

Town of Pelham, NH
Pelham Conservation Commission
6 Village Green
Pelham, NH 03076-3723

MEETING OF 05/13/15

APPROVED 07/08/15

Members Present:

Karen Mackay, Paul Dadak
Mike Gendreau, Kaela Law,
Paul Gagnon, Louise Delehanty

Members Absent:

Lisa Loosigian

Chairman Paul Gagnon brought the meeting to order at 7:00 p.m. Mr. Gagnon welcomed our two new members, Kaela Law and Louise Delehanty. The Commission is now a full board with seven members.

PRESENTATION:

Kaela Law will make a presentation about the gas pipeline, proposed by Kinder Morgan, through portions of Pelham. The pipeline is proposed to be routed through both Costa Conservation Area and Peabody Town Forest.

Kinder Morgan is proposing to construct a gas pipeline, called the Northeast Energy Direct (NED) pipeline, through several towns in southern NH terminating in Dracut, MA. The main purpose of the pipeline is for electric generation. The proposed pipeline plan, though not concrete at this time, will run through Pelham roughly along the power line easements. The pipeline cannot be within the existing easement because of regulations regarding the distance required around high tension wires. There is much opposition to the pipeline from residents of most southern NH towns that will be affected. Presently, Kinder Morgan is in a prefiling stage of planning for the pipeline development. During prefiling, the company is trying to survey land to determine the best location for the pipeline. Many residents have refused Kinder Morgan access to their land to survey. This has resulted in incomplete information and the lack of a specific, defined location for the pipeline.

The original proposed route for the pipeline was through northern Massachusetts. Residents of MA opposed the plan so strongly, Kinder Morgan changed the preferred route for the pipeline to run through southern NH. Article 97 is a Massachusetts regulation that insures that lands acquired for conservation cannot be used in a manner that is inconsistent with conservation values. This article was successfully used to help get the pipeline route moved to NH.

There is a hub/meter station off route 113 in Dracut. The current pipeline in Dracut connects to the Maritime New England pipeline which runs from Nova Scotia down to Dracut. This line was constructed a few years ago and was supposed to lower electric rates. Now the Marcellus shale gas has a cheaper price. There is talk now of reversing the pipeline to flow gas from Dracut to Nova Scotia. Nova Scotia has an export terminal which can be used to ship gas overseas.

The Constitution pipeline runs from Pennsylvania to New York. This existing pipeline could receive Marcellus shale gas, which is cheaper gas, into our region without building any new lines. Pelham currently has the Concord Lateral pipeline which runs from Dracut across route 38, between the schools and through Muldoon then on to Concord NH.

The proposed NED pipeline will run through NH, but NH residents will get little to no benefit from the pipeline gas. New England residents may have minimal benefit from the pipeline, NH will be used as a pass through to get to other places. Pelham residents will not be getting any gas from the pipeline. The location of valve stations has not been determined yet. New Hampshire residents only consume half the electricity we generate. We export the remainder to the power grid.

Algonquin Spectra pipeline runs through Connecticut, Rhode Island and into Massachusetts. Spectra has been upgrading its existing pipeline. Upgrades involve digging up old pipelines and replacing the line with larger diameter pipe to allow higher volume of flow. Upgraded lines run within the existing easement/right-of-way (ROW). NED needs new pipeline and new easements. Kinder Morgan has proposed using eminent domain to take land for the pipeline.

The proposed pipeline easement shown on maps supplied by Kinder Morgan is misleading. The maps show the line to be within the power line easement, but the line must be located outside the power line easement. Separate easements will need to be obtained. The proposed general route will cross Golden Brook prime wetland as well as Peabody Town Forest and Costa Conservation Area. The proposed easement will need to be 150 feet wide for equipment and construction of the pipeline. Heavy blasting through granite will likely be required. Drilling, which is less invasive, may be a possible substitution for blasting in some cases, but likely not all cases.

Liberty Utilities has signed on to receive gas from the NED pipeline. They will replace gas from the Concord Lateral with NED gas. Valve stations which are above ground structures associated with the pipeline will be located every 10-20 miles along the line. We are unsure if Pelham will have a valve station. Valve stations need to be a certain distance from power lines because of blowdown procedures which are used to regulate pressure in the pipes.

Hydrostatic testing of the line must be done after construction, then periodically while the line is in use. The test involves running large amounts of water through the pipeline at very high pressure. The goal is to check for leaks in the pipe. The water will be tested for contaminants then discharged slowly into vegetated upland areas through a filtration system which will prevent flooding. After the water, air will be blown through the pipes to dry them. The air would blow out water creating vapor to spray out of the pipe into the air. The testing of the new pipe would likely contain minimal contaminants; however, periodic testing after the pipeline was in use could contain contaminants such as gas and processing chemicals. Most NH residents in the pipeline area have private wells. Residents have expressed concerns about contamination of their ground water and wells as contaminated waste vapor settles down to the ground. Kinder Morgan has stated they will use local sources of water for this process. The question must be asked if they will pump water from Beaver Brook or Little Island Pond.

Conflicting information about the use of herbicides on the gas line have been given. Ms. Law asked a Kinder Morgan representative at an informational meeting if herbicides would be used and the response was no, mowing would be used. After the meeting, Ms. Law was researching information and she came upon a document that said herbicides would be used to maintain the ROW and if owners didn't want herbicides used on their property they must make that request.

