

**UNITED STATES OF AMERICA
DEPARTMENT OF ENERGY
HYDROCARBONS AND GEOTHERMAL ENERGY OFFICE**

In The Matter Of:

**Corpus Christi Liquefaction, LLC
Corpus Christi Liquefaction Stage IV,
LLC
Cheniere Marketing, LLC**

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Docket No. 26-32-LNG

**MOTION TO INTERVENE AND PROTEST OF
INGLESIDE ON THE BAY COASTAL WATCH ASSOCIATION, INC.,
INDIGENOUS PEOPLES OF THE COASTAL BEND, KARANKAWA TRIBE OF
TEXAS, AND CARRIZO/COMECRUDO TRIBE OF TEXAS, LLC**

EXHIBIT 2

**UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION**

Cheniere Corpus Christi Pipeline, L.P.	§	Docket No. CP18-513-000
Corpus Christi Liquefaction Stage IV, LLC	§	Docket No. CP26-82-000
Corpus Christi Liquefaction, LLC	§	Docket No. CP26-87-000

**SCOPING COMMENTS OF INGLESIDE ON THE BAY COASTAL WATCH
ASSOCIATION, INC., INDIGENOUS PEOPLES OF THE COASTAL BEND,
KARANKAWA TRIBE OF TEXAS, AND
CARRIZO/COMECRUDO TRIBE OF TEXAS, LLC**

Pursuant to the Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Corpus Christi Liquefaction Stage 4 Project and the CCPL Expansion Project (“Project” or “Expansion”), Request for Comments on Environmental Issues, and Schedule for Environmental Review dated April 29, 2026 (“Notice of EIS”),¹ Ingleside on the Bay Coastal Watch Association, Inc., Indigenous Peoples of the Coastal Bend, Karankawa Tribe of Texas, and the Carrizo/Comecrudo Tribe of Texas, LLC (collectively “Commenters”) submit these Scoping Comments. Commenters previously filed a timely Motion to Intervene and Protest dated March 10, 2026² and Motion for Leave to Answer and Answer dated April 8, 2026.³ These filings are incorporated here by reference. Scoping comments are presented in full below.

¹ Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Corpus Christi Liquefaction Stage 4 Project and the CCPL Expansion Project, Request for Comments on Environmental Issues and Schedule for Environmental Review (Apr. 29, 2026) (hereinafter “Notice of EIS”).

² Protest and Motion to Intervene of Ingleside on the Bay Coastal Watch Association, Inc., Indigenous Peoples of the Coastal Bend, Karankawa Tribe of Texas, and the Carrizo/Comecrudo Tribe of Texas, LLC, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000 (Accession # 20260310-5159) (Mar. 10, 2026).

³ Motion for Leave to Answer and Answer of Ingleside on the Bay Coastal Watch Association, Inc. et al. to Corpus Christi Liquefaction Stage IV, LLC's et al. Answer et al. filed on 03/25/2026 under CP26-87 et al., Docket No. CP18-513-000, Docket No. PF25-10-000, Docket No. CP26-82-000, Docket No. CP26-87-000, (Accession # 20260408-5182) (April 8, 2026).

I. INTRODUCTION

The Coastal Bend of Texas is not an empty place but a living region. The Coastal Bend is where the Nueces River meets the Gulf and where Karankawa Villages stood for thousands of years—and where one of the most ecologically productive estuary systems in North America works to sustain itself. With this Project’s Expansion, the Commission must reckon with this place, which differs dramatically from the empty industrial backdrop the Resource Reports describe. At the heart of FERC’s analysis is the “public interest.” The public interest should weigh heavily in considering this Project, particularly in the context of threats from significant air emissions, severe threats to water quantity and quality conditions, water demands, potential for groundwater contamination, threats to endangered species, and impacts to precious remaining cultural resources.

Corpus Christi LNG became the second-worst emitter of nitrogen oxides in the State of Texas shortly after the liquefaction unit at its Texas export terminal came online. From that point through the end of 2019, the company reported emissions events every month (except for one) while it was getting three new liquefaction units operational.⁴ It reported more than 50 unpermitted air emission events between January 2018 and May 2025.⁵ Meanwhile, the airshed teeters on the edge of attainment for national standards for particulate matter. This Expansion, which is larger than the prior 3, promises to be an additional major source of pollution in the region for Nitrogen Oxide, Carbon Dioxide, Volatile Organic Compounds, Sulfur Dioxide, and Particulate Matter. This will all be added on top of CCL’s prior three Stages.⁶

⁴ Environmental Integrity Project, *Terminal Trouble: Pollution Violations at America’s LNG Export Terminals* (Oct. 29, 2025) at 19-23.

⁵ *Id.*

⁶ Resource Report 9 at 9-12.

This Project would substantially increase water consumption in a Texas region on the brink of a water emergency. It's in every headline: there is no water,⁷ but this Project is *still* asking for it—lots of it. The City's reservoirs sit at around 9% (or lower) with everyone planning for an imminent water emergency. While the region and its people are waterless, this Project wants water for years—millions of gallons annually⁸ into the foreseeable future.⁹

Significant cultural resources are threatened by this Project. Within 1 mile of the Project, there are over 30 previously recorded sites including: a burial ground and 13 unevaluated shell middens.¹⁰ The current cultural resources report identifies 18 historic sites, but more recorded sites are in the Project's path. Among what is also at stake is a recently rediscovered shell midden of paramount and prehistoric importance—Donnel Point. The cultural resources risk erosion the same as the recreational and commercial economies that once defined this region of Texas *also* do. The shoreline suffers the same, or more: the Project's own estimates report that the shoreline has been disappearing a minimum of 1-3 feet every year.¹¹

In preparing the EIS for this project, FERC should analyze and consider the following.

- The Corpus Christi water crisis;
- More than doubled vessel traffic;

⁷ See e.g., [Michelle Hummel](https://fortune.com/2026/05/25/corpus-christi-water-crisis-oil-export-hub-lawn-ban/), *Fortune*, *America's largest oil export hub is so starved of water that it's been illegal to have a green lawn for 2 years* (May 25, 2026) <https://fortune.com/2026/05/25/corpus-christi-water-crisis-oil-export-hub-lawn-ban/>; Dylan Baddour, Neena Satija, Emily Salazar, *KUT News*, *Corpus Christi plans to declare a 'water emergency.' What does that mean?* (April 23, 2026) <https://www.kut.org/energy-environment/2026-04-23/corpus-christi-texas-water-emergency-crisis-restrictions>; Mezabahnur Masum, *The Texas Observer*, *The Corpus Christi Water Crisis Isn't Exceptional. It's Early*. (April 2, 2026) <https://www.texasobserver.org/corpus-christi-water-crisis-climate-projections/>.

⁸ Resource Report 1 at Table 2.2-3.

⁹ *Id.*

¹⁰ Resource Report 4 at 4-6–4-11.

¹¹ Resource Report 6 at 6-9.

- Comprehensive air quality impacts and nonattainment risks to the region;
- Endangered Species; and
- Irreplaceable cultural resources.

Commenters urge the Commission to take a broad approach to the EIS process and to comprehensively review the relative risks and burdens posed by this Project.

II. IMPACTED GROUPS

The groups described below will each be uniquely impacted by the Project.

A. Ingleside on the Bay Coastal Watch Association, Inc.

Ingleside on the Bay Coastal Watch Association, Inc. (“Coastal Watch”) is a 501(c)(3) non-profit organization formed in 2019 to promote the health, safety, and quality of life for the residents of Ingleside and surrounding communities through research, education, communication and action.¹² The Project will adversely affect the geographic region that Coastal Watch is specifically focused on preserving.

On December 23, 2025, Coastal Watch submitted scoping comments on the Expansion.¹³ According to the April 29, 2026, Notice of Intent to Prepare an EIS, the Commission staff “will address the concerns raised during the pre-filing scoping process” as well as those received in response to the current Notice.¹⁴ These comments are fully incorporated by reference.

In Coastal Watch’s previously submitted comments, Patrick Nye, Co-President of Coastal Watch, explained many concerns on behalf of the group and its members, who live and recreate near the Project. Coastal Watch has many concerns related to the Project

¹² Coastal Watch Association, <https://www.iobcwa.org/> (last visited Mar. 9, 2026).

¹³ Ingleside on the Bay Coastal Watch Association, Inc., Opposition Letter, Request for Deadline Extension and Request for EIS, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC, and Cheniere Corpus Christi Pipeline, L.P.*, Docket No. PF25-10-000 (Accession # 20251229-5123) (Dec. 23, 2025).

¹⁴ Notice of EIS at 2.

including: adverse impacts to local water resources and wetlands; long-term adverse health and environmental impacts due to the Project site previously being the location of the Sherwin/Reynolds Aluminum Plant; air pollution impacts related to Corpus Christi Liquefaction's reported emissions events and the related enforcement proceedings at the Texas Commission on Environmental Quality; higher energy prices; increased vessel traffic; adverse impacts to cultural resources and historic properties like Donnel Point; health effects; and adverse impacts to water quality like high turbidity and silt-laden bay water.¹⁵ These should all be evaluated in the forthcoming Environmental Impact Statement ("EIS").

B. Indigenous Peoples of the Coastal Bend

Indigenous Peoples of the Coastal Bend ("Indigenous Peoples") is an intertribal community group in Corpus Christi, Texas. The group is made up of different lineages and wishes to honor peoples who lived in the area now named Corpus Christi off the Nueces River, which include Karankawa, Lipan Apache (Nde), Comanche, Tonkawa and Coahuiltecan (Pamaque) tribes.¹⁶ In 2016, the group came together when Corpus Christi was put on a series of boil water notices as a result of impacts from industrial operations.¹⁷ Then, in 2018, the group began advocating for Indigenous Rights and received its first proclamation honoring the Indigenous Peoples of the Coastal Bend. The group's mission is to preserve and conserve Indigenous Culture and create a livable, sustainable world

¹⁵ *Id.*

¹⁶ Indigenous Peoples of the Coastal Bend, <https://indigenouspeoplesofthecoastalbend.org/> (last visited March 9, 2026).

¹⁷ *Id.*

through culture and food while protecting Youth, Elders, Women, Warriors and the Environment.¹⁸

Currently, the group includes more than 100 members, and several individual members live very close to the Project.¹⁹ Because of its members' proximity to the Project, Indigenous Peoples echoes the concerns Coastal Watch raised. But these risks are not all. There is more. The group is also working together to preserve artifacts, remains, and cultural sites of the Karankawa People—all of which are an integral part of the history of the region and to the descendants of the Karankawa People. Importantly, Indigenous Peoples, through its Karankawa members, and others, historically had a significant presence on the Texas Coast. In fact, this region was dominated by the Karankawa People. This Project risks damage to their irreplaceable cultural resources.

