

BOARD OF SELECTMEN WORK SESSION
SEPTEMBER 28, 2015

PRESENT: George Lawrence, Chairman, Becky Doyle, David Lage, Joanne Meshna: Pipeline Task Force: Wendy Juchnevics-Freeman, Chairman, Maria Szmauz, Dennis Gauvin, Karen Miller

The meeting was called to order at 7:00 p.m. at the Town Office.

The Board of Selectmen met with the Pipeline Task Force and Eric Tomasi from FERC to discuss environmental impacts relative to the siting of the compressor station in New Ipswich.

Selectman Doyle laid the ground rules for the meeting and turned the meeting over to Wendy, Chairman of the Pipeline Task Force. A site visit to the proposed compressor location was held this evening prior to this meeting.

Wendy began by stating the compressor station siting has an impact on three towns. The Greenville reservoir is in Temple, and the Temple elementary school is part of a regional school district with Peterborough. All towns have volunteer fire departments and rely on each other for assistance. New Ipswich does not have a full time police department and most time there is one person on duty. The concerns are regional, not just the Town of New Ipswich.

Mr. Tomasi stated he understood there were a lot of concerns. He noted that he and his team try to figure what alternatives and mitigation can be done to make it the least impactful. They are aware there is a large opposition to the project in this area.

Wendy stated there is no straight line from New York to Dracut, Massachusetts that goes through New Hampshire. They would like to see the Mass. Pike alternative evaluated in great detail because New Ipswich is not getting any of the gas. New Hampshire is getting very little. It is an export pipeline and exceeds the need of the region with its massive size, and also exceeds the 20 year need projections. The use of federal eminent domain in the southwest part of New Hampshire that will see zero benefit, begs the question why did it come north. The co-location is a complete farce; it is in fact adjacent. The power line right-of-way is only partly cleared. Kinder Morgan is saying the 50 foot corridor is outside of the right-of-way by at least five feet so all of the taking is all green space. Maria added that part of the reason for moving the line to New Hampshire was because of co-location and traveling through so much conservation land in Massachusetts. Along the route of the 71 miles in New Hampshire, 8.3 miles goes through conservation land. Wendy continued that it is not co-located but adjacent and is going to require a significant taking of green space. The best alternative is one that does not involve southwest New Hampshire.

Wendy noted New Ipswich has a Master Plan that describes how the people want the Town to be. It indicates the rural character of the Town is to be maintained and the Zoning Ordinance describes what can and cannot be done on properties. The Town does not allow industry that comes anywhere close to the compressor station and that is similar in the Town of Temple. The pipeline is going to change the character of the towns. New Ipswich allows light industrial. There are no public wells and septic; all

are private. When developers come before the Planning Board some kind of open space is usually required for a protection zone around the development to mitigate the impact.

Mr. Tomasi asked about the different types of conservation land. He asked about the conservation land on Old Wilton Road. Wendy was not sure of the legal verbiage but noted if someone can put their land in a conservation easement there is probably every scenario of how to do that in New Ipswich. The lots on Old Wilton Road have deeded conservation land to a homeowners association. Lots on Timbertop Road were developed where two acres are out of current use and the rest is in a deeded conservation easement. When that land is lined up it creates a large piece of conservation land. Mr. Kieley stated the Monadnock Conservancy has compiled a spread sheet of conservation lands affected by the pipeline but does not include the deeded conservation land. Mr. Tomasi stated it is important to find out those parcels and if it is available in public records, they can have the company find out about it. Wendy summarized a major concern is the pipeline is going through different kinds of conservation land that is not obvious.

Wendy stated there is a lot of water already on the proposed compressor site and a lot of it leads to the reservoir. The site itself is a Brownfields site so any disturbance will bring the contaminants into the water supply. As a requirement the site has to be cleaned if it is going to be disturbed. Mr. Tomasi stated that is something they would have to look at – where is the contamination on the site and is it isolated, as well as looking at other studies. More in-depth analysis is needed. There is a lot of information missing from the applicant's reports. Wendy agreed there are a lot of TBAs in the report. She noted there is public information available such as the Natural Resources Inventory.

Mark Mansfield stated he had talked to the realty company who listed the site and Kinder Morgan has already done the engineering for a subdivision, peeled off the Brownfields portion of the property, and listed it for sale. Subject to that sale they will then file with the Town for the subdivision. Wendy added the compressor station site has moved a couple of times. First it was in the southwest corner, then the northwest corner, and now the northeast corner. It cannot get any closer to the elementary school. They have listed the remainder of the property for sale. Mr. Tomasi stated one of the things they will have to determine is are there plans to build homes nearby. The threshold they use is has the owner gone to the Town and started plans to subdivide or list the homes as home sites. They would look at impact from noise and take that into account in the analysis. Wendy noted the property owned by USA Properties at the end of Stowell should be taken into account. They are planning about 45 homes. Wendy asked at what time do they start looking at the site and saying it is unreasonable. Mr. Tomasi replied it is up to their judgment. He stated there is federal pre-emption. If they determine there is no other viable site, local zoning and the Master Plan would be overridden by pre-emption and it would be allowed to be built. He recommended not putting all the town's eggs in one basket. If the compressor were to go into that site, provide recommendations as to the best way to minimize the impact.

