

Warrant Articles

20, 21, & 22

(by Petition)

**A brief overview of the Articles and the proposed
course of action regarding
the**

Northeast Energy Direct Pipeline
project proposed by **Kinder Morgan**

KNOW THE PLAYERS

NESCOE - *New England States Committee on Electricity* - is a not-for-profit organization representing the collective interests of the six New England States on regional electricity matters. It is directed by a Board of Managers who represent the six New England states. Managers are appointed by the Governor of each state. Regardless of the number of individuals appointed by each Governor, each state has one undivided vote in arriving at NESCOE determinations.

ISO-NE - *Independent Service Operator - New England* is an independent, non-profit Regional Transmission Organization, serving Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. ISO New England, established in 1997, operates the region's power grid and wholesale electric markets.

NEPOOL - *The New England Power Pool* was established in 1971 as a voluntary association of market participants from the six New England States.

FERC – *Federal Energy Regulatory Commission* is the agency that will review the developer's application at the Federal level and if approved will issue the Certificate of Public Convenience and Necessity.

NH SEC – *New Hampshire Site Evaluation Committee* – will review the developer's application at the state level. NH SEC replaces all local and regional reviews in New Hampshire. Reorganized as of January 1, 2015

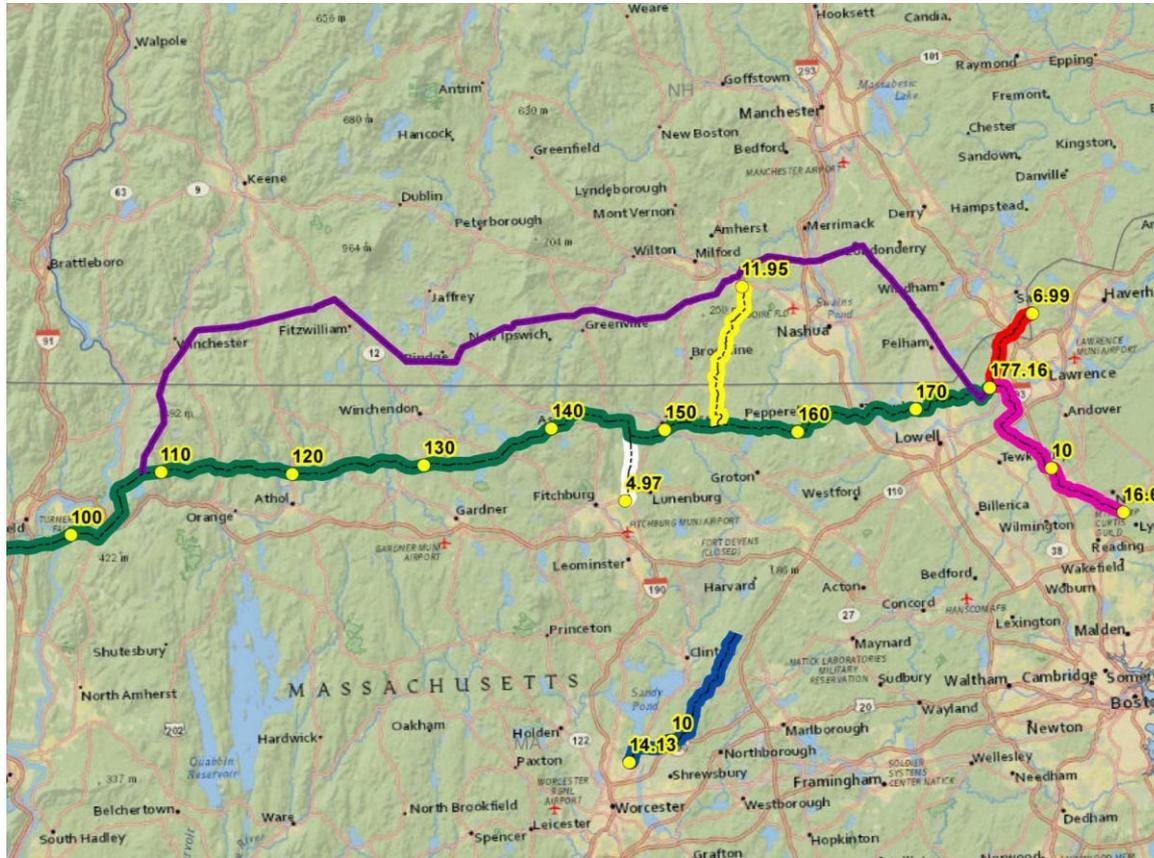
NED – *Northeast Energy Direct* – the name of the proposed pipeline project

