



## Save Passamaquoddy Bay

A 3-Nation Alliance

(US • Passamaquoddy • Canada)

PO Box 222 • Eastport, ME 04631

(207)853-2922

[info@SavePassamaquoddyBay.org](mailto:info@SavePassamaquoddyBay.org)

[www.SavePassamaquoddyBay.org](http://www.SavePassamaquoddyBay.org)

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE Room 1A  
Washington, DC 20426

eFiled on 2013 May 13

**Re: Downeast LNG, Docket Nos. CP07-52-000, CP07-53-000, and CP07-53-001  
Passamaquoddy Tribal Rights in Waterway**

Dear Ms. Bose,

In the "Supplemental Draft Environmental Impact Statement," the US Coast Guard (USCG) requires Downeast LNG to obtain a letter of acceptance from the Passamaquoddy agreeing to Downeast LNG's proposed use of the waterway.

*"The applicant must provide written verification to the Coast Guard of collaboration with and acceptance from the Passamaquoddy Nation, ensuring its jurisdictional interests and public safety and security needs associated with this project are adequately met."* ("Supplemental Draft Environmental Impact Statement," p67)

The Saint Croix Schoodic Band of Passamaquoddy are based in St. Andrews, New Brunswick, Canada, and have Native rights in the United States.

On 2013 April 19, Saint Croix Schoodic Band of Passamaquoddy Chief Hugh Akagi sent an email, with an attachment, to USCG Port Security Specialist Alan Moore **disapproving** of Downeast LNG use of the waterway (see accompanying files: **02\_Akagi\_email.pdf** and **03\_Akagi\_attachment.pdf**).

The Saint Croix Schoodic Band of Passamaquoddy has formally notified the USCG that it disapproves of Downeast LNG's proposed use of the waterway. Therefore, Downeast LNG has failed, and cannot comply with, the Coast Guard jurisdictional and public safety and security requirement.

Very truly,

Robert Godfrey  
Researcher & Webmaster

CC: Sen. Angus King  
Sen. Susan Collins  
Rep. Mike Michaud  
Rep. Chellie Pingree  
Rebecca Boucher, Esq.  
Service List

**From:** "Hugh Akagi" <akagih@nb.aibn.com>  
**Subject:** **Down East LNG . . .**  
**Date:** 2013 April 19 11:22:54 AM EDT  
**To:** <alan.h.moore2@uscg.mil>  
▶ 1 Attachment, 25.0 KB

---

Dear sir, I am writing to you to express my concerns that DE-LNG continues to seek use of our territorial waters to promote an industry which we believe will be harmful to our territory, our waters, and a way of life, a balance with nature (an agreement with our Mother Earth, if you will) that has allowed us to survive here over the past 12-15000 years (depending on the research/ history you wish to reference, Bruce Bourque or Tribal legends) enjoying the rich abundance of all that our Mother Earth provides).

Many of our Tribe believe this balance has already been compromised through the arrival of the European culture to our territory and this latest proposal might just be another stake in our hearts for what we value most, our "sacred" land/ waters which help define us. As we struggle for recognition within the country of Canada, as we struggle not to become totally assimilated through the land claim agreement with Maine, we recognize how fragile our existence as Native/ Indigenous Peoples on this planet might be; hence, we see the dangers to our society as well as that of the other culture recognizing the need to resist the lure of jobs and monies which are finite compared to what we need to protect and that includes the future.

I feel I repeat myself so I will include an attachment expressing these concerns when Mr Girdis first addressed our community here in Canada many years ago for our point of view has never changes.

I would ask that my message be delivered to your coast Guard of any other agency which might aid us in killing this beast. I appeared with other Tribal members on a panel during the BEP hearing in Calais to express these concerns and the most powerful statement I heard was when our Elder when she asked if anyone might think they would build a church and attend services on their proposed pier which was to extend well out into our sacred waters requiring incredible security, some of the most industrialized equipment in the world limiting access to both land and waters in that area. I would protest their pier being located where the sun sets for most of the summer meaning we here in Canada would lose our sunset to their constant battery of lights while my relatives on my reserve in Sapayik were being asked to forfeit their sunrise for the proposed Quoddy Bay LNG terminal, the reply came in their request o have my statement struck form their official records.