Wendy continued one of the things they looked at was how the Town provides services to protect the Town. There is a volunteer fire department and emergency management department. Because there is no town water, water is tanked in for every incident. There is no means to suppress wildfires if they are created. She asked what New Ipswich needs in terms of infrastructure for public safety.

Wendy stated she was very concerned about noise, air, and light pollution coming from the compressor station. The Town does not allow businesses to light up the sky. Our lighting requirement is usually for downward directed. We want that considered. Our noise ordinance is from 6:00 a.m. to 10:00 p.m. and we also have a noise ordinance specific to wind farms. With the wind farms we have a requirement at the property line of no more than 45 decibals and we would like to see requirements like that. Mr. Tomasi responded they often ask communities what noise ordinances they have and make sure the company meets those. Forty-five decibals is not that much different from their criteria. The Town's could be less protective than theirs depending on how it is measured. They can make the company meet the Town's noise requirement at the property line. With lighting, they can find out the Town's concerns and have the company use downward direct lighting for effects on people and wildlife. Wendy noted they have talked to Kinder Morgan about keeping it at 45 decibals. However, there is nothing in reports stating what it is today and what it will be in the future. Mr. Tomasi stated again there is a lot of missing information. He noted he is writing down the questions and concerns to be addressed by the company. Wendy noted this would not be a requirement just for New Ipswich and added the towns are extremely rural and do not allow this type of industry. Mr. Tomasi noted he understood they would like the pipeline moved to another location and he added they are still looking at the Mass. Pike and Route 2. Wendy noted the resource reports on the Mass. Pike alternative seem bogus. The information is light, there are no details to back it up, it does not make sense, and is illogical. Mr. Tomasi noted the questions they asked Kinder Morgan on alternatives were not responded to and they are concerned about that.

Selectman Lage asked if the review of alternative locations are based on information from Kinder Morgan or their own research. Mr. Tomasi responded they first look at the Kinder Morgan information. The information they provide is desk top information. They have to determine if the information is accurate and if are they comparing apples to apples. Wendy added the wetlands have already been impacted by the Mass. Pike. Dennis noted the last scoping meeting is tomorrow evening and there are still a lot of TBAs to be answered. Mr. Tomasi stated although the close of the comment period is October 15, they will still keep looking at public comments and analyze them and address them for the draft environmental impact study (EIS). Then there is a 45 day comment time for the draft EIS. They will go back out to the communities to get comments on the draft. Kinder Morgan plans to file their application late October and at that time they have to have the majority of their answers. They need to meet the bare minimum to be able to file. Kinder Morgan will not have all the information they need at that time. Some of the studies have to be done during different seasons. Wendy asked if the comments and questions being sent to Kinder Morgan outlines the minimum. Mr. Tomasi responded they go beyond the minimum. The minimum requirements are listed under 380.12.

Wendy stated the resources New Ipswich and Temple have applied to the process is ridiculous; it has consumed their lives. New Ipswich is not even going to get natural gas for their homes or businesses. The tax money is not going to offset the increase to the cost of the community for monitoring and policing. Wendy asked who monitors the application after the fact. Mr. Tomasi responded if it is a requirement or condition, FERC is responsible and responsible for the enforcement.

Air pollution was then discussed. Wendy noted there are studies stating we should be concerned by air emissions. Kinder Morgan has admitted there is real science behind the studies they are looking at but

it will be 6-10 months before they complete their study. Wendy stated they were looking at the compressor station study and looking at the emissions. Mr. Tomasi stated for a compressor station they require screening analysis to determine impacts around the compressor station from the engines from the compressor. It is an air quality model provided by Kinder Morgan. They will look at hazardous air pollutants (HAPs), get the actual amount emitted and determine the impact. Wendy stated there is a Harvard study which indicates the modeling done on the compressor station is bogus and asked if Mr. Tomasi was aware of the study. Mr. Tomasi was aware and stated they use EPA required approved models for permitting to determine air quality analysis which EPA updates a couple of times a year. Further, Mr. Tomasi stated they have to look at all the studies and provide critiques. Dennis noted the EPA has been gutted over the last few years and any time they try to get more stringent standards they are sued and have to lower the standards. Selectman Lawrence asked what part the State plays and Mr. Tomasi responded EPA is responsible for air and water and delegates to the State. Wendy stated she would like to see in the resource report testing done now at the compressor station and a plan on how to do consistent monitoring. She added climate may play a part in air quality depending on the seasons. They need to determine if the compressor station is engineered properly. There is a need to model the compressor station to eliminate emissions as much as possible. She was concerned about the air quality being permanently damaged. Further, she suggested these were requirements the company needs to include now in the resource report and questioned if the monitoring program they provided is sufficient. As part of the minimum requirements a monitoring program is needed pre and post construction. Wendy stated the Town's budget is very small and a lot of services are not provided to the Town. The Town would have to hire someone to tell us what monitoring program to have.