KM/TGP – *Kinder Morgan operating as Tennessee Gas Pipeline Company LLC* – the developer or applicant in this process

Affected LANDOWNERS

CITIZENS: nearby, regional, and beyond

ELECTED Officials



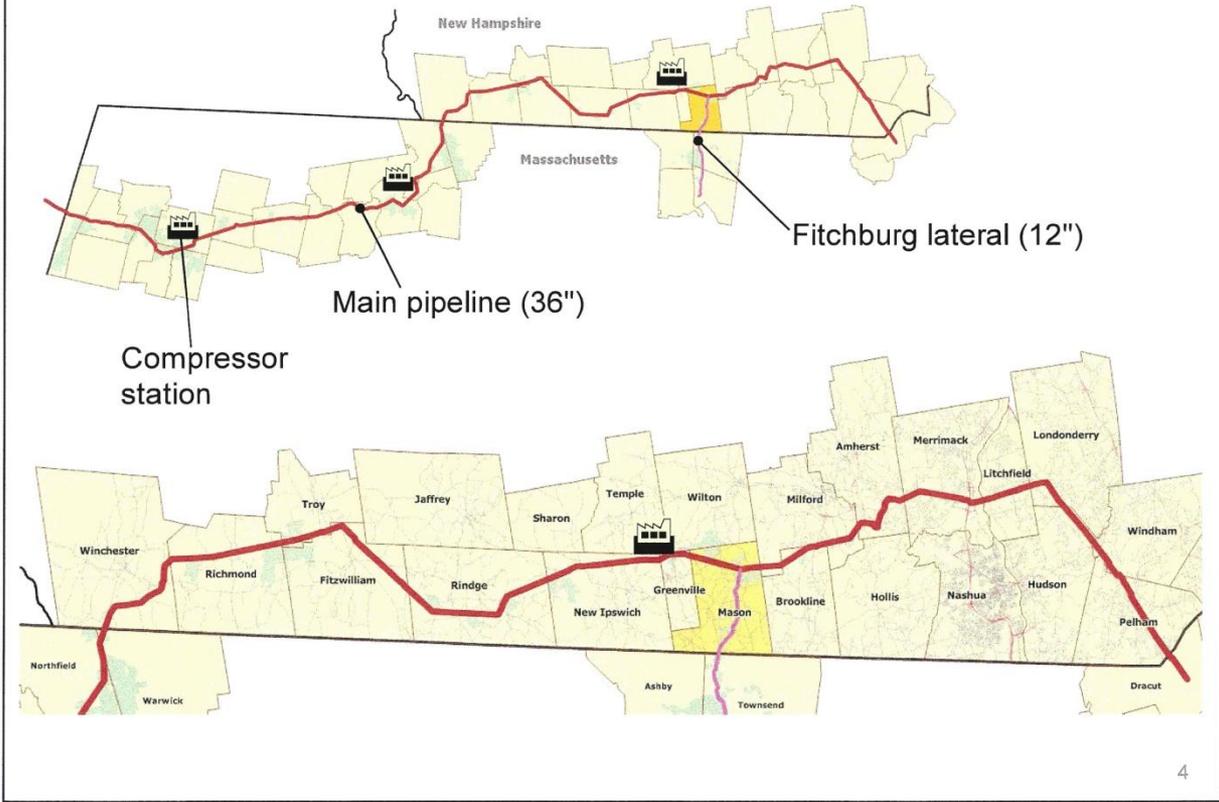
PROPOSED ROUTE FOR NED Northeast Energy Direct Pipeline

Green line is the original route proposed in September of 2014

Purple line is the NH “alternative route” that **was officially** changed to the preferred route on December 8th, 2014

Yellow, Pink, Red and **Blue** are various Laterals

Planned Route



The Basics - a private project for profit

WHAT IS IT?

– A 36-inch buried pipeline carrying fracked natural gas 416 miles from PA and NY through Massachusetts and New Hampshire to Dracut, MA

WHO IS PROPOSING IT?

– **Kinder-Morgan (KM)**, the **largest private pipeline company in U.S.**, and Tennessee Gas Pipeline, a KM subsidiary. Kinder Morgan was formed by two former Enron Executives

*“Enron, where Kinder served as president before Ken Lay nudged him aside in favor of the now incarcerated Jeffrey Skilling. **Kinder Morgan is in many ways an Enron do-over.**”*

[Christopher Helman](#) Forbes Staff 11/21/2012

WHY IS IT BEING PROPOSED?

