



August 24, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

**Comments of the Town of Amherst, NH**

Re: Tennessee Gas Pipeline Company, L.L.C. (“TGP”)  
Docket No. PF14-22-000: Proposed Northeast Energy Direct (“NED”)

Dear Ms. Bose:

On March 23, 2015, the Town of Amherst Board of Selectmen submitted comments, including a preliminary environmental assessment prepared by the Amherst Conservation Commission (ACC), regarding the above-referenced project. Since that time, Kinder Morgan (KM) has presented three alternate route options through the Town of Amherst (attached) in response to the sensitive properties and populations identified by the Amherst Pipeline Taskforce and ACC. Amherst residents Alice and Kenneth J. Bury, on February 27, 2015 in a letter to FERC also proposed several potential alternative alignments to minimize the impact of the proposed NED pipeline project on a portion of the Town of Amherst.

The ACC has recently prepared an addendum to its preliminary environmental assessment to review the potential impacts of these alternate routes. The ACC addendum (attached) concludes that the overall environmental impacts from an alternative alignment that incorporates the Bury’s Alternative 2 and the Kinder Morgan Option 1 would be substantially reduced. The realignment of the pipeline through more commercial and industrial properties adjacent to the railroad right of way and the avoidance of sensitive environmental resources including the Souhegan River and Ponemah Bog would result in alleviated environmental impacts.

Additionally, the Board of Selectmen notes the following:

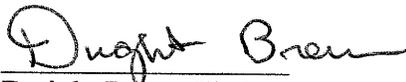
- Option 1 avoids impacts to the Souhegan River and Ponemah Bog entirely, as well as avoiding both Amherst’s Middle School and High School.
- Option 1 combined with the Bury’s Alternative 2 impact far fewer existing *homes* (though perhaps the same or slightly more *properties*) than the original proposal.
- Option 1 combined with the Bury’s Alternative 2 reduces the length of the pipeline through Amherst by one-third, with no disruptive horizontal directional drilling required.
- Option 1 combined with the Bury’s Alternative 2 represents a much less disruptive route through Amherst.

It would appear that there are alternative routes to the original KM proposed route which would minimize the impact of the pipeline on the Town of Amherst and its residents and its environmentally sensitive lands, and these should be given careful consideration by the FERC and KM.

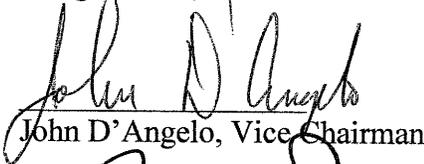
This letter should not be taken as an endorsement of the pipeline or its route through Amherst and New Hampshire on the part of the Amherst Board of Selectmen or the ACC. The Amherst Selectmen firmly believe that this pipeline should not be built in Amherst or in southern New Hampshire.

The Amherst Board of Selectmen looks forward to the FERC's continued rigorous analysis of the NED pipeline proposal, the need for it, the justification for its being in New Hampshire, and its alternative routes.

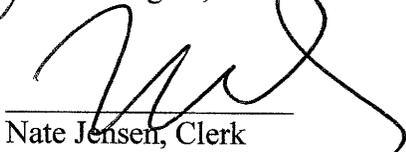
Sincerely,



Dwight Brew, Chairman



John D'Angelo, Vice Chairman



Nate Jensen, Clerk



Thomas Grella



Reed Panasiti

Cc: Allen Fore, Kinder Morgan  
Barry Duff, Kinder Morgan

## **Environmental Impact Assessment – Addendum 1**

### **July 28, 2015**

In March 2015, the Pipeline Environmental Impact Assessment Committee (Committee) of the Amherst Conservation Commission (ACC) submitted a Preliminary Environmental Assessment (PEA) at the request of the Town of Amherst (Town) Board of Selectmen (BOS) regarding the Northeast Energy Direct (NED) pipeline proposed by Kinder Morgan (KM) in December 2014 (original proposal). In subsequent months, representatives of Kinder Morgan and the BOS's Pipeline Task Force (Task Force) discussed alternatives for the alignment through the Town.

In June 2015, KM presented three (3) options for alternative alignments (Attachment 1). Option 1 tracks the same alignment of the original proposal for the first portion of the pipeline through the Town, from the Milford Town Line to Hertzka Lane, then the alignment diverges to the east, adjacent to the Pan Am Railway Right-of-Way (ROW), crossing sixteen (16) properties abutting the railroad to the south. Option 2 diverges from the original proposal in the Town to the west of Rt. 122 in Amherst, traveling northwest back into Milford and the Rt. 101A/Rt. 101 interchange, then northward in the east side of the Rt. 101 Right-of-Way, underneath the Souhegan River (River), crossing Merrimack Road and Rt. 122, then northeastward, crossing Beaver Brook, Corduroy Road, Boston Post Road, Meadow Road, between Ravine Road and Storybrook Lane, then following County Road to the south of the pavement southeastward into the Town of Merrimack, where it would subsequently cross under the River again. Option 3 diverges from the original proposal in Milford west of Federal Hill Road, traveling north to the Rt. 101 Right-of-Way, meeting Option 2 at the Rt. 101A/Rt. 101 interchange for the duration of the alignment in the Town. Based on a variety of parameters including the avoidance of waterways, the Task Force has decided that Option 1 would be preferable to either the original proposal, Option 2, or Option 3.