C. Karankawa Tribe of Texas

The Karankawa Tribe's historic homelands are located along the Texas Gulf Coast, stretching from Galveston Bay to Corpus Christi Bay.²⁰ Thousands of Karankawa lived in dozens of seasonal, but permanent, settlements on the Texas Coast, and approximately 950 archeological sites have been identified on the same stretch of coast this Project will share.²¹ As a result of these settlements, the Texas Coast is rich with artifacts—carrying meanings beyond their physical form for their members—like Rockport pottery, shell

¹⁸ *Id.*

¹⁹ See Motion to Intervene of Indigenous Peoples of the Coastal Bend at 1, *Corpus Christi Liquefaction LNG, LLC*, Docket Nos. CP23-129-000 & PF22-10-000, (Accession # 20230504-5148) (May 4, 2023).

²⁰ Carol A. Lipscomb (rev. Tim Seiter), *The Karankawa Indians: History, Culture, and Legacy*, TEX. STATE HIST. ASS'N (Nov. 13, 2020), <https://www.tshaonline.org/handbook/entries/karankawaindians#:~:text=The%20Karankawas'%20entrance%20into%20the,some%20debris%20from%20the%20wreckage>.

²¹ Robert A. Ricklis, *The Karankawa Indians of Texas: An Ecological Study of Cultural Tradition and Change* (University of Texas Press, 1996). On the number of sites see U.S. Army Corps of Engineers, Galveston District, *Appendix A: National Historic Preservation Act Compliance for Coastal Texas Protection and Restoration Feasibility Study* (August 2021), 2.

middens, and stone tools.²² These cultural resources are an invaluable piece of Texas Coast history that could be lost to this Project.

Because the Karankawa population was decimated by genocide at the hands of the Spanish, Mexican, and Anglo-Americans—by the 1800’s many historians wrongly claimed that the Tribe had gone extinct.²³ But the Karankawa Tribe survived, and their descendants are actively working today to preserve and revive their culture, language, and traditions.²⁴ Together, they continue to protect their cultural sites, share their history, and reclaim their narrative.²⁵

The Karankawa Tribe’s work to save historic sites, burial grounds, artifacts, and cultural heritage, will be directly impacted by the Expansion. Specifically, the Expansion directly affects large swaths of shoreline with identified, potential, and unevaluated cultural resources. But it doesn’t stop there. The Expansion pushes inward affecting Chiltipin Creek—an area known to have late prehistoric campsites. Indeed, the largest samples of prehistoric ceramics in South Texas were previously found there.²⁶ Given the Karankawa Tribe’s current work to preserve cultural resources, and the threats this Expansion poses to the same, the Karankawa will be directly affected by this Project.

²² *Frequently Asked Questions*, KARANKAWAS, <https://karankawas.com/frequently-asked-questions/#:~:text=> (last visited Mar. 9, 2026).

²³ *Frequently Asked Questions*, KARANKAWAS, <https://karankawas.com/frequently-asked-questions/#:~:text=> (last visited Mar. 9, 2026).

²⁴ Erin Douglas, *The Karankawa were said to be extinct. Now they’re reviving their culture — and fighting to protect their ancestors’ land*, TEX. TRIB. (Oct. 4, 2021), <https://www.texastribune.org/2021/10/04/karankawa-corpus-christitexas-artifacts/>.

²⁵ *Id.*

²⁶ Kristina Solis, *A concise chronology of the Rio Grande Delta from the Paleo-Indian period to early Spanish exploration and colonization*, Univ. of Tex. Rio Grande Valley (May 2009), https://scholarworks.utrgv.edu/cgi/viewcontent.cgi?article=2005&context=leg_etd.

D. Carrizo Comecrudo Tribe, LLC

The Carrizo Comecrudo Tribe of Texas, LLC (“Carrizo/Comecrudo Tribe”), is a Tribe comprised of the Original Peoples of the Rio Grande Delta. The Carrizo/Comecrudo have a shared language and heritage.²⁷ Their historic homeland is located along the South Texas Rio Grande Delta, where they were active as hunter-gatherers on both sides of the Rio Grande during the seventeenth and eighteenth centuries. In the early 1990’s, the Carrizo/Comecrudo Tribe of Texas was officially reconstituted.²⁸ The Tribe also goes by Esto’k Gna, and it has provided comments on other Liquefied Natural Gas (“LNG”) projects affecting its peoples and lands within other LNG project areas.²⁹

This Expansion is particularly concerning to the Carrizo/Comecrudo Tribe because it threatens to erase indigenous artifacts and the cultural heritage of Indigenous Peoples.³⁰ As is well documented, there were dozens of settlements on the Texas Coast.³¹ Nevertheless over the last 50 years, industrial activities like this Expansion have failed Original Peoples—like the Karankawa and Carrizo/Comecrudo Tribes—and have failed to acknowledge or preserve precious few remaining cultural resources.

²⁷ Carlos Castañeda, *The Indigenous Groups Along the Lower Rio Grande*, INDIGENOUSMEXICO.ORG, <https://www.indigenousemexico.org/articles/the-indigenous-groups-along-the-lower-rio-grande> (last visited Oct. 28, 2025).

²⁸ Carlos Castañeda, *The Indigenous Groups Along the Lower Rio Grande*, INDIGENOUSMEXICO.ORG, <https://www.indigenousemexico.org/articles/the-indigenous-groups-along-the-lower-rio-grande> (last visited Oct. 28, 2025); and see Dylan Badour “Forgotten Keepers of the Rio Grande Delta” Texas Observer (May 13, 2024) <https://www.texasobserver.org/forgotten-keepers-of-the-rio-grande-delta/>.

²⁹ Carlos Castañeda, *The Indigenous Groups Along the Lower Rio Grande*, INDIGENOUSMEXICO.ORG, <https://www.indigenousemexico.org/articles/the-indigenous-groups-along-the-lower-rio-grande> (last visited Oct. 28, 2025).

³⁰ *Supra* at Section Ib.

³¹ Peter Moore, *Assessment of the Impact of the Bluewater SPM Pipeline on Indigenous Cultural Heritage Sites in Southern Live Oak Peninsula* (Originally authored Aug. 2023 and updated Feb. 2026) at 2.

III. THE PROJECT

On February 3, 2026, an Application for Authorizations Under the Natural Gas Act and Amendment of Certificate Authorization of Corpus Christi Liquefaction Stage IV, LLC Corpus Christi Liquefaction, LLC, and Cheniere Corpus Christi Pipeline, L.P. (“Application”) (collectively “CCL”) to site, construct and operate an expansion of the existing and approved liquefied natural gas (“LNG”) terminal in San Patricio and Nueces Counties, Texas on the La Quinta Ship Channel was submitted to the Federal Energy Regulatory Commission.³² CCL proposes this fourth major expansion of its already massive Corpus Christi complex on the La Quinta Ship Channel in San Patricio and Nueces Counties. The existing terminal already includes three storage tanks, two berths, and 10 liquefaction trains—along with other components and infrastructure. This Expansion would add, among other things, four *more* liquefaction trains, two *more* LNG storage tanks, three ground flares, a third marine berth, a terminal supply line, and other associated infrastructure (“Expansion Project” or “Project”).³³ It will dredge 1.2 million cubic yards of bay bottom to a depth of 46 feet.³⁴ Once operational, the facility would load LNG at rates up to 14,000 cubic meters/hour and accommodate carriers up to 200,000 m³.³⁵ LNG carrier traffic will more than double. And 25.8 miles of pipeline will be added—if not well

³² Notice of Application and Establishing Intervention Deadline, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC, and Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000 (Accession # 20260217-3044) (Feb. 17, 2026).

³³ Application for Authorizations Under the Natural Gas Act and Amendment of Certificate Authorization, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC, and Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000 (Accession # 20260204-5150) (Feb. 3, 2026) (hereinafter “Application”).

³⁴ Resource Report 1 at 1-26.

³⁵ Application at 14.

over 100 miles³⁶—a new compressor station, and associated meter stations to deliver feed gas to the expanded terminal.³⁷

The Expansion Project will cause numerous and cumulative significant environmental impacts due to its scale and vessel traffic route. As already stated, it will consist of four liquefaction trains. These trains have the capacity to produce 24 million tons of LNG per annum (“MTPA”).³⁸ Construction impacts will disturb over 2,893 acres, and operations will require more than 2,000 acres.³⁹ A new 150 mile pipeline must be built for the Project to meet its export capacity.⁴⁰ The project also requires a new marine terminal including a third marine berth, over 26 miles of other new pipeline, and vessel traffic will dramatically increase.⁴¹ It will include three multi-point ground flares and one encapsulated marine flare.⁴² The Project expects significant emissions (including increased pollution from marine vessels, on-road vehicles, and increased use of facilities at the existing CCL LNG Terminal). Site-wide emissions are approximately: 5,483 tons per year (“tpy”) of CO; 3,915 tpy of NO_x; 103 tpy of PM₁₀ and PM_{2.5}, 64 tpy of SO₂; and 722 tpy

³⁶ Resource Report 1 at 1-4, n.3 (“The proposed Traverse Pipeline will be constructed and operated by a non-affiliated third-party, WhiteWater. The Traverse Pipeline is expected to be in service in 2027, pending the receipt of customary regulatory and other approvals. (<https://www.prnewswire.com/news-releases/traverse-pipeline-reaches-final-investment-decision-to-transport-natural-gas-between-agua-dulce-and-the-katy-area-302419326.html>)”); and see Cheniere Corpus Christi, Pipeline L.P., CCPL Stage 4 Expansion Project Binding Open Season, December 18, 2025-January 02, 2026.

³⁷ Resource Report 1 at 1-1.

³⁸ Application at 9.

³⁹ Application at 21; Resource Report 1 at Table 1.5-1.

⁴⁰ Resource Report 1 at 1-4, n.3 (“The proposed Traverse Pipeline will be constructed and operated by a non-affiliated third-party, WhiteWater. The Traverse Pipeline is expected to be in service in 2027, pending the receipt of customary regulatory and other approvals. (<https://www.prnewswire.com/news-releases/traverse-pipeline-reaches-final-investment-decision-to-transport-natural-gas-between-agua-dulce-and-the-katy-area-302419326.html>)”); and see Cheniere Corpus Christi, Pipeline L.P., CCPL Stage 4 Expansion Project Binding Open Season, December 18, 2025-January 02, 2026.

⁴¹ Application at 9-11.

⁴² Application at 9-15.

of Ozone—to name a few.⁴³ Over seven million tons of greenhouse gas emissions will be released each year.⁴⁴ Anywhere from 50.9 to 100 tons per year of Hazardous Air Pollutants (“HAPs”) will be emitted.⁴⁵ Construction and operations will destroy floodplain, over 9 acres of seagrass, and wetlands.⁴⁶ The Project will affect at least 7 waterbodies.⁴⁷ The municipal water supply and local creeks must provide millions of gallons of water to meet the Project’s demand for years—five for build out, two for commissioning and start up, and then for the life of its operations.⁴⁸ For dust suppression alone, the Project needs approximately 90 million gallons of water a year.⁴⁹ FERC must review all these environmental impacts during the NEPA process.

IV. LEGAL BACKGROUND

Commenters are providing these comments as part of the NEPA scoping process for an EIS that would inform the decision by FERC whether this Expansion is in the public interest.⁵⁰ Specifically, the Commission seeks “comments on potential alternatives and effects, and any relevant information, studies, or analyses of any kind concerning effects affecting the quality of the human environment” to understand and consider the public’s “concerns” and the “environmental effects that could result” from the project.”^{51,52}

⁴³ Appendix 9A – Air Permits at 49, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC*, and *Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000, (Feb. 3, 2026) (hereinafter “Appendix 9A”).

