**“Bullet Points” for Comments to FERC on Rio Grande LNG DEIS**Rio Grande LNG Docket No. CP16-454-000
Rio Bravo Pipeline Docket No. CP16-455-000
FERC/EIS-0287D

Note: In addition to expressing your personal views about the proposed Rio Grande LNG project, you may want to consider adding any of the following points. And please remember, you can send in written comments before the comment deadline on **December 3rd at 4:00pm**. Go to . [http://www.savergvfromlng.com](http://www.savergvfromlng.com/) and click on ‘Comment on EIS’ at the top of the page to learn how. The DEIS documents are also available for download on the website

**DEIS and FERC Procedures Are Compromising Public Input**

1. The Draft Environmental Impact Statement is incomplete. There is a long list of important information that FERC is requesting from Rio Grande “before the end of the comment period.” How is the public supposed to comment on information that isn’t there?
2. All endangered species consultations with FWS and NMFS should be completed before the FERC Record of Decision, not “before construction.”
3. The comment deadline should be extended for at least 2 weeks after all the required information is submitted and made public.
4. The FERC comment deadline should be extended for reasons that each project has 45 days for public commenting, but the commenting deadlines overlap. This essentially cuts in half the time to review and comment on these very long Draft EIS’s.
5. The FERC DEIS is not available in Spanish, the predominant language spoken in the Rio Grande Valley.

**Wildlife and Habitat**

1. The mitigation plan is grossly inadequate. There is no mitigation plan for the upland loma and brush habitat that will be destroyed. For the wetlands that will be filled in they propose “preserving” an area that is already under Fish & Wildlife Service protection and management. That is not meaningful mitigation.
2. The wetlands mitigation plan as proposed will violate the “No Net Loss” federal policy.
3. The DEIS says that of the 3655 acres that would be “disturbed” during construction, 1507 acres “would return to pre-construction conditions & uses”, including wetlands. After literally years of construction activity? That is highly unlikely, particularly in the terminal area. FERC should require wetland and uplands mitigation for these losses.
4. Dredging impacts to the Bahia Grande and South Bay need to be examined. Sea grasses and oyster beds can be affected by even mild dredge spoil deposition.
5. Using wetlands for “workspace” and roads is unacceptable. The likelihood of their returning to their original state after several years of heavy construction is almost non-existent.
6. The DEIS says that 74 acres of wildlife habitat will be permanently destroyed at the terminal site. There is no mention of how this loss will be replaced or mitigated. A “moderate” permanent impact on local wildlife is not acceptable.
7. The DEIS states that wetlands, the Channel, & mudflats at the terminal site are essential fish habitat (EFH). Yet it appears no study has been done of the fish & benthic resources in the channel at the Project site. Without that data how can you assess the impacts of the extensive dredging, pile-driving, & operation of the Project?
8. A total of 24 species that are federally listed as threatened or endangered will be affected. The DEIS states Rio Grande LNG will likely adversely affect the endangered Northern aplomado falcon, the threatened piping plover and its critical habitat, and the endangered ocelot.  Many other rare and important species will be impacted as well. Section 7 of the Endangered Species Act, as amended, states that any project authorized, funded, or conducted by any federal agencies should not “...jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined...to be critical...”. The permit should be denied according to Section 7 of the ESA.
9. The Living Wildlife Report found in its latest Living Planet Index that wildlife populations have declined by 60% in the last 40 years worldwide. Between 95-98% of the native landscape in the RGV has been cleared for urban, agricultural, or industrial use. Given the macro and micro trends, this means that native habitat in our region is of even greater importance and value. The location of Rio Grande LNG further segments habitat and will impact wildlife migration between the Laguna Atascosa and Lower Rio Grande Valley Refuges. The direct and indirect impacts will have a large-scale impact environmentally. Conservation and preservation efforts in the Rio Grande Valley have strong local support. The permitting of LNG projects will continue the trend of destroying some of our last remaining ecosystems. The permit should be denied.
10. Rio Grande LNG’s consultations with FWS with regards to the Migratory Bird Conservation Plan and the Endangered Species Act should be finalized, as well as consultations with NMFS under the Magnuson-Stevens Fishery Conservation and Management Act. All should be included in the DEIS for public review. Consequently, the Draft EIS commenting period should be extended to allow time for public comment. Requiring this information only “before construction” (hence after permitting) is not acceptable.
11. Noise and light impacts will result in an environment that wildlife (particularly migratory birds and nocturnal species such as ocelots) will avoid at the Wildlife Corridor and 437 acres within the Laguna Atascosa National Wildlife Refuge. Sound and light are physical changes to the landscape and should not extend beyond the terminal boundaries into surrounding wetlands and uplands, including the Laguna Atascosa National Wildlife Refuge and the Wildlife Corridor managed by the USFWS.

