July 3, 2014

Secretary Maeve Vallely Bartlett
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Alex Strysky, EEA No. 15205
100 Cambridge Street, Suite 900
Boston MA 02114

Re : Connecticut Expansion Project proposed by Tennessee Gas Pipeline through their Expanded Environmental Notification Form. (EEA # 152005)

Dear Secretary Bartlett,

Berkshire Environmental Action Team (BEAT) would like to offer the following comments regarding the proposed Connecticut Expansion Project proposed by Tennessee Gas Pipeline Company.

1. **Draft and Final EIR** - This pipeline will have a huge impact on our environment. Please require Tennessee Gas Pipeline (TGP) to undergo the full MEPA process, producing a draft EIR for public comment. TGP can then use those comments to fully develop a final EIR. In order to make an informed decision, it is critical to weigh all the environmental costs.

2. BEAT believes that **independent monitoring** of the proposed Connecticut Expansion Project should be required. TGP has recently (in May) investigated 5 "anomalies" in the Sandisfield part of their existing pipeline WITHOUT obtaining the required 401 Water Quality permit from the Army Corps of Engineers through Massachusetts Department of Environmental Protection (personal communication with David Foulis, WERO). If this was an emergency, was the town notified and were residents notified? How do we ensure this error never occurs again and that applicable laws are followed?

3. **"Purpose and Need" -** BEAT disputes the assertion that this project is needed to meet the current demand for gas in the region. Even during the coldest days last winter, there was enough gas in the region despite a compressor station being out of service in Delmont, Pennsylvania, to service all gas heating customers, but also to generate enough electricity to fill all the need, and extra capacity need, required by ISO-New England, and still sell electricity to New York state, and have 44 MW left over. (ISO-New England, January 2014 FERC Data Request *attached*).

We believe that continued gains in energy efficiency can easily reduce the need for gas in the region both for heating homes and for producing electricity. The Department of Energy Resources is looking to encourage the adoption of cold-weather, high-efficiency heat pumps as an alternative to using gas or oil heating. Heat pumps are cost-competitive with gas, reduce our gas use for heating, and reduce greenhouse gas emissions.

We request that before any new gas transmission pipeline is considered that there be an analysis of the costs and benefits of meeting the Low Demand Scenario of the New England States Committee on Electricity, Gas-Electricity Working Group Final Report dated March 28, 2014. (*attached*) According to this report (page 14), under the Low Demand Scenario there is no need for long-term infrastructure, but an analysis of the costs and benefits of the Low Demand Scenario has not been done. Before building any long-term infrastructure to bring in more fossil fuels, please require an analysis of the Low Demand Scenario which would be the **No Build Alternative**. (see also the *attached* ENE letter "Right-sizing infrastructure")

4. **Segmentation** - We are concerned that separating this project from the Northeast Energy Direct pipeline project (as well as the other pipeline projects proposing to bring more gas from the Marcellus Shale hydraoulic fracturing fields into New England) could be interpreted as segmenting the project. We need a study to determine if any more gas infrastructure is truly needed.

5. This proposed infrastructure will bring in a **diminishing, limited resource**. We do not believe the price of this fuel is likely to remain low. We should be investing instead in renewable energy long-term infrastructure to gather fuel that has no cost and no emissions.

6. **Greenhouse Gas Emission Study -** Please require a greenhouse gas emission study that includes emissions from well head to burner tip. This should include both CO2 emissions as well as methane emissions not only from burning the increased amount of fuel, but also from leakage from drilling, gathering, compressing, and transporting this fuel. The leakage at drilling and gathering facilities can be enough to make using this gas worse for climate change than using coal. (Howarth presentation – Petron et al. 2012 direct landscape scale measurement showed 4% leakage at drilling and gathering areas – *slide attached*)

7. **Permanently protected land** under our State Constitution, Article 97, should not be released from that permanent protection. The Senator and Representative for Sandisfield have stated publicly that they will not vote for, and indeed will argue against, releasing these lands from state protection.

8. **Monitoring Plans -** P A-15 - Active Croplands - TGP proposes to implement a crop monitoring program where they go through crop land. We request that they implement a RESTORATION monitoring plan for the entire project area, especially wetlands and waterways, where an independent monitor is hired to determine if pre-construction conditions are restored, ensure that native vegetation is re-established, and ensure that

invasive species are eliminated. This monitoring should be maintained for as long as the pipeline is in place.

9. **Waterbody Construction and Minimization/Mitigation Procedures -** No construction equipment should be allowed in any of the waterbodies. Time of year restriction should be observed. All crossings should maintain the natural water flows and the crossings should be restored to a natural condition as quickly as possible.

