

Office of the  
**CONSERVATION COMMISSION**

Town of Townsend,  
272 Main Street  
Townsend, Massachusetts 01469  
978-597-1700, ext. 1739  
978-597-8135 fax  
conservation@townsend.ma.us

March 11, 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

Dear Secretary Bose:

The Townsend Conservation Commission stands in opposition to the proposed Northeast Energy Direct pipeline and we are confident that the Federal Energy Regulatory Commission will take our concerns into consideration when reviewing this proposal.

Last spring we were notified by Tennessee Gas Pipeline, L.L.C. (Tennessee) of proposed 30-36" high pressure natural gas pipeline crossing our town. We then became aware that the town was to be the site of a proposed 120,000 horsepower compressor station. It is now our understanding that Tennessee's preferred alternative" has relocated the main "market path" through New Hampshire, with a proposed lateral 12" pipeline running from New Hampshire south through Townsend to Lunenburg. We will focus our comments only on that proposal. However, we reserve the right to comment further, particularly if the proposed route should change once again.

Conservation Commissions in Massachusetts were formed as a result of the Conservation Commission Act of 1957 (MGL Ch. 40, §8C), and are charged with the responsibility of open space and natural resource protection in our communities. The history of resource protection by the Townsend Conservation Commission is lengthy, spanning almost 50 years. In that time, the Commission sponsored or endorsed the passage of the following state laws and local bylaws, which could not have been done without the continued support of the people of this small rural town:

Squannacook and Nissitissit Rivers Sanctuary Act, passed in the Commonwealth of MA in 1975  
Squannassit Area of Critical Environmental Concern (ACEC), approved by the Secretary of Energy and Environmental Affairs in 2002  
Townsend Wetlands Bylaw, passed in 1983, regularly amended  
Townsend Wetlands Bylaw Regulations, passed in 1989, regularly amended  
Illicit Discharges and Stormwater Bylaws, passed in 2007

Located only about 50 miles from Boston, Townsend is home to a state park that offers exceptional woodland camping with some of the largest and most private campsites in Massachusetts, all beneath a canopy of stately pines. Adjacent Willard Brook State Forest offers additional camping opportunities. This area of north central Massachusetts offers miles of hiking trails and abundant fishing and swimming. In addition, the Commonwealth of Massachusetts has designated almost all of the rivers, streams and wetlands in Townsend as Outstanding Resource Waters by the Massachusetts Surface Water Quality Standards Program. The Massachusetts Division of Fisheries and Wildlife has classified the Squannacook River and its tributaries as Cold Water Fisheries, an indicator of their excellent water quality. The Squannacook is a premier easterly Cold Water stream, and the MA Division of Fisheries and Wildlife has made a significant financial investment in protecting these waters by purchasing land along the Squannacook and its tributaries. Clearly these Outstanding Resource Waters that feed the Squannacook River, and the natural resources that make up this ecosystem, are of tremendous value to our region.

Indicative of that significant ecological value is the fact that the National Park Service, U.S. Department of Interior, conducted a Wild and Scenic River Reconnaissance Survey of the Nashua River, including a 10 mile stretch of the Squannacook River. That 2013 preliminary study identified enough significant natural, cultural and recreational resources that qualified as Outstanding Remarkable Values (ORVs) to warrant congressional authorization for a Wild and Scenic River Study. Congresswoman Niki Tsongas obtained passage of HR. 142 in the 113<sup>th</sup> Congress (2014), which authorized the Study.

Tennessee's pipeline would cross all of the headwaters of the Squannacook River, clearing at least a 100 ft. wide construction corridor across each one of them. An undetermined number of trees would be cleared in that corridor, and a 50 ft. wide permanent easement without any tree canopy would be required.

Of the 27,560 linear feet of pipeline proposed in Townsend, 81% of the pipeline crosses the Aquifer Protection District, the source of Townsend's water supply, 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 Priority Habitat of the Massachusetts Endangered Species Act. Eleven percent (11%) traverses through intact forest cores. Thirty-six percent (36%) of the pipeline path is through Article 97 protected open space! Yet Tennessee is stating that the revised route avoids areas of critical environmental concern and Article 97 lands. A chart is attached showing the amount of disturbance associated with the proposed pipeline's path through Townsend.

As the municipal governmental body charged with overseeing and protecting Townsend's natural resources, the Townsend Conservation Commission is convinced that no amount of assurances from Tennessee can assure us that they will act as responsible corporate citizens, who are "committed to protection of the environment." Witness the recent \$800,000 settlement between the Pennsylvania Department of Environmental Protection and Tennessee for substantial environmental violations during pipeline construction. When the 6" Tennessee lateral in neighboring Lunenburg was replaced with a 12" pipe, the Lunenburg Selectmen reported difficulty in communicating with Tennessee about ongoing pipeline construction issues once the project was finished and Tennessee left town.

