

**350 Massachusetts Meetings: First and Third Thursdays of the month 7:00 PM**  
**First Universalist Society in Franklin, 262 Chestnut Street, Franklin**



## **Should I be concerned about this Spectra Access Northeast pipeline proposed for my town?**

### **Yes, town residents should be concerned about the Spectra Access Northeast pipeline.**

With its Access Northeast project, Spectra Energy is proposing to build a 16-inch high pressure gas pipeline 27 miles through nine towns called the West Boylston Lateral: Medway, Milford, Upton, Grafton, Millbury, Sutton, Shrewsbury, Boylston, and West Boylston.

Governor Baker supports making New England utility customers pay for the construction of the pipeline through utility charges, a kind of pipeline tax, despite his promise of "no new taxes." The DPU is pushing forward with the process to implement this policy.<sup>1</sup>

Massachusetts doesn't need additional gas pipelines, according to studies commissioned by the Massachusetts Attorney General (11/2015) and the Conservation Law Foundation (9/2015). The current pipelines in New England are adequate if supplemented with current LNG supplies, increased energy efficiency and renewables, and a more responsive grid.<sup>2</sup> Moreover, we did without new pipelines for the most extreme winter to date, 2014-2015, by planning properly for our winter energy needs. By contrast, the "Polar Vortex" price spikes of the winter of 2013-2014 occurred because the energy markets were manipulated to create an appearance of scarcity.<sup>3</sup>

The Spectra pipeline would have so much excess capacity that it's likely to be used to ship gas to Canadian LNG export terminals which would raise the price of gas to international levels. Spectra's current proposal to build additional LNG storage in Massachusetts to deal with winter needs is superfluous, as noted above.<sup>4</sup>

Pipelines can lower the value of your property 10-30% by increasing the easement corridor and restricting the use of your land.<sup>5</sup> Moreover, they can negatively affect mortgages and homeowner insurance.<sup>6</sup>

All gas pipelines eventually leak and they can explode; from 1994-2013, over 1,238 "significant incidents" have happened nationwide, costing over \$1.7 billion in property damage.<sup>7</sup>

Gas contains over 60 neurotoxins, carcinogens and endocrine disruptors; moreover, gas from the Marcellus Shale in Pennsylvania and West Virginia contains radon.<sup>8</sup>

Gas is a fossil fuel, contributing significantly to climate change. Erroneously considered a "bridge fuel," gas from the point of extraction to the point of use is as damaging to the climate as coal.<sup>9</sup>

1 <http://commonwealthmagazine.org/environment/eversource-grid-submit-gas-pipeline-contracts-to-dpu/>

2 <http://www.mass.gov/ago/docs/energy-utilities/reros-study-final.pdf>  
<http://www.clf.org/wp-content/uploads/2015/09/Solving-New-Englands-Gas-Deliverability-Problem.pdf>

3 <http://commonwealthmagazine.org/environment/new-gas-pipelines-can-avoided>

4 <http://www.theglobeandmail.com/report-on-business/industry-news/energy-and-resources/two-national-energy-board-approved-lng-projects-hinge-on-us-permits/article25995937/>

5 [http://www.forensic-appraisal.com/gas\\_pipelines\\_q\\_a](http://www.forensic-appraisal.com/gas_pipelines_q_a) <http://www.forensic-appraisal.com/gas-pipelines>

6 [http://www.roanoke.com/opinion/quesenberry-pipeline-affects-property-values-and-mortgages/article\\_14d60d6b-e321-5b86-b06b-0a028ccbdf1.html](http://www.roanoke.com/opinion/quesenberry-pipeline-affects-property-values-and-mortgages/article_14d60d6b-e321-5b86-b06b-0a028ccbdf1.html)

7 <http://www.propublica.org/article/pipelines-explained-how-safe-are-americas-2.5-million-miles-of-pipelines>  
<http://www.phmsa.dot.gov/pipeline/library/datastatistics/pipelineincidenttrends> <http://spectraexposed.org/>

8 <http://ehp.niehs.nih.gov/1307866/> <http://www.nirs.org/radiation/radonmarcellus.pdf>

9 [http://www.eeb.cornell.edu/howarth/publications/Howarth\\_2014\\_ESE\\_methane\\_emissions.pdf](http://www.eeb.cornell.edu/howarth/publications/Howarth_2014_ESE_methane_emissions.pdf)

# What can my town do to fight the pipeline?

## Municipal Rights

Ninety percent of environmental damage in towns is done by projects locally permitted. However, towns are increasingly using municipal rights to create new legal precedents to assert their autonomy in their fights against undesirable development, such as gas pipelines and power plants, including:

- \* They can create binding “Rights-Based-Ordinances,” successfully used in over 150 US towns/cities to say NO to fracking, sewage sludge application, etc., according to the Community Environmental Legal Defense Fund (CELDF.org).
- \* They can collaborate in coalitions with other towns, as ten northern Massachusetts towns fought the Kinder Morgan Northeast Direct pipeline which moved to New Hampshire soon after Kinder Morgan received a coalition letter.
- \* Towns with public conservation lands that come under Article 97 jurisdiction have protection within the state constitution that requires an act from the state legislature to overrule.
- \* They can sue the Federal Energy Regulatory Commission challenging the issue of “public necessity” as the town of Deerfield recently has done with the Kinder Morgan Northeast Direct gas pipeline proposal. FERC’s authority especially can be challenged now with Congress’ lifting of the oil export ban. The 1978 Natural Gas Policy Act which authorized FERC to regulate both intrastate and interstate gas production and transmission to address a gas emergency shortage is no longer valid, as Congress has declared the shortage no longer exists.

## Community Outreach Within Towns and Across Towns

- \* Use networks, the press, events, meetings, social media, door-to-door, the internet, and signage to reach town residents to build consensus.
- \* Contact crucial town, state, and federal leadership: town board, conservation commission, public safety officials, board of health, planning board, state and national legislators, governor, and state agencies.

## Federal Energy Regulatory Commission (FERC)

Towns can employ delay tactics within the process. However, if towns work ONLY within the FERC process, they need to understand FERC’s process has a built-in assumption that new gas infrastructure is in the public interest, despite the burden of proof being on the applicant. According to the Community Environmental Legal Defense Fund (CLEDF.org), “[t]he only thing that regulations regulate is activists.” See our website NOSpectraMA.org in the FERC section for how to participate.

## Department of Public Utilities (DPU)

People can fight the Department of Utilities from imposing a “pipeline tax” on our utilities bills by commenting on the dockets, signing petitions and attending hearings and rallies. See our website NOSpectraMA.org in the DPU section for how to participate.

## About Us

We are the Greater Franklin Node of 350 Massachusetts, a grassroots statewide network of climate activists with nodes (chapters) from the Berkshires to Cape Cod. Node meetings are held the first and third Thursdays of the month, 7:00-9:00 PM, at First Universalist Society in Franklin, 262 Chestnut Street, Franklin.

Email: [Info@NOSpectraMA.org](mailto:Info@NOSpectraMA.org)  
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