



BERKSHIRE ENVIRONMENTAL ACTION TEAM

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Protecting the environment for wildlife in support of the natural world that sustains us all.

June 29, 2026

Debbie-Anne A. Reese, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

**Comments of Berkshire Environmental Action Team on the
Environmental Assessment for Algonquin's
Cape Cod Canal Pipeline Relocation Project, FERC #CP25-552**

Dear Secretary Reese,

Berkshire Environmental Action Team (BEAT) is a 501(c)3 organization with a mission to protect the environment for wildlife in support of the natural world that sustains us all. BEAT advocates for safe, clean, accessible energy for all and opposes toxic, dangerous fossil fuel infrastructure, including fracked gas pipelines, compressor stations, meter stations, LNG facilities, and expansions of local gas systems.

Thank you for the opportunity to comment on the Environmental Assessment for the Cape Cod Canal Pipeline Relocation Project, Docket CP25-552-000. Please accept these comments regarding the Environmental Assessment (EA) for the proposed Cape Cod Canal Pipeline Relocation Project. BEAT believes that the EA does not adequately evaluate several significant environmental issues associated with the project.

We recognize that the Cape Cod Canal Pipeline Relocation Project is unique in that it was prompted by the Massachusetts Department of Transportation (Mass DOT) Cape Cod Canal Bridges Program (CCCBP), which requires the existing has pipelines to be removed from the current bridges and relocated before construction of the new bridges. However, the proposed project includes infrastructure changes that extend beyond the replacement of existing facilities and may increase the capacity of the system serving Cape Cod.

Increase in Capacity

The Cape Cod Canal Pipeline Relocation Project proposes the replacement of two bridge-mounted 10-inch pipelines operating at 270 psi with an 18-inch G-31 pipeline and a 16 inch G-32 pipeline operating at 750 psi.¹ Pipeline throughput is influenced by multiple factors, including pipe diameter, operating pressure, system configuration, and downstream constraints; the proposed project would substantially increase both pipeline diameter and operating pressure. These infrastructure changes raise questions regarding whether the project would maintain existing transportation capacity, as stated by AGT, or increase the amount of gas that could be delivered to National Grid's Cape Cod distribution system. This contradicts the stated goals of the project to provide "the same natural gas transportation capacity for National Grid's distribution system on Cape Cod as currently exists."² Based on the proposed increase in pipe diameter, operating pressure, and associated infrastructure, the Commission should independently evaluate whether the project constitutes a capacity expansion in addition to a relocation project.

The Environmental Assessment does not appear to include an independent analysis of whether the proposed infrastructure changes would increase gas transportation capacity. Because the proposed project includes substantially larger pipelines, higher operating pressures, and additional associated infrastructure, the Commission should conduct or require an independent technical evaluation of the Project's capacity impacts before making a final determination.

Accounting for emissions

FERC has only estimated the construction and operational emissions of this project. The Environmental Assessment does not evaluate downstream greenhouse gas emissions associated with end-use combustion of transported gas or any additional gas demand that could result from increased system capacity. Because the project may increase gas transportation capacity, the Commission should evaluate reasonably foreseeable downstream greenhouse gas emissions consistent with NEPA and recent judicial decisions interpreting the statute (*Food & Water Watch v. FERC*, 28 F.4th 277 (D.C. Cir. 2022)). Moreover, Massachusetts has adopted legally binding greenhouse gas reduction requirements, including economy-wide emissions reduction targets through 2050. The Commission should evaluate the extent to which the Project is consistent with these state climate policies, which require a full accounting of all downstream emissions.³ The Commission should also consider the potential for increased gas deliveries through new or

¹ Massachusetts Environmental Policy Act Office (MEPA). (2026, May). *Final Environmental Impact Report Cape Cod Canal Pipeline Relocation Project EEA Number 16947*. Energy & Environmental Affairs MEPA Environmental Monitor. <https://eeaaonline.eea.state.ma.us/EEA/MEPA-eMonitor/submittal/b107e14f-5f99-4212-bb3a-e86edb7cc2a0>

² Federal Energy Regulatory Commission. (2026, May). *Environmental Assessment for Algonquin Gas Transmission, LLC's Cape Cod Canal Pipeline Relocation Project under CP25-552*. (FERC, Ed.). FERC ELibrary ; FERC. https://elibrary.ferc.gov/eLibrary/filelist?accession_number=20260529-3001

³ Massachusetts Executive Office of Energy and Environmental Affairs. (2022). *Massachusetts Clean Energy and Climate Plan for 2025 and 2030*. Commonwealth of Massachusetts. <https://www.mass.gov/info-details/massachusetts-clean-energy-and-climate-plan-for-2025-and-2030>

modified metering and regulating stations, even if National Grid does not immediately expand its distribution system.

Premature release of the Environmental Assessment

The Environmental Assessment was released before the several important environmental reviews and consultations had been completed. NEPA is intended to ensure that federal agencies make informed decisions based on a complete understanding of a project's environmental impacts. Courts have consistently held that agencies must take a "hard look" at environmental consequences before making final decisions or irreversibly committing resources.