– For the public: To meet “projected” energy shortfall in N.E. although the bulk of the gas (over 75% is slated for export)

– For **KM**: To make money

ARTICLE 20

OPPOSE TAKING BY EMINENT DOMAIN

Shall the Town of Rindge vote to oppose approval by the **NH Energy Facility Site Evaluation Committee** of the construction and installation of a natural gas pipeline by **Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company)** as part of the Northeast Energy Direct Project because the proposal is **inconsistent with the basic tenet of individual property rights** whereas if approved, Tennessee Gas Pipeline Company, LLC shall have the power to force private property owners to give up rights under Eminent Domain proceedings in order to create a new corridor for the installation of the pipeline project?

Where will the pipeline be located?

It will NOT be in the PSNH ROW

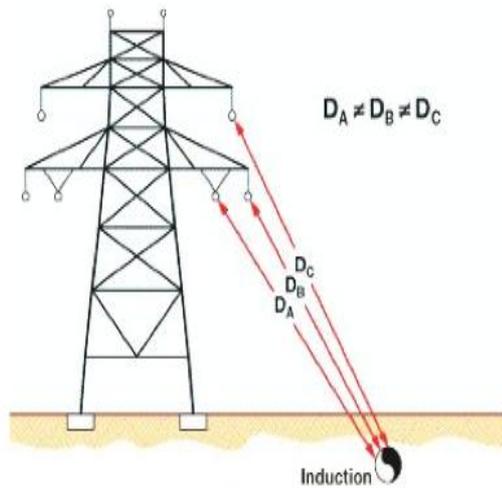


Figure 1.2 Induction Affect and Different distances between the pipeline and the transmission line circuit



A NEW CORRIDOR

SURVEY CREWS are looking at 400' wide areas on either side of the PSNH ROW

- Only 15' of the existing ROW will be used for the Construction Corridor
- NONE of the 50' feet required for the pipeline will be in the existing ROW
- The newly cleared corridor will be approximately 110'- 135' in width