**Socioeconomics**

1. The need for this project has not been demonstrated. There are no buyers for the LNG, no “binding contracts.” For a project with so many negative impacts an unequivocal need for the product must be proven.
2. The socioeconomic analysis in the DEIS is narrow in view and incomplete. It does not include the costs for security, safety, and emergency response that will include our local police, fire, and medical services. These costs will be covered through a cost-sharing plan, and will include, but not limited to, training, emergency management, security/emergency equipment, patrol boats, firefighting equipment, overtime for police or fire personnel, and LNG marine carrier security. The costs associated for these services are required to be detailed in the Emergency Response Plan, yet to be drafted and not detailed in the DEIS. This Emergency Response Plan should be issued in the DEIS and the comment period extended for public review.
3. Public infrastructure requires maintenance and repair. Rio Grande LNG’s use of public infrastructure during construction and operations will include sewage, landfill, and streets. Changes to Hwy 48 will be needed to include a turn lane, traffic signals, and median openings. A cost analysis of the proposed changes to Hwy 48 is not detailed nor who would pay for it. Heavy construction traffic would also increase maintenance and repair costs of Hwy 48 and other roads. These costs to the public need to be included in the economic analysis and detailed in the DEIS.
4. There is no analysis of the impacts to both the bait shrimping industry (which fishes the BSC) nor on the off-shore shrimping industry, which relies ready access to the BSC to get to & from the Gulf.
5. The DEIS states there would be “moderate impacts on the Zapata Boat Launch” area. There would be even greater impacts to fishing (and birding) at the Restoration Channel, which nearly abuts the Rio Grande LNG site. This needs to be included as well.
6. The DEIS states there will be $92.9 million in property taxes paid over 22 years which “would result in a moderate, permanent and positive economic impact.” This averages to $4.2 million per year, which has to cover increased school costs, construction & repair of roads, infrastructure, fire, police, EMS and other services. Taxpayers will likely be paying more than $4.2 million per year. And is FERC considering that with every year of operation the taxable value of the project (and taxes paid) will be decreasing due to depreciation?
7. Tax abatements given to oil and gas companies, not excluding LNG, has put a burden on local economies and are hindering the functionality of municipal and county services. Despite $29 billion invested in two LNG facilities in Cameron Parish, LA (Cheniere LNG and Cameron LNG), Cameron Parish’s government is struggling for basic needs in their education system, law enforcement agencies, and for maintenance of roads. Surely these companies claimed economic benefits to FERC; how and why did these economic benefits not come to fruition?
8. Rio Grande acknowledges that many workers may b brought in from outside the Rio Grande Valley. Cameron, Hidalgo, and Willacy Counties make up the affected area for the Rio Grande LNG Terminal; and Cameron, Willacy, Kenedy, Kleberg, and Jim Wells Counties make up the affected area for the pipeline facilities. Necessary taxes for services rendered by Cameron County will not be paid by all employees of Rio Grande LNG. In combination with the tax abatement and workers residing outside of Cameron County, Cameron County may experience similar hardships as Cameron Parish, LA.
9. The DEIS says “neither construction nor operation would be expected to significantly impact tourism…” There is no data to support this statement. Port Isabel, South Padre Island and Laguna Atascosa NWR are all very nature tourist-dependent. Interview-type studies need to be done with out-of-area tourists to meaningfully assess this impact. Petrochemical industrialization drives away nature tourism.
10. Rio Grande must complete its cultural resources survey and complete necessary consultation before the EIS is finalized, NOT “prior to construction.” You are leaving the public out completely.
11. Rio Grande LNG is ignoring their contribution to climate change in their economic analysis, which significantly negates claimed economic benefits. Using the EPA Social Cost of Carbon the pollutant specific costs of only Carbon and Nitrogen Oxides demonstrate a significant burden of cost to the public in response to consequences of climate change of which Rio Grande would be contributing.

**Air and Noise Pollution**

1. If Rio Grande is built it would be the largest single stationary source of nitrogen oxides, carbon monoxide, VOC’s sulfur dioxide, particulate matter and greenhouse gasses in the Rio Grande Valley. The DEIS states “…Project emissions are below applicable screening levels, and therefore adverse health effects are not expected.” We disagree. The higher the air pollutant levels the more adverse health effects there are, especially to vulnerable populations. In April & May there are days when the RGV has some of the highest particulate levels in the state. This project would worsen those levels. And there is no safe level for VOC’s.
2. The Rio Bravo Pipeline’s horizontal directional drilling “would exceed FERC’s noise criterion” at 7 sites. FERC thus recommends that Rio Bravo Pipeline prepare a noise mitigation plan. That plan should be a part of this DEIS so that the public can review and comment.
3. Cumulative emissions of greenhouse gases would be massive (10.7 million tons per year), with Rio Grande LNG being by far the largest contributor (8.5 million tpy). And this would continue for 20-30 years or longer, when we need to reduce carbon emissions drastically much sooner. This project, if approved & built, would move us in the opposite direction. That Rio Grande’s contribution to cumulative impacts on climate change cannot be precisely measured is no reason for FERC to wash its hands of it. FERC should require carbon capture or deny the permit.

**Safety and Risk Analysis**

1. The coast guard is required to identify and incorporate the use of resources from multiple sources. It is evident that the Coast Guard did not. The WSA did not indicate those resources and sources from important sources like the Society of International Gas Tanker and Terminal Operators (SIGTTO) or Sandia National Laboratories. Important safety recommendations from these sources are not being followed by Rio Grande LNG nor the Coast Guard. FERC should take note of deviance from the recommendations of the SIGTTO and Sandia National Laboratories.
2. Valley Crossing Pipeline already goes under the RG terminal site. We do not think it safe to build a LNG liquefaction terminal over a large buried high-pressure natural gas pipeline, even if the risk of rupture is low.
3. The SpaceX launch site at Boca Chica is 5 miles from the RG terminal site. Where is the launch failure analysis? Did that analysis include the SpaceX BFR, which will be larger than any existing rocket (and hence a larger debris field), and which SpaceX says it intends to launch from the Boca Chica site?

**Cumulative Impacts**

1. The DEIS says “the greatest cumulative impacts” would be on soils, surface water quality, vegetation, wildlife, aquatic resources, threatened and endangered species, visual resources, land & water-based transportation, air quality, and noise. These are more than sufficient reasons to deny this permit.
2. The DEIS states “We conclude that cumulative impacts of the 3 LNG terminals on visual resources would be potentially significant.” We agree and urge denial of this permit.
3. The DEIS concludes that the 3 LNG projects cumulatively “would contribute significantly to air quality impacts, potentially exceed the NAAQS in local areas, and result in cumulatively greater air quality impacts.” This is not acceptable and is grounds for denial of the permit.
4. The DEIS says that Rio Grande “combined with the other projects in the geographic scope, including the Texas LNG and Annova LNG projects, would result in “significant cumulative impacts…” Therefore, if FERC chooses to permit the Rio Grande project (which we strongly oppose), it should deny Texas LNG and Annova LNG. By FERC’s own analysis the cumulative impacts would be too great (e.g. significant).
5. Only if FERC permits Rio Grande and construction proceeds, will AEP build a 138kV overhead powerline along SH48. This high-voltage powerline would cause significant visual and wildlife impacts, particularly to birds, including protected and endangered species. These impacts need to be evaluated and be part of the DEIS.
6. “The world has no capacity to absorb new fossil fuel plants, warns IEA (International Energy Agency), Adam Vaughan. The world has so many fossil fuel projects that it cannot afford to build any more polluting infrastructure without busting international climate change goals, the global energy watchdog has warned.” Unless carbon capture technology is employed Rio Grande LNG’s permit should be denied.