POWER STRUGGLES

HERE'S THE DILEMMA: NEW ENGLAND NEEDS ENERGY, POTENTIAL ENVIRONMENTAL DAMAGE, AND PUBLIC ANGER.

BUT EVERY PROPOSED SOLUTION COMES WITH RISK, FIRST IN A TWO-PART SERIES. BY HOWARD MANSFIELD
New Englanders, you stand accused: You're not easy. You have a lot of ideas about how your countryside and your towns should look. You don't want pipelines, windmills, or big power plants. "It's virtually impossible to build anything in New England," one energy analyst says, "because transmission lines are hard to site, gas pipelines are hard to site, and wind farms—God forbid."

And, Big Utilities, you also stand accused. You don't reveal your plans until they're already well developed. "We know we need energy if we want to keep the lights on," says the head of one conservation land trust. "What we're saying is: Don't impose a solution on us that doesn't allow us to be a part of the process."

Take these two comments as short-hand for the battles being fought all over New England: in New Hampshire's Northern Counties about Hydro-Quebec's proposed Northeast Utilities' proposed Northern Pass, a 192-mile-long high-voltage transmission corridor through VIncon, New Hampshire, and Maine over woodsland; and in Connecticut, Massachusetts, New Hampshire, and Maine about building new natural gas lines or expanding old pipelines.

For the last year and a half I've been following one of those energy battles: a natural-gas pipeline that at first routed through Massachusetts, and then kept the state line, for part of its journey, into New Hampshire. The proposed pipeline's arrival in town was met by a civic version of the stages of grieving: disbelief, anger, organizing. I've sat at kitchen tables with anguish filled as they talked one minute of a beloved old tree and the next of the Constitution. I've sat late into the night at formal meetings, as speaker after speaker tried to convince them to keep it off their property. I've been to hearings, meetings, and town meetings. It's been a hard fight, but I think we've come out on top.

This isn't just a problem, or that of all the towns along the route. We're all facing serious choices that will determine how we produce electricity for years to come. The debates are accompanied by a blizzard of statistics, a complex path through the government's regulatory agencies, and a mismatch between big corporations, with their legions of experts, and the handful of citizen-activists who are rapidly educating themselves. These fights with their terrifyingly smart opponents are fought with hard work and passion and tend to be a now almost constant battle for the future of our communities.

The utilities have the advantage. They set these projects in motion; they can easily afford the studies and lawyers. They're poised to answer the new environmental standards put on them by the government. But that doesn't mean they're right. The public needs to be heard.

In the end, the battle was won by the people who lived along the pipeline's route. The pipeline was rerouted through northern New Hampshire, and the company was forced to pay for the damage it caused. The people who lived along the pipeline's route were able to keep their homes and their property.

The pipeline was approved, but the battle was far from over. The people who lived along the pipeline's route continued to fight for their rights. They continued to fight for their homes and their property. They continued to fight for their community. They continued to fight for their future.

The battle was not easy. It was a long and difficult fight. But it was won. The people who lived along the pipeline's route were able to keep their homes and their property. They were able to keep their community. They were able to keep their future.

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have been making waves locally. But Americans have yet to realize the large scale of these industrial projects, often inserted into the last rural landscapes. There's no place left beyond the reach of industrial development. With each new pipeline and transmission tower, we're choosing winners and losers. Corporations are hurting citizens, as citizens are in a dogfight with their fellow citizens. It's a catfight.

Each prosed pipeline or transmission line arrives wrapped in a chicket of technological details. Battles are waged over "low-demand scenarios" and "forward-captus auctions," but the anguish of these confrontations is lost in the tech talk. What's at stake can be seen by looking at another powerhouse war.

In the 1970s in Minnesota, some farmers were told that a high-voltage powerhouse would rip apart their farms. If they refused to cooperate, the power company would take their land by eminent domain. They asked their country planning commission to stop the powerhouse. Just as the commissioners were going to agree, the power company changed the rules for reviewing the project, and it went to the state. The meetings were held, and the power company won.

After their defeat, some farmers turned to sabotage. Men and women who set great store by their neighbors' opinions and proper living toppled at least 14 high-transmission powerhouse towers. Some farmers backed a reform candidate for governor, Alice Tripp, a farm wife who had never run for any public office. As Tripp campaigned, she summarized the great challenge of these large projects, asking, "Who sacrifices, who benefits, and who decides in this?"

"What happened to the farmers of western Minnesota is happening to all of us," Tripp said. "Partnerships of large corporations and entrenched bureaucracies dominate the vital decisions that affect our lives and our future as a country. This is not democracy." (Tripp received 20 percent of the statewide vote.)

