

**“Bullet Points” for Comments to FERC on Annova LNG’s
Draft Environmental Impact Statement (EIS)
Annova LNG Docket No. CP16-480-000**

Note: In addition to expressing your personal views about the proposed Annova 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 **February 4 at 4:00pm**. Go to <http://www.savergvfromlng.com> and click on ‘Comment on EIS’ at the top of the page to learn how. The DEIS itself is also available for download on the website. Reading the Executive Summary (ES 1-14) is helpful.

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 Annova “before the end of the comment period.” How is the public supposed to comment on information that isn’t there? How will the public know the required information is submitted, and how will they be able to comment on it?
2. The public comment deadline should be extended, since because of the current partial government shutdown most federal agencies are unable to review, comment or provide information to either FERC or the public.
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 DEIS is not available in Spanish, the predominant language spoken in the Rio Grande Valley.

Wildlife and Habitat

5. The mitigation plan is grossly inadequate. There is no mitigation plan whatsoever for the 3 lomas (409 acres) that will be mostly cleared, graded and built upon. Lomas are unique geologic and biologic formations of immense habitat and wildlife value. Annova’s DEIS repeatedly dismisses or minimizes their immense value, and offers no mitigation. From a biological perspective this is criminal. For the wetlands that will be destroyed (53 acres) Annova proposes to re-flood Little San Martin Lake by opening up an abandoned earthen levee, something that could be done by 2 people with a shovel. Also, this area is already under the protection of the U.S. Fish & Wildlife Service. That is not meaningful mitigation and is in no way commensurate with the wetland impacts Annova will cause.
6. The wetlands mitigation plan as proposed will violate the “No Net Loss” federal policy.
7. The DEIS states (p. ES-5) “...we have determined that construction and operation of the Project would not significantly impact vegetation” and that “No forested vegetation will be affected by construction and operation of the Project” (p. 4-32) These are utterly false statements, as any

biologist not in the employment of Annova will attest. Also, the plan to revegetate 53 acres after 4 years of construction is unrealistic. Lomas are densely vegetated, few in number, and can't be rebuilt or re-created. On page 4-48 it states "...we conclude that impacts on terrestrial wildlife and wildlife habitat would be minor." This conclusion is not supportable and we strongly disagree.

8. Annova's vegetation survey of the Project site is inadequate. It states there are no species present from the Annotated County List of Rare Species (TPWD) which is not true. Also false is the statement that the Ebony Snake eyes vegetation community does not exist on the site.
9. The "Facility Lighting Plan" has significant wildlife implications, and should be required by FERC as part of the EIS, not just done "before construction." Again, you leave the public out of the process.
10. In return for agreeing to move the Project site slightly eastward, the USFWS agreed to surrender over 100 acres of Loma Ecological Preserve land. This formerly protected habitat needs to be mitigated.
11. The DEIS states (p ES-5) "Sediment-laden water could be transported into the Bahia Grande and result in a potential for some increased turbidity and sedimentation effects near the channel entrance ..." This is not acceptable for what was the largest wetland restoration in North America in 2005. Also, the DEIS erroneously states that the Bahia Grande was itself a mitigation site. It was not.
12. Dredging impacts to South Bay need to be examined, particularly since the DEIS says "Cumulative impacts on surface water quality during operation would be permanent and moderate to significant...". Sea grasses and oyster beds can be affected by even mild dredge spoil deposition. Wave and wake impacts from increased tanker traffic should be examined as well.
13. The exact location of the proposed staging and parking areas needs to be included, including the type of habitat affected. If they will be in natural areas the likelihood of their returning to their original state after several years of heavy construction is almost non-existent. Mitigation should be required.
14. Regarding migratory as well as nesting bird impacts, the DEIS says "Annova would attempt to limit clearing on the Project site to between September 1 through February 28 to avoid impacts..." "Would attempt" is very weak and unenforceable language and should be changed to "is required."
15. 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. Using "proxy" data from Calcasieu, Louisiana (p. 4-56) is absurd. Without local data how can you assess the impacts of the extensive excavation, dredging, pile-

driving, & operation of the Project?

16. A total of 18 species that are federally listed as threatened, endangered or proposed will be potentially affected by the Project. The DEIS states Annova will likely adversely affect the endangered ocelot and jaguarundi. 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 FWS Biological Opinion should precede FERC's final permitting decision, as the ocelot and jaguarundi may be in jeopardy.
17. On page 4-96 the DEIS states "All the lands identified for acquisition as part of the BGCC [Bahia Grande Coastal Corridor Project] are located along the eastern end of SH 4, north of the Annova Project site..." This statement is false. The map on page 13 of The Bahia Grande Coastal Corridor Project (November 2014) shows the corridor extending south of the BSC and including the Annova site. The Annova site is a vital piece of the corridor.
18. 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. This means that native habitat in our region is of even greater importance and value. The location of Annova further diminishes and fragments habitat and will impact wildlife migration between the Laguna Atascosa and Lower Rio Grande Valley Refuges. 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. In terms of habitat and wildlife Annova is the worst of the 3 proposed LNG projects.
19. Annova'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 EIS for public review and comment. Requiring this information only "before construction" (hence after permitting) is not acceptable as it excludes the public.
20. 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. The western portion of Loma Potrero that Annova proposes to leave as a corridor will be heavily impacted by noise, lights, traffic, and the 20 foot-wide security road outside the primary security fence. It's ability to function as a true wildlife corridor, particularly for ocelots, is highly doubtful.

