



BERKSHIRE ENVIRONMENTAL ACTION TEAM
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Protecting the environment for wildlife in support of the natural world that sustains us all.

Overview

Comment period deadline: June 30 at 5 PM Eastern Time

The Environmental Notification Form (ENF) submitted by Algonquin Gas Transmission to the Massachusetts Environmental Policy Act (MEPA) Office is available here:

[Algonquin Gas Transmission Environmental Notification Form \(ENF\)](#)

Algonquin has also filed environmental documents for this project with the Federal Energy Regulatory Commission (FERC). Additional environmental concerns that may be relevant to comments submitted to MEPA are discussed [in this guide](#).

Recently, Algonquin Gas Transmission, LLC (an Enbridge company) released an Environmental Notification Form to the MEPA office part of a pre-filing process for a natural gas pipeline expansion project proposal named the Algonquin Reliable Affordable Resilient Enhancement Project (R.A.R.E.), or AGT Enhancement for short.

What Will AGT's Project Do?

AGT is proposing to replace 8.3 miles of 16-inch G-1 pipeline on their G System lateral with a doubly sized 36-inch pipeline from Mendon, Massachusetts into Cumberland, Rhode Island, adding a 2.2-mile 12-inch G-2 loop next to the existing G System pipeline in Tiverton and Little Compton, Rhode Island, and adding a 3.0-mile 36-inch loop on the mainline (the 'L36D Loop') in Burrillville, Rhode Island, and modifying software at the existing Cromwell Compressor Station in Connecticut to uprate the station's horsepower.

What is the MEPA office?

The Massachusetts Environmental Policy Act, or MEPA, requires Massachusetts to study, minimize, and mitigate the environmental impacts of development projects. Although the Federal Energy Regulatory Commission (FERC) governs interstate natural gas pipelines projects at a federal level, the MEPA Office conducts a state level review of proposed natural gas pipeline expansion projects.

What is an Environmental Notification Form (ENF)?

Because the proposed AGT Enhancement Project exceeds state environmental review thresholds, Algonquin is required to submit an Environmental Notification Form (ENF). The ENF provides information about the project's potential environmental impacts and allows MEPA to determine whether additional environmental review is warranted.

What Can I Do If I am Concerned About the Environmental Impacts Mentioned in Algonquin's ENF sent to MEPA?



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File a comment to the MEPA office. The rest of the comment guide will detail concerns that can be mentioned in a public comment to the MEPA office.

Commenters may wish to request that MEPA require preparation of a full Environmental Impact Report (EIR) if they believe the project could result in significant environmental impacts that warrant additional review. Otherwise, if the MEPA office does not find that an EIR is needed, the extent of MEPA's influence over Algonquin has been reached. (The formal MEPA review process officially concludes if MEPA issues a Certificate determining that an EIR is not required)

Because Algonquin's project is large enough to exceed environmental impact thresholds set by the Massachusetts Environmental Policy Act, the Algonquin Gas Company is forced to file an Environmental Notification Form (ENF) with which the MEPA office will determine based on whether a full Environmental Impact Report is needed. The environmental impact of the project, although obscured by Algonquin's deliberate efforts to minimize the scale of their project in their ENF, is concerning. Comments to the MEPA office should emphasize that the environmental impact of the project makes an Environmental Impact Report necessary.

How to File Comments to MEPA

1. Comments can be submitted by email as text only to:

Nicholas.Moreno@mass.gov

2. **OR** Through the EEA Comment Portal (as an attached document)

- Search on "16947" at

<https://eeaonline.eea.state.ma.us/EEA/PublicComment/UI/searchcomment>

All comments should be addressed to:

Secretary Rebecca Tepper
c/o Nicholas Moreno, MEPA Analyst
Massachusetts Executive Office of Energy and Environmental Affairs
Saltonstall Building, 100 Cambridge St #900
Boston, MA 02114

Concerns to raise to the MEPA office

Putting the following concerns in your own words makes your comment much stronger.



