

## EXHIBIT 6

MOVE TO STRIKE HIGHLIGHTED  
TESTIMONY BELOW

**PREFILED TESTIMONY OF HUGH M. AKAGI**

**Q. What is your name?**

A. Hugh M. Akagi.

**Q. Where do you reside?**

A. I am a Passamaquoddy tribal member and reside in St. Andrews, New Brunswick, Canada. I was born here, and except for time away attending University and a teaching year, have lived here my entire life. My house is on ancient lands on Passamaquoddy Bay, in a 100-acre area known as “Indian Point.” I have no plans to move from the area.

**Q. What is your occupation?**

A. I am an elected Chief of Passamaquoddy People (in Canada), I am a representative of my People, and I am a registered member of the Sipayik reservation (in the United States of America). I am also a member of Nulankeyutomonen Nkihtahkomikumon (“We Take Care of the Homeland”). I joined Nulankeyutomonen Nkihtahkomikumon after learning of proposals to construct liquefied natural gas (LNG) facilities on tribal lands and ancestral waters; also because of my concerns about the impact the proposed LNG facilities would have on our sacred tribal lands, personal safety, and the surrounding environment. Nulankeyutmonen Nkihtaqmikon represents my interests in these matters.

**Q. What is your educational and professional background?**

A. I am a graduate of Dalhousie University in Halifax with a science degree majoring in both Math and Physics, and I began my career teaching science, biology, physics, chemistry and mathematics. I also worked at the Oceanography Department of the Biological Station, (the oldest fishery research center in Canada), before moving on to do Estuarine research at the same facility. After a ten-year career in that field, I worked in the Chemistry department for another twelve and one half years, finishing with a career assessing the environmental impacts of the aquaculture industry on the Bay. All of this was either in Passamaquoddy Bay, the rivers and estuaries emptying into the Bay, or the outer reaches of the Bay and the Islands around it. I would also take part in research in the Bay of Fundy, off the Scotian shelf and in the Gulf of St. Lawrence.

I am very connected to these waters in both my life and career, and am fortunate to have spent my career studying them, teaching about them, and helping to protect them as a Native caretaker of this territory.

**Q. Are you retired?**

A. Except for my position as elected Chief, yes I am recently retired.

**Q. Are you familiar with the traditions and rights of the Passamaquoddy People, whether in Maine or in New Brunswick?**

A. Yes, very much so. And what I testify to here applies to members of the Passamaquoddy Nation residing in Maine or using Maine resources.

**Q. How are you familiar with these traditions and rights?**

A. Aside from being Passamaquoddy and being the elected Chief, I have had to wage a series of battles with those who would destroy my Native rights and my Native content in order to dispossess me of the very land where I was born and raised which happens to be the ancestral home of my People. In order to defend my rights and the territory it has been necessary to gain a full understanding of just what these rights are, how the territory is important to my Native self, and what it means to be a Native. My mother taught me the importance of defending this last remnant of our territory known as Indian Point by defying the neighboring Town and its occupants using roadblocks and the threat of violence. Her defiance is a lesson I shall never forget as her determination never wavered and neither did her pride of being a Passamaquoddy. She instilled in me the Native content that would reawaken when she passed away and I grew into a man who would return to the land and inherit the responsibility of protecting what was ours. I have benefited greatly from the teaching of others (mostly the Elders of the Tribe) who would patiently explain why I had developed a passion for this place which remains the one defining element necessary to be a Passamaquoddy. I understand that my Native content is inherent from my existence here on Turtle Island, but my Passamaquoddy content is defined by this place. Though I've always felt this, it was through the teachings of others that I soon became aware of just "who I was" and "why I am here." So the traditions are both inherent and through teachings while the rights are strictly inherent and protected through a series of laws and treaties from the abuse of the other culture whenever it succumbs to their lust for the territory and its "resources."

**Q. Are you familiar with the Calais LNG proposal?**

A. I am familiar with its location, the tanker transits that would serve it, and its obvious environmental impacts.

**Q. Would the Calais LNG proposal have an impact on Passamaquoddy use of Maine natural resources?**

A. Yes, on several levels. Ships approaching the proposed terminal would pass through traditional waters and through the ring of islands protecting the Bay. The potential harm to all things within our territory is a risk we can not afford to take. Our waters have suffered enough from the arrival of the other culture's industries. Depletion of cod, haddock, and flounder should be a warning. The harbor porpoise (integral to our and my way of life on the Bay) is a "threatened" species. The Right Whale, worshipped by our people (including me), is now an "endangered" species. This industry would put these whales at further risk and now put the People themselves at risk!

I am concerned that the Calais LNG facility will be located directly across from a mining operation at the Bayside Port, in Canada. To add another wharf and considerably more shipping traffic to this narrow portion of our River will turn a relatively peaceful atmosphere into an industrial nightmare for me and all the creatures I was born to protect. The loss of the beauty, the peace and quiet would be a direct assault on my Native world which retreats into these surroundings whenever the need arises. As an active member of a local ACAP (Atlantic Coastal Action Plan) board, SCEP (Saint Croix Estuary Project), representing my culture and my science, I supported the creation of a nature park at Todd's Point (Ganong Nature Park), in the very area proposed for the Calais LNG facility. The park has already witnessed the devastation of our coastline by the mining industry; so to compound this with a massive LNG facility and (to repeat) increased shipping traffic from the largest ships in the world along with special tugboats with all the noise and lights would mean the main attraction for visitors to the "Nature Park" will be an "Industrial Park"!

I am also concerned that the exclusion zones of the Calais LNG facility and tanker transits to either facility would prevent me from enjoying the waters we have occupied since time immemorial and that I have regularly used throughout my lifetime and will continue using on a regular basis. I have a lot of friends who have boats, and we go on frequent trips into these waters. We go out to see whales, to fish, to swim, to picnic amongst the islands, to experience the view, and to live fully throughout our lands and our waters. We leave St. Andrews harbor

heading south-east, go around the eastern side of Deer Island, through Head Harbor Passage between Deer Island and Campobello Island, return into the Bay through Northwest Passage, then loop around the back of Navy Islands and enter St. Andrews harbor from the north, and never see the same view twice. Much of my boating is in Maine waters and crossing back and forth from Canadian to Maine waters. Much of the scenery we enjoy while boating is in Maine. The denial of access to these waters is an infringement on my treaty rights as a Native citizen in his own territory. I have recently purchased a 20-foot fishing boat to exercise my rights to fish and travel freely throughout the Bay, even more frequently in my retirement, only to find there would be limitations imposed by large ships, exclusion zones, and homeland security measures with the arrival of LNG in our waters. My free usage of the waters is incongruent with the schedule of tankers going through. I am the last person who would like to encounter armed personnel on our waters.

**Q. Please explain more about the importance of the Bay and porpoises and whales to you and the Passamaquoddy.**

A. Whales and porpoises are culturally very important to me and our People and I obtain great personal benefit from viewing them. I view them regularly and intend to continue to do so from land and from my boat. Whales and porpoises will also find limited access through these waters for it is a known fact that their ability to seek food and communicate is by sonar. Heavy industry and massive ships pollute the waters with sound waves that are confusing and/or frightening to creatures not used to interference on such a grand scale. This would change the breeding and migratory patterns, having devastating effects on creatures already on the brink of extinction. We still harvest the harbor porpoise which makes its home in Passamaquoddy Bay, for a traditional fishery. I entertain family and visitors on these waters (always including Head Harbor Passage) to enjoy the wildlife (birds, mammals, and fish) and will not accept their forced departure from our territory as inevitable so long as I have a voice to use on their behalf.

**Q. Why do you harvest the porpoise?**

A. I have eaten porpoise ever since I can remember, for the porpoise fisherman from the reserve would always visit and leave my family a section of the meat, as he would clean the animal on our beach. I also understand the need to practice tradition and ceremony with the understanding that if you “don’t use it you lose it”. I have often attended ceremonies where

porpoise was part of the traditional feast. I have recently received a gift of porpoise harvested for just such an occasion. This is a traditional part of Passamaquoddy culture. See SPB-1.

