' properties by eminent domain in violation of the Fifth Amendment of the United States Constitution since the takings are not for "public use."

X. PRAYERS FOR RELIEF

WHEREFORE, Plaintiffs pray this court:

1. Declare 15 U.S.C. § 717(a) of the Natural Gas Act 42 U.S.C. § 7111 et seq., unconstitutional as applied to Plaintiffs in this litigation.
2. Issue a Temporary Restraining Order halting all further actions of Defendant's agencies in the matter of the KM/Tennessee pipeline until the issues raised in this Complaint are fully adjudicated.
3. Enjoin Defendant's agencies from considering approval of the KM/Tennessee pipeline, subject matter of this action, since a great portion of the gas to be transported by the proposed pipeline is for export to foreign countries.
4. Award Plaintiffs judgment as allowed by law, and such other relief as the Court may deem just, including an award of reasonable litigation costs incurred in this proceeding pursuant to 28 U.S.C. § 2412(a)(1) and an award of attorney's fees pursuant to 28 U.S.C. § 2412 (b).
5. Grant such other and further relief as the Court may deem equitable and proper.

Dated: Conway, Massachusetts
August 20, 2015

s/ Cristóbal Bonifaz
Cristóbal Bonifaz, Esq. (BBA #548405)
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Exhibits

- 1 Letter Kinder Morgan to Lovelace June 4, 2015
- 2 Proposed Compressor is the Largest in the Country
- 3 Letters Kinder Morgan to Ness January 26, 2015 and March 6, 2015

- 4 Letter Kinder Morgan to Woolman Hill February 5, 2015
- 5 Letter Kinder Morgan to Margret (sic) Worcester December 12, 2014
- 6 Congressional Hearings Seventieth Congress S. Res. 83 (1928).
{see: <http://catalog.hathitrust.org/Record/001430353> }
- 7 Senators Letter to DOE Urging Exports of Natural Gas. July 13, 2013
- 8 Senators Letter to DOE Opposing Exports of Natural Gas. February 11, 2015.
{see *appendix A in 20150814-0077*}
- 9 Northeast Energy Project. FERC's Notice of Intent to Prepare an EIS. Sent July 2, 2015
- 10 Letter Plaintiffs' Counsel to Kinder Morgan. December 30, 2014 {see *20150122-0042* }
- 11 Letter Kinder Morgan to Ness. Notice of Public Comments by Massachusetts Energy Facilities Sitting Board. July 20, 2015.
- 12 Expert Report from David Keith June 8, 2015. {referenced in *20150619-0035*}
{ *full report (7 pages, 1.4 MB) can be downloaded at:* }
{ http://deerfieldma.us/pages/DeerfieldMA_Health/2015-01-23_-_DavidKeith_Gas_Usage_Analysis.pdf }
- 13 Berkshire Gas Accusation to Plaintiffs of Eco- Terrorism
- 14 Certified Court Transcript Board of Health of Deerfield's Hearings. September 9, 2014.
- 15 Board of Health of Deerfield's Ruling. October 23, 2014. {see *20150819-0010*}
- 16 Kinder Morgan Belated Response to the Ruling of Deerfield's Board of Health. November 17, 2014.
- 17 General Accounting Office. Report 2014. { <http://www.gao.gov/assets/670/666177.pdf> }
- 18 Industry Expert Opinion by Paul Cicio. June 8, 2015.
- 19 Professor Benson's Article on the History of the Public Use Clause
- 20 US Information Agency Report on the Effect of Gas Exports on Markets.
{ <http://www.eia.gov/analysis/requests/fe/pdf/lng.pdf> }
- 21 Brief City of New London in the Supreme Court in *Kelo v, City of New London*.
{ *entire submission (2 TIF files, 10.9 MB, 333 scanned pages, can be downloaded at:* }
{part 1: <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14029788> }
{part 2: <http://elibrary.ferc.gov/idmws/common/opennat.asp?fileID=14029822> }
{ *end of 20151028-0058* }

20151028-0059

{ *part 2 of submission 20151028-0058, described above* }

20151028-5352

Representative James R. Miceli
Room 237
Massachusetts State House
Boston, MA 02133

Kimberly D. Bose, Secretary
Nathaniel J. Davis, Sr. Deputy Secretary
Federal Energy Regulatory Commission
888 First St, N.E.
Washington, DC 20426

Ms. Bose and Mr. Davis,

I wish to officially declare my intent to intervene in relation to Tennessee Gas Pipeline's Northeast Energy Direct proposal, FERC docket number PF14-22-000. The pipeline threatens to not only endanger land in the towns of Wilmington and Tewksbury, but also violate Article 97 of the Massachusetts Constitution and serve as a burden to residents across the state. I ask that you add my name to the list of interveners so that I may remain well-informed on the status of the project and submit comments when I believe it to be necessary. Thank you.

