



Massachusetts Association of Conservation Commissions

protecting wetlands, open space and biological diversity through education and advocacy

May 8, 2014

Governor Deval Patrick
Massachusetts State House
Room 105
Boston, MA 02133

Re: Proposed Kinder Morgan Tennessee Gas Pipeline

Dear Governor Patrick:

We are writing to express our deep concern about the proposed Kinder Morgan Tennessee Gas Pipeline that would result in the construction of approximately 250 miles of pipeline across Massachusetts. The proposed project has the potential to harm wetlands and land designated and preserved as open space, as well as increase our reliance on fossil fuels and emissions of greenhouse gases. The project is proceeding without a formal public process or input. It will soon reach a stage where the state's and public's opportunity for meaningful involvement will be severely limited to a few likely objectionable alternative pipeline routes.

Public process, protection of open space, and reduced use of fossil fuels have been hallmarks of your administration and have made Massachusetts a national leader in those areas. The proposed pipeline and the process underway are antithetical to each of those standards of excellence we have achieved in Massachusetts.

We think it is essential that your administration engage with Kinder Morgan and play an active role now by initiating a robust public review process that includes all stakeholders to determine if a new gas pipeline is needed and, if needed, potential routes for a pipeline that would minimize environmental impacts. We are ready to participate in that process. Waiting for Kinder Morgan to file the project with the Federal Regulatory Energy Commission is too late to make sure all reasonable alternatives will be fully vetted.

The proposed pipeline will be constructed through ecologically sensitive lands mapped within BioMap II and Priority Habitat (as designated by the Natural Heritage and Endangered Species Program), UMass' Conservation Assessment and Prioritization System, and state-designated Areas of Critical Environmental Concern. It also will be cut through locally designated and state-funded open space lands owned and managed by municipalities, land trusts, and private organizations such as Mass Audubon and local watershed organizations, as well as state lands managed by the Division of Fisheries and Wildlife and the Department of Conservation and Recreation.

The pipeline will result in a permanent fifty foot wide swath of about 250 miles in length, much of it through ecologically sensitive lands, on which trees could not grow and structures not be built. There have been no public hearings to assess the harm to natural resources that will result from the project and no public process to identify appropriate alternative routes for the pipeline or evaluate if a pipeline of that magnitude is needed. Instead, Kinder Morgan alone is identifying potential routes for the pipeline. Those potential routes, all within a very narrow band from the New York border to Dracut, will

be the only ones presented for federal and public review. Consideration of less damaging routes, such as along the Massachusetts Turnpike right of way, will not even be open for public consideration.

The Patrick Administration has been a leader in natural resource and land protection, as documented in 100,000 Acres of New Conservation Land and 150 New Parks: A Legacy for the Next Generation, the FY 2015 budget highlighting funds for climate change and adaptation, and operational funds for the Departments of Agriculture and Conservation and Recreation. We ask that your administration continue to be a leader in stewardship and protection of the state's investment in lands we have all worked so diligently to preserve as resources for current and future generations.

The Massachusetts Association of Conservation Commissions (MACC) is the professional association of Massachusetts conservation commissions. We represent more than 2,100 conservation commissioners throughout Massachusetts who are responsible for protecting the natural resources of their communities under the Conservation Act (M.G.L. c.40, § 8c) and administering and enforcing the Wetlands Protection Act (M.G.L. c.131, § 40) and municipal wetlands laws and regulations. We protect wetlands, open space, and biological diversity across Massachusetts by supporting conservation commissions through education and advocacy. We advocate for strong science-based laws, regulations, and policies that function well. MACC has been doing that work since 1961.

Many conservation commissions and land trusts have contacted us about the proposed pipeline, expressing the concerns we bring to your attention in this letter. We respectfully request that your administration guide the course of energy infrastructure planning in an environmentally sensitive manner. The time for government action is now so that decisions that will affect Massachusetts residents are made by Massachusetts residents.

We look forward to working with your administration on this crucial issue.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Eugene B. Benson". The signature is fluid and cursive, with the first name "Eugene" written in a larger, more prominent script than the last name "Benson".

Eugene B. Benson
Executive Director
Email: eugene.benson@maccweb.org

Cc: Richard K. Sullivan, Jr., Secretary of Energy and Environmental Affairs
MACC Board of Directors
MACC members
Henry Tepper, President, Mass Audubon
Charles Knox, Executive Director, Massachusetts Land Trust Coalition
Allen Fore, Director, Public Affairs, Kinder Morgan