The Task Force has asked the Committee to provide a preliminary environmental assessment addendum for Option 1. Given that Option 1 does not address issues with properties on the first portion of the alignment (adjacent to Rt. 122), the Task Force has asked that the current assessment include one of three alternative alignments proposed by Alice and Kenneth J. Bury on February 27, 2015 in a letter to the Federal Energy Regulatory Commission (FERC), which is attached as Attachment 2. Based on the Bury's "Summary of Pipeline Routing Alternatives", the Committee selected Alternative #2, which diverges from KM's original proposal west of Rt. 122 in Amherst, traveling southeast rather than northeast (as in the original proposal), then eastward parallel to the original proposal by approximately 600 feet to the south, reconnecting with the original proposal at Hertzka Lane.

The combination of the Bury's Alternative #2 and KM's Option 1 constitutes the alignment assessed in this addendum.

The total length of the original proposal is approximately 18,500 linear feet (LF) in the Town; this assessment is reviewing an alignment of approximately 12,500 LF (67%).

The format of this addendum will follow the initial PEA and correspond to the sections therein.

## **2.1 Land Use**

The proposed Alternative #2/Option 1 alignment, by principally paralleling the ROW, crosses or abuts primarily vacant, commercial, and/or industrial land uses along most of its path. Otherwise, only one utility and three residential parcels abut this alignment option. Unlike the original proposal, no school, conservation, or recreational land uses are encountered.

## **2.2 Water Resources**

The Alternative #2/Option 1 alignment does not encounter any surface waters in the Town. This alignment does traverse the highest yielding portion of the underlying aquifer in the properties adjacent to the ROW. The alignment passes adjacent (within 200 feet) to four (4) public water supply wells and over three (3) wellhead protection areas, one of which is for the supply wells of the Merrimack Village Water District, according to the Town of Amherst Environmental Features map prepared by the Nashua Regional Planning Commission. Given the local geology, it is not envisioned that blasting would be required to place the pipe in this area, minimizing the disturbance to wells from excavation, although dewatering activities may require lowering localized groundwater elevations. Blasting may still be required to the west along the properties on or adjacent to Federal Hill; impacts to groundwater resources would require significant hydrogeologic investigation.

## **2.3 Habitat and Species**

The Alternative #2/Option 1 alignment is restricted principally to commercial and industrial properties and, consequently, impacts significantly less highly ranked wildlife habitat when compared to the original proposal. Alternative #2/Option 1 traverses only one parcel (a 22-acre parcel abutting the rail ROW along Howe Ave.) that is highly ranked for ecological values, listed as Appalachian oak-pine by the New Hampshire Fish and Game, although it appears that this area has been cleared subsequent to the most recently available aerial photography. Potential impacts to terrestrial and aquatic species and their associated habitats are expected to be significantly less than the original proposal since the Ponemah Bog and Souhegan River environments are avoided.

## **2.4 Wetlands**

The Alternative #2/Option 1 alignment may encounter two small wetlands on Tax Map Parcel 2-26-4, which are listed as 0.32 and 0.44 acres and classified as freshwater forested/shrub wetlands.

## **2.5 Geology and Soils**

The bedrock and surficial geology of the Amherst area remain as described in the original Preliminary Environmental Assessment report. Option 1 traverses Glacial Lake Merrimack deposits (sands and gravels) along its entire length through Amherst. No blasting would likely be required due to the depth to bedrock. There are no agricultural soils along this alignment as compared with the original proposal.

## **2.6 Visual Resources**

Impacts to visual resources are anticipated to be less along Option 1 as the area is already principally developed for commercial and industrial use resulting in fewer existing trees and impacted viewsapes. Visual impacts along the Alternative #2 alignment also would be reduced as the alignment is shifted away from previously developed residential properties and an existing roadway to previously undeveloped areas.

## **2.7 Recreation**

None of the recreational impacts identified along the originally proposed pipeline route are anticipated to occur along Alternative #2/Option 1 since the River and Ponemah Bog are avoided by this alignment.

## **2.8 Public Health**

It is not anticipated that the types of public health impacts from the alignment covered under the assessed alignment would differ significantly from the original proposal; however, since the length of this alignment is 67% of the original proposal, it is anticipated that the quantity of the public health impacts would be less.

One specific area in which it is believed that the impacts would be significantly reduced is in terms of noise from blasting; due to the re-alignment of the western portion of the pipeline to the south of the existing Eversource powerline right-of-way, a bedrock formation upon which the Pennichuck Bon Terrain water tank sits, will be avoided, potentially reducing the amount of blasting required for excavation and installation.

## **2.9 Hazardous Materials**

As the alignment covered under this addendum is passing through additional commercial properties including those adjacent to the ROW, it is anticipated that the excavation of soils may encounter additional unknown materials. Hazardous materials expected in association with railroad rights-of-way include creosote (from railroad ties), diesel hydrocarbons, and any material transported along the ROW. As in the original PEA, the Town should ascertain that KM verify the presence of subsurface materials during their due diligence period and prior to full-scale excavation and pipe installation.