**Q. How and where is porpoise harvested?**

A. The porpoise are still harvested by a number of “fishermen” on the Reserve who now use power boats and rifles in most instances, though we have dedicated traditionalists determined to maintain not only the right to hunt but the traditional method of using spears/ harpoons. They fish throughout the Bay in Maine and Canadian waters and along the US/Canada boundary. Our fishermen went and go all over. Not just in Passamaquoddy Bay, but Deer Isle, Campobello and far up and down the coast and islands, even as far as Boston. Passamaquoddy go all over. Pleasant Point was originally just a camp site, one of many. It has only been a “reservation” as non-Indians call it, recently. We went to different places to get different fish or hunt porpoise or seal. We used to have thirty foot seagoing canoes made of cedar and birch and ash. They would go out to Grand Manan, or up and down the coast. There is an affidavit from Judith Leader, a Doctor of Philosophy in Cultural Anthropology from Boston, signed December 11, 1997 for the tribe in which she states: “The Passamaquoddy used what is now St. Stephen (K'tchi Medabiaught, “Great Landing Place”) as their first landing place when returning from seal and porpoise hunting.”

**Q. What is the importance of harvesting porpoise to the Passamaquoddy?**

A. The Porpoise is considered a delicacy by many of the Tribal members and there is often a harvest of an animal whenever a feast or celebration is taking place on the Reserve. Fish and porpoise are almost always eaten at ceremonies.

**Q. Would Calais LNG have an impact on porpoise harvest and related ceremonies?**

A. In at least three ways. First, any hunt taking place when a tanker transits would be disrupted. These are our waters and our traditions continue to exist. We have a right to fish when we want, not just when a fossil fuel company allows us.

Second, I have no doubt that this will be the case. As previously stated in this testimony, creatures sensitive to sound traveling throughout the water and depending upon sound for both communication and “vision” will not tolerate the industrial noises that will pollute these waters.

They depend upon their sonar capabilities to search for food, to avoid obstacles (small boats and large ships), basically monitor their environment. Loss of sonar greatly reduces their ability to inspect distances (77m down to 20m, reference to follow).

Hindering the capability of these animals to safely navigate these waters would impact their survival due to their inability to avoid underwater nets and debris, as well as entrapment in shallow areas and weirs. See SPB-2.

Third, I explain, below, how transiting tankers can disrupt the ceremonies themselves.

**Q. What would the impact be on Passamaquoddy culture?**

A. No “traditional place” should be sacrificed for the economic benefit of others. To attach a dollar value to sacred parts of our territory is to place a value on the culture. Once it has a value it too can be sold. Without our culture, unique to the Passamaquoddy People; we will no longer exist as a People. To allow others ownership of what we hold in the highest regard as Natives (ancestral land, waters, tradition, culture) is to commit **cultural suicide**.

I am the culmination of a culture that has existed in this territory for at least 12,000 years. My roots are deeper than the waters in question and all that I hold as Passamaquoddy is linked to this land and its waters (the islands, the Bay and the River). The culture I protect is part of me; it is key to my existence on this planet. If I am to understand how I am to walk this world, I will always need access to my culture and its strength. Many Natives are lost in the “new world” because their connection to the land and their culture has been broken until they can no longer find their way. I will fight to prevent the further deterioration of the culture of the Passamaquoddy who struggle to this day with their very existence as Native peoples. The Calais LNG facility would have this impact on me.

I feel the need to address this invasion of our territory as destructive to the culture of Passamaquoddy People (my culture) everywhere. It is a threat to my culture within our waters, for to give industry access is to relinquish control. The Native has always maintained the right to have a say within his/her territory; once industry is established, such as the two proposed for LNG, a new set of guidelines (health and safety rules and regulations, homeland security) will be used to deny us access and control over our lives and our territory.

As a Native, I feel an obligation to my mother (this planet); thus I believe the Kyoto accord was a step in the right direction. Here was an attempt to improve the quality of life on earth by reducing fossil fuel emissions, not increase them (which is what the LNG proposals are all about).

Passamaquoddy People are a People wherever we might reside. But our and my link to our traditions and our culture is through the soil, our **waters** and our territory. There is a need to hear from all Passamaquoddy on these issues because any large industrialization has an impact on Natives and Native culture firstly and foremost. I would feel this impact if either facility were to be built. Natives are still reeling from the impacts of the other culture let alone their introduction of industrialization into our world even though we have been exposed to it for the past hundreds of years (farming, fishing, whaling, etc.). While European culture evolved with industry, Native culture was displaced by it. Evolution is geared to change and accepting it, displacement is dependent on the destruction of the existing culture. I would be displaced by either facility – I would no longer be able to boat on traditional, sacred waters as I do now because of exclusion zones and the dangers of super tanker traffic, I would no longer enjoy my homeland because it has been industrialized, I would suffer from the detrimental effect on whales, porpoises and other biota, and I would lose the sacred beauty of our River and our Bay.

We as Natives pride ourselves as living with our environment by taking only what is needed; however, there is excess in every aspect of this industry. This industry begs the question of just how far we will go to exploit every energy resource this planet (our mother) has to offer. When will we be satisfied by limiting ourselves to using less (see Kyoto #10) to preserve what is available until we can find safer and less destructive ways of harnessing this energy? I will view, feel, and hear the insult of these facilities every day.

**Q. How would you describe the Bay?**

A. The center of our very existence as Passamaquoddy People (myself included) is Passamaquoddy Bay itself. The shipping traffic attached to this industry is beyond anything imaginable to such a small area as the waters surrounding Passamaquoddy Bay. To believe that such ships will not impact the Bay and its inhabitants is to believe that a tornado cannot scar the earth. Over 400 years ago white sails entered these waters. After hundreds of years we are still feeling the impact of the arrival of those ships, and our existence as Native People has been

nearly wiped out as well as our physical presence on this planet. With the arrival of these ships with their cargo, the occupants of this territory (which include all cultures) will feel the impacts on their daily lives just as our ancestors did. What I describe above are just some of the impacts that I, as a present day Native, would feel in this context.

I am concerned that the unity of Passamaquoddy People is impacted by this LNG proposal. The survival of people (as in the immediate need to feed and support families) always seems to outweigh survival as a People (culture, tradition, heritage). This industry offers no compromise for culture, leaves no room to accommodate tradition, sees no need to protect heritage; for these are only seen to impede industry. Our relationship with those in surrounding communities (especially our American neighbors) will also face destruction, as the vast majority of Passamaquoddy and Canadians where I live are in virulent opposition to this proposed industry; whereas, Washington County, facing high unemployment, sees the possibility of financial relief in the immediate future.

Split Rock is a discrete sanctuary. It is on the coast of the Bay, on the tanker route to Calais LNG. At Split Rock, there is a ceremony to spread the ashes of deceased members of the Tribe. The Full Moon Ceremony and ceremonies honoring whales are held at Split Rock. These ceremonies cannot be held at other locations. I have enjoyed these ceremonies. Many of my ancestors are buried on lands surrounding this reserve, and I would consider this industry a desecration to their memory and of Split Rock.

Split Rock includes Grandmother's Bed, where we go as children and adults when we need special attention and refuge. Split Rock is the result of a natural phenomenon linking the Creator, Mother Earth, and the ocean. Split Rock provides powerful emotional, physical, and psychological meaning.

**Q. Would Calais LNG have an impact of use of Split Rock?**

A. If Calais LNG were permitted, it would be unacceptably disruptive to practices at Split Rock. The passage through the waters off Split Rock is only one kilometer wide, so any LNG tanker passage – with the required helicopters, tugs, and exclusion zones – would ruin the sanctuary of Split Rock. That incredible turn would take place in the waters right in front of Split Rock, and would destroy my and my People's experience there.

The threat to our People is exemplified by the threat to the very name we share with our brother and sister Tribes in the East, Wabanaki, which means “People of the Dawn.” With the lighting, facilities, tankers, and noises at either location, we would lose the peace and tranquility of a beautiful sunrise – we would lose our very name. I’ve often been told that the Wabanaki are the guardians of the Eastern Door, this is the door meant to protect our culture. Any attempt to open the door to allow the passage of the largest ships in the world must mean the destruction of the culture.

