

Zimbra

tlashuahvt@gmavt.net

For the Geprags Park discussion tomorrow.

From : Rob Bast <rob.bast@bastrood.com>

Wed, Jul 27, 2016 03:14 PM

Subject : For the Geprags Park discussion tomorrow.**To :** Trevor Lashua <tlashua@hinesburg.org>,
mbissonette@hinesburg.org, tayer@hinesburg.org,
amorgante@hinesburg.org, akimball@hinesburg.org,
ppouech@hinesburg.org

Hi Trevor,

Please be so kind as to make sure I got the addresses right on this, so the board members receive my note below. Thanks, Rob

Dear Selectboard Members,

Regarding Geprags Park and VT Gas, much has been said around town about principle and process, as much globally as locally. Since I am out of town on business tomorrow night, I've a few thoughts I'd like to share from a perspective of experience in your shoes about the situation you face.

A first observation is that different duties rest with different roles. In the scheme of things here, what is the duty of a citizen? What is the duty of the Selectboard? These are not necessarily the same thing.

Citizens ought to educate themselves, and speak out, as many have done. The big picture should be considered, and the really big picture should be considered and the really local picture should be considered. The action comes out of being informed, and then defending that through one's constructive interaction with our democracy. It isn't just clamoring. It isn't just legal battles. It is also active participation in the system of government we have. And if people participate in the system actively, they can reinforce it. The proper venue for the larger pipeline issues is the Public Service Board, or the Legislature.

But the Selectboard, whatever each member's individual view on fossil fuels, has a different and more focused set of duties in this matter, a different role in the matrix of governmental entities.

One duty is to protect the resources within Geprag Park, and to ensure that the town's responsibilities towards its stewardship are considered over the long term. Also with respect to the park, if an easement is granted, that fair value be returned to the town for it along with protections. If the value returned for the right of way is generous, so much the better.

Another duty is not to incur unnecessary or unknown costs by fighting the wrong battles. The only fight, if it even comes to that, that the town should have has to be related to the protection of the assets of the park. These appear to be habitat and species related primarily. If agreement cannot be reached on that issue, then the company can look at other options, such as going around the park.

Other than that, the Selectboard as an entity does not have a fundamental interest in other aspects of the controversy surrounding the pipeline.

Without doubt those other aspects are fraught with different points of view and complexity. Looking around the route, it is clear that there is massive investment in the pipeline already, both here in Hinesburg and further south. That in mind, it stands to reason that the momentum or incentive behind finishing the project is huge, not only for reasons of delivering product, but also to finish the restoration of the land that has been disturbed. Contesting that cannot be the role of the Town.

Moreover, the proliferation of pipelines across the country and world to move fossil fuels can be looked at as not in and of itself a bad thing. Fossil fuels were already moving: on ships, trains and trucks and barges, where there is more of a chance to spill in transit or transfer. The efficiency of a pipeline can be a positive in this regard. This pipeline is just part of the trend of the last decade.

I believe fossil fuels are a diminishing resource, and the need to replace them is paramount and should be a priority. However, I do not object to efficiencies in the process of using them or making them last longer.

The worst case scenario in this matter would come from the Selectboard conflating global issues, or personal beliefs, with the primary issues within its purview. I urge the board to pursue closely the narrow path over which you really do have responsibility.

Thank you for your consideration, and for the contribution you are making with your service,

Rob Bast

Zimbra**tlashuahvt@gmavt.net**

comments on the latest stipulation from VGS

From : Nancy Baker <nbaker@bsdvt.org>

Mon, Jul 25, 2016 10:51 PM

Subject : comments on the latest stipulation from VGS**To :** trevor lashua <tlashua@hinesburg.org>, Andrea Morgante <andrehinesburg@gmail.com>, aaron kimball <akimball@hinesburg.org>, michael bissonette <mbissonette@hinesburg.org>, phil pouech <ppouech@hinesburg.org>, Tom Ayer <tayer@hinesburg.org>

Dear Trevor and Select Board Members,

Rather than comment on the revised stipulation bit by bit, as I am sure many other people are, I will just say the following: With all of the months of feedback you have received I had hope to see that you had taken the lead on drafting this new document. I had hoped you had protected our park and town, which is what we elected you to do. However, once again this document puts the wants and needs of Vermont Gas Systems and their multi-national parent company ahead of your duty to protect a precious wetland, our only public town park, and the very clear covenant that created it.

This Revised Stipulation is a huge disappointment and does nothing to make me feel you were listening with an open mind to any of the previous feedback you have been given; or will do so now, or in the future. However, being a dedicated optimist, a firm believer in the democratic process, and in the basic good in all, I won't stop trying to make my opinion heard and, at least, considered.

