



Town of Washington ORIGINAL

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Town Offices/Selectman

January 12, 2015

PF14-22

LIST – Governor Baker, Reps Kulik & Pignatelli, Sen Downing, Rep Neal, Sen Warren & Markey, FERC, and MA Sec'y of Energy&Environmentsl Affairs

The voters of the Town of Washington have overwhelmingly passed a resolution directing this Board to take any and all legal measures to block the construction of high pressure gas pipelines and specifically the Northeast Energy Direct pipeline being proposed by Kinder Morgan and Tennessee Gas.

The resolution also directs us to support public policy at all levels of government that encourages renewable energy and bans the practice known as "fracking" with special concern for the storage, treatment and disposal of hydraulic fracturing fluids and byproducts.

This Board concurs wholeheartedly with our voters and requests that you take any and all actions in support of this resolution. A full text is appended.

Thank you,

James A Huebner
Chair, Select Board

Shaun Lennon
Select Board

Michael Case
Select Board

CC: Nat Karnes - BRPC
Tom Matusko - BRPC

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SECRETARY OF THE
COMMISSION
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FEDERAL ENERGY
REGULATORY COMMISSION

Resolution to Seek Lower Electric Rates in a Competitive Market

Whereas, the Commonwealth of Massachusetts, by enacting Chapter 164 of the Acts of 1997, has established a competitive marketplace through deregulation and restructuring of the electric utility industry; and

Whereas, the citizens of the Town of Washington in Berkshire County have substantial economic, environmental, and social interests at stake; and

Whereas, Washington's residential and business consumers are interested in reducing their electricity rates;

Be it therefore resolved, that the Town Meeting of Washington grant the Board of Selectmen authority to develop and participate in any municipal electric aggregation plan and to amend, restructure or reconstitute such plan as may be necessary and appropriate so as to execute a contract, or contracts, for power supply and other related services, independently, or in joint action with other municipalities through the Hampshire Council of Governments. If such contracts are to be approved, individual consumers would retain the option not to participate and to choose any alternative service they desire; and

Be it further resolved, that the Board of Selectmen may appoint a representative for a committee to oversee such joint action.

Article 3: To see whether the Town will vote on the following NON-BINDING RESOLUTION TO BAN KINDER MORGAN'S PROPOSED GAS PIPELINE EXPANSION IN WASHINGTON, MASSACHUSETTS as submitted by a resident of the town.

WHEREAS, Kinder Morgan Energy Partners and its subsidiary Tennessee Gas Pipeline Co. have proposed to build a new high-pressure pipeline, also known as the Northeast Energy Direct project (NED), from Richmond to Dracut, Massachusetts for the transport of natural gas obtained through the use of hydraulic fracturing ("fracking") in New York and Pennsylvania, a drilling method that contaminates ground water, and harms human health through its chemical byproducts;

WHEREAS, natural gas is a non-renewable fossil fuel which generates significant carbon emissions and other pollutants when burned, and Kinder Morgan has not denied that there may be some fracking chemicals present in the gas to be transported by the NED pipeline;

WHEREAS, natural gas is primarily composed of methane, which can be lethal, is highly flammable, and leaks at every step of production and distribution where it is at least 30 times more potent than carbon dioxide in terms of climate change;

WHEREAS, Kinder Morgan's preferred route for the NED pipeline would cut across Washington MA, passing very close to a private residence requiring a permanent 50 foot wide right of way that would be denuded of all vegetation except grass and maintained through the use of herbicides, and any alteration to the preferred route may effect other residences and environmentally sensitive areas;

WHEREAS, said NED pipeline route through Massachusetts would divide and destroy large amounts of forest, conservation land, wetlands, and farmland, which may be obtained through eminent domain, potentially harming drinking water and personal health and infringing on personal property rights;

WHEREAS, high pressure pipelines of this kind carry inherent risks such as leaks and ruptures, and as conveyors of flammable gas, can and have caused accidents resulting in explosions and major fires that have been occurring across the US with greater frequency;

WHEREAS, town taxpayer money would pay for emergency response in the event of explosions, fires or other accidents since Kinder Morgan (as a gas utility) is exempt from liability in addition to being exempt from the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, and the Superfund Act;

WHEREAS, the cost of said pipeline could require Massachusetts citizens to pay a utility bill tariff to fund the uncapped cost of constructing and maintaining the NED pipeline (estimates range from 1.2 to 6 billion dollars), making ratepayers subsidize fossil fuel infrastructure and bear financial risk for the endeavors of a wealthy private corporation;

WHEREAS, said expansions of natural gas represent a new, long-term commitment to fossil fuels that does not honor state and local commitments to renewable energy and reducing greenhouse gas emission levels, nor our responsibility to future generations;

WHEREAS, our energy challenges are better addressed through investments in energy efficiency and renewable energy solutions.

NOW THEREFORE BE IT RESOLVED THAT the people of Washington, Massachusetts

1. **Hereby** call on our Board of Selectmen to stand in opposition to Kinder Morgan's pipeline expansion or any similar projects that may be proposed later, within our Town borders, and stand in solidarity with nearby communities working to disallow the pipeline within their borders.
2. **Call on** the Board of Selectmen to discuss, consider and use any legal means available to prevent the construction of the NED or any other high pressure gas pipeline within the borders of the Town of Washington.
3. **Affirms** the need for public policy at the local, state and federal levels to encourage renewable energy and combat climate change, and supports legislation to ban or impose a long-term moratorium on hydraulic fracturing as well as storage, treatment or disposal of hydraulic fracturing fluid or byproducts within the Commonwealth.
4. **Shall Cause** a copy of this resolution to be presented to the Town's state and Federal legislative representatives, the Governor and Governor - elect, Massachusetts Secretary of Energy and Environmental Affairs, and Federal Energy Regulatory Commission asking them to take action to prevent the construction of the Pipeline within the borders of the Commonwealth of Massachusetts.

Document Content(s)

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