

**Testimony on the Broadwater Liquefied Natural Gas Proposal
Hearing of the Federal Energy Regulatory Commission
Tuesday, January 16, 2007 - 7 p.m.
Branford High School Auditorium**

Submitted by Susan Bysiewicz, Secretary of the State of Connecticut

Good evening distinguished members of the Commission, fellow Connecticut citizens, and fellow public servants.

I want to thank the Federal Energy Regulatory Commission and the Connecticut Coast Guard for hosting these important hearings on the proposed Broadwater project in Long Island Sound.

As a public servant, citizen, and resident of this great state, I am deeply troubled by the negative impact the Broadwater project would have on Long Island Sound's environment, natural resources, and economic prosperity.

I strongly oppose the Broadwater project and would like to share with you some of the reasons why I believe it is not good for Long Island Sound and generally the State of Connecticut.

Long Island Sound has been described as a precious "inland sea" that provides our region with recreational resources, tourist attractions, and economic livelihood to many of our shoreline residents. It is also home to commercial marine fisheries in both Connecticut and New York. But to its residents, it is a sanctuary and a place of tradition, history, culture, and much more.

Long Island Sound already faces environmental challenges that have endangered its ecosystem and aquatic life. Money, research, and programs have been invested in the effort to restore the Sound. Over the years, our state has worked hard and invested in conservation programs and initiatives to protect and restore this natural resource. Despite this, the FERC has failed to adequately consult with the Connecticut Department of Environmental Protection on the Broadwater project and the impact it would have on this precious natural resource. Federal, state, and local governments, as well as organizations, educational institutions, and individuals have invested over \$1 billion dollars to restore the Sound. The Broadwater facility would significantly undermine the progress made with this investment.

The opposition to this project is broad-based and growing. It includes environmental action groups, political leaders, citizens, and Long Island Sound residents. More than 50 towns in Connecticut and New York; over 55,000 citizens; over 100 environmental and other organizations; all four US Senators; nearly the entire Long Island Sound Congressional delegation; and our Governor and Attorney General all oppose this project.

Please allow me to share with you some of the compelling reasons for not approving the Broadwater site permit request:

Environmental impact

In March 2001, the Environmental Protection Agency declared that: "Restoring Long Island Sound is a huge undertaking. With more than 8 million people living in its drainage basin and immensely popular for boating, fishing and tourism, this 1,300-square-mile estuary faces a daunting set of environmental challenges." Key habitats for fish, shellfish, birds and wildlife have greatly declined or been degraded over the last century in part due to dredging, filling, sewage flow, water quality degradation, and waste disposal. The Broadwater project would only contribute to this damaging trend.

The Broadwater project would inflict more ecological disruptions, like pipelines, power cables, a floating LNG terminal, and poor air quality caused by maritime traffic by supply tankers. The potential would exist for major or even minor spills and leaks that could affect the already endangered ecosystem of the Sound. Greater damage to shoreline and aquatic life would be disastrous. Sediment removal and layers, as well as water quality and temperature would be affected, impacting on fisheries (especially juvenile fish and larvae). Ballast water of the 150 or so foreign tankers that would service the facility each year would bring invasive species that might threaten the fisheries' eco-system. Indeed, the short and long-term adverse environmental impact would be significant.

Economic impact

The Long Island Sound attracts millions of tourists and visitors each year. Much of this tourism depends on the availability of ample, safe, and aesthetically pleasing recreational areas for boating, bathing, camping, and sightseeing. Thousands of jobs and businesses are dependent on this influx of tourism. According to one estimate, the Long Island Sound, with its 600 miles of coastline, contributes \$5.5 billion to the local economy through recreation, tourism, and sport and commercial fishing activities. In addition, the Sound provides livelihood to Connecticut and New York commercial fisheries that have had to contend with depleting lobster and other shellfish populations and with the increased maritime traffic in the Sound.

Energy impact

The Connecticut Fund for the Environment (CFE) and Save the Sound released a report last year entitled "The Proposed Broadwater LNG Import Terminal: An Analysis and Assessment of Alternatives," which says that the Broadwater LNG plant "is not necessary to meet the region's growing short-term or long-term energy demands." According to the report, completed by national energy experts Synapse Energy Economics, Broadwater Energy has "failed to identify any compelling local or regional need for the proposed project that would justify the impact that this project would have on the environmental, economic, recreational and historical value of Long Island Sound." As that report concluded, with two new LNG facilities being built in Maine and

Canada to supply the Northeast, two expansions, and 14 new LNG facilities proposed for our region, the Northeast is facing a glut of LNG proposals, 90 percent of which will not be needed. Lastly, according to the former FERC Chairman, two new facilities (e.g. those being built in Maine and Canada) would suffice to meet Northeast energy needs.

Most would agree that the LNG facility being built in Waterbury, Connecticut is better suited to meet our state's energy needs than Broadwater; Broadwater is really designed to feed the national energy grid. Only about 25% of the gas produced in the Broadwater facility would benefit Connecticut; the rest would be for New York and the Northeast region.

In addition, a report from the Energy Information Administration entitled "Outlook 2006" concluded that natural gas prices are expected to go higher while demand will grow more slowly than previously projected. This might tend to reduce LNG supplies to the U.S. and make LNG less economical in the U.S. markets.