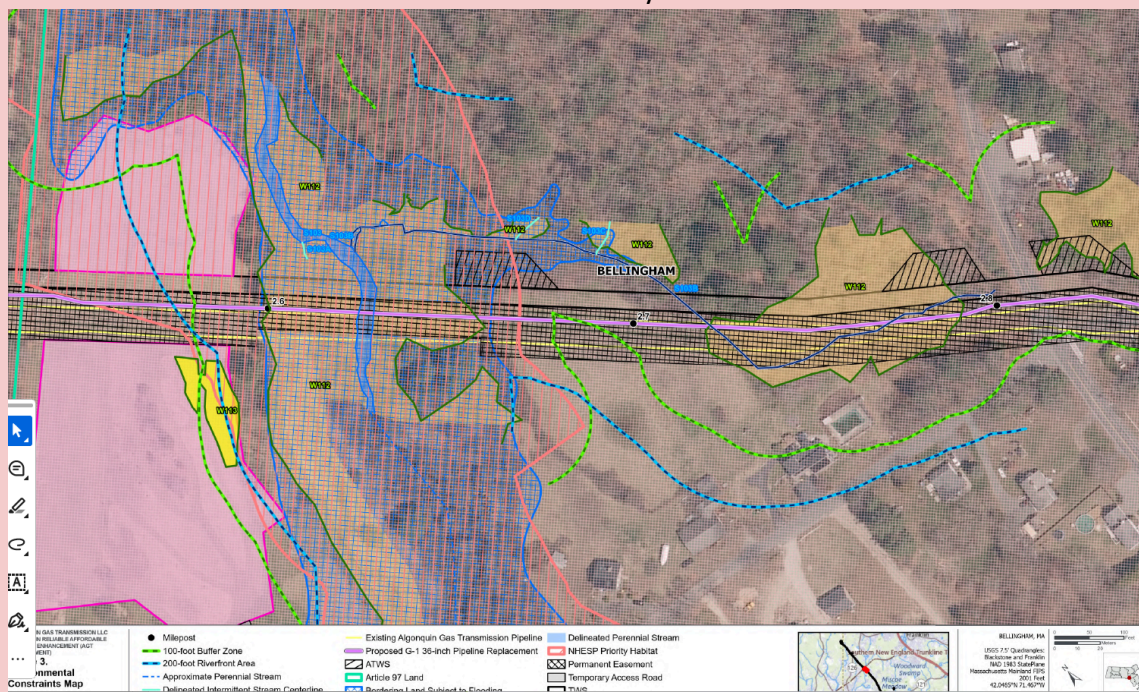
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1. Impacts to Wetlands and Sensitive Habitats

Although pipeline segments for this project are within existing rights of way, or in other words replacing existing pipelines or running parallel to existing pipelines, Algonquin’s current plans carry land use concerns. For one, Algonquin’s proposal places ware yards that span large sections of Natural Heritage and Endangered Species Program (NHESP) Priority Habitats. Ware yards are places where pipeline companies store construction materials and take up significant space. Ware yards require substantial land area. Commenters may wish to ask MEPA to evaluate whether alternative locations outside of NHESP Priority Habitat areas are available.

Current Algonquin ware yard placement: Salmon area is a NHESP Priority Habitat, Pink area is a ware yard





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Those making comments should remind the MEPA office that Algonquin's ware yard placement inside of NHESP Priority habitats is unacceptable. Additionally, remind MEPA that impacts of Temporary Access Roads and Temporary Work Spaces are not truly 'temporary' as Algonquin implies (and thus impact minimization is required) and that MEPA should reconsider the need for 11 access roads for six miles of pipeline. Request that MEPA scrutinize 'unavoidable' wetland grading and push for tree removal in wetlands to be done by hand, as the use of harvesting equipment (which has been used before by Algonquin) in wetlands can [compact the soil, severely reducing root growth, water absorption, and drops oxygen levels dangerously low by pushing air out of the soil and creating the ideal environment for disease](#). Soil compaction is extremely slow and expensive to address in wetlands, and can permanently alter the habitat and kill of native plant species. Any amount of convenience and cost savings Algonquin gains from placing ware yards, Temporary Work Spaces, and Temporary Access Roads in wetlands is orders of magnitude more costly and inconvenient to address afterwards. Thus, mechanical wetland grading should be avoided especially in riparian areas which serve as key transitional areas between terrestrial and aquatic ecosystems and play a critical role in wetland ecosystems. Additionally, request that the state investigate tribal impacts and the historical importance of the land.

Request that MEPA require Algonquin to include alternatives and mitigation in their upcoming environmental documents.