10. **Stream crossings** - At the site visit we observed a stream crossing where TGP had placed pipes lengthwise in a stream. Evidently, when those pipes no longer functioned to serve TGP's purposes, they placed more pipes on top of the first pipes. These pipes are mostly rotted through. This is a barrier to fish and wildlife passage. TGP still includes this method, along with using sand bags, as a proper way to build a stream crossing. We request that the use of sand bags be severely limited – they always send sand into the stream. In addition, we ask that TGP be required to use temporary bridges to cross any streams. And they should be required to restore the stream crossing we visited to a natural condition, removing all pipes and parts there of.

11. **Vernal Pools** – The proposents mention that one certifed vernal pool exists along the pipeline route. What steps have been taken to identify additional vernal pools along the construction route? BEAT would suggest requiring TGP to provide funding for Natural Heritage to hire experts next spring to look for and document vernal pools within the proposed work area.

12. **Invasive species** -
    A. TGP should be required for both the proposed project and any work on their right-of-way in Massachusetts – to come up with a project-specific plan to prevent the spread of invasive species, including washing their equipment between sites. An independent monitor should be required as long as the right-of-way exists.
    B. The proponent should not use hay bales for either the proposed work or work on their existing Right-of-way, as these frequently have seeds of invasive species.
    C. Brushing off the "mats" is not sufficient. ALL equipment used, especially in an area with invasive species, should be washed thoroughly when moving to a new area. This should be routine practice.
    D. It is obvious that TGP has failed to prevent the spread of invasive species to date. The right-of-way is heavily infested. TGP should devise a plan to prevent the further introduction and spread of invasive species and be required to monitor for invasive species spread in perpetuity.

Although on page 7 of the ENF, TGP states that all areas will be returned to pre-construction conditions after construction is complete – on the ground, it appears that TGP is incapable of making good on this statement.

13. **Off-Road Vehicles** - BEAT agrees with Mass Audubon's comments: "Utility corridors are frequently used illegally by all terrain vehicles (ATVs). The EENF describes a commitment

to provide gates and signage, and to work on an ongoing basis with landowners to deter unauthorized access including by ATVs. However, there is no commitment made to work with local or state law enforcement authorities or to assist in the funding of chronically underfunded ATV enforcement programs. DCR does not have the capacity to effectively deter unauthorized ATV use on its properties, and the proposed expansion of this utility easement increases the likelihood of ATV enforcement problems at Otis State Forest."

14. **Pipeyard in Tyringham**. No wetlands were delineated at the time of the site visit. It was impossible to get an understanding of the potential impacts to the rare species habitat. This section of the ENF needs expanding! The proponent should be required to have a biologist with expertise in turtles on site when preparing the site. The entire work area should be surrounded by silt fence - well entrenched, taut, and angled outward to prevent turtles from climbing over it, and inspected several times a day if the fence is up during nesting/hatching times.

15. All species used for replanting should be **native to the southern Berkshires.**

16. **Proposed Facilities**
    A. page A-2 – We would like to note that at pig launching and receiving stations, methane along with whatever **chemical residuals from hydraulic fracturing** are released as a part of normal operating procedures. Unfortunately, our federal Clean Air Laws do not appear to protect us from this.

    B. page A-3 – We request that Tennessee Gas Pipeline Company be required to **disclose ALL potential "modifications"** that they will need on and along the right-of-way during the MEPA process. At a public meeting in Richmond, TGP said that they were showing two compressor stations – one in Wright, NY and one in Dracut, MA. We believe that it would be impossible for TGP to operate this pipeline over the hilltowns of Massachusetts at high pressures with only those two compressor stations. While that misleading statement does not apply to the pipeline under discussion in this ENF, it is a major reason that we feel strongly that the MEPA process must be used to ferret out all the potential "modifications" that TGP is likely to add as this process moves along.

    C. **Incineration zone** – page A-15 - The ENF states that no residences are located within 50 feet of the construction work. What is the incineration zone if a pipeline of this size ruptures?

17. **Blasting** -
    A. page A-16 – TGP claims "no blasting is anticipated". We find that hard to believe seeing the amount of ledge and bedrock at the site and knowing that they last time they put a pipeline in this location, not only did they have to do blasting, but it was the blasting that ruptured the adjacent pipeline so much of the town had to be evacuated.
    B. page A-17 – We would like a third party to evaluate any damage complaints.

18. **Air quality monitoring** - Appurtenant Facilities – page A-18 - Air quality monitoring should occur at the compressor station in Agawam and at the pigging facilities when they are active to determine the amount and composition of the gas released in these locations and the potential harm nearby residents could be exposed to.

19. **Herbicides** - Operations and Maintenance – page A-18 – TGP claims they do not use herbicides, however they have a plan on file with the state of Massachusetts to allow them to use herbicides, and in the ENF they say they will not use herbicides within 100 feet of wetlands. We would like a statement in writing that no herbicides will be used.

20. Future Plans and **Abandonment** – page A-19 – The state of Massachusetts is moving away from the use of fossil fuels. MEPA should require an abandonment plan.

21. **Construction and Operation Impact** – page B-9 – This section lacks adequate detail on how TGP would deal with a high water table.

22. **Hydrostatic Test Water –** page B-17 – There should be an independent monitor to ensure that this procedure is carried out in compliance with NHESP restrictions. The water should be returned to an upland area up gradient of Spectacle Pond (assuming the pipeline coating is not toxic) and allowed to infiltrate into the soil.

23. **Coating inside the pipes** - At the site visit, we requested information on what is used to coat the insides of these pipes. As far as I know, we have not had an answer. The water that will be withdrawn from rare species habitat of Spectacle Pond will be used to test these pipes and then be released into the environment. We would like a full list of the chemicals that water will be exposed to. Will the water be tested as it comes out of the pipes? While we would like that water to be returned to an upland area upstream of Spectacle Pond to infiltrate and make its was back to the pond, we would only like that if the water would be completely safe for the very sensitive species in the pond.

24. **<u>Alternatives</u>**
    A. page C-1 – **Energy Conservation** – TGP presents no evidence that energy efficiency programs, demand generation, and planned renewable generation could not meet the supposed need.

    B. NESCOE's Gas-Electricity Working Group Final Report, March 28, 2014 (*attached*) - page 14 – states that the required analysis has not been done:

> "Reducing consumers' demand for electricity and natural gas to the extent assumed in the Low Demand Case eliminates the need for consumers to invest in infrastructure (beyond the pipeline currently in process toward commercialization). Successfully implementing natural gas and electricity energy efficiency programs, renewable thermal heating applications,

and distributed electric generation that cause the demand for natural gas and the net electric load to decline in the long-term could eliminate any need for additional infrastructure. The associated cost of achieving a Low Demand Scenario is not known. Further analysis would be required to determine whether policies that would result in a Low Demand Scenario are cost-competitive with infrastructure investments."

25. TGP says this project will assist with "the Commission's goal of bringing new supplies of natural gas to market." Exactly what Commission are they referring to? The Berkshire Regional Planning Commission (BRPC) specifically states the need to move away from fossil fuels and produce more clean, renewable energy within the region.

26. **BRPC Sustainable Berkshires – comprehensive, long-range master plan.** The underlying theme of the new master plan is the concept of economic resiliency and environmental sustainability.

    In the Climate and Energy section, on page CE-3 it states:

    A. **Shifting energy from an imported product to a local one.** As noted in the *Massachusetts Clean Energy and Climate Plan for 2020*, the state is at the "end of the energy pipeline," importing almost all of its energy from other parts of North America or the world. We are dependent on producers and market forces. This means that funds spent on importing fuel leave the state and the region, impacting economic stability. The estimated exported economic value of purchasing energy from outside Massachusetts for 2008 was $22 billion state-wide.
    B. **Job creation through clean energy economy investments**. Massachusetts is in a position to show the way to a clean energy economy and reap direct benefits in economic growth. Between 2007 and 2012 the number of photovoltaic systems installed in Massachusetts increased 20-fold, with jobs in solar manufacturing, installation and services nearly tripling from 1,200 to 3,000. Two-thirds of these jobs are in manufacturing. In total, the Clean Energy Center estimates that at least 11,000 people were employed in the clean energy sector in 2010, up 65% from 2007.

    And on page CE-25

    C. **Transitioning the region away from fossil fuels** could help the region stand out. As a standout leader, the region may attract green and clean tech businesses or green friendly businesses to locate here. The costs of inaction are therefore a concern to the future of the region.

And BEAT agrees with BRPC's additional recommendations:

Recommendations to Local Boards and Commissions for the Local Permitting Process:

1. The Towns should not close public hearings on pending permits for this project prior to

the conclusion of the MEPA process.

2. The Towns should determine that they have the appropriate rules and regulations in place to hire outside consultants, at the proponent's expense, to review the project for wetlands, rare and endangered species and floodplain impacts.

3. The Conservation Commissions should include provisions for ongoing monitoring.

4. Given careful management of refueling and servicing of construction equipment should be conducted, particularly in wetland and riverfront areas. The use of biodegradable plant-based hydraulic fluids should be considered.

5. Tennessee should be required to provide periodic training of emergency responders in Sandisfield and all communities with whom the Sandisfield Volunteer Fire Department normally uses for mutual aid situations. This should be an ongoing commitment for the life of the pipeline. Ambulance and police should also be included, as well as the towns' Emergency Managers.

Thank you for considering our comments.

Sincerely,

Jane Winn, Executive Director

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