State House  
Boston, MA 02133  

November 3, 2015  

Re: Article 97 Lands and Natural Gas Pipelines, H.3690  

Dear Legislator,  

Our 63 organizations are writing with great concern for our public conservation land in the face of the natural gas pipeline proposals in Massachusetts. As the third most densely populated state in the nation, Massachusetts has undertaken decades of careful planning and land conservation in order to protect and preserve our state’s valuable landscape. Land conservation is supported by public trust and public policy, including Article 97 of the Amendments to the Massachusetts Constitution, for clean drinking water, wildlife and game habitat, outdoor recreation, farms and the food they bring, and that intangible and infinite capacity to inspire and connect us to something greater than ourselves. These efforts are built on significant public and private investments, including $360 million of state dollars between 2007 and 2014 alone. In addition to immediate impacts, we are concerned about the long range negative impact on future land conservation if the intent of the public and of private donors is not upheld.  

We are concerned that a private, out of state company now views these areas as convenient for the construction of energy infrastructure at an unprecedented scale, which will fragment and devalue the network of public and private conservation land that we, along with the Legislature, other conservation organizations, municipalities, and the Commonwealth, have worked for decades to protect.  

Energy needs are changing, but there are alternatives. We can continue moving forward with smart and cost-effective energy policy without undoing decades of conservation efforts. Energy efficiency can be expanded, leaky pipes can be fixed, renewable energy can be deployed, and lower impact alternatives can be chosen.  

The first of several anticipated Article 97 disposition bills related to natural gas pipelines has been filed and is currently before the Joint Committee on State Administration and Regulatory Oversight. The bill will be heard on November 10th in Gardner Auditorium at 11 a.m. We are in strong opposition to H.3690 An Act relative to the conveyance of an easement in the town of Sandisfield, Massachusetts (Representative G. Bradley, D-Hingham), which would convey valuable conservation land to Tennessee Gas Pipeline (TGP), a subsidiary of Kinder Morgan, for the purpose of constructing natural gas pipelines as part of the Connecticut Expansion Project (CEP). This project would not increase natural gas supply or address reliability concerns for Massachusetts residents as the gas is contracted to Connecticut utilities.  

We oppose H.3690 for the following reasons:  

• This project is directly counter to the purposes for which the land was protected, and would result in permanent losses and degradation of protected open space. Further, there is no indication that land of equivalent natural or cultural characteristics is available for mitigation, making it impossible to meet the state’s established goal of no-net loss of conservation land. The Open Space Institute has underscored the land’s irreplaceable value: “Interior wooded areas such as this are known as ‘core forests,’ and only 45 of them are left between Maine and Virginia.”  

• This project would undermine a substantial taxpayer investment in an irreplaceable asset. In 2007, working with Mass Audubon, the Department of Conservation and Recreation purchased 904 acres known as Spectacle Pond Farm – a site identified in 1999 as one of the most significant land protection opportunities remaining in the state because of the acreage, variety of habitats, rare plant and animal species, historic mill sites, old growth forests, and river frontage.  

Our collective organizations represent thousands of citizens across the Commonwealth. We will monitor and oppose H.3690 and any other legislation related to conveyances of conservation land for pipeline construction if significant environmental conflicts or uncertainties exist within the scope of the proposed project; further Mass Audubon and ELM will include these votes in our scorecards and other analyses of the 2015-2016 legislative session.
Public conservation land should not be used to underwrite private energy projects. The public trust must be upheld for current and future generations.

Thank you for your time and consideration. Please contact Karen Heymann, kheymann@massaudubon.org, Jen Ryan, jryan@thetrustees.org, or Nancy Goodman, ngoodman@environmentalleague.org, for additional information.