We shared our River with your ancestors, we shared our technology (canoes) so you might live off these waters and move freely throughout our territory using all our rivers; yet you would bring larger boats, use larger nets, and build bigger weirs that would deplete our resources and destroy our way of life to support your industries. Have you not learned, for now we are told you will need bigger boats (the largest in the world) and more industry to sustain your way of life, which is to sacrifice what is left that is natural to our territory? As our way of life becomes collateral damage in support of the large populations along the New England coast where industry many years ago gained footholds which they now seek in our territory; can no one see how the sacrifice we are being asked to make is no longer ours but the future of our children and our children’s children for generations to come? The appetite of this monster can never be satisfied while it continues to grow! Sustainable development has come to mean no longer sustaining our forests, no longer sustaining our waters, no longer sustaining our creatures and no longer sustaining our People! What will it take before you learn that we have gone well beyond the price that we can afford to pay in order to “sustain” a way of life that has brought us global warming, thousands of years of radio active waste, invasive species, endangered species, extinction of species, overpopulation, world wars, hunger and starvation? What will it take for you to learn that we are no substitute for Mother Nature (Our Mother Earth) when it comes to the planting of trees and maintaining the balance that has truly sustained us on this planet for millions of years? What will it take before we realize that she (Our Mother) has no “economic factor” in her formula for a successful relationship with our planet?



## EXHIBIT 7

**PREFILED TESTIMONY OF VERA FRANCIS**

**Q. What is your name and where do you reside?**

A. Vera Francis. I reside at Pleasant Point, Maine. I have lived in this area my entire life. I am a member of the Passamaquoddy Nation, which has communities in Maine and Canada. My family ties are on both sides of the border.

**Q. What is your occupation?**

A. I am an ecologist and educator in bioregional ecology and the arts. I am also the coordinator and a member of *Nulankeyutmonen Nkihtahkomikumon* (We Take Care of Our Land).

**Q. What is *Nulankeyutmonen Nkihtahkomikumon* (We Take Care of Our Land)?**

A. We are a grassroots organization dedicated to the preservation and integrity of Passamaquoddy culture, lands, and ancestral waters.

**Q. What is your educational background?**

A. I have a Bachelor of Arts in English and a Master of Education. I have completed extensive coursework toward a Ph.D. in Educational Studies Program. I have worked in a number of areas of community-based education and participatory research and helped establish the Cobscook Community Learning Center in Lubec, Maine. I have taught Native Literature at St. Thomas University and at the University of Maine-Machias. Including teaching courses in Drama in Learning for Lesley University and bioregional study through its Audubon Expedition Institute, I have extensive knowledge of ecological teaching and learning and global ecological justice. I am currently enrolled at the University of New Brunswick in law.

**Q. Are you familiar with the Calais LNG proposal?**

A. Yes. Absent the Pittston Oil Refinery proposed and soundly rejected in the 1970's, nothing even close to the magnitude of LNG has been proposed for this region.

**Q. What impact would Calais LNG have on you and other members of *Nulankeyutmonen Nkihtahkomikumon*?**

A. The Calais LNG would impact me in many negative ways. We (myself included) have always had access to the waters in Passamaquoddy Bay whenever we have wanted. Boating in the Bay is something I've enjoyed my entire life.

I am very familiar with the traditions and customs of the Passamaquoddy Tribe. Passamaquoddy Bay is a central part of our existence – it is after all the Bay, which is our namesake. The LNG super tankers, their accompanied security and hazard zones, would adversely affect the Passamaquoddy traditional ways of life and our ancestral waters.

**Q. How would they affect traditional ways of life and ceremonies?**

A. First, it is important to understand that so-called “traditional” ways of life are the ways we live now, and we currently make use of the Bay and its abundance as I describe here. We live here because we have a deep appreciation for our way of life, which is not measurable by any development plan imposed by a Delaware Corporation – Calais LNG. You can't measure our traditional economy through a capitalist economy formula. A traditional economy considers the responsibility it has to the entire community, including all life forms, and the people, and the land, and the animals, and the air and their health. What they have is what we have, and when you interrupt that balance ecosystem-wide health issues can arise. We are only as healthy as the Bay and the air. You can't find these markers in overly simplified employment statistics or economic formulas.

Any associated jobs for constructing an LNG facility (while short lived at best) will not infuse any positive long-lasting impacts or benefit locally. But they will impose long-lasting if not irreversible negative effects and impact on our traditional way of life and economy.

Ceremonies are held on the shores at Pleasant Point, and St. Andrews. We have often traveled to St. Andrews to celebrate our connection to our traditional gathering grounds there. The LNG terminal will adversely impact our ceremonial life-ways and interfere with our ability to maintain our practice of gathering in our territory. My family has always traveled there. Increased security will surely impinge upon our free travel, which is already overly scrutinized at

the borders. Though not exclusively, during the 2004 commemoration at St. Andrews, Passamaquoddy canoes were launched from Pleasant Point and traveled to St. Andrews to celebrate our traditional links throughout our territory and ancestral waterways. The present day St. Andrews has always been a central and traditional cultural gathering ground, and is home to several burial grounds. You would be able to see the tanks and lights and shipping of Calais LNG from St. Andrews.

**Q. Would Calais LNG have an impact on other specific existing Passamaquoddy uses of the Bay?**

Passamaquoddy fishing rights would be infringed by the transiting of these supertankers. We have the right to harvest fish for our sustenance and ceremonies at any time. Traditional food source gathering and hunting would be adversely and irreversibly impacted by these supertankers and LNG facility.

Hunting porpoise is a right that has been practiced in this region forever. The Bay is the porpoise's nursery. The Passamaquoddy people are known for their hunting of traditional food—hunting porpoise is a skill not everyone can easily acquire. It is though a practice an entire community depends on. A porpoise will not stop for ships or boats – porpoise will travel where they travel and hunters will follow them. LNG supertanker transit and its security zones would infringe on fishing rights by restricting the hunting of porpoise. This right is not defined by state statute. Rather, it is recognized by statute and historical treaties. Just as it is true that a person cannot consume the flesh of their spirit animal helper, there are foods that feed the spirit. The porpoise is my spirit food and that of many other Passamaquoddy.

These LNG supertankers, for four transits a week, will require armed safety, security, hazard zones, and zones of concern. They will require armed gunboats and several large tug escorts throughout the Bay. There are only a few known harbor pilots in the area. Are these individuals invincible and thus immune from happenstance or unexpected long-term health problems? The Passamaquoddy Bay waters are considered treacherous, and its channels are well known to be most difficult even for the smaller ships. An LNG tanker accident or intentional terrorist attack would result in devastating environmental harm. A porpoise surfacing in an LNG spill would be killed. Porpoise hunters upon which my community depends live along the transit

route. The Reservation is along the LNG transit route, south of the proposed LNG facility, and the most treacherous part of the route is closer to our community at Pleasant Point than it is for Calais, the host city.

Our ability to fish and gain sustenance from the Bay would be further affected because the St. Croix River bottom would be disturbed by the extreme turbulence created by these supertankers and other vessels coming and going – it is common knowledge that the paper industry in Woodland, Maine has without impunity contributed to degrading the area's air quality and the quality of salt-water marsh zones as well as the riparian ecosystem of the St. Croix river itself. These LNG supertankers would certainly tip the balance by exposing and bringing to the surface what is firmly embedded in the sediment. Releasing what is known locally as the blue tide – heavy metals, known and unknown carcinogens – would adversely affect life in and on the Bay and the People.

**Q. Do you have anything else that you would like to state?**

A. Fishing and gathering for sustenance at any time is another right that would be adversely affected – Passamaquoddy people hold these rights as a collective – just as we hold our lands in a collective. These rights are not mine alone; these fishing and gathering rights are dedicated to our families, and our families not yet born. This knowledge must be passed on. This is why our traditional economy is not about commercialism and entrepreneurialism but one that is based on a relationship with place, which is only grown through practice over extended periods of time.

This LNG proposal is funded by out-of-state money, and is proposed and owned by an out-of-state Delaware Corporation—its goals are monetary and short-term. We are the original occupants of this land and our ancestral ties to the marine waters attest to that fact. Inappropriately siting an LNG facility in and near our community disproportionately burdens us with both the environmental risks and irreversible social and cultural harm.

LNG is touted throughout Maine's political spheres as a transition fossil fuel and a short-term solution to New England's hungry energy demands – Passamaquoddy culture should not be at the expense of conspicuous consumption and political shortsightedness. Unlike the City of Calais, the Passamaquoddy community would be under the threat of harm if forced to live in the

hazard zones constructed by an LNG facility and the transiting of LNG supertankers.

