

# A.G. Lynch criticizes council for not joining in LNG suit

## Town Council president responds

By Dotti Farrington

During the past week, in a letter to Town Council President David Long and in a press release, State Attorney General Patrick Lynch scolded Jamestown officials for not joining financially with other Narragansett Bay communities in a lawsuit as part of the fight to block liquefied natural gas facilities and tankers from transporting LNG in Narragansett Bay.

In his statements, Lynch equated the Town Council's action on the lawsuit with not opposing the proposed LNG facilities.

In an interview Monday, his office said Lynch "looks forward to seeing how Jamestown will address the issue, and the attorney general is available in any way he can in order to keep the mammoth LNG tankers out of the (bay) waterways."

Lynch's spokesman also referred to at least one published report late last week that Jamestown's Town Solicitor Lauriston Parks had backed away from his ruling that led the council to reject taking part in the multi-town lawsuit. Parks said Monday that he did not know how anything he said was interpreted as "backing away" from his ruling. Parks emphasized he is standing firm on

his ruling that led to the council vote against joining the lawsuit.

### No to tankers, yes to LNG

When the councilors voted Sept. 12 to not join the lawsuit, they repeatedly stressed their opposition to efforts to build LNG facilities in Fall River, Mass., that would result in various dangers and economic impacts of 1,000-foot tankers clogging the East Passage of Narragansett Bay.

The councilors cited their strong stand against the tankers ever since they were identified as a factor in proposed plans for local LNG facilities more than a year ago.

Opponents of the Fall River plan here and elsewhere have suggested that offshore LNG facilities, without the kinds of dangers and impacts created by tankers traveling in heavily populated areas, were the appropriate place to store highly volatile LNG.

### Lynch "stands pat"

Notwithstanding Jamestown's

position on the issues, Lynch's spokesman suggested Monday that the attorney general was standing by his statements that last week's vote against joining the lawsuit was "a short-sighted decision," and that Lynch still questions Jamestown's interpretation that it could not justify joining the lawsuit all the other communities. "None seems to have had the difficulties that Jamestown has had" in joining in the lawsuit, Lynch's spokesman, Michael Healey, said.

"The attorney general respects that every town has to follow the approach that is legal and in the interest of the best public policy," but other towns have not found the problems that Jamestown did, Healey added.

Involved is a several-month effort to develop a legal strategy against LNG proposals for Providence and Fall River, Mass. The Providence plan was rejected early this summer by the Federal Energy Regulatory Commission, which the same day authorized

the Fall River plan to proceed. Since then, the FERC has put on hold its schedule that would have required it to rule by Sept. 15 on lawsuits for rehearings that were filed by Aug. 15 about one or both FERC decisions. A new schedule for FERC's next action has not been posted yet.

### Lynch's position

Lynch said he "regrets Jamestown's failure to take action. A consolidated legal process is in place to strike a blow at the heart of big energy interests intent on usurping Rhode Island's rights and ignoring the will of the people by siting LNG in our area. It's mystifying to me how the Jamestown Town Council can proclaim its opposition to fight LNG that is embraced by other Rhode Island coastal communities, yet at the same time, turn their backs on joining the well-conceived and concerted" lawsuit. If "this isn't their battle," what is? Now is not the time to maintain neutrality or turn their backs on this fight.

"If the massive supertankers start making their way along the Jamestown coastline and shut down the Pell (Newport) Bridge and other bridges so vital to emergency routes, overall public safety and the economic viability of the island, the leadership had better be ready to answer to their constituents," Lynch continue in his press release and in his letter to Long.

"Even if Jamestown decided not to participate in this (legal) brief . . . that does not absolve the town's failure to oppose this ill-conceived facility before the FERC, especially when the town is Rhode Island's only coastal community that has rejected any opportunity to oppose this project," he wrote.

Lynch said the town does have options to draft an independent lawsuit, and can do so through its town solicitors or by interviewing other lawyers. But he predicted either approach would be much more expensive than the option of joining the multi-town lawsuit for a fee of \$25,000.

The process of choosing a lawyer and the cost to do so combined to lead the council to decline to join that action. Parks said that state and local law combined to specify that the process by which the town can hire a professional, such as a lawyer. The job must be put out to bid. The Washington, D.C. law firm hired

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