



**THE COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD**

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December 21, 2015

BY ELECTRONIC FILING

Ms. Kimberly Bose, Secretary
Federal Regulatory Energy Commission
888 First Street, NE
Washington, DC 20426

Re: Algonquin Gas Transmission, L.L.C., CP16-9-000

Dear Ms. Bose:

On November 5, 2015, FERC issued a notice of availability of Algonquin Gas Transmission, L.L.C.'s ("Algonquin" or "Company") Abbreviated Application for a Certificate of Public Convenience and Necessity ("Application") seeking permission to construct the Atlantic Bridge Project ("Project"), FERC proceeding CP16-9-000. A Supplemental Notice of Intent, issued by FERC on November 19, 2015, requested that environment-related comments on the Application be filed with FERC on or before December 21, 2015. The staff of the Siting Board respectfully requests that FERC address the issues and concerns articulated below in the preparation of an environmental document pursuant to the National Environmental Policy Act ("NEPA"), either through an Environmental Impact Study ("EIS"), or an Environmental Assessment ("EA") for the Project.

I. INTRODUCTION

The Siting Board is an independent board of the Commonwealth of Massachusetts with a statutory mission to ensure a "reliable energy supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost." G.L. c. 164, § 69H. The Siting Board is required by regulation at 980 C.M.R. § 7.07(9)(a) to conduct public information hearings and intervene at FERC to preserve the rights of interested citizens of the Commonwealth when an interstate natural gas pipeline company applies to FERC to construct or modify pipeline facilities within Massachusetts. The Siting Board staff participates in FERC proceedings in order fulfill this regulatory obligation.

II. PROPOSAL

This proceeding began with Algonquin's January 30, 2015 filing with FERC requesting the use of the pre-filing review process for the Project. On February 20, 2015, FERC approved Algonquin's request to use pre-filing review. The Project involves the expansion of the Company's existing natural gas pipeline system in New York, Connecticut, and Massachusetts; these comments only address the Massachusetts portion of the Project. In Massachusetts, the Company would construct a new 7,700 horsepower ("hp") gas-fired compressor station in Weymouth. The compressor station would be located on 4.3 acres within a 16.2 acre parcel, bounded by Route 3A to the south, the Fore River to the north and west, and Kings Cove to the east. The Company would also modify a regulator station in Needham, and rebuild two existing metering and regulating ("M&R") stations in Plymouth.

III. ENVIRONMENTAL CONCERNS

On June 18, 2015, the Siting Board staff filed timely comments with FERC, requesting that the Company address numerous issues and concerns in its Application that Siting Board staff had identified through an analysis of materials filed, public comments, and a site visit ("June 18 Letter"). On July 24, 2015, the Siting Board staff filed timely comments with FERC based on the Company's draft resource reports filed on July 1, 2015 ("July 24 Letter"). Although FERC did not include the July 24 Letter in its August 19, 2015 letter to the Company in which it directed the Company to respond in its Application to all timely comments submitted, FERC assured the Siting Board staff that the Company would still be required to respond to the Siting Board staff's comments in its Application. Based on a review of the Application filed on October 22, 2015, the Siting Board staff notes that some of its comments were either not addressed adequately, or at all. These remaining concerns, and other issues, are presented below.

A. Cumulative Impact Analysis

On November 3, 2015, Algonquin filed with FERC a request to use the pre-filing review process for the Access Northeast Project ("ANE Pre-Filing Request"). On November 17, 2015, FERC approved Algonquin's ANE Pre-Filing Request. In the ANE Pre-Filing Request, Access Northeast includes the installation of additional compressor units (which the Company in its pre-filing refers to as "compression modifications") in the same location as the proposed Atlantic Bridge Weymouth compressor station – the subject of these comments.¹ We also note that in the Application for Atlantic Bridge, the Company states that work at the Weymouth compressor station is also part of the Access Northeast scope (Application at 1-54).

In reviewing the Application in this docket, the Siting Board staff notes that the cumulative impact analysis is lacking in quantitative data. Specifically, in the July 24 Letter, the

¹ The description of the facilities in ANE-Pre-Filing Request does not provide the number of new units, or the horsepower of the new compressor facilities at any of the compressor stations to be modified (see ANE Pre-Filing Request at 5).

Siting Board staff stated that the Company had begun outreach and stakeholder notifications for the Access Northeast project, and that cumulative impacts of both projects should be included in the Application. Given the submission of the ANE Pre-Filing Request, it is appropriate that the Company include a robust, quantitative description and analysis of cumulative impacts that the Atlantic Bridge and Access Northeast projects would have on air quality, noise, surface water, visual impacts and traffic in the surrounding communities (see sections below on specific impacts). Furthermore, the Application does not identify measures that would be implemented to minimize these impacts.