"Who sacrifices, who benefits, who decides?" That's being asked all over the country. These three questions are a clarifying lens. Houseowners along the ever-shifting proposed pipeline route are being asked to sacrifice—but for whose benefit? And what say do they have?

None of the pipeliners' planners would call families like the Premus "stakeholders." That term is reserved for the pipeline company and the agencies that oversee it. "The ironic thing to me," Vincent noted, "is that the real stakeholders—the one's who are investing, against their will, by the way—but the one's who are really investing, who has skin in this game, it's us. They're going to take our property.

"If you measure the size of our stake as a percentage of our net worth, we have far more invested in this process than even Richard Kinder himself," he said, naming Kinder Morgan's CEO. "And yet we have no say—no real say. We're not invited to the table as a stakeholder. The hour has come to actually update the definition of stakeholder and give people like us a seat at that table. There should be representation.

"You should never even come to someone's house and say, 'We're going to take your land whether you like it or not,' because we think the plan is sound, unless it's an absolute last case. When you say you have to put a pipeline 200 feet from your children's bedrooms, you’d better have tried every other option first. There's nothing that they can do to me that's more serious and more threatening than what they're proposing to build outside our doorstep."

Two months after I visited the Premus, Vincent and four other landowners did get a seat at the table as stakeholders—for one meeting. For three hours they met with Gordon Van Welte, the CEO of ISO-NE, and four of his staff in the conference room overlooking the operations floor where ISO-NE manages New England's electric grid. Vincent's group pressed Van Welte to look harder at using renewable energy and efficiency programs to reduce peak demand. The public is receiving a message that gas pipelines are the onlyoption, they told him. Van Welte conceded that they could present a more balanced range of options, but he emphasized that as older power plants retire, the grid managers are "painting into a corner." They're right at the edge during winter peak-demand hours and we’re looking for an 'insurance policy' increase in the natural gas supply could meet the shortfall in the short term, Van Welte said. He doesn't think that renewable energy or energy efficiency would be enough in the short term.

VEToED

Townsend, Massachusetts, lies six miles west of the Premus's home. I tromped the town with Carolyn Sellars, a busy volunteer, and Leslie Gabrielska, the town's conservation agent, the paid staffer for Townsend's conservation commission. Sellars is jovial. She talks fast—she kind of percolates—and she seems relentlessly happy. Gabrielska is serious, quiet, the demeanor of a deliberating official.

They showed me the planned pipe- line route. I immediately saw why Gabrielska was one of my guides. A tour of the proposed pipeline route is a tour of conservation land. It looked as though Kinder Morgan had stitched together a tapestry. Each time the car paused, the two women pointed to a state forest, a brook, or land conserved in a town trust, each with its own Eagle Scout project to mark the walking trails; I might have seen a decade's worth of Eagle Scout projects. Kinder Morgan picks bigger, opener spaces because it's easier than dealing with many small landholders, Sellars said. Fore, the Kinder Morgan spokesmen, denied that explanation, saying that the company is trying to balance environmental concerns and the interests of private landowners.

This is a hard-land work, assembled with deals to build clustered and affordable houses, put together with state money. Townsend was one of the first communities to allow denser housing developments in exchange for setting aside open space. Massachusetts has designated two-thirds of Townsend as an "Area of Critical Environmental Concern." There are a state park and forest, two state wildlife areas, and the closest cold-water fishery to Boston. The state has heavily invested to protect Townsend.

On one of our stops, Sellars and Gabrielska showed me the possible location of a huge compressor station; such facilities are required at intervals along the pipeline to keep the gas moving. Rated at 120,000 horsepower, like a continuously running gas engine, the station would be one of the largest in Massachusetts. Because of its noise, the station is required to be set off on 50 to 75 acres.

"Thousands of hours of volunteer work, committee meetings, the drafting of state laws, and public investment lie behind the landscape that Townsend has curated. The pipeline and the compressor station—if Kinder Morgan sticks to this route—would threaten all that work. It would nullify the community's and the state's will. As to your ideas of what land should be conserved. The pipeline would be a veto delivered out of nowhere." Carolyn Sellars has been here before; she has defended her family's farm in Winchendon, Massachusetts. Her family has owned the 125-acre property since her great-grandparents, millworkers, bought it in 1901. She showed me photos of the farm first thing when they decided to sell it to a small beaver dam and an early mill dam, and of "The Spot"—a place where Bailey Brook meanders through a hemlock grove. Everyone in the family calls it "The Spot," as in "Let's go for walk to The Spot." The pipeline's 100-foot-wide clear-cut would cross right near "The Spot." The pipeline would blanch her family's farm.

