



Franklin Regional Council of Governments

Regional Pipeline Advisory Committee

Date:	September 1, 2015
Time:	3:30 p.m.
Location:	JWO Transit Center, 12 Olive Street, Greenfield, MA
Duration:	1.5 hours
Facilitator:	Peggy Sloan, Planning Director

Attendees:

- Meg Burch, Town of Conway
- Ariel Elan, Town of Montague
- Brian Noble, Town of Northfield
- Tracy Rogers, Town of Northfield
- Joe Strzegowski, Town of Conway
- Jim Cutler, Town of Ashfield
- Chris Myers, Town of Shelburne
- Bill Perlman, FRCOG Executive Committee
- Janice Kurkoski, Town of Warwick
- Bill Morris, Town of Erving
- Deborah Andrew, Town of Shelburne
- Walter Ramsey, Town of Montague
- Polly Ryan, Town of Plainfield
- Joe Judd, Town of Shelburne
- Derek Brindisi, Town of Ashfield

Guests

- Katy Eiseman, PLAN-NE
- Tom Miner, Shelburne Resident

Staff:

- Peggy Sloan, Planning Director
- Gretchen Johnson, Planning Grant Administrator

1 – Introductions and Review of July 13, 2015 and July 28, 2015 Meeting Notes: P. Sloan

P. Sloan called the meeting to order at 3:33 p.m. P. Sloan stated that Linda Dunlavy has a scheduling conflict and will not be able to attend. A round of introductions followed.

P. Sloan asked if there were any corrections for the July 13th and July 28th meeting notes. No corrections were offered. The consensus was that the minutes can be posted to the website as presented.

2 – Update on Draft Study/Information Requests for FERC Scoping Session Filing: P. Sloan, FRCOG

P. Sloan announced that FERC has granted an extension to submit the Study and Information requests. P. Sloan stated that she drafted the Noise Study Request and it is currently being reviewed by the RPAs. The RPAs are planning to review and update the other Study and Information Requests to reflect the July 2015 KM-TGP Resource Reports. They previously reflected the March 2015 KM-TGP Resource Reports.

T. Rogers thanked P. Sloan for the model noise and disturbance bylaw sent to the towns. P. Sloan stated that she is available to towns to answer questions regarding this bylaw. This is a general bylaw and not a Zoning Bylaw. The bylaw could be approved by a majority vote at Town Meeting after a public hearing is held by the Select Board. D. Brindisi asked if the bylaw could be implemented by the Board of Health as a public health issue. Discussion followed. P. Sloan asked that any additional comments and ideas to include in the Study Requests be emailed to her at psloan@frcog.org.

3 – Update on Plan-NE on FERC Final Scoping Session Comments: K. Eiseman, Plan-NE

K. Eiseman stated that Plan-NE's Scoping Session comments approach has been evolving. Plan-NE is now recommending that towns identify public safety concerns, socio economic impacts and resource areas that will be impacted by the pipeline such as public drinking water supplies, farmland or endangered species habitat areas based on public data. Discussion followed.

K. Eiseman announced that an article was printed in the Greenfield Recorder explaining that the MA Department of Public Utilities (DPU) approved twenty-year contracts for Berkshire Gas, Columbia Gas and National Grid to buy natural gas from the proposed Tennessee Gas Pipeline Company's Northeast Energy Direct project. Plan-NE is looking to the courts to appeal the decision. Rep. Kulik has filed a bill with the State Legislation to change the standards required to be granted "Intervenor" status.

K. Eiseman said that there is a meeting at 5:30 p.m. at the Greenfield Public Library. Plan-NE's lawyer will provide information to interested stakeholders about forming a coalition in this region to participate in the DPU process. This will be similar to the process that municipalities in New Hampshire are doing with Plan-NE.

