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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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Downeast LNG, Inc. : Docket No. CP07-52-000
Downeast Pipeline, L.L.C. : Docket No. CP07-53-000
- - - - - x CP07-53-001

PUBLIC SCOPING MEETING
Draft Environmental Impact Statement

Robbinston Grade School
904 US Route 1
Robbinston, Maine
Tuesday, June 16, 2009

The public hearing, pursuant to notice, convened at 7
p.m. before a Staff Panel:

- SHANNON K. CROSLEY, Office of Energy Projects,
FERC
- SHANNON K. JONES, Office of Energy Projects, FERC
- CAPT ALAN MOORE, U.S. Coast Guard
- JAY CLEMENT, U.S. Army Corps of Engineers

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1 P R O C E E D I N G S

2 MS. CROSLY: Good evening, everyone. Welcome to
3 tonight's meeting. My name is Shannon Crosley, I'm an
4 environmental scientist with the Federal Energy Regulatory
5 Commission, also referred to as the FERC. Seated on my left
6 is Shannon Jones, also with FERC, Retired Captain Alan Moore
7 from the U.S. Coast Guard, and Jay Clement with the U.S.
8 Army Corps of Engineers.

9 This is a public comment meeting regarding the
10 proposed Downeast LNG Project. We're here tonight to
11 receive your comments on the Draft Environmental Impact
12 Statement that we've prepared.

13 Manning the sign-in table is George Willant and
14 Linda Forbush. They're with Tetra Tech, who is an
15 environmental consulting firm that has assisted us in the
16 preparation of this document.

17 There are some helpful handouts at the sign-in
18 table if you haven't received them; there's also a speaker's
19 list, if you wish to stand up and make a comment tonight,
20 please sign up to do so. Representatives from the project
21 proponent, Downeast LNG and Downeast Pipeline are also here
22 tonight; Rob Wyatt, seated in the front. There are detail
23 maps of the proposed terminal site and pipeline route posted
24 on the sidewall there. After the formal portion of the
25 meeting concludes, Downeast representatives will be

1 available, if you'd like to talk to them directly and review
2 the maps. We will also be available if you wish to speak
3 with us directly.

4 I'd like to start with a brief introduction to
5 FERC and our process. The FERC is an independent federal
6 agency that regulates the interstate transmission of
7 electricity, natural gas and oil. We are located in
8 Washington, D.C. head by five presidentially-appointed
9 commissioners, with about 1200 staff.

10 We review proposals and authorize construction of
11 interstate natural gas pipelines, storage facilities and
12 liquefied natural gas terminals. We also have jurisdiction
13 over the licensing and inspection of hydropower projects and
14 the permitting of some electric transmission projects. The
15 FERC's primary purpose is to oversee energy industries in
16 the economic, environmental, and safety interests of the
17 American public.

18 The FERC is the lead federal agency responsible
19 for approving or denying this project. We are working in
20 formal cooperation with the U.S. Coast Guard, U.S. Army
21 Corps of Engineers, the Environmental Protection Agency,
22 National Marine Fisheries Service, and the Maine Department
23 of Environmental Protection. These agencies have assisted
24 us in the preparation of our Draft EIS.

25 Downeast has requested authorization to construct

1 an onshore LNG import and storage terminal located on the
2 south side of Mill Cove in the town of Robbinston, in
3 Washington County, Maine; and approximately 30 miles of
4 natural gas pipeline, extending from the terminal to an
5 interconnect with the Maritimes & Northeast Pipeline system
6 in Baileyville, Maine. The project would also include the
7 transit of LNG vessels through the waters of the Gulf of
8 Maine, Bay of Fundy, Grand Manan Channel, Head Harbor
9 Passage, Friar Roads, Western Passage, and Passamaquoddy
10 Bay. Downeast's stated purpose is to establish an LNG
11 marine terminal in New England capable of receiving imported
12 LNG from LNG vessels, storing the LNG in specialized tanks,
13 and re-gasifying the LNG for delivery into its pipeline at
14 an average rate of 500 million cubic feet per day. The
15 terminal would provide an additional supply source of
16 natural gas to meet demand in the New England region.

17 Before any decisions are made, FERC staff
18 conducts an extensive environmental review to comply with
19 the National Environmental Policy Act. Over the past few
20 years, we've been compiling and analyzing data and comments
21 from a variety of sources, including the applicant, the
22 public, other resource agencies, and our own independent
23 analysis and field work. Our analysis, findings and
24 recommendations to ensure that environmental impacts are
25 minimized are summarized in this formal report called a

1 Draft Environmental Impact Statement or Draft EIS, which are
2 these big documents that most of you have probably seen. We
3 are prepared to take your comments on this document tonight.

4 The Draft EIS was issued May 15th, mailed to
5 everyone on our environmental mailing list. We have limited
6 copies of the Draft EIS with us tonight. The document is
7 also available to view on our website, which is
8 www.FERC.gov. Pamphlets at the sign-in table describe how
9 to access our website and download information on the
10 project.

11 We are almost three-quarters of the way through
12 the formal comment period on the draft EIS, which ends July
13 6th. There are a couple of ways that we can take your
14 comments. First, you may provide verbal comments tonight,
15 and please sign up if you plan to speak. If you do not wish
16 to speak, you can provide us written comments by mailing a
17 letter to the FERC or submitting your comments
18 electronically through our website which is again,
19 www.FERC.gov. Instructions are provided on the first few
20 pages of the Draft EIS, and we have a bulletin at the sign-
21 in table. In addition, we brought some comment forms that
22 you can fill out tonight and hand to us, if you'd like.

23 If you are sending written comments, please try
24 to get them in before July 6th so that we have time to
25 analyze your issues and provide an appropriate response.

1 The Corps of Engineers has a separate comment period and
2 procedure for their permit review, which Jay Clement will
3 explain in a moment.

4 All of the comments provided to FERC are placed
5 in our public record and will be addressed in a revised
6 version of the document called a Final EIS. Written
7 comments have equal stature to verbal comments. We will
8 dedicate an appendix in the Final EIS specifically to
9 listing the comments that we received and providing
10 responses. If you received a copy of the Draft EIS you are
11 on our mailing list and you will receive a copy of the Final
12 EIS. If you did not receive a copy of the Draft EIS and
13 wish to receive a copy of the Final EIS, please sign up at
14 the table tonight to be added to our mailing list.

15 It is important to note that the FERC's EIS is
16 not a final decision document. It is prepared to provide
17 the FERC Commissioners and to disclose to the public the
18 environmental impact of constructing and operating the
19 proposed project. Once our Final EIS is complete, the
20 document is published, mailed to those on our mailing list,
21 and forwarded to our Commissioners. The Commissioners
22 independently consider the environmental information in the
23 EIS along with our non-environmental information such as
24 engineering, markets and rates in determining whether to
25 authorize this project.

1 If approved, the Commission's order will require
2 that Downeast meet certain conditions to limit adverse
3 environmental impacts and comply with the U.S. Coast Guard's
4 safety and security recommendations. Downeast will also
5 have to obtain various other permits before it can construct
6 the project, including those under the Corps of Engineers'
7 jurisdiction that you'll hear about in a moment.

8 If approved, FERC environmental inspectors will
9 monitor the project through construction and restoration.
10 We would perform regular inspections to ensure environmental
11 compliance with the conditions in our FERC order.

12 At this time I'll turn the floor to Alan Moore
13 with the Coast Guard.

14 CAPT MOORE: Thank you, Shannon.

15 Good evening and welcome to tonight's public
16 meeting. As Shannon introduced, my name is Alan Moore, I'm
17 the Port Security Specialist at the Coast Guard Sector
18 Northern New England, which is actually located in South
19 Portland, and I'm the unit's LNG project officer.

20 I work for Captain Jim McPherson, who is the
21 Sector Commander and Captain of the Port for this region.
22 Unfortunately, Captain McPherson was unable to attend
23 tonight's meeting due to a scheduling conflict. He asked
24 that I convey his appreciation to each and every one of you
25 for taking the time out of your personal schedules to attend

1 tonight's meeting, and once again provide comments
2 significant to the waterway assessment process, and more
3 specifically, towards the Downeast LNG Draft Environmental
4 Impact Statement.

5 With me tonight is Mr. Ron Beck, Chief of the
6 Energy and Facilities Branch, First Coast Guard District,
7 Boston, Mass. Ron oversees all energy-related projects
8 within the entire First District, and as such ensures that
9 consistency and continuity are maintained throughout the
10 assessment procedure. And Ron is, I believe, sitting right
11 over here, and available afterwards, as well as I will be,
12 to answer any questions.

13 I'd like to start out first by reemphasizing that
14 the Coast Guard well recognizes the public's interest and
15 concern towards the safe and secure shipment of LNG.
16 Towards that end, your comments have been and continue to be
17 vitally important to the overall process. I'd also like to
18 reiterate that the Coast Guard has been and continues to be
19 completely nonpartisan to any individual, company or group.
20 Likewise, we are neither a proponent for nor an opponent
21 against the construction and operation of an LNG facility in
22 the Passamaquoddy Bay region.

23 The assurance of port safety, security and
24 environmental stewardship are our only objectives. The
25 Coast Guard's role, and more specifically, the Captain of

1 the Port's regulatory responsibility is to conduct a
2 thorough and fair assessment of a proposed project; but
3 that's from a maritime perspective. Throughout this
4 process, a systematic approach is followed.

5 First, all navigational safety issues are
6 reviewed under the letter of recommendation or LOR process
7 as specified by federal regulation. Second, all terminal or
8 facility security-related concerns are addressed in
9 accordance with the regulations promulgated under the
10 Maritime Transportation Security Act of 2002; and third, the
11 Coast Guard serves as a cooperating agency to the FERC who,
12 as Shannon pointed out, is the lead regulatory agency
13 responsible for siting approval of the project, and the
14 preparation of the Environmental Impact Statement as
15 required under the National Environmental Policy Act, or
16 NEPA.

17 Under this interagency agreement, the Coast Guard
18 is responsible for providing FERC with information regarding
19 the varied aspects of navigational safety and maritime
20 security surrounding the proposed project. When
21 transmitting this information to the FERC, which is done in
22 the form of a waterway suitability report or WSR, it should
23 be clearly understood that the Coast Guard is not advocating
24 for or against the proposed project. Rather, its
25 recommendations are based solely on an objective assessment

1 of whether the waterway in question is suitable for LNG
2 marine traffic and the safe and secure operation of a
3 waterfront facility. The ultimate siting authority still
4 rests with the FERC.

5 The Coast Guard completed its preliminary
6 assessment of the involved waterway and provided a letter of
7 recommendation or LOR on January 6, 2009. The LOR was
8 issued pursuant to 33 Code of Federal Regulations Part 127
9 in response to the Letter of Intent that had been filed by
10 Downeast LNG on December 20, 2005 outlining their plan to
11 transport LNG via ship to a facility proposed for the
12 operation in Mill Cove, Robbinston, Maine.

13 In essence, the LOR conveyed the Coast Guard's
14 determination as to the suitability of Passamaquoddy Bay and
15 its approaches for LNG marine traffic as it relates to
16 navigational safety and maritime security.

17 In addition to meeting the requirements of 33 CFR
18 127 and other applicable guidelines, this letter fulfilled
19 the Coast Guard's commitment to provide information under
20 the aforementioned interagency agreement of 2004.