Twenty-five years ago Sellars helped fight off a regional garbage dump roads to a small beaver dam and an early mill dam, and of "The Spot"—a place where Bailey Brook meanders through a hemlock grove. Everyone in the family calls it "The Spot," as in "Let's go for walk to The Spot." The pipeline's 100-foot-wide clear-cut would cross right near "The Spot." The pipeline would blanch her family's farm.

"This is a Marathon, you do what you can each week, but you have to keep your life going or you'll burn out."
On November 7, 2014, Kinder Morgan announced that it was "seriously considering" a new "preferred" route for part of the pipeline. The pipeline now had jumped the border into New Hampshire. It would still cross into Massachusetts from New York, but now turn north near Millers Falls and then cross 17 New Hampshire border towns—plus 155 wetlands and 116 bodies of water—before turning south to meet the pipeline terminal in Dracut, Massachusetts. But this wouldn’t be its final route; Kinder Morgan was keeping its options open. It hadn’t said that it had given up on the old route through Carolyn Sellers’s farm, through Townsend, or through the Premus’s field. It looks as though these properties been spared—or have they?

When Denene Premus heard that the route was being moved, she started to cry: "There was going to be a whole new set of people who were going to have to go through everything we had gone through, and it was going to start all over for them. There was no relief. I just felt terrible."

Kinder Morgan gave no official reason for the move. But the project’s opponents cited the 50 percent of landowners who refused to give permission to survey, the opposition of both U.S. senators from Massachusetts, and Article 97 of the state constitution, which requires a two-thirds legislative vote to change the use of conservation land.

In New Hampshire, the pipeline became the news. Few people had ever heard about it, even though its previous route was just a dozen miles south across the state line. Borders can camouflage things, hide all sorts of connections.

On a Saturday in mid-December 2014, a meeting at an elementary school in Mason, New Hampshire, was packed, maybe 75 in the room. No one had put "learn about the gas pipeline" on their Christmas to-do list, but now here they were.

The crowd was patient, almost holding its breath. It was like the first day of school—Energy School, Power Grid 101. Pipeline opponents from Massachusetts had helped organize the meeting; no one from Kinder Morgan was there. They would be soon enough.

Pipeline opponents were all over the room in their yellow T-shirts, this army’s uniform. They had sold out lawn signs ($6); they had petitions, sign-up lists, and cards on which to mail comments to FERC. There were maps of a possible route across Mason on the walls. "The map has been changing as fast as you can print them out," the first speaker noted.

The next speaker dove into the economics and regulation of gas pipelines and the power grid. When he said, "It’s complicated," some laughter rippled

PIPELINE SAFETY

Pipelines are the safest way to move energy, Allen Fore, a Kinder Morgan vice president says, citing a U.S. Department of Transportation (DOT) study. Pipelines are safer than trucks and trains for moving oil and gas, but that’s not a comforting comparison. Railroads spilled more oil in 2013 than in the preceding 40 years, owing in part to a 4,000 percent increase in the number of rail cars carrying oil in the past five years, according to DOT.

Pipelines have fewer accidents, "but when they blow, they really blow," says Carl Weimer, executive director of the independent, nonprofit Pipeline Safety Trust. "They have huge potential for wide-ranging explosions." Over the past 10 years there have been an average of 77 "significant" accidents each year on natural-gas pipelines, according to DOT, resulting in two deaths, 10 injuries, and $141 million in property damage.

"Kinder Morgan is proud of its safety record," the company states. "We have consistently outperformed industry averages." It publishes its safety statistics on its website; no other company does that, Fore says. But there have been more than 20 serious accidents on Kinder Morgan’s pipelines since 2003. One Wall Street analyst reviewing Kinder Morgan’s capital expenditures believes that the company spends too little to maintain its 80,000 miles of pipelines. "We struggle to understand how [Kinder Morgan] can safely operate the largest portfolio of transmission and storage assets in the industry for just a fraction of its peers’ expenditures," the analyst wrote. Kinder Morgan spends about half the maintenance capital that Spectra Energy Partners, another big pipeline operator, does per mile of pipeline, he noted.

Kinder Morgan dismisses this analysis as "uninformed and irresponsible." Its capital expenditures represent only a portion of what it spends on maintenance, the company counters; many of those costs are in its operating expenses. "We are safe and efficient operators," it states.