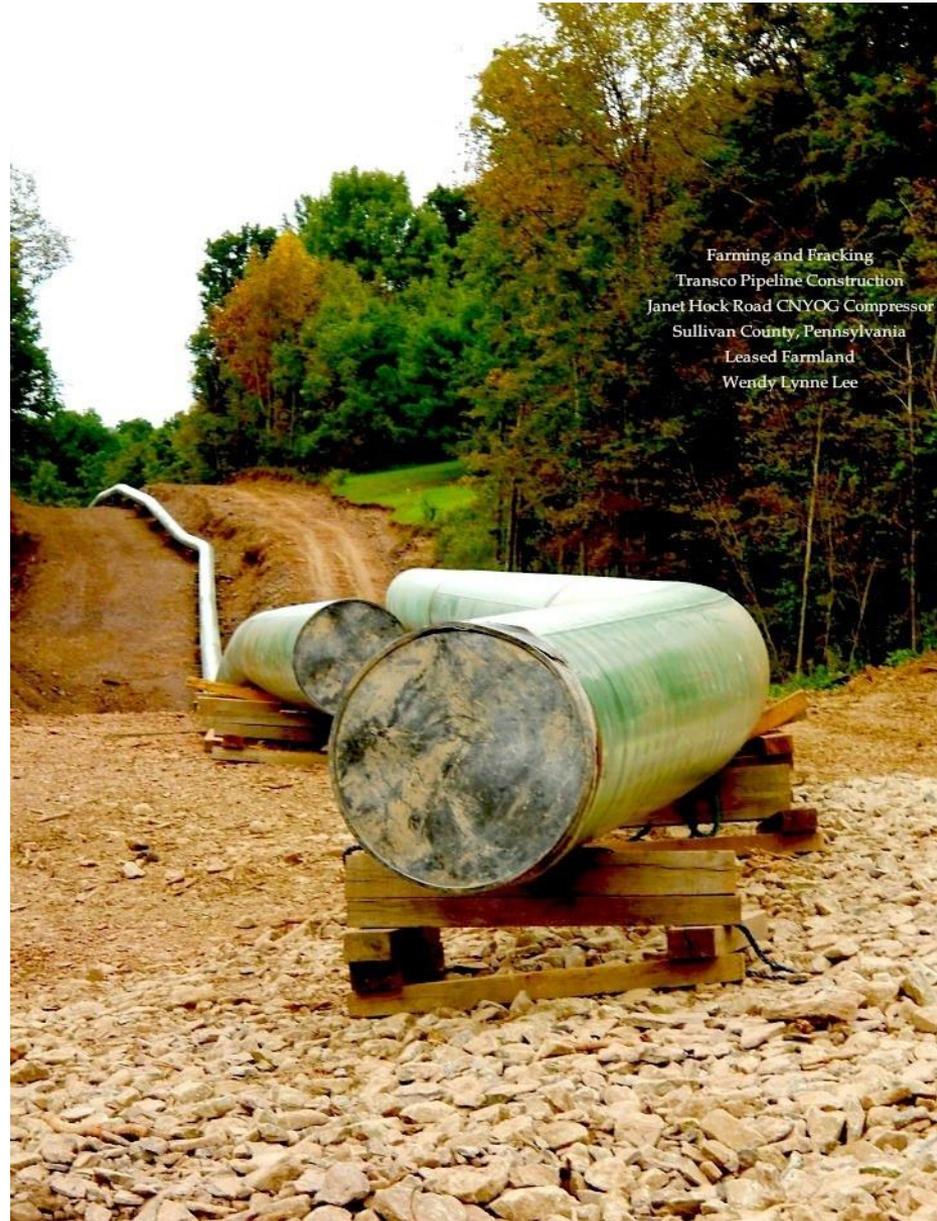
TAKING OF **PRIVATE** **PROPERTY** FOR THE NEW CORRIDOR

FEDERAL EMINENT DOMAIN USED FOR **CORPORATE** GAIN

The Federal Energy Regulatory Commission (FERC) is the agency that reviews the developer's project

If they approve the project by issuing a Certificate of Public Convenience and Necessity the developer, **a private corporation, can initiate eminent domain proceedings against any owner of private property** that won't willingly grant an easement.

State or local eminent domain regulations are not applicable.



ARTICLE 21

PROTECT OUR WATER

Shall the Town of Rindge vote to oppose approval by the **NH Energy Facility Site Evaluation Committee** of the construction and installation of a natural gas pipeline by **Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company)** as part of the Northeast Energy Direct Project because the **proposal is inconsistent the Town's goal of protecting and preserving its aquifers, drinking water including community and private wells, wetlands, streams, and other bodies of water.** In addition, the **proposal to extract water to use in drilling or other operations, whether from a body of water or well, is inconsistent with the Town's goal to protect such waters?**

Protecting our Drinking Water

There is great connectivity among the different types of water resources in the Region and all are influenced by what happens on the landscape...Within a watershed, surface and groundwater are generally connected as water flows across the landscape through waterways or vertically through layers of soil and substrate. Any activity that affects water quality, quantity or flow rate in one part of the watershed may affect locations downstream.

TRANSCO pipeline cut,
Picture Rocks, PA



What feeds our wells?

