

## Memorandum

To: Interested Parties  
From: Patricia Foley and Bruce Berman  
Date: September 26, 2005  
Subject: The construction of an LNG terminal and storage facility on Outer Brewster Island in the Boston Harbor Islands National Park.

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Save the Harbor/Save the Bay's mission is to restore and protect Boston Harbor and Massachusetts Bay, and keep them clean forever, for everyone to enjoy.

We were early advocates for the creation of the Boston Harbor Island National Park because we felt then – and still feel now – that it was the best way to preserve and protect these spectacular islands for the public to use and enjoy.

Today there is an effort underway to persuade the Legislature to sell Outer Brewster Island for use as an LNG terminal and storage depot. This effort is spearheaded by AES Corporation, of Arlington Virginia.

Save the Harbor/Save the Bay has a long track record of support for clean fuels like natural gas, and we understand that both energy independence and public safety are important regional concerns that we share with the public and with our elected officials.

That said, we believe that it would be totally inappropriate to locate an LNG facility on Outer Brewster Island in the Boston Harbor Islands National Park for the following reasons:

### **It is inconsistent with the purpose and promise of the Boston Harbor Islands National Park.**

Save the Harbor/Save the Bay supported the creation of the park to protect these islands and to share them with the public, not to see them privatized, literally auctioned off to the highest bidder for private gain, as proposed by AES.

The enabling legislation for the National Park states that the primary purpose of the Park is to “preserve for public use and enjoyment the lands and waters that comprise the Boston Harbor Islands National Recreation Area” (Omnibus Parks and Public Lands Management Act of 1996, Public Law 104-33, 110 Stat. 4093 SEC. 1029).

Guiding legislation for the National Park System, enacted in 1916, establishes the non-impairment of resources as the primary purpose of park creation.

The Park Management plan, which has been endorsed by all of the partners who govern the park including the National Park Service, establishes a natural emphasis area in the outer islands.

The Island Alliance, the federally chartered non-profit created to manage and develop the park, concluded that the proposal is fundamentally inconsistent with its Statement of Purpose.

On September 22, 2005 the Board of Directors of the Boston Harbor Island Alliance determined that:

“The proposal by AES Corporation of Arlington, Virginia to locate an LNG ship terminal on Outer Brewster Island in the Boston Harbor Islands national park area is inconsistent with the Statement of Purpose the Board adopted in 2003 as a formal guideline for its activities.”

The Statement of Purpose reads: “The Boston Harbor Island Alliance exists to enhance, to protect and to promote the Boston Harbor Islands national park as a signature asset of the city, state and nation.”

**The proposed project will not decrease LNG tanker traffic into the Harbor.**

If built, AES’s proposed project would connect to Duke Energy’s “Hub” pipeline. That pipeline is not connected to the Distragas (now known as Suez LNG NA) Mystic Station power plant in Everett, and so the construction of yet another LNG facility in Boston would have absolutely no impact on current LNG tanker traffic into the Harbor, which supplies that plant.

There are currently two proposals for offshore terminals 10 miles off the coast of Gloucester already under review by the Federal Government. Both are within 25 miles of the proposed park site. Either or both of these proposals will help meet our region’s energy needs without taking one of the islands in the National Park. All three proposed projects would put gas into the Duke pipeline, which is already at nearly 50% capacity. Any one of these three proposals could provide sufficient gas to meet or exceed the capacity of the pipeline, which, once again, is not connected to the Mystic Station in Everett.

Policy makers need to take a hard look at our region’s energy needs as they consider the dozen or so proposed LNG projects proposed along the New England and Canadian coasts, as there is a broad consensus that any two of them would probably be sufficient to meet our region’s energy needs.

**The proposed project threatens critical habitat in the National Park.**

Outer Brewster Island is part of a unique and fragile cluster of islands that make up Brewster Cove to the south and Calf Bay to the north.

These islands and bays are among the most important habitat in the park. They are home to extensive colonies of sea and shore birds and other migratory species, including terns, oyster catchers, osprey and other threatened, endangered or rare species protected by both state and federal law.

Calf Bay is also the winter home to a well-documented breeding colony of harbor seals, which haul out on the shore after feeding in the productive waters just off Outer Brewster. Each spring SH/SB brings hundreds of young people from Boston’s neighborhoods and surrounding cities like Revere and Quincy out to see the seals in their natural environment.

The adjacent waters yield good catches of lobster and urchins, and are important to area lobsterman, who historically fished these productive waters all year long.

All of the alternatives considered during the park planning process recognize the unique value of these fragile outer islands and the surrounding bays, and the critical importance of this habitat to the health of the harbor and the bay.

Clearly, decision makers and the public deserve to know more about this proposal before we take the dramatic and irreversible step of auctioning off an important piece of our new National Park to a private LNG Company.

**The process is backwards.**

Outer Brewster Island is owned by the Commonwealth's Department of Conservation and Recreation (DCR), and is a part of both the State and Federal park systems.

The transfer of state parkland to private use requires a 2/3 vote of the Massachusetts Legislature before the parcel can be put out to bid.

Though there has yet to be a single hearing or environmental filing, AES has already begun to seek support for Article 97 legislation that would instruct DCR to sell Outer Brewster to the highest bidder before the public has even had a chance to see and review the proposal. We believe that it is wrong to put Outer Brewster out to bid without any environmental impact review, or public meetings or hearings on the project.

If the Legislature permits the transfer, permitting authority goes to the Federal Energy Regulatory Commission (FERC). Recent history demonstrates just how difficult it is for local and state government to affect FERC's decisions.

The law does not require AES to present the public with a plan, and they have not. Instead, AES has produced a ten-page power point presentation that provides no specific details about the plan or its impacts.

Based on our analysis, AES's plans to build an LNG facility on Outer Brewster Island in the Boston Harbor Islands National Park:

- Will not decrease LNG tanker traffic into the Harbor.
- Threatens critical habitat.
- Is inconsistent with the purpose and promise of the Boston Harbor Islands National Park.

Save the Harbor/Save the Bay opposes AES's plan to build an LNG Facility on Outer Brewster Island in the Boston Harbor Islands National Park.