Sincerely,

Jen Ryan, Director of Policy
The Trustees
Mary Griffin, Executive Director
Mass Land Trust Coalition

Nancy Goodman,
Vice President for Policy, Environmental League of Massachusetts

Karen Heymann, Legislative Director
Mass Audubon

Cris Coffin
New England Director
American Farmland Trust

Veronica Eady
Vice President and Director,
CLF Massachusetts
Conservation Law Foundation

Kevin Essington
State Director
The Trust for Public Land

Eugene Benson
Executive Director
Massachusetts Association of Conservation Commissions

Heather Clish
Director, Conservation and Recreation Policy
Appalachian Mountain Club

Edward Woll Jr.
Conservation Chair
Massachusetts Sierra Club

Kathryn R. Eiseman
Director
Massachusetts PipeLine Awareness Network

Sylvia Broude
Executive Director
Toxics Action Center Campaign

Joel Wool
Advocate: Energy and Environment
Clean Water Action

Jane Calvin
Executive Director
Lowell Parks & Conservation Trust, Inc.

Wayne Castonguay
Executive Director
Ipswich River Watershed Association

Michael Green
Executive Director
Climate Action Business Association

Lance McKee
Executive Director
Tatnuck Brook Watershed Association

Kathy Orlando
Executive Director
Sheffield Land Trust

Jane Winn
Executive Director
Berkshire Environmental Action Team (BEAT)

Alison Field-Juma
Executive Director
OARS: For the Assabet, Sudbury and Concord Rivers

Ken & Ethel Kipen
Mr. & Mrs.
Hilltown Anti-Herbicide Coalition

Julie Crockford
President
Emerald Necklace Conservancy

Cynthia Henshaw
Executive Director
East Quabbin Land Trust

Audrey Schulman
President
HEET

Cindy Trahan-Liptak
President
Rutland Land Conservancy

Louis F. Andrews
President
Natural Resources Trust of Mansfield

Natasha Grigg
President
BTA/BOLT, INC.

Richard Hubbard
Executive Director
Franklin Land Trust, Inc.

Narain Schroeder
Director of Land Conservation
Berkshire Natural Resources Council
Ed DeWitt  Executive Director  Association to Preserve Cape Cod (APCC)
Janet Morrison  Executive Director  North County Land Trust
Ed Hood  Executive Director  Opacum Land Trust
Elizabeth Ainsley Campbell  Executive Director  Nashua River Watershed Association
Kristin DeBoer  Executive Director  Kestrel Land Trust
Rosemary Wessel  Founder  No Fracked Gas in Mass
Eleanor Tillinghast  President  Green Berkshires, Inc.
Leigh Youngblood  Executive Director  Mount Grace Land Conservation Trust
Susan McCombe  Clerk  Wareham Land Trust
Patricia Reeser  Executive Director  Citizens Newbury Open Space Committee
Deborah Katz  Executive Director  Citizens Awareness Network
Christopher Derby Kilfoyle  President  BPVS
Everett J. Castro  Advocacy Director  Green Futures
Judy Eddy  Co-Chair, Pipeline Opposition Working Group  350Mass Berkshires
Ivan Ussach  Director  Millers River Watershed Council
Robert Zimmermann  President  Broad Brook Coalition
Andrew Vernon  President  Greater Northfield Watershed Association
Karen Grey  President  Wildlands Trust
John Mason  Treasurer  Richmond Land Trust
Barbara Jacobson  Programs Director  Massachusetts Bicycle Coalition
Kelsey Wirth  Founder and Chair  Mothers Out Front
Marjorie Fisher  Secretary  Westborough Community Land Trust
Judy Lehrer Jacobs  Executive Director  Friends of the Blue Hills
Scott Shumway  President  Westborough Community Land Trust
Michael G. Dyer  President  Manchester-Essex Conservation Trust
Roni Beal  Co-Chair  Green-Rainbow Party
Gary Howland  Pres.  Ashburnham Conservation Trust
Wil Hastings  member  West Cummington Congregational Church
Kenneth Hartlage  President  Nashoba Conservation Trust
Sharl Heller  President  Southeastern Massachusetts Pine Barrens Alliance, Inc
Edward Himlan  Executive Director  Massachusetts Watershed Coalition
Kurt Buermann  President  Sharon Friends of Conservation
Cora-Dorothy Peirce  President  Fairhaven Acushnet Land Preservation Trust
Dr. Flora Sadri  President  Board of Health