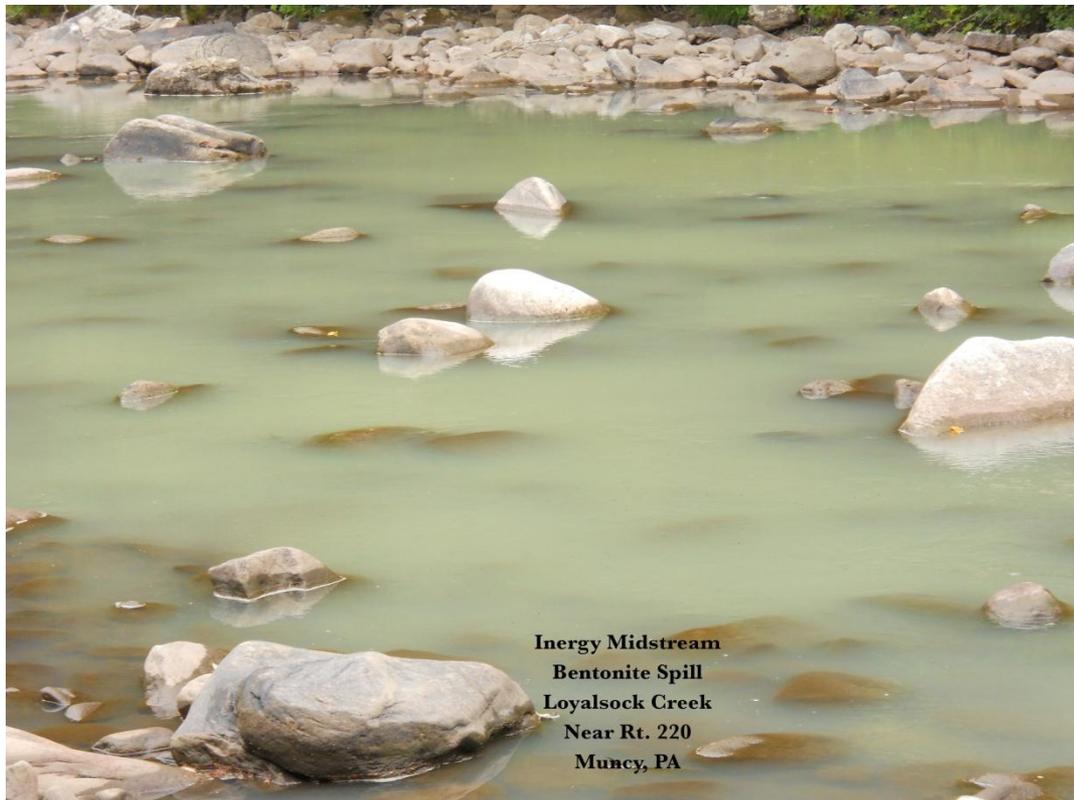
Anything that disturbs lakes, streams or wetlands can influence the quality of water in our aquifers and ultimately in our wells.

The KM-TGP pipeline will cut right through and dig up numerous wetlands in town that been protected previously by town ordinances.

All of the pipeline work will be in the Millers River watershed, and anyone "downstream" (south) of the pipeline path could easily be affected as a result of the connectivity.

Right now, all drinking water in town, whether from private or community sources, comes from wells.

Converse Meadow sits over one the prime aquifers in town and was conserved, in part, because of its potential to serve as a public water source if ever needed in the future.



Inergy Midstream
Bentonite Spill
Loyalsock Creek
Near Rt. 220
Muncy, PA

ARTICLE 22

DENY ACCESS TO TOWN-OWNED PROPERTY

Shall the Town of Rindge vote to **deny permission** to the **Tennessee Gas Pipeline Company, LLC (a Kinder Morgan Company)**, its representatives, contractors, sub-contractors, or associates to enter any Town-owned property, including but not limited to Converse Meadows, **to perform surveys or for any other purpose in furtherance of a pipeline infrastructure project.** Any such physical entry onto Town owned property will be considered unauthorized, and treated as trespass and prosecuted as such?

DENYING ACCESS

Property owners have the right to deny **KM/TGP** access to their property. It's important to let **FERC** know you are denying access.

KM/TGP need access to complete the environmental review and only want to make minor adjustments to try and show good faith.

KM/TGP can use high resolution photography as they indicated in their Dec 2014 status report to **FERC** but lack of access is a clear statement of opposition to **FERC**.



EASEMENT CONCERNS

If you grant **KM/TGP** an easement you should consider the following:

- You still own the land and will pay the taxes on it
- You will be offered a lump sum payment
- Your mortgage company may demand the lump sum payment against principal as you have released some of their collateral
- **KM/TGP** can add more pipes or bigger pipes to an existing easement
- They can change the product (including change from gas to oil)
- They can transfer the easement
- They can abandon the pipes
- The easement will affect the value of your property



KINDER MORGAN'S SAFETY RECORD

from the Keene Sentinel

"The Houston-based **Kinder Morgan** is the fourth largest energy company in North America, according to its website.

The company has a **history of accidents with its pipelines; since 2003 it was involved with 180 incidents including spills, evacuations, explosions, fires and fatalities** across the United States, according to federal data."
(Source: PHMSA)

Pipeline Integrity and Releases:

From time to time, **despite our best efforts, our pipelines experience leaks and ruptures. These leaks and ruptures may cause explosions, fire, and damage to the environment, damage to property and/or personal injury or death.** In connection with these incidents, we may be sued for damages caused by an alleged **failure to properly mark the locations of our pipelines and/or to properly maintain our pipelines.** Depending upon the facts and circumstances of a particular incident, state and federal regulatory authorities may seek civil and/or criminal fines and penalties.