⁴⁴ Appendix 9A at 50.

⁴⁵ Resource Report 9 at Table 9.2-15 (Potential to Emit, Total HAP 47.9).

⁴⁶ Notice of Intent to Prepare an EIS at 5.

⁴⁷ *Id.*

⁴⁸ Resource Report 1 at Table 1.8-1; Resource Report 2 at Table 2.2-3.

⁴⁹ *Id.*

⁵⁰ See Notice of EIS at 1.

⁵¹ *Id.*

⁵² *Id.* at 2.

Both NEPA and the Natural Gas Act require discussion of the purpose *and need* for the proposed action.⁵³ FERC uses the purpose and need statement to define objectives of the Project and identify alternatives to consider.⁵⁴ And although an agency has considerable discretion to define the purpose and need, it “may not define the objectives of its action in terms so unreasonably narrow that only one alternative from among the environmentally benign ones in the agency's power *would* accomplish the goals of the agency's action.”⁵⁵ Agencies can “take into account the needs and goals of the parties involved in the application.”⁵⁶ But, ultimately, the agency, not the applicant, must determine the purpose and scope of its EIS.

A. NEPA Requirements

Under NEPA, agencies must issue an environmental impact statement for the proposed action that “has a reasonably foreseeable significant effect on the quality of the human environment.”⁵⁷ The agency must take a “hard look” at those effects, including cumulative effects, which “represent the incremental effects of a proposed action when added to other past, present, or reasonably foreseeable future actions, regardless of the agency or party undertaking such other actions.”⁵⁸ An EIS addresses, among other things, the adverse environmental impacts of a proposal, and weighs a reasonable range of alternatives that could meet the proposal’s purpose and need at a lower environmental cost.⁵⁹ Completing an EIS for projects with reasonably foreseeable significant effects on

⁵³ 40 C.F.R. 1501.5(c)(2); 18 C.F.R. 380.2(d)(3).

⁵⁴ *In re Transcontinental Gas Pipe Line Co.*, 182 FERC ¶ 61,148 (2023).

⁵⁵ *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190, 196 (D.C. Cir. 1991).

⁵⁶ *Id.*

⁵⁷ 42 U.S.C. § 4336(b)(1) (2023).

⁵⁸ *See e.g., Sierra Club v. Fed. Energy Regul. Comm’n*, 153 F.4th 1295, 1302 (D.C. Cir. 2025).

⁵⁹ 42 U.S.C. § 4332(2)(C)(iii); *see also N. J. Conservation Found. v. FERC*, 111 F.4th 42, 51 (D.C. Cir. 2024).

the environment is necessary for agencies to meet their obligation under NEPA to “take a hard look at the environmental consequences before taking a major action.”⁶⁰

According to FERC Staff Guidance, environmental impact statements must be consistent with the requirements of NEPA and should include:

- (1) Reasonably foreseeable environmental effects of the proposed action;
- (2) Reasonably foreseeable adverse environmental effects which cannot be avoided should the proposal be implemented;
- (3) A reasonable range of alternatives to the proposed action, including an analysis of any negative environmental impacts of not implementing the proposed action in the case of a no action alternative, that are technically and economically feasible, and meet the purpose and need of the proposal;
- (4) the relationship between local short-term uses of man’s environment and the maintenance and enhancement of long-term productivity;
- (5) Any irreversible and irretrievable commitments of Federal resources which would be involved in the proposed action should it be implemented; and
- (6) Any means identified to mitigate adverse environmental effects of the proposed action.⁶¹

This review is no different and must be broad enough to evaluate all of the requirements above.

CCL asserts that it’s submission “comports with NEPA requirements as historically applied by the Commission.”⁶² Thus Commenters understand that this review is being conducted under traditional NEPA framework—guided by historic regulations to ensure consistency.

B. Natural Gas Act Requirements

The Supreme Court held that “an agency may weigh environmental consequences as the agency reasonably sees fit under its governing statute and any relevant substantive

⁶⁰ *Ctr. For Biological Diversity v. FERC*, 67 F.4th 1176, 1181 (D.C. Cir. 2023) (quoting *Balt. Gas & Elec. Co. v. Nat. Res. Def. Council, Inc.*, 462 U.S. 87, 97 (1983)).

⁶¹ Federal Energy Regulatory Commission, Office of Energy Projects, Staff Guidance Manual on Implementation of the National Environmental Policy Act (June 2025) at 8; *See* 42 U.S.C. § 4332(2)(C).

⁶² *Id.*

environmental laws.”⁶³ Under FERC’s governing statute, the Natural Gas Act (“NGA”),⁶⁴ FERC must evaluate a project’s market need and must balance the project’s benefits and harms before issuing a license.⁶⁵ That analysis includes “all factors bearing on the public interest, including environmental ones.”⁶⁶

The failure to properly evaluate an LNG project’s harms to ecosystems and communities renders FERC’s Natural Gas Act decision-making arbitrary and capricious.⁶⁷ The U.S. Court of Appeals for the D.C. Circuit has upheld FERC balancing benefits against harms, including environmental harms, as consistent with the standard in Section 3 of the Natural Gas Act that presumptively favors approval of LNG terminals.⁶⁸ Weighing “all factors bearing on the public interest” pursuant to the substantive requirements of the Natural Gas Act through this Environmental Impact Statement under NEPA will demonstrate the Expansion’s harms render it inconsistent with the public interest.

FERC must weigh the Expansion’s real and potential substantial harms against its benefits to determine its consistency with the public interest, and the EIS is an opportunity to collect and evaluate those potential impacts. This collection and evaluation of impacts should inform FERC’s ultimate decision whether to permit the Project and, if the Project does go forward, these analyses must dictate what mandatory mitigation is required.

⁶³ *Seven Cnty. Infrastructure Coal. v. Eagle Cnty., Colo.*, 605 U.S. 168, 173 (2025).

⁶⁴ 15 U.S.C. § 717.

⁶⁵ *Minisink Residents for Env’t Pres. & Safety v. FERC*, 762 F.3d 97, 101 (D.C. Cir. 2014).

⁶⁶ *Sierra Club v. FERC*, 153 F.4th 1295, 1304 (D.C. Cir. 2025) (quoting *Food & Water Watch v. FERC*, 104 F.4th 336, 341 (D.C. Cir. 2024)); see also *Atl. Refin. Co. v. Pub. Serv. Comm’n*, 360 U.S. 378, 391 (1959).

⁶⁷ *Vecinos para el Bienestar de la Comunidad Costera v. FERC*, 6 F.4th 1321, 1331 (D.C. Cir. 2021).

⁶⁸ See *Ctr. for Biological Diversity v. FERC*, 67 F.4th 1176, 1188 (D.C. Cir. 2023) (accepting FERC’s section 3(e) determination as weighing whether “benefits” of a project are “outweighed by the projected environmental impacts”).

V. SOCIOECONOMIC ANALYSIS

Because the Natural Gas Act requires the Commission to consider “all factors bearing on the public interest,” community impacts must be reviewed.⁶⁹ Current regulations also require the Commission to review the existing socioeconomic conditions near a proposed project.⁷⁰ And FERC’s recent guidance requires a review of impacts and the distribution of those impacts.⁷¹ Accordingly, the EIS must include an analysis of how the Project’s pollution and other impacts are distributed across the nearby populations. Comparing the distribution of these impacts across the demographic composition of affected communities determines which populations are shouldering the Project’s relative risks and burdens to ensure that FERC can adequately review whether the Project is in the public interest.

The EIS must review impacts in *both* San Patricio and Nueces Counties because the Project’s footprint extends to Nueces County.⁷² The current environmental review only references San Patricio County. Within these two counties, and near the Project, the EIS must also evaluate sensitive receptors. Sensitive receptors near the Project require evaluation and mitigation of the environmental effects on those areas. Sensitive receptors will heighten the need for related noise, air, and safety risk assessments, so they can be sufficiently guarded against. The magnitude of the impacted residential areas needs appropriately and transparently characterized in the EIS—especially given the Project’s proximity to those areas.

⁶⁹ *Atl. Ref. Co. v. Pub. Serv. Comm’n of N.Y.*, 360 U.S. 378, 391 (1959).

⁷⁰ 18 C.F.R. § 380.12(g).

⁷¹ Federal Energy Regulatory Commission, Office of Energy Projects, Staff Guidance Manual on Implementation of the National Environmental Policy Act (June 2025) at 3.

⁷² See Resource Report 5 at 5-1, n. 2 (“Nueces County was excluded from the defined study area due to the Projects’ minimal footprint within its jurisdiction, resulting in negligible anticipated impacts; however, data for Nueces County is included in some sections, as relevant.”)

Figure 1: Residential communities are adjacent to the Project⁷³

EXHIBIT B
AREA CLASSIFICATION MAP



Color	Area Description
Orange	Industrial
Blue	Residential/Commercial
Green	Parks/Marshland/Wildlife Refuges

VI. CONNECTED ACTIONS

NEPA requires a “detailed statement” on “the environmental impact of the proposed action.”⁷⁴ Here, the EIS Notice also indicates that the review to follow will and should include an analysis of “expected effects.”⁷⁵ Among the expected effects are “reasonably foreseeable adverse environmental effects which cannot be avoided should the proposal be implemented.”⁷⁶ Both expected effects and reasonably foreseeable adverse environmental effects would encompass analyzing the environmental consequences of connected actions—or actions that could automatically trigger other actions, cannot or will not

⁷³ Appendix 1G: Agency Correspondence at 80, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC*, and *Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000, (Feb. 3, 2026) (hereinafter “Appendix 1G”).

⁷⁴ 42. U.S.C. § 4332(2)(C).

⁷⁵ Notice of EIS at 5.

⁷⁶ Federal Energy Regulatory Commission, Office of Energy Projects, Staff Guidance Manual on Implementation of the National Environmental Policy Act (June 2025) at 8; *See* 42 U.S.C. § 4332(2)(C).

proceed unless other actions are taken, or are interdependent parts of a larger action and depend on the larger action.⁷⁷

As already stated, according to the Applicant, its submission “comports with NEPA requirements as historically applied by the Commission.”⁷⁸ Historically, under NEPA, in evaluating whether physically connected actions can be analyzed separately, a court reviews whether these actions have “substantial independent utility.”⁷⁹ The test asks “whether one project will serve a significant purpose even if a second related project is not built.”⁸⁰ Here, the Traverse Pipeline will be physically connected to this Project, has no independent utility and may not serve a significant purpose without this Expansion.

Apart from NEPA, FERC’s own regulations require an analysis of the Traverse Pipeline.⁸¹ Specifically, FERC must determine “[w]hether there are aspects of the nonjurisdictional facility in the immediate vicinity of the regulated activity which uniquely determine the location and configuration of the regulated activity.”⁸² This Project includes the new Traverse Meter Station, named for the Traverse Pipeline, and identified by the Applicants as the connection point at which the Project anticipates purchasing delivered gas from the Traverse Pipeline.⁸³ Without this connection, the Project “would not have sufficient access to domestic natural gas supply to meet the purpose and need of the

⁷⁷ See (repealed CEQ regulations) at 40 C.F.R. § 1501.9(e)(1) (2023) (formerly 40 C.F.R. § 1508.25(a)(1) (2022)).

