United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

MAY 12 2010

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First St., N.E. Room 1A
Washington, DC 20426

Dear Secretary Bose:

It has come to my attention that the Federal Energy Regulatory Commission (FERC) has previously considered and is now evaluating a project related to the delivery and processing of Liquefied Natural Gas (LNG) through the Taunton River Wild and Scenic River. On June 4, 2008, FERC issued a Notice of Intent to prepare an Environmental Impact Statement (EIS) for the proposed "Weaver's Cove Offshore Berth Project" as an amendment to the Weaver's Cove LNG Terminal (Docket No. CP04-36-000).

I would appreciate an update on the status, process, and schedule associated with the public release of a Draft EIS on this project. One of the conditions established by the FERC for development of this LNG facility requires written concurrence of the Department of the Interior that "the project would be consistent with the Wild and Scenic Rivers Act if the Taunton River were designated a Wild and Scenic River."

On March 30, 2009, Public Law 111-11 designated the Taunton River as a component of the National Wild and Scenic Rivers System based upon the findings of the congressionally authorized Wild and Scenic River Study of the Taunton River (P.L. 106-318, the "Taunton Wild and Scenic River Study Act of 2000"). P.L. 111-11 further specifies that the river be managed in accordance with the July 2005 Taunton River Stewardship Plan.

The 2007 Study Report evaluated two potential Wild and Scenic River designations including: full designation; and designation of the entire area with the exception of the lower-most four miles, which would specifically exclude the area of the proposed LNG facility. The designation of the lower-most, urbanized 4 miles of the Taunton, and the likely effect of such designation on the (original) Weaver's Cove LNG project was central to debate at the Committee level and on the floor of the House and Senate. Ultimately Congress designated the entire main stem of the Taunton River, including the lower-most section, under the WSRA.

The Congressional intent regarding the lower Taunton River is clearly established in the deliberations that occurred during the legislative process culminating in passage of P.L. 111-11. As the responsible agency under the WSRA, the NPS will evaluate the potential Weaver's Cove Energy proposal, or any other development proposal requiring federal permits or funding within

the Taunton River, under the WSRA Section 7 provisions and will determine the proposal's overall consistency with the WSRA and with the Taunton River Stewardship Plan.

I have directed the NPS' Northeast Region Rivers Program to transmit separately copies of our 2007 Study Report, the 2005 Taunton River Stewardship Plan, the section of P.L. 111-11 that designated the Taunton River as a component of the National Wild and Scenic Rivers System, and the relevant legislative history of this section of P.L. 111-11 to the FERC for your consideration and for entry into the record for Dockets PF08-18-000 and CP04-36-000 in the development of the anticipated DEIS for the Weaver's Cove Offshore Berth Project. I understand that environmental review documents are in preparation and anticipate that NPS staff will examine these closely. On the basis of the information available at this time regarding the proposed Weaver's Cove Offshore Berth Project (pending release of the anticipated DEIS), I am concerned that the Department of the Interior will be unable to find this project consistent with the Taunton Wild and Scenic River designation under the Wild and Scenic Rivers Act of 1968, as required by FERC.

Again, I would appreciate your prompt attention to this matter.

Sincerely,

Jonathan B. Jarvis
Director