



# TOWN OF MERRIMACK, NH

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July 16, 2015

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

**RE: Comments of the Town of Merrimack, NH - Tennessee Gas Pipeline Company, L.L.C. ("TGP"), Docket No. PF14-22-000: Proposed Northeast Energy Direct ("NED")**

Dear Ms. Bose:

On behalf of the Merrimack Town Council, please find this letter as additional testimony pertaining to the Northeast Energy Direct (NED) natural gas transmission pipeline project (FERC Docket No. PF14-22) proposed by Tennessee Gas Pipeline Company (TGP) and Kinder Morgan (KM). The Town has submitted previous correspondence related to this pre-filing through its attorney and Community Development Director (in response to TGP/KM's request for information submitted to their consultant AECOM) to the Federal Energy Regulatory Commission (FERC).

The Town continues to review the pre-filing and various Town entities (Conservation Commission, Wastewater Division, and Merrimack Village District, the Town's primary water service provider) have retained professional consultants that will be producing additional correspondence to FERC as it relates to their specific topic areas over the course of the pre-filing period.

The Town recently reviewed the letter from the Town of Amherst (*Submittal 20150609-5069*) that was made available on the FERC website. The Town of Merrimack supports the positions and concerns relayed to FERC by the Town of Amherst in their June 8, 2015 letter, and offers the following additional and supplementary comments and concerns:

- The Town of Merrimack remains concerned about KM/TGP's citation of "regional energy needs" as their main justification for the NED pipeline as the basis for their pre-filing with FERC. Merrimack shares Amherst's concern about the status of New Hampshire's actual energy needs and whether or not the NED project will have any significant impact in addressing whatever the State's energy needs are in actuality. Merrimack agrees with Amherst that this issue requires clarification for the State's residents and should be settled through thorough review of the pre-filing and weighed against the negative impacts to New Hampshire's environment and property owners.

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: 603-424-0516	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: 603-424-0516	Public Works Administration P: 603-424-5137 F: 603-424-1408	Town Council P: 603-424-2331 F: 603-424-0461	Town Manager P: 603-424-2331 F: 603-424-0461	

- The Town of Merrimack does not believe that the NED project will make a significant impact to New Hampshire's power generation situation. New Hampshire currently generates more power within its borders than is used by its residents and businesses. As such, a good portion of the power generated in the state is "exported" to other New England states. Merrimack questions why the NED project must pass within southern New Hampshire without any real connection to the power generation grid within the State. It appears as though the current proposed route through New Hampshire is merely a "pass through" in order to connect to the hub in Dracut, MA. It is our belief that the route through New Hampshire is merely a matter of convenience and a perceived "path of least resistance" as opposed to a route based on the needs of the State of New Hampshire.
- The Town of Merrimack is concerned that the NED project continues a trend toward the use of natural gas for power generation, and as such threatens to unbalance the diversity of fuel sources for power generation in New Hampshire and New England. With the decommissioning of several power generation facilities (from nuclear to coal and gas fired facilities) recently or in the near future, it appears that natural gas will become the dominant fuel source for power generation in New England. Merrimack is concerned that over-reliance on a single fuel source for power generation places the region in a vulnerable position in the event of any natural gas shortages or catastrophic events that disrupt the distribution of natural gas to the region. The Town of Merrimack supports a diverse variety of power generation sources, and maintaining as much balance as is practicable in the manner in which energy is delivered to the region.
- The Town of Merrimack remains committed to participating in the FERC process throughout the pre-filing period, and additional comments will be forthcoming in the coming weeks as the consultants retained by various entities (see second paragraph of this letter) complete their review and field work associated with the NED project. We reserve the right to supplement this letter and any subsequent letter from the Town, its residents, businesses, and agencies as deemed appropriate.

Sincerely, on the behalf of the Merrimack Town Council,



Eileen Cabanel  
Town Manager

cc: Merrimack Town Council  
Allen Fore, Kinder Morgan  
Lucas Meyer, Kinder Morgan  
Maggie Hassan, Governor of New Hampshire  
Joseph Foster, Attorney General of New Hampshire  
Shawn Jasper, Speaker of the New Hampshire House of Representatives  
Chuck Morse, President of the New Hampshire State Senate  
Kelly Ayotte, U. S. Senator  
Jeanne Shaheen, U. S. Senator  
Frank Guinta, U. S. House of Representatives  
Ann McLane Kuster, U. S. House of Representatives

**Attachment: Preliminary List of “Sensitive Environmental Areas” within 0.25 or 0.50 Miles of NED “Study Corridor”**

- Two Town-owned parcels of conservation land are crossed by the proposed route:
  - Horse Hill Nature Preserve; and
  - Gilmore Hill Memorial Forest;
  
- At least 12 wetland areas (including Naticook Brook and the Merrimack River) are crossed by the proposed route
  - At least 4 ponds and small streams are located on the Horse Hill Nature Preserve property, providing important habitat area for several endangered/threatened species;
  - An area of Gilmore Hill Memorial Forest contains an area of sensitive vegetation/habitat that will be explained further in future responses;
  - Of particular concern regarding the Merrimack River is the construction of the pipeline under the river, the permanence of the installation under the river as it may be affected by flow or river course changes over time, and the safety history of such river crossings.
    - The Lower Merrimack River is a Designated Protected River under NH RSA 483 in accordance with the State's Rivers Management and Protection Program.
  
- The Town's highest yield aquifer is located within the study area, which is part of both a Wellhead Protection Area and Aquifer Conservation District (see also attached letter and map from MVD);
  - 2 of the Merrimack Village District (MVD) water supply wells are located in close proximity to the proposed route (MVD Well #2 is approximately 550 feet from the proposed route, MVD Well #3 is approximately 2500 feet from the proposed route);
  - This aquifer and pair of supply wells provide more than half of the water service to the Town;
  
- The proposed route would cross MVD waterlines in at least 10 locations;
  
- The propose route would cross municipal and private sewer lines in at least 4 locations:
  - Camp Sargent Rd (across from Talant Rd);
  - The private Merrimack Premium Outlets' sewer lateral;
  - The entrance to Elbit Systems on Rt. 3 (Daniel Webster Highway); and
  - The Town's main sewer interceptor line along the B&M Railroad tracks/right-of-way
  
- The proposed route is within 0.25 and 0.50 miles of several residential neighborhoods, some of which rely upon private wells and septic systems.