Source: Kinder Morgan's SEC 10-K filing

In 2011, the [Pipeline and Hazardous Materials Safety Administration](#) (PHMSA) cited **Kinder Morgan** for these safety violations:

- failing to maintain updated maps showing pipeline locations,
- failing to test pipeline safety devices,
- failing to maintain proper firefighting equipment,
- failing to inspect its pipelines as required, and
- failing to adequately monitor pipes' corrosion levels.

In 2013, the headline "**Wall Street Worries About Kinder Morgan's Safety Record: BC pipeline operator slashes and defers maintenance spending**" was a concern to anyone who lived or worked near a Kinder Morgan pipeline. The [Wall Street Journal](#) asked, "**Is Kinder Morgan Scrimping on its Pipelines?**" after an investment analyst charged the company with starving its pipelines of routine maintenance spending in order to return more cash to investors. **Deferred maintenance may account for the high number of Kinder Morgan pipeline accidents in the last decade.** Wall Street Journal, Sep 27, 2013.

Benefits for NH Residents?

Kinder Morgan lists **Tax Revenues, Jobs, and Natural Gas for your home** as benefits for New Hampshire residents.

Tax protest: Pipeline says it will appeal

Rick Stillion / The Daily Jeffersonian

Published: November 4, 2010 9:00AM

Natural gas pipeline company **Kinder Morgan** informed Guernsey County commissioners Wednesday that it plans to appeal the tax assessment levied by the Ohio Department of Taxation against the Rockies Express Pipeline. **"We won't be paying what the state has assessed," said Allen Fore of Kinder Morgan. "We will pay what we believe should be paid."**

Low pipeline values shock Waterville area

Posted June 25, 2014

Updated June 25, 2014

A property tax windfall that once seemed certain for area communities is now in question, as Summit Natural Gas is making a case that **it should pay less than expected for a pipeline** being built through central Maine. At stake is millions of dollars for the municipal coffers of communities along the route of the \$350 million pipeline project. In Augusta, Ralph St. Pierre, assistant city manager and director of finance and administration, said the high range of what the city **could collect from Summit in property taxes is about \$672,000**.

But town officials say **the company is arguing that the assessment should be valued-based**, with the official valuation depending on the number of paying customers that actively receive gas delivered through the line. The new pipeline is **operating at only about 1.5 percent of its capacity**, and Summit has suggested that **it should pay a proportional amount of taxes to Augusta — about \$9,800**.

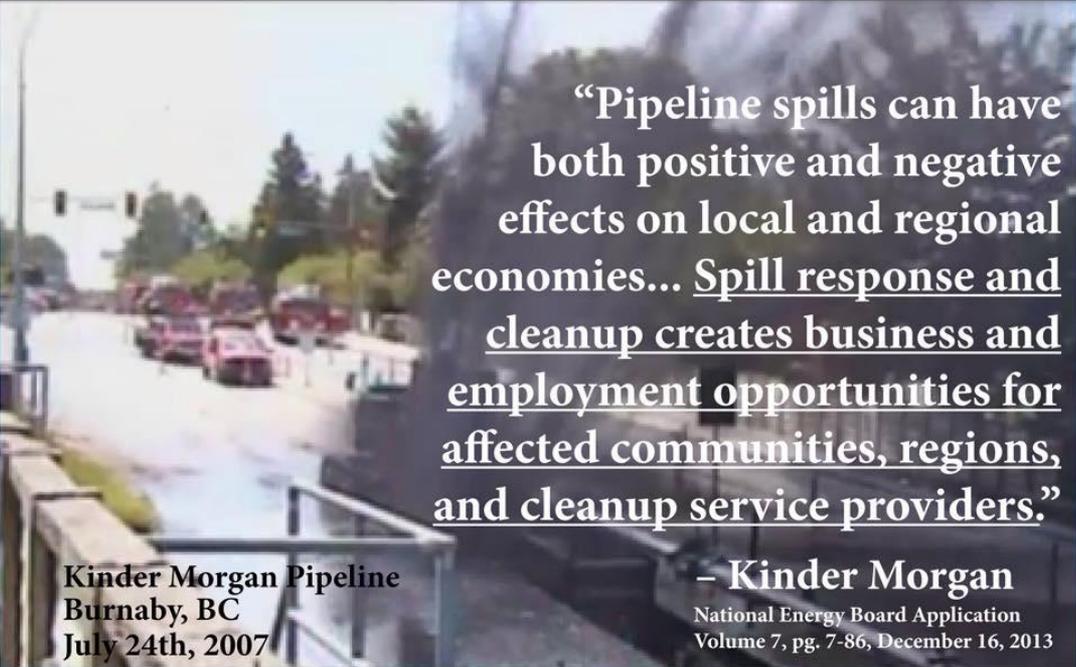
The reduced amount would be bad news for communities through which the pipeline passes as it comes up the Kennebec River valley, crossing the river in Richmond and extending to Madison. **Communities along the route are counting on pipeline tax revenues to help them grow their tax bases.**

JOBS

Kinder Morgan indicates in their “Benefits to NH” that construction of the pipeline will create **520 temporary jobs**. It does not say the temporary workers will be local.