21 After reviewing the information contained in
22 Downeast LNG's Letter of Intent and completing an
23 independent, comprehensive evaluation of the waterway, in
24 consultation with a variety of local port stakeholders, the
25 Coast Guard Captain of the Port, Sector Northern New England

1 determined that the Passamaquoddy Bay waterway was suitable
2 for the type and frequency of marine traffic associated with
3 the proposed Downeast LNG Project, provided that all
4 recommended risk mitigation measures as outlined in Section
5 4.6 of the Waterway Suitability Report were fully
6 implemented by the applicant.

7 The Waterway Suitability Report containing these
8 risk mitigation measures, a general precis of the Coast
9 Guard's assessment proceedings, and summary of findings and
10 conclusions is provided as an appendix to the Draft
11 Environmental Impact Statement made available to the public
12 on May 15, 2009.

13 The Captain of the Port has concluded that if and
14 when these measures are put into effect, they will
15 sufficiently mitigate the identified risk associated with
16 the LNG traffic on the Passamaquoddy Bay waterway and make
17 it fully suitable for those vessels bound to and from the
18 proposed Downeast facility. The Captain of the Port's
19 determination was based on a review of information provided
20 in accordance with applicable federal regulations and
21 requirements, and in consideration of pertinent items also
22 listed in specific regulation.

23 The reasoning behind the Coast Guard's findings
24 was based in part on a comprehensive review of the letter of
25 intent that the Downeast LNG had filed and the Waterway

1 Suitability Assessment submitted December 19, 2006 on behalf
2 of Downeast by DNV, consultants for the project. Of
3 additional significance, the hydrographic characteristics of
4 the waterway already sustain deep draft vessel traffic; and
5 moreover, extensive simulation testing confirmed that the
6 proposed LNG carrier transits were theoretically feasible
7 when, under strict operational and weather-related
8 parameters.

9 The overall review process, which again focused
10 on navigational safety and maritime security risk posed by
11 the LNG marine traffic, and the measures needed to
12 responsibly manage those risks was conducted following the
13 guidance contained in Navigation and Vessel Inspection
14 Circular 0505 and 0508, respectively.

15 Throughout the review period, the Coast Guard
16 also consulted with a variety of stakeholders, including the
17 Passamaquoddy Bay Downeast Regional Subcommittee of the Area
18 Maritime Security Committee, the Maine and New Hampshire
19 Port Safety Forum, and other ad hoc groups; and these are
20 all identified in the Waterway Suitability Report.

21 Additionally, a Ports and Waterway Safety
22 Assessment, or PAWSA, designed to identify major waterway
23 safety hazards and evaluate potential risk reduction
24 strategies was hosted for the port area. And a significant
25 number of meetings and workshops held with participants

1 and/or observers representing all sectors of the maritime
2 communities.

3 Particular to this project are boundary concerns
4 and sovereignty issues. The continual development of
5 bilateral arrangements and joint protocols on a number of
6 fronts will help to ensure that safety, security and
7 environmental response mechanisms are in place for the
8 protection and welfare of all communities along the shared
9 waterway.

10 And last but certainly not least, extensive
11 public input was sought and received throughout the
12 assessment period. Your objective testimonies, whether oral
13 or written, pro or con, provide a significant input in to
14 the Waterway Suitability Report and the Draft Environmental
15 Impact Statement and proved invaluable to the Coast Guard in
16 its decision making process.

17 Thank you. I'll turn it back to Sharon.

18 MS. CROSLY: Thank you, Alan.

19 Now we'll hear from Jay Clement with the
20 Army Corps of Engineers.

21 MR. CLEMENT: Thank you, Sharon.

22 As Sharon indicated, I'm Jay Clement with the
23 Army Corps of Engineers, Maine Project Office in Manchester,
24 Maine. I'm the Senior Project Manager for the office, and
25 I'm responsible for the processing of the Army Corps of

1 Engineers permit application by Downeast. Although I'm the
2 project manager for the day-to-day processing of the
3 application, ultimately any kind of permit decision on this
4 project will be made by my senior staff down at our District
5 Headquarters down in Concord, Massachusetts.

6 I'd like to start by reviewing Corps of
7 Engineers' jurisdiction in this matter. Under Section 10 of
8 the Rivers and Harbors Act of 1899, a Corps permit is
9 required for any work in navigable waters, specifically
10 beyond the mean high water line of navigable waters; in this
11 case, that's the St. Croix River. The construction of the
12 terminal pier is a Section 10 activity. A permit is also
13 required under Section 404 of the Clean Water Act for the
14 temporary or permanent discharge of fill material into
15 waters of the United States including their adjacent
16 wetlands. So the construction of the tank facility and also
17 the sendout pipeline will require a permit under Section
18 404.

19 Under Section 10 our focus is on navigation and
20 then on the environmental resources, and under Section 404
21 our focus is on impact to the aquatic environment.

22 Where is the Corps in its process? Sometime ago,
23 the Corps of Engineers received what I would consider a
24 preliminary application from Downeast. Prior to that --
25 prior to and since that date, we've been working with the

1 applicant and an interagency team to address such issues as
2 avoidance and minimization, project alternatives, secondary
3 and cumulative impacts, and then compensatory wetland
4 mitigation. We've just recently received an updated package
5 of information from Downeast.

6 An important part of our review process, much
7 like FERC and the Coast Guard, is to solicit public comment
8 on the project, and Shannon's already referenced this. We
9 do that in what's called a 30-day public notice. In cases
10 where another agency is issuing an environmental impact
11 statement or an environmental assessment, we try to time our
12 public notice with the issuance of the Draft EA or the Draft
13 EIS. In this case, unfortunately, we didn't have updated
14 information from Downeast for that to occur. So at some
15 point in the near future many of you will undoubtedly
16 receive or see a Corps of Engineers public notice that will
17 offer yet another opportunity for agencies, for
18 municipalities, for the general public to comment to the
19 Corps of Engineers perhaps by providing copies of comments
20 that have already been submitted to the Coast Guard or to
21 FERC or other groups. But we welcome those comments;
22 they're an important part of our process.

23 What happens after the Corps public notice goes
24 out? The public notice has a 30-day comment period by
25 regulation. This does not mean that comments received

1 before the notice goes out or after are any less meaningful
2 to the process; we're just required to put some kind of time
3 frame on it by regulation. All comments received will be
4 evaluated and ultimately forwarded to Downeast for rebuttal,
5 along with any requests for additional information that we
6 may require.

7 Although there is an opportunity to request a
8 public hearing in the Corps process, if there is another
9 agency, state or federal already conducting such a process,
10 the Corps would generally try to hop in and join that
11 process, much like we are tonight, rather than conduct our
12 own. This is in fact strongly encouraged by interagency
13 agreement, and in the interest of avoiding duplication of
14 effort among federal agencies.

15 Once we feel the applicant has adequately
16 addressed, thoroughly addressed the issues of the project,
17 we move toward making a permit decision. In this case, a
18 Corps of Engineers permit cannot be issued or a permit
19 decision cannot be made until a couple of things happen:

20 One is that the Maine Department of Environmental
21 Protection must issue what's called a Water Quality
22 Certification. This goes hand-in-hand with their permit;
23 and FERC must issue their Final Environmental Impact
24 Statement. The Final EIS is expected to bring to conclusion
25 Federal endangered species consultation as well as

1 coordination with the Maine Historic Preservation Office
2 concerning historic properties; both of which are important
3 milestones in our process as well.

4 What will the Corps look at when making its
5 permit decision? Our primary focus is on the project's
6 impact to navigation, and for this we rely heavily on input
7 from the Coast Guard, from area pilots, harbor masters,
8 fishermen and other active users of the waterway. With
9 regard to the facility and the sendout pipeline, we focus on
10 the short term, long term, and cumulative impacts to
11 waterways and wetlands; and we work closely with our federal
12 partners, the U.S. Environmental Protection Agency, the U.S.
13 Fish & Wildlife Service, and the National Marine Fisheries
14 Service throughout that process.

15 Once we're satisfied that all available and
16 practicable steps have been taken to avoid or minimize
17 impacts to waterways and wetlands, we assess whether
18 compensatory mitigation is required for any unavoidable
19 impacts. Mitigation may take the form of wetland creation;
20 in other words, creating wetlands from uplands; wetland
21 restoration, in other words restoring wetlands that have
22 been degraded in the past by some means; wetland
23 enhancement, somehow improving the overall function and
24 value of existing wetlands; wetland preservation, preserving
25 wetlands and their surrounding upland buffer; and then

1 finally a new option to Maine is called 'in lieu fee.' And
2 in this case what happens is that an impact-based fee is
3 paid for by the applicant into a Corps and DEP-managed
4 account for later dispersal into wetland-related improvement
5 projects.

6 Any final mitigation plan may incorporate
7 elements of all of those options; it may be individually, it
8 may be all of them. Mitigation must address not only the
9 direct impacts to waterways and wetlands and resources like
10 vernal pools; it must also address indirect or secondary
11 impacts, for example, conversion of forested wetland
12 habitat.

13 In addition, the Corps is obligated to consider a
14 variety of public interest issues affected by the project
15 and to not issue a permit that's deemed contrary to the
16 public interest. Public interest factors may be found on
17 our website. For anyone taking notes, it's
18 www.nae.usace.army.mil. And I would be happy to give you
19 that reference afterwards, too.

20 Having said that, let me stress that an order of
21 emphasis, the Corps makes its permit decisions based on
22 potential impacts to navigation, impacts to the aquatic
23 environment, impacts to the natural environment, and finally
24 impacts to the human environment.

25 How does the Corps process mesh with FERC and

1 Coast Guard processes. As Alan and Shannon have mentioned,
2 under the National Environmental Policy Act or NEPA, FERC
3 has taken the lead in developing an EIS for the project.
4 The Corps is a cooperating agency, meaning that we expect to
5 utilize FERC's EIS to satisfy most of our own NEPA
6 requirements. To the extent possible, we'll continue to
7 piggyback off FERC-sponsored meetings or hearings or other
8 milestones as our processes move forward in order to avoid
9 duplication of effort between federal agencies.

10 Ultimately, no single agency's decision trumps
11 another's, including decisions that are required by the
12 Maine DEP and the Maine Bureau of Parks and Lands.
13 Ultimately, in order to do the work, the applicant must
14 obtain all federal and state, and if necessary, local
15 permits.

16 As previously noted, no Corps permit decision can
17 be made until after the FERC concludes its process and the
18 Maine DEP issues the water quality certification. If anyone
19 has any questions specific to Corps of Engineers'
20 jurisdiction or our permit process, I'm happy to answer
21 those during the comment period, and you're welcome to
22 approach me after if you need any contact information and
23 wish to contact me in writing or by e-mail or by phone
24 subsequent to this meeting. So thanks for attending.

25 MS. CROSLY: Thanks, Jay.

1 We will now begin taking your comments. Speakers
2 will be called up in general order from the sign-up list.
3 When it's your turn, please come to the microphone, state
4 and spell your name for the court reporter -- we do have a
5 transcriber here -- and identify any organization you may
6 represent. If you are a landowner along the pipeline, it
7 would be helpful if you could identify a pipeline milepost
8 if you know that information; otherwise, a general location.

9 When providing your comments, if you have
10 questions that can be readily answered by anyone here at
11 this table, we will try to do so. Otherwise, your concerns
12 will be addressed in the Final EIS.

13 Because we need to ensure that we get an accurate
14 record of tonight's meeting, we have Ace-Federal Reporters
15 here to prepare transcripts. The transcripts will be placed
16 in the public record at FERC, which can be accessed through
17 our website. You are also welcome to make arrangements
18 directly with the court reporter if you wish to purchase
19 hard copies of the transcripts.

