



November 14, 2023

RE: Rio Bravo Pipeline Route Amendment Environmental Assessment
Docket No. CP23-519-000

Save RGV, a Texas Non-Profit, has reviewed the Rio Bravo Pipeline Route Amendment Environmental Assessment per the above referenced Docket No. and submits the following comments for your consideration and review. The primary issues of concern involve the Space Explorations Technology (SpaceX) rocket test facility at Boca Chica, whose close proximity to the Brownsville Ship Channel can potentially cause impacts to the Rio Bravo pipeline route.

Cumulative Impacts Analysis:

In the Cameron County column of the REVISED[2] EA Table 11: Past, Present, and Reasonably Foreseeable Projects Considered in the Cumulative Impacts Analysis for the Modified Compressor Station 1 and Proposed Route Adjustments, only the RG LNG project is listed.

There is no mention of the other heavy industrial facilities and operations at the Port of Brownsville or SpaceX in the cumulative impacts analysis, and we feel they should certainly be considered and analyzed for potential impacts. Also, in 2022, 2.5 million tons of liquid commodities were exported via pipeline from the port's terminals to Mexico. Refined petroleum storage tank farms continue in expansion mode at the Port of Brownsville, with combined estimates placing storage tank capacity at 8 million barrels, and 2023 seeing increases in all such commodities. These liquid commodities include, but are not limited to, premium gasoline, diesel, jet fuels, and lubricants. With Motus Energy's expansion last year, liquified natural gas and high sulfur fuel oil are also present.

In January 2021, Next Decade responded to the FAA Request for Scoping Comments concerning the SpaceX environmental assessment that was in progress. They raised concerns regarding the "...boundless extension of the radius of impact of SpaceX's experimental activities in South Texas without sufficient consideration of the substantial potential impacts on the international commerce and community safety and vitality" that "would be inconsistent with the authority delegated to FAA..."

It is clear that in the planning and permitting of the RG LNG and RBP projects, the scope of the SpaceX operation was significantly smaller than is currently projected. The SpaceX residential population and supporting infrastructure continues to grow well beyond original declarations. The rocket size, fuel tonnage, and proposed number of launches has increased, and functions at the nearby Massey rocket testing facility (even closer to the pipeline than the Boca Chica launch site and the route amendment for the metering station brings it appx. ½ mile closer) are expanding in unpredictable and unpermitted ways. Also in the Scoping comments to FAA, the issue of safety protocols involving road and ship channel closings and work stoppage implementation for an expanding SpaceX program was emphasized. Why is it still not part of the FERC Cumulative Impacts Analysis? The public has the right to know.

When FAA issued the SpaceX draft PEA, Next Decade again responded with public comments dated Nov. 1, 2021. Where their original scoping comments focused on 4 issues (1. Frequency and scope of launch operations and consistency with maximum number of launches assessed in the FAA's June 2014 Final EIS; 2. Emergency response and planning; 3. Offshore area clearing and facility closures; 4. Storage and handling of propellant fuel), their review of the draft PEA in November stated "it does not appear that the FAA accounted for Next Decade's expressed concerns in the draft PEA at all." Changes to the pipeline route do not address these major concerns. This is a clear omission that needs to be addressed.

There must be explicit and delineated coordination between FAA and FERC regarding the placement of a rocket testing, manufacturing, and launch facility, a busy shipping channel, a major port, two LNG export operations (Rio Grande LNG and Texas LNG), and a pipeline, with route amendments, in such close proximity. This challenge is a new phenomenon and it is apparent that past protocols clearly need revision.

<https://tinyurl.com/Next-Decade-1-22-2021>

<https://tinyurl.com/Nextr-Decade-11-1-2021>

Further, in a November 14, 2023 3-alarm fire involving 17 diesel and gasoline tanker fuel trucks at the Port of Brownsville, the nearby City of Port Isabel's supply of firefighting foam was used up in an attempt to quell the two hour fire. Again, how can it be correct that the only "Cumulative Impacts" will be the RG LNG facility itself?

Noise Sensitive Area (NSA) and Lighting:

The route of the pipeline change will impact the local fishing areas. Those impacts have not been sufficiently addressed. Where is the scientific evidence that the fish in the Bahia Grande area will not be

impacted by the noise and vibration and lighting at the HDD construction sites and then afterward from the constant droning of the meter station terminal and the 24/7 operation of the LNG plant itself? Also, how can the heavily used fishing and recreational areas along the pipeline near its terminus not be considered a noise and light sensitive area? Underwater noise assessments must be addressed, Additionally, the Central and Mississippi Migratory Flyways run through this area. Migratory and local shorebirds forage and roost here. Though Enbridge states that the HDD noise will not exceed 80 dB, it is known that HDD can far exceed 110 dB. Per Enbridge's EA, this will be at minimum 60-90 days of HDD. The 24/7 light will impact not just the aquatic, avian, mammalian, and reptile habitats of the Bahia Grande, an extremely sensitive water crossing, but also the residential and business communities of Port Isabel, Laguna Vista, Long Island Village, Laguna Heights, and South Padre Island.

Contaminants

In addition to criteria air pollutants released by HDD, individual projects can emit other toxic air contaminants during drilling, as well as those contaminants released from drilling fluids. As this is a water sensitive area and species habitat, the problems with release of contaminants has not been fully addressed. It has been glossed over and minimized by Enbridge and FERC. We ask that a more complete review of the environmental impacts and contaminants released into our air and water be evaluated and listed.

Stakeholders:

In the document Rio Bravo Pipeline Company, LLC Amendment to Certificate of Public Convenience and Necessity, Docket No. CP23-519-000, Responses to September 7, 2023 Environmental Information Request, Attachment 18, "List of Environmental Stakeholders", no one from Port Isabel, South Padre Island, Laguna Heights, or Laguna Vista is listed. Among others, all City of Brownsville, Cameron County, and Port of Brownsville officials are listed. The impacted and concerned stakeholders far exceeds this limited list. A more thorough review and list of environmental stakeholders needs to be taken into account.