2. Vagueness in Algonquin's report to MEPA degrade its stated environmental commitments

When environmental commitments are made vague, they lose nearly all their value. It is impossible for citizens, homeowners, residents, and stakeholders to trust that objective environmental needs will be



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properly fulfilled by subjective, moment to moment decisions made by those who have fundamentally different interests and a vested concern for cost and time saving measures.

Whenever the Environmental Notification Form mentions a commitment to preserve the environment, the most likely word afterwards is 'practicable'. The word is powerful and dangerous, as it makes sensible judgments hard to distinguish from negligent, corner cutting ones. This is especially the case as the reader is given no basis for how these judgments of practicability are made onsite.

Those filing comments should emphasize the need for the Executive Office of Energy and Environmental Affairs, (an office under MEPA) to review Algonquin's wateryard placement and the necessity of their placement location in wetlands and rare species habitats in its environmental document. Request that mere convenience and cost cutting does not become conflated for 'practicability'. Emphasize the need for two Environmental Impact Statements (a draft and a final version) that addresses and locate the impact of grading within ROW construction, and acknowledge that graded wetland cannot be adequately restored to its precondition conditions. In addition to Algonquin's commitment to ensure that any imported soils are free of weeds and other environmental contaminants, request that invasive species be included. Request that Initial clearing operations should assess where rubber-tired and/or tracked equipment or hand-cutting is appropriate for cutting of tree and brush, especially in wetlands where mechanical equipment is inappropriate.

Additional examples of vague wording on the part of Algonquin to address with in your comment to MEPA:

- P.12: "Temporary construction ROW and any additional temporary workspace will be restored following completion of construction and allowed to return to its preconstruction condition or use."
 - What does it mean to restore the space to its preconstruction condition? We doubt that all the trees will not be restored, never mind all the other impacts. Using construction matting and heavy equipment causes long term damage. Moreover, all erosion controls must be plastic free, no netting, filling, etc. all biodegradable.
 - Electric vehicles should be used wherever practicable. This resolves idling law violations that are inevitable.
- P.104: Algonquin claims that they "**anticipate that additional permanent ROW will be required**" to accommodate the pipeline operation of the G-1 36-inch Pipeline Replacement segment" but on page 7 says the opposite, that "**Additional permanent easement is not expected to be required for the G-1 36-inch Pipeline Replacement segment at this time,**"
 - Request that MEPA investigate this discrepancy
- P.120: estimated capital cost of \$200M for MA (of estimated whole cost of \$300M)



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- Response: so clearly \$300M total was inaccurate since only \$100M for Burrillville & Little Compton/Tiverton & CT software? This needs clarification

3. Algonquin’s description of energy alternatives requires additional evaluation

The purpose of MEPA review is to insist that the project proponents (Algonquin) provide credible plans to avoid or minimize damage to the environment to the greatest extent feasible. One main purpose of the alternatives analysis is to consider how using the site for a different purpose, like renewable energy, would impact the environment. However, Algonquin does not adequately address the true value of alternatives because of a financial interest to expand its pipeline network.

The primary piece of reasoning Algonquin cites as to why the Project is needed as opposed to wind and solar alternatives is that renewable energy is often intermittent. Algonquin’s rhetoric implies that this fact automatically proves the superiority of the Project in supplying energy to the Northeast especially during peak winter periods. The argument is poor in that it ignores the many tools available to keep the grid stable to 100% water, wind, and solar technologies and deems polluting energies as necessary for maintaining reliable power production. Yet, ten countries, namely Iceland, Norway, Costa Rica, Albania, Paraguay, Bhutan, Namibia, Nepal, Ethiopia, and the Democratic Republic of the Congo, [already produce 97.5 to 100% of all their electricity from wind, water, and solar](#). Despite the worry that consumers will face blackouts when the wind does not blow or the sun does not shine, keeping the grid stable with 100% water, wind, and solar technologies is more than feasible and would reduce energy costs and demand.

Algonquin's minimization of energy alternatives represents its conscious intent to mislead the MEPA office in the necessity of the Project and undersell renewable energy alternatives. It involves a sustained form of hypocrisy, where Algonquin performs a desire to decrease cost for the consumer when in reality natural gas infrastructure obstructs cleaner, cheaper renewable energy infrastructure for the public and yet generates significant profit on behalf of Algonquin the natural gas distributors.

Those writing comments should note that despite wind and solar minimization, Algonquin does not mention energy storage of renewably generated energy while expanding its infrastructure largely to store gas closer to demand.