The Application does not include any visual renderings of the proposed Access Northeast compressor units in relation to the Project, nor does it show any visual renderings of the Weymouth site with all proposed compressor units (see Application Appendix 8G). During the July 28, 2015 bi-weekly pre-filing conference call, FERC staff and the Company discussed the cumulative impacts of the compressor units proposed for Atlantic Bridge and Access Northeast in Weymouth. Specifically, the Company stated that a cumulative rendering of facilities proposed under both projects would be included in the Application. Furthermore, in FERC's August 19, 2015 letter to the Company, FERC requested that the Company "update the cumulative impact discussion to include a detailed analysis of cumulative impacts of the planned Access Northeast Project based on current knowledge of project facilities." The Siting Board staff requests that a site plan showing the compressor units proposed for the Project and Access Northeast be provided, in addition to a quantitative analysis of the cumulative impacts.

The Company contends that any cumulative impacts from the Atlantic Bridge Project would be temporary and minor when considered in combination with other past, present and reasonably foreseeable further actions (Application at 1-63). With regard to construction impacts, the Application relies on the fact that the Atlantic Bridge and the Access Northeast construction schedules do not overlap. While this appears to be technically true, the time that would separate the construction periods for the two projects is rather brief, and to the neighboring community, the two projects might be perceived as essentially continuous.²

B. Aboveground Facility Alternatives

In the June 18 and July 24 Letters, the Siting Board staff requested that the Application include a detailed analysis and consideration of alternative locations for the proposed Weymouth compressor station. The Application included a more in-depth alternatives analysis, which concluded that all of the alternative sites were inferior to the proposed site, particularly since additional miles of pipeline would be required for each of the alternatives. However, given the potential location of the pipeline proposed in Massachusetts for the Access Northeast project, there may be additional options for co-locating pipelines or alternative placement of compressor

² The Company indicated that it anticipates that Atlantic Bridge would enter construction in 2017 and construction for Access Northeast is expected to begin in 2018 (Application at 1-62).

stations in other areas that could create feasible alternatives to the proposed Weymouth compressor station.

In FERC's August 19, 2015 comment letter to the Company, FERC requested that the Company update the alternatives analysis to include an evaluation of alternative compressor station sites along the route of the 3.5-mile lateral in Weymouth proposed for Access Northeast. The Company stated that, "The analysis of the three alternate compressor station sites in Weymouth that was provided in the Pre-filing draft included the 3.5-mile section of new lateral pipeline along the existing transmission corridor." (Application RR10 at iv) Of the alternative sites provided and described in RR10, it is unclear which site would be along the Access Northeast corridor and the proposed lateral, as none of the discussions for the alternative locations mentioned the existence of the proposed Access Northeast pipeline. Therefore, the Siting Board staff requests that the Atlantic Bridge alternatives analysis should be updated to include the configuration and capacity of the proposed Access Northeast facilities and the proximity of each compressor station alternative to the Access Northeast facilities.

C. Noise Impacts

The Siting Board staff is concerned that the proposed compressor station would further increase the ambient noise level, which already reflects the contribution of significant existing infrastructure. For both the Project itself, and the combination of the Project and Access Northeast, Algonquin has asserted that both project configurations would comply with federal noise standards, as required by FERC. While the Application has included a noise analysis that addressed the Siting Board staff's concerns listed in the July 24 Letter, the noise analysis is based on noise impacts only from the Atlantic Bridge Project. Therefore, the Siting Board staff requests a detailed noise analysis, similar to that presented in Appendix 9G of the Application, to be included in the draft EIS or EA, that addresses the noise impacts from the operation of both the proposed Atlantic Bridge and the Access Northeast compressor facilities.

As requested in the June 18 Letter, the noise analysis should also discuss options for noise mitigation at these receptors including time-of-day restrictions and noise barriers. The noise analysis should include a description of mitigation practices employed by Algonquin in similar situations and the effectiveness of such practices.

D. Air Emissions

The Application states that the Weymouth compressor station would result in cumulative impacts to air quality from operation of Access Northeast and the Atlantic Bridge Project (Application at 1-64). However, the Company notes that the increases in potential emissions would not create or significantly contribute to any exceedence of applicable state and federal air quality control requirements (*id.* at 1-54). The June 18 Letter pointed to concerns with air emissions during Project construction, operation, and maintenance, as well as unanticipated fugitive emissions, especially given the location of the site beneath the Fore River Bridge and the possibility of inversion effects, based on the Project alone. Given the potential cumulative impacts from the operation of Weymouth compressor station with a number of compressors

beneath the Fore River Bridge, Siting Board staff is of the opinion that a general assertion of minimal air impacts is insufficient.