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. In addition, there are more than 50 homeowners along the proposed pipeline route who have private wells. All of the approximately 65 homes have private septic systems. How will drilling and blasting impact those wells and systems? We have yet to be shown that there will be no negative effect on surface water temperatures with a permanent open canopy. There will also be opportunistic invasive species filling in that void that will need to be treated with herbicides.

We note from RR1 that if approved, Tennessee plans to comply with Article 97 requirements, which was confirmed by Tennessee's spokesman at their Fitchburg Open House. RR1 further states that Tennessee will come before local conservation commissions for Orders of Conditions. However, they plan to submit

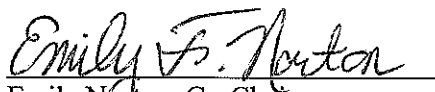
Notices of Intent to conservation commissions in January 2016, well before Tennessee's request for FERC to issue a Certificate in October 2016.


We would like to file a complaint in that the Open House held by Tennessee Gas for the lateral was held in Fitchburg, MA. There is no proposed pipeline construction in Fitchburg. Our municipal offices were not contacted about holding the initial Open House and when the Open House was postponed, we reserved sufficient space with parking at no cost for the Open House. We then contacted Kinder Morgan to ask that it be moved to Townsend, to no avail. Traveling in Massachusetts this February was difficult, particularly at night with high snow banks and narrow roadways where pedestrians were forced to walk because the sidewalks were buried. It was even more difficult for older citizens for a number of reasons. There was no need to hold the Open House in Fitchburg, which also had limited parking that was either treacherous or too far for older citizens to walk. Townsend will be honored to sponsor a scoping hearing if that is agreeable to FERC.

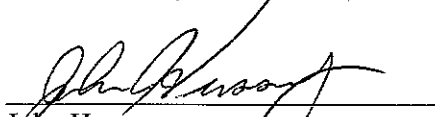
We recently learned that FERC is unaware of the demonstrations that took place in 2014 in opposition to the proposed pipeline, at that time routed entirely through Massachusetts. Townsend held a Special Town Meeting in July 2014 and unanimously opposed the pipeline. Townsend's residents have long recognized what they have, and know that it is worth protecting. We have held six informational meetings for townspeople and any other interested people, participated in a state wide walk from the New York border to Boston, where a statewide rally took place. We held a yard sale along with other towns along the proposed route to raise money and are continuing to participate in a municipal coalition.

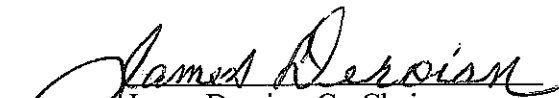
FERC's Statement of Policy (Docket no. PL99-3-000) states that Certificate policy "should be designed to foster competitive markets, protect captive customers, and *avoid unnecessary environmental and community impacts* while serving increasing demands for natural gas". Please consider other existing supply options that will have less impact on the environment in determining whether to issue a Certificate. Perhaps with the increasing importance of climate change, it is time to hold another public conference to review and update FERC's policy with regard to natural gas demand and infrastructure.

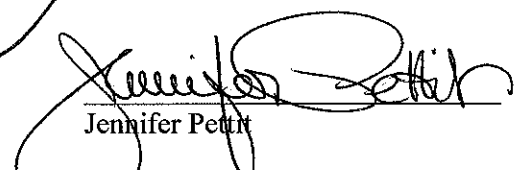
Sincerely,

  
Emily Norton, Co-Chairman

  
Veronica Kell, Clerk

  
John Hussey

  
James Deroian, Co-Chairman

  
Jennifer Pettit

cc: Senator Edward Markey  
Senator Elizabeth Warren  
Representative Niki Tsongas  
Governor Charles Baker  
Representative Sheila Harrington  
Matthew Beaton, Secretary of Energy and Environmental Affairs  
Townsend Board of Selectmen

## GAS PIPELINE NATURAL RESOURCES DISTURBANCE

NATURAL RESOURCE	LINEAR FEET OF RESOURCE DISTURBANCE BY PIPELINE	PERCENT OF RESOURCE DISTURBANCE BY PIPELINE
Aquifer Protection District	22,320	81%
Aquifer - High Yield	5620	20%
Aquifer - Medium Yield	3293	12%
DEP Water Supply Zone II	6974	25%
Chapter 61, 61A, 61B	3633	13%
Forest Stewardship Program	738	3%
Protected Open Space	9950	36%
Outstanding Resource Waters	25780	94%
Squannassitt ACEC	27560	100%
FEMA Designated Floodplain	3192	12%
MESA Priority Habitat	14205	52%
BioMap2 Core Habitat	9170	33%
Species of Special Concern	5993	22%
Forest Core	3082	11%
BioMap2 Critical Natural Landscape		
Landscape Blocks	15603	57%
Wetland Buffer	1739	6%
Living Waters-Critical Supporting Watershed	19611	71%
<b>TOTAL LINEAR FEET OF PIPELINE IN TOWNSEND=</b>		<b>27,560</b>