Vera Francis

Dated: 5/31/10

VERA FRANCIS

STATE OF MAINE  
WASHINGTON COUNTY

Personally appeared before me the above-named Vera Francis and made oath that the foregoing is true and accurate to the best of her knowledge and belief.

Dated: 5-31-10

Jeanne A. Heisinger  
Notary Public  
My commission expires: 3-24-11

## EXHIBIT 8

**MOVE TO STRIKE HIGHLIGHTED  
TESTIMONY BELOW**

**PRE-FILED TESTIMONY OF LINDA GODFREY**

**Q: Please state your name.**

A: Linda Cross Godfrey.

**Q: Where do you live?**

A: I reside at 19 Water Street in Eastport, Maine.

**Q: How long have you lived in Eastport?**

A: We've lived in Eastport for 20 years.

**Q: What is your job?**

A: I am the owner or am a partner in several small businesses in Eastport. These businesses have natural resources, cultural heritage, recreation, education, and eco-tourism as their base.

I own The Atlantic Leadership Center LLC, which I founded in 1992. The Atlantic Leadership Center produces corporate and community leadership programs, retreats, and workshops and offers consultation in areas of leadership, management, sustainable community development, and tourism programming. For fourteen years, I have directed the Washington County Leadership Institute, which in 2009 won the Maine Community Foundation's prestigious Elizabeth Noyes Community Leadership Award in Maine, coming in first of 35 entries from throughout the state.

The Atlantic Leadership Center also produces history and nature based Elderhostel leisure-learning programs using conference facilities at Roosevelt International Park on Campobello Island. We use Passamaquoddy Bay and the entire Quoddy Loop area, including St.

Croix Island area for our programs. These Elderhostels, which host a couple hundred persons each summer, have the natural environment and especially water based experiences at the heart of the program. People participate in whale watching, hiking, visiting natural sites overlooking or on the Bay, and in general utilize the entire natural area in and around the Bay. 99% of the people attending our Elderhostel programs are Americans from throughout the country. The titles of our Elderhostel programs show a clear connection to this whole Bay area:

The Bay of Fundy: Lighthouses, Whales and Natural Wonders

Life at the Glorious Edge: The Roosevelts and Rusticators on Campobello Island

Franklin and Eleanor: Island Influences and Inspirations

Eleanor Roosevelt: From Summer Visitor to First Lady of the World

Individual classes and field experiences offered as part of these programs show how we use the whole Bay:

- Wabanaki, Passamaquoddy, Sipayik – Ancient Place Names and Their Meaning
- Nikanke — The Passamaquoddy and Their Canoe – What It All Means
- Journey to the Edge of the Bay of Fundy
- The Bay of Fundy and Her Natural Wonders
- Island Edges: The Lighthouse as Guide and Guardian
- Under the Bay of Fundy: A Diver's View
- The Fog Phenomenon on Passamaquoddy Bay
- "The Living Bay" – Video Presentation
- Head Harbour Lighthouse – An "Angel Light" Through Canada's Most Dangerous Passage
- Whale Watching with Capt. Mac Greene and Crew
- Whales, Weirs, Whirlpools and Wild Waters
- The Whales of the Bay: Protecting and Rescuing Them
- FDR The Sailor: Learning to Navigate on Passamaquoddy Bay
- "Remember Me" – Passamaquoddy Tomah Joseph and Young Franklin (FDR)  
Canoeing on the Bay
- "The Bay of Fundy" Film

Note: The menu for the week includes scallops, haddock, salmon, corned pollock, chowder, and a lobster feed.

This year we will also use the History Channel's 2009 documentary called Underwater Universe: 7 Deadly Seas, which features what are called seven "lethal locations" in the world, and includes as number 6 of the seven deadly seas the Old Sow Whirlpool in Passamaquoddy Bay. Bob Godfrey, Eastport expert on the Old Sow Whirlpool and a speaker at Elderhostel, is featured in the documentary. We will include the documentary in our 2010 and beyond programs.

In addition, The Atlantic Leadership Center offers retreats for women, based on subjects which include the natural environment as a major component. Persons involved in our programs say that what they receive from engaging in the natural environment is transforming and beyond measure. Others remark that very few locations left in the world provide the natural environment and experiences on the water that is present here in the Bay. The retreats and seminars offered include:

- Journey to The Edge – (using shells from the Bay as metaphors for transition times in women's lives)
- Sacred Trees/Sacred Water
- Ancient Days/Ancient Ways: Leadership for Native and Aboriginal Women
- Third Millennium Leadership Symposium
- The Eleanor Roosevelt Leadership Symposium
- Gifts From the Sea: Lessons from the Work of Anne Morrow Lindbergh
- The Quoddy Kids Come Along Adventures – Stewardship, Leadership and Service Stories for Children

A consulting job I have is that in 2007, and again this year, I am Shore Planner for Eastport's Cruise Committee. Eastport has attracted small cruisers of 100-125 persons, and we provide an authentic experience for them, driven by the time the ship has to be in port. The cruise ship scheduled for September 23, 2010 will be in Eastport for only six hours, yet the stop will bring a significant economic boost to the city.

We are working with representatives of the communities of Calais, Robbinston, Perry, Pleasant Point, Lubec and Machias, as each of these communities has expressed an interest in becoming involved in future cruise planning. We are working closely with St. Andrews and Campobello Island as these two locations, plus Eastport, make up the triangle of greatest interest to the cruise lines. Cruise Maine and Cruise Canada marketing organizations are working in collaboration with our group to develop and design future cruise business, including attracting larger ships from which guests are tendered for within Passamaquoddy Bay to nearby participating communities. Experiences and programs related to the history of the Bay, as well as present uses, are part of the programming we offer cruise guests. (See SPB-22, 2007 Cruise Materials).

I am also a partner in The Commons Eastport LLC, founded in 2003. This business purchased and renovated an historic building in Eastport's historic district, at the edge of Passamaquoddy Bay. This business represents the work of 91 area artisans, has three office spaces, and rents two high end rental suites which overlook the Bay. Our business has been recognized by the National Trust for Historic Preservation through their National Main Street Program. We were featured at the Trust's 2006 National Conference in New Orleans, Louisiana as one of 5 national projects of special note. Our business was also selected by the National Trust as the featured story in the June, 2006 national publication. We were selected to make a presentation on Community Initiated Development at the organization's 2007 national convention in Seattle. The Commons was also selected in 2008 as a Destination Gallery by Yankee magazine. None of this would have been possible if The Commons was not perched on the waterfront, melding Eastport's traditional downtown with the Bay's scenic and natural features.

I am a partner in two other businesses, Dirigamus LLC, a real estate holding company which has purchased a 1908 former sardine can making factory on the shore of Passamaquoddy Bay, and 15 Sea Street Inc., a management company that is developing the property into a residential conference center and hotel, with meeting space, 34 hotel rooms, 10 retail spaces, a small spa, historical and artistic exhibition areas, and a specially designed children's adventure

area, which will feature marine decor and activities. This property is built in such a way that 2/3 of it is actually over the Bay, and like The Commons, melds Eastport's downtown with the Bay's natural attributes. Programming and decor will highlight the Bay – its history, its creatures, and its bounty.

We are consulting with Dr. Jonathan Bird, diver, author and Emmy award winning star of the Discovery Channel's "Jonathan Bird's World". Jonathan has a seasonal home in Eastport and we are working with him to feature the southern edge of the 15 Sea Street property, which is where divers presently enter the Bay. Dr. Bird calls this area of the Bay "the best diving in northern New England." Others call it the "best diving north of the Keys." Some rare or endangered species have been reported in this area of the Bay and toward the Old Sow whirlpool to the north.

We are collaborating with other Eastport businesses to further develop festivals in Eastport to offer additional themed events and activities. Eastport's annual festivals are based on the Bay – its international connections, its abundance and its cultural history. (See SPB-23, 2010 June/July Eastport Festival Advertisement, BangorMetro magazine.)