The Application does contain the Non-Major Comprehensive Plan Approval Permit Application and supplemental air quality analyses. The Siting Board staff requests that the draft EIS or EA include an air analysis that provides air emission information for the Project in combination with the operation of the Access Northeast facilities, based on the details of the proposed number of compressor units and horsepower.

E. Land Use Characteristics of Compressor Stations within the Company's Portfolio

In the June 18 Letter, the Siting Board staff requested more information about the compressor stations in Morristown and Linden, New Jersey cited in the presentation given by the Company at the Siting Board staff's public hearing in Weymouth on May 27, 2015. Specifically, the Siting Board staff requested information about the number of residents, businesses, or industrial facilities within a half-mile radius of each facility; the horsepower of the compressor stations; the acreage that the compressor stations are located on; the square footage of the compressor stations; the ambient noise measurements recorded pre- and post-construction; and the air quality analysis completed pre- and post-construction. The Application did not include this information and the Siting Board staff requests that it be provided in the draft EIS or EA.

IV. OTHER ISSUES

It appears that the proposed site of the compressor station is located in a Designated Port Area ("DPA") and is subject to Chapter 91 waterways statute and regulations. M.G.L. c. 91 and 310 C.M.R. 9.00. The draft EIS or EA should provide a description of how the proposed compressor station would comport with the DPA and Chapter 91 regulations in terms of water-dependent uses and public access associated with such regulations, given the Company's assertion that "the Weymouth compressor station will be an ancillary facility to Algonquin's previously licensed HubLine gas pipeline." (Application RR8 at 8-25)

The Application did not specifically address the issue of the Fore River Energy Center and the Siting Board's approval conditions relating thereto, as requested in the June 18 and July 24 Letters. The Fore River Energy Center was approved by the Siting Board on February 11, 2000. The Fore River Energy Center site is bisected by the Fore River Bridge (also known as the Route 3A Bridge) into two sections: (1) a 16-acre section north of the bridge ("North Parcel"); and (2) a 41-acre area to the south of the bridge, where the Fore River Energy Facility is located (Final Decision, EFSB 98-7 at 12). The compressor station is proposed to be located on the North Parcel.³ The Siting Board's approval of the energy facility on that site included two conditions (that remain in effect) and are still awaiting compliance because of the lengthy

³ The entire site, including the generation facility, is currently owned by Calpine Corporation.

construction time for the Fore River Bridge.⁴ The Company asserts that it has not identified, nor does it anticipate, any covenants or restrictions that would interfere with the design, construction or operation of the proposed compressor station (Application at RR 8 iv). The draft EIS or EA should include a discussion on the Project's consistency with the Siting Board's Approval Condition F for the Fore River Energy Center, as well as the status of Algonquin's efforts to acquire ownership or easement of the North Parcel from Calpine.

V. CLOSING COMMENTS

Given the above concerns about cumulative impacts and other significant issues that were not fully addressed in the Application, the Siting Board staff respectfully requests that a draft EIS be required for the Project. The EIS process allows for a more in-depth analysis of impacts as well as further public hearings, which the Siting Board staff sees as warranted given the placement and potential expansion of the proposed Weymouth compressor station. With the EIS process, the public can best assist FERC in identifying all environmental impacts and Project alternatives.

⁴ Condition F states: "In order to minimize visual impacts, the Siting Board requires the Company to provide landscaping that will provide vegetative screening and shoreline improvements along the northwestern shoreline of the northern portion of the proposed site which would serve as a continuation of the proposed King's Cove area." Condition L states "In order to minimize land use impacts, the Siting Board requires the Company to work with Weymouth, Fore River Watershed Association and appropriate state agencies to develop and coordinate plans for providing additional public access, if and where appropriate, in the area of the northern portion of the site that Sithe will improve as conditioned in Section III.F.2., and in other parts of the site as may be agreed."

In summary, the Massachusetts Siting Board staff appreciates the opportunity to file comments on the Atlantic Bridge Application, FERC proceeding number CP16-9-000.

Sincerely yours,



Robert J. Shea
Presiding Officer

cc: Senate President Stanley Rosenberg
Senator Robert Hedlund
Senator John Keenan
Speaker Robert DeLeo
Representative Ronald Mariano
Representative James Murphy
Representative Bruce Ayers
Representative Tackey Chan
Weymouth Mayor Susan Kay
Weymouth Town Councilor Patrick O'Connor
Weymouth Town Councilor Rebecca Haugh
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