4 – Review and Discussion of AECOM Information Request: P. Sloan, FRCOG & Committee members

P. Sloan stated that the FRCOG can compile the requested information from AECOM on our region. AECOM is a consultant to Kinder Morgan. There are a variety of

viewpoints on what information to provide and when to provide it. P. Sloan asked for feedback from the towns on how they would like to proceed. P. Sloan stated that in the past the FRCOG has only provided information that is publicly available on GIS State data layers. P. Sloan stated that reimbursement would be sought for the GIS mapping and related costs from AECOM. B. Noble stated that the Town of Northfield has offered a similar proposal to AECOM and has received no response. P. Sloan stated that the FRCOG will include a cost estimate sent to AECOM. The FRCOG will also request a GIS data layer of the proposed pipeline route and the other above ground facilities. P. Sloan passed out a copy of the AECOM letter sent to the FRCOG. K. Eiseman stated that other towns have responded that the request for information can be granted if the requester comes to the Town Hall in person and completes a form and agrees to the fee schedule for copies. C. Myers asked about resources that are not included in publically available GIS data layers. P. Sloan stated that the maps would include an extensive disclaimer that has been reviewed by Legal Counsel which addresses that concern. P. Sloan asked for feedback from towns. Montague, Shelburne, Conway and Northfield representatives would like the FRCOG to prepare the data. Ashfield, Erving, Warwick and Deerfield will consider this request.

B. Perlman suggested keeping in mind the locations of small family cemeteries, stone walls and old foundation sites. Also trees of a certain size along public roads are protected under the Shade Tree Act.

J. Strzegowski asked if other communities have experienced complaints about vehicles with people in hard hats parking and going on private landowner property. B. Noble stated that he has a contact at Kinder Morgan that has been very responsive to his questions. M. Burch asked if other towns have had complaints about threatening letters to landowners from Kinder Morgan. No one else in attendance had. A. Elan suggested advising residents to call the police if there are trespassers on their land. P. Sloan stated that it is advisable for landowners to post their land to prevent trespassing.

**5 – Review and Discussion of Intervenor Status Request and FRCOG Scope of Work:
P. Sloan, FRCOG & Committee members**

P. Sloan stated that the FRCOG will pursue Intervenor Status and recommends that the affected towns also request Intervenor Status. P. Sloan passed out a sample Intervenor Request prepared by Legal Counsel. The twenty-one day timeline will begin once Kinder Morgan files the Application with FERC and FERC issues a Notice of Application. K. Eiseman suggested that Select Boards should vote on filing to be an Intervenor soon. If they vote in favor, appoint someone as the main contact person. K. Eiseman stated that she will send the Plan-NE suggested wording to P. Sloan to distribute. P. Sloan also passed out a handout prepared by the Attorney, Carolyn Elefant, on how to submit comments to FERC.

P. Sloan reviewed the Scope of Work (SOW) and asked for feedback from the towns. P. Sloan advised towns to discuss whether they want to contribute funding to assist with this project if they have not already allocated funds. The FRCOG will contract with

participating towns to implement the Scope of Work. P. Sloan stated that the FRCOG is coordinating with Plan-NE staff to try to ensure that work is not being duplicated. Once contracts are in place, the participating towns will decide which Study/Information Requests to fund. P. Sloan explained that Host Community Agreements were not included as part of the SOW. Towns can contract with Attorney Carolyn Elefant independently if they would like to pursue a Host Community Agreement. P. Sloan asked for feedback from towns.

W. Ramsey stated that there is an article on the warrant for Montague to approve funds for this project that will be voted on October 1, 2015. B. Perlman stated that the FRCOG Executive Committee will discuss how to proceed with information sharing if all towns do not assist with funding. P. Sloan stated that full participation from towns would be ideal. A. Elan suggested charging AECOM industry rates for their information requests to help offset the costs related to this project.

6 – Discussion of Senator Rosenberg’s Pipeline Hearing on September 10, 2015: P. Sloan, FRCOG & Committee members

P. Sloan stated that Senator Rosenberg’s Pipeline Hearing will be held on September 10, 2015 at GCC from 6-10 p.m. The FRCOG staff will be attending. K. Eiseman recommended only submitting new testimony. She suggested focusing on solutions and proving that there is not a need for the pipeline.

A. Elan stated that she would like expert testimony on the co-location specifications for pipelines placed along electrical transmission lines. A. Elan stated that New Jersey has mandated the use of thicker class pipe along intra-state pipelines regardless of population density. K. Eiseman stated that all verbal comments should be accompanied with a written version for the note takers. She suggested sending a copy of the written comments to Governor Baker’s office as well.

7 –Next Meeting Date/Other Topics not reasonably anticipated 48 hours in advance of the meeting/Adjourn: P. Sloan

The next meeting was scheduled for October 13, 2015 at 3:30 p.m.

Copies of the handouts are available. Please contact G. Johnson at gjohnson@frcog.org or 413-774-3167 x126.

The meeting adjourned at 4:53 p.m.