Sincerely,

Representative James R. Miceli
19th Middlesex District

20151028-5359

Gina Rosati, Merrimack, NH.
October 28, 2015

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

Dear Ms. Bose:

According to the article linked below from the Roanoke Times, even in 2012, FERC commissioners knew there were health risks associated with compressor stations. Why do you continue to approve more infrastructure? Before you approve another thing, I suggest you fix what's broken. Find a way to make compressor stations safe, and PROVE THEIR SAFETY before you build any more, especially a 41HP compressor station that would be built 1/2 mile from an elementary school, as Kinder Morgan/TGP proposes to do in New Ipswich/Temple, NH. And make it mandatory that leaking pipes are fixed before more pipelines are approved. Boston/Massachusetts is losing lots of gas because of leaks, yet there are three transmission pipelines on the table to come into Dracut, MA. Fix things before you build new things! It might not make dollars, but it makes sense.

http://www.roanoke.com/business/news/ferc-split-over-n-y-compressor-station-shows-differing-opinions/article_83badb2e-f02b-584e-8b41-2a471850e6d4.html

Sincerely,

Gina Rosati
Merrimack, NH

20151029-0030

Kimberly Bose, Secretary
FERC
888 First Street, N.E.
Washington, DC 20426

STOP THE NED PIPELINE!!

Protect NH land from Eminent Domain!

I oppose. the Kinder Morgan Northeast Energy Direct (NED) EXPORT pipeline. The pipelines, and compressor station will scar the NH landscape and put our water, wildlife, forests, agricultural lands and rural character at risk. These include health and safety risks from emissions, industrialization, pollution and the devastating effects of fire and explosions. Greed, not need is fueling this project. Say NO to this private company that will TAKE OUR LANDS with NO BENEFIT TO US.

Luke Tracy
78 Marblehead Rd
Windham, NH 03087

20151029-0031

{same text as 20151029-0030, signed by: }

Zach Tracy
78 Marblehead Rd
Windham, NH 03087

20151029-0032

{same text as 20151029-0030, signed by: }

Jacob Tracy
78 Marblehead Rd
Windham, NH 03087

20151029-0033

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

Date: 10/20/15

Via Certified Mail, Return Receipt Requested

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

As the owner of the property located at:

17 Cart Path Rd
Dracut, MA 01826

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.

Lawrence Parfil

20151029-0034

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105 Cart Path Rd
Dracut, MA 01826

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Niyati Parekh

20151030-4002

Statement of opposition to the proposed North East Energy Direct project:

Background: Natural features and lay of our land on our property relative to the power corridor and proposed project

I bought our property in Plainfield in 2004 and created the homestead by building our home with my own hands and creating 2 miles of woodland trails throughout our 20 acres of rugged contoured land with plenty of exposed ledge and a pristine small river known as Mill Brook.

The river begins 3 miles upstream and flows across the Eversource corridor from north to south (1/2 of the width we own with an easement for the original WMECO power company) before traveling 1500' throughout our woodland property and exiting at our southern boundary before entering the Westfield River watershed.

We have several smaller spring fed streams which originate on our land and flow into Mill Brook. A major natural feature on our land is Bassett Brook which has a head water at a spring fed pond one mile west of our property boundary. This Bassett Brook cascades 1400' through a series of rock chasms and bold outcroppings of ledge and glacial erratic boulder fields before flowing into our main water course - Mill Brook.

A view of a short section of cascade along the 1100' run of Bassett Brook on its way to Mill Brook.:

(This water course runs 1100' through our property paralleling our easement along the power corridor about 50' to 80' in to the woodland beyond the southern edge of the wood line which bounds the exposed footprint of the power corridor. Bassett Brook is a cascading series of waterfalls dropping some 250 feet in elevation on the way to it flows into Mill Brook.)

{photo omitted}

A view of crystal clear Mill Brook as it runs 1500' through our woodland:

{photo omitted}

Mill Brook, three miles downstream from its headwaters, crosses the power corridor through a piece of flatland/wetland which is laced with a dozen beaver dams creating numerous ponds under the cables and steel structures. All of this lies at the very bottom of a vast open power corridor about 300' wide which runs downhill on an estimated 30 degree slope running a distance of approximately 1000' from a high ridge until it reaches the wetland and Mill Brook crossing at the bottom of the falling landscape.

The potential here for erosion if excavation begins for the proposed pipeline would be great. Mill Brook leaves the corridor and flows 1500' throughout our homestead before going downstream to the Westfield River watershed.

Despite the KM stated plans for erosion control the internet has numerous documents that cite erosion violations from earlier Kinder Morgan projects that are explained as " third party" incidents. KM distances itself from any responsibility for damages in such cases even though they hire the subcontractors.