Anecdotal information suggests **the majority of the workers will be from the South**. This was the case for the construction of the Portland Natural Gas Transmission System pipeline approximately 10 years ago.

Pipeline work is a specialized industry. “**Pipeline Gypsies**” travel from project to project pulling motor homes. In the PNGTS project most came from Oklahoma, Texas & Louisiana. They set up camp in your town.



Kinder Morgan's Job Creation Plan for BC

“Pipeline spills can have both positive and negative effects on local and regional economies... Spill response and cleanup creates business and employment opportunities for affected communities, regions, and cleanup service providers.”

– **Kinder Morgan**
National Energy Board Application
Volume 7, pg. 7-86, December 16, 2013

Kinder Morgan Pipeline
Burnaby, BC
July 24th, 2007

Kennedy Stewart, M.P. (Burnaby-Douglas) www.kennedystewart.ca

NATURAL GAS FOR YOUR HOME

Kinder Morgan has no plans to provide natural gas to home owners for heating and cooking

In their “NH Benefits Summary” they state:

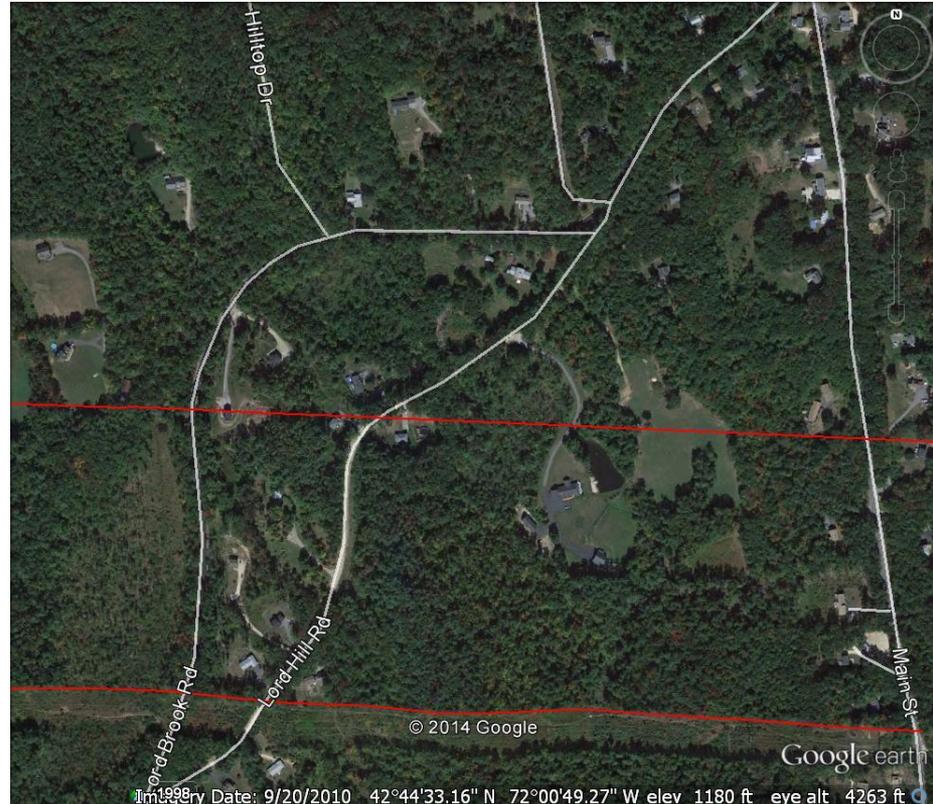
As reflected in the map below, natural gas service is currently not available in most areas of New Hampshire.

Because of its close proximity, the NED New Hampshire pipeline would provide **the opportunity** for gas service to some of the following towns: Keene, Swanzey, Rindge, Jaffrey, Amherst, and New Ipswich among others.¹

¹ (Footnote)

Kinder Morgan currently **does not own or operate local distribution systems, and this is not in our business model**; however, the construction of an interstate pipeline does **allow the opportunity for municipalities and local distribution companies to develop natural gas distribution systems** where previously not feasible.