20 Shannon Jones will now call up the speakers.

21 MS. JONES: First speaker is Diane Tilton.

22 MS. TILTON: Good evening. My name is Dianne
23 Tilton (spelling) and I live in Harrington, and I'm here
24 representing myself.

25 I want to thank you for the opportunity to

1 address the Commission this evening. I am here specifically
2 to address the socioeconomic section of the Draft EIS in my
3 capacity as an economic development professional with over
4 16 years experience, seated legislator from Washington
5 County and a Washington County resident.

6 The findings contained in the Draft Environmental
7 Impact Statement were consistent with my expectations of the
8 economic impact of the Downeast LNG Project, based on my
9 review of the study conducted by the University of Maine,
10 and my discussions with Downeast LNG and my experience in
11 the development field.

12 Economic development best occurs when a number of
13 assets already exist that can support proposed projects. In
14 this case, the assets would be the area's available land,
15 the deep water, and the work force. Another asset, and in
16 my experience the most important one, has been the
17 cooperative attitude of the host community.

18 I was especially gratified by a number of points,
19 the Draft EIS confirmed, such as that the incumbent work
20 force has the skills needed for most of the terminal
21 operation and tugboat operations, a total of 78 jobs, as
22 well as for the construction of the sendout pipeline.
23 Impacts on commercial shipping and tourism would not be
24 significant, and a plan is in place to address any negative
25 effects on the fishing industry. I also noted that 92

1 percent of the local tax obligation would be paid by the
2 terminal. The Draft EIS pointed out that this would present
3 a significant benefit to local residents in the form of
4 lower property taxes; all of these things were points
5 actually we're glad to see.

6 As a legislator, I was appointed to the Joint
7 Select Committee on Maine's Energy Future. Their charge was
8 to develop a foundation for a new economy in Maine based on
9 alternative and renewable energy production. The bill that
10 this committee generated, and which was ultimately passed by
11 the legislature will, among other things, ensure that proper
12 planning is done to accommodate all of the State's potential
13 energy products including LNG. Besides this thoughtful
14 legislative support, the Governor of Maine expressed his
15 support for the development of an LNG terminal in Washington
16 County during his state of the state address this January.
17 This project is a part of what I would call Maine's
18 comprehensive energy plan.

19 Finally, as a native and resident of Washington
20 County, I want to say that I welcome the opportunity to see
21 this development and these jobs in our area, and I see only
22 positive impacts as a result. Traditional industries are
23 vulnerable at best and waning at worst, and something new
24 must be finally introduced and braced and supported if our
25 people and our children are to have a future here. I concur

1 with the findings of this section of the Draft EIS and find
2 this project to be consistent with positive economic
3 development, state policy, and the needs of the community.
4 Thank you.

5 (Statement of Ms. Tilton follows:)

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1 MS. JONES: Thank you. Our next speaker is
2 Harold Silverman.

3 MR. SILVERMAN: Thank you. I am Harold L.
4 Silverman, a former state senator from Washington County,
5 and I appreciate being able to speak before your committee
6 as a proponent of this project.

7 There is a difference between no development and
8 safe development. It is critical to recognize that the
9 economic doldrums and steady out-of-state migration of our
10 next generation because of a lack of employment presents a
11 hopeless economic future for residents in the State of
12 Maine, and especially Washington County.

13 Because of the opportunity to have LNG locate an
14 energy storage and delivery facility in our area, I would
15 like to bring to your attention the following points: The
16 current energy needs of the Northeast require an available
17 source of clean, safe, and low cost energy. Washington
18 County's lack of a tax base forces us to turn to Augusta for
19 our taxable needs. This year it is reported that Augusta
20 will have more than an \$800 million shortfall to meet future
21 expenditures, and that really hits hard in areas that depend
22 on state and federal funds to keep our programs going.

23 The unhealthy culture created by a lack of
24 employment separates families whose next generation must
25 move out of Washington County in order to find jobs. And it

1 used to be just that children left the county; now whole
2 families have to pick up and leave the county, many of them
3 just to be near their children and grandchildren. It is an
4 unhealthy culture.

5 The huge economic value in Passamaquoddy Bay that
6 the Canadians have been able to develop with their safe
7 nuclear plant at Pointe-a-la-Croix, New Brunswick has been
8 in our scenery for over 30 years. Plans are being made for
9 a major nuclear expansion of this plant. There is a huge
10 economic value in the neighboring Fundy Bay, which gives New
11 England and the Maritimes their important oil supplies.
12 Currently the potential of building an additional oil
13 refinery is on the table, and the new LNG facility located
14 outside of Saint John, New Brunswick, will soon start
15 operating, and this weekend, the first tanker with LNG comes
16 in to Fundy Bay while we are sitting here hopefully looking
17 for our permits.

18 The current shipments of nitrate through Maine
19 waters, through Head Harbor to the New Brunswick Bayside
20 Port facility, which is a commercial shipping point in the
21 St. Croix River have an economic value for our Canadian
22 neighbors. All of the above are in the same region that the
23 proposed Downeast LNG facility is to be a part of. However,
24 this project will be on the Maine side of Passamaquoddy Bay
25 in Washington County, and will have a definite impact in

1 improving the economic conditions that have plagued this
2 county for decades.

3 We'd like also to bring to your attention, which
4 the previous speaker did, that the community of Robbinston,
5 Maine voted in favor of having an LNG facility.
6 Furthermore, the U.S. Coast Guard has approved passage of
7 LNG cargo shipments into Passamaquoddy Bay waters in their
8 Water Suitability Report after the first scoping hearing on
9 December 4, 2008. This gives Downeast LNG the opportunity
10 to file, which they are doing, their FERC application.

11 In addition, in his state-of-the-state address in
12 March of 2009 our governor, John Baldacci, stressed the
13 importance of Washington County LNG as part of the Maine
14 alternative energy program. It is the bridge energy base
15 that offers an \$800 million private investment into our
16 State of Maine. Moreover, the \$11 billion Maine paper
17 industry needs LNG energy in these difficult competitive
18 times.

19 When the Maine Environmental Protection Act was
20 established, which I was a part of, my intentions were to
21 protect Maine's environment, but not to destroy Maine's
22 future safe and clean energy opportunities that would be
23 needed for our economy. These opportunities have been
24 successfully developed by our Canadian neighborhoods who
25 supply Maine with their energy products to met our energy

1 needs. Our pocketbooks are being emptied to meet these
2 needs. And instead of having a tax base and creating
3 employment for those needs, we are transferring our
4 potential for energy production to Canada.

5 Now is the time to change this cycle in
6 Washington County, by bringing in a safe and clean source of
7 our own LNG. There is a difference between no development
8 and safe development. In our area of Washington County,
9 Maine, we feel that the opposition to this vitally needed
10 economic alternative energy source is putting forth many
11 unfounded myths and fear-inducing intangibles in the news
12 media in order to obstruct the construction of LNG.

13 In contrast to the tactics of the opposition, the
14 developers of this safe, low-cost fossil fuel liquid gas,
15 which will be the fastest-growing fuel in the energy
16 industry as an alternative to oil, have spent possibly
17 \$15 million on studies and research seeking high level
18 expertise in determining the safety and environmental
19 factors associated with this storage and delivery project
20 LNG. Their message is supported by well researched
21 environmental proven facts. LNG will be a state-of-the-art
22 alternative energy facility guided by the most advanced
23 environmental restrictions and knowledge in the 21st
24 Century.

25 Thank you for your time. May we be able to put

1 our next generation back to work in Washington County.

2 (Applause)

3 MS. JONES: Thank you.

4 Our next speaker is Dale Wing.

5 MR. WING: Good evening. My name is Dale Wing
6 (spelling), and I represent myself, and I was a member of a
7 committee that was formed by the town of Robbinston when the
8 LNG project was first proposed.

9 We got together as a group and, in fact we split
10 up into a bunch of different groups, and looked into this
11 project and the impact, especially the environmental impact
12 that it would make upon the town of Robbinston; and we even
13 sent a group of them down to one of the LNG terminals to
14 actually look at it, and they went up and down some of the
15 streets and knocked on doors and asked the residents what
16 they thought of the terminals. Most of the residents they
17 talked to didn't even know what the terminal was that was
18 there, it was so unobtrusive.

19 So we were concerned, you know, that we didn't
20 want anything that would come into Robbinston that we
21 thought would be environmentally dangerous to the town or
22 destroy the water or whatever; and after all the research we
23 did, we came to the conclusion that this was a good project
24 for the Town of Robbinston. The energy source is much
25 needed in this part of the United States.

1 So we had a town meeting; the group that went
2 down to Maryland presented their findings to the citizens of
3 the town, and the town voted, and it was an overwhelming
4 majority voted in favor of this project to support Downeast
5 LNG's application.

6 So I just want to go on the record as saying I
7 fully support the project; I think from an environmental
8 standpoint that anything in the environmental can be
9 mitigated, and they're a good group to work with. Thank
10 you.

11 MS. JONES: Thank you.

12 (Applause)

13 Diane Barnes. And after Diane, we'll have Tom
14 Mahollan. I'll start letting you know who's next so you can
15 prepare.

16 MS. BARNES: Good evening. My name is Diane
17 Barnes (spelling). I'm here in my capacity as City Manager
18 of Calais, and on behalf of the City Council, who have shown
19 support in the past of LNG projects here in Washington
20 County.

21 I wish to go on the record as being in support of
22 the proposed LNG facilities in Washington County. These
23 facilities are important for the local economies that suffer
24 from high unemployment rates with an average medium
25 household income of \$25,000. Benefits from this project

1 will come through indirect and direct employment
2 opportunities that will provide secure jobs with specialized
3 occupations. Additional tax revenues will have a
4 significant impact on communities within the pipeline and
5 LNG terminal corridor.

6 An LNG terminal located in Washington County
7 along the Maine coast will be a major step towards the
8 governor's vision of encouraging energy independence and
9 security.

10 In conclusion, my commitment is to see the Calais
11 LNG project be developed in Washington County; however, I
12 welcome the potential development of other LNG facilities
13 along the Maine coast in Washington County. Thank you.

14 (Applause)

15 (Statement of Ms. Barnes follows:)

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1 MS. JONES: Thank you.

2 Tom Moholland, and after Tom will be Dan Spear.

3 MR. MOHOLLAND: Thank you for the opportunity to
4 address the Commission this evening. My name is Tom
5 Moholland (spelling).

6 Welcome to the town of Robbinston. I have been
7 here for the last 13 years. During this time, I've been
8 very pleased with the opportunity to work with Downeast LNG
9 over the past four years. I have found them to be very
10 respectful to the residents with their concerns and
11 thoughtfulness, and very honest people to work with.

12 I'm not going to stand here and betray myself as
13 an environmental expert or a ship captain or anything along
14 those lines; I believe you folks are the experts on that;
15 and judging from what I've read in the EIS and the Waterway
16 Suitability study, it appears that most of the problems that
17 are outlined can be mitigated without too much problem.

18 What I do feel that I can speak on is the
19 socioeconomics of this plan. If you look around the room,
20 you'll see that there's not a whole long of younger people
21 around. I still claim to be young; I guess the years have
22 passed and I'm not so young anymore, but I still like to say
23 I am. I'm one of the very few from my graduating class of
24 60 that are still in the area, with a four year degree.
25 Most of them had to leave the area to find employment

1 elsewhere.

2 That being said, I have to agree with the
3 comments that Mr. Silverman made a few minutes ago: That's
4 not a healthy environment. It's not right for families to
5 be torn apart just so that they can find work. To me, that
6 just doesn't make sense.