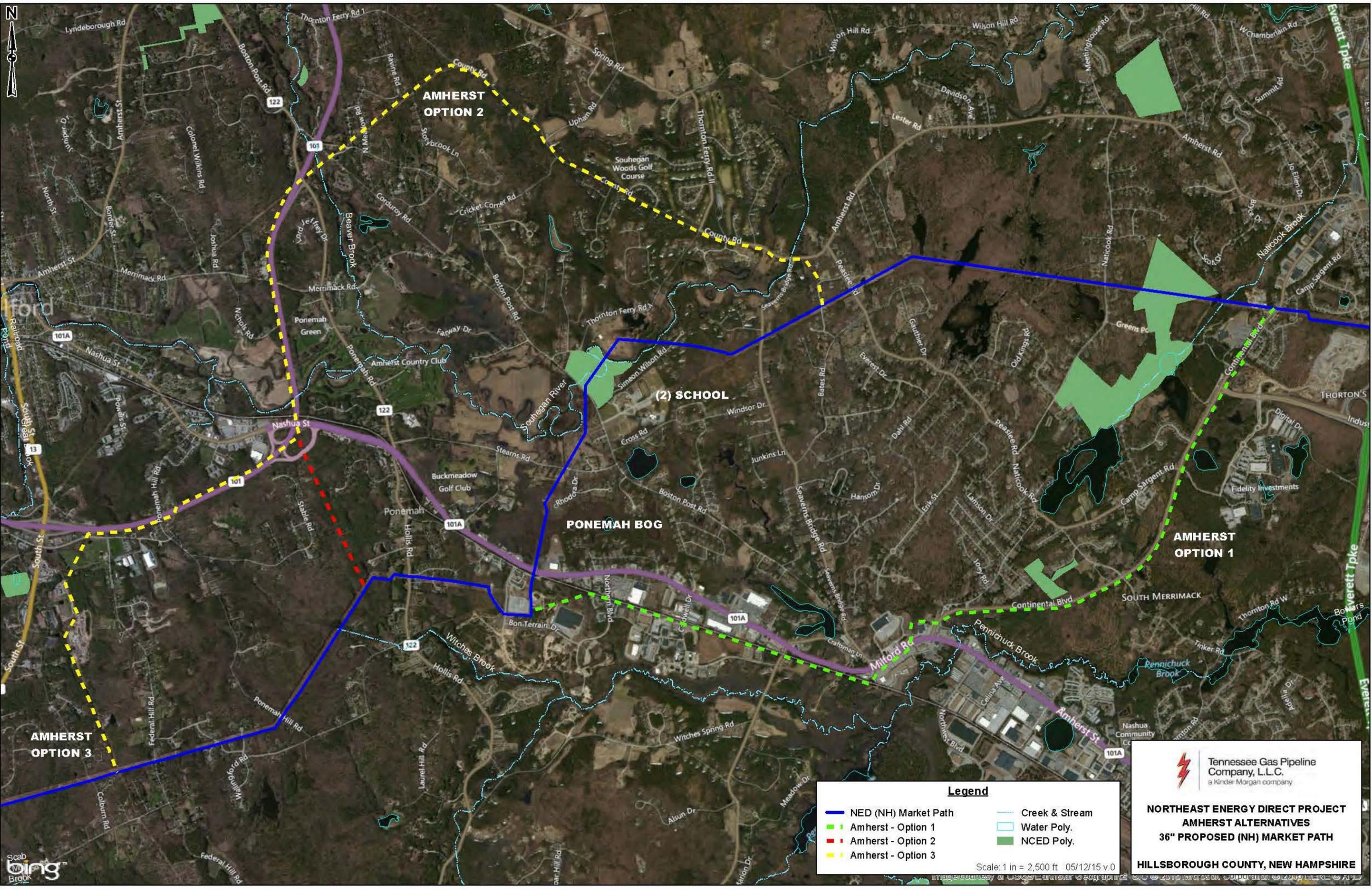
## **2.10 Air Quality**

It is not anticipated that the types of air quality impacts from the alignment covered under the assessed alignment would differ significantly from the original proposal; however, since the length of this alignment is 67% of the original proposal, it is anticipated that the quantity of the air pollution impacts would be less.

### **Summary**

It is anticipated that the overall environmental impacts from the Alternative #2/Option 1 alignment would be lessened as a result of the reduced length of the pipeline. Additionally, the realignment of the pipeline through more commercial and industrial properties adjacent to the ROW and the avoidance of many environmental features such as Ponemah Bog, unnamed wetlands, and the Souhegan River would result in alleviated environmental impacts.

It is possible that excavating soils adjacent to the ROW may disturb additional hazardous materials; however, as these potential contaminants exist in a commercial/industrial area, any remedial actions required would be less disruptive to daily activities and would present less of a health risk due to potential exposure durations during remediation than if it were to occur on residential properties.