Selectman Lage stated New Ipswich is a Town of approximately 5,000 people with a budget of \$2.3 million and 17 full time employees.

John Kieley stated the towns share safety resources. Temple has 1,400 people, 4 full time employees, share a police department with Greenville, have 4 police officers, and a fire department made up of 20 people. Temple is concerned about the triggering of a forest fire by the pipeline. Most disturbing is the siting of the compressor station a quarter mile from the elementary school. The regular emissions from the compressor station could have a permanent health effect on the children. It is appropriate to record the emission on a real time basis which is indicative of what the children will be breathing. Further he stated the idea of putting something known to be dangerous not just to the residents but to the school children at ground zero is totally repulsive.

Wendy asked if as a requirement could standards be set for the emissions coming out of the compressor station and have them monitored continually by Kinder Morgan. Mr. Tomasi responded anything is possible; it would be a request they would have to look at, and they would have to speak to the State as well. Wendy stated she did not think it was a normal placement for a compressor station. The SEC is not going to get involved under Kinder Morgan applies and she was concerned that now was the time to create some minimum requirements for Kinder Morgan if they are going to put a compressor station in New Ipswich. Mr. Tomasi responded the request should be put in writing and they will have to look at it. They have requested the company to analyze all the facilities along the electric line corridor. Dennis asked about loop lines for the blow lines. Mr. Tomasi responded there are very specific rules on how far a blow down vent has to be from the compressor station and it is typically on the property. They can

look at that. They also look at the volume of emissions for entire station blow downs. FERC does not have responsibility for safety and design of the facility; that lies with DOT.

Mr. Tomasi stated the State has been delegated the authority for air quality. There are National Ambient Air Quality Standards and if air around the compressor station was monitored and found to be above those standards, the State would get involved. FERC cannot override federal laws. Wendy stated she had a list of NEAQS standards and the monitoring at a minimum has to include those and has to be paid for by the company. Mr. Tomasi stated they can request the company to voluntarily agree with a monitoring system and then have to determine with the State if it would be imposable upon them or a condition. He noted they do not know all the emissions from the compressor or the impacts at this point. Selectman Doyle stated the Town does not know the impacts or pollutants and even if they had they had the knowledge they could not made adequate recommendations of what is needed, and would have to place that with someone who knows but the Town does not have the resources to do that. Wendy stated at a minimum they need to test and document the current environment. Dennis stated Mr. Tomasi must have a little knowledge of what comes out of a compressor station. Mr. Tomasi responded he did and generally what the impacts are. However, every station is different. They will look very closely at where they have picked for their ambient background data for the station. Wendy stated there should be some way to engineer a type of containment to slow down the emissions. Mr. Tomasi stated that was something he could talk to the company about. They look at the volume of gas expelled during blow downs as well as the noise from them.

Wendy went through some of the requirements they felt were necessary to protect the community. There needs to be a 24/7 monitoring program. There needs to be a study of current air quality and consistent monitoring afterwards. They would like the looping line to be considered. There are a lot of dug wells in the community and because of prevailing winds, it needs to be determined what wells need to be tested before and after. Wendy further stated she did not know how to overcome some of the modeling problems but it is something that needs to be considered. Looking at the compressor station, they are concerned about what is required for the fire department, police department and emergency management and funding. The company needs to provide the information sooner rather than later. The fire department personnel would like to be able to make comment but there is no information available.

Wendy continued there is going to be on site monitoring of the compressor station 8 hours a day. However, the 24/7 monitoring is done from Houston which is not reasonable. There can be major weather events and she was concerned about remote monitoring. If there is an incident, the shut off valves are 20 miles apart. She questioned if that distance could be shortened.

Dennis asked if there any requirements about leak detection and how much of a leak has to be there before someone notices it. Mr. Tomasi responded that is under USDOT; they are responsible for the safety and design of the pipeline. Selectman Lage asked how to get the Town's concerns about leak detection, the thickness of the site, and valve locations to the NHDOT. Mr. Tomasi responded by writing to them directly or putting it in writing to FERC.