⁷⁸ *Id.*

⁷⁹ See, e.g., *City of Bos. Delegation v. FERC*, 897 F.3d 241, 252 (D.C. Cir. 2018) (citations omitted).

⁸⁰ *Coal. on Sensible Transp., Inc. v. Dole*, 826 F.2d 60, 69 (D.C. Cir. 1987); see also *O'Reilly v. U.S. Army Corps of Eng'rs*, 477 F.3d 225, 237 (D.C. Cir. 2007) (defining independent utility as whether one project “can stand alone without requiring construction of the other [projects] either in terms of the facilities required or of profitability”).

⁸¹ 18 C.F.R. § 380.12(c)(2)(ii).

⁸² 18 C.F.R. § 380.12(c)(2)(ii)(B).

⁸³ RR1 at Section 1.2, p. 1-4; Resource Report 10 at Section 10.1, n.3.

Project.”⁸⁴ Additionally, the Traverse Meter Station was sited and sized to received gas from the Traverse Pipeline—as is explained more below.

A. Traverse Pipeline is a project component or a connected action.

The Traverse Meter Station is included as a project component, but the interdependent, approximately 152-mile pipeline—Traverse Pipeline—is excluded from the listed project components.⁸⁵ According to the Binding Open Season Notice issued by CCL, wherein CCL is soliciting binding commitments from shippers for capacity on a new expanded pipeline, the Traverse Pipeline is identified as the largest single receipt point by available contract quantity.⁸⁶ More specifically though, the Traverse Pipeline is sized 1:1 with the new CCL delivery capacity—making it appear to be the anchor supply source for the current Expansion. While there are other interconnections shown, Traverse Pipeline is also the only *new* interconnection being built simultaneously with this Expansion; the other connections already exist. As such, the Traverse Pipeline and the Project appear to be paired buildouts.

Figure 2: Design Capacity & Available Contract Quantities⁸⁷

Receipt Location	Meter Number	Available Contract Quantity (Dth/d)
TRAVERSE	N/A	3,060,000
TGP	CC121033	51,000
NGPL	CC121053	397,800
ETP	CC121063	464,100
KM TEJAS I	CC121073	306,000
KM TEJAS II	CC121083	1,020,000

Design capacity for the Eligible Primary Firm point of delivery include:

Delivery Location	Meter Number	Available Contract Quantity (Dth/d)
CCL Stage 4 LNG Facility	N/A	3,060,000

⁸⁴ Resource Report 10 at Section 10.1.2, p. 10-2.

⁸⁵ <https://traversepipeline.com/>

⁸⁶ Cheniere Corpus Christi, Pipeline L.P. , CCPL Stage 4 Expansion Project Binding Open Season, December 18, 2025 -January 02, 2026.

⁸⁷ Cheniere Corpus Christi, Pipeline L.P. , CCPL Stage 4 Expansion Project Binding Open Season, December 18, 2025 -January 02, 2026.

The Traverse Pipeline is a critical Project component because it delivers the gas to be compressed and exported. The Project’s stated purpose and need is to meet increased international demand for natural gas; the natural gas to meet that demand will primarily come through the Traverse Pipeline.⁸⁸ Thus, that pipeline cannot be omitted from the environmental analysis—even if the Project anticipates purchasing delivered gas from “one or more third-parties at the Traverse Meter Station.”⁸⁹ Because of this interdependent relationship between the Traverse Pipeline and the Project, the pipeline must also be included and reviewed.⁹⁰

VII. THE WATER CRISIS

The Coastal Bend is running out of water. For seventy years, two reservoirs held the region in their cupped hands—Lake Corpus Christi and Choke Canyon. Texas once had some confidence that their rivers would rise again to meet whatever needs surfaced, but the natural rise of rivers is no match for what’s come to this region, and what this Project shows is on the way.⁹¹ There are reasonably foreseeable effects this project would have on the dwindling water supplies that this environmental review process must examine. And that impact and the public interest more broadly, must be evaluated and weighed against the purpose of this Project.

The City of Corpus Christi is rationing its remaining water. While residents are cutting their water use—this Project asks to use more. Preceding this Expansion are three

⁸⁸ Application at 20.

⁸⁹ Resource Report 1 at 1-4.

⁹⁰ Resource Report 1 at 1-4, n.3 (“The proposed Traverse Pipeline will be constructed and operated by a non-affiliated third-party, WhiteWater. The Traverse Pipeline is expected to be in service in 2027, pending the receipt of customary regulatory and other approvals. (<https://www.prnewswire.com/news-releases/traverse-pipeline-reaches-final-investment-decision-to-transport-natural-gas-between-agua-dulce-and-the-katy-area-302419326.html>)”)

⁹¹ Resource Report 1 at Table 2.2-3.

prior phases at the same site already drawing on the same rationed water supply against the drought baseline. The Commission’s EIS analysis must evaluate water supplies in the context of this Project’s relationship to its predecessor parts because the combined water consumption is a cumulative impact.

The Application itself exposes that the Project has not secured a reliable source of water for its extraordinary need. For example, the Commission has already requested confirmation that the San Patricio Municipal Water District can “adequately supply the anticipated volume of hydrostatic test water and dust suppression water.”⁹² But the Application lacks confirmation. The Commission asks for “copies of local or state agency correspondence regarding surface water withdrawals and restrictions” etc. to support the Project’s water use.⁹³ But the Application lacks copies of this correspondence. The Application doesn’t mention the drought or any water emergency—despite its being filed this year. The EIS is responsible for answering these questions and evaluating the Project’s context of the current regional drought and water emergency.

A. Reasonably Foreseeable and Cumulative Impacts to Water Resources must be considered.

NEPA requires FERC to take a “hard look” at reasonably foreseeable environmental impacts.⁹⁴ One of those impacts is the impact on the local watershed. In its current condition, that watershed cannot support the water supplies needed for this Project. This issue needs to be fully analyzed and impacts mitigated during the EIS process.

Specifically, water demand and usage must be assessed as a cumulative impact. Water resources are especially vulnerable in the Project area. Water is a finite resource in

⁹² Resource Report 2 at viii, Comment 22.

⁹³ Resource Report 2 at viii, Comment 17.

⁹⁴ See e.g., *Sierra Club v. FERC*, 153 F.4th 1295, 1302 (D.C. Cir. 2025).

increasing demand that must be quantified so the Commission can weigh whether the strain this Project will put on scarce resources can be justified—especially over municipal water needs. This strain requires the Commission to review current commitments to industrial uses and the cumulative impacts those commitments pose to the region’s water supply. In considering the cumulative impacts to water scarcity, the Commission needs to look at all four Stages of the CCLNG Project together *and* all the other industrial users in the same watershed including, but not limited to: ArcelorMittal, Steel Dynamics, Gulf Coast Growth Ventures, Exxon-Mobil SABIC, and more.⁹⁵ Additionally, Project Stages 1-3 may have a stale baseline assuming pre-drought and pre-water crisis conditions. Stage 4 must be required to conduct its analysis against the current baseline: a regional water supply crisis.

Below are figures demonstrating the current drought conditions and current water commitments. To the extent that this Project will make consistent demands on this water supply for consecutive years, that picture needs to be complete for the public and decision-makers’ review and evaluation.⁹⁶ Specifically, an EIS must cumulatively evaluate: water supply, withdrawal rates, source capacity, and competing demands.

⁹⁵ Texas Policy Research, *Corpus Christi and What Comes Next*, <https://www.texaspolicyresearch.com/corpus-christi-water-crisis-and-what-comes-next/> (Mar. 21, 2026).

⁹⁶ *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 349 (1989) (internal citations omitted) (requirement to prepare and review an environmental impact statement ensures the agency will have important information available to carefully review the federal action).

Figure 3: Projected Drought Status⁹⁷

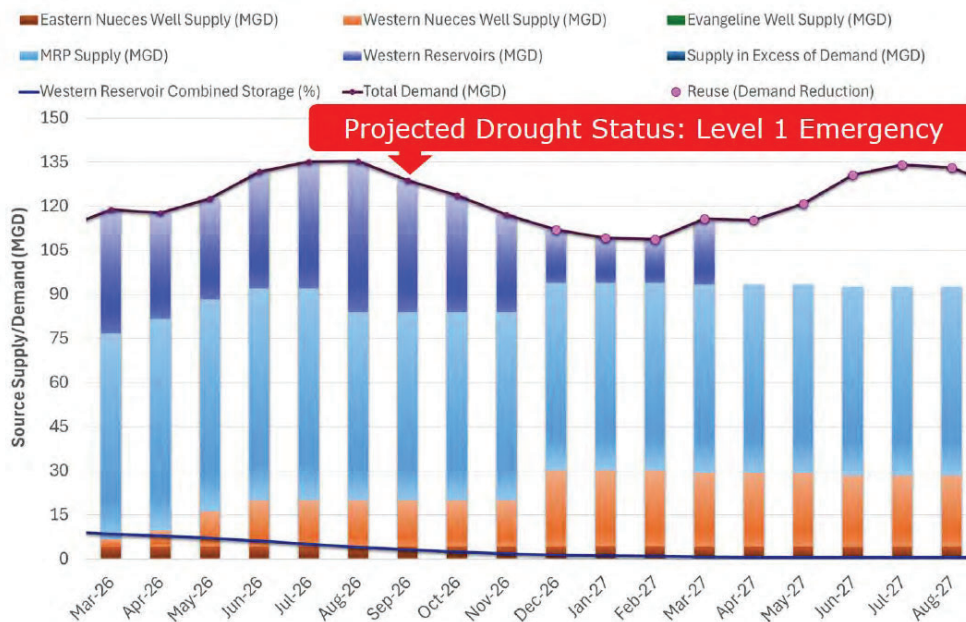
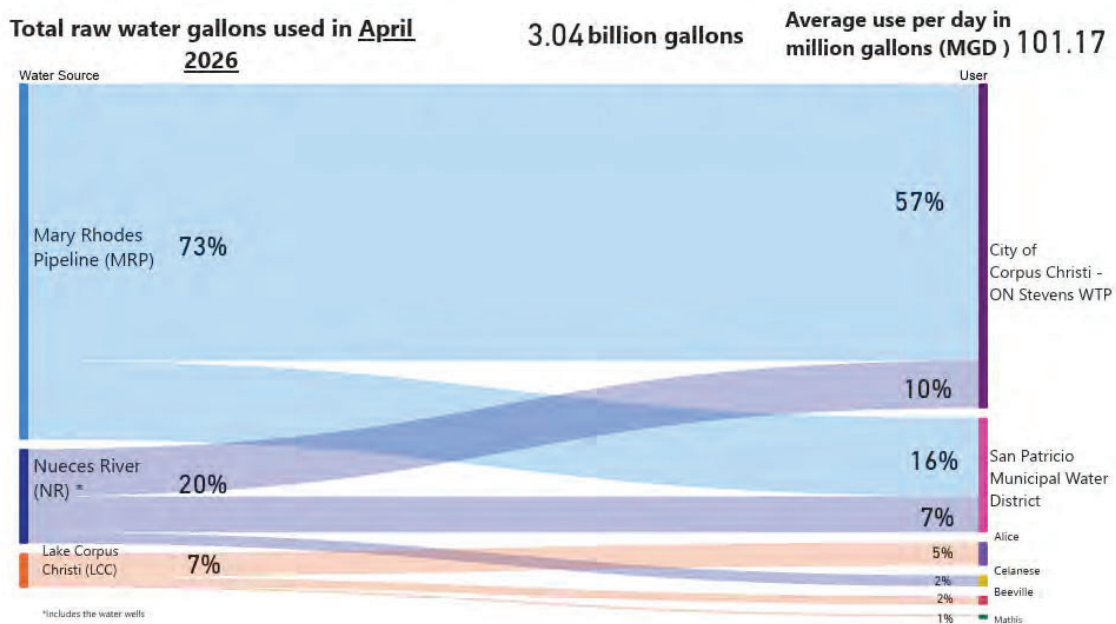


