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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: :

DOWNEAST LIQUEFACTION, LLC. : Docket No.

: PF14-19-000

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Robbinston Grade School

904 US Route 1

Robbinston, ME 04671

Wednesday, October 22, 2014

The above-entitled matter came on for scoping meeting, pursuant to Commission Order, at 7:00 p.m., Shannon Crowsley, moderator.

1 MS. CROWSLEY: First of all, I want to thank
2 everyone for coming to the meeting tonight. I know the
3 weather is not nice and many of you could be at home in your
4 warm, dry houses instead of here so thank you for coming. I
5 appreciate you taking the time.

6 My name is Shannon Crowsley. I'm with the
7 Federal Energy Regulatory Commission. I am the project
8 manager for the Downeast LNG Export Project. And let the
9 record show that the Downeast LNG Export Project scoping
10 meeting in Robbinston, Maine began at 7:07 p.m. on October
11 22, 2014. With me tonight is Jay Clementh from the U.S.
12 Army Corps of Engineers, Dan Hubbard from the U.S. Coast
13 Guard and Lieutenant David Bourbeau from the U.S. Coast
14 Guard. At the sign-in table, we had Ari Balsom, who was
15 also with FERC, and Tim Feehan, hes with Tetra Tech. Tetra
16 Tech is our third-party environmental consultant. They are
17 helping FERC prepare the environmental documents. They are
18 essentially FERC staff. FERC is the lead federal agency for
19 the review of this project. The Coast Guard, the Corps of
20 Engineers are cooperating agencies in the review.

21 In addition, we have the National Marine
22 Fisheries Service, Environmental Protection Agency,
23 Department of Transportation and the Maine Department of
24 Environmental Protection are also cooperating agencies in
25 the review of this project.

1 There was an agenda at the sign-in table. Its
2 general agenda. If you did not get one, you can grab one.
3 On the back of the agenda, there is a review process
4 flowchart, which I think is pretty useful. It just
5 describes our process. You can see theres a side by side of
6 the applicants process and the FERCs process. It also
7 points out public input opportunities. This being one of
8 them.

9 The purpose of this meeting is to give you an
10 opportunity to present your comments, your concerns, your
11 questions about this project. Downeast entered into the
12 FERC pre-filing process for the Export Project on August 11,
13 2014. As you probably know, Downeast has been -- previously
14 been through the pre-filing process at FERC for the Import
15 Project and the associated pipeline. Those projects are
16 under Docket numbers CP07-52 and CP07-53. In a little
17 while, we'll have Rob Hyatt from Downeast make a brief
18 presentation on the planned Export Project. Also after the
19 meeting, Rob will be available for -- to answer any
20 questions and myself, Ill be available as well.

21 Right now, I'm going to talk a little bit about
22 the scoping process and public involvement in FERC projects.
23 As I just mentioned, the environmental review process, the
24 flowchart, does point out those -- point out those input
25 opportunities. And the docket number for this pre-filing

1 project is PF14-19. The PF stands for pre-filing. There is
2 no formal application for the Export Project at FERC at this
3 time. When Downeast does file its application for this
4 project, it will be an amendment to the Import Project
5 application.

6 The National Environmental Policy Act requires
7 that the Commission take into consideration the
8 environmental impacts associated with natural gas facilities
9 that we review. Scoping is our term for soliciting input
10 from the public, from agencies, from any interested groups,
11 any interested stakeholders. The idea is to get information
12 from the public, the agencies, the groups so that we can
13 focus our review on issues of concern.

14 The scoping period for this project started on
15 October 3rd when we issued our Notice of Intent. These were
16 hopefully mailed out. I've heard some questioning if anyone
17 has received one in the mail yet. And that's something that
18 I'm going to look into and make sure that they did get mailed
19 out. In the Notice of Intent we describe the project, we
20 describe our process. We also describe how to submit
21 written comments. You can speak tonight. If you do not
22 want to speak tonight, you can still submit written comments
23 to us and all those instructions are in the notice. There's
24 also extra copies of the notice at the back, at the sign-in
25 table, if you wanted to grab a copy.

1 The ending date for submitting comments is
2 November 3, 2014. However, the end of the scoping period
3 does not mean that it's the end of public involvement. We
4 accept comments throughout the process. We ask that you
5 submit comments as soon as possible so that we have time to
6 review them, analyze any issues. There will be another
7 formal comment period after this supplemental draft EIS is
8 issued.

9 Now, the important step in this process is the
10 environmental document, and that will be a supplemental
11 draft EIS, it stands for Environmental Impact Statement. We
12 have already issued for the Import Project and pipeline a
13 draft EIS, a supplemental draft EIS, and a final EIS. So
14 we're building on those environmental documents. We will
15 issue a supplemental draft EIS for the Export Project and
16 any other associated changes that are being proposed. There
17 will be a 45 day comment period after that draft
18 environmental document is issued and then we'll issue a
19 supplemental final EIS.

20 So your comments tonight together with any
21 written comments will be considered at the Commission.
22 They'll be included in the public record for this project.
23 We take your comments and any other information we receive.
24 We conduct an independent analysis of the project's impacts.
25 Like I mentioned, there will be a 45 day comment period for

1 the supplemental draft EIS. We'll have another comment
2 meeting for the draft EIS here, I assume. Very similar in
3 set up and then at the end of that comment period, we will
4 prepare the final Environmental Impact Statement which will
5 address all the comments we have received, any changes, any
6 modifications that we need to improve the document.

7 Now the final EIS, the final environmental
8 document, will be considered by the Commission along with
9 the previous environmental documents issued for the project.
10 So when this export -- when Downeast filed this application
11 for this Export Project like I said it will be an amendment
12 to the Import Project application. And then at that point,
13 the Commission will consider the entire project. The
14 Import-Export Project and the associated pipeline and that's
15 what it will make its decision on.

16 In addition to the environmental factors, the
17 Commission considers many non-environmental factors. We've
18 got markets, tariffs. I jumped ahead of myself a little bit
19 here. Engineering, markets, rates, financing, design and
20 only after taking these considerations, these environmental
21 and non-environmental factors into consideration, the
22 Commission will make a decision.

23 So let me back up a step and explain the
24 difference between FERC staff and the Commission. So I work
25 for the Office of Energy Projects. I am FERC environmental

1 staff. We prepare the environmental documents. We analyze
2 the information, we present it to the Commission. We have a
3 five-person commission. They're appointed by the president
4 and confirmed by the Senate and they are the ones that make
5 the decision on the project. I give them recommendations.
6 They look at the environmental document, they look at
7 comments received and then they make the decision.

8 Moving back to the Notice of Intent. On the back
9 of it if you have a copy, you'll see this. If not, it's
10 easy to explain. There is a return mailer and on that
11 return mailer, you can change your address. You can ask to
12 be removed from the mailing list or you can request a
13 hardcopy of the environmental document. The default is a
14 CD. So if you do not request a hard copy, you'll get a CD
15 of the environmental document in the mail or you can request
16 a hard copy.

17 AUDIENCE: I have a question.

18 MS. CROWSLEY: Yes.

19 AUDIENCE: If you're already a party to the
20 proceedings, do you need to re-request a --

21 MS. CROWSLEY: To be an intervenor?

22 AUDIENCE: Yes.

23 MS. CROWSLEY: At this point since we're in
24 pre-filing for the Export Project, there -- we don't have a
25 formal application for the Export Project so it's too early

1 to intervene. You intervene after an application is filed.
2 This question, we have discussed it. We have a separate
3 group, it's a certificates group, and they issue a notice
4 after the application is filed. It's called a Notice of
5 Application. It's issued within ten days after an
6 application. In that notice, it will specify whether you
7 need to re-intervene or not and we will make sure that it
8 specifically says whether you need to re-intervene or not.
9 My -- I hope -- I hope that you don't need to. I don't
10 think that you will, but since there's no application and
11 the notice has not been issued that's where that information
12 will be definitively.