Several consultations relevant to the project remain incomplete. Consultation with the US Fish and Wildlife Service under Section 7 of the Endangered Species Act has not yet been completed for the federally endangered northern-eared bat, the federally proposed endangered tri-color bat, and the federally endangered northern red-bellied cooter, all of which have been identified within the project area. Consultation with NOAA Fisheries regarding potential impacts to federally protected marine species, including North Atlantic right whales, fin whales, sea turtles, and Atlantic sturgeon, also remains ongoing. In addition, review by the Massachusetts Natural Heritage and Endangered Species Program regarding state-listed rare species has not been completed. Section 106 consultation under the National Historic Preservation Act regarding potential impacts to historic and cultural resources is still underway. A federal consistency determination from the Massachusetts Coastal Zone Management Office has also not yet been issued.

The project area is located within the ancestral homeland of the Wampanoag people, including the historic territory of the Mashpee Wampanoag Tribe and other Wampanoag communities. The Cape Cod Canal corridor contains archeological, historic, and cultural resources that will be affected by the project. Section 106 consultation under the National Historic Preservation Act is intended to identify and evaluate potential impacts to historic properties, archeological sites, and tribal cultural resources. Because this consultation remains ongoing, the Commission should ensure that consultation with Tribal National and other consulting parties is completed and that its findings are incorporated into the final environmental review before a final authorization is issued.

The proposed project also crosses and is adjacent to wetlands, shellfish habitat, and other sensitive habitats, and other sensitive environmental resources. Portions of the project corridor are located near lands managed by the US Army Corps of Engineers and the Massachusetts Department of Conservation and Recreation along the Cape Cod Canal. The Commission should identify and evaluate any potential impacts to publicly managed conservation lands, protected open space, and other sensitive natural resources located within or adjacent to the project area.

As a result, the public is being asked to comment before all relevant environmental information is available. The Commission should complete these consultations and incorporate their findings

into its environmental review before issuing a final authorization for the project. Completing these reviews before a final decision is consistent with NEPA's requirement that agencies fully evaluate environmental impacts and consider the best available information during the decision-making process.

Project Segmentation

The Cape Cod Canal Pipeline Relocation Project should also be evaluated in the context of recent and proposed modifications to the broader Algonquin pipeline system. Enbridge has previously proposed several major expansions of the Algonquin Pipeline system including Atlantic Bridge, Algonquin Incremental Market (AIM), and Access Northeast. Although some components of these proposals were constructed, Access Northeast and parts of Atlantic Bridge were not completed. Now we see a cluster of very small projects, all filed separately, many of which would have been segments of the previously filed projects.

More recent projects, including the E-1 System Regulator Installation Project (Ferc Docket CP24-21) and Sakonnet River Pipeline Replacement Project (FERC Docket CP24-49), have also increased system capacity. Additional proposals currently under development, including the Algonquin Gas Transmission Enhancement Project (PF26-7) and Project Beacon, would further expand the system.

Furthermore, two other projects currently are in development; Algonquin Gas Transmission Enhancement (AGT-E - currently prefiled with FERC #PF26-7), and Project Beacon (currently in Open Season bidding) are both proposing capacity expansions.

Although the proposed replacement of the bridges over the Cape Cod Canal necessitates relocation of the current pipelines, AGT has taken advantage of this opportunity to propose a notable expansion of system capacity at this site.

Taken together, these projects raise questions regarding whether the environmental impacts of system-wide expansion are being fully evaluated. The Commission should consider whether additional cumulative analysis is warranted under NEPA. Courts have recognized that connected, cumulative, and similar actions may require broader environmental review where segmentation obscures the full scope of environmental impacts. See, e.g., *Delaware Riverkeeper Network v. FERC*, 45 F.4th 104 (D.C. Cir. 2022). National Environmental Policy Act (NEPA)⁴.

⁴ *Friends of Animals v. U.S. Fish and Wildlife Serv.*, 28 F.4th 19 (9th Cir. 2022)
Food & Water Watch v. Fed. Energy Reg. Comm'n, 28 F.4th 277 (D.C. Cir. 2022)
Rocky Mountain Peace & Justice Center v. U.S. Fish and Wildlife Serv., 40 F.4th 1133, (10th Cir. 2022)
Delaware Riverkeeper Network v. Fed. Energy Reg. Comm'n, 45 F.4th 104 (D.C. Cir. 2022)

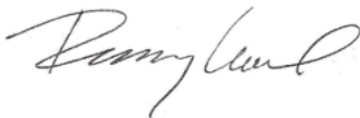
Sincerely,

A handwritten signature in black ink, appearing to read "Brittany Ebeling". The signature is fluid and cursive, with the first name being more prominent.

Brittany Ebeling
Executive Director, Berkshire Environmental Action Team

A handwritten signature in black ink, appearing to read "Melanie Risko". The signature is cursive and somewhat compact.

Melanie Risko
Deputy Director, Berkshire Environmental Action Team

A handwritten signature in black ink, appearing to read "Rosemary Wessel". The signature is cursive and has a long, sweeping underline.

Rosemary Wessel
Program Director, No Fracked Gas in Mass
A program of Berkshire Environmental Action Team

A handwritten signature in black ink, appearing to read "Samuel Geller". The signature is cursive and has a long, sweeping underline.

Samuel Geller, Intern
Berkshire Environmental Action Team