**Legend**

NED (NH) Market Path	Creek & Stream
Amherst - Option 1	Water Poly.
Amherst - Option 2	NCED Poly.
Amherst - Option 3	

Scale: 1 in = 2,500 ft 05/12/15 v.0



**NORTHEAST ENERGY DIRECT PROJECT  
AMHERST ALTERNATIVES  
36" PROPOSED (NH) MARKET PATH**

**HILLSBOROUGH COUNTY, NEW HAMPSHIRE**



Image courtesy of USGS/Earthstar Geographics © 2015 Microsoft Corporation © 2015 HERE © 2015

**Alice and Kenneth J Bury**  
**7 Patricia Lane**  
**Amherst, NH 03031**  
**Email: [kenjbury@comcast.net](mailto:kenjbury@comcast.net)**  
**Phone: 603-672-0687 (H), 603-930-7163 (C)**

February 27, 2015

Ref: Docket No. PF14-22-000

Chairman Cheryl A. LaFleur  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Madam Chairman:

We are stake holders in the proposed Northeast Energy Direct Project (NEDirect) natural gas pipeline planned to pass through our section of New Hampshire. While we are not convinced of the need for this or in any case the need for such a large pipeline we are not addressing this issue in this correspondence.

Our immediate concern is the pipeline route proposed for my immediate area. As I believe the attachments show although this pipeline routing is planned to co-locate with an existing electrical power right of way it still will require easements to access abutting property. Also unlike a high voltage electrical line any problem such as leakage and or fire and explosion would have a major impact on a much wider surrounding area than an electrical power line catastrophe.

We have attached what we consider a fair analysis of the impact of following the existing route proposed by Kinder Morgan as well as (3) alternative routes that we have identified.

We believe the comparison shows it is worth investigating and refining these proposed alternate routes rather than following the Kinder Morgan proposed route. We feel that a better routing for this pipeline in our area can be found and in any case the routing must be changed from what has been proposed by Kinder Morgan.

Please feel free to contact us at any time to discuss our proposal.

Thanks for your time.

Alice and Kenneth J. Bury, Trustees

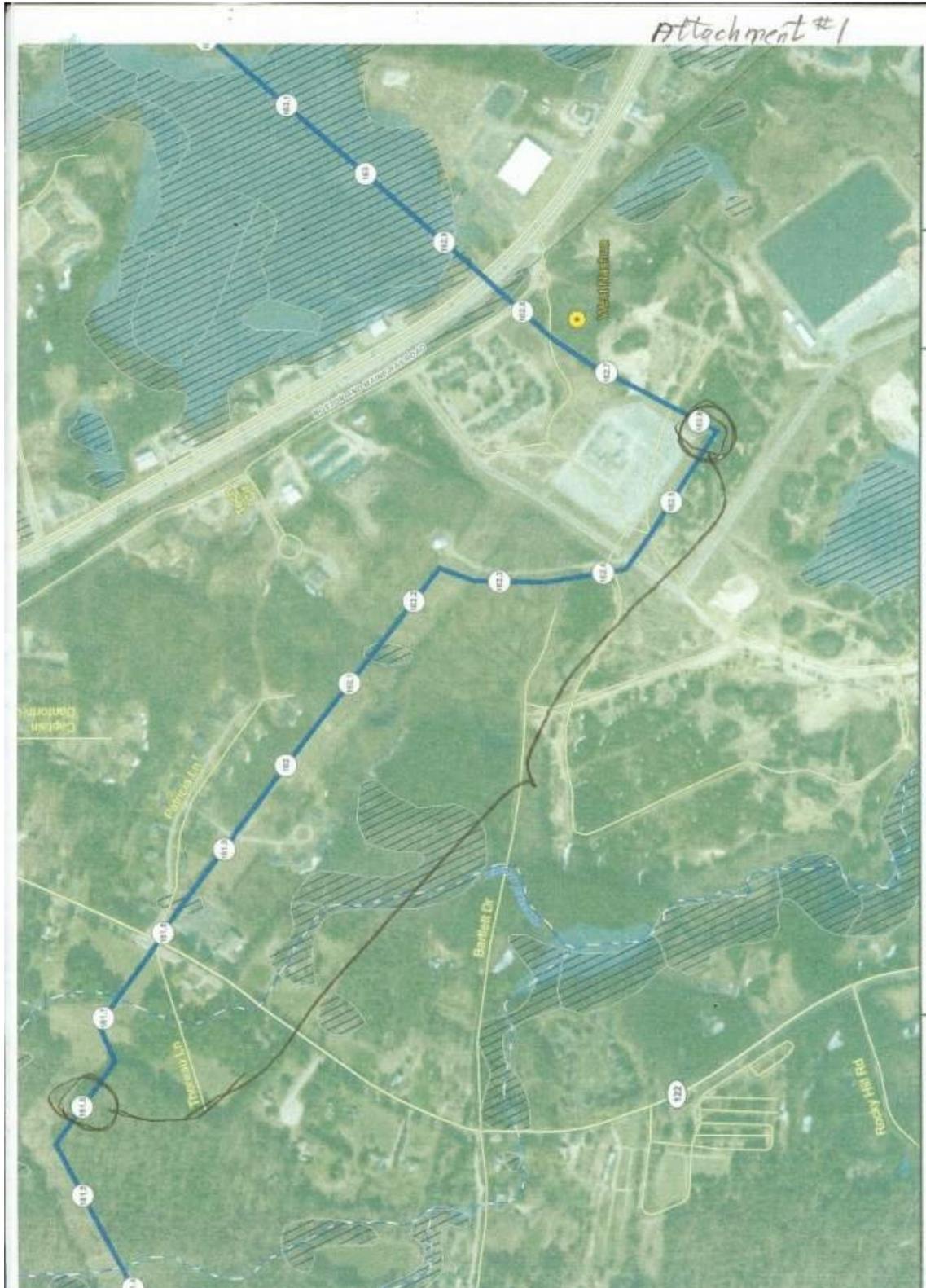
CC:

James D. Hartman TGP,LLC  
1615 Suffield St  
Agawam, MA 01001

Pipeline Current Routing Issues/ Concerns and Proposed Alternative

- I. Routing - the current pipeline routing is close to/ through/ near many residents in Amherst. Alternative routing should be considered to go around these residences. These alternatives may involve deviating from the use of the electrical power right of way (ROW) which on the surface may sound like a problem. However, since the pipeline cannot go directly under the electrical power lines' co-locating along this ROW still requires obtaining numerous residential easements for construction and ultimately maintenance.
- II. Specifically in my one mile area (between mile 161.6 and mile 162.6) the current pipeline routing is planned (see attachment #1) to:
  - a. Pass near 44 residences. 28 currently inhabited and 16 planned to be built.
  - b. Cross a state highway at an intersection (NH Route 122 and Patricia Lane) that if closed in an emergency would isolate a (27) family community,
  - c. Through Amherst Christian Church's parking lot near the church building,
  - d. Crossing a road that would isolate a (10) unit condo development preventing access or egress in an emergency,
  - e. Require easement from 9 property owners, a church, 2 condo associations and 1 homeowner's association bordering or being transversed by the pipeline.
  - f. Up to and along side of a public water tower which services this section of town,
  - g. And also run next to a (16) unit work force housing project currently being planned for the area.
- III. We believe that an alternative route can be found which would reduce the residential exposure, impact on the church, and move route away from the Water Tower. While not on the power line right of way, this routing would be through undeveloped residential and industrial land.
- IV. Attachment #5 contains a summary analysis of the existing and the 3 alternative pipeline routings.