13 AUDIENCE: Thank you.

14 MS. CROWSLEY: But that's a great question and
15 it's -- it has come up before. Are there any other
16 questions about the scoping process or the FERC process in
17 general? Okay. And again, if you think of something just
18 raise your hand. I'm also available after the meeting to
19 answer any other questions.

20 I'm now going to let Jay Clement from the Corps
21 of Engineers say a few words about his process.

22 MR. CLEMENTH: Okay. Again, I'm Jay Clementh
23 with the Army Corps. My office is located in Manchester.
24 We're responsible for the -- administering the Corps' permit
25 program in the entire State of Maine. So there are a number

1 of other permits besides the FERC license that have to be
2 obtained by the applicant.

3 They'll have to obtain a permit and water quality
4 certification from the Maine DEP, and along with that comes
5 what's called Coastal Zone Management Certification, or
6 consistency determination. They'll have to obtain a
7 Submerged Lands Permit or a lease from the Maine Bureau of
8 Parks and Lands, and they'll have to obtain an Army Corps of
9 Engineers permit. Our permit -- what triggers our
10 jurisdiction is work in navigable waters. In this case, the
11 construction of the pier and the stuff that's actually in
12 the water but also the filling of fresh water, wetlands and
13 any kind of stream alterations or impacts to vernal pools
14 both on the facility site itself but also along the entire
15 course of the pipeline corridor. So the Corps will rely
16 very heavily on the FERC process as Shannon pointed out.
17 We're a cooperating agency to that process. So many of the
18 milestones that FERC will go through, coordination for
19 endangered species, coordination on historic properties, a
20 number of other ones, those are equally important to us and
21 again we will rely very heavily on those for our process.

22 More than likely our permits will be at the tail
23 end of this whole process because our regulations,
24 particularly because we're a cooperating agency now, we
25 really had to wait for the FERC environmental documentation

1 process to conclude and be finalized. We have to wait for
2 the Maine DEP to issue that Water Quality Certification and
3 then at that -- it's at that point that we can make a
4 decision, thumbs up, thumbs down on the actual application
5 before us.

6 The Corps does not have an application in front
7 of us now nor does FERC. And that will -- won't be coming
8 until later on down -- in the process. We are an
9 independent decision-maker from the FERC process. So many
10 of the thing -- many of the milestones or many of the
11 process steps that Shannon spoke to going out and soliciting
12 public comment and -- and that type of thing that will be
13 more than likely repeated in our process. So you will have
14 many opportunities to comment positive-negative on this
15 project through both the FERC process, the Corps process,
16 the DEP process and so hang onto the letters that you write.
17 You might end up sending them in to multiple people.

18 So if there are no questions, I'll let others
19 speak.

20 MS. CROWSLEY: Dan or David.

21 MR. HUBBARD: Good evening. My name is Dan
22 Hubbard. I'm from the First Coast Guard District; my office
23 is in Boston. However, my area of responsibility extends
24 from this border here down to the Shrewsbury River in New
25 Jersey. And as I mentioned to Bob earlier, I look for

1 opportunities to come to Maine so I'm really happy to be
2 here this evening. So thanks for letting me bend your ear
3 for just a moment.

4 The Coast Guard's role in this process is -- is
5 different. We don't issue a permit. We don't issue -- but
6 what we do is we are, within the federal government are
7 considered experts on navigational safety and security. And
8 that's what we do is we evaluate navigational security and
9 safety of proposed projects. And so what we do in the FERC
10 process as solidified through MOU in 2004 is we'll look at
11 proposals for -- for a shore side facility and we examine
12 the waterway suitability. And that's actually the
13 terminology we like to use. The suitability of the waterway
14 for the frequency and type of traffic which is proposed.

15 So in the current case much of this work was
16 completed under the earlier environmental impact assessment.
17 So what we're doing right now within the Coast Guard is
18 we're looking back at it. Looking at the current or the
19 information we already have before us. Also trying to make
20 a determination of what, if anything else, needs to be added
21 to that process given the proposed changes. That's a
22 decision which is being made at sort of a policy-type level
23 so they'll work here regionally. We're working very close
24 with you folks. There's decisions which are being made
25 behind us.

1 But happy to be here this evening. Really
2 excited to hear what you folks have to say for us. And with
3 that, I tend to ramble so I'm going to pass it off to the
4 lieutenant here. This is Lieustenant Dave Bourbeau.

5 LIEUTENANT BOURBEAU: Thanks. Thanks for having
6 me. Like Dan and Shannon said. Lieutenant J.G. David
7 Bourbeau. I'm representing the Captain of the Port in
8 Northern New England, Captain Brian Gilda from sector
9 Northern New England and South Portland.

10 So I've been in this role as a waterways
11 management division chief for three months. Former marine
12 inspector if anyone is familiar with that. But so we
13 received a letter from Downeast in July about the Export
14 Project. And as Dan said, our role -- where he works for an
15 admiral, I work for the Captain of the Port. Our role is
16 determining the waterway suitability, and Downeast has
17 stated that there is no increase in vessel traffic. No
18 increase in vessel size and the transit routes haven't
19 changed so that's the information that we received.

20 So we're happy to receive your comments based on
21 the bidirectional aspect of the waterway. And again, we are
22 strictly here for the waterway itself. So if you have any
23 concerns my cards are up here. Please feel free to take one
24 and if you don't raise them here, feel free to -- to reach
25 me at the information provided on the card. Thank you.

1 MS. CROWSLEY: Any questions? Okay. Thank you,
2 Jay, Dan, Lieutenant Bourbeau.

3 Now I'll turn the floor over to Rob Wyatt to give
4 a presentation about the project itself.

5 MR. WYATT: Okay. Good evening everybody. Rob
6 Wyatt. I think I know most of you; it's really nice to see
7 you. Thanks again, as mentioned earlier for coming out in
8 the weather. It's always good to see everybody. And thanks
9 especially to the distinguished guests we have hosting this
10 tonight for making the trip. It's a tough one but thank you
11 very much.

12 I'll make this brief. I think most of you have
13 seen it as to what the proposed Export Project is, and we'll
14 go from here. The Export Project description in addition to
15 the import is basically that we will build a bidirectional
16 import-export LNG facility with 100 million standard cubic
17 feet of regas import capacity; that's about 20 percent of
18 what we originally proposed. And the export capacity per
19 year would be three million tons of LNG being shipped out as
20 an export.

21 We will have one LNG storage tank, approximately
22 160,000 cubic meters, that is opposed to where we originally
23 proposed two storage tanks, tank size and now we will have
24 one.

25 And we will be using the APCI liquefaction

1 technology which is basically one of the two in the United
2 States that are in progress of both being developed and
3 constructed and operational. Total feed gas requirements
4 are about 400 million feet per day. The -- let's see if I
5 can get this down farther (adjusting slide).

6 The source of the gas, there's three different
7 pipeline routes. It can transport either Marcellus Shale or
8 Canadian gas to Downeast LNG. You have the TransCanada
9 which is basically the Canadian gas. Kinder Morgan
10 Tennessee Northeast expansion is proposed and being looked
11 at, and the Spectra Atlantic Bridge. So we have multiple
12 sources of import gas that are available to us coming to the
13 project.