Nancy Baker

Zimbra**tlashuahvt@gmavt.net**

Fwd: Revised Stipulation Regarding Condemnation

From : Theora Ward <theora@gmavt.net>

Mon, Jul 25, 2016 07:49 PM

Subject : Fwd: Revised Stipulation Regarding Condemnation**To :** tlashua@hinesburg.org

Greetings Members of the Hinesburg select Board,

In reviewing the Revised Stipulation Regarding Condemnation I am concerned about a number of issues as follows:

I INTRODUCTION

6 States that VGS will use HDD through the wetlands in the park only if construction is completed by the end of 2016. If it cannot complete construction VGS can convert back to the use of Open Trench construction.

From the research I have done I feel that both methods are unacceptable in a wetlands.

At the very least I think we need hard, not hearsay, evidence of the end result to the environment of both methods and then we lock down the method to be used, not leave it to the discretion of VGS.

II DEED OF EASEMENT

#8 The language in this section is vaguely suggestive of VGS's responsibilities in the park but nowhere is it specific (except in the phrase "prohibiting fences and gates") or binding.

III STATUTORY CRITERIA for EMINENT DOMAIN

#10 Orderly Development

First sentence - the word "unduly" is subjective and not quantifiable.

Second sentence- "The Town of Hinesburg and Vermont Gas recognize that the use of

HDD for pipeline construction within Geprags Park has the POTENTIAL to reduce vegetative clearing through the park, and avoid wetland impacts and the need for temporary workspace entirely, should use of HDD be a PRACTICABLE means of completing construction of the Project within calendar year 2016."

The words "potential" and "practicable" have many interpretations and can easily provide loopholes.

"Any decision by Vermont Gas to employ HDD in Geprags Park shall be at the company's sole option, and at its sole and absolute discretion."

This last sentence in this section gives VGS complete authority to decide whether or not to use HDD through the park. My question is - If one method (i.e. HDD or open trenching) is safer for the environment than the other why does the agreement not state the mandatory method?

IV COMPENSATION

#11 & #12 Previously VGS offered Hinesburg \$500,000 for the easement through the park. Now it is offering \$250,000 with multiples contingencies. So, now we are being offered half the money with loopholes. A good negotiation should produce better offers as time goes on.

#13 Richmond Road Distribution Plan

As the board has heard from Hinesburg citizens this offer is fraught with loopholes and misinformation which I will not reiterate. In addition to questions previously asked I would like to address the fact that VGS is offering to make available various programs i.e. "retrofit program, New construction Program, and Equipment Replacement Program". We do not know what these programs involve or what the eligibility requirements are; therefore we do not know if in fact the offer is of value.

#15 Road Preservation Measures

VGS will take " appropriate measures".....

What are "appropriate measures"?

These are some of the many questions which I a private citizen, not a lawyer have. In view of the complexity and extreme importance of this document I ask once again that the Town of Hinesburg through the Select Board hire an attorney who has specific expertise in the area of pipeline construction and agreements. I am confident that VGS has such lawyers reviewing their documents and our town should be just as well informed and represented. We are thoughtful intelligent people who are unwilling to stick our heads in the sand and allow a multinational corporation to run over us.

Thank you for your time and for all the hard work you do.

Sincerely
Theora Ward
Hinesburg

Zimbra**tlashuahvt@gmavt.net**

Comments on Vermont Gas through Geprags Park

From : Janice Nadworny <jnadworny@gmail.com>

Mon, Jul 25, 2016 12:48 PM

Subject : Comments on Vermont Gas through Geprags Park**To :** Trevor Lashua <tlashua@hinesburg.org>

Hi Trevor,

I heard that comments on VGS' new proposal are due today, so I'm writing to tell you that I'm opposed to this agreement. I'm opposed to it because I don't think Geprags Park should be used for any other purpose other than recreation or education, per the Geprags bequest to the Town of Hinesburg; and because Vermont Gas has a pretty shoddy record when it comes to limiting collateral damage, most recently when they killed or removed all those Harsh Sunflowers in Monkton they were supposed to protect from harm. I fear for Geprags wetlands, birds, and fragile ecosystem. Once the damage is done, apologies are meaningless.

Is the VGS subcommittee meeting this week? Is the Select Board meeting this week? I'd love to attend, and haven't seen any notice of meetings.

Thanks very much,
Janice Nadworny
Isham Road
Hinesburg

Zimbra

tlashuahvt@gmavt.net

Comments on Vt Gas Proposal

From : Lisa Barrett <jumpingpups@gmail.com>

Mon, Jul 25, 2016 11:44 AM

Subject : Comments on Vt Gas Proposal**To :** tlashua@hinesburg.org

I respectfully urge the Selectboard NOT to sign the new proposed Stipulation or Deed of Easement.