Security and Safety impact

The security zones associated with the proposed project will affect important marine and other natural resources and would require large segments of Long Island Sound to be designated 'no boating' and/or 'no fishing' areas. This will leave less area for boating and sailing and increase traffic in those areas thereby creating greater risks for accidents. In addition, there is the potential for accidents such as leaks or spills that would endanger public safety and the environment in the Sound.

Some observers, such as James Fay, a professor emeritus of mechanical engineering at the Massachusetts Institute of Technology, have alluded to the potential for increased terrorist threats associated with liquefied natural gas facilities. As he recently told Newsday: "LNG terminals are sitting ducks [for terrorists] in that they cannot move and are assailable."

This statement is not an exaggeration. In fact, in the hours after the September 11 attacks, Richard Clarke, then America's top counter-terrorism official, rushed to get the U.S. Coast Guard to close Boston Harbor. His main fear: Al-Qaida might attack a huge liquid natural gas tanker as it glided past downtown buildings. In his book "Against All Enemies," he stated that that al-Qaida had used LNG tankers to smuggle agents into Boston from Algeria.

Aesthetic Impact

The proposed facility would be about 28 stories high (from waterline to flare tower), 200 feet wide, and nearly four football fields (over 1200 feet) long. It would clearly detract from the aesthetic value of the Sound. It would infringe on the way of life of residents and visitors who stroll along, bathe, camp, and fish on the sound and see the Sound as a sanctuary from the hectic clutter of our modern life. The two to three ships and escort vessels that would enter the Sound each week would also detract from the natural beauty and tourist/recreational value of the Sound.

Conflicts with State and citizen rights and state policy

The Broadwater project would conflict with the Public Trust Doctrine that establishes tidal and navigable waters as essential trusts for public use by citizens of the states of New York and Connecticut. The quarantine and security zones associated with the facility and transport ships would limit public use of these zones thereby conflicting with this important doctrine. Any intrusion on that use must be in the public interest and not an unreasonable interference with that use. Commercial and recreational fishing, boating, and other recreational uses by the public would be significantly restricted. Clearly, Broadwater would commercialize a significant area of the Sound and set a precedent of use of a public trust for non-public, commercial use.

In addition, approving the Broadwater LNG could conflict with state and inter-state environmental policies and programs already in place. The Connecticut Department of Environmental Protection's has several Long Island Sound Fund efforts to promote the historical/educational value, public access to, and habitat restoration of the Sound. The Fund has awarded over \$4 million dollars in grants to support over 250 projects that promote the preservation, appreciation, and recreational value of the Sound. The inter-state Long Island Sound Policy Committee has issued significant recommendations and adopted initiatives in September of 2006 designed to preserve the environmental ecosystems of the Sound. Broadwater would run counter to these policies and programs.

Need for a regional energy policy

Besides lacking merit on the energy supply front, the Broadwater project is a panacea to a larger problem, namely, the need for a long-term, regional energy policy and plan. As the CFE report I cited earlier concludes, "the best way to address the region's energy issues is to assess the actual needs of the region and create a roadmap of how to get there." Citizens and energy experts, not energy companies, should work together "to determine how best to meet our region's energy needs with an environmentally responsible energy plan." That regional energy policy must consider alternative energy resources that are environmentally safe and renewable. It should also not ignore the economic, cultural, and legal rights of and benefits to Connecticut residents.

The CRF Environmental Impact (DEIS) Report

Lastly, I strongly agree with others who are not satisfied with the Commission's DEIS (environmental impact) report. The report provides a general overview, not a detailed one, of the geology of the Sound and fails to adequately address the project's long-term environmental impact. It offers no quantitative data, statistical research, or significant facts to prove that Broadwater would have little or no environmental impact. Also, the Emergency Response Plan that impacts citizens' financial liabilities and personal safety is not included in the DEIS and, therefore, leaves the public unable to provide this important assessment of impact. Lastly, with six pages of detailed design questions for Broadwater yet to address in the DEIS, there is no full design on which to accurately evaluate the full impact of the project on the Sound.

By now it should be clear to the Commission that Broadwater has met with overwhelming skepticism and opposition from most citizens in Connecticut. Our collective voices cannot be ignored, especially when the costs far outweigh the benefits.

Our state government has progressively passed environmentally conscious legislation that limits gas emissions harmful to our ozone layer and protects the environment with sensible waste management and recycling policies and practices. It has also worked closely with the State of New York to protect and restore the Long Island Sound for our future generations.

As the chief elections official in our state, I have sworn to uphold and protect the voting rights and liberties of our citizens and the constitution of our state. In that same spirit I am here to call for the protection of one of our most precious natural resources—the Long Island Sound.

As our past policies and efforts have demonstrated, our intent, as citizens who benefit from the aesthetic, recreational, historic, economic, and natural resource that is the Long Island Sound, is to preserve it as a natural sanctuary and federally-recognized estuary for our future generations. The Commission cannot ignore this civic intent anymore than we could a voter's intent in a democratic election.

I join Governor Rell, Attorney General Blumenthal, our Congressional delegation, our state legislators, environmental action groups, concerned citizens, and Long Island Sound residents in strongly urging the Commission not to approve the Broadwater LGN site permit.

We call on you to recognize our rights as concerned citizens and our collective intent and voice to continue to protect the Long Island Sound.

Thank you for this opportunity.

Respectfully submitted,

Susan Bysiewicz
Secretary of the State of Connecticut

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