



# TOWN OF MERRIMACK, NH

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September 4, 2015

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission (FERC)  
888 First Street, N.E.  
Washington, DC 20426

RE: FERC Docket No. PF14-22 – July 2015 Resource Reports

Dear Secretary Bose:

In its July, 2015 Resource Report 10, Tennessee Gas Pipeline Company, LLC (“TGP”) presented three alternative routes through the Towns of Amherst and Merrimack, New Hampshire which avoid a significant bog in Amherst but which will impact the Town of Merrimack (“Amherst Alternatives”) (July 2015 Resource Report 10 at §10.3.2.4.).

While these Amherst Alternatives may mitigate impacts to sensitive receptors in Amherst, they have significant additional impacts to the Town of Merrimack not disclosed in the July 2015 Resource Report.

Specifically, the Town is aware of the following impacts associated with the Amherst Alternatives:

1. The Amherst Alternatives run within 650 feet of the Thorntons Ferry Elementary School.
2. The Amherst Alternatives run within 200-300 feet of several large residential neighborhoods known as Whittier Place and Camp Sargent Acres/Estates. In addition, there are three additional neighborhoods on each side of Continental Boulevard (Tinker Road neighborhood to the east and a large condominium development to the west) and between Naticook Road and Continental Boulevard which will be impacted by the Amherst Alternatives.
3. A hospice facility off Continental Boulevard is within a few hundred feet of the Amherst Alternatives.

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Assessing P: 603-424-5136 F: 603-424-0461	Community Development P: 603-424-3531 F: 603-424-1408	Finance P: 603-424-7075 F: 603-423-8539	Human Resources P: 603-424-2331 F: 603-424-0461	Media Services P: 603-423-8561 F: 603-424-0461
Public Assistance P: 603-423-8535 F: 603-423-8539	Public Works Administration P: 603-424-5137 F: 603-424-3890	Town Council P: 603-424-2331 F: 603-424-0461	Town Manager P: 603-424-2331 F: 603-424-0461	

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4. Impacts to commercial properties associated with the construction phase of the Amherst Alternatives are increased. Further, the Amherst Alternatives travel along Rt. 101-A such that, in the event there is an incident, these properties will all be isolated as there is no alternative means of egress. These impacts are likely to negatively impact valuable commercial properties in Town thereby decreasing employment opportunities and tax revenue to the Town.
5. The Amherst Alternatives relocate the NED Project directly across the Town of Merrimack Conservation Commission's property (Town of Merrimack Tax Map 2B-358-1). The deed for this parcel expressly prohibits this activity. A copy of this deed is attached for the Commission's review and reference.
6. Habitat impacts in the Town of Merrimack (wet meadow, shrub wetland, and Appalachian oak/pine) as listed in Section 2.3 for the Amherst Alternative. These Habitat types are listed from NH Wildlife Action Plan dated 2010 (<http://www.wildlife.state.nh.us/maps/wap.html>) and score as part of the Highest Ranked Habitat in New Hampshire. This high scoring covers the Amherst Alternative from its entry into Merrimack from Hollis up to Industrial Drive.
7. In general, the entire path of the Amherst Alternatives along Continental Boulevard is either a vernal pool, a wetland, or is the immediately adjacent upland to a wetland or vernal pool. Uplands adjacent to wetlands are significant to many different species and are where the Town has documented the majority of the rare, threatened, and endangered species in Town. These lands require significant surveying to ensure all potential plant, insect, and animal species of concern are noted. The July, 2015 Resource Reports contain no documentation whatsoever regarding such impacts.
8. Most of the land impacted by Amherst Alternative Option 1 is part of a wetland system and the Naticook Brook Aquifer that serves to provide water for the Town of Merrimack's Merrimack Village District ("MVD") wells. This same system originates North in the Town of Merrimack and includes Stump Pond and the brooks/streams that feed it and outflow from it. Over 8000 MVD customers receive their drinking water from this source. Just as the original Project Route does, the Amherst Alternative Option 1 impacts two overlapping wellhead protection areas along Rt. 101-A as discussed in Section 2.1.1.4.1 of the July, 2015 Resource Report 2. However, the Amherst Alternative Option 1 impacts an additional third wellhead protection area, MVD well and water treatment facility planned for near term construction. In short, the Amherst Alternatives jeopardize the entirety of the Town's public water supply. **(See Attachment from the MVD)**

9. The proposed path puts the pipeline directly across numerous properties owned by Pennichuck Water Works. Some of these parcels have a conservation easement on them running to the Society for the Protection of New Hampshire Forests. These parcels include: 2C-66, 2B-324, 2B-324-1, 2C-49, 2B-12, and 2B-13. The conservation easement is recorded in the New Hampshire, Hillsborough County Registry at Book/Page: 8584-1669. This easement prohibits activity such as the NED Project. A copy of the easement is enclosed for the Commission's review and reference.

The Town respectfully requests that the Commission require TGP to consider and address these, and all other issues associated with the Amherst Alternatives as part of its next data request in order to ensure a full and fair consideration of alternatives in the Commission's scoping process.

The Town will continue to actively participate in this process in order to ensure that its residents are accorded all appropriate consideration and necessary process.

Thank you for your assistance with this matter.

Sincerely,

Eileen Cabanel  
Town Manager

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September 2, 2015

To the Town of Merrimack

The Merrimack Village District (MVD) is responsible for providing potable water to 25,000 residents in the Town of Merrimack, New Hampshire. All of their water resources are derived exclusively from groundwater that is pumped from a series of high-yielding wells sited in three shallow stratified drift Aquifers. On an annual basis, they provide approximately 800,000,000 gallons of high quality, potable water to their customers. Tennessee Gas Pipeline Company, LLC is in the pre-filing process of siting a high pressure natural gas pipeline route (identified as the NED Project) through the Town of Merrimack.

The “*original*” proposed route of the NED gas pipeline crossed through the center of one of the principal aquifers utilized by the MVD, known locally as the Naticook Brook Aquifer. The MVD currently operates two Production Wells (MVD-2 and MVD-3) that pump groundwater from this Aquifer, which provides approximately 50% of the MVD’s water supply capacity. This Aquifer is protected by the Town of Merrimack through an Aquifer Protection Overlay District and the contributing area for the two Production Wells is a registered Wellhead Protection Area (WHPA) with the State of New Hampshire.

On behalf of the MVD, Emery & Garrett Groundwater Investigations (EGGI) submitted a professional technical opinion on February 18, 2015 (which was later forwarded to FERC on March 3, 2015 by the MVD). This professional document described why blasting, pipeline construction, and the installation of a high pressure gas pipeline are not considered reasonable or acceptable along this proposed route.

The most recent pipeline route (Option #1) that is currently proposed would further increase the potential for causing adverse, and possibly irreparable, impacts to Merrimack’s public groundwater supply. This route not only crosses over the Naticook Brook Aquifer, but also now goes directly through the Witches Brook Aquifer; an Aquifer that provides 33% of the MVD’s public water capacity. Therefore, the new pipeline route will be installed directly on top of *both* critical Aquifers and through *both* designated “*sensitive groundwater recharge areas.*”

Loss of use of any portion of these potable water supply resources could have devastating and catastrophic consequences to the Town of Merrimack and on their ability to provide a reliable source of water to the residents and businesses in the Town of Merrimack. The Town finds it unacceptable to route a petroleum product pipeline (as identified as “Option 1”) in such close proximity to its Production Wells, high yield Aquifers, and their designated “*sensitive groundwater recharge areas.*”