7 From a town aspect, we're faced with numerous
8 problems financially. Our dependence on the state is
9 astronomical; they fund close to 70 percent of our annual
10 budget. And every year they cut it more and more, and that
11 puts more of a burden on the aging population of the Town of
12 Robbinston, where most live on fixed incomes and things like
13 that.

14 In conclusion, I guess I'd have to say that I'm
15 very much in favor of this project; I supported it, and the
16 reason why I've supported it is so that hopefully the next
17 generation of people from this area like my son can grow up
18 and have a family here, and we don't have to be torn apart.
19 That's very important to me, and I would really encourage
20 you folks to grant this permit as soon as possible. Thank
21 you.

22 (Applause)

23 MS. JONES: Thank you.

24 Dan Spear, after which we'll have Gwen Clark.

25 MR. SPEAR: Hi, Dan Spear (spelling). I live in

1 Calais and I just represent myself.

2 First, thanks for the opportunity to speak, and
3 I'd also like to personally thank Robb Wyatt for bringing
4 hope to this area, with job creation -- Lord knows, we need
5 it. I work at the local pulp and paper mill -- pulp mill
6 now; we lost 150 jobs two years ago. I personally support
7 this project and I look forward to hopefully having some
8 more jobs around here.

9 Thank you.

10 (Applause)

11 MS. JONES: Thank you.

12 Gwen Clark, followed by Robert Godfrey.

13 MS. CLARK: My name is Gwen Clark (spelling). An
14 for years I went by Gwen Difin Lincoln Clark -- my maiden
15 name is Difin, and if you check a lot of names formerly of
16 Robbinston, they were Lincolns as well. I was born and
17 raised here, on the St. Croix River. I went away to college
18 for four years in Iowa, and missed the water. So I loved
19 the people out there, but I really missed the water, so I've
20 been back here teaching, coaching, being a free-lance
21 reporter, dog grooming, cat grooming.

22 And I'm here today because, as a matter of fact I
23 can remember Tommy when he was probably the age of my
24 granddaughter over there, so I've been here a while as well.
25 I have custody of my granddaughter right now and I will

1 until the end of August. My daughter is continuing school,
2 and she lives in Bangor, she works in Bangor, and she will
3 be done, receiving a paramedic and EMT degree from Eastern
4 Maine Community College; and I would like to see her come
5 back to the area. Right now she's working full time for
6 Glenburn Hudson Ambulance; she loves what she does, and she
7 would like to be back in the area, hopefully working for
8 Downeast LNG Ambulance Corps in Robbinston, or running it,
9 whichever happens first.

10 I grew up on the water. My father was a lobster
11 fisherman; he also worked at the Woodland Mill and he
12 retired from the Woodland Mill. He's been a woodsman, he's
13 cut wood in the woods here, and I spent a lot of time in the
14 brooks and streams fishing with him; I spent a lot of time
15 out on the lobster boat, and I still go clamming once in a
16 while. And I will never understand the science of opening
17 and closing of clam flats and that, but I do know what to
18 look for when I'm looking for red tide in clams, and I've
19 seen some pretty wild things come up on lobster traps.

20 I watched the open and close of the sardine
21 factory, and just recently I watched the towers and the rest
22 of the factory fall down. I've read in the paper, and an
23 article in Reader's Digest about the smokehouse closing over
24 in Lubec -- that was open for years, and a lot of the
25 heritage on the water is just disappearing.

1 I would like to see something kept in this area
2 that's going to bring the young people back, and I feel that
3 any of us take offense to any group or individual that would
4 view your board, the boards we have here running the Town of
5 Robbinston, as uneducated or ignorant to the impact that any
6 business opportunity for our community and keeping our
7 family in the area, advancement of economic status or
8 community improvement in Robbinston at the risk of health
9 and safety to our families, friends and the community
10 overall.

11 Most of the people I grew up with here; some of
12 them have left, some of them have moved on; and like Tommy
13 said, our youth is leaving. Our youth is leaving because
14 they can't afford to stay here. And I, for one, don't want
15 to see this turned into a retirement community; I don't feel
16 that we are a retirement community. A lot of us feel a lot
17 older than we are, and we'd like to retire here, but I would
18 also like to see our kids stay here.

19 I think that we have done very well; my
20 granddaughter is here tonight, she's got a t-shirt on. She
21 got that two years ago, and she had it on; nobody could see
22 the 'Robbinston's future' on the back of it, and tonight you
23 can see it.

24 I would like to see something happen in
25 Robbinston. I'd like to see it happen in Washington County,

1 and I am glad that the representatives have done a lot of
2 research, you folks have done a lot of research, and for
3 somebody to say that you guys have no insight into what's
4 going on out in the water, I take that offensive to you as
5 well.

6 I was at the last FERC meeting; the first one was
7 here, and I spoke as a resident. The last one was in
8 Calais, and I was there and I did to speak because I was
9 writing an unbiased free-lance article for the Quoddy Tides.
10 And tonight, I don't have to be unbiased.

11 But I thank you for taking the time to listen to
12 the Robbinston residents' comments and I hope that you don't
13 prolong this licensing and movement of LNG to carry on any
14 further. I think it's a long time coming, and I think that
15 we are the perfect choice to have an LNG. I also think that
16 it would be interesting to see an LNG in the United States
17 face off with one in Saint John.

18 Thank you for your time.

19 (Applause)

20 MS. JONES: Thank you.

21 We have Robert Godfrey, followed by Anne Perry.

22 MR. GODFREY: My name is Robert Godfrey
23 (spelling). I live in Eastport, and I'm here tonight
24 representing Save Passamaquoddy Bay Three Nation Alliance.
25 I don't intend to submit comments verbally tonight; there

1 will be some others speaking as well, but I wanted to let
2 you know that we'll be filing our comments electronically.

3 There are numerous broad omissions and errors in
4 the EIS that we'll be commenting on. Thank you.

5 MS. JONES: Thank you.

6 Anne Perry, followed by Steve Toreq.

7 MS. PERRY: Good evening, I'm Anne Perry
8 (spelling). I am a resident of Calais, I'm also a
9 legislator representing Calais as well as Robbinston.

10 I am here to really support the comments that
11 have gone before. Looking at not only the environmental
12 impacts, which I think are workable with the LNG project
13 that is coming forward, and with the work that you have done
14 in the preliminary report. But I also want to enhance
15 information about the environment in Washington County in
16 terms of the people who live here.

17 We are a county who, for as long as I've
18 represented this county -- and I'm in my fourth term -- has
19 had at least twice the unemployment rate that the State has
20 had; and at this point, and this was before people lost
21 their jobs from Domtar -- thank God they're going back. As
22 of April, we had an unemployment rate of 13.4 percent, and
23 that is significant.

24 The other thing that has happened as a result of
25 the low income and the poverty is we have significant

1 illness in the area. We have the highest cancer rates in
2 the state, some of the highest diabetes and cardiac rates in
3 the state. And this is related to our economy and the
4 environmental with which the people live, and our ability to
5 access health and maintain health.

6 The addition of economic development can be a
7 very big part of turning that around. As we look at health
8 disparities nationwide it does show that the economics of
9 the area that people live in really do affect health
10 outcomes. And this is something that we need to do to turn
11 Washington County around, and this will be a piece to help
12 do this.

13 So I thank you for the work that you're doing. I
14 also am glad to see the turnout here, and also want to
15 express my support for the work that you are doing and that
16 Downeast LNG is doing. Thank you.

17 (Applause)

18 MS. JONES: Thank you.

19 Steve Ftorek, followed by Robert Peacock.

20 MR. FTOREK: Good evening. My name is Steve
21 Ftorek (spelling). My wife and I have a guiding business
22 called Copsco Kites and Paddles that we guide and hike and
23 generally inform the public on adventures.

24 I spoke at the first LNG meeting, and I said I
25 hope it's a success if it comes, and I hope it's safe. And

1 I still hold that opinion. Having read some of the
2 environmental statement, I'm concerned about the birds in
3 Mill Cove, and maybe how they're going to be mitigated.
4 Maybe the Army Corps of Engineers specifically, I understand
5 that there's a significant fund that may be set up for these
6 birds. We take three or four trips a year down there to
7 check out whatever's around, and we go down to Pulpit Rock
8 and we have a good time.

9 I don't think a lot of the birds are going to
10 disappear; I think maybe the shore birds that come in the
11 fall or late summer could be affected, and if there's a
12 significant amount of money to mitigate maybe this damage,
13 I'm concerned that it may go to a fund that is distributed
14 throughout the state. This is Washington County, this is
15 going to affect Washington County -- we live what they call
16 'outback' and we live outback and we live up. And we look
17 right down on this cove. If this cove is going to change
18 significantly, I feel that the money should stay in
19 Washington County to mitigate this problem; because that
20 will also create jobs as the people work on restoration or
21 habitat improvement or whatever. At least this money will
22 stay in the county. My fear is that it ends up going
23 throughout the state; so if we're going to have mitigated
24 damages here, please leave the money here so that we can
25 benefit from it.

1 Visually, like I said, I look out my window and
2 look right down into the Cove, and I've been told there are
3 different ways to mitigate lighting -- like maybe they don't
4 need to have a lot of lighting for security; obviously when
5 there's a ship on a port you have to have lights, and
6 everybody understands that, or at least we understand that.
7 And we figure we're going to see it; but if there's like
8 ultraviolet lights or infrared lights that could maybe make
9 security a better use, we would hope that that's used so
10 that we don't have to look at a lit-up -- just a lot of
11 lights. I mean, every light that we see affects what we
12 look at out our window.

13 So we're asking that they do it as best they can,
14 and we guide sea kayaks and we do it in Eastport and we do
15 it along the route in places where the tankers are going to
16 come. And every day we look at the tide and we look at the
17 wind; and now I guess we're going to probably look and see
18 if there's an LNG tanker coming in, and we'll probably just
19 make another adjustment. It won't be the end of the day,
20 we'll just paddle someplace different. It's just an
21 adjustment, and one that we may not have really looked
22 forward to seeing, but it's probably what we're going to
23 get, so we'll live with it you know. It's just -- we need
24 to get along, and we need an economy in this area that's
25 better than what it is right now, and maybe this is part of

1 the answer and maybe it isn't, but we'll have to see after
2 everybody gets through putting in their comments. Thank
3 you.

4 (Applause)

5 MS. JONES: Thank you.

6 Robert Peacock, followed by Billy Howard.

7 CAPT PEACOCK: Good evening. My name is Robert
8 Peacock (spelling). I'm a resident of Eastport, and I've
9 lived in the area my entire life except when I've been in
10 the Navy or in the U.S. Merchant Marine, at sea. I sailed
11 for 20 years and was a Master for 14 years on seven very
12 large crew carriers or ultra-large crew carriers. All the
13 ships that I sailed on as Master were large than the largest
14 LNG ship in the world today.

15 I sailed as captain on the largest U.S.-built
16 ship ever to fly the United States flag; the UST Atlantic,
17 when I was 30 years old. I served over 30 years in the U.S.
18 Navy Reserve, and was a Captain in the Reserves for 18
19 years. I've also been involved in many area fisheries
20 extensively for 45 years.

21 Currently, I'm one of the state and federal ship
22 pilots for the area. I've been a pilot here for 33 years
23 and I have 947 successful passages as a pilot in Head Harbor
24 Passage, and over 2,000 additional documented passages,
25 training, fishing or on my boats or the pilot boat.