Socioeconomics & Cultural Resources

21. 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 hasn't been shown.

22. 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 Cost-Sharing Plan and the Emergency Response Plan should both be included in the EIS for public review and comment. These are vital concerns for the public.
23. Annova acknowledges that many workers may be brought in from outside the Rio Grande Valley. Necessary taxes for services rendered by Cameron County will not be paid by all employees of Annova. In combination with possible tax abatements and workers residing outside of Cameron County, Cameron County may experience similar hardships as Cameron Parish, LA, which despite \$29 billion invested in LNG facilities has struggled to maintain basic services.
24. The DEIS says that neither construction nor operation would be expected to significantly impact tourism. There is no data to support this statement. Port Isabel, South Padre Island, Palmetto Hill Battlefield 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.
25. Annova's archeological survey is inadequate. Concluding the absence of sites by sticking a shovel in the ground 36 times (shovel test, p. 4-151) is only a token effort.
26. Compliance with the National Historic Preservation Act should be completed and included in the EIS, not just done "prior to construction." Also, comments from the Carrizo-Comecrudo tribe should be included and responded to.

Air and Noise & Visual Pollution

27. If Annova is built it would be one of the largest single stationary sources of nitrogen oxides, carbon monoxide, VOC's, sulfur dioxide, particulate matter and greenhouse gases in the Rio Grande Valley. To dismiss the proposed emissions because the NAAQS standards would not be exceeded ignores the unacceptable reality that air quality would be permanently worsened. 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 [TCEQ data]. This project would worsen those levels.
28. Cumulative emissions of greenhouse gases by Annova would be 636,643 tons per year, along with 6 tons of hazardous air pollutants. This would continue for 25 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 Annova'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.

29. Even after determining that the visual impact of the Project along Hwy 48 near the Bahia Grande Channel (a popular fishing spot) would be “moderately high” the DEIS then states that “Project construction would not result in significant impacts on current land use, visual resources, and recreation.” We strongly disagree.
30. The impact hammering of 7,817 concrete pilings 77 feet into the ground for up to 176 days (p. 2-14) will be a significant disturbance to wildlife, and is not adequately addressed in the DEIS.

Safety and Risk Analysis

31. The Coast Guard is required to identify and incorporate the use of resources from multiple sources when drawing up its Waterway Suitability Assessment(WSA). But the Coast Guard did not appear to utilize 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 Annova nor the Coast Guard. FERC should take note of deviance from the recommendations of the SIGTTO and Sandia National Laboratories
32. The Annova site is ¼ mile from the Rio Grande LNG site, which is within the Zone 1 thermal hazard zone (potentially most severe). LNG terminals should not be placed in so close proximity, to prevent the possibility of a catastrophe at one spreading to the other.
33. The SpaceX launch site at Boca Chica is 6 miles from the proposed Annova 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? That the entire Annova site, including access roads, is within the launch closure area makes the site unsuitable for LNG liquefaction, storage and transfer.

Cumulative Impacts

34. The DEIS says (p. ES-10) “Cumulative impacts have the potential to be more substantial for water resources, protected wildlife, visual resources, noise, and transportation...”. It further states (p. ES-11) “...we have determined that cumulative impacts on ocelots and jaguarundis would be permanent and significant.” These are more than sufficient reasons to deny this permit.
35. The DEIS states p ES-11) “Due to the proximity of the Rio Grande LNG and Texas LNG Projects to the same visual receptors as the Annova Project, we conclude that significant cumulative impacts on visual resources are anticipated.” We agree and urge denial of this permit.
36. The Rio Grande LNG 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 clearly grounds for denial of one or more of the 3 projects.

37. The Rio Grande LNG 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 any of the 3 projects (which we strongly oppose), it should deny the other 2. By FERC’s own analysis the cumulative impacts would be too great (e.g. significant).
38. Only if FERC permits Annova and construction proceeds, will a 15 mile 138kV overhead powerline be built to the Project. 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. FERC is ignoring this but should not, as it is clearly a large environmental impact of the Project.
39. FERC needs to address Annova’s stated plan to obtain its gas from yet-to-be-constructed 9 mile 36-inch pipeline that will tap into the Valley Crossing Pipeline north of the BSC. Texas LNG proposes the same (a 30-inch pipeline). Valley Crossing is on public record saying they will not provide gas to LNG terminals. Is there a written agreement that says otherwise? Furthermore, how could one 42-inch pipeline supply both terminals, and still provide gas to Mexico, which is the purpose for the pipeline being built?
40. “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 Annova’s permit should be denied.