Erosion from construction in this unique landscape setting could easily result in transforming a clear free running natural stoney bottom brook- Mill Brook - into a slow moving shallow waterway chocked with silt

and covering fish and vegetation along the way.

Quality of Life:

We're here for a reason

We bought this land on purpose for the quite, fresh air, crystal clear rushing waters, wildlife that we share this natural wonder world with. If an industrial infrastructure penetrates this pastoral setting it will be a violation of the balance of nature we have invested in and cultivated here in this space we call home.

I built this place when I turned 60 years old in preparation for future retirement. Now, what has been a place for reflection, contemplation and cohabitation with nature has, for the past 15 months, been threatened by a proposed industrial project.. This is not an industrial region, in fact, it is defined by and visited because it is a rural setting with all of the typical qualities one seeks as a retreat. Beyond our individual homesteads we know the surrounding natural settings attract 1000's of travelers and tourists - a main part of the economy of western Massachusetts.

I am one of many citizens who feel we are at war with a project driven mostly by corporate profit objectives as we try to preserve our quality of life. I didn't envision going into my 70's wasting my life fighting a corporation and defending the natural environment and a vision I have worked for all of my life.

The current proposed route for NED runs along the northern boundary of the power corridor on the opposite side of the corridor from our property. The land there along the current proposed route is open and rolling landscape and easily excavated. If that route is changed to the south side of the corridor and into our woodland it would require destroying the Bassett Brook waterway and cascading rock-scape (seen in the first included photograph).

This is unacceptable to me and my family. If this change is ever considered it will be a game changer for us and our involvement will need to be scaled up to respond to that threat of destruction and violation to our way of life.

Opposition to the North East Energy Direct pipeline project proposed by Kinder Morgan/ Tennessee Gas Pipeline:

I will list our key concerns beyond those stated above in a topical outline form to save time. These are my issues that I want FERC to fully understand and consider:

Homestead

Health and Safety risks from pipeline infrastructure. Local organizations and authorities are not prepared to respond to events that threaten communities.

Loss of homeowners insurance and/or increased costs for insurance if coverage remains available.

Inability to refinance my home due to the proximity of the pipeline. A real loss since I am retired and may need to tap this resource in the years ahead.

Loss of our quality of life due to air quality, sound pollution, night light pollution and industrial footprint in an otherwise rural and natural setting.

Loss of market value for the future sale of our home due to the industrial presence in the surrounding area.

Environment

The damage to greenfield landscapes and waterways will obviously be significant for this new pipeline infrastructure. Beyond this local physical and quality of life impact there is the larger issue of Global Warming and the damage done by continued use of fossil fuels as a main solution to our future energy needs if billions of dollars is invested in pipe in the ground the fossil fuel future. It is clear Natural gas will be a "bridge fuel" for the near term as battery storage technology extends the ever-expanding potential for Solar and wind generation. Hydro power from the north is on the horizon. These "free files" - wind, water and solar are kinder to the earth.

Economy

Since the capacity of the NED pipeline at 1.3 Bcfd is substantially greater than the customer base identified by KM 600 Mcfd (some not even on the market path in New England) it seems absolutely clear that a large portion of this capacity will be earmarked for export. Prices in Asia and Europe are significantly higher and will make the price of domestic gas more expensive.

Even by KM's own admission, NED, like all pipeline projects, are for profit. Why would they sell their product for less at home when they could double/triple their profit abroad? This concern is only underscored by the prospect of all 5 pipeline projects currently in various stages of development all being approved leading to an overbuild of infrastructure resulting in 8 to 10 times the amount of gas anyone states the New England region needs.

Energy Future: conclusion

Please do not overbuild the fossil fuel infrastructure when the bridge we need for a fossil fuel to meet the brief "peak period needs" for additional natural gas only needs to be a short bridge for the short term. Increased LNG storage, conservation and investing in and expanding the build out of renewable energy infrastructure to support the use of "free fuel" is the best way to insure a safe, reliable, renewable and responsible energy future for New England, America and the Earth.

Thank you, Stephen Wicks. 50 west Hill Road, Plainfield, Massachusetts. 413 634 8023

20151030-5162

katharine gregg, mason, NH.

We are approaching the date Kinder Morgan will file with FERC. I realize NH needs more and cheaper electricity, but please push for alternative ways of generating it. Natural gas is not as clean as it is made out to be. Nor is the amount of gas proposed to be piped through the state necessary for New Hampshire's electricity needs. Our communities are being used to transport gas for export and for Kinder Morgan's profits. Please be clear about this and do not approve this pipeline project

Sincerely,

Katharine Gregg
243 Valley Road
Mason, NH 03048

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