This is not an industry we can support, the threats and dangers we believe to be real, and the destruction to my culture would be a given.

This is my testimony as Chief of Passamaquoddy Peoples - - - Hugh M. Akagi



[Mr. Girdis.doc \(25.0 KB\)](#)

Subject: In response to the “Newsletter” from Mr. Girdis and Downeast LNG:

Mr. Girdis, your Newsletter has conveniently left out any consultation with the First Nations People who are indigenous to this territory since time immemorial. It may be deemed arrogance, with your arrival in our territory without invitation and with the belief that you see no need to address the concerns of my People; or ignorance in the necessity of such a process to address these issues in this country. Your efforts to ignore First Nations while seeking access and rights within our territory are considered an infringement upon our constitutional rights within the country of Canada and our traditional rights as Native Peoples within our territory.

To see what your proposal would mean to generations yet to come, we need no crystal ball to foresee the future; we need only revisit the past. My People now recognize the dangers of what you would offer as a benefit in bringing industrial activity to this area, on such a grand scale. The promise of jobs and a better life to those impoverished by your standards are just a modern day version of other promises of a “better life” for my people. As in previous encounters with your society, what becomes obvious from your newsletter is the content of what remains unsaid or even worse your ability to “imply” that there will be no danger or problem with *your* vision of *our* future. The section on safety issues has no mention of the numerous accidents throughout the world involving the transportation of natural gas. You would use the word “innocent” to justify your passage through our waters with no mention that the definition of innocent is “**free from moral wrong, not guilty, or free from responsibility for an event yet suffering its consequences**”! (Oxford Concise English Dictionary) This alone should raise warning flags that legal preparation is already in place to protect those who predict eventual problems from their activities.

With all your efforts to convince us to buy into your monetary culture at the expense of our own, the only true guarantee you have to offer is certain destruction. The potential for disaster is real and the consequences of such a disaster unreal. Yet the destruction to a way of life is also very real. The basic freedoms my People once enjoyed were sacrificed to allow industry control over our resources. Our dependence on fishing, as a way of life, would be the first of a number of lifestyles to disappear. Our freedom to travel throughout our territory would become a “**privilege** to cross the border”. The very customs that defined us as a People would be denied so that profit could be made to the benefit of others. This is the “project” you would bring to those now living in this territory. They too will lose the basic freedom of movement and privileges, as restrictions will be imposed, over which they will have no say; and that loss will become the legacy for generations to come. To relinquish control is to invite destruction. To buy into your own destruction is a tried and true method of guaranteeing others unlimited access and a path toward the extinction of rights. This is a path my People have walked and we do not wish it upon others. It has taken generations to recover some of what we have lost; it will take many more to revive the culture. Every day the First Nations are being invited to

sign off their treaty rights and to deny their culture in order to take part in this “global economy”. What price must we pay? Is it not our very identity as a People?

Yet to come back to the present, I see total irony in the fact that you Mr. Girdis have come to us because we have something you want. Though we may be suffering in economy, though we may be lacking in resources, we still have something you want! Perhaps we are not as “impoverished” as you might have us believe. You need our **consent!** To proceed without this would require a major show of force, perhaps a large sum of money, and/or the threat of exposing yourself as one willing to sacrifice the lifestyle (perhaps the very lives) of others to obtain what you want. This sacrifice would include the further destruction of a Native culture struggling to recover from the ashes of a People once considered near extinction within their territory. The problem, Mr. Girdis, is that you have nothing I want! With all your millions/ billions of dollars, **you have nothing I want.** To consider any offer you might make as a fair trade, to consider any exchange of paper for my consent as a good deal; I need only revisit the past to reply: “No Mr. Girdis, this time there will be **no beads for Manhattan!**”

I have come to realize; however, that you will not accept “no” as an answer. So, I will extend an invitation to you Mr. Girdis to feel welcome to return to our territory when you have something worth bargaining with; when you can offer us something truly beneficial to our world. Perhaps a form of wind or solar energy to relieve the suffering of our planet!

We the Wabanaki (the People of the Dawn) believe there will always be a dawn!