14 Let's talk about liquefaction because that's
15 what we actually need to do. In order to export it, we will
16 receive natural gas from the pipeline, we will liquefy it on
17 site, make it cold and then it will go out on the ships as
18 LNG. A reversal of the LNG ships bringing LNG, us warming
19 the LNG and then putting it in the pipeline. We'll be
20 capable of doing both, but the only new part really in the
21 processing is the liquefaction, making it cold.

22 The site layout for the three million metric
23 tons, and this is still in the preliminary review, so it
24 might change a little bit. And I've been advised by my
25 engineers to be sure to say that, as they're hesitant to

1 finalize everything yet. But our 88 site in Mill Cove as
2 you know is here. (Indicating on slide) Here's the one LNG
3 storage tank. The pier stays the same. And on this part of
4 the property, which is basically an administration building
5 earlier and that type of stuff, will be the liquefaction
6 equipment. The second tank was previously located here.
7 Now there's only one. Okay? So really the only real change
8 in the site is this particular area here which is where the
9 liquefaction occurs.

10 So that was our original simulation of the
11 import facility. You can see the two tanks to the north.
12 The pier, the Mill Cove, the low tide and then the open area
13 that we had previously. It was basically unused.

14 In this case for the export -- import-export
15 facility, we will remove the northern tank and in the left
16 side, the southern part of the site is where the
17 liquefaction area is. This is an aerial view of this kind
18 of technology that's under construction in Peru right now.
19 You get a basic idea of the cooling towers in the middle and
20 the condensers on the right. This one is about -- I think
21 this one is twice as big as ours. I'm not quite sure, but
22 this is just a basic aerial view of it.

23 Where are we? Well, as Shannon mentioned and
24 most of you know, we've been doing this for a little while.
25 We started in 2004. We've progressed with lands optioning.

1 2005, which we purchased last year the 88 acre site. 2006,
2 the town had a vote of support. Filed in January 2006, this
3 process of pre-filing in January 2006 for the import
4 project. We're through the review process including Coast
5 Guard, DOT, local permits here and our draft EIS was issued
6 May 2009, basically five and a half years ago. It's not
7 your fault, Shannon, I know.

8 MS. CROWSLEY: Thanks.

9 MR. WYATT: Then the Department of
10 Transportation, Pipeline PHMSA Group, had questions for the
11 LNG industry as a whole regarding modeling. We were at the
12 first of the line to undergo that questioning just because
13 where we were in the process. So we got the privilege of
14 developing the modeling simulations to answer the questions
15 that were asked. That took a while. We got through to May
16 2012, it was accepted by all parties involved in the review.
17 The supplemental DEIS was issued March 2013. That's the one
18 that I believe, Shannon, was primarily just about the vapor
19 and thermal dispersions.

20 MS. CROWSLEY: Yes, yes.

21 MR. WYATT: Yeah, that was its whole purpose was
22 answering the Department of Transportation, the Pipeline and
23 Hazardous Materials Safety Administration internal issues.
24 And then the final environmental impact statement was
25 released in May 2014.

1 All right. What are our next steps? What are
2 we doing? As Shannon mentioned, we're going through the
3 process again for the amendment. We acquired the land on
4 July 2013. We're in discussion with gas suppliers, people
5 who will take the LNG, most likely bound for Europe.
6 Prepare the conceptual liquefaction design and that was
7 initiated in March 2014 is underway. We'll probably be
8 really well wrapped up on that by the end of the year and we
9 pre-filed with FERC.

10 So now what we're doing is going through the
11 project and the different elements that changed because of
12 the export capacity. This is primarily the engineering
13 related to liquefaction. That's the primary amount of work
14 they should do. And those Resource Reports, numbered 1
15 through 13, go in a different topical issues but, for
16 example, number 13 is engineering and that's the one that
17 comes in a little bit after the rest of them, basically
18 around the end of the year. And that's basically the last
19 one that comes in for review and stuff before you file your
20 application.

21 We're going to be filing resource reports for
22 anything new related to the Export Project. For different
23 topics such as socioeconomics. We're going to have double
24 the work force that we had before. We're basically 75
25 percent, or double. So we need to look what the impacts are

1 of that both positive and negative, all right, for our
2 resource report. So that will be reported and evaluated in
3 that form.

4 We are also, because some of the data, for
5 example, for wetlands and vernal pools was five years old,
6 it's a good idea to update it and Jay would tell me we have
7 no choice. So we updated it. So we have gone out and
8 conducted new vernal pool evaluations, new wetland
9 evaluations. So all of that data is updated.

10 There's also some new issues such as the
11 Northern Long-eared bat, which will probably be listed as an
12 endangered species in spring of next year. And to avoid an
13 issue there, and to be proactive, we went out and did an
14 acoustic bat survey on the property for Northern Long-eared
15 bats. I'm pleased to report there are -- apparently are
16 none on our site.

17 So we're updating all of the different reports
18 relative to the export. And so I don't miss any, I wrote
19 them down. Engineering design, we are doing an annual
20 update for the waterway suitability assessment for the Coast
21 Guard. Visual resources. Okay. We have one thing, not
22 two. And we have liquefaction equipment that may or may not
23 be visible. So we're updating the visual resources
24 evaluation that we did. We're doing the bat survey of
25 vernal pools. We also went and updated the lobster data and

1 addressed by a survey the question of whether or not there
2 was gill grass underneath our pier.

3 Gill grass was reported as possibly being there
4 and that was in the final EIS much to -- at least to our
5 surprise. So we went out and did some surveying of that
6 area to see if, in fact, there was gill grass. Okay? I
7 have to report there is not so we're happy about that.

8 We're doing offshore and onshore geotechnical
9 borings for the pier and for the rest of the facility. You
10 will see our folks out there. They started today, I believe
11 on the land side. And you will see them out on a barge on
12 the river for probably, I think four or five weeks. I'm not
13 quite sure about that because of the weather. So you will
14 be seeing some activity. That is to address new seismic
15 evaluation criteria that FERC has. So we're updating that
16 data as well.

17 Air quality and noise, the process equivalent
18 has to be evaluated for air quality and noise so we're
19 updating that and also checking if the air quality and noise
20 in the area has changed at all because it might change in
21 the middle or other things like that.

22 And then reliability and safety will be reviewed
23 for the Export Project obviously because it's new equipment.
24 Okay? I mean, new for the project. So we hope to have all
25 those resource reports being filed as drafts this month

1 coming up, in November. Start the review of those.
2 Engineering will come in and we hope to have the
3 applications for FERC and possibly the state beginning to be
4 filed in late February or March. And then we begin the
5 process of review again. So we look, assume this is for a
6 FERC approval of the Import-export Project to be March 2016,
7 two and a half years from now. And we have a four year
8 construction schedule. So the soonest we would be on line
9 would be 2020, okay?

10 So I think that is a wrap up, okay. Any quick
11 questions? Okay. Thanks very much.

12 AUDIENCE: At any time during the process since
13 2006, counting efforts to move ahead, do they get -- where
14 this has been changed from an import to also an export, at
15 any time during this whole process will that come around to
16 be voted on on the --

17 MR. WYATT: Well, that would really be a
18 decision of the panel, okay? That's not something that
19 we're directly involved with. So we were very happy with
20 the outcome last time, but whether this town wants to
21 revisit and reopen the agreement or not is solely up to the
22 town.