NOTE: **Red lines** in photo show the High Consequence Area as delineated by the 900+’ blast radius. This is commonly called the **Incineration Zone**.



Federal Energy Regulatory Commission

FERC

- Issues license for gas transmission lines
- Require “public convenience and necessity”
- Leads an environmental review - NEPA (National Environmental Policy Act) which required 13 Resource Reports (RRs)
- The developer applies to **FERC** and pays for the environmental review

FERC PROCESS

PRE-FILING:

Pre-file of application

Open Houses by KM/TGP

SCOPING by FERC

Public Comment - YOU

FILING:

KM/TGP's application will include 13 draft Resource reports and plans

Motions to intervene – YOU

Environmental information requests – FERC

Draft EIS – FERC

Public Comment - YOU

New Hampshire's Site Evaluation Committee

Purpose of RSA 162-H

- Balance the benefits and impacts of site selection on the welfare of the population, private property, location and growth of industry, economic growth, the environment, historic sites, aesthetics, air and water quality, natural resources and public health and safety.
- Avoid undue delay in the construction of new facilities.
- Full and complete public disclosure.
- Ensure that the construction and operation of energy facilities is treated as an aspect of land use planning in which all environmental, economic and technical issues are resolved in an integrated fashion

New Hampshire's Site Evaluation Committee

Statewide Planning Board for Energy Projects

- Designed to integrate the various permitting processes as well as environmental, economic and technical issues .
- Pre-empts local authority and ordinances.
- The “supermarket theory” or “one stop” theory of permitting.

Questions & Answers

Q: Who really benefits from this pipeline?

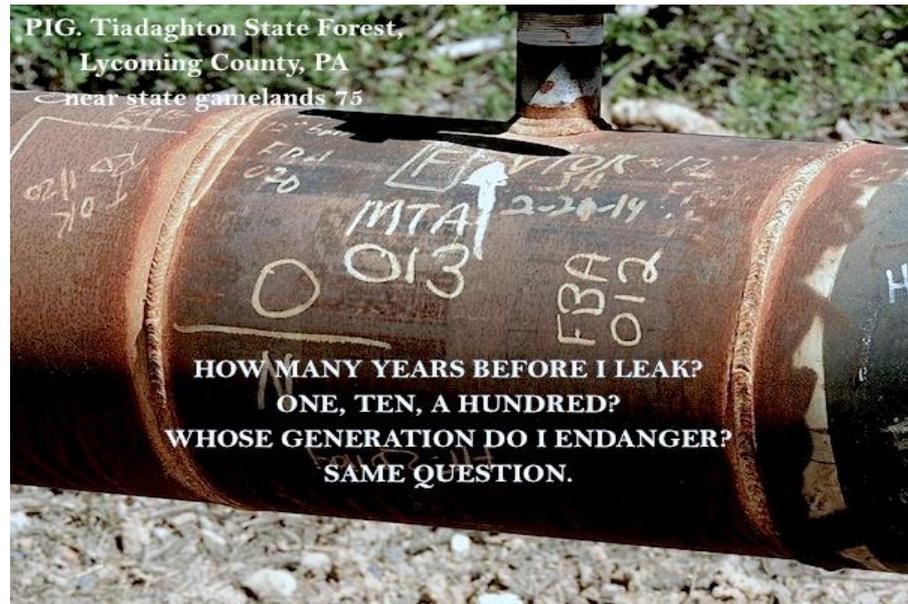
A: *Kinder Morgan and the companies that want to export fracked gas*

Q: How can Eminent Domain be used for Private (corporate) gain?

A: *The Natural Gas Act*

Q: Who will pay for this project in the long run?

A: *We will pay for it via rate-payer tariffs, loss of pristine land and waterways and tying future generations to this project*



Ask yourself

If you had the choice of two identical building lots, same town, same topography, same kind of neighborhood, but one had a massive gas line buried on it – which one would you choose to build on?

If our water supply becomes contaminated what will our homes be worth?

When our roads are damaged, the trees are gone, and debris is left behind - who is going to clean up the mess? Who is going to pay for it?

How long does it take for “reforestation of the construction area? “

**NOT OUR LAND
NOT OUR WATER
NOT OUR WAY OF LIFE**

For more information
www.nhpipelineawareness.org