We are working on expanding our Elderhostel programs and will add other workshops, retreats, and seminars based on the new Ken Burn's film for PBS titled *The Roosevelts*. This will be a seven-part series about Theodore, Franklin and Eleanor Roosevelt and will be shown in 2013 as PBS's major fall season opener. The film will feature many of the different Roosevelt homes, but the Campobello cottage plays an important part in explaining Franklin and Eleanor's early marriage, as young parents and Franklin's feelings for this "beloved island." According to the film's writer, "Eleanor felt like this was a home of her own." The cottage "gives a sense of the people who lived here, a sense of their personality and their relationship with the local people." Our programs will be designed to capitalize on this film special and the island experience – which includes the entire Passamaquoddy Bay area – from sailing in the Bay, to riding across the Bay to Eastport to shop, to arriving by lobster boat to board the train to New York when Franklin was struck with polio. We already offer an Elderhostel titled "Franklin and Eleanor: Island Influences and Inspirations." This program will be expanded to match the

national and international interest in the Roosevelts and this Bay area that the PBS show is predicted to create. This will be a significant business opportunity for us.

We are developing an expanded interest in birding and will add sections to our Elderhostel programs as well as have programs in our 15 Sea Street offerings that take advantage of the fact that Canada has declared the area from Head Harbour Passage to Eastport to Western Passage as an "IBA" – Important Bird Area – a prestigious designation which notes areas of significant rare or endangered birds and their migratory routes.

We are using data from the 1993 St. Croix Waterway Study to formulate business development plans for 15 Sea Street. See SPB-24, 1993 St. Croix International Waterway Management Plan. This Plan was developed by the St. Croix International Waterway Commission in accordance with a Memorandum of Understanding and legislation by the Province of New Brunswick and the State of Maine to jointly manage shared heritage resources along the portion of their common border defined by the St. Croix River system. It establishes international goals and policies for management that seek to preserve and celebrate a corridor heritage, maintain environmental integrity and support the region's resource-based economy. Although technically the Plan ends in Robbinston and does not cover Eastport, the close proximity of the Waterway allows us to employ and rely upon its findings in our business development plans because we believe them equally applicable to our project goals.

The Plan most notably outlines steps to:

- 1) Recognize the St. Croix as an International Heritage Waterway, setting this theme for future corridor development and management.
- 2) Agree on high, international water quality goals, with coordinated action to pursue them.
- 3) Retain a natural shoreland area along the waterfront as an environmental and visual asset.
- 4) Enhance recreational uses of the St. Croix, including back-country canoeing and a restored Spednic Lake bass fishery.
- 5) Encourage continued economic development that complements the Waterway's international strengths in forest resources, tourism and transportation in ways compatible with environmental goals.

We are using the plan to develop tourism programs and strategies to capitalize on the St. Croix Waterway's assets of:

Human Heritage Tourism

Natural Heritage Tourism

Recreational Tourism

International Estuarial Tourism

As reported in the study, "Tourism is a strong and all-pervasive factor in the Waterway economy and is so often linked with recreation that the two are difficult to separate." (pg. 38)

"Tourism offers the area its greatest opportunity for compatible, sustainable growth. The Waterway's natural, recreational and cultural assets, its international status and its strategic travel-corridor location give it a distinct advantage in attracting visitors..." (pg. 41) Page 41 also states New Brunswick's Champlain Industrial Park at Bayside offers a unique opportunity. Its development is a necessary part of the area's long-term economic strategy and yet its high profile location presents a challenge to scenic preservation and the support of water dependent and public use opportunities. It is an ideal site for the Province to demonstrate techniques for "heritage compatible" sustainable development.

"Economic growth and stability are certainly needed in the Waterway area. However, residents have made it clear that this must not come at the cost of important natural and lifestyle values." (pg. 40)

Connecting our 15 Sea Street project to all of the cultural and eco-tourism potential of Passamaquoddy Bay and the St. Croix Waterway – from the first Wabanaki people, to the Voyagers, to the 1604 French explorers, to the Acadians, to Loyalists and Revolutionaries, to the 1812-1814 British occupation of Eastport, to the burning of the Civil Wars ships in Eastport, to the coming of the Roosevelts and Rusticators, to present day residents and visitors – will provide significant and sustainable income to our businesses.

**Q: Are you familiar with the Calais LNG proposal?**

A: Yes.

**Q. Would any of these businesses be affected by proposed LNG operations in the Bay?**

A. Yes. All of these businesses are located exactly at the edge of Passamaquoddy Bay where LNG tankers propose to transit. This is also the area of the Bay which LNG tankers propose to anchor in bad weather. The proposed route of the LNG tankers also threatens our plans to develop more programs connected to the St. Croix Waterway and its rich cultural and ecological themes.

The Atlantic Leadership Center is located in The Commons at 51 Water Street. 15 Sea Street is both the business name and actual location. We also own 11 and 13 Sea Street. All are located right on the Bay and look toward Campobello Island, Head Harbour Passage, Welshpool, Friar's Head, Herring Cove Provincial Park and Roosevelt Campobello International Park—all areas which would be "Zones of Concern" or "Hazard Zones" during an LNG transit or anchoring. Our businesses are in historic buildings, part of Eastport's Historic Downtown which has 30 buildings listed on the National Register of Historic Places and faces the Old Sow whirlpool, Deer Island, and Western Passage.

This route and anchorage area place all of historic downtown Eastport in a "Zone of Concern," which would require search lights, siren systems, surveillance cameras, community shelters, gun boats, etc. —all of which are counter to the type of scenic environment and ecosystem our business depends upon. These areas, and other areas we use for our businesses, could also fall within the "Safety" and "Security" zones of transiting tankers.

**Q: What are your concerns about an LNG facility in the Bay?**

A: My concern is the incompatibility of Calais LNG with existing uses of the area's natural

resources and eco-ecology, including my businesses. Our community is built on and depends on its natural resources. An alien industry such as LNG would transform my and the community's deeply rooted use of the Bay's resources. My deep concern is related to the proposed transit and anchorage route which bring our community, businesses and home into the “Zones of Concern” and "Safety" and "Security" Zone realities. While "Zones of Concern" and "Safety" and "Security" Zones are directed at human safety and behaviors, it is also true that the flora and fauna and other natural features within the "Zone of Concern" would be just as affected as humans in the event of an accident. These "Zones" would impact my businesses and my community's existing uses of the Bay, including fishing, transportation, boating, and other nature-based businesses. Being in a "Zone of Concern" and having to work around safety and security zones would transform our existing use and enjoyment of a resource from one that is now available, permanent, and able to sustain nature-based livelihoods, to one that is off-limits or could be totally destroyed. My businesses and financial well-being, like those of fishermen and other natural-resource based businesses, are directly dependent on preservation of the Passamaquoddy Bay area's ecological attributes and our daily ability to use them, not just myself, but through my businesses and the community. The Bay's natural uses are the bases for all of my businesses.

For example, timing and predictability are key to a successful on-shore experience for cruise guests and for local shop and gallery owners (such as myself) and restaurateurs. The same is true for the residential conference center and hotel we are developing at 15 Sea Street. Cruise guests, tourists, and conference attendees all want undisturbed access and to know that their environment is safe and clean—air, water, docking areas, shorelines and the region as a whole. LNG operations would cause significant challenges to each of these areas, and thus jeopardize future business. I am concerned also that the areas proposed for anchoring LNG tankers in foggy, windy, or stormy weather are the same areas where large cruise ships may anchor, and near where private yachts or other vessels may moor for visits to our businesses.

Other examples of concern are related to schedules, programs and access to the Bay for whale watching, Old Sow whirlpool tours, ferry trips to Deer Island, full use of the Roosevelt Campobello International Park conference areas, and ease of access to St. Croix Island and the

greater Waterway.

I am very concerned about the threats to our use of area resources including: the fragile shoreline of Moose Island upon which Eastport is located, Pleasant Point, Perry, Robbinston, and Red Beach areas. I am very concerned about fragile St. Croix Island and the integrity of Devil's Head Conservation area. All of these areas are not only important to my businesses and financial life, they are home to friends, and important ecological sites. In addition to my concerns about our use of these area resources, I am also concerned about the area's air and water quality and the health of the flora and fauna along the shoreline and in the Bay.