23 AUDIENCE: The import and export, it says
24 exactly the opposite from what they're doing. One is
25 heating and one is cooling.

1 MR. WYATT: That's right.

2 AUDIENCE: In the cryogenics part of it, it
3 requires the product to be 260 degrees below zero?

4 MR. WYATT: That's how we would receive it under
5 import conditions. So, yeah, that would be the temperature.

6 AUDIENCE: So the cooling process is
7 substantially different?

8 MR. WYATT: Well, it's new for the site, yes.

9 AUDIENCE: So that all will be in the impact
10 study?

11 MR. WYATT: Yes.

12 AUDIENCE: The noise and such?

13 MR. WYATT: Yeah, that's the engineering because
14 there's no way of getting an answer now.

15 AUDIENCE: Okay.

16 MR. WYATT: Okay.

17 AUDIENCE: Thank you.

18 MR. WYATT: Sure. All right.

19 Thank you again everybody.

20 MS. CROWSLEY: Okay. Thanks, Rob. Now, we'll
21 move to the important part of the meeting, which is
22 listening to you and any comments you may have. If you
23 would rather not speak tonight like I said, you can also
24 submit written comments. We have a comment form at the back
25 which you can take with you. It has instructions. You can

1 give it to us tonight if you like or it has instructions for
2 you to take home, write your comment and mail it into us.
3 Those instructions are also in the Notice of Intent as well.
4 Whether you verbally comment tonight or submit written
5 comments later, they'll be equally considered.

6 Please note that the meeting is being recorded
7 by a court reporter, so all your comments will be
8 transcribed and put in the public record.

9 I do ask that you follow a couple of rules.
10 When you come up to speak state your name, spell it for the
11 record. Identify any agency or group that you may be with
12 and define any acronyms that you may use. Speak into the
13 microphone so that the reporter and the audience can hear
14 you. And for everyone else, just please respect the
15 speaker.

16 Now, I do have a speakers list that I picked up
17 when the meeting started at 7:00. I'll also open up -- if
18 you didn't sign up to speak and want to speak tonight, I
19 will open up the floor to others so don't worry if you
20 didn't sign up yet. I will start with Donald, excuse me for
21 the pronunciation, Soctomah.

22 MR. SOCTOMAH: Good evening. My name is Donald
23 Soctomah, D-O-N-A-L-D, Soctomah, S-O-C-T-O-M-A-H. I work
24 for the Passamaquoddy Tribe. I'm the Tribal Historic
25 Preservation Officer.

1 I would like to today voice my continued
2 opposition to the Downeast LNG Project proposal. There are
3 many reasons why we have taken this course which I will list
4 today.

5 The environment and native religion go hand in
6 hand. Changes in natural resources and the environment will
7 be -- will affect this project. I have met with Downeast
8 LNG staff in the past to address these affects, but their --
9 their mitigation of the issue would be to create a trail
10 around the plant. This is short-sighted and not an option
11 for us to even think about. This project needs consultation
12 with the Passamaquoddy Tribal government at Pleasant Point
13 and Indian Township.

14 It is the duty of the Historic Preservation
15 Office to review projects in the State of Maine that will
16 have impact on the life and traditions of the Tribal people.
17 My position and the responsibilities are supported by
18 federal law regarding historic properties, significant
19 religious and cultural properties in accordance with several
20 federal laws.

21 We have addressed in previous comments the Mill
22 Cove Project. This is a unique place in Passamaquoddy Bay.
23 This area holds a very religious, symbolic meaning for the
24 Passamaquoddy people. We do not usually talk about this
25 significance to government agencies, but this issue is

1 critical.

2 My family has been here for over ten thousand
3 years but for the last thousand years, the tribe and the
4 tribal members have been coming to this area to fish and
5 clam together other resources. Our spiritual leaders would
6 go there to pray and greet the sun. I will not go into
7 detail on the ceremonies but on this spot, this place on
8 today's map is called Pulpit Rock. In our language, we have
9 called this spot Motewolon ponapsq, spirit rock. For
10 thousands of years, my people have gone there. Even the
11 local people from the surrounding town, Robbinston, Perry
12 and Eastport and Calis, in the 1800s and the 1900s traveled
13 to this spot to enjoy lunch and just to enjoy the natural
14 wonders. To access this site, a walk along the beach at
15 Mill Cove is needed.

16 If the LNG plant is built then access would be
17 altered or not allowed. This site is in the impact zone but
18 not the footprint of the LNG plant.

19 Another major issue is the pipeline and the
20 route being laid out. This route avoids the Moosehorn
21 federal lands but goes through wetlands and the sites along
22 the St. Croix River. The islands in the St. Croix have been
23 tribal places where people live, hunted and built birch bark
24 canoes. In 1794, the State and the Tribe set aside these
25 islands in the St. Croix exclusively for the tribal use.

1 But because of the illegal sales of native lands, these
2 islands were taken. This is an issue the Tribe will be
3 addressing very soon.

4 Downeast LNG has modified its proposal again.
5 This time the site will be bigger and allow more LNG to be
6 transported from this site. It makes local people nervous
7 just driving by the site and the ones walking to Pulpit Rock
8 would lose its quietness and peacefulness.

9 Three years ago, Mill Cove experienced one of
10 the largest earthquakes felt in this section for -- for a
11 while. The exact center of the quake was on the footprint
12 of the proposed LNG. The Downeast LNG plan says it will be
13 a safe place, but I look at the nuclear plants in Japan
14 which said the same thing and now the world suffers.

15 That's all I have to say right now.

16 MS. CROWSLEY: Thank you.

17 Next on my list is Paul Strickland.

18 MR. STRICKLAND: Good evening. Paul Strickland,
19 P-A-U-L S-T-R-I-C-K-L-A-N-D. Thank you for this
20 opportunity. I'm going to be speaking to two key concerns
21 this evening, water quality and eminent domain.

22 We believe this new proposal would jeopardize
23 life-sustaining water resources. Needless to say, water is
24 an absolute requirement for all of life on the planet. Both
25 humans and wildlife depend on clean water for survival and

1 health. And they consider water to be the most
2 life-sustaining gift on Mother Earth. It is the connection
3 between all things. Water sustains us, flows between us and
4 replenishes us.

5 We read and hear daily that in a few short
6 years, the demand and quest for water worldwide will make
7 the generations of battles over oil and gas seem shallow.
8 The value of our present untainted water here in Maine, in
9 Robbinston, in Maine and in Canada will be -- will be and is
10 now a valuable commodity. It is going to become the most
11 valuable commodity in the world.

12 As we speak, there are discussions going on all
13 over Maine in communities like ours about water availability
14 and water quality. We are all beginning to realize that
15 water is a finite resources. Growing up in West Texas, I
16 have vivid memories of waiting for the water tank truck to
17 arrive and fill our cistern due to a lack of water. I
18 wouldn't wish that on anyone.

19 We're concerned about the impact of LNG
20 liquefaction on neighboring property owners' well water.
21 There's an artisan spring just up the hill from Mill Cove
22 where until recently many local residents got their drinking
23 water. What will be the ground water contamination or
24 depletion effects on that spring?

25 We know that LNG liquefaction trains require

1 increased water for processing and the resultant possibility
2 of over-pumping. The impact of these new water demands on
3 the town's water table needs to be studied. We're concerned
4 that this new proposal will deplete and possibly contaminate
5 the aquifer from which local residents draw their water.
6 And as water is siphoned off for LNG production uses, we
7 fear the potential of salt water leeching in to contaminate
8 the fresh water aquifer.

9 We have questions and concerns that this new
10 proposal will impact and what impact it will have on
11 wetlands sustainability. We have many questions and
12 concerns about the impact of invasive non-native marine
13 species, viruses and bacteria being introduced into the St.
14 Croix River and Passamaquoddy Bay through ballast water
15 discharges from ocean-going vessels. These organisms can
16 cause extensive ecological and economic damage to local
17 fisheries as well as broader contamination issues related to
18 the entire Passamaquoddy Bay system.

19 We're also concerned about LNG liquefaction
20 drain waste water in the storage of processed water
21 containing heavy hydrocarbons and heavy metals and the
22 possibility of current and future contamination of
23 groundwater of the St. Croix waterway and Passamaquoddy Bay.

24 We have concerns about potential ground water
25 contamination related to the construction of and possible

1 leaks from a gas pipeline. In my own case, a pipeline has
2 been proposed to cross our back pasture. This raises
3 concerns not only about my own water supply and that of our
4 neighbors but the possibly pollution of Lows Brook that
5 crosses our property and flows through the St. Croix River
6 and onto the Passamaquoddy Bay.

7 In regard to eminent domain, we have serious
8 concerns about eminent domain issues as they relate to this
9 proposal. The principle of eminent domain is intended to be
10 used only when public benefit is demonstrated. We don't
11 feel this proposal would meet these criteria. Granting a
12 private corporation permission to use eminent domain means
13 that corporation needs to demonstrate public benefit at the
14 local level. And we question the LNG proposal that reports
15 to be a public good while denying natural gas access to the
16 residents of Robbinston.

17 It is increasingly likely that the future owner
18 of this facility would be a foreign corporation which
19 further diminishes any local or regional public benefit from
20 this proposed project. Individual landowners would lose use
21 and control over their own private property to benefit the
22 profitability of a private corporation, gaining nothing in
23 return in local energy cost savings for long-term financial
24 sustainability.

25 We have concerns about potential restrictions on

1 landowners for the recreational use of their own land by
2 themselves and others. These concerns extend to fishing and
3 hunting access as well as logging and the possibility of
4 heavy equipment crossing a pipeline. I'm told that the
5 owners of the existing Baileyville pipeline did not want
6 four-wheelers or ATVs anywhere along that pipeline.

7 Lastly, we respectfully request that the
8 Downeast LNG proposal be reviewed by FERC through the lens
9 of LULU. That is a Local Unwanted Land Use that can include
10 landfills, Superfund sites, nuclear power plants, LNG
11 terminals, large manufacturing sites, et cetera, and we will
12 expand on this request in written comments.

13 Thank you very much for your time and attention.

14 MS. CROWSLEY: Thank you.

15 Next on my list is Richard Berry.

16 MR. BERRY: My comments are going to be short
17 compared to previous speakers. My name is Richard Berry and
18 that's B-E-R-R-Y.

19 Natural Gas Downeast LNG. There is a stated
20 fact that the space for one of the natural gas storage tanks
21 will be used for the liquefaction process. The process of
22 turning natural gas into LNG is known as liquefaction.
23 Natural gas contains several reactive hydrocarbon fuels:
24 propane, ethane, ethylene and butane. These active
25 hydrocarbon fuels have to be removed from natural gas before

1 it can be used in the liquefaction process. These reactive
2 hydrocarbons will need space for the storage tanks. More
3 chemicals, more potential hazards.

4 MS. CROWSLEY: Thank you.

5 Billy Howard.

6 MR. HOWARD: Billy Howard, H-O-W-A-R-D. This
7 process has been going on for a long time. I'm in full
8 support of it. If you look around, we're an aging
9 community. And I don't know if there's an agenda somewhere
10 to weed everybody out, I don't know. But it's taking way
11 too long.

12 Energy is a huge, huge expense in every -- every
13 place in the country now. We shouldn't be counting on the
14 Middle East. We should be having our own right here. And
15 as you can see, there's not a lot of people here, but the
16 majority of them here are in favor. And the majority of the
17 people that live in Robbinston that aren't here is because
18 they are already in favor. Just so you don't think that
19 they didn't come because of that that they're not in favor.
20 So but to put it mildly, the young people in this area are
21 leaving. They've gone. There's -- we don't have a lot
22 left. And we need to keep some here before we're all gone.

23

24 And to say this coast line is the way it always
25 has been is not so. I can remember, you know, when it was

1 lined with piers, sardine factories. Our dump used to be
2 along the river. Not, you know, all these towns have their
3 own dump that were dumped into the ocean. So I'm not saying
4 that was right, but we -- to say this is the way it has
5 always been is not so. We need to get something going here,
6 and I'm very disappointed in the government bureaucracy of
7 it taking so long. And these gentlemen here have done this
8 once already. And now, they're going to do it again.
9 There's really no need of that, to me. It's just more pork
10 barrel money going down the tubes, to me, for something
11 you've already done. Not that it wasn't needed, but it's
12 already been done. Why do we have to do it again? It
13 drives me nuts. So but I'm in full support of this and I
14 think this really needs to -- this needs to be put to bed
15 and get it going. Thank you.

16 MS. CROWSLEY: Thank you.

17 Robert Godfrey.

18 MR. GODFREY: My name is Robert Godfrey,
19 R-O-B-E-R-T G-O-D-F-R-E-Y. I present -- represent the Save
20 Passamaquoddy Bay 3-Nation Alliance that represents U.S.,
21 Passamaquoddy and Canadian residents.

22 FERC is required to abide by the federal
23 National Environmental Policy Act, NEPA, but in the previous
24 Downeast LNG final Environmental Impact Statement, FERC has
25 obviously and deliberately failed to do so. Okay. I'm

1 going to make five points.

2 On three separate occasions, Save Passamaquoddy
3 Bay submitted to the FERC docket the Whole Bay study that
4 demonstrated adverse physical, economic and environmental
5 impacts from an LNG terminal on Passamaquoddy Bay. We're
6 providing FERC with a CD copy of the study again tonight.

7 Filing three times over the course of FERC's
8 permitting process made the study's existence more than
9 obvious. FERC omitted any mention of the Whole Bay study in
10 the final EIS.

11 Also, FERC ignored an obvious critical public
12 safety flaw in vapor barrier design to lease model
13 variables. By this omission, FERC EIS preparers
14 demonstrated a pattern of abuse of NEPA and of the public
15 trust. This calls into discussion the legal requirement for
16 FERC to comply with NEPA. NEPA, Title 1, Section 101B: It
17 is the continuing responsibility of the federal government
18 to use all practicable means consistent with other essential
19 considerations of national policy to improve and coordinate
20 federal plans, functions, programs and resources to the end
21 that the nation may assure for all Americans safe,
22 healthful, productive and aesthetically and
23 culturally-pleasing surroundings; attain the widest range of
24 beneficial uses of the environment without degradation, risk
25 to health or safety, or other undesirable and unintended

1 consequences; and preserve important historic, cultural, and
2 natural aspects of our natural heritage.

3 The second point, I won't go into as much detail
4 as I prepared because the Tribal Historic Preservation
5 Officer has already gone over much of this. But the U.S.
6 President's Council on Environmental Quality, the CEQ
7 publication, Environmental Justice Guidance under the
8 National Environmental Policy Act clearly charges FERC with
9 the responsibility to report in the Environmental Impact
10 Statement any disproportionately high and adverse
11 environmental effect on Indian tribes. The Mill Cove sites
12 that are of interest and significance, spiritual and
13 religious significance and cultural significance to the
14 Passamaquoddy have no religious significance to non-Indians.
15 Thus, the impact would be disproportionately high on the
16 Passamaquoddy Tribe. Additionally, Council on Environmental
17 Quality regulations require FERC to identify environmentally
18 preferable alternatives in any record of decision. FERC was
19 and is very aware of the site's existence and the impacts
20 that would occur to those sites. FERC obviously and
21 deliberately omitted any mention of this Passamaquoddy
22 religious significant site in the final DEIS in violation of
23 NEPA.

24 The third point, Downeast LNG went virtually
25 completely through the Maine Department of Environmental

1 Protection permitting in 2007 and then withdrew before the
2 Maine Board of Environmental Protection could render a
3 permitting decision. Over seven years later, Downeast LNG
4 has still not reentered state permitting and has previously
5 stated that they do not intend to reenter. More recently,
6 they claim they would reenter state permitting once they
7 obtain FERC permits. Downeast LNG has never applied for a
8 State of Maine submerged lands lease for the pier and
9 trestle. The Maine Bureau of Parks and Lands, the agency
10 responsible for issuing submerged lands leases, commented to
11 the original pre-filing docket on 2006, May 4th, that
12 Downeast LNG would be unlikely to demonstrate justification
13 for its pier and trestle. In other words, Downeast LNG
14 would likely not receive the required submerged lands lease.

15 We are concerned that Downeast LNG is avoiding
16 the state permitting process with no actual intent to
17 construct or operate an LNG terminal. There is no purpose
18 in FERC continuing Downeast LNG's permitting when Downeast
19 LNG is disingenuous in its applications, wasting U.S.
20 taxpayers' resources.

21 Fourth point, we have submitted a CD containing
22 the pre-filed testimony from 33 concerned individuals and
23 organizations submitted to the Maine Board of Environmental
24 Protection during the 2007 state permitting process.
25 Passamaquoddy Tribal members, fishermen and fishermen

1 associations, a ferry's operator, marine biology,
2 oceanography and environmental scientists and engineering
3 and safety scientists, Atlantic Salmon Federation, energy
4 finance professionals, a master mariner, a naval architect
5 and a rural economic development professional.

6 The fifth point. Beyond all levels, the gorilla
7 in the room is the proposed vapor fencing along the --
8 trestle to the pier. Downeast LNG's initial design release
9 modeling demonstrated that LNG vapor from a release would
10 extend over private property and homes on the north side of
11 Mill Cove in violation of U.S. DOT regulations. Downeast
12 LNG's proposed remedy is a six foot vapor barrier along the
13 LNG piping on the trestle. Downeast LNG's revised design
14 release modeling demonstrated that vapor would be confined
15 within the trestle by the proposed vapor fences. However,
16 Save Passamaquoddy Bay on multiple occasions filed to the
17 docket pointing out that a collision with the trestle by a
18 ship, airplane or some other similarly catastrophic
19 incident, an incident great enough to break the LNG line and
20 release LNG or LNG vapor, could also destroy the ability of
21 the vapor fences to contain the vapor, rendering them
22 useless, returning conditions to those without vapor fences
23 and allowing vapor to extend over private property on the
24 north side of Mill Cove in violation of regulations.

25 There have been no scientific studies

1 demonstrating a sheet metal vapor fence magical superpower
2 ability to withstand explosions from bombs or other similar
3 intentional incidents or intentional or unintentional
4 collisions from freighters or aircraft as could happen at
5 the proposed Downeast LNG facility. The design release
6 model is severely deficient in ignoring this issue. FERC
7 knows it and U.S. DOT know it. Both disregard that hazard
8 deficiency and ignore its public stakeholders' safety
9 implications.

10 Once again, FERC obviously and intentionally
11 omitted any mention of this issue in the final EIS.
12 Therefore, we question FERC's ability to conduct itself
13 responsibly regarding the newly proposed Downeast LNG Export
14 Project environmental permitting process. The Downeast LNG
15 project and the FERC permitting process must withstand
16 regulatory and public scrutiny and at present, they do not.

17 MS. CROWSLEY: Thank you.

18 The next one is Ken Ron. I may have pronounced
19 --

20 MR. RON: I decline the opportunity.

21 MS. CROWSLEY: Okay. Like I said, you can --
22 anyone can submit written comments at any time now during
23 the comment period.

24 Bob Peacock.

25 CAPT. PEACOCK: Thank you ladies -- lady and

1 gentlemen. My name is Robert Peacock, P-E-A-C-O-C-K. I am
2 a ship pilot in Harbor Passage, Eastport area. I've sailed
3 on tankers for 20 years. I was captain for 14 years. I
4 started sailing captain at 26 years old on a 40,000 ton ship
5 and by the time I was 29, I was captain of a 400,000 ton
6 ship. I was in the Navy for 32 years and retired as a
7 Captain for the United States Navy Reserve. I'm currently
8 the Chair of Trustees in the Maine Maritime Academy and we
9 -- I have several other jobs in the maritime world including
10 fishing. We have a company that imports aquaculture
11 products from six different countries and I spend extensive
12 time overseas working on those -- in those companies that
13 are working with aquaculture offshore.

14 I've been through extensive simulations on all
15 three of the proposed LNG projects, some of which were
16 attended by personnel from the Coast Guard in both Boston
17 and Portland including the Captain of the Port. I've worked
18 with the Corps of Engineers for many years on many different
19 projects and I've testified in front of FERC now for -- it
20 looks like about a eight years.

21 This project for the export license on the
22 maritime side, which is all I'll speak on, is almost exactly
23 the same as the import side. Mainly because the LNG ships
24 stay in approximately the same draft within a meter both
25 inbound and outbound. Our simulations that we went through

1 were both for inbound and outbound ships in -- to make sure
2 that we had the procedures down correctly. We practiced
3 many, many scenarios in the different simulations including
4 weather, loss of propulsion, damage to the ship, different
5 -- loss of tugboat use, many, many different scenarios both
6 inbound and outbound. So as far as the export side of the
7 marine part of this project goes, it's almost identical to
8 the import side. Where the -- if the ships of the same
9 draft inbound and outbound, as far as the pounding of those
10 ships go, there is no difference.

11 The question of tides and currents is the same
12 when the ship is loaded coming in or ship's loaded going
13 out; it's loaded both ways in the particular process with
14 LNG. We do have traffic going to Bayside currently.
15 They're fairly large ships. They're going in at 40 --
16 coming in light but going out at 40 foot draft now. And in
17 Eastport because of the change in shipping patterns
18 particularly in the last two years, we are sailing starships
19 fully loaded. We're the last loading port before Italy and
20 those ships are leaving -- many of them between 39 and 42
21 foot draft aft. So a deep draft is deeper than what's been
22 proposed for the LNG ships that are coming in. So we've
23 gotten a lot of experience. We had that experience with
24 ships 40 feet, 857 foot long, 40 foot draft for many years.
25 That stopped, and we were running ships in the 20 to 35 foot

1 range. But in the last few years, we've gone back to having
2 very deep loaded ships. We've had no problems with them.
3 So thank you very much.

4 MS. CROWSLEY: Thank you.

5 Gary Young.

6 MR. YOUNG: My name is Gary Young, G-A-R-Y
7 Y-O-U-N-G. I am for the LNG. I used to take my grandkids
8 out to watch the ships reloaded and unloaded. And the one
9 thing I did mention before when I spoke, I says, make sure
10 you put a pier out there so we can go out and watch it as a
11 whole, you know, family. And I hope they do bring it in
12 because we need the natural gas here to take -- to alleviate
13 some of the expense here in this part of the country. I
14 mean, I never dreamed that it would be this expensive to
15 live here. Especially heating the last year. I'm still
16 paying for last year's heat. We need it. We need it for
17 jobs. We need it for everything. We need it for people
18 here. You know, I'm getting old. I came here to retire. I
19 can't afford to retire because of the -- you know, the
20 economic -- well, just everything. Food, on down the list,
21 you know? Gasoline, taxes, it's all outrageous. But
22 anyway, I'm for LNG. Thank you.

23 MS. CROWSLEY: Thank you. Sarah Strickland.

24 MS. STRICKLAND: Hi. I'm Sarah Strickland,
25 S-T-R-I-C-K-L--A-N-D. I was late, so. I don't know the

1 rule.

2 MS. CROWSLEY: Perfect.

3 MS. STRICKLAND: Okay. Great. I am opposed to
4 this project and I'll speak to some of the increased hazards
5 related to the project because of the change in the proposal
6 from an import to an import-export facility. And I -- I
7 want to say -- I just want to kind of go off my notes and
8 say that I'm really glad that FERC is having this next round
9 of hearings because I -- I believe that the change in the
10 proposal from an import to an import-export facility is
11 really significant. And for all kinds of reasons that other
12 people have talked about, I'm sure, before I got here. But
13 I really appreciate the fact that you saw that and that the
14 supplemental process is happening. So it is I want to go
15 on the record as that.

16 The change from a proposed import to a proposed
17 import and export facility would increase the hazards for
18 the affected U.S. Tribal and Canadian communities and the
19 degradation of the environment.

20 The first category that I want to comment on is
21 fire and unconfined vapor explosion hazards. According to
22 Downeast LNG's proposal, adding export capability means that
23 there would be the storage and use of the more volatile
24 propane. Also according to Downeast LNG, more volatile
25 hydrocarbon fuels for the liquefaction process would require

1 storage on site. Since propane would be used at high
2 pressures and since large inventories of those more volatile
3 fuels would be present, there would be an increase in fire
4 and unconfined vapor explosion hazards for our community.
5 Such volatile fires, fanned by strong winds could easily
6 jump structures on the proposed site increasing the risk for
7 forest fires around our neighborhood and community.

8 In addition, the hydrocarbon byproducts would
9 need to be transported from the facility to customers
10 elsewhere. These more volatile fuels would likely be
11 transported from the proposed terminal by truck. Therefore,
12 we're concerned about truckloads of volatile fuels being
13 trucked regularly through this community and the hazards
14 that would present to citizens and our infrastructure.

15 We also have a concern that there will be
16 inadequate space for the proposed liquefaction equipment.
17 Not simply regarding the placing of the equipment on the new
18 map but more importantly regarding the increased hazards
19 beyond the terminal fence line onto private property.

20 I'd like to move to noise pollution. Since
21 liquefaction requires compressors, air cooled heat
22 exchangers and turbines and since sound carries well across
23 water, noise pollution will increase for the surrounding
24 communities including the north, south, and west sides of
25 Mill Cove and eastward to the town of St. Andrews. Since

1 the U.S. DOT Pipeline and Hazardous Materials Administration
2 requires the trees along the shoreline be removed due to the
3 additional confined vapor explosion hazard, any planned
4 sound barriers in the same location would also increase the
5 probability of confined vapor explosions.

6 Air pollution. Since hydrogen sulfide streams
7 might result from purifying the natural gas prior to
8 liquefaction, there's a greater probability of toxic sulfur
9 oxide air pollution and resulting acid rain. The
10 liquefaction process also creates more carbon dioxide and
11 potential methane emissions and result in -- resulting
12 nitrous oxide and volatile organic compounds which can
13 increase air pollution surrounding the facility and
14 affecting the entire ecosystem of the community.

15 Light pollution. Increased light pollution from
16 the proposed facility will affect the surrounding property
17 owners and the community at large and will permanently alter
18 the beauty and privacy provided by the dark night sky here.
19 We are also concerned that there would be disruption of fish
20 habits, impacting the adjacent fisheries and the people who
21 are making a living on the water.

22 Finally, with respect to hazards. We're worried
23 about the increased hazard for migrating birds. Now,
24 everybody might giggle about that, but the increased hazard
25 for migrating birds is disorientation and even fatalities.

1 And we care about all the wildlife in this area. And this
2 actually occurred at the Canaport LNG terminal, where 7500
3 migrating songbirds were killed in a single event. And that
4 event has resulted in Canaport LNG facing, as of the
5 newspaper this week, several million dollars in damages and
6 fines.

7 I want to turn to emergency response. And this
8 goes -- this goes directly to the change in the proposed
9 facility from an import to an export facility. And my
10 concern about the difference in emergency response needs and
11 the -- what has or what has been identified to date in the
12 town agreement, the Robbinston town agreement with Downeast
13 LNG?

14 The current agreement between Robbinston and
15 Downeast LNG includes funds for emergency management that
16 are woefully inadequate for this new proposal. Catastrophic
17 events are countywide events not just Robbinston-based.

18 Emergency planning and funding of a
19 comprehensive medical response and evacuation, fire and
20 policing plan including personnel and equipment has yet to
21 be agreed to. The current permitting process leaves the
22 public in the dark about the true cost of preparing for
23 serious hazards and catastrophes because FERC does not
24 require Downeast LNG to provide a detailed emergency plan
25 prior to permitting. This planning and the necessary

1 funding to ensure countywide readiness should be demanded of
2 the Doweast LNG by the town to insure that the safety and
3 well-being of all of us has been fully established.

4 FERC leaving such planning and accompanying
5 financial commitment up to the developer and out of the
6 required planning process is unfair to the community and
7 poses concerns that should be huge reflects for all us. Our
8 town leaders need to demand a more comprehensive countywide
9 emergency plan and funding for Doweast LNG's part of the
10 planning process even if FERC does not.

11 In closing, at a recent information session in
12 our community that Doweast LNG had just a few weeks ago, a
13 Doweast LNG representative and several community leaders
14 said that the reason Robbinston was not going to accept
15 significant proposed tax revenue from the ultimate owner of
16 this project is because we don't want our community to
17 change. With deep respect to my neighbors and community,
18 allowing this proposed LNG operation pipeline into our
19 community would create more detrimental change than any of
20 us can imagine. We are being asked to place our lives and
21 future into the hands of unknown foreign or domestic
22 operators who will own our community and define our lives
23 for generations to come. We must recognize that the changes
24 will be beyond what we can even conceive of right now. And
25 it will be change with all our local control gone.

1 LNG facilities belong offshore or in large
2 thousand acre industrial sites in totally unpopulated areas,
3 not in unspoiled Passamaquoddy Bay and not in communities
4 like Robbinston. This proposed development removes our
5 safety and security that we know here. It increases our
6 health risks, it diminishes the local fishing, farming and
7 forestry economy that depends on a clean environment. And
8 it changes the very quality of life that we say we do not
9 want to change. Thank you very much.

10 MS. CROWSLEY: Thank you. That is the end of my
11 speaker list. Does anyone want to provide comments?

12 Okay. You can come on up.

13 MR. FOOTER: My name is Mike Footer,
14 F-O-O-T-E-R. And I've been a resident of Robbinston for a
15 little over 30 years.

16 The bulk of my working career was in the pulp
17 and paper industry so I have industrial experience. I
18 previously was in the Merchant Marines. And for the last
19 year, a little over a year, I've worked up at the natural
20 gas trucking terminal up in Baileyville. So a little touch
21 of industrial, a little bit of experience in the natural gas
22 actual movement and everything.

23 First thing I would bring up though is, I really
24 get it that people don't want anything going on in the area
25 that would really affect what is perceived as a pretty sound

1 environmental area. Definitely compared to probably even
2 just southern Maine, but much south of that this probably
3 would be classified by some people as pristine. However, I
4 wasn't really a fan of using that word in the previous
5 rounds of this because the fact of the matter is, there have
6 been industrial-type facilities in this area for a hundred
7 years and we still have a pretty significant one in the pulp
8 and paper industry.

9 Now, you take all the sawmills that were here,
10 all the sawdust that's in the river, the quarries that were
11 along here, the fishing industry, the fact that people had
12 septic systems that went directly into the river. All those
13 things are real things in life.

14 Regarding the fact though what this facility may
15 or may not be is that they will have an environmental
16 license no different than the mill up in Baileyville, but in
17 my terminology of working through it for many years is -- is
18 that if you're an industrial facility and you have a DEP
19 license, you basically have a license to pollute. I know
20 that sounds like some kind of, you know, bad statement to
21 make, but that's the fact of the matter. And you're
22 required to -- to work within the confines of that license.
23 And if you don't you'll be deemed probably fined. However,
24 every once in a while upset conditions do happen. And that
25 would be the fact of the nature for any industrial facility.

1

2 I mean ships are supposed to go through the
3 water and not hit each other, but they do. Okay? And you
4 would think going as slow as they do, they wouldn't. But it
5 happens. Everything around an industrial-type setting has
6 its upset conditions. So wanting it doesn't mean that, you
7 know, you're -- we would be free of nothing.

8 Now, when we talk about -- I mean, I probably
9 should know more about this, but I'm -- only because of the
10 recent experience that I've had with gas, I really think
11 about this vapor fence thing, six foot. I'm not even sure
12 if a 600 foot fence would really be of any value. I mean
13 the stuff is only half the specific gravity of air.
14 Everything I've seen about it, it goes up. Now, granted on
15 the LNG side, it would go down and when it got warm enough
16 it would vaporize and everything, but I'm sitting there
17 trying to recall past scoping meeting comments made around,
18 you know, if the gas got into the water, and my general
19 recollection is and anybody feel free to jump me on this, is
20 that it wasn't going vaporize and that there was
21 terminology, I believe that leaned towards minimal impact.'
22 But again, I go back to an earlier statement: anything that
23 happens out of the ordinary is an impact. And that's
24 something you've got to live with.

25 Now, a lot of people don't want this because,

1 you know, it's going to change the way of life around here.
2 Well, there would be others that would say if we don't start
3 having something the way of life that we used to have, and I
4 refer back and I know a lot of people don't like to hear
5 this, but Maine is well documented for being the oldest
6 state in the nation. That's kind of like fact and I don't
7 see it getting any different around this town.

8 I think a big concern for this facility,
9 especially now, going to the import-export and having the
10 requirement for additional workers is going to be a
11 struggle. I mean, we did a drill back when this was just an
12 import and there was a deal made between the town and
13 Downeast LNG that X amount of people would have to be
14 employed from the town of Robbinston and a lot of people got
15 right up in arms. Well, then you go through the
16 demographics of the town of Robbinston, you would be hard
17 pressed to come up with the minimum required people to be
18 hired by Downeast LNG. Now, I look at it and it's 200 or
19 300 people. We would have to get everybody working in town
20 and that ain't going to happen if you just look at the
21 demographics.

22 So no benefit to the town as -- as long as
23 people were capable and, you know, could do the job. I'm
24 pretty sure people in this area could get a job there. Are
25 there going to be foreigners involved? More than likely.

1 They'll be people from away. There's not enough expertise
2 in this area for a facility like this to be -- to be
3 operated. Certainly, right off the bat and for some years
4 down the road until experience is gained.

5 So I sit there and I am for the project. I've
6 always been for the project. I mean, it's a process that
7 some people are concerned. I tend to kind of characterize
8 as they're just blowing into town, nobody cares. This is a
9 process first of all that's been going on and there's a lot
10 of check and balances from what I see into it. It isn't
11 like one person is saying Okay. I'll let the other four or
12 five people talk, but this is going to be my decision. I
13 don't see it working that way. I'm sure there's some
14 political stuff involved in this. It's like anything else,
15 but I think there's enough checks and balances for something
16 like this.

17 A lot of people will reference the safety of the
18 industry and everything. And a lot of past incidents get
19 brought up, but technology, when you talk about those
20 incidents has gone leaps and bounds.

21 The concern about trucking different products
22 away from the facility. Not a lot of people around here
23 really realize what is being trucked around. First of all,
24 from the facility I work at, you know, right now business is
25 slow, but if you took it across the last year, you know,

1 it's 15 to 20 trucks a day that are going across Route 9 up
2 north, they've got four cylinders in them at over 4,000 psi.
3 And they look like innocent fruit and vegetable trucks the
4 way the company boxed them in, but there's about four or
5 five other companies right up in Northern New England here
6 that are trucking those, you know, gas missiles all over the
7 roadway so that people can have natural gas options in their
8 businesses to keep their business sustainable.

9 There's positives and negatives to everything,
10 but I really see this as a project that from an
11 environmental standpoint, from a safety standpoint probably
12 we would have to say is a pretty good foot forward is going
13 to be done. And it's going to be the bottom line whether
14 this project goes or not. And my opinion is whether someone
15 wants to do it from the business economic viewpoint. I
16 cannot even fathom this project not being permitted, from a
17 reasonable approach standpoint especially with what's
18 already been put on the table and passed back. I see this
19 project failing as a potential because somebody at this
20 point in time does not want to invest the money in it
21 because of market conditions. So that's my two cents for
22 tonight.

23 MS. CROWSLEY: Thank you. Anyone else?

24 Okay. You can always submit written comments
25 like I've said. Feel free to do that anytime. And quickly

1 I would like to mention the FERC website. I -- there is
2 eLibrary. The microphone just doesn't like me. Okay.
3 That's all right.

4 eLibrary is where all the information goes on
5 the public record. It's everything that we issue. It's
6 everything that is submitted to us. Everything that comes
7 from Downeast. Everything that comes from the public. It
8 all goes into the public record on eLibrary. That is, our
9 website is www.FERC.gov. There's a link to eLibrary.
10 Something that I highly recommend everyone do is, if you
11 haven't already, is sign up on the eSubscription. It's
12 called eSubscribe. You put in your email address and that
13 way you get an email every time something is submitted or
14 issued for this project.

15 Now, something that I'm going to check on when I
16 get back is to make sure that all the old dockets are linked
17 to this new docket so you don't have to eSubscribe if you've
18 already eSubscribed for the project before this pre-filing
19 began. But that eSubscription is a really good way to stay
20 involved. You get a link to the document. Your email
21 doesn't get all full of huge documents emailed directly to
22 you. So that's something that I would recommend.

23 And without anything further, I want to say
24 again thank you very much for coming out tonight. I really
25 appreciate your time. I really appreciate everyone's

1 comments and with that I'll conclude the meeting at 8:30
2 p.m.

3 (Whereupon at 8:30 pm., the Robbinston scoping
4 meeting was concluded.)

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