1. I don't think the Town should let itself be rushed into this deal without adequate time to investigate every aspect of it. Vermont Gas is creating a great sense of rushing and urgency about this. Yet, Vermont Gas has apparently not even filed its application for a new or amended wetlands permit.

2. It makes no sense to hammer out an agreement before the wetlands permit for a proposed route in Geprags park is final.

A. A new permit could call for a new route for some or all of the pipeline through the Park.

B. A new permit could impose conditions that Vt Gas finds so burdensome that it decides to change the route.

C. The Board cannot fulfill its responsibility to protect the natural resources of the Park if it signs off on a proposed deal before the new wetlands permit has even been considered.

3. It would be unwise for the Selectboard to sign an easement giving up land dedicated to public use unless and until its authority to do so has been confirmed by a court.

4. It would be unwise for the Selectboard to transfer an easement of Town land without a duly warned Town vote.

5. Some of the inducements to the Town that are included in the proposed settlement may turn out to be empty promises and need to be investigated. For example, the offer to provide gas to residents' mobile homes: it's my understanding that gas hookups cannot lawfully be provided to older mobile homes. Even for newer mobile homes hookups depend on the particular construction of the site.

6. Geprags Park is a lovely community resource that I use on a regular basis. I walk my dogs on the trails on the western side of the park. The natural beauty of the park is already marred by the 150-foot VELCO Right of Way. I would hate to see an additional 50 foot-wide corridor taken out of public control.

I live in Huntington, so I know the Selectboard has no obligation to take my comments into account, but I did want you to know that Geprags park is deeply appreciated by many who don't live in Hinesburg.

Sincerely,

Lisa Barrett

Zimbra**tlashuahvt@gmavt.net**

Response to the latest offer Geprags / Frack gas

From : Stephanie Astorga <astorgasteph@gmail.com>

Mon, Jul 25, 2016 12:21 AM

Subject : Responce to the latest offer Geprags / Frack gas**To :** tlashua@hinesburg.org

Hello ,

My comments in regards to this latest offer are , What kind of feedback has the lawyer for the town given on this contract? Giving away rights and oversight and the assurance of compliance of follow thru makes me un easy . And to think that waving some extra cash for FAST not safe work will encourage open hands. No guarantee Hinesburg will ever see that "speed" money.

Safety of the people of Hinesburg , compliance to state permitting processes and safe work practices have been overlooked in this process , blocked by \$\$\$ in the eyes. I hate to see VGS use word like " to protect wetlands in the Park " That is just BS ! Those wetlands or any lands will be kept clear of long term growth . How dare the imply protection it is alteration at best.

What did the wetlands experts have to say when they did the re evaluation? I have not seen any data on that. Please provide to the public full disclosure .

Best regards

Zimbra

tlashuahvt@gmavt.net

Comments on Latest Proposed Agreement

From : Robert Thiefels <bthiefels@gmail.com>

Sun, Jul 24, 2016 02:08 PM

Subject : Comments on Latest Proposed Agreement**To :** tlashua@hinesburg.org, mbissonette@hinesburg.org

To Trevor and Mike,

This question may have already been answered elsewhere, but I don't see it anywhere. Why was the amount offered the town decreased from \$425,000 to \$250,000? Also there is no mention of the \$75,000 first offered as still being on the table? Is that still part of the agreement?

Finally, in the distribution package put forth in the latest agreement, there is no mention that the mobile homes need to be HUD certified to be eligible for hook-ups. HUD certification would make mobile homes built before June 15, 1976 not eligible for hook-up.

My guess is that many of the mobile homes on the Richmond Rd. extension are prior to June 15, 1976. Is there any data on that that you know of? Tom Murray did mention to me, however, that the HUD certification was still a necessary part of a mobile home eligibility for hook-up. He also mentioned to me that the Richmond Rd. distribution line deal was dependent on the success of the easement agreement, which means that if no agreement takes place with VGS regarding the park, there will be no offer of extending the line still on the table. Ned Fraquhar's email of May 20, [2016.to](#) Trevor, Renae, Mike B. reads as follows, "The decision to build the distribution line, assuming we reach a settlement with the town, is not conditional. We have determined it is both physically and market feasible." Very confusing. Maybe that is why he is no longer at VGS. Anyway Tom Murray confirmed with me (not in writing) that the line was CONDITIONAL upon VGS reaching a settlement with the town.

Bob Thiefels