1 Many of the ships I've pilot have a draft deeper
2 than the LNG ships proposed for the Downeast terminal, and
3 97 trips were on ships longer than 850 feet. I've trained
4 in very sophisticated ship handling simulators over my
5 entire career, practicing passages under heavy weather and
6 simulated ship system and tug assist failures. We have over
7 60 real-time training and proof-of-concept simulations for
8 the LNG terminals proposed for the areas. Captain Morrison
9 has over 90 of those passages.

10 All this experience and training has taught me
11 that ship handling in this area requires good preparation,
12 detail on the timing of the predicted tides, using caution
13 and not boarding at the pilot station or sailing from the
14 pier under certain conditions. I have read the draft FERC
15 EIS entirely, and especially studied the sections concerning
16 the marine operations. I believe the U.S. Coast Guard and
17 FERC got the correct mix between safety parameters and
18 operational parameters in the Draft EIS. This is not to
19 say that as a pilot I would not hold a ship if I felt that
20 the ship operations or environmental conditions were not
21 correct, even if the conditions were less than what the
22 Coast Guard or FERC has recommended as restrictions.

23 Over the last four years I've worked extensively
24 on both sides of the border with the United States and the
25 Canadian Coast Guards and the area marine stakeholders

1 including the fishing community, the marine ecotourism, law
2 enforcement, whale watchers, whale research, NOAA, the Maine
3 DMR, Fundy Traffic, the GoMOSS buoy system, and many others.
4 I have tried to learn of the concerns and inform those
5 stakeholders and pass that knowledge along to Downeast LNG
6 team so that those concerns of the stakeholders could be
7 addressed in the resource reports to FERC, the Waterway
8 Suitability analysis to th Coast Guard, and Downeast
9 outreach via meetings and newsletters.

10 Downeast LNG has been very responsive, and I must
11 say patient in their work on this project. The team has
12 lived here and truly cares about the people and the area
13 environment. Downeast has already provided local jobs, and
14 as Washington County's economic environment slowly dies,
15 Downeast's LNG terminal will provide a basis for many more
16 desperately needed jobs.

17 We all just experienced the effect of Domtar's
18 recent shutdown, and thank God, they are reopening. But the
19 lesson for all of us is the deep effect that the closing had
20 on the secondary jobs in the area. Downeast's LNG project
21 will clearly bring additional jobs outside of the terminal.

22 Canaport in Saint John, just 48 miles from here,
23 is receiving their first LNG ship today. Irving started the
24 planning and permit process time that Downeast LNG started.
25 Canada can produce an operational terminal even before we

1 can get through the permitting process here in the U.S.A.
2 We are losing these opportunities in the United States to
3 our foreign competition, and any additional delay on this
4 project will cost more jobs on our U.S. economy.

5 We as pilots have proven for 33 years that we can
6 handle ships safely and efficiently, always with the
7 environment and safety utmost in our consideration. The
8 Draft EIS is a great road map to continue the safe
9 development of the Downeast LNG terminal. Respectfully.

10 I've included some pictures in this that we just
11 got, and the first picture that you can see is a picture of
12 the Baldor, a stone carrier, going up to Bayside. And the
13 ship behind it is the Star of Japan. These ships are both
14 approximately 650 feet long, they draw 40 feet when they're
15 fully loaded, and they're passing Cherry Island. They're
16 two miles apart. That's one of the requirements of the
17 Coast Guard for ships, how close they can get to each other.

18 The second picture was taken by Captain Morrison,
19 who was on the Star of Japan following the Baldor. And
20 what's interesting about this picture is you can see as they
21 come down Head Harbor Passage -- and that's Eastport
22 directly ahead of the Baldor -- you can see a fishing
23 vessel, it's an aquaculture service vessel, actually, that
24 is more than 500 yards off the side of the Baldor. So this
25 ship has plenty of room to, this fishing vessel has plenty

1 of room to get past the ship on the way inbound without
2 being affected by the security zone.

3 This third photograph shows a close-up of the
4 aquaculture service vessel approaching the Star of Japan.
5 It's still 500 yards away, so it would not be affected at
6 all as it goes down Head Harbor Passage by the passage of
7 these two ships.

8 And the fourth photograph is very interesting.
9 The island that's just to the right, in front of Eastport,
10 is Cherry Island. This shows the Baldor making the turn to
11 go up the river towards Bayside from the Star of Japan. As
12 you can see, there's plenty of room to go around Cherry
13 Island, and that's the normal route that they take when they
14 go around it.

15 And I thank you very much for your time.

16 (Applause)

17 MS. JONES: Thank you. And all of those pictures
18 he was referring to, those comments, will be posted to our
19 website so you will be able to -- if you go to our website,
20 you will be able to see those pictures as well.

21 (Statement of Captain Peacock follows:)

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1 MS. JONES: Our next speaker is Billy Howard.
2 Followed by Bob Merrill.

3 MR. HOWARD: Billy Howard (spelling). I'd like
4 to thank you for coming tonight, and I'm going to keep this
5 short. I just want to say I'm in favor of this project, as
6 exhausting as it may seem at some point in time during this.
7 I would just like to say we would like to commend Downeast
8 LNG for their professionalism and their patience of sticking
9 with this project.

10 Thank you.

11 (Applause)

12 MS. JONES: Bob Merrill, followed by the
13 representative from Passamaquoddy Tribe.

14 MR. MERRILL: Robert Merrill (spelling). I serve
15 as the town's fire chief, but I'm here to represent myself
16 as a citizen of the town.

17 I'd just like to comment briefly on something I
18 read from, I think it's called the Three Nation Alliance to
19 include Save the Bay. They made a request to you to extend
20 the review period of the EIS, I think it was for 90 days,
21 and would have you believe that this was on behalf of all
22 the seasonal workers in the area and because of the nature
23 of their job they needed that extra time.

24 Well, we're all busy; and believe it or not, I
25 myself actually read that statement in its entirety. I'm

1 not going to lie to you and say that I retained it all; but
2 I did read it.

3 In that request, woodcutters were mentioned, and
4 when the request was made, I think it was in June, there was
5 to my knowledge -- there was very few woodcutters in the
6 woods cutting wood. And because of statements like that, I
7 find, I question the integrity and the reasons that the
8 request was made to begin with.

9 As far as the environment, impacts on the town of
10 Robbinston, Washington County, I was one of the people that
11 was lucky enough to be chosen to go to Maryland to tour an
12 LNG facility down there -- by the way, which dwarfs anything
13 that we hope to put around here. I saw more birds, more
14 fishing vessels, more pleasure boats, crab pots as opposed
15 to our lobster pots than I've ever seen in the St. Croix
16 River or anywhere else in Washington County for that matter,
17 and I've lived here all my life.

18 As far as mitigation goes under the EIS, I think
19 that's an awful small price to have to pay to give our kids
20 the opportunity to be able to live and work in the community
21 where they were brought up, and I would just like to say
22 that I'm a father of five kids, and three of my children are
23 living in New Hampshire right now because there's nothing
24 here for them. Thank you.

25 (Applause)

1 MS. JONES: Thank you.

2 The next speaker, from Passamaquoddy Tribe -- I
3 apologize if I mispronounce the name -- Madonna Soctomah.
4 Followed by Felicia Newman.

5 MS. SOCTOMAH: My name is Madonna Soctomah
6 (spelling). I'm not here as a representative of the
7 Passamaquoddy Tribe; that would be my brother's position.
8 I'm here as an elder who has been raised and brought up
9 along the Bay all my life. I did leave for a short while
10 when I graduated from high school, because I didn't want to
11 work in the sardine factory like my grandmother did. She
12 worked there to put me through high school, so I left to see
13 the world and joined the Navy.

14 I didn't see Passamaquoddy Bay from a ship or
15 anything like that, and I don't have any technical
16 information to offer. What I have to offer is that I've
17 lived along the Passamaquoddy Bay, I've walked the shores
18 barefooted. I've fished Passamaquoddy Bay, and my ship was
19 a canoe or a raft. And there was a lot of fish there when I
20 was a child. I went clamming, and we didn't know anything
21 about red tide like we do today. Red tide, I believe, is
22 due to the industries that have developed and other things
23 that have poisoned the earth where we grow our food that we
24 eat, that we feed our children. I think the environment has
25 been polluted due to the industrial world.

1 I would not exchange a paying job for good
2 health. I would not. To eat food that is good for you and
3 your children. As a parent, I have five children myself and
4 I have grandchildren, and what I find as a parent, that it
5 doesn't matter what I want for my children, they make their
6 own choices because that's how I bring them up. If they
7 choose to live here, they make it happen. If they choose to
8 move away, they have been educated to go and make a choice
9 as to how they're going to live and where they're going to
10 live.

11 So we want our children close by, but I'm afraid
12 they do make their own decisions. I didn't know if I should
13 have come here, being a Passamaquoddy resident, but then I
14 thought about it and I said "I am part of Washington County,
15 even though I'm not a resident of Robbinston."

16 In the land claim settlement in the 1980 land
17 claim settlement, the tribe could not make a decision to
18 bring any kind of industry at home on the reservation
19 without the approval of the residents in the Town of Perry.
20 So I said 'Wow, in all this mix-up, I suppose I could go and
21 comment on the Robbinston project even though the residents
22 approved the project,' which is one of the requirements
23 before the project would be entertained by the federal
24 government, I think.

25 So I'm looking around -- don't throw apples! I

1 am against LNG, and I was part of a group with the
2 Passamaquoddy Tribe that fought LNG along the Bay at home,
3 where we live, right in our back yard, and we fought for
4 almost three years. And last week or the week before, the
5 Council voted to cut the lease, the land lease with the
6 group that was planning on putting on LNG.

7 LNG, I don't believe, provides what we need in
8 this area for our people, for our land and for our children.
9 I thank you for the time, and I'm glad for the opportunity
10 to speak to you. Thank you.

11 (Applause)

12 MS. JONES: Thank you.

13 Felicia Newman, followed by Dean Ingham.

14 MS. NEWMAN: Hi. Felicia Newman (spelling). I
15 am representing myself, and I am a resident of Lubec, Maine.

16 I guess I really need to start off by saying that
17 I personally don't believe that we need to trade either our
18 health or our safety to be able to have a good paying job,
19 particularly in Washington County. That's why we have
20 regulations, that's why we're doing mitigation, that's why
21 we have trained professionals in our respective fields,
22 whether that be navigation or environmental or safety.

23 I have my engineering degree, my master's degree;
24 I've worked as an environmental project manager both locally
25 and across the country. I also worked on a big project up

1 in Holton, Maine -- New Limerick. I worked for Louisiana
2 Pacific in that role for five years, and unfortunately I'm
3 no longer able to work for them because my job in Washington
4 County ended. I am now employed for Verso in Hancock
5 County, which my home is still in Lubec, so the logistics
6 there are rather unfortunate for me.

7 I would just as soon be employed in my field of
8 work in Washington County and be able to live at home. This
9 is a big opportunity for us here economically. I feel that,
10 I'm certainly in favor of the project and I would hate to
11 see it get to this point, as far as we've gone; I've been
12 following it all along, and have it slide through our
13 fingers.

14 I've also worked at Domtar, and the OSB Mill for
15 LP, all of which have taken some big hits with the work
16 force. They're really an unfortunate economic statistic in
17 Washington County. We really need the economic development.
18 We have the people here that are educated, with the
19 appropriate education level and experience levels to see the
20 project through both safely and while minimizing our
21 environmental impacts. We have experienced people beyond me
22 that are not employed currently that have like experience in
23 environmental management systems, industrial experience,
24 best management practices, upholding regulations, upholding
25 permits, seeing mitigation through; all of these people

1 reside here currently, and we can do it.