The proposed LNG projects would negatively impact the fisheries, due to LNG safety and security zones that preclude fishing in those areas. Each of the LNG ships' tens of millions of gallons of ballast water intake and engine cooling-water intake would have a negative effect on the lobster fishery, as well as on other commercial species. Negative effects on the local fishing industry would impact our use of and dependence on the Bay. The 3-4 tractor tugs required to accompany the tankers also emit pollutants which will negatively affect air and water quality.

I am also concerned that environmental threats present in LNG operations that have placed the industry on a list called LULUs (Locally Undesirable Land Uses) which signifies that specific environmental concerns accompany 5 specific types of projects or entities that make up the LULU list—nuclear power plants, environmental clean up sites, dumps or land fills, LNG terminals, and certain big box stores. This designation threatens our present business at The Commons and also our new development at 15 Sea Street as investors and users of the facilities may be negatively affected by this environmental designation and the threats the designation signifies.

**Q: How would the LNG facility affect your livelihood?**

**A:** All of my businesses utilize the natural attributes of the area and their success is tied to the natural attributes. My livelihood, as well as income that supports seasonal employees,

artisans, guides and construction workers renovating our historic properties on the waterfront, depends on the environment now present in Passamaquoddy Bay and our ability to continue with our existing uses of the resources including the waterway, ferry transportation, boating and aesthetic values. Proposed LNG industrial operations, with all of the attendant risks, potential harm to the environment, and heavy industry realities threaten my livelihood and the future of our businesses.

**Q: Do you have any other thoughts that you would like to share with the Board?**

A: Where now we regularly and freely utilize the Bay, LNG would place restrictions on uses of the waterway, threaten the natural elements which support us, and possibly cause destruction of the natural resources and marine life that is the basis of my businesses. As the developers themselves state, the area of our home and businesses will be defined as a “Zone of Concern” which means we would have the intrusion into this pristine area of surveillance cameras, search lights, community shelters (bomb shelters), small boats (gun boats), helicopters, siren systems, "Shelter in Place" programs—all destructive to our existing use of natural resources, and hence, our businesses and our ways of life in this area. These intrusions would radically transform the very nature of the Bay, and my experience of it, from a nature sanctuary and thriving eco-economy into a heavy industrial zone.

I consider the proposal of the Calais LNG operation and the choice of its developers in selecting Passamaquoddy Bay to be discriminatory against persons in our small geographic areas, a place believed to be a lower economic area, and one that has a primarily nature-based economy. There are better locations, state of the art technologies and better economics for this type of LNG project to be built elsewhere. I consider this proposed operation to have raised significant issues of Environmental Justice as Passamaquoddy Bay is not well suited for this type of operation, yet it is seen by those proposing this operation as a place where the people, the environment, the web of life in our air and water, our eco-economy and our future are all expendable.

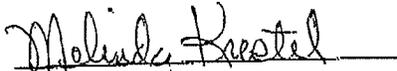
Passamaquoddy Bay deserves the same regard and protection noted in the state's various "special

studies" – from the Flanagan Report to Creative Economy to Quality of Place. The Bay's shorelines deserve the same protection spoken about by the Governor when he speaks of the coast of Maine being its most valuable asset. This is a place and a subject that deserves every bit of environmental protection Maine has to offer. This is about the future of much more than our area, it is about the state of Maine, and our international community. We should be able to continue making harmonious use of the many resources comprising the Passamaquoddy Bay area and upon which we so depend.

 Date: May 28, 2010  
 Linda Cross Godfrey

State of Maine  
 County of Washington

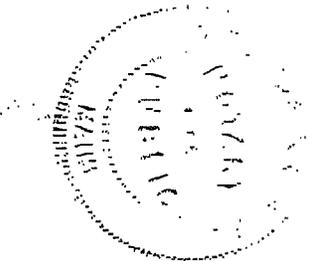
Signed and Sworn before me this 28 day of May, 2010 by Linda Cross Godfrey.

  
 (notary signature)

MELINDA KRESTEL  
 (notary printed name)  
 Notary Public

My commission expires: Aug 6, 2010

Melinda Krestel  
 Notary Public, Maine  
 My Commission Expires August 6, 2010



## EXHIBIT 9

MOVE TO STRIKE HIGHLIGHTED  
TESTIMONY BELOW

**PREFILED TESTIMONY OF ROBERT A. GODFREY**

**Q: Please state your name.**

A: Robert A. Godfrey.

**Q: Where do you live?**

A: I reside at 19 Water Street in Eastport, Maine.

**Q: How long have you lived in Eastport?**

A: As of July first of 2010, I will have lived here for 20 years.

**Q: What is your job?**

A: I own one business, Old Sow Publishing. The business promotes the Quoddy Loop — the greater international Passamaquoddy Bay area. The business also created and manages <[www.OldSowWhirlpool.com](http://www.OldSowWhirlpool.com)>, a website about the largest whirlpool in the Western Hemisphere, located in Passamaquoddy Bay. Old Sow Publishing also constructs and manages websites for area businesses and organizations. The business also provides minor publishing services to my wife's business, Atlantic Leadership Center. Atlantic Leadership Center produces history-based and nature-based Elderhostel programs on Campobello Island, New Brunswick, Canada.

**Q: Where is your business located?**

A: 49 Water Street, in The Commons Building, in downtown Eastport.

**Q: How long have you owned the business?**

A: Since 1994.

**Q: Are you familiar with the Calais LNG proposal?**

A: Yes.

**Q: What are your general concerns with the proposed Calais LNG facility in Red**

### **Beach in Calais?**

A: Construction and operation of the proposed Calais LNG facility would adversely affect ferry access among Quoddy-area communities, marine-related recreational activities, and the scenic beauty of the area. The disruptions to the ferry schedule and the ability to freely work and recreate on the waters would make this area less conducive to my activities. Should the terminal be constructed, it would reduce the attractiveness of this area to me. I greatly enjoy the scenic attributes of the area and the recreational and aesthetic uses of the Bay.

The project would industrialize the area and destroy the rural, relatively safe, highly scenic, and wilderness attributes that I rely upon, use, and enjoy both to promote Quoddy Loop and for my personal pleasure.

The LNG ships from Calais LNG would pass significantly closer than one mile to downtown Eastport and to Eastport residences, including my home and business. Sandia National Laboratories and the recent Government Accountability Office report on LNG to Congress indicate that an LNG ship pool fire could result in second degree burns on unprotected skin within 30 seconds – so this would adversely affect other living beings and the environment that I use to enjoy and to support my businesses. There are several navigational hazards in the passages into Passamaquoddy Bay, including a difficult 117-degree turn just offshore from downtown Eastport, plus Clark's Ledge and Dog Island north of the downtown. Since the local harbor pilots have indicated that the LNG ships would "hug" the Eastport shoreline, due to the presence of Old Sow Whirlpool, Clark's Ledge and Dog Island present navigational hazards to those ships. These navigation hazards, coupled with the ships' thermal hazard zones, present unacceptable risks to the environment I use daily.

**Q: Explain how changes in existing uses of local waterways impact you.**

A: Part of the area's attractiveness is its fishing communities. My business is right next to the Eastport breakwater where many fishermen dock their boats, and I enjoy watching them navigate the waters and use the natural resources of the fisheries to earn their keep and provide for their families. The proposed LNG projects would negatively impact the fisheries, due to LNG safety and security zones that would seriously impinge upon and even preclude fishing in some areas. Also, each of the LNG ships millions of gallons of ballast water intake and engine cooling-water intake would have a negative effect on the lobster fishery, as well as on other commercial

species, in Passamaquoddy Bay. Ballast water uptake would also deplete planktonic and larval-stage species that are essential food to other species such as whales, fish, and birds. Whales and birds are some of the attractions of this area to me, so depleting food for these species could negatively affect me. Negative effects on the local fishing industry would reduce the local, natural-resource-based economy of which my business is part, and would also reduce the attractiveness of the area to all.

**Q: In what ways do you use and enjoy the coastal area in the vicinity of the proposed LNG facility?**

A: I currently enjoy the scenic, peaceful, and relatively pristine nature of this area. I enjoy hiking the rugged trails near the shoreline and taking in the views, watching marine, terrestrial, and avian wildlife of this international area, and examining the unique geological conformations found along the shore. Heavy industrialization brought by an LNG facility would significantly diminish that enjoyment.

I reside near the shore just south of Eastport's business district and enjoy views of Campobello Island and Friar Roads, with views of Roosevelt Campobello International Park as well as of the communities of Welshpool and North Road on Campobello Island. I regularly enjoy seeing loons, osprey, bald eagles, great blue heron, gulls, other seabirds, as well as porpoise, seals, and whales from my home and business. Industrialization of the waterway would reduce the probability — and thus, my enjoyment — of my seeing those animals.

I frequently watch the night sky, and enjoy observing the aurora borealis that can frequently be seen here. In fact, I receive predictions from NASA and other sources of atmospheric and space-related news, that I pass along to members of my "Aurora Alert" email list. The lights from heavy industry would diminish my enjoyment of this existing and significant scenic attribute.

Perhaps most importantly, I professionally and personally use these several natural resources by living in them and being part of a community that does the same. Whether it is fishing, research, tourism, boating, or aesthetic enjoyment, I am part of a community built in harmony with its natural surroundings and making constant, synergistic use of these natural resources.

**Q: Describe how the Calais LNG facility would impact your existing uses of the local waterways and recreational opportunities at Devil's Head and on the Bay.**

A: LNG would transform Passamaquoddy Bay. Heavy industrialization of the Bay area would significantly reduce enjoyment of my home, the greater surrounding community, and the area's natural attributes.

The additional lighting required for security at the proposed terminals would diminish my enjoyment of the natural surroundings, especially the night sky, which I enjoy when I'm traveling in the Passamaquoddy region, including near Calais. Ambient light significantly reduces one's ability to enjoy the night sky, and especially the aurora borealis. I have accompanied tourists visiting this area in observing the aurora, who have told me that they've never before even been able to observe the Milky Way — much less the aurora borealis — due to the excessive ambient light in their home night sky. LNG facilities would reduce my ability to enjoy the night sky, and all that entails.

The proposed LNG facilities would also increase noise pollution from the facilities themselves, LNG ships, and their accompanying vessels. Electrical generating facilities accompanying LNG terminals produce noise. The area's quiet nature would be disrupted by the addition of an LNG terminal.

**Q: Do you have any other thoughts that you would like to share with the Board?**

A: The Society of International Gas Terminal and Tanker Operators (SIGTTO) — an international non-profit organization whose mission is to establish best practices standards in the natural gas industry — has two publications, “Site Selection and Design for LNG Ports and Jetties,” and, “LNG Operations in Port Areas: Essential Best Practices For the Industry.” Those publications clearly indicate that the conditions in Passamaquoddy Bay do not conform to the LNG terminal standards established by that body. They state that an LNG facility should not be located where it will conflict with existing (and future) uses. The proposed Calais LNG terminal location in Passamaquoddy Bay — because most of the counter-indicated conditions can't be mitigated — do not and cannot comply with those standards, make Passamaquoddy Bay entirely inappropriate for LNG terminal development.

Robert A. Godfrey  
Robert A. Godfrey

State of Maine  
County of Washington

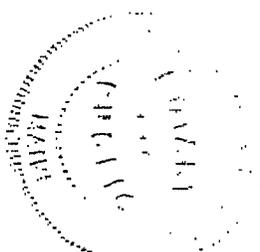
Date: 2010 May 28

Signed and Sworn before me this 28 day of May 2010 by Robert A. Godfrey.

Melinda Krestel  
(signature)

MELINDA KRESTEL  
(printed name)

Notary Public  
My commission expires: Aug 6, 2010



Melinda Krestel  
Notary Public, Maine  
My Commission Expires August 6, 2010

## EXHIBIT 10

MOVE TO STRIKE HIGHLIGHTED  
TESTIMONY BELOW

**PREFILED DIRECT TESTIMONY OF JEFF AND KATE WRIGHT**

Q. Please state your name and address.

A. Kate and Jeff Wright. We are married and reside at 1284 U.S. Route 1 in Calais Maine. We are between Route 1 and the St. Croix River approximately 1 mile north of St. Croix Island. Our home and land is on what is known as Ford Point. It is also referred to as Fox Point.

Q. How far away is your home from the proposed Calais LNG facility?

A. The distance between our property line and the CLNG property line is approximately 100 yards along the shore, and approximately 100 yards along Rte 1. The site is .55 miles from our kitchen door.

Q. How long have you owned your home?

A. Kate bought Fox Point in 1985 and Kate has lived there with her family every spring to fall since then. We reside in Florida during the harshest winter months. Jeff and I were married in 1989 and he has lived there in the spring through the fall since then.

Q. Please describe your home and property.

A. We are bounded to the east by the St. Croix River and bounded to the west by US Hwy Route One. We have 1,200 feet of St. Croix River frontage, including a large rocky beach jutting far out into the River during low tides. Lobstermen have been setting traps immediately off the Point there for as long as I have owned this property. We have a one-acre spring fed pond on our property with a little cabin and fire pit for family recreation. The main house sits highest on the property and overlooks St. Croix Island and has expansive views of the St. Croix River. We have 5 small housekeeping cabins along the River needing total renovation- a project we have reserved for the next two years. We

have two huge garden plots we cultivate. This year the produce is being raised almost entirely for the Irene Chadbourne Ecumenical Food Pantry in Calais.

We have land on the other side of Route 1 that we use as a wood lot. We have one neighbor to the north, then the proposed Calais LNG properties, and Devils Head Conservation Area immediately north of Calais LNG. A picture from our waterfront to Devils Head is attached. Immediately south of my home is another lot with home we own and are currently renovating for use as a vacation rental. Further south along Route One is the Red Beach Community.

Q. Do you conduct a business from your property?

A. Presently, we do not. We operated a lodge and guiding business on Lake Pocomoonshine since 1988. Jeff is a Master Maine Guide with tide-water endorsement. We closed the business approximately four years ago in order to dedicate our time to the renovations at Fox Point.

Q. Are you planning another business?

A. Yes. Since ceasing our business on Pocomoonshine Lake, we have been making extensive renovations to the Fox Point property over the last few years.

Q. What would you offer to clients of this new business?

A. Housekeeping cabins just a few yards away from the St. Croix River, a boat ramp for the guests to use and for our guideboat when giving guided fishing, clamming, wildlife (seals on St. Croix Island, whales, porpoise, birds, etc), cultural and other similar tours.

Q. Did you use the St. Croix River while operating your guide and lodging business.

A. Yes I did, for ten years through the summer and fall until I shut down and started

renovations on the Fox Point property. I would take guests to the River at least once a week, putting in at the Robbinston Boat landing and going around St. Croix Island, to Devils Head, and would stop at the beach on our Fox Point property to dig for clams and worms. I would go more than once a week when striped bass were running or if there were other natural events of interest to the guests.

Q. Would you guide tours of the River from your Fox Point property once renovations are complete?

A. Yes, but we would put in on my property instead of the Robbinston Boat Landing. These tours would be critical to the business that I am planning. During the ten years that I guided on the River, one of the most popular tours was a full day on the St. Croix River. This trip is a real Maine outdoor experience. I combined everything I could into one tour. For example, we would fish and enjoy the scenic beauty. We would beach the guide boat for lunch and dig sea worms for bait and clams for lunch. If fishing was slow, we would chose to buy lobster from one of the Lobstermen on the water. We went ashore and collected driftwood for a fire, cleaned the fish, and made a seafood chowder with the clams and fish we have caught. After a shore lunch, we either continued fishing or bird and seal watching depending on the tide. The trip is a photographers dream in any weather. I conducted all these activities within two miles upriver and three miles downriver from the proposed Calais LNG site. There are always Bald Eagles, Osprey, and Loons to be sighted in this area. The seals are regularly seen on or around the shores of St. Croix Island. One of my best clamming and fishing spots is within 100 yards of the proposed docking facility.