Maria stated FERC is separate from DOT, yet DOT writes the safety rules and FERC is the organization that has to prove the pipeline can be built safely. Mr. Tomasi responded that DOT has a unified set of rules for pipeline safety. FERC ensures that the company commits to building to those specifications. In some instances, where they feel the regulation may not cover it, they will try to address where the safety impacts might be.

Wendy continued that in addition to determining what the current noise condition around the compressor station is today, they would like inaudible low frequency monitoring as well. The Town picked 45 dBA at the property line with wind farms. Mr. Tomasi stated they impose 55 dBA on a day/night average. Wendy noted the turbines are going to run 24/7 and the enclosure around the compressor is designed so the whole system meets the 55 dBA. Mr. Tomasi responded that 55 is a time weighted average, the actual average noise measurement is 48.6 dBA. They can ask the company if they will be willing to meet 45 dBA at the property line. He added if there is a noise ordinance, they could look at it and have the company look at it. Mr. Tomasi stated no increase in vibratory effects on homes is permitted. Wendy added the power line is a significant wildlife corridor.

Wendy stated all wells that draw from stratified drift aquifers need to be tested. There has to be a test for flow and contamination. There has to be a monitoring program after construction on the wells and she was satisfied with 500 feet. Mr. Tomasi stated they do have regulations for pre and post requirements for monitoring within a certain distance of the pipeline. It is not 500 feet but it is something they can look at. Wendy continued there are three aquifers described in the Natural Resource Inventory. Maria added they need something in writing if the wells do get contaminated. Wendy continued the aquifers and who draws from them need to be identified. There are dug wells in the community and they need to be identified and tested. This would be for Temple as well. Mr. Tomasi stated the first issue is to look at whether or not deposition is an issue. Most farmers are concerned about deposition of sulfur and nitrogen. Wendy noted there are several organic vegetable farms in the area. Mr. Tomasi stated that was something they would have to look into to.

Wendy stated there should be no blasting. She was concerned about the wells and aquifers. There are alternative ways to put the pipeline in and they would like them to be considered. Because it is also going through the stratified drift aquifers they would like consideration on the type of pipe that is used. Mr. Tomasi responded the pipe is based on risk analysis DOT has done. They will ask the company if they would be willing to build to a different classification standard. Wendy added the Town has a lot of unusual amount of excavators in the community which is a safety concern, and the quality of the pipe in our environment needs to be considered. Wendy noted the pipeline is going 3 feet deep unless agricultural and then it is 4 feet. Our frost line is typically 4 feet. Mr. Tomasi replied it is something they need to look at.

Maria asked what permits Kinder Morgan has to get from NH. Mr. Tomasi responded it depends on the emissions from the compressor station as to what type of permit is required from the State.

Wendy noted there is a lot of water taken out of the gas and they have been told the company will set up hay bales and some kind of water disbursement, and a lot of the water from the gas will be dumped onto the ground. Mr. Tomasi stated it has to be identified if it is hazardous and disposed of properly;

they are not allowed to just dump it onto the ground. DOT pressurizes the water and releases it in different locations based on what the State requirements are for testing. Typically where they get the water from is where the water is released.

Selectman Lawrence asked if the lead cleanup comes under FERC. Mr. Tomasi responded that is something they are going to look at. A big concern is that the contamination will not get off the site.

Mark Mansfield asked how FERC is funded and Mr. Tomasi responded they tax industries they regulate. He added that all questions to the company are in the public record. He was asked how many companies have been denied and Mr. Tomasi responded there were two.

Dave Cotzin asked if the company had considered sabotage when constructing the pipeline before or after. Mr. Tomasi stated they could ask the company about terrorism. Wendy stated that gets to the issue of public safety and questioned what the requirements are going to be for the police department. That needs to be addressed in the report.

Kathy Gauvin remarked there was a decision by FERC to approve a pipeline even though there were dangerous emissions. The vote was 3-2. She questioned why FERC knowing that information would approve it. Mr. Tomasi responded three commissions voted to approve it and two did not and that is why it went through. Mrs. Gauvin stated she found that morally insane.

Maria asked where we could see what FERC states about need and Mr. Tomasi responded at the final determination. He noted the people that look at need will receive comments from him and will start working on need when the application is filed. In Kinder Morgan's application they state a certain percentage will be going to New England and into Canada. It is not yet known where the rest will be sent.

Selectmen Lage asked if a certain amount to be exported, does FERC consider that a need. Mr. Tomasi stated he did not know the answer. They look at both use in the US and export. There is a different threshold if pure export.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,
Joanne Meshna, Town Administrator

September 28, 2015 Board of Selectmen minutes approved by:

George H. Lawrence, Chairman

Rebecca M. Doyle

David S. Lage

