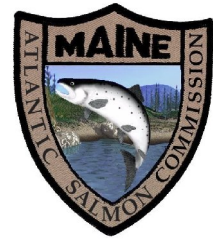




John Elias Baldacci
Governor

State of Maine
Atlantic Salmon Commission

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Patrick C. Keliher
Executive Director

January 5, 2007

Ms. Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E., Room 1A
Washington, D.C. 20426

REF: Downeast LNG, Inc., Docket No. PF06-13-000
Supplemental Notice of Intent to Prepare an Environmental Impact Statement for the Downeast LNG Project and Request for Comments on Environmental Issues Related to the Potential Expansion of the Maritimes & Northeast Pipeline System

Dear Secretary Salas:

The Maine Atlantic Salmon Commission (MASC) is responding to the Federal Energy Regulatory Commission's (FERC) Supplemental Notice of Intent to Prepare an Environmental Impact Statement for the Downeast LNG Project and Request for Comments on Environmental Issues Related to the Potential Expansion of the Maritimes & Northeast Pipeline System issued on December 1, 2006.

We note that operation of the proposed Downeast LNG Project would likely require expansion of the Maritimes & Northeast (M&NE) pipeline system to accommodate a maximum capacity of 625 million cubic feet of natural gas per day. In order to accommodate the gas volumes to be delivered by the Downeast LNG Project, M&NE has identified the following expansion needs: 1) approximately 130.9 miles of 36" diameter pipeline looping, primarily in Maine, 2) expansion of six existing compressor stations in Maine and, 3) construction of one new compressor station in Massachusetts. We recognize, as stated in the supplemental NOI, M&NE is not proposing to construct these facilities at this time.

The MASC is governed by a board consisting of the Commissioner of the Maine Department of Marine Resources, the Commissioner of the Maine Department of Inland Fisheries and Wildlife, and an at-large public member appointed by the Governor. The MASC was established to protect, preserve, enhance, restore and manage the Atlantic salmon and its habitat and to conduct and coordinate all projects involving research, planning, management, restoration or propagation of Atlantic salmon (12 MRSA Chapter 811 § 9901 *et seq.*).

The Gulf of Maine Distinct Population Segment (DPS) of Atlantic salmon is listed as endangered under the federal Endangered Species Act (ESA). The Atlantic salmon DPS encompasses all naturally reproducing remnant populations of Atlantic salmon from the Kennebec River downstream of the former Edwards Dam site northward to the mouth of the St. Croix River. The DPS includes extant populations of Atlantic salmon in the Dennys, East Machias, Machias, Pleasant, Narraguagus, Ducktrap, and Sheepscot rivers and Cove Brook. Several loops of an expanded M&NE pipeline system are located within the range of the DPS and thus have the potential to affect the listed populations.

Notwithstanding the Gulf of Maine DPS of Atlantic salmon, there are several other rivers in Maine outside the defined region of the DPS containing populations of Atlantic salmon. Several loops of an expanded M&NE pipeline system are also located outside the range of the DPS and have the potential to affect the non-listed populations of Atlantic salmon as well.

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Our comments and concerns expressed in this letter are with the expansion of the pipeline. We must state at the outset that we are disappointed at the prospect that we may have to revisit an expansion of the M&NE pipeline across several Atlantic salmon streams. From a resource standpoint, it seems

disingenuous to look at pipeline expansions every few years. We prefer to see that future pipeline expansions avoid crossing Atlantic salmon streams altogether. Alternatively, we desire to see that the necessary infrastructure be constructed all at once should it be determined that a pipeline will need to cross sensitive water bodies in order to minimize environmental and resource impacts.

There is no detailed information on the pipeline expansion to review and the necessary elements for pipeline expansion are presented in general terms within the supplemental NOI. Therefore, our comments and concerns broadly cover several issues of pipeline construction that may affect the Atlantic salmon resource and should be addressed in the environmental impact statement. They are as follows (not necessarily in order of priority):

1. Temporary, permanent, and existing staging areas: need, size, and location;
2. Temporary, permanent, and existing workspace: need, size, and location
3. Temporary, permanent, and existing access roads: need, size, and location;
4. Temporary and permanent forest clearing for right-of-way: need and size;
5. Stream crossings: identification of sensitive resources, crossing methods, impacts (short and long term);
6. Pipeline AC mitigation;
7. New and upgraded electrical transmission lines to provide power to compressor stations;
8. Water for hydrostatic testing of the pipeline: sources, quantities, discharge sites and methods;
9. Vegetation management in the pipeline right-of-way;
10. General project impacts (e.g. erosion/sedimentation during construction and post-construction; unauthorized use of pipeline right-of-way);
11. Specific project impacts (e.g. disturbance of flow within hyporheic zone, to fish habitat, and to fish movement);
12. Unavoidable project impact mitigation (e.g. large woody debris and boulder placements to increase stream habitat complexity).

The list is not exhaustive. It does, however, point to the need for a comprehensive assessment of any pipeline expansion on the Atlantic salmon resource as well as other fish and wildlife resources. As we mentioned previously, we prefer that sensitive water bodies be avoided to prevent irreparable harm to vulnerable resources.

Finally, we urge the FERC to include in this environmental impact assessment an evaluation of the impacts of expanding the M&NE pipeline to accommodate the volume of natural gas proposed by the two projects currently being considered for siting in Maine: Downeast LNG (0.625 billion cubic feet) and Quoddy Bay LNG (2.0 bcf). While permits have not been issued for the construction of either LNG import projects, it would be a useful exercise to assess the impacts of both projects, singly and together.

This constitutes our comments at this time. We appreciate the opportunity to comment on FERC's Supplemental Notice of Intent to Prepare an Environmental Impact Statement for the Downeast LNG Project and Request for Comments on Environmental Issues Related to the Potential Expansion of the Maritimes & Northeast Pipeline System.

Sincerely,



Norman R. Dubé
Fisheries Scientist

cc: State FERC Coordinating Committee

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Wende Mahaney, USFWS
Sean McDermott, NOAA
Jeff Murphy, NOAA

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