



ORIGINAL
Pleasant Point Reservation
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SECRETARY
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FEDERAL ENERGY
REGULATORY COMMISSION

Kimberly D. Bose
Secretary
FERC
888 First Street, NE, Room 1A
Washington, DC 20426

Feb. 20, 2008

Ref: Docket No. CP07-53-001

Dear Ms. Bose:

As intervenor and official party to the process in permitting the proposed Downeast LNG Project, as well as a landowner that will be affected by the proposed pipeline route, The Passamaquoddy Tribe at Pleasant Point presents the following issues regarding the revised location. Option 6 of the Notice of Intent (NOI) dated Feb. 13, 2008 proposes crossing under the St. Croix River from Milepost (MP) 14.1 to 15.3, ie., for a length of 1.2 miles. Please be advised that according to the Treaty of 1794 between the Passamaquoddy Tribe and the Commonwealth of Massachusetts, subsequently re-asserted by the Land Claims Settlement Act of 1980 between the State of Maine and the Passamaquoddy Tribe, all islands "lying and being in Schoodic River (re-named the St. Croix) between the falls at the head of the tide, and the falls below the forks of said river where the north branch and west branch parts" (near Baileyville, Maine), being fifteen in number, containing 100 acres or less..... The said islands, tracts of lands and privileges to be confirmed by the Commonwealth of Massachusetts to the said Indians and their heirs forever." Some of these islands occur in the area of the proposed pipeline placement. The Passamaquoddy Tribe objects to the placement of the pipeline over, on, or under these islands, and demands that an alternative route be found.

The Passamaquoddy Tribe has grave concern regarding potential environmental impacts the proposed pipeline may incur, both during construction and while under use. Of special concern is that the St. Croix River has one of only existing Atlantic salmon runs in the U.S. and any construction activity may impair the movement of the adult salmon from Passamaquoddy Bay into the St. Croix or the salmon smolts returning from the river into the ocean. These fish are sacred to the Tribe. There may be impacts to the River's ecosystem affecting water chemistry

and most particularly the river bottom interface so important to the river's productivity. Water flows through this interface under the islands as well as under the river and its quality is critical to the river's productivity and character. The Tribe is concerned that the chilled gas line from the cryogenic gas will reduce the surrounding sediment and water interface's temperature, resulting in a deleterious effect on the ecosystem. Any such impacts on this river so important to the Tribe's culture are unacceptable.

As intervenor and official participator to this process, the Passamaquoddy Tribe will continue to comment on this proposed pipeline project.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Phillips Doyle". The signature is fluid and cursive, with a large initial "R" and "D".

Richard Phillips Doyle

Chief/Sakom

Passamaquoddy Tribe at Pleasant Point