Approximately 56 home owners in town will be directly affected by this pipeline. Directly affected means there will be impact to the properties during construction and/or the pipeline may be located on these properties. Kinder Morgan has requested access to survey neighboring properties to the directly affected properties. There may be up to 115 home owners effected. Many land owners have refused Kinder Morgan access to survey properties within the proposed ROW.

The Merrimack Valley Reliability Project (MVRP) is a National Grid power line project that already has approvals. The project involves replacing some of the high tension power lines with a 345,000 volt line. Currently, there are two sets of high tension lines on metal towers, one on each side of the power line ROW. The wires in the center are on wooden towers and are proposed to be replaced with new metal towers. This project is expected to be completed before the Kinder Morgan project. The new infrastructure within the ROW will completely fill the ROW, there will be no space for Kinder Morgan within the ROW. Blasting will not be used within the ROW because blasting may damage the power lines. Kinder Morgan was asked if they have been in talks with National Grid and they said yes. National Grid claims they have not been talking to Kinder Morgan.

On the Federal Energy Regulatory Commission (FERC) website there is information that states gas lines must be outside the electric ROW. Some areas may need to blast because drilling is sometimes not strong enough to break rock.

The Selectmen have been talking to Kinder Morgan and have held public and private meetings regarding the pipeline. Mr. Gagnon read a letter, signed by our selectmen and representatives from 10 NH towns to Maggie Hassan, in opposition to the pipeline.

Some town owned conservation lands may have deed restrictions on them because they were purchased with conservation funds. These restrictions may be able to be used to prevent the pipeline from being located on the properties.

As of this time, Kinder Morgan has failed to accurately describe the proposed project. They have incomplete information, documentation and maps on their website. Maps they are using are out of date and inaccurate regarding new roads and subdivisions. Instead of informing the public they have answered many questions with "it is to be determined." Concrete plans are needed in order to determine the quality of the project.

Mr. Gagnon and Ms. Law have been attending meetings of a joint coalition of Conservation Commissions of southern NH. The coalition is made up of southern towns that will be affected by the pipeline construction. The coalition has been in a learning process until recently. They have been gathering information and trying to learn the process involved in constructing a gas pipeline and how and when to give input to the process. The coalition would like to formulate a letter similar to the letter the Selectmen signed that would describe the feelings of the member towns related to environmental impacts of the pipeline project. Up until this point, Mr. Gagnon and Ms. Law have been attending the coalition meetings as individuals. Mr. Gagnon would like this board's official vote on how we feel about the project so he can speak to the coalition as a representative of this board and any member of this board to attend the meetings can speak as a representative of this board.

Motion: (Dadak/Delehanty) This board opposes the gas pipeline based on the current information available. We feel there are too many "to be determined" unanswered questions from Kinder Morgan. In addition, Paul Gagnon and/or Kaela Law and/or any designee from this board will represent the Conservation Commission at the coalition meetings.

Vote: 6-0 in favor.

Mr. Gagnon attended a presentation, by Rick Van de Poll, before the southern NH coalition of conservation commissions. Mr. Van de Poll explained what towns need to do to prepare for the Kinder Morgan filing. He talked about questions that need to be asked by towns and environmental assessments that need to be done prior to the filing in order for towns to protect themselves. Mr. Gagnon asked him if he could help us figure out what we specifically need to do. Mr. Van de Poll wrote a proposal outlining 4 steps. The first step is to meet with us and look at our current

documentation and determine if it is complete enough to submit to FERC for their review. The cost for the first meeting is \$680.00. Mr. Gagnon proposed to use the current use fund to pay for Mr. Van de Poll's services initially, with a goal for Kinder Morgan to pay for the review.

Motion: (Mackay/Dadak) to hire wetland scientist, Rick Van de Poll to meet with us for a scoping meeting. The cost is \$680.00 which will come from the current use fund.

Vote: 6-0 in favor.

WALK IN ITEMS:

Ms. Delehanty discussed an article she had seen in the Sunday Telegraph about why conservation commissions are important. The article talked about conserving wild places for future generations.

Mr. Gendreau discussed the trail connection through Bayberry Woods. Members of Conservation, Planning, Forestry, and the Border Riders Snow Mobile Club took a site walk to see if there was a way to work a trail connection through Bayberry Woods. Mr. Meisner, the developer, thinks this is possible and is willing to work with the town to achieve this goal. Several action items were assigned at the site walk.

Mr. Gagnon took a hike last week on the Gumpus Pond Conservation Area and saw a Blandings turtle which is an endangered species. He emailed the picture to NH Fish and Game and they confirmed the species. Fish and Game told him the turtles must be 15 years old before they can reproduce and can live up to 70 years. They travel large distances between wetlands which is a source of mortality as they cross roads and are hit by cars.

Mr. Gagnon announced a wetland assessment workshop that will be run on June 26, 2015 in Concord from 1-4 p.m.

Mr. Dadak spoke about the absence of screening vegetation between the new tennis courts and the adjacent land owner. We recommended vegetation be planted in order to insure privacy for the land owner. At this time, there is no screening vegetation. Mr. Gowan assured Mr. Dadak that a landscape company would be planting vegetation on site.

Our next meeting will be June 10, 2015.

ADJOURNMENT:

Motion: (Mackay/Gendreau) to adjourn

Vote: 6-0 in favor.

Adjourned 8:01 p.m.

Respectfully submitted,
Karen Mackay,
Recording Secretary