Figure 4: Average Daily Water Use in Corpus Christi⁹⁸



⁹⁷ City of Corpus Christi Water Supply Dashboard, (May 21, 2026)
<https://www.corpuschristitx.gov/department-directory/corpus-christi-water/water-supply-dashboard/>

⁹⁸ City of Corpus Christi Water Supply Dashboard, (May 21, 2026)
<https://www.corpuschristitx.gov/department-directory/corpus-christi-water/water-supply-dashboard/>

The water crisis promises to intensify. As is acknowledged in the 2014 FEIS, this region’s groundwater is of varying usefulness and has “high concentrations of chloride, salinity, and alkalinity.”⁹⁹ Accordingly, much of the region depends on the same limited freshwater supply that this Project will draw on. It is critical that the Commission fully evaluate the Project’s water usage over the life of the Project to inform its decision on whether the Project is in the public interest.

The Project’s water consumption is materially problematic for several reasons. First, the facility itself is growing—so the water consumption is also growing. It is currently pushing for its fourth expansion since 2014. Second, there is no current replacement for the water that is being consumed. Given the severe water crisis the Project region faces, alongside the intensive water consumption needs of this project, the EIS must analyze and FERC must weigh the region’s need versus the Project’s need—for water—against the reality that the reservoirs that supply the City of Corpus, are combined below 9% full.¹⁰⁰

B. Potential for Groundwater Contamination must be considered.

Beyond the Project’s tremendous water consumption, this Project poses another threat to the already dwindling regional water supply—potential for contamination of the limited groundwater in the area. In Texas, groundwater is a major source of drinking water. It provides 55 percent of the 14.7 million acre feet of water used in the state.¹⁰¹ And in the

⁹⁹ 2014 FEIS at 4-19.

¹⁰⁰ Water data for Texas; Corpus Christi Area Reservoirs, <https://www.waterdatafortexas.org/reservoirs/municipal/corpus-christi> (the city’s primary western reservoirs specifically—Lake Corpus Christi and Choke Canyon—are at a combined capacity of about 8.5% to 9%) (May 25, 2026).

¹⁰¹ Texas Water Development Board, Groundwater, <https://www.twdb.texas.gov/groundwater/#:~:text=Groundwater%20is%20a%20major%20source,the%202020%20Water%20Use%20Survey>.

past, CCL has acknowledged that there is a potential for groundwater contamination by “accidental release of hazardous substances, such as fuels, lubricants, and coolants, while constructing and operating the Terminal facilities.”¹⁰² Given the limited water supplies, it is especially important that the Commission undertake this evaluation here.

Additionally, the Project poses a threat to groundwater due to its location on the site of the old Sherwin Alumina Plant. Decades of alumina production left arsenic contamination in shallow groundwater. This area is required to complete groundwater quality monitoring as part of a Remedial Action Plan, which established a plume management zone for the natural attenuation monitoring of arsenic concentrations in groundwater.¹⁰³ There are currently three documented arsenic plumes with arsenic levels above the Texas Protective Concentration Levels (“PCLs”).¹⁰⁴

This Project will involve major construction activities. For example, excavations, dewatering during construction, the weight of the constructed facilities. Each of these activities may alter the groundwater flow, direction and gradient. The effects could destabilize the three naturally attenuating plumes. Construction-phase and operational phase plume stability analysis should be conducted understanding the potential to alter hydrogeologic conditions. The EIS must analyze how construction will affect the plumes. While FERC may not be responsible for monitoring or the Remedial Action Plan, the Commission *is* responsible for evaluating a Project’s risks through the NEPA process.¹⁰⁵

As such, threats posed to groundwater must be evaluated.

¹⁰² 2014 FEIS at 4-19.

¹⁰³ 2014 FEIS at 4-19.

¹⁰⁴ Resource Report 2 at 2-4-2-6.

¹⁰⁵ *Save Barton Creek Ass’n v. Fed. Highway Admin*, 950 F.2d 1129, 1134 (5th Cir. 1992)(recognizes that “major Federal action” can exist even when the primary actors are not federal agencies. A “distinguishing feature of ‘federal’ involvement is the ability to influence or control the outcome in material respects.; see also W. Rodgers, *Environmental Law* § 7.6, at 763 (1977) (The EIS process is supposed to inform the

VIII. VESSEL TRAFFIC

All consequences of vessel traffic must be evaluated including: air emissions, shoreline erosion, risk of accidents/spills/explosion, harm to endangered species and habitat. According to Resource Report 2, there is no plan to evaluate the potential impacts associated with the doubling of the LNG Carriers (“LNGC”) traffic. In fact, the Report states:

Isolating and quantifying potential impacts associated with only those vessels in a reliable way is technically infeasible. For this reason, CCL does not plan to conduct project-specific modeling related to the proposed increased number of vessels that would utilize the federal channel.¹⁰⁶

However, the Commission has an affirmative obligation to review and evaluate the Project’s impacts as well as the Project’s contribution to already heavily affected areas. Once impacts are fully scoped, mitigation should be suggested.

Environmental Impact Statements for previous CCL projects and expansions have discussed the impact that increased traffic would have on shoreline erosion. For example, the 2014 FEIS, acknowledges that all ships will have an impact and captures ways to determine impacts (in part) as follows: “All ships passing through the Corpus Christi and La Quinta channels have the potential to contribute to shoreline erosion. The severity of potential shoreline erosion bordering ship channels is dependent on the number of ships; ship size, hull shape, speed, and draft; propeller action; and channel proximity to shore, shoreline shape, and the type of material of the shoreline.”¹⁰⁷

decision-maker. This presupposes [the decision-maker] has judgment to exercise. Cases finding ‘federal’ action emphasize authority to exercise discretion over outcome.”)

¹⁰⁶ Resource Report 2 at 2-23 (Feb. 2026).

¹⁰⁷ Corpus Christi 2014 FEIS at 4-12.

Vessel traffic must also be reviewed comprehensively. Specifically, the addition of 390 LNGCs calling on the CCL Stage 4 Project is an incomplete portrait of the additional ships that will be traveling La Quinta Ship Channel from this Project. Resource Report 2 acknowledges “additional tugs will be added as operations dictate to accommodate additional cargos associated with the CCL Stage 4 Project.”¹⁰⁸ These additional tugs must be quantified and their corresponding environmental impacts assessed. Barges will also be necessary for construction, and those impacts must be quantified.

A. Increased Vessel Traffic will cause increased shoreline erosion.

The Project plans to more than double vessel traffic, and this will directly contribute to increased shoreline erosion, which will potentially damage cultural resources and historic properties on the Texas Coast.¹⁰⁹ Studies have shown that increased vessel traffic leads to a significant increase in the erosion of areas that are already shown to be susceptible.¹¹⁰ Vessel wakes are the dominant cause of erosion in commercial shipping channels. Because larger vessels produce larger wakes and LNGCs and VLLCs are some of the largest ships, they cause significant wakes leading to increased shoreline erosion.¹¹¹

¹⁰⁸ Resource Report 2 at 2-22 (Feb. 2026).

¹⁰⁹ See Final Environmental Impact Statement for Corpus Christi LNG Project at 431, *Corpus Christi Liquefaction, L.L.C. and Cheniere Corpus Christi Pipeline, L.P.*, Docket Nos. CP12-507-000, CP12-508-000, DOE Docket No. FE 12-97-LNG, FER/EIS-0252F (Accession # 20141008-4001) (Oct. 2014) (“... is exposed to erosional forces created by a combination of wind driven waves and wakes of ships transiting Copus Christi Channel. The area’s small islands, seagrass beds, and marsh habitats are being eroded at an average rate of 5.2 ft/yr., placing a large area of seagrass and marsh habitat at risk.”) (hereinafter “2014 CCL FEIS”).

¹¹⁰ Gian M. Scarpa, et al., *The effects of ship wakes in the Venice Lagoon and implications for the sustainability of shipping in Coastal Waters*, Scientific Reports 9, 19014, <https://www.nature.com/articles/s41598-019-55238-z>.

¹¹¹ Cassandra L. Everett, *Ship wake forcing and performance of a living shoreline segment on an estuarine shoreline*, *Frontier in Built Environment*, Coastal and Offshore Engineering, Section Coastal and Offshore Engineering, Vol. 8 (Aug. 8, 2022), <https://www.frontiersin.org/journals/built-environment/articles/10.3389/fbuil.2022.917945/full>; see also Steven D. Meyers, *Ship wakes and their potential shoreline impact in Tampa Bay*, *Ocean & Coastal Management*, Vol. 211 (Oct. 1, 2021), <https://www.sciencedirect.com/science/article/abs/pii/S0964569121002325>; and see *Review of boat wake wave impacts on shoreline erosion and potential solutions for the Chesapeake Bay* (2017)

And in confined channels, like the Corpus Christi Ship Channel, erosive effects of ships are amplified.¹¹² Finally, cumulative vessel traffic is significant, and this Expansion seeks to authorize over twice the traffic, which will only compound the existing erosion problem.¹¹³ This is especially significant because tanker traffic in Corpus Christi has skyrocketed in recent years—doubling from 2015-2022.¹¹⁴ These losses may be irreversible for the coastal ecosystems. Once the marsh edge is lost, seagrass beds are scoured, and shell middens are undercut, those features will not likely regenerate on a human timescale.

B. Increased Vessel Traffic will adversely impact seagrasses.

Increased vessel traffic additionally will negatively affect seagrasses which perform important functions like preventing shoreline erosion and serve as food and habitat for marine life.¹¹⁵ As such, seagrass is critical to the coastal environment by supporting fisheries and endangered species.¹¹⁶ They also capture atmospheric carbon dioxide and produce oxygen that supports marine life. Seagrass stabilizes the coastline by anchoring sediment and improves water quality by filtering pollutants. Because the Texas Coast is

https://ccrm.vims.edu/2017_BoatWakeReviewReport.pdf; Jacob Geersen, *Ship wake-induced water column mixing and meter scale seabed erosion in the Baltic Sea*, Nature Communications (Feb. 10, 2026) <https://www.nature.com/articles/s41467-026-68875-6>.