4. Additional information regarding groundwater recharge is needed

The Environmental Notification Form states that the proposed project may contribute to groundwater recharge. However, the ENF does not explain the mechanism by which groundwater recharge would occur or provide a method for measuring its effectiveness. Construction activities involving heavy equipment can compact soils, reducing infiltration and increasing surface runoff and erosion. Commenters may wish to request additional information regarding the basis for the groundwater recharge claim and any proposed monitoring or mitigation measures.



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5. Project lifespan and consistency with state climate goals

Algonquin plans to operate the proposed Project for 60 years, or until 2070, with ‘expected useful life’ projected to be through 2087. The lifespan of this Project is at odds with Massachusetts and Rhode Island laws and policies that require decarbonization by 2050. State policies like the MassSave Program are designed to shrink the gas system, not grow it. Meanwhile, [building codes are heavily shifting toward all-electric construction](#), leading to a long-term decline in overall gas demand. This is to say, a pipeline built to operate far after 2050 would have decades of planned lifespan during which fossil fuel combustion is highly restricted, and state ratepayers will end up stuck paying for a multi-billion-dollar asset that can no longer legally be utilized at full capacity.

The rhetoric claiming that the Project supports ‘reliable energy infrastructure’ to ‘sustain economic activity and essential services throughout the Northeast’ is not consistent with the planning and impending transition off natural gas. In the near future, an economic reliance on fossil fuels will be a burden to overcome economically and infrastructurally, which the Project will further exacerbate if carried out.

6. Environmental Justice considerations

Living near a pipeline poses risks. The [environmental justice literature](#) suggests that marginalized communities that work in low-paying, physically demanding jobs and have low access to education, social resources, and healthcare bear the brunt of the risks associated with pipeline construction and management, particularly because they are more likely to be near pipelines and thus may breathe in pollutants over a long period of time. The area of land which Algonquin proposes for its pipeline expansion includes 14 Environmental Justice populations within 5 miles of the pipeline in Bellingham, Milford & Blackstone. Those commenting may request the MEPA office to investigate this further.

Conclusion

Comments to the MEPA office should remind MEPA of its role to “study the environmental impacts of projects that require state permits or state funding and to take all feasible measures to avoid, minimize, and mitigate damage to the environment,” (Massachusetts Environmental Policy Act M.G.L. c. 30 §§61–62H).

1. Urge the MEPA office that they should not permit fossil fuel infrastructure that exacerbates the climate crisis that Massachusetts environmental law seeks to address.
2. Argue that a full Draft and Final Environmental Impact Report, rather than a singular Environmental Assessment is required to fully rigorously evaluate the reasonable alternatives, long-term effects, and cumulative impacts of the pipeline expansion across the broad region the project will affect.
3. Remind the MEPA office that Algonquin’s ware yard placement inside of NHESP Priority habitats is unacceptable.



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4. Remind the MEPA office that impacts of Temporary Access Roads and Temporary Work Spaces are not truly 'temporary' as Algonquin implies and thus impact minimization is required including reconsidering the need for 11 access roads for six miles of pipeline.
5. Request that the MEPA office scrutinize 'unavoidable' wetland grading and push for tree removal in wetlands to be done by hand
6. Request that mere convenience and cost cutting does not become conflated for 'practicability'.
7. Emphasize the need for two Environmental Impact Statements (a draft and a final version) that addresses and locate the impact of grading within ROW construction
8. Acknowledge that graded wetland cannot be adequately restored to its precondition conditions.
9. Request that invasive species be included in addition to Algonquin's commitment to ensure that any imported soils are free of weeds and other environmental contaminants.
10. Request that initial clearing operations should assess where rubber-tired and/or tracked equipment or hand-cutting is appropriate for cutting of tree and brush, especially in wetlands where mechanical equipment is inappropriate.
11. Note that despite wind and solar minimization, Algonquin does not mention energy storage of renewably generated energy while expanding its infrastructure largely to store gas closer to demand. [Algonquin should re-do energy alternatives to include energy storage (BESS, and more)]
12. Request the MEPA office to note that Algonquin's claim of groundwater recharge as a result of their project is in bad faith
13. Remind MEPA that Algonquin's project defies Massachusetts and Rhode Island 2050 decarbonization laws and is a financial burden on the public