Attachment #1



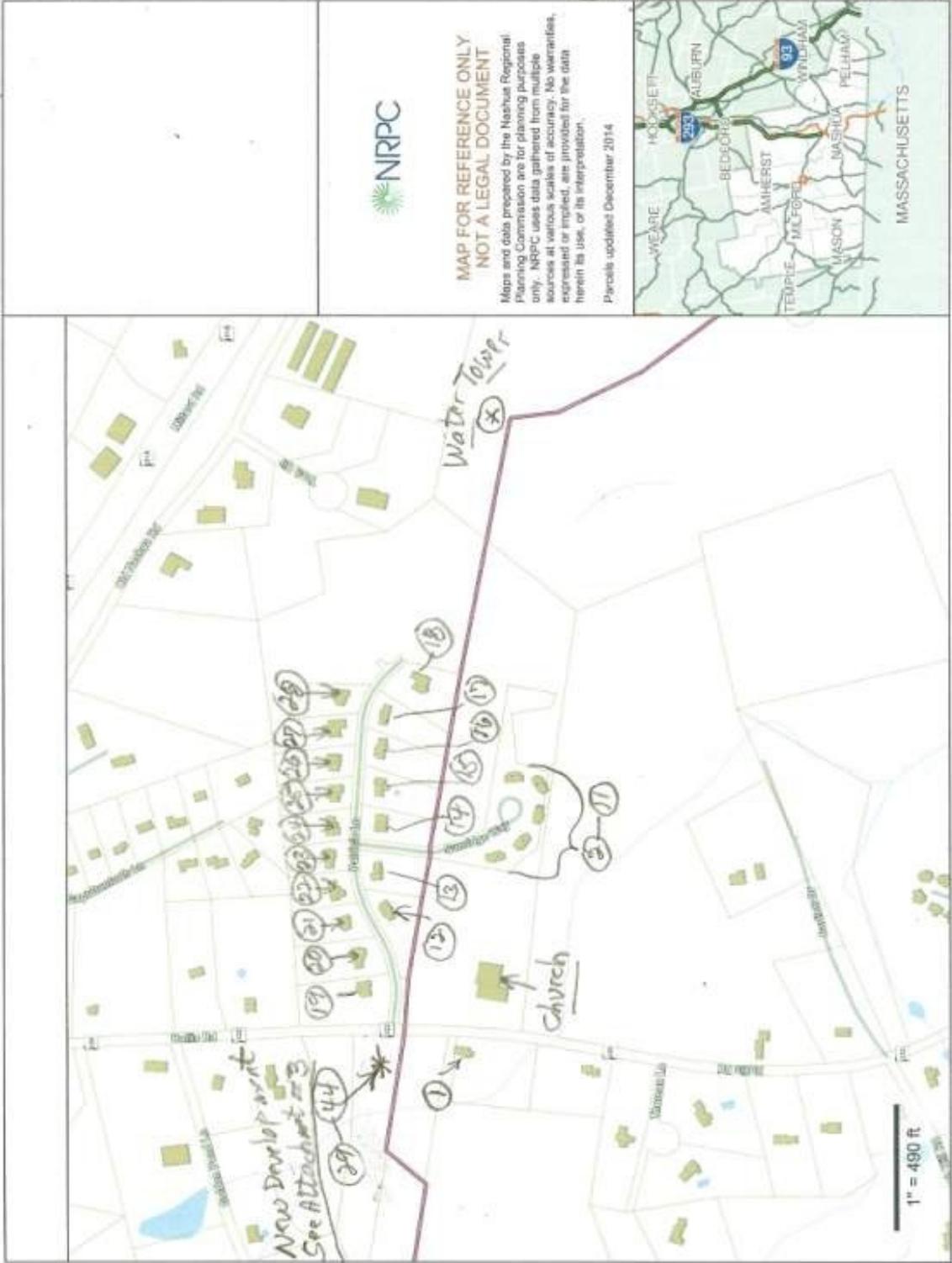
POTENTIAL COMPRESSOR  
 STATION LOCATION  
 NW WETLAND  
 MID WATERBODY

**TENNESSEE GAS PIPELINE COMPANY, L.L.C.**  
**NORTHEAST ENERGY DIRECT PROJECT**



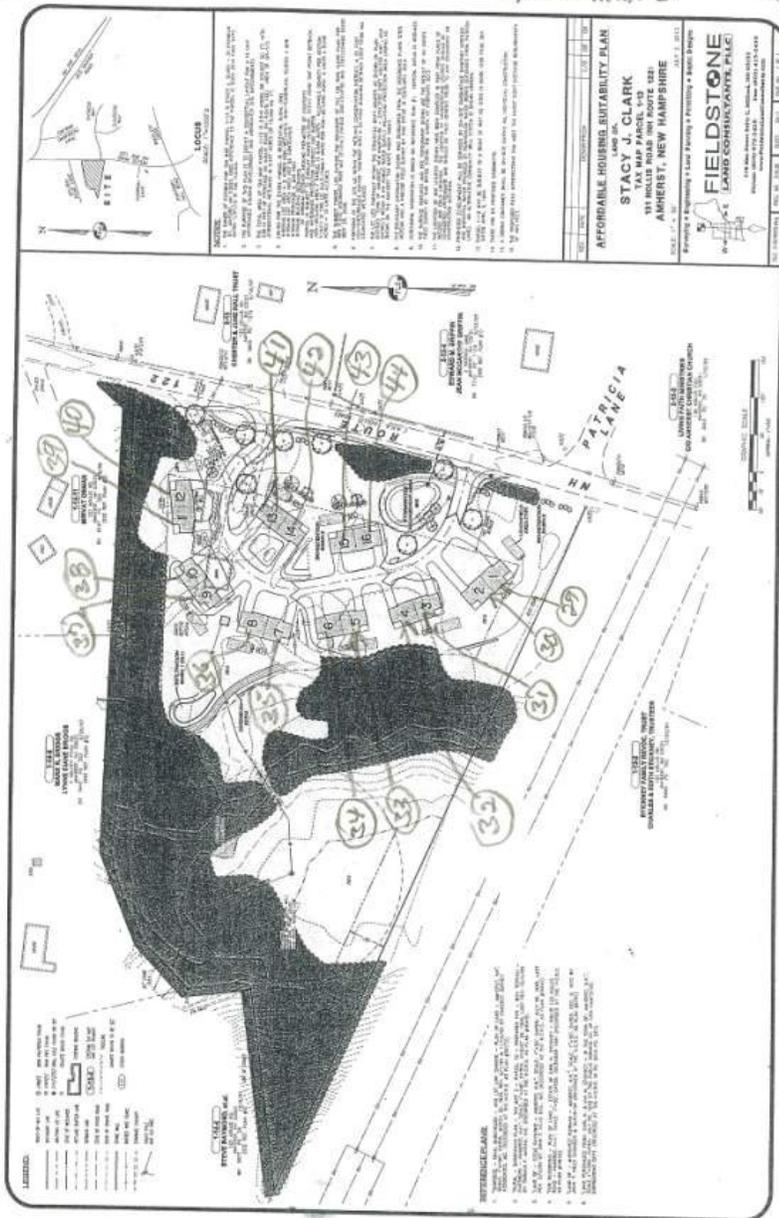
Tennessee Gas Pipeline  
 Company, L.L.C.  
 a Horcoff Advantage Company

Attachment #2  
Affected Residents



Attachment #3

Attachment 1



**NOTES:**

1. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE SHOWN ON THIS PLAN.
2. THE DEVELOPER SHALL MAINTAIN ALL EXISTING TREES UNLESS OTHERWISE SHOWN ON THIS PLAN.
3. THE DEVELOPER SHALL MAINTAIN ALL EXISTING DRIVEWAYS UNLESS OTHERWISE SHOWN ON THIS PLAN.
4. THE DEVELOPER SHALL MAINTAIN ALL EXISTING FENCES UNLESS OTHERWISE SHOWN ON THIS PLAN.
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30. THE DEVELOPER SHALL MAINTAIN ALL EXISTING LANDSCAPING UNLESS OTHERWISE SHOWN ON THIS PLAN.

**LEGEND:**

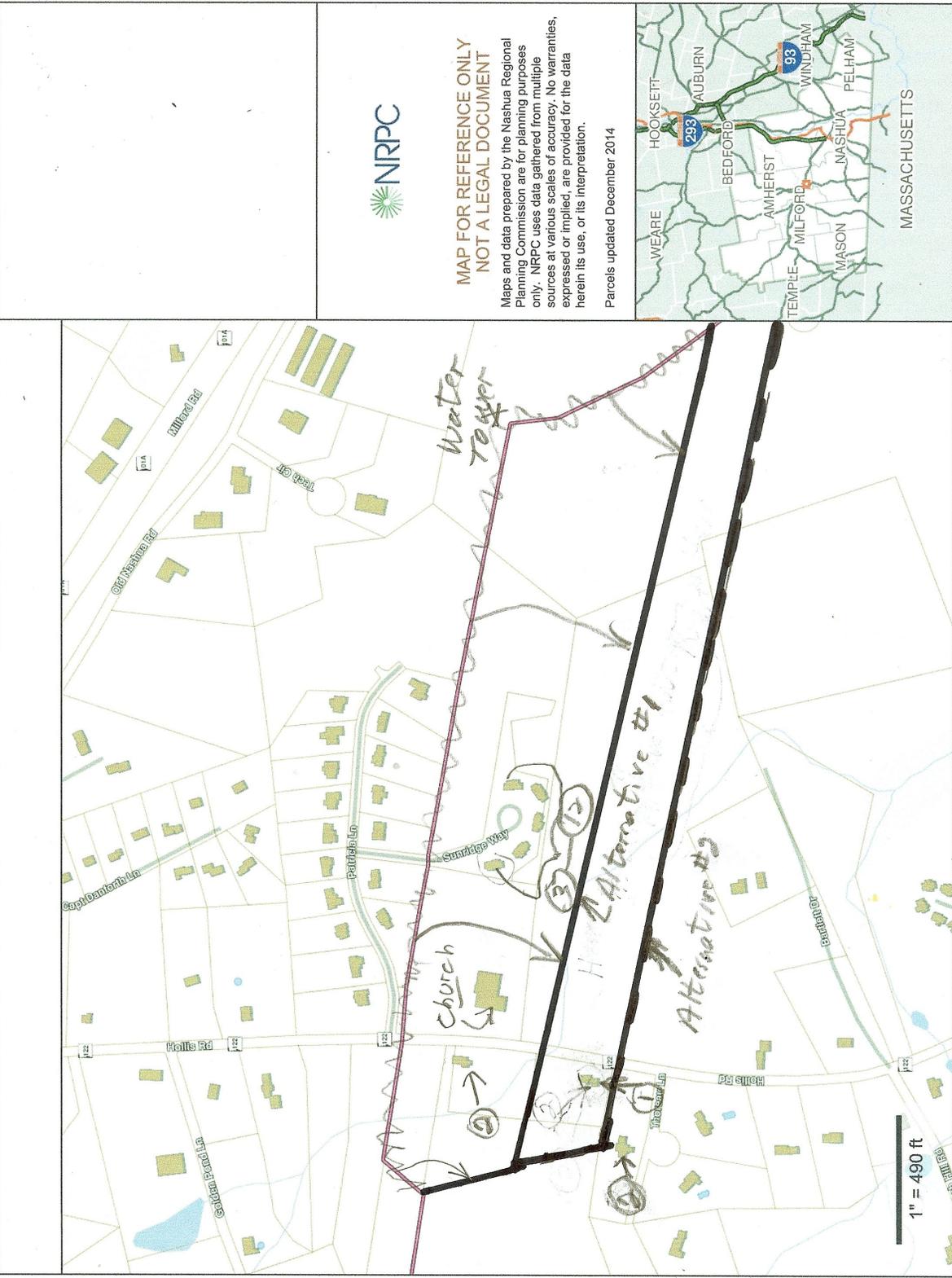
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- 3. EXISTING SIGNAGE
- 4. EXISTING LANDSCAPING
- 5. EXISTING UTILITIES
- 6. EXISTING STRUCTURES
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- 58. EXISTING LANDSCAPING
- 59. EXISTING UTILITIES
- 60. EXISTING STRUCTURES

**PROPOSED AFFORDABLE HOUSING SUBMITTAL PLAN**  
 LAND OF:  
**STACY J. CLARK**  
 11 HILLSIDE ROAD UNIT #0012 020  
 AMHERST, NEW HAMPSHIRE

FIELDSTONE  
 LAND CONSULTANTS, PLLC  
 100 MAIN STREET, SUITE 200  
 AMHERST, NEW HAMPSHIRE 03824  
 TEL: 603.833.1111 FAX: 603.833.1112