¹¹² Gian M. Scarpa, et al., *The effects of ship wakes in the Venice Lagoon and implications for the sustainability of shipping in Coastal Waters*, Scientific Reports 9, 19014, <https://www.nature.com/articles/s41598-019-55238-z>; see also Cassandra L. Everett, *Ship wake forcing and performance of a living shoreline segment on an estuarine shoreline*, Frontier in Built Environment, Coastal and Offshore Engineering, Section Coastal and Offshore Engineering, Vol. 8 (Aug. 8, 2022), <https://www.frontiersin.org/journals/built-environment/articles/10.3389/fbuil.2022.917945/full>.

¹¹³ Application at 9; and see, *Review of boat wake wave impacts on shoreline erosion and potential solutions for the Chesapeake Bay* (2017) https://ccrm.vims.edu/2017_BoatWakeReviewReport.pdf.

¹¹⁴ Sierra Fletcher et al., *Viability of Moving Increased Crude Oil Volume via the No-Action Alternative in the Bluewater DEIS*, NUKA RESEARCH at 3 (Sept. 2023).

¹¹⁵ Marjolijn Christian, *Low-canopy Seagrass Beds Still Provide Important Coastal Protection Services*, PLoS One (May 28, 2013) <https://pubmed.ncbi.nlm.nih.gov/23723969/>.

¹¹⁶ Seagrass Meadow, FL. KEYS NAT'L MARINE SANCTUARY, <https://floridakeys.noaa.gov/plants/seagrass.html> (last visited Mar. 9, 2026).

clustered with cultural resources, shoreline erosion endangers these resources. As a result, damage to seagrass has corresponding detrimental effects to marine life and the shoreline. The 2014 EIS documented significant shoreline erosion in sensitive ecosystem areas—estimating as much as 5.2 ft/year would be lost.¹¹⁷ Due to this erosion rate, CCL was required to implement almost a mile of segmented rock breakwaters to preserve the existing habitats.¹¹⁸ The same kind of evaluations need to be performed and potential mitigation of these areas must be proposed and implemented.

IX. AIR QUALITY IMPACTS

The current status of regional air quality must be evaluated, including changes in relevant Clean Air Act standards, State Implementation Plans, or attainment or non-attainment status changes, and changes to the National Ambient Air Quality Standards (“NAAQS”). FERC must evaluate the Project’s anticipated air emissions both from construction and anticipated operations, including the use of Best Available Control Technology (“BACT”) for relevant pollutants. The forthcoming EIS should also consider the impacts of new developments, pipelines, roadways, and industrial facilities (also including, but not limited to, those with Title V operating permits) on air quality. This analysis should consider the sum of pollutants emitted by the Project along with emissions, and new or increased emission sources.

¹¹⁷ “Attachment A” to 2014 EIS at 2 of 17 (“The Ransom Point to Dagger Island area is exposed to erosional forces created by a combination of wind-driven waves and wakes of ships transiting the Corpus Christi Ship Channel. The area’s small islands, seagrass beds, and marsh habitats are being eroded at an average rate of 5.2 ft./yr., placing a large area of seagrass and marsh habitat at risk. Texas Parks and Wildlife Department (TPWD) presently has a master plan to preserve Redfish Bay area habitats including Dagger Island, Dagger Point, and Ransom Point, which are all located within the Redfish Bay State Scientific Area. CCL is proposing to construct approximately 3,500 feet of segmented rock breakwaters to preserve the existing habitats on Ransom Point as well as the habitats within Redfish Bay that Ransom Point.”)

¹¹⁸ *Id.*

A. Prevention of Significant Deterioration (“PSD”)

The Prevention of Significant Deterioration (“PSD”) Program is the principal federal mechanism designed to prevent the cumulative degradation of attainment areas like the Coastal Bend.¹¹⁹ The PSD increment is the maximum allowable increase in air pollution permitted above a predefined baseline concentration in an area where the air is in attainment. For Corpus Christi, the relevant federal dates are: August 7, 1977 (PM₁₀ and SO₂), February 8, 1988 (NO₂), and October 20, 2011 (PM_{2.5}).¹²⁰ Because Nueces and San Patricio Counties have had PSD applications since at the mid-1980’s, every subsequent change in actual emission from major, minor, area and for (PM₁₀ and SO₂) mobile sources within the area consumes increment. A credible increment analysis for this Project must be conducted and that analysis should inventory all post-baseline emission changes in the relevant airshed for each pollutant.

Appendix 9 currently states it will obtain a current list of increment-consuming sources, *if necessary*, and proposes to use the NAAQS inventory as a “conservative estimate” for the increment analysis.¹²¹ This approach is problematic for several reasons. First, this overly relies on the Significant Impact Level (“SIL”) in lieu of modeling and analysis—effectively deferring all increment-consumption modeling. And, ultimately, will result in no pollutants undergoing the appropriate increment-consumption analysis. Corpus Christi is undergoing rapid industrialization, but the increment analysis has not kept up.

¹¹⁹ 42 U.S.C. §§ 7470-7479; 40 C.F.R. § 52.21(c).

¹²⁰ 40 C.F.R. 52.21(b)(14)(ii).

¹²¹ Appendix 9B at 2-5-2-6; *and see* 40 C.F.R. § 52.21(c); 40 C.F.R. Part 51, Appendix W (Guideline on Air Quality Models (NAAQS analysis uses background plus nearby sources; increment analysis must include “all increment consuming sources); EPA NSR Workshop Manual (1990) at Sections C.IV.C.1 and C.IV.C.2; EPA Guidance on Developing Background Concentrations for Use in Modeling Demonstrations (Nov. 2024).

Instead, the SIL stands in place of the review industrial users need to engage in for a complete portrait of air pollution in the region.

Using the NAAQS inventory as a proxy should be prohibited.¹²² This proxy-approach is not defensible because it is overwhelmingly clear that the Project's approach to air quality analysis (in Appendix 9) is already too narrow. First, the NAAQS inventory is limited to 10 km of the Project site and should extend to at least 50.¹²³ Second, pending PSD and NSR actions are excluded from the inventory based on whether they are "readily available" which may be arbitrarily limiting what's included in the analysis. Notably sources referenced elsewhere in the Project's application are missing from Appendix 9, including: CCL Trains 8 & 9 Project,¹²⁴ Bluewater deepwater port, and the Traverse Pipeline.¹²⁵ And still there are other likely other pending permit actions that would affect this Project's analysis. For example, there are other newly operational major sources identified in the Project's application, including: Steel Dynamics Sinton, Voestalpine HBI Plant,¹²⁶ and Exxon Mobil/SABIC. Notably an analysis of the emissions from increased vessel traffic (including LNGCs, tugs and barges) may also be missing.

¹²² TCEQ, Air Quality Modeling Guidelines, APD-ID255v1, June 2024; *see also* EPA Guidance on Developing Background Concentrations for Use in Modeling Demonstrations (Nov. 2024).

¹²³ Appendix 9B at 5-5-5-6 ("Therefore, consistent with this guidance, CCL proposes to limit the inventory sources to those located within approximately 10 km of the project site if the ROI is less than or equal to 10 km, or limit the inventory sources to sources within the ROI, if the ROI is greater than 10 km. In addition, it is anticipated that the maximum impact occurs near the site. Thus, it is expected that sources located at a distance of more than 10 km or the ROI (if greater than 10 km) from the project site would not have a significant impact in the area of the project site, and maximum impacts from sources located at a distance beyond 10 km or the ROI (if greater than 10 km) would be unlikely to occur at the same location where impacts from on-site sources are the highest. Therefore, given EPA's assertion that including nearby sources out to 50 km from the project location will produce overly conservative results, limiting the inventory sources to those located within the greater of 10 km or the ROI is representative of actual ambient concentrations expected in the area and is consistent with recent U.S. EPA guidance.").

¹²⁴ Resource Report 1 at Figure 1.15-1.

¹²⁵ Resource Report 1 at Section 1.4.2; Resource Report 10 at Section 10.5, n.3.

¹²⁶ Resource Report 11 at section 11.2.7 (acknowledges it is adjacent to the terminal).

The prior stages of the project showed significant increment consumption over the last decade. Or, at worst, the increment analysis was avoided altogether—now raising the question of whether it’s been overconsumed. The Stage 1 Project in 2014 showed the annual NO₂ PSD was around 40% consumed.¹²⁷ Additionally, the Sinton Compressor Station, part of Stage 1 left only .28 ug/m³ of headroom.¹²⁸ The Stage 2 Project in 2019 skipped the PSD increment analysis for NO₂ because it relied on the SIL, so an increment analysis was not performed.¹²⁹ But, Stage 2 had to model the increment for 24-hour PM_{2.5}, which showed that Stage 2 consumed 84% of the available increment—and that was 7 years ago.¹³⁰ The Stage 3 Project in 2024 was originally subject to a full PSD increment analysis, but then revised its project design to include electric turbines to drive refrigeration compressors instead of using gas-fired combustion turbines.¹³¹ Because the current FERC 3-step framework requires cumulative consideration—this increment consumption for the Project’s 4 stages must be re-reviewed.¹³²

Meaningful PSD increment review for this Project Expansion is required and includes, at a minimum, a complete inventory of post-baseline changes (additions, modifications, and shutdowns) for major sources in San Patricio and Nueces Counties;

¹²⁷ 2014 FEIS at 4-123.

¹²⁸ 2014 FEIS at Table 4.11-21.

¹²⁹ 2019 EA at 131.

¹³⁰ 2019 EA at Table B.8.1-12 at 130 (7.6 ug/m³ of 9 7.6 ug/m³) (“A full impact analysis also was required to demonstrate compliance with the 24-hr PM_{2.5} PSD Increment (9 µg/m³). The total PM_{2.5} impact from off-site PSD increment-consuming emission sources and the Project emission sources, including the estimated secondary PM_{2.5} formation contribution, was 7.6 µg/m³; therefore, emissions associated with the Project LNG Facilities would neither cause nor contribute to an exceedance of the 24-hr PM_{2.5}”).

¹³¹ 2024 EA at G-3–G-4.

¹³² See RR 9 at Comment 72: “Per the Commission’s prior orders in Venture Glob. CP2 LNG, LLC, 191 FERC ¶ 61,153 (2025), Commonwealth LNG LLC, 191 FERC ¶ 61,205 (2025) and Rio Grande LNG LLC, 192 FERC ¶ 61,198, at P 34 and n. 105 (2025) the Commission has adopted a three-step analysis to evaluate a project’s potential air quality impacts. The three steps are: (1) a preliminary screening step; (2) if necessary, a full cumulative impacts analysis; and (3) if necessary, a cause and contribute (i.e., culpability) analysis.”

inclusion of pending PSD sources; and an appropriate radius from which to collect and evaluate relevant sources.

B. National Ambient Air Quality Standards (“NAAQS”)

The EIS should provide comprehensive modeling of the Project to ensure compliance with the NAAQS. Currently, the background concentration in the Corpus Christi airshed for PM_{2.5} is 8.44 µg/m³, nearing the federal limit of 9.0 µg/m³. These background concentrations do not include this Project’s emissions.^{133,134} The Project’s total ozone emissions suffer the same concerns. When compared against the 8-hour Ozone NAAQS, current emissions creep dangerously close to that standard, too.¹³⁵ And, as shown in its application, even among the major sources recently permitted, CCL will have—by far—the largest emissions likely endangering the region’s ability to maintain its attainment status. This Expansion is expected to increase NO_x by 1,093 tons per year and Volatile Organic Compounds (“VOCs”) by 472 tons per year.¹³⁶ In comparison, the previous CCL Expansion (Stage 3) increased NO_x by only 349 tons per year and VOCs by 358 tons per year. The EIS must ensure that currently unaccounted for major sources are evaluated on top of CCL’s massive emissions increases. For example, Seadrift Coke, L.P. is expected to increase NO_x by 80 tons per year and VOCs by 39 tons per year.¹³⁷ The Project continues to put Corpus Christi’s attainment status at risk.¹³⁸ Comprehensive modeling should be done in the EIS process to ensure compliance.

¹³⁴ Appendix 9A at 363.

¹³⁵ Appendix 9A at 335.

¹³⁶ Resource Report 9 – Air and Noise Quality at Table 9.2-5, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC, and Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000, (Feb. 3, 2026) (hereinafter “RR9”).

¹³⁷ Appendix 9A at 335.

¹³⁸ See Appendix 9A at 335 (CCL responsible for 1,065 tpy NO_x of the estimated total NO_x 1,921 tpy for projects authorized in the last two years).

Lack Jackson Monitor

This Project relies on the Lake Jackson monitor for NO₂ background concentrations and that is inappropriate. Using a monitor from 135 miles away is not justified, especially because NO₂ is among the highest and most impactful pollutant from the Project. According to CCL’s own Application materials, the Gregory Fresnos monitor (located approximately 3,200 feet northwest of the CCL Terminal)¹³⁹ is both closer to the Project and may be more representative of the background air quality.

Table 1:

NAAQS	Lake Jackson (Appendix 9B Table 6-7)	Gregory Fresnos (Appendix 9B at Section 6.2.1)
1-hour NO ₂	30.2 µg/m ³	37 µg/m³
Annual NO ₂	2.91 µg/m ³	5.32 µg/m³

But rather than using this monitor, the Applicant selected the Lake Jackson monitor with more preferable readings. The Expansion will cause significant air pollution harms that NEPA and the Natural Gas Act require FERC to chronicle and consider.

C. NAAQS and the Natural Gas Act (“NGA”)

The Expansion will cause a substantial amount of harmful air pollution. The Natural Gas Act requires FERC to consider environmental impacts when determining whether an LNG facility is consistent with the public interest.¹⁴⁰ Where record evidence indicates that a project’s air pollution will create harm, even in the absence of a NAAQS violation, FERC

¹³⁹ Appendix 9 at 6-10 (“The Gregory Fresnos monitor discussed above for PM_{2.5} also collects NO₂ monitoring data. The NO₂ concentrations from the Gregory Fresnos monitor is summarized in Table 6 of the quarterly report, found in Appendix D. The annual and 1-hour 98th percentile 3-year averages (2022 – 2024) are 2.83 ppb (5.32 µg/m³) and 19.7 ppb (37 µg/m³), respectively.”)

¹⁴⁰ *Sierra Club v. U.S. Dep’t of Energy*, 867 F.3d 189, 202–03 (D.C. Cir. 2017); *NAACP v. Fed. Power Comm’n*, 425 U.S. 662, 669–70 & n.6 (1976) (stating that in addition to the purpose of “encourag[ing] the orderly development of plentiful supplies of ... natural gas at reasonable prices,” the Natural Gas Act’s “subsidiary purposes” include consideration of “conservation, environmental, and antitrust questions”).

cannot rationally exclude such harm from its decision-making. CCL’s projected emissions and modeling demonstrate that such harm will occur here. Because the NEPA review is intended to inform substantive decision-making, FERC must also evaluate this pollution as part of its NEPA review.

EPA repeatedly has stated that while the NAAQS provide a “margin of safety,” 42 U.S.C. § 7409(b)(1), the NAAQS are not set at a level “below which . . . pollutants are known to be harmless.”¹⁴¹ Indeed, in setting the NAAQS for many criteria pollutants, including PM_{2.5} and NO₂, which the Project would emit, EPA stated that there was no evidence of a threshold below which the pollutant is harmless.¹⁴² When setting the NAAQS for ozone, EPA similarly stated that if there was a threshold below which ozone is harmless, studies indicated that it must be below 40 or even 30 parts per billion, well below the 70 parts per billion NAAQS.¹⁴³

Because EPA has clearly established that air pollution may cause adverse health impacts even at levels below NAAQS, FERC must fully analyze and consider the impacts of the Expansion Project’s air pollution regardless of whether it violates the NAAQS. EPA has explicitly and repeatedly predicted the health impacts that would be expected to occur at air pollution levels that do not violate the NAAQS, and EPA has determined that it is appropriate to consider harms arising from pollution below the NAAQS when making decisions outside the Clean Air Act’s Prevention of Significant Deterioration (“PSD”)

¹⁴¹ *Am. Trucking Ass’n, Inc. v. EPA*, 283 F.3d 355, 360 (D.C. Cir. 2002).

¹⁴² EPA, Reconsideration of the National Ambient Air Quality Standards for Particulate Matter, 89 Fed. Reg. 16,202, 16,226 (Mar. 6, 2024); EPA, Primary National Ambient Air Quality Standards for Nitrogen Dioxide, 75 Fed. Reg. 6,474, 6,480 (Feb. 9, 2010).

¹⁴³ National Ambient Air Quality Standards for Ozone, 80 Fed. Reg. 65,292, 65,303, 65,304, 65,306, 65,309 (Oct. 26, 2015).

program.¹⁴⁴ Further, emission limits that reduce pollution below the NAAQS have co-benefits from avoided premature deaths that can be predicted, quantified, and monetized. In its 2012 Mercury and Air Toxics Standards, EPA concluded that the rule would provide \$33 to \$81 billion of co-benefits, largely from avoided premature deaths, by reducing PM_{2.5} and sulfur dioxide (which contributes to secondary formation of PM_{2.5}).¹⁴⁵ After the Supreme Court remanded the rule for additional consideration of costs, *Michigan v. EPA*, 576 U.S. 743 (2015), EPA reaffirmed that “there is a substantial body of scientific evidence supporting the existence of health impacts from exposure to PM_{2.5}, even at low concentrations below the NAAQS,” that “there is no scientific basis for ignoring health benefits” of further reducing PM_{2.5}, and that the NAAQS did not limit EPA’s ability to consider harm caused by pollution below the NAAQS in other regulatory contexts.¹⁴⁶ Thus the Commission must comprehensively review potential harms from this Project’s air emissions.

D. Significant Impact Levels (“SILs”)

The Commission cannot shortcut its environmental review relying on Significant Impact Levels (“SILs”) or ignore air pollution harms resulting from cumulative air pollution. Specifically, FERC must not improperly rely upon EPA’s SILs to find that the Expansion Project does not have a significant cumulative impact on air quality or to dismiss the Project’s impacts. The D.C. Circuit has held that it is unlawful for FERC to conclude

¹⁴⁴ See, e.g., EPA, Supplemental Finding that it is Appropriate and Necessary to Regulate Hazardous Air Pollutants From Coal- and Oil-Fired Electric Utility Steam Generating Units, 81 Fed. Reg. 24,420, 24,427, 24,440 (Apr. 25, 2016).

¹⁴⁵ EPA, National Emission Standards for Hazardous Air Pollutants From Coal and Oil-Fired Electric Utility Steam Generating Units and Standards of Performance for Fossil-Fuel-Fired Electric Utility, Industrial-Commercial Institutional, and Small Industrial Commercial-Institutional Steam Generating Units, 77 Fed. Reg. 9,304, 9,305-06 (Feb. 16, 2012).

¹⁴⁶ 81 Fed. Reg. at 24,440.

that a project does not have a cumulatively significant air pollution impact solely because a project's individual air pollution impacts are below the SILs.¹⁴⁷ FERC has also recognized that it cannot rely on SILs to fulfill its duty to consider cumulative impacts.¹⁴⁸

Commenters reiterate that any use of the SILs to justify the Project's cumulative air impacts is improper. In addition, CCL has signaled it intends to use the outdated annual PM_{2.5} SIL of 0.3 µg/m³ instead of the current annual PM_{2.5} SIL of 0.13 µg/m³ for the NAAQS significance analysis.¹⁴⁹ If any use of the SIL is relied on, CCL must be required to use the current PM_{2.5} SIL of 0.13 µg/m³.

Dispersion modeling that CCL will be required to complete for its PSD permit applications also cannot rely on a SILs analysis to substitute for a comprehensive analysis of cumulative air pollution impacts that FERC must complete under NEPA *and* the Natural Gas Act.

¹⁴⁷ *Healthy Gulf v. FERC*, 107 F.4th 1033, 1043–44 (D.C. Cir. 2024).

¹⁴⁸ *Venture Global CP2 LNG, LLC*, 189 FERC ¶ 61,148, PP 183–185 (2024) (granting request for rehearing in part to allow for FERC's reconsideration of cumulative NO₂ and PM_{2.5} impacts based on *Healthy Gulf*); *and see* Air Plan Disapprovals; Interstate Transport of Air Pollution for the 2015 8-Hour Ozone National Ambient Air Quality Standards, 88 Fed. Reg. 9336, 9,372 (Feb. 13, 2023) (EPA has similarly determined that the SILs do not represent a level below which health impacts are absent or statistically insignificant.).

¹⁴⁹ Appendix 9A at Section 2.1, p. 2-2; *compare with* U.S. EPA Memorandum, *Guidance on Significant Impact Levels for Ozone and Fine Particles in the Prevention Significant Deterioration Permitting Program*, (Apr. 17, 2018); *and see* TCEQ, *Air Quality Modeling Guidelines*, APD-ID255v1 (June 2024).

E. General Conformity Analysis

Consistent with the 2014 FEIS,¹⁵⁰ 2019 Environmental Assessment,¹⁵¹ and the 2024 Environmental Assessment,¹⁵² the Commission is required to conduct a General Conformity Analysis.¹⁵³ A General Conformity Analysis must show that the emissions would conform to the applicable State Implementation Plan (“SIP”) and would not degrade air quality in a nonattainment area. This analysis must be completed when the total direct and indirect emissions of a planned project would equal or exceed the specified pollutant conformity emission thresholds per year in each nonattainment area. A federal agency cannot approve or support any activity that does not conform to an approved SIP. Conforming activities should not: (i) cause or contribute to new violations of the NAAQS; (ii) increase the frequency or severity of an existing violation of any NAAQS; or (iii) delay timely attainment of any NAAQS or interim emission reductions.

The Commission must use the EIS process to perform a general conformity applicability determination for this Project Expansion operations that will occur in nonattainment areas—like the Houston Galveston Brazoria (“HGB”) area. Because vessel traffic will be traveling from the HGB nonattainment areas, these traffic emissions associated with travel in the HGB ozone nonattainment areas are subject to evaluation under the General Conformity regulations. Commenters urge the Commission to include

¹⁵⁰ 2014 FEIS at Table 4.11-3 (Construction barges).

¹⁵¹ 2019 EA at 119–20 (Project barge/tug travel emissions).

¹⁵² 2024 EA at G-7 to G-8 (Construction tug/barge emissions).

¹⁵³ 42 U.S.C. 7506; 40 CFR §51.853; *see also* CCLNG 2014 Final Environmental Impact Statement at 4-105–106; and *see Golden Pass Products, LLC and Golden Pass Pipeline, LLC*, 157 FERC ¶61,222 (2016) and FERC, *Final Environmental Impact Statement, Golden Pass, LNG Export Project* (July 29, 2016) at § 4.11.1 (FERC must conduct a general conformity applicability determination for Texas Gulf Coast LNG export projects whose marine traffic transits the HGB nonattainment area).

all marine vessel transit traffic, emissions from LNGCs, all LNGC operational emissions, and all construction work related emissions that occur in the HGB nonattainment areas.

Figure 5: Houston-Galveston-Brazoria Ozone Nonattainment

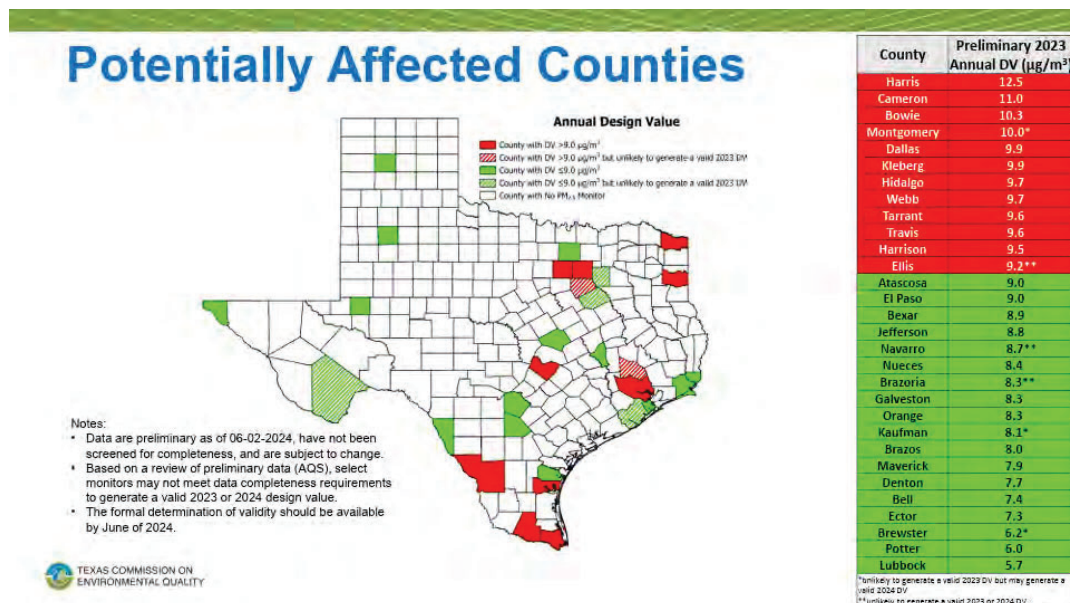
HGB Area: Attainment Status by Pollutant

Pollutant	Primary NAAQS	Averaging Period	Designation	Counties	Attainment Deadline
Ozone (O ₃)*	0.070 ppm (2015 standard)	8-hour	Serious Nonattainment	Brazoria, Chambers, Fort Bend, Galveston, Harris, Montgomery	August 3, 2027
	0.075 ppm (2008 standard)	8-hour	Severe Nonattainment	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, Waller	July 20, 2027

Additionally, FERC must perform a general conformity applicability determination pending the U.S. Environmental Protection Agency’s PM_{2.5} imminent nonattainment designation for the HGB area.¹⁵⁴ According to TCEQ, the HGB area is *still* expected to be designated in nonattainment with the primary annual standard for PM_{2.5}. This must be conducted for all areas that may be awaiting the nonattainment designation that would also house emissions related to the Project including Cameron County, Hidalgo County, and the HGB area.

¹⁵⁴ TCEQ, Air Pollution from Particulate Matter (“On February 7, 2024, EPA promulgated a revised primary annual PM_{2.5} standard, strengthening the standard from 12.0 to 9.0 micrograms per cubic meter. The agency retained the existing standards for PM₁₀. By February 7, 2025, the governor of each state must submit designations of attainment, nonattainment, or unclassifiable under the 2024 primary annual PM_{2.5} NAAQS for all areas of the state.”).

Figure 6: TCEQ map showing all counties in Texas predicted to be in nonattainment



F. Hazardous Air Pollutants (“HAPs”)

HAP emissions must be evaluated cumulatively across Stages 1–4. The results of the Human Health Risk Assessment for Stage 3 showed some exceedances for 24.2 tpy aggregate HAPs at the original terminal, plus contributions from Trains 8 & 9.¹⁵⁵ Stage 4 cumulative HAPs are 107.7 tpy—which is more than 4 times the 2014 baseline.¹⁵⁶ Thus, a community-level cumulative HAP exposure assessment to address the actual cumulative HAP burden must be completed. A Human Health Risk Assessment must be completed using the cumulative emissions from Stages 1–4, including analysis of sensitive receptors, and addressing other surrounding industrial sources.

¹⁵⁵ 2024 EA, Appendix F, Table 9.

¹⁵⁶ 2014 FEIS at 4-103 (“The annual PTE HAP emissions from the Terminal would be 24.2 tpy in aggregate and 16 tpy for formaldehyde (the individual HAP with the greatest PTE) (see section 4.11.1.4); therefore, the Terminal would be a major source of HAPs.”)); and see Resource Report 9 at Table 9.2-15 (Potential to Emit, Total HAP 47.9).

G. Best Available Control Technology (“BACT”)

Electric motors for the 24 LNG refrigeration compressors should be required. The Stage 4 trains have huge annual emissions.¹⁵⁷ But, the application skips assessing the use of electric motors, asserting, “the BACT assessment does not include redesigning the facility to eliminate the need for combustion turbines, as the combustion turbine is the proposed emissions unit being permitted.”¹⁵⁸ This failure to conduct an appropriate BACT analysis is only based on the Applicant’s choice to permit a combustion turbine as the reason not to evaluate other technologies currently operated at other LNG facilities. Electric alternatives resulting in less pollution must be considered in the EIS process.

This Project will approve 24 LNG refrigeration compressors which single-handedly contribute an enormous amount of pollution to the area. Past environmental evaluations of this Project’s prior stages have discussed electric motors to drive refrigeration versus gas turbines. This Project will use gas turbines to perform refrigeration compression, and it fails to review electric alternatives. This choice has been discussed at every previous project stage. Notably, over ten years ago, in 2014, electric motor drivers were considered, but dismissed. This dismissal was based on improper factors because the EIS recognized the pollution caused by the gas turbines and acknowledged that Freeport LNG was using electric motors.¹⁵⁹ The current EIS must review electric alternatives.

¹⁵⁷ Appendix 9A at Table 1-1 and Table 1-2.

¹⁵⁸ Appendix 9A at 6-12.

¹⁵⁹ 2014 FEIS at 3-22 (“We recognize that the Freeport LNG facility, which is located in the Houston-Galveston-Brazoria ozone nonattainment area, has been authorized with electric motors as well. However, this facility was required to meet more restrictive air permitting requirements for emissions control, which likely was an important factor in designing the facility with electric driven motors for compression. In contrast, the Project would be located in an ozone attainment area and has performed air quality modeling demonstrating compliance with applicable standards; and therefore, we find no compelling reason to not follow the precedent for BACT established by both the TCEQ (as permit developer for non-GHG PSD regulated emissions) and EPA (as permit developer for GHG emissions) for Project permitting, with regard to the consideration of electric motor-driven compression. The BACT analysis is a PSD permitting requirement and the EIS summarizes the BACT and/or mitigation measures to reduce emissions from the

H. Compliance Problems

Through NEPA, the Commission must review CCL's ability to comply with Clean Air Act. Because CCL has a pattern of noncompliance, a reasonably foreseeable consequence of the Expansion is air pollution which exceeds its permitted limits. CCL's pattern of non-compliance poses a substantial risk to the region's delicate attainment status and poses weighty public health concerns. Notably—not only does CCL admittedly plan to create the lion's share of pollution in the Corpus Christi airshed—but (as already discussed) between January 2018 and May 2025, CCL reported 59 emission events.¹⁶⁰ These upset events lasted anywhere from seven days to one month.¹⁶¹ Specifically concerning, from both an attainment and public health perspective, in 2023, CCL reported 3,348,593 tons of Greenhouse Gases and 2,945 tons of other health-damaging air pollutants.¹⁶² With this Expansion, CCL seeks to emit even more pollution. Further, CCL has also recently been subject to at least two enforcement orders from TCEQ for failing to adequately maintain, which resulted in significant unpermitted emissions events. CCL's noncompliance is a reasonably foreseeable consequence of permitting this Project which must be incorporated into FERC's evaluation of the cumulative air impacts posed by the Expansion.

X. ENDANGERED SPECIES ACT

Section 7 of the ESA states that any project authorized, funded, or conducted by any federal agency (e.g., FERC) should not "...jeopardize the continued existence of any

gas turbines. For the reasons discussed above, an alternative design to replace the 18 gas turbines with electric motors was not considered an environmentally preferable alternative."

¹⁶⁰ *Id.*

¹⁶¹ Environmental Integrity Project, *Terminal Trouble: Pollution Violations at America's LNG Export Terminals* (Oct. 29, 2025) at 20.

¹⁶² *Id.* at 13.

endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined...to be critical...”¹⁶³ Accordingly, FERC must determine which species or habitats may be impacted by the Project, identify the nature and extent of adverse impacts, and recommend measures to avoid or reduce potential impacts on habitat and/or species.

At least 27 species of marine mammals are commonly found in the Gulf of Mexico, seven of which are also protected by the federal and/or state governments. Additionally, five of the world’s seven sea turtle species have been recorded in the Gulf of Mexico including: green (*Chelonia mydas*), hawksbill (*Eretmochelys imbricate*), Kemp’s ridley (*Lepidochelys kempii*), leatherback (*Dermochelys coriacea*), and loggerhead (*Caretta caretta*). All five species are listed as threatened or endangered under the ESA and are managed jointly by the U.S. Fish and Wildlife Service and National Marine Fisheries Service. These species are also listed as threatened or endangered by Texas Parks and Wildlife Department. Commenters request a thorough analysis of the relevant species, and specifically raise the following issues:

- **Green Sea Turtle.** Section 7 was triggered because the Project’s footprint overlaps with the green sea turtle’s critical habitat.¹⁶⁴ According to Resource Report 3, 8.1 acres of seagrass will be permanently lost, but CCL frames it as a small percentage of loss. The inquiry is not into a percentage, but rather, is whether the action will cause “adverse modification.”
- **West Indian Manatee.** Commenters additionally request that a Formal Section 7 consultation—rather than an informal concