

LNG

NOW IS THE TIME FOR COURAGE AND RESOLVE

Save Passamaquoddy Bay, a 3-Nation Alliance (Passamaquoddy, U.S. and Canada) formed to keep a LNG terminal and its attendant facilities out of Passamaquoddy Bay. We are a determined voice for Passamaquoddy Bay and believe that the community of ALL of the people who live around and near the Bay have a right to a voice and a right to be involved in ALL of the decision-making on this proposal.

Secrecy, pressure and scare tactics, exclusion, bullying, and the exclusive involvement of undisclosed developers representing unidentified corporate interests, and a few tribal and state government leaders with special interests, as well as conflicts of interest, have surrounded this subject.

We have asked Governor Melvin Francis and Governor John Baldacci to bring us information, answer our questions, and honor our concerns. No response has come from either governor. Today we want a statement from the two governors that acknowledge the lack of due process and announces that this proposal has been stopped, that no further action will be taken to bring LNG to Passamaquoddy Bay.

We are prepared to guarantee that all legal rights are upheld. Today, we are stating our position clearly. Legal recourse to protect Passamaquoddy Bay and the communities around the Bay is in motion.

In this publication we:

Point out that there has been no due process during the 6 months of this project.

Summarize objections of local communities and organizations.

Bring forward the legal status of the Town of Perry.

Present a summary of the disregard and injustice toward the Passamaquoddy people.

ALL who live around and near Passamaquoddy Bay have reason for concern. Now is the time to stand up and speak out for Passamaquoddy Bay. The land, water, air, flora and fauna, cultural heritage, human dignity and freedom we value and share in common require our courage and resolve.



THE PASSAMAQUODDY

BAY COMMUNITY SPEAKS:

"The sovereignty of the Passamaquoddy peoples should not be jeopardized for a quick sale to an industry that is plagued with environmental risks and uncertainties.... Supertankers laden with potentially hazardous cargo brings with it a history of explosions, gas leaks and spills that could destroy this environment and ruin the traditional food systems of the Passamaquoddy."

-Clayton Thomas-Muller, spokesman for the Indigenous Rights Network, an world-wide environmental justice organization

"As fishermen, we stand to lose a lot of territory and nursery grounds for all the resources in the bay. Gleason's Cove is a great clamming area, where the clams grow fast.

We have identified many concerns and asked many questions to which we have received no satisfactory answers. We believe the potential losses to the fishing industry are too great to risk. Until and unless we receive better answers and more information we must oppose the placement of an LNG terminal at Pleasant Point."

-The Cobscook Bay Fishermen's Association

"The massive scale of this proposed complex in such close proximity to a residential area, the disruption posed by construction of the facility, and the presence of immense tankers laden with potentially hazardous cargo in our coastal waters compel us to vigorously oppose this project.... [The proposal] poses a serious threat to the area's traditional resource based economy. The tankers and their mandated security zone will disrupt and degrade local fisheries, and the visual impact of the terminal on this scenic area, as well as its noise and lighting, will negatively impact businesses depending on tourism."

-Quoddy Regional Land Trust Board of Trustees

"The industrial nature of this terminal will not be an attraction for the area's growing tourism business. The tanker traffic would displace local fishing and boating. The economic gains become less important when compared to the biological value of Passamaquoddy Bay."

-Schoodic Audubon Board of Directors

"While LNG may be part of the future of Canada's and North America's energy picture, such operations clearly belong in industrial areas, for example Saint John, with its excellent docking facilities, clear shipping lanes, safe anchorages, all of the attributes of a relatively safe site, which is clearly not the case in or around the Fundy Islands and Passamaquoddy Bay. New Brunswick's Bay of Fundy coastline, including Passamaquoddy Bay and the islands of Grand Manan, Deer Island and Campobello Island have been described as one of the marine wonders of the world—home to herring weirs, lobster pounds, salmon farms, clam flats and dulce operations. New Brunswick's tourism promotion describes it as one of the most scenic and striking areas of the province, a region renowned for its dark red mudflats, rocky beaches and the highest tides in the world."

-Greg Thompson, New Brunswick Member of Parliament, in a letter to the Prime Minister, along with petitions from Campobello, Deer Island, Grand Manan, and St. Andrews

"I am here to say that Passamaquoddy Bay is definitely the wrong place for a LNG terminal. A natural gas terminal will have a negative impact on sea life such as fish, krill, porpoises, whales, sea and shore birds such as eagles, gulls, and osprey, not to mention lobsters, scallops, mussels, clams, urchins, periwinkles, salmon and ground fishing areas. The required high security exclusion zones around moving LNG tankers while they are moving or anchored at the terminal will shut down or interrupt whale-watching excursions, fishing trips, bird watching expeditions, eco-tourism and Elderhostel programs, kayaking, canoeing, sailing and pleasure craft boating. With well documented navigational risks such as rips, ebb slicks, whirlpool action, fog and upwelling, the idea of bringing LNG tankers and terminal operations to small and protected Gleason's Gove is totally illogical."

-Arthur MacKay, Canadian Environmentalist, Ocean Cartographer and Scientist

"The Maine Chapter of the Sierra Club, representing 4900 members, and the Atlantic Canada Chapter of Sierra Club of Canada, with members in New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland and Labrador, today urged Governor John Baldacci to heed the calls from Downeast citizens and take a stand against the proposed Pleasant Point LNG (liquefied natural gas) terminal on the grounds that it would cause unwarranted environmental harm to marine ecosystems and economies, and would violate basic principles of environmental justice."

-Vivian Newman, the Maine Sierra Club Chapter

"We are extremely concerned here in Canada about the numerous negative impacts of this project.... Given the location of the project just a stone's throw from the border and the tortuous and treacherous route LNG vessels will need to take to get to the proposed facility, this is very much a Canadian issue, and opposition to it is rapidly building over here. Safety concerns, the social justice issue on both sides of the border and the very real potential threat from shipping to endangered marine mammals and the marine ecosystem in general just begin the list of our concerns. I can't imagine for all manner of reasons how a worse site than this for this type of facility could have been chosen."

-Mark Dittrick, Conservation Chair of Sierra Club of Canada's Atlantic Canada Chapter

"...it seems very evident that the City of Eastport, together with the many other communities which surround Passamaquoddy Bay, would be directly and strongly affected by such a facility and thus we are particularly distressed by the secrecy surrounding this proposal and by the failure of Quoddy Bay LLC and the tribe to consult with us in an meaningful way."

-George "Bud" Finch, Eastport City Manager, at the request of Eastport City Council

ARTICLE 40

A Voice for Passamaquoddy Bay, Gleason's Cove, Little River and Sipayik:

"The Town of Perry legal status will be upheld to the full extent of the law."

- Save Passamaquoddy Bay - A 3-Nation Alliance

In 1986 when the Town of Perry sold the Passamaquoddy Tribe the land now being promoted as the site for the LNG terminal and its attached commercial/industrial operations, restrictions were placed on the sale and use of the land by Perry residents. Many months have lapsed as the developers of the site have secretly moved their desires ahead. The rights of the people of Perry have been ignored, citizens of Perry have not been included in any discussions, and the legal rights stated in Article 40 have been minimized.

Save Passamaquoddy Bay - A 3-Nation Alliance has launched a legal process to safeguard Passamaquoddy Bay, protect Gleason's Cove, Little River and Sipayik, and to uphold the legality of Article 40.

We have learned that the developer intends to break this legal agreement by claiming that the proposed LNG terminal is not a "commercial" operation, but an "industrial" operation and thus not covered in the legal agreement stated in Article 40. We advise the developer that to use this argument will be a mistake. Any reader of Article 40, and the two additional documents which support it—a letter from then Governor Clive Dore, and legal notations in the Land Claims Settlement related to this article, make very clear the spirit and intent of Article 40. We are confident that the judicial system will conclude what is obvious and clear in this legal agreement. The intention of the Perry voters to protect this land from exactly the type of threat and development it is now facing is absolute.

Read for yourself...

Support the legal defense of Article 40 in one/or all of four ways:

Make your support known to the Perry Selectmen at the town meeting on Monday, November 29th at the Perry Town Hall - 5:00 pm.

Join in the efforts of Save Passamaquoddy Bay - A 3-Nation Alliance. Call 853-4123

Write letters to the editors of local newspapers, write state and federal elected officials, make your opinion known!

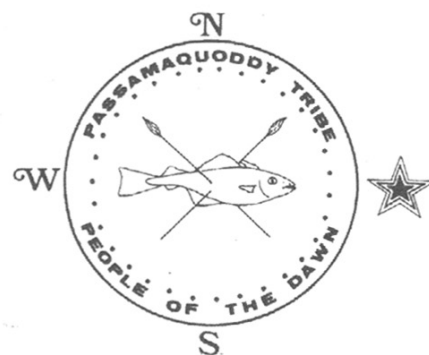
Contribute financially to the work of Save Passamaquoddy Bay by making a donation to Save Passamaquoddy Bay, Attn. The Commons, P.O. Box 255, Eastport, Maine 04631. Call for information 853-4123.

At the 1986 Town Meeting on March 18th which was held at the Clark School in Perry at 7:00 P.M. the following ARTICLE was acted upon:

ARTICLE 40

To see if the Town of Perry will approve the addition to Passamaquoddy Indian Territory of such lands as may be or may have been acquired by the Passamaquoddy Tribe within that portion of the Town of Perry which lies south of Route #1, and east of Route #190 to the Little River, and that portion of the Town of Perry which lies south of lands now or formerly owned by William Pollis on the west side of Route #190 to Passamaquoddy Bay and supports the inclusion of any such lands within the Pleasant Point Passamaquoddy Reservation, provided, however, that the Passamaquoddy Tribe shall pay the Town of Perry the sum of \$350,000.00 at the time of the addition of any of this land to the Pleasant Point Reservation. The Board of Selectmen are hereby authorized to execute agreement on behalf of the Town of Perry necessary to effect the purpose of this Article. Article 40 was amended to read if any future Commercial Development would be built on said land, it must be approved by the voters of said Town of Perry with exception of any development currently in the building stages.

The Article was voted on as amended. Passed: 81 Yes 64 No



Pleasant Point Reservation
PERRY, MAINE 04667

November 5, 1985

Dear Perry Voter:

I am writing in response to a letter signed by eight individuals concerning the August 6, 1985 vote to annex approximately 300 acres of the Town of Perry to the Pleasant Point reservation. The writers of that letter suggest that our tribe would be willing to pay any price for the right to annex these lands. We are insulted by this suggestion. We have attempted to deal with this matter in a forthright manner. The \$350,000 which we have agreed to pay to the Town of Perry for giving up tax authority over these lands is one hundred times the current tax income from these properties. If conservatively invested, this amount would annually return ten times the current tax revenue from these properties to the Town. We agreed to this payment even though it is far more than what is needed to make the Town whole for the loss of this portion of its tax base because we hoped to accomplish this transaction with good feelings all around. We know full well that if we simply continue acquiring property and either building or purchasing homes in Perry, we will eventually be able to obtain a vote to annex the lands in question for less money, but we thought it in the best interest of all concerned to proceed as we have.

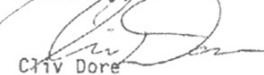
You will have to decide for yourself whether you think the offer which we made, and which was accepted on August 6, 1985 in one of the largest Town Meetings ever held in Perry, is fair. We believe that the writers of the recent letter are either confused themselves or are purposely trying to confuse the issue. For example, the report from Maine Tomorrow commissioned by the Town identified the cost of temporary elementary school housing as the greatest potential educational cost for the Town which would result from an increase in Passamaquoddy school children in Perry. The recent letter, and the attachment from the Department of Education, however, deal with the cost of permanent new school space, a subject which has little to do with the issue.

But the primary thing that we wanted to do in this letter is to dispel any impression that the Tribe is willing to pay "any price" for annexation of the 300 acres. We have made what we consider a fair and generous offer. Our offer was accepted by the Town and now constitutes an agreement. We stand by that agreement, but we will not pay more, and if the agreement is broken by the Town, our original offer will be withdrawn.

Before closing, I would like to make one other point. We have stated publicly that we intend to use the lands in question primarily for housing. We would, however, be willing to make any commercial use of this area (other than the planned multi-purpose center for Perry Corner) subject to approval by the Town of Perry.

I hope to see you at the meeting tonight, Wednesday, November 6, 1985.

Sincerely,


Clive Dore
Tribal Governor

NTULANKEYUTMONEN NKIHTAQMIKON

“WE TAKE CARE OF THE HOMELAND”

by Vera Francis, educator, doctoral candidate, producer and director of Wabanaki Transformers Theater, and poet

Four hundred years after Champlain sailed up the St. Croix River, another “ship” is coming in. Its impact threatens to be as deadly to the indigenous people of the coastal Wabanaki region as small pox was to native people in 1600.

In response to the proposal to site a liquefied natural gas (LNG) terminal on Passamaquoddy tribal land, Ntulankeyutmonen Nkihtaqmikon has launched an ambitious campaign to educate Tribal people and opinion leaders about the nature/scope of LNG, identify interventions and align with national and international environmental justice, and indigenous rights organizations.

In short, we are a group of Passamaquoddy people organized to stop the current efforts to locate an LNG terminal on Passamaquoddy land and in the ancestral waters of tumultuous Passamaquoddy and Fundy Bays.

Ntulankeyutmonen Nkihtaqmikon intends to legally defend our right to organize a culturally appropriate response to the Quoddy Bay LLC (an Oklahoma based energy company) proposal to process and store liquefied gas in Passamaquoddy Territory. The Passamaquoddy Bay region is a critical-cultural-heritage site, which deserves protection and advocacy. Over the past year the controversial LNG terminal has been rejected by communities up the Maine coast from Harpswell to Searsport and now it is focused in on our homeland. It was only in June that plans to locate the terminal in Passamaquoddy tribal territory were made public, and LNG operatives, who include state and federal regulators and seasoned politicians, have already galvanized support from Maine’s governor, John Baldacci, to bring LNG into this small coastal village.

Quoddy Bay LLC, relying heavily upon questionable information collected through a door-to-door survey in July, contends that members favor a terminal. This door-to-door survey is an area of contention by tribal members that claim that the survey obscures facts and misrepresented the wishes of Tribal members. With no prior information about LNG, respondents to the door-to-door survey had little or no understanding of the scale of the LNG project (the enormity of the project’s impact on the environment and local culture). Pressure and scare-tactics surrounded the survey and, therefore taint the results.

On June 22, Governor Baldacci leveraged his political power by sending his emissaries, comprised of top cabinet members on a tax-payer funded plane, to personally deliver a message to members of Sipayik that LNG is not only

good for “Indians,” it is good for Maine. Later he said, “If Passamaquoddies don’t want it, I don’t want it.” What has Governor Baldacci done since June to learn what the tribal members – and nearby neighboring communities – want? Where is his interest?

On the evening of August 3, 2004, during a Passamaquoddy Tribal Council meeting, Governor Melvin Francis promised that a referendum would be held in 90-days. Less than 2 weeks later, on August 13, 2004, members of Sipayik received notice in a local newsletter that the Passamaquoddy Governor and Tribal Council would hold a special referendum the following Tuesday, August 17, 2004.

Despite the fiery pace and the pressure put on the situation by both tribal leaders and the company wishing to bring in the LNG, Passamaquoddy people are clearly not united on the issue of LNG. Like Sipayik’s Tribal Council’s 4-3 vote on August 3, 2004 calling for a non-binding referendum, the referendum on August 17, 2004 belies any misconception that Sipayik members are wholeheartedly committed to the prospects of an LNG terminal. Like other coastal communities of Maine, the vote proved once again there is community division and not unanimity. Coupled with the issues of electoral irregularities, it’s not fair to over-generalize the sentiment of Passamaquoddy voters as majority rules, especially since the referendum process itself can be easily recalled.

As indigenous people we not only have a right to make decisions – we have a right to control our resources and environments. If Maine’s people are dissatisfied with the current lack of open debate, which is what I suspect, call into question the material evidence of interference of Passamaquoddy tribal procedures, ask for public hearings, demand respectful processes, support traditional life ways and engage direct democracy. Hold your elected officials accountable to the fact that Maine’s promise for a quality of life doesn’t have to be at anybody else’s expense.

Until there are credible oversights established for LNG in the United States, until Maine has an energy plan, and until the communities most likely impacted have a place to turn for reliable information, there should be a moratorium on establishing LNG import terminals. LNG in Maine calls for an open debate – LNG should not be preordained by a non-visible entity.

For now, we ask that the plan for an LNG terminal at Pleasant Point cease.

Ntulankeyutmonen Nkihtaqmikon. We take care of the homeland.

This is our stance. We *will* take care of the homeland.