2 One of the other things -- I'm curious if I'm
3 allowed to do this -- but there are a lot of people that
4 don't like to speak. I was wondering if the people in favor
5 of the project would raise their hand, just to give you an
6 idea of perhaps who's in the room that didn't get up.

7 (Show of hands.)

8 Just thought I'd throw that out there.

9 So in closing, I'm very much in favor of the
10 project, and the mitigation of what I read, although unlike
11 Mr. Peacock, I did not have the opportunity to read it
12 cover-to-cover, the mitigation that I did read seemed
13 appropriate and fair under the circumstances and based on
14 the information that was given.

15 So thank you and thanks for all your hard work,
16 too, because I know you guys have put in a lot.

17 (Applause)

18 MS. JONES: Thank you.

19 Dean Ingham followed by Harold Clossey.

20 MR. INGHAM: My name is Dean Ingham (spelling)
21 and I'm one of those people who doesn't like to speak, but I
22 think I have to. I've lived here 37 years, and I've seen
23 people go, I've seen jobs disappear. When I came here there
24 was a job for everyone, if you were willing to work. Now
25 there aren't any jobs.

1 I'd like to see that waterway out there filled up
2 with ships of all kinds. We have the potential to have one
3 of the greatest ports in the world here, with Eastport and
4 this River. If we had a railroad or a four lane highway
5 from here to Montreal, we would have one of the greatest
6 ports in North America. And bringing more fuel into this
7 country for our economy is important.

8 Now the Canadians have their stuff. In Canada,
9 the government owns all the mineral rights; you own the
10 first quarter inch of topsoil, and they can do whatever they
11 want with your land. That's why they're taking away that
12 mountain across th river here and shipping it down the river
13 in those 600 foot ships. Because they can do whatever they
14 like. They call themselves The Crown.

15 Now, we had a revolution against The Crown in
16 this country a couple of hundred years ago, because we had
17 people telling us what to do.

18 (Laughter)

19 And it's time for us to stand up for ourselves in
20 this county and bring work back here.

21 (Applause)

22 We have to make our own way, and we all have to
23 stand up and speak and get angry. Because if we let people
24 push us around, they're going to push us under the ground,
25 and we're not going to have anything left and we're going to

1 be a bunch of slaves; and people complain about this country
2 all the time, especially on the other side of that border,
3 because those are my cousins that we chased out of here
4 after the Revolution. Some of my relatives are over there.

5 (Laughter)

6 And they left because they were sticking up for
7 King George, and he never gave them their money; we paid the
8 reparations for their -- for all their property we
9 confiscated. Some members of my family sold George
10 Washington paper, and they were paid back in Loyalist
11 property that we confiscated. The government sent King
12 George \$30 million after the Revolution, and he never gave
13 any of it to the Canadians; he gave it to his friends.

14 And it's time for us to stand up here and start
15 building our county again, and start building our state
16 again. And it isn't just the LNG; we can have good industry
17 here. Nobody's going to let them turn it into New Jersey,
18 like I've heard people say. Now a lot of my family comes
19 from New Jersey and I know what it looks like, but they did
20 a lot of that stuff 150 years ago when you could just go do
21 whatever you liked with your property. Now we have a way to
22 change things like that.

23 If you want to do something with your property,
24 look what we have to go to. I mean, it is Robb Wyatt's
25 property; his company owns that property down there. I've

1 been involved with this right from the beginning. I missed
2 the one meeting in Calais last time, because some of us
3 actually have to go out and work -- you know, that's why
4 I've got my ratty clothes on and I haven't had a chance to
5 do anything -- because we were coming home and Martin said
6 "Hey, you know, we've got that meeting tonight." I said
7 "Oh, gee, it's 6 o'clock." But here we are.

8 But we can have a great state here again. This
9 used to be the leading state in the nation, and we can be
10 that again but we have to stand up for ourselves, and we
11 have to start here. This is a good project, because we can
12 have -- out there, you know when you drive to Bangor and you
13 get to the county line, there's a big stake garage and a
14 bunch of gravel pits, and there's nothing else there.

15 Now if the pipeline's going that way, why don't
16 we put a nice, brand new, modern power plant out there? And
17 then we can invite industry, nonpolluting industry that's
18 going to use electrical power, and put people back to work
19 here, because there are people here who want to work.
20 People in this town, whether they get paid for it or not,
21 have to get up every morning and work hard, every day, just
22 to keep themselves alive.

23 I'll tell you about Gwen, who was up here talking
24 before -- I've got grandchildren here, too, and I want them
25 to stay -- it's a beautiful part of the country. Gwen has a

1 really bad leg. She falls down the stairs sometimes, and
2 there's nobody there to pick her up, and she works hard
3 every day, looking after her granddaughter, and running her
4 little two bit business and trying to, you know, write some
5 articles for the paper -- and there are a million people --
6 you know there aren't a million people -- but all the people
7 in this county, whether you get paid for it or not, you've
8 got to get up and work every day. It would be nice if we
9 got paid again, don't you think?

10 That's all I've got to say.

11 (Applause)

12 MS. JONES: Thank you.

13 Harold Clossey followed by Ian Emery.

14 MR. CLOSSEY: Thank you and welcome to
15 Robbinston. My name is Harold Clossey (spelling). I have
16 two comments, one for myself and one for the organization
17 that I represent. I'm a new resident of Robbinston, I've
18 only been here less than two years; I moved from Red Beach,
19 which is a mile that way or so.

20 I was born in Eastport and I've lived here
21 practically all my life except for about ten years I lived
22 in St. Stephen, New Brunswick. I'm truly an international
23 family and a cross-border family. I have a daughter in high
24 school in St. Stephen and I have a son getting ready to go
25 in the U.S. Army. We are truly connected in this part of

1 the world through our families, our communities, through our
2 businesses, and on many different socioeconomic levels.

3 This project would be good for our entire region,
4 not just Robbinston or Eastern Washington County, but for
5 all of us, including Maine and including New Brunswick. It
6 would also stake our rightful claim as part of the emergent
7 energy center, cluster and corridor being proposed by both
8 Maine and New Brunswick governments. It is not the time to
9 watch opportunities pass us by. Alternate energy is our
10 future, we deserve to thrive not just survive. I fully
11 support this project and ask for your favorable
12 consideration through the permitting process, in full
13 compliance with all the rules and regulations in place.

14 My second comment comes as the Executive Director
15 of the Sunrise County Economic Council. We are a private,
16 501(c)(3) nonprofit economic development organization that
17 initiates and facilitates the creation of prosperity and
18 jobs in Washington County, and I'll tell you, it's a tough
19 job. We're a grassroots organization founded in 1993. SCEC
20 has designed and implemented long range solutions for
21 multifaceted economic and community development issues
22 facing Washington County by creating robust and productive
23 partnerships and collaborations with nonprofits, state and
24 local government, nongovernmental organizations and
25 agencies, and of course our diverse business community,

1 including microbusinesses, small, medium and large
2 businesses.

3 Our mission is to promote prosperity through
4 investment and job creation in Washington County.
5 Diversifying this commercial and industrial base will help
6 sustain our region's economy, an economic base that includes
7 a balance and mixture of resource-based business,
8 opportunities and alternate energies including tidal,
9 biomass, wind, et cetera. Do you know that the largest wind
10 farm in New England is sited here in Washington County?

11 We need to look at our forest industry as part of
12 this base, our pulp and paper; aquaculture, agriculture,
13 tourism, both traditional and nature-based tourism, the
14 service and information sectors, manufacturing, retail,
15 health care -- which health care is the largest industry in
16 our county -- about 33 percent of our economy the last
17 figures that I reviewed.

18 It is a blend of these sectors that will sustain
19 us for the long term. If nothing else, the recent Domtar
20 situation only illustrates how fragile our economy really
21 is; we can no longer be a one-trick pony.

22 We are often called on to help promote
23 development of projects in the region. This may be in the
24 form of advising on financial packaging, technical
25 assistance, business support resources, site location

1 testing, work force availability, project management and
2 other assistance as necessary to support a particular
3 project and/or initiative.

4 In the past two or three years alone we have
5 helped usher over \$200 million in investments to Washington
6 County to help create jobs, good jobs with benefits for the
7 people of this region, but it is not nearly enough,
8 especially when our current unemployment figures for this
9 area, as Representative Perry stated earlier, is 13.4
10 percent according to the most recent statistics.

11 When we are called to take action on a particular
12 project, such as support, advocacy, endorsement or project
13 management assistance, the following serve as guidelines to
14 assist our Board in advancing our mission by becoming
15 involved in a project. These are known as our guiding
16 principles for large scale economic development, and are as
17 follows:

18 Number one, economic impact. The number and
19 quality of jobs created should be consistent with the scale
20 of the development. Business planning should demonstrate a
21 work force that is on hand or can be made available with
22 necessary training, and that the jobs are sustainable over
23 the projected life of the project.

24 Number two, community impact. The project's net
25 impact on the region's natural resources, public

1 infrastructure and community institutions will be positive
2 or neutral. This can be achieved through proper planning,
3 mitigation, net gains in tax revenues, and other means.

4 Number three, technical feasibility. The project
5 should have a high likelihood of success evidenced by
6 technical expertise, management capabilities in financial
7 capacity for development and operation.

8 And finally and probably the most important is
9 stakeholder involvement. The project's principals must
10 demonstrate their commitment to Washington County by working
11 with community-based constituencies to maximum the positive
12 impact on the region.

13 The Downeast LNG company and project has met
14 and/or exceeded our criteria for large scale economic
15 development. Our Board of Directors at SCEC
16 enthusiastically support the development of liquefied
17 natural gas projects in Washington County as long as the
18 developers follow and adhere to the many federal, state,
19 county, and local rules, regulations, procedures, guidelines
20 and processes in place and working as evidenced by this
21 hearing tonight.

22 We strongly -- and I emphasize strongly, urge
23 FERC to approve this project and permit and this phase of
24 the project, the Draft EIS in a timely manner, without
25 delay.

1 And one last observation -- it was mentioned
2 earlier, I think -- as I read the Bangor Daily News this
3 morning, I couldn't help but notice the irony that Canaport
4 is waiting to receive their first delivery of LNG shipment
5 anytime now. That's less than an hour or so as the crowd
6 files; I anxiously await the day when I pick up the
7 newspaper and listen of the LNG shipment first arriving here
8 in Robbinston or Calais.

9 Thank you very much.

10 (Applause)

11 MS. JONES: Thank you.

12 Ian Emery followed by Ian Pratt.

13 MR. EMERY: Good evening. My name is Ian Emery
14 (spelling). I'm a citizen of Washington County, I live in
15 Cutler. I'm a former state representative and currently the
16 development manager for Calais LNG. I'm going to keep my
17 comments brief but to the point, and I just want to say that
18 many of the people that spoke here tonight have been very
19 supportive of our project in Calais. We're very excited
20 about our project in Calais, and I want the folks in
21 Robbinston and Downeast to know that we're very supportive
22 of your efforts here tonight, and we encourage you to keep
23 moving forward. Thank you.

24 (Applause)

25 MS. JONES: Thank you. Ian Pratt, followed by

1 Carl Sapa.

2 MR. PRATT: Good evening. I'll keep my comments
3 brief. I've spoken before, I'm very much a proponent of the
4 project. I own a small business in the area. I can speak
5 to the Domtar plant; you might not be aware of it because
6 you're not local, Domtar is our pulp mill in Baileyville.
7 It's up the road, it's a major employer in Washington
8 County. It was down for six weeks, it potentially could
9 have been down permanently because of market demand and the
10 economy. That had a very adverse effect on the entire
11 economy of this area.

12 That being said, I think this project could have
13 a very positive economic impact on this entire area,
14 providing sustainable jobs, also jobs with benefits -- good
15 health care. As Representative Perry mentioned earlier, this
16 area has very high illness rates, and a lot of that has to
17 do with lack of preventative care, lack of access to health
18 care early on, and those things could be mitigated somewhat
19 if we had more high paying jobs that allowed people to take
20 care of themselves and don't fall into -- we also have high
21 rates of self-induced problems in this area, which also can
22 be directly traced to lack of employment and those things
23 and what not.

24 This area has a very skilled work force; it has a
25 lot of people that are willing to work very hard, there's a

1 lot of people that would love to move back, a lot of my
2 friends have moved away. I've lived here 13 years now, and
3 I've had literally dozens of friends move away for
4 employment opportunities, people in my age bracket. I'm 37
5 tomorrow, and there's very, very few people in that age
6 bracket; under 50 that still live in this area that have an
7 education background, because they've had to move away
8 because of lack of economic opportunity.

9 So I'm very much in favor of this project. I
10 think that after looking briefly at the Draft EIS, I think
11 the mitigation process that you have put in place, I think
12 those things are necessary, I think it's very important that
13 all those things be implemented and looked upon to make sure
14 that the overall impact on the area is mitigated, but I
15 think overall that this project would be overwhelmingly
16 positive for the area, and the people of this area
17 overwhelmingly support it.

18 Thank you very much for your time.

19 (Applause)

20 MS. JONES: Thank you.

21 Carl Sapers. Followed by David Turner.

22 MR. SAPERS: (spelling last name). May I take
23 the liberty of asking a question first, which will help me
24 frame my comments. The Coast Guard representative talked
25 about the necessity of security and safety, and I want to

1 know how we are going to be protected against, for example,
2 a terrorist attack on the LNG vessels. Is there some plan
3 that you have in mind, that you are insisting that Downeast
4 follow?

5 CAPT MOORE: There are a number of preventive
6 measures, mitigation measures, as I mentioned in my previous
7 presentation. The facility itself will have to follow the
8 maritime security regulations of 2002, which are very
9 comprehensive. In addition, the captain of the port has
10 broad authority under a variety of regulations to institute
11 a number of safety and security safeguards; and those are
12 available to him, and he will use them on a risk management
13 basis.

14 MR. SAPERS: Do these include armaments to
15 protect the vessel against an attack?

16 CAPT MOORE: Everything is risk based. No, the
17 vessel would not be armed. Was that your question?

18 MR. SAPERS: Yes.

19 CAPT MOORE: No.

20 MR. SAPERS: And will there be adjacent vessels
21 which will be armed?

22 CAPT MOORE: There will be escort vessels.

23 MR. SAPERS: That will be armed?

24 CAPT MOORE: Yes, sir.

25 MR. SAPERS: All right. I've listened with great

1 sympathy and interest to all the comments that are made. I
2 should introduce myself, because I'm from the other side.
3 I'm here from Canada, Charlotte County, not Washington
4 County; and we are, as many of you know, irrevocably and
5 unanimously, at least in the town of St. Andrews, opposed to
6 this project.

7 But my comments are not going to be an attempt to
8 wrestle with all the very important comments that you've
9 heard this evening from people in Washington County.
10 Suffice it to say, we have socioeconomic reasons for being
11 in opposition, and those will all be filed with FERC I due
12 course. And I'm not going to spell them out here, but I do
13 want to make an important point which I think has been
14 neglected by the Coast Guard and by FERC in its draft
15 report.

16 The Canadian Government in Ottawa has taken a
17 firm position opposing the passage of the LNG vessels
18 through Head Harbor Passage. The province of New Brunswick
19 has taken a similar position. Those positions are not only
20 intended to prevent Downeast from succeeding in using that
21 as an access to the Bay, but they also include a lack of
22 cooperation with Downeast or with its governmental
23 regulatory agencies in assisting them in going through Head
24 Harbor Passage.

25 So you have a situation which, it seems to me,

1 says quite clearly that there will be no development on this
2 side of the Bay unless Canada can be brought to change its
3 mind. We have been, and 'we' in this case is Save
4 Passamaquoddy Bay Canada, have been in constant
5 communication with our government in Ottawa and with the
6 provincial government in Fredericton, and I can tell you
7 that there is no evidence that that position, of either of
8 those governments, is going to change.

9 I don't know whether anybody is old enough to
10 remember Tom Lehrer, but there is a wonderful hymn to Werner
11 von Braun, the man who sent the bombs to England during
12 World War II, and it goes like this: "I put them up, but
13 where they come down is not my department" said Werner von
14 Braun. There's something of the same in this discussion
15 we're hearing tonight.

16 FERC says in its report, in its draft report:
17 You must of course comply with the requirements, the
18 reasonable requirements of the Government of Canada. The
19 Coast Guard, in its report, lays out conditions of working
20 closely with the Canadian government. Both of you have
21 simply disregarded the position of the Canadian government,
22 saying they will not allow this to happen.

23 And I have searched and asked my American lawyer
24 friends to search, as to whether FERC has ever been in this
25 position before, and I'm told you have not been; where the

1 interests of another nation come into conflict with what are
2 clearly the interests of Washington County and the people of
3 Maine. I don't doubt that for one moment.

4 But when that happens, isn't it the obligation of
5 FERC and the Coast Guard not to say sort of idly, "Well, you
6 comply, fellows, and we'll give you a permit" but to worry
7 about whether compliance is possible. And if you don't take
8 that into account, aren't you putting them up but
9 disregarding where they come down, in the words of that
10 ancient song?

11 I think this is a very important deficiency in
12 the work that you've both done, and I hope it will be
13 remedied. I know it's a very difficult problem, and I don't
14 think any of us on the Canadian side want to make it easier
15 for you, by the way; but on the other hand, I don't think
16 you can ignore the conundrum that you're faced with.

17 And with those few comments, I appreciate the
18 time you've given me. Thank you very much.

19 AUDIENCE: We have a real Navy and you have three
20 ships.

21 (Laughter)

22 MR. SAPERS: Well, that could be an answer.

23 AUDIENCE: And we can close your border if we
24 want to.

25 CAPT MOORE: I'd like to just offer a very quick

1 comment, sir. First of all, with all due respect to the
2 Canadian Government, their stance and their position on Head
3 Harbor Passage, it is the position of the U.S. Government
4 that based on a legal interpretation of the United Nations
5 convention on the Laws of the Sea, that Head Harbor Passage
6 is an international strait, and ships involved in innocent
7 passage should equally enjoy access to those waters
8 regardless of their cargo or destination.

9 (Applause)

10 MR. SAPERS: I'm glad you raised the point,
11 because I neglected to say something I had intended to say.
12 We have gotten opinion from one of the most distinguished
13 maritime in the United States, Professor Van Dyke. Have you
14 seen that?

15 You haven't seen it. Well, it's available to
16 anybody who wants to see it. Professor Van Dyke reaches
17 three conclusions, which are very important. First, Head
18 Harbor Passage are the internal waters of Canada. I know
19 you disagree with that, but that is the position he has
20 taken, and it is certainly a reputable position.

21 But passing that for a moment, it is not innocent
22 passage if vessels are armed. And the government which is
23 the bordering government may prevent vessels even where the
24 waters are not internal waters. And third, under the
25 essential economic zone opinions, which have been handed

1 down in the last twenty years, Canada has every right, even
2 if it were not the internal waters of Canada, to block the
3 vessels from coming through.

4 And then finally, quite apart from those points,
5 but important in understanding the problem that you're
6 confronting, you are not a signatory to the United Nations
7 treaty, and you know that. The United States Government has
8 refused to sign the treaty and so does not have access to
9 the remedies which the treaty provides.

10 I don't know how this gets resolved, and as our
11 friend over here said, maybe we're going to talk about
12 another War of 1812 -- I hope not.

13 But I hope this gets resolved in a more friendly
14 way. We are, after all, all neighborhoods. But I do think
15 it is the responsibility of both of you not to ignore this
16 terrible problem.

17 CAPT MOORE: And we're not going to get into a
18 continuous dialogue on this, but let me just say that within
19 the U.S. Government -- the State Department is the only
20 agency with the authority to intervene with a foreign
21 government; so the Coast Guard is not in that type of a
22 dialogue. It's certainly above my pay grade, but the State
23 Department has been extensively involved, and as I say, it
24 is a position of the United States Government that we are
25 going by.

1 The onus is upon the applicant to bring the
2 mitigation measures to meet the demands that are being
3 placed on these vessels. The onus is upon them to be able
4 to work with the Canadian Government.

5 MR. SAPERS: Thank you.

6 MS. JONES: Thank you. Our next speaker is David
7 Turner. Followed by Sandy Connick.

8 MS. CROSLY: Just a quick reminder before you
9 speak, that everyone needs to be courteous of everyone
10 else's comments, so we can hear them all. Thanks.

11 MR. TURNER: Thank you very much for coming to
12 Washington County, it's always good to see regulators come
13 here rather than us have to go to Augusta or beyond. Our
14 fishing regulations are all done in Massachusetts, so it's
15 good to see you here, and welcome.

16 My name is David Turner (spelling). I have been
17 to many LNG issues in the past; a lifer to Washington County
18 and I think I might be a lifer to the LNG process, too.

19 (Laughter)

20 I'm probably not considered a friend to the
21 Canadians, although I was born in Canada. I have been a
22 proponent of LNG since they first arrived. At one time it
23 seemed that Robbinston and Perry were in a little
24 competition with each other; we had a couple of projects
25 that had to do with, one in Pleasant Point we were involved

1 in. I'm also the Chairman of the Board of Selectmen in
2 Perry, and the Board of Selectmen will be sending a letter
3 in favor of this project through the written process.

4 It looked like we were in competition with each
5 other, but we were working together in the LNG group, and
6 Robbinston asked me to go to Cove Point with the group that
7 they sent down there. I went, it was a rewarding experience
8 to go down there and see what was going on. Most people
9 haven't had the opportunity to see that, and people that
10 have to make these decisions and give some guidance, it's
11 good for them to go do that. I was fortunate, went with a
12 group of firemen and ambulance group, along with some
13 businessmen.

14 My interest for the past 40 years has been in
15 herring fishing and the herring production business. I was
16 up at 5 o'clock in the morning down on the boats talking to
17 the guys that were going fishing to see how much issue there
18 was with them. Most of them didn't even know there was a
19 plant there, and there were no issues. People in the
20 neighborhood we talked to, and I'm not going to repeat all
21 that because it's already been given to you here, but it was
22 a great experience.

23 Some of my other experiences here; I'm the site
24 manager for the BASF Corporation, which used to be Merill
25 Corporation in Eastport, which had at one time 250 people,

1 and our main resource was the herring stocks, fishing. You
2 hear a lot of people tell you the people here can make a
3 living fishing. Well, today we have one person working at
4 that plant, that's me. We cannot all make a living fishing,
5 we need some economic development.

6 The other issue I saw down at Cove Point was the
7 pleasure boat industry seemed to develop down there. When
8 we see a pleasure boat here, it's great; but when you see
9 them down there, they're parked under cover. There's a roof
10 over them, in the water. It's a whole different world down
11 there where they have economic development to do those kinds
12 of things.

13 The other issue, your socioeconomic issues are, I
14 was a council member in Eastport for 18 years, have been a
15 Selectman in Perry for all of the LNG lifetime except for
16 the first year.

17 We see the financial impacts that we have to deal
18 with every day. We see the feds, their issues are resolved
19 by printing money, stimulus packages that we're going to be
20 paying back for a lifetime, several generations of
21 lifetimes. When the state has an issue, they pass it on to
22 the town. Eventually the town has to deal with all that's
23 going on; we've got 100 new taxes in the State of Maine
24 presented by our legislature; not a very good prospect for
25 Washington County.

1 We have our own budget we have to deal with; we
2 have to send out the tax bill, and we have to try to make
3 cuts to make things work. It's the very difficult positions
4 that all these people are in, and there is a day of
5 reckoning.

6 The process that we have for LNG development, a
7 lot of it is necessary, but it's too long. The process is
8 way too long and it costs way too much money to go through
9 the process. Somehow we need to reasonably make a better
10 process. We see what the Canadians have done during the
11 same process time that we've gone through, and it's not fair
12 to industry and the working people in the United States.

13 I'm very concerned about the Canadian situation.
14 I also feel that some of the Canadian companies are probably
15 funding the opposition here, and I think it's wrong and I
16 think you should take that into consideration. Thank you
17 very much.

18 (Applause)

19 MS. JONES: Thank you.

20 Sandy Connick.

21 MS. CONNICK: My name is Sandy Connick
22 (spelling). I was not going to speak tonight, but I've
23 decided to. Harold Clossey mentioned about being an
24 international family; well, I am truly one. I was born in
25 St. Stephen, raised in Calais, have currently moved back to

1 St. Stephen. As far as Charlotte County being against this
2 project, that is not fully, completely true. The people of
3 St. Stephen are very for the Calais LNG and in support of
4 the Downeast LNG. I've spoken to many people, have a
5 tremendous amount of family and friends that live over
6 there, work over there and work over here, and we would just
7 like to see any type of development.

8 I was lucky enough to work for Maritimes in
9 Northeast as an office manager when they first put the
10 original people through here, and I have heard a lot of
11 people mention that "Oh, yeah, after the projects are built,
12 they're only going to create 50, 60 jobs, permanent jobs."
13 Yes, that might be true, but as an outreach program during
14 the construction phase that we had on the compressor
15 station, the economy here and in Charlotte County was
16 boosted so tremendously.

17 I worked for a local business in town, one of the
18 gentlemen said that he made more money in his restaurant and
19 pub that six months than he did in the 12 years he owned it.

20 I have a friend of my mom's that turned her four bedroom
21 house -- because all her kids had moved away for jobs --
22 into like a bed and breakfast. She had two complete shifts
23 in one bed. The guys would sleep, get up, shower, and she
24 would make them breakfast, pack them lunch, they would
25 leave; she would change the bedding. Another shift would

1 come in. The lady paid for two houses in that six months in
2 the money that she made from rent.

3 So there is money to be made and spent in our
4 area, and we definitely need it. And I would also like to
5 say, I am lucky enough, even though I live in Charlotte
6 County, my husband lives over there, has lived there all his
7 life. His family is from Baron, a lot of them are displaced
8 Domtar workers. Some are fortunate enough to go back, some
9 have already moved away and taken other jobs. My husband is
10 a truck driver, was laid off for four months this year, and
11 I worked two jobs; and thank God I had the two jobs. I work
12 in the Charlotte County Hospital as a phlebotomist, but my
13 second job, I am office manager for Calais LNG, which I am
14 very proud to say I have, and very fortunate, because I do
15 not know how we would have made it through this winter
16 without the job I have.

17 And I would like to thank you for my opportunity
18 to speak and for you taking this into consideration. Thank
19 you.

20 (Applause)

21 MS. CROSLY: At this point, that concludes our
22 list of speakers that have signed up. I'd like to extend
23 the opportunity to anyone else who has not signed up; may
24 have changed their mind and would like to provide some
25 comments tonight.

1 Yes, sir, Please come up and state your name and
2 spelling for the transcriber.

3 MR. WEBSTER: My name is Tom Webster (spelling).
4 I am resident of Calais but I own property in Robbinston.

5 First off, I'd like to say to the gentleman from
6 St. Andrews: Isn't it wonderful that you were given the
7 opportunity to stand up here and speak tonight?
8 Representatives from Robbinston went to Bayside a few years
9 ago; they were told to sit down as they weren't residents of
10 Canada, they had no voice in the matter. So this is how
11 democracy works.

12 (Applause)

13 I'd like to say that I am in full support of the
14 LNG projects, both the Downeast and the Calais. I have a
15 son that had to move away to seek a job because there was
16 nothing here, and it's heart-wrenching to see this happen to
17 more families in our area. We have an opportunity here,
18 there's nobody else come along in a good many years willing
19 to spend that kind of money in our little county and employ
20 people, and I think we should open our arms to them.
21 They're fully aware of all the regulations, they're willing
22 to comply with them. So I can't see any problem, and I
23 think we should go forth with the permit process as fast as
24 possible. Thank you.

25 (Applause)

1 MR. RUNYON: My name is Jim Runyan (spelling).

2 A couple things. First of all, I want to thank
3 the gentleman from Saint Andrews. We often hear, "We're
4 from Washington, we're here to help" but where the hell are
5 you on this issue? If this has not been resolved at this
6 point, aren't we wasting a bunch of taxpayers' dollars to
7 move this thing forward? Spent an awful lot of time putting
8 together a draft, it's not fair to the people from Downeast
9 LNG.

10 Where is the government that we pay our taxes to?
11 It's appalling that this thing has not been resolved. By
12 the way, Calais, you've got the same problem. I believe
13 you've got to come through the same head, right? Two
14 communities. Where the hell is Snowe and Collins on this
15 issue? Where's Mike Michaud on this issue? These are our
16 representatives, and they're not doing a very good of it.
17 Where's the governor of this state on this issue? It took
18 him until March to make a comment that he was in favor of
19 this?

20 I've drifted away from what I wanted to say.

21 Again, thank you. Whether it happens or not, we
22 ought to be grateful -- and by the way, it is a sign of our
23 democracy; this gentlemen can come here and speak. And do
24 Thank you for it, to bringing it to the level you brought
25 it, because that needs to be brought forward. We go through

1 the whole thing -- and the gentleman from the Coast Guard, I
2 know where you're coming from, you kind of just said "Well,
3 it's above my pay grade." I understand that. But who is
4 the grade level that we have to talk to?

5 We go through the whole thing, this thing falls
6 flat on its face because nobody in Washington gave a damn.
7 And that has to change.

8 Just one other thing I wanted to mention. I have
9 a graduate degree and an undergraduate degree in forestry;
10 I'm very familiar with EISSs, as I worked in Montana and read
11 one too many environmental impact statements as it related
12 to harvesting timber off of federal lands. It was never
13 meant to be this complicated. We have taken common sense
14 out of this process. It is a sad note that Canada can do it
15 in the time that they've done it in. It is a reflection on
16 how archaic and how ridiculous our system has now become.

17 I want to leave you with one thought: life is
18 simple, it just isn't easy. Let's put common sense in this
19 process as well, and if nothing else, would you please take
20 to Washington: Let's get the State Department involved in
21 an issue that needs to be resolved, because Maine still is
22 part of the United States. Thank you.

23 (Applause)

24 MS. CROSLY: Thank you.

25 Are there any other speakers who wish to speak

1 tonight?

2 CAPT PEACOCK: I'm not here for a second bite of
3 the apple, but Captain Morrison is on a ship and asked me if
4 I would read a statement.

5 MS. CROSLY: Okay.

6 CAPT PEACOCK: Is that acceptable?

7 MS. CROSLY: Sure.

8 CAPT PEACOCK: Thank you.

9 (Statement of Captain Morrison)

10 Good evening, Members of the Commission and the
11 U.S. Coast Guard and the Corps of Engineers. Thank you for
12 providing us with this opportunity to comment on the
13 Downeast LNG Project. My name is Gerald Morrison, and I'm
14 one of the U.S. pilots and Maine pilots in this area.
15 Earlier Captain Robert Peacock spoke to you, and I would
16 like to state my agreement with his comments.

17 What I would like to add tonight regards the
18 following: One, in addition to my working as a pilot in
19 this area for more than 23 years, I have also run a business
20 that involves support of the marine industry; namely,
21 Morrison Manufacturing. At times my business has employed
22 as many as five workers, and we have served the various
23 industries including the local pulp mill, aquaculture, the
24 Port of Eastport, and the local fishermen.

25 The shipping industry here is rapidly dying, and

1 that is a terrible, sad event. It has been our history all
2 along, along this waterway. Those who would like to pretend
3 that large ships have never been a cultural or historical
4 part of this area are just not plain telling the truth. Now
5 our economy is bust here in this area, and we need to have a
6 new industry for the working class. Not all of us rely on
7 the seasonal tourist trade.

8 Two, I've been a resident and a member of the
9 community for my entire life. The only time I did not live
10 here was when I was at sea or at school. My wife has live
11 here for 26 years. My parents, their parents and their
12 parents have lived here for over 100 years. In fact, my
13 father and I have herring weirs along the coast, and my
14 family has been building them since 1887. So in addition to
15 my manufacturing job, I'm also a fisherman.

16 What I want to say is that I support the project
17 both as a community member and as a fisherman. I do not
18 believe that this project will have any adverse effect on my
19 fishing for herring, with the exception of within Mill Cove
20 itself where we have a weir. But I am confident that
21 Downeast LNG will compensate my family for any loss that we
22 may experience in that particular weir.

23 As to our other weirs right along the shore where
24 the LNG carriers will transit, we do not expect any impact
25 at all. As a matter of fact, maybe this will help drive the

1 herring closer to shore so we can catch them.

2 (Laughter)

3 I would like to add, I've seen some stories
4 lately where the leadership of the opposition is actually
5 quoted as saying that the supporters of the project did not
6 live in the U.S. Coast Guard-described zones of concern.
7 That is absolutely the biggest joke I have heard in a long
8 time. As a matter of fact, living in Perry as I do, and as
9 my family does, we live right in the areas described by the
10 U.S. Coast Guard as a zone of concern. And it doesn't have
11 us running for fear. We didn't run when Canada built its
12 nuclear power plant right up the road, nor will we run when
13 they expand it. We didn't run in fear every time a propane
14 truck drove by our neighborhood, which frankly presents a
15 greater danger in my mind than does LNG. And not only does
16 propane come in to Portsmouth, New Hampshire via ships, for
17 this area it mostly comes by overland trucks and railway.

18 Lastly, I would like to submit to you some of the
19 news articles and photographs that illustrate I think quite
20 well that ships of all sizes are known to use this waterway;
21 and we look forward to the day, sooner or later, that an LNG
22 ship comes to our neighborhood bringing clean energy and
23 important economic stability to us.

24 Respectfully submitted, Captain Gerald Morrison,
25 Eastport Pilots, USA, Morrison Manufacturing, Perry, Maine.

1 (Applause)

2 MS. CROSLEY: Thank you.

3 Do we have any more speakers this evening?

4 (No response.)

5 Without any more speakers, the formal part of the
6 meeting will conclude. On behalf of the FERC, the U.S.
7 Coast Guard and the U.S. Army Corps of Engineers, we would
8 all like to thank you for coming tonight. We appreciate
9 your presence and all your comments. Thank you. The
10 meeting is concluded.

11 (Whereupon, at 9:14 p.m., the scoping meeting
12 concluded.)

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