Maintaining pipelines—gas and oil—is crucial, since most accidents occur on older pipelines. "There’s more than one leak, failure, or rupture involving an oil or gas pipeline every day in the United States," states an investigative report by Politico.

These older pipelines aren’t properly inspected. There’s minimal regulation, and many of the regulations are written by the industry. "Tens of thousands of miles of pipeline go completely unregulated by federal officials, who have abandoned the increasingly high-pressure lines to the states," Politico reports. The agency in charge, the Pipeline and Hazardous Materials Safety Administration, "lacks the manpower to inspect the nation’s 2.6 million miles of oil and gas lines," and it "has stubbornly failed to take a more aggressive regulatory role, even when ordered by Congress to do so." —H.L.M.
through the room. He asked, “Aren’t you overwhelmed? Yes. And guess what? They’re not. This is their day job; it’s our night job.”

A man followed who showed a short film he was making about compressor stations. He said that they release methane and other toxins into the air to relieve pipeline pressure. Kinder Morgan disagrees, saying that “under normal operations” methane isn’t released. “When gas is vented, it is done under controlled conditions,” the company states. On other pipelines Kinder Morgan has returned to add more stations so that there’s one every 15 to 23 miles or so; the proposed pipeline plans now showed compressor stations every 39 to 50 miles. That can change, the speaker said. It can all change.

We like to think of the property we own as a sure thing. We call it real estate, after all. But just because we have a deed, that doesn’t mean it’s locked up. The community or a corporation may assert a claim on our domain. Throughout American history, the law’s attitude has been that “the quiet citizen must keep out of the way of the exuberantly active one.” Economic development—“property in motion”—has the right of way over “property at rest.” This is how many dams, mills, railroads, and highways were built: by taking someone else’s land.

This is our dual inheritance: Land is our security; it’s never secure. Property is our right; it can be taken away. To the country’s founders, says historian Gregory S. Alexander, property—land—was never just the equivalent of its market value. Land represented autonomy; it was the anchor of the social order. If “the right of property is the guardian of every other right,” as the American diplomat Arthur Lee said in 1775, then eminent domain is like an icebreaker plowing through the social order. It takes what was once perceived as solid—my land, my house—and cuts right through it, opening it to traffic and commerce. Our home place, where generations may have lived, is always “on the market,” whether we’ve put it there or not.

At the Mason meeting, I spotted Vince and Denene Premus standing on one side of the room. The gathering was like the first meetings in Townsend eight or nine months ago, Vince told me. And then I saw Carolyn Sellars. She said that the pipeline was off her farm, but that a smaller, lateral pipeline was now across the street from her home in Townsend. The pipeline has left these three people, but they’re still fighting this project. They’re marathoners. They’re here to help. They know what it’s like to show up in the crosshairs of somebody else’s plans.

**EPilogue**

As Yankee goes to press, there are meetings and announcements about the pipeline almost weekly. Kinder Morgan has reduced the pipeline’s capacity,
going from a 36-inch-diameter pipe to 30 inches, and it has located a 41,000-horsepower compressor station in New Ipswich, New Hampshire. It has signed on one customer for the gas, Liberty Utilities, a subsidiary of a company that’s a partner in the project.

The pipeline has won support from a New Hampshire Public Utilities Commission study, which states that the pipeline will help lower winter electricity costs. Critics have countered that the PUC hasn’t adequately considered several alternatives. 

Opposition has grown. At FERC’s “scoping” meetings throughout southern New Hampshire in preparation for the environmental-impact statement, local and state representatives have risen to say that at first they weren’t opposed to the pipeline, but that as they’ve studied it, they feel that they’re being asked to sacrifice so that Kinder Morgan may profit. This is an export pipeline, said one state representative. Everything else is just a fig leaf trying to hide the truth.

And in May 2015, Carolyn Sellars received a letter from Kinder Morgan telling her that the lateral pipeline is now planned for her Townsend property, not across the street. 

FERC has received a record number of comments, almost all negative. In many towns along the route, fighting the proposed pipeline has become a way of life. Said one Richmond selectman, “We’ve had to become experts in a lot of things we knew nothing about until a few months ago.”

Part 2 of “Power Struggles,” coming in March/April. Three places where the energy revolution is working now.

A resident of southern New Hampshire, Howard Mansfield is a writer and consultant focusing on American history, preservation, culture, and the meaning of place. He’s the author of Dwelling in Possibility: Searching for the Soul of Shelter and six other books. His most recent story for Yankee was “The Memory Keepers” (March 2015), on the issues facing New England’s small history museums. howardmansfield.com