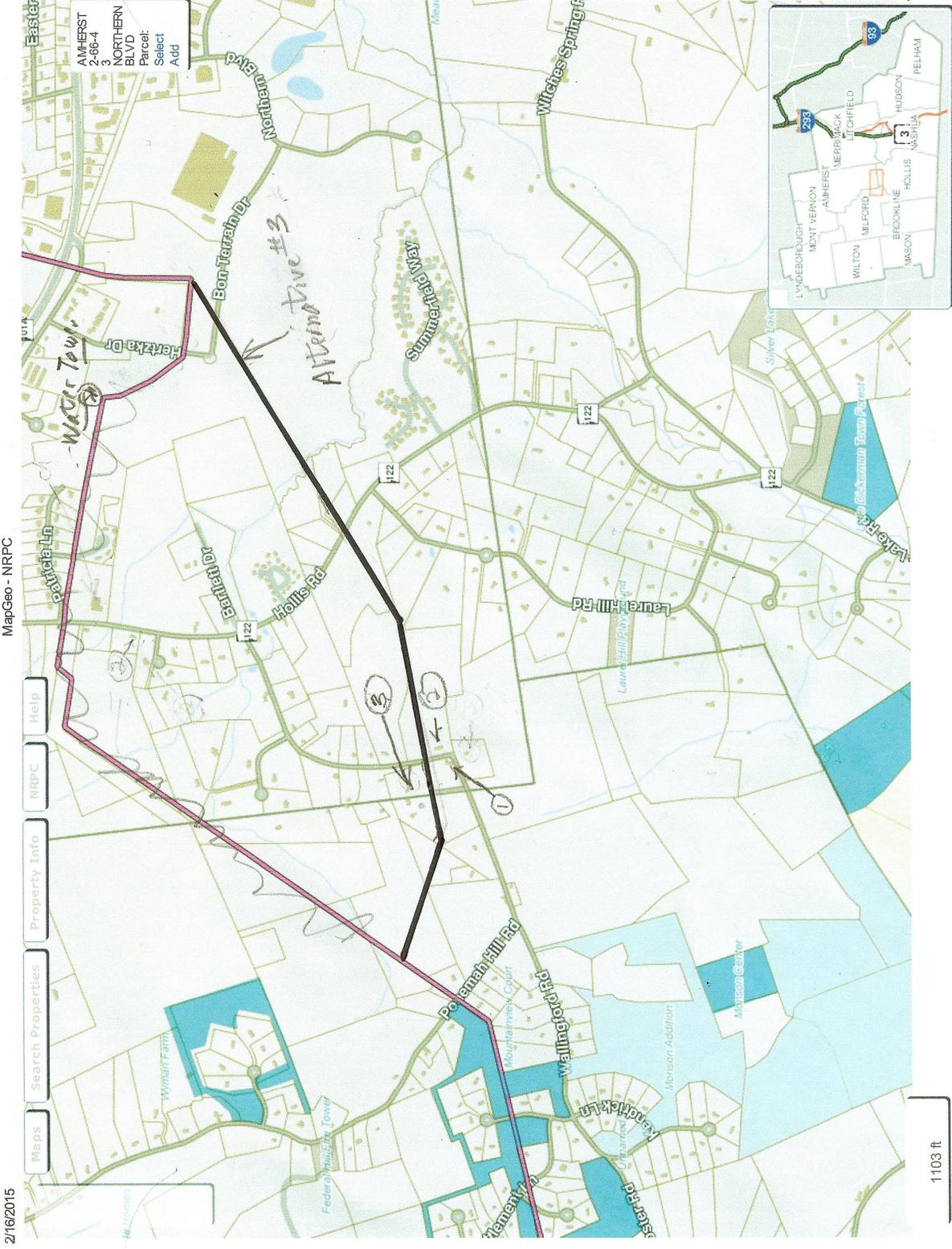
February 16, 2015

NRPC



Attachment #4  
Affected Residences

ATTACHMENT #4.1



MapGeo - NRPC

2/16/2015

AMHERST  
2-86-4  
NORTHERN  
BLVD  
Parcel:  
Select  
Add

- Maps
- Search Properties
- Property Info
- NRPC
- Help

1103 ft

**Attachment #5**  
**SUMMARY OF PIPELINE ROUTING ALTERNATIVES**

<u>IMPACT</u>	<u>CURRENT PROPOSED ROUTING</u>	<u>PROPOSED ALTERNATIVE ROUTINGS</u>			
		#1	#2	#3	
Number of residences pipeline passed near	44 (28 existing and 16 planned)	12 residential properties	3 residential properties	3 residential properties	
Passes through church property	Yes	No	No	No	
Would block entrance to 27 family home owners association during emergency	Yes	No	No	No	
Would block entrance to 10 family condo association during emergency	Yes	No	No	No	
Pass under public water tower	Yes	No	No	No	
Number of properties requiring easement for ROW	9 residential properties, a church, 2 condo and 1 homeowner's association	4 residential and 1 industrial properties	4 residential and 1 industrial properties	9 residential and 1 industrial properties	
Loss of property values/ability to sell property	26 condos and 17 homes.	2 homes	2 homes	4 homes	
Other	Loss of quality of life for residents in 2 condo and 1 homeowners association.	Loss of quality of life for residents in 2 homes.	Loss of quality of life for residents in 2 homes.	Loss of quality of life for residents in 2 homes.	

Document Content(s)

Pipeline Issues, Concerns, Proposed Solutions 3.DOC.....1-8