Q. Would the proposed Calais LNG facility prevent you from guiding this tour?

A. Yes, it would prevent me from guiding this tour. An industrial facility masking or impairing the view of Devil's Head, the noise, and loss of night sky would certainly make this tour much less desirable. We would only be about 100 yards from the facility where I dig for worms and clams. In fact, I would no longer offer the tour, not only because of the industrial facility and its impacts, but because I would not be able to schedule the tours because of that tanker transits and the tankers' safety and security zones. They would be transiting and turning into the facility where I guide the tours. The turning to the dock and berthing take some time. I need to provide the tours on a schedule. I would have to go back to shore if a tanker comes, or the tour would be significantly delayed if the tanker comes before I start the tour. A real Maine experience cannot be interrupted or significantly delayed by an LNG tanker with tugs and a security escort. That is the anathema of what this area is about, and what tourists want to see on tours that I guide. I am concerned that the Calais LNG facility would keep wildlife from the area. I am also concerned that, if my guests and I cannot fish, that commercial fishermen would not be able to fish the area. My guests often chose lobster over digging clams and truly enjoyed the experience of buying lobster directly from a fisherman.

Q. Do you boat for your personal reasons?

A. Yes, our family goes boating on the St. Croix frequently in the summer months to enjoy the scenery and watch the wildlife. Jeff will often fish for flounder, striped bass, Pollack and haddock.

Q. Do you fish for other species?

A. Yes, but not by boat. On the beach in front of our house, by the rental cabins that we are fixing up, Jeff regularly digs for clams and picks periwinkles.

Q. How would the proposed Calais LNG development affect your business and home?

A. It would prevent our business's viability. It would cause us to alter our plans entirely. We have already decided that we will attempt to sell our properties and leave the area if the CLNG starts to build along the shoreline.

Q. Please explain the impacts on your home and business.

A. Most obviously, when a client seeks a Master Maine Guide on the Coast it is for a wilderness or at least mostly natural experience. The proposed CLNG facility would be in plain view of our shorefront when now the view to the north is of Devils Head. The view of Devils Head would be overwhelmed by the CLNG heavy industrial complex. Parks and natural areas including Devils Head, Ganong Nature Park, St. Croix Island, and the River in general would lose their scenic and natural characteristics. We use these parks, particularly Devils Head and St. Croix Island. One does not hire a Master Maine Guide to see such things. We would not be able to start, much less grow a business of this nature.

Equally important, the light and noise pollution would be severe. As mentioned above, the proposed CLNG facility is seeking to locate very near our home. Red Beach, Maine, most importantly- the proposed site itself- is largely fields and woods and home to multitudes of animal and bird species, as well as community residents on both sides of the River. US Rte 1 hardly has any street lights in Red Beach-just an occasional pole. Our area of Red Beach is quiet and dark at night. If the CLNG were to site themselves at the proposed spot, not only would the Devil's Head Conservation Area be artificially illuminated but the northern sky would be lit and natural darkness in the woods would be

gone. Any fog and or clouds would exacerbate the light pollution. Lack of darkness will immediately affect nocturnal species and their habitats in a negative way as well as a constant nighttime annoyance to nearby residents. Noise intrusion from the industry is anticipated and would carry into the woods, down the waterway, and into rural dooryards day and night. Tankers, tractor tugs, and security craft would be plying the waters. Simply put, our business and home would be in an industrial area and we will not be able to continue present activities in the future due to the conflicts and restrictions likely to be placed upon us by the CLNG facility.

Q. Would tanker transits affect your business?

A. Yes, absolutely. Going out onto the water is crucial to the guiding business and an essential part of what we would offer to people renting the cabins. We understand that the tankers have a safety and security zone of two miles in the front, one mile astern, and 500 yards on both sides. We also understand that there would be two ships per week transiting to the proposed CLNG facility for a total of four ship passages. Also, the ships would be turning right in front of our home and the housekeeping cabins as they arrive or leave the CLNG dock making for a very wide safety and security zone. According to CLNG's application, the tankers would leave the pier around daytime high tide which is when my husband and I, or our guests, would have to put boats in the water. We do not have a dock or mooring. We have a ramp that we use each time that we use a boat from our property that can only be used when the tide is high. We would not be able to boat into the channel when tankers are coming or going to the proposed CLNG dock. That means that up to four times per week, our boating activities could be restricted due to CLNG having tankers arrive or depart. **Our home itself falls into the hazard area when**

ships are passing. Perhaps we will be required to leave our own premises during transits or cease outdoor work with certain equipment?

We have not had that question answered by anyone at CLNG yet.

Q. What would you have to do?

A. We would have to sell our property and move to another location. We would not be able to restart our lodging and guide business if CLNG were to be built. We will not want to stay at our home anyway, as we see this development as unsuitable for the area and not worth the risk of living so close to a potential disaster on land or water.

Q. How would this affect you and your family's use of the area resources?

A. We live here for the same reasons that we could run a guide and lodging business from here. We treasure the night sky and tranquility, the clean air, wildlife, forests and the undisturbed wilderness areas.

Q. Does noise from Route 1 bother you?

A. No. Our house is approximately 200 yards from Route 1 and is oriented towards the River. This distance and the house insulate us from any road noise. Also, Route 1 is busy at certain times of the day, but is quiet in the evenings and quite still at night. With CLNG, we would have noise and activity 24/7 being generated at the facility or the tankers and tugs.

Q. Do you or your family boat on the river?

A. Yes, at least once a week, and often more during frequent visits from family and friends. We tour and go fishing in the same area the LNG tankers would transit to the proposed CLNG dock and turn while reversing their transit back out. We also go to St. Croix Island to observe seals and Loons, and further into the Bay to see whales, porpoise

and other wildlife. As with the use of boats for guiding and for guests, our use of the waters in front of our house would be restricted. It appears that the tankers would be turning and leaving at the same time that we would need to get our boat into the water and boat away from the shore (because we do not have a dock or mooring).

Q. How else would it affect you?

A. Again, in the same ways stated above. Besides losing the peace and quiet of this wooded area, we would lose the cover of darkness and stars at night. We would lose the sense of feeling safe and sound when right at home, having hazardous material transported right by us, and then stored just ½ mile away. The worry if transfers work out fine or will there be human error, miscalculations, a plain unexpected accident happening at the wrong moment in the wrong place that could potentially cause a disaster despite safety regulations. Just 3 months ago in Middlebury, CT, a new gas plant had a fire and caused many casualties- that plant had not even opened for business yet, and it of course, was FERC approved. I understand that the BEP may not have authority over some safety issues, but the perception or potential of danger affects the use of natural resources that we depend on. People would rather enjoy the outdoors away from such facilities. Also, our treasured view of Devils Head would be overwhelmed by the CLNG heavy industrial complex. We would be surrounded by heavy industry.

Q. Do you have anything else to add?

A. I am incensed by the City of Calais approving the CLNG development next door to the Devil's Head Conservation Area. The City had accepted the obligation in 2003 to serve as conservator and protect and promote the use of the Devil's Head Conservation Area for the public whilst preserving the wildlife, habitats, natural area, and beach. In

short, the City of Calais has invited a heavy industrial business to set up right next door to, and to the detriment of, this unique, highly scenic and protected area. Devils Head's value as a resource would be destroyed. Obviously, the first stage of construction will involve removal of trees, unearthing and removing granite boulders, leveling the ground, altering shoreline to prepare for docking facility, etc. that will destroy the currently intact woodland and marine ecosystems.

Q. There is a picture attached to your pre-filed testimony. Do you know what the picture is of?

A. Yes, it is of our property and the surrounding property including the proposed Calais LNG site and Devils Head. See SPB-27.

Q. Is the picture accurate?

A. Yes it is.

Q. Are the labels accurate?

A. Yes, each one is accurate.

Kate Wright  
Kate Wright

Date: 5/27/2010

State of ~~Maine~~ FLORIDA  
County of ~~Washington~~ HONROE

The foregoing signed and sworn to before me this 27 day of May, 2010 by, Kate Wright  
~~who presented USA passport as identification to me the~~  
~~undersigned NOTARY PUBLIC.~~

Miroslava Avramides  
(signature of notary public)

MIROSLAVA AVRAMIDES  
(printed name)



Notary Public

My commission expires: March 17, 2013

*Jeffrey C Wright*

Date:

\_\_\_\_\_  
Jeff Wright

The foregoing signed and sworn to before me this 27<sup>th</sup> day of May, 2010 by Jeff ~~and Kate~~  
Wright

*Sharon A Cole*  
(signature of notary public)

**SHARON A. COLE**  
**Notary Public, Maine**

(printed name) **My Commission Expires August 7, 2015**  
Notary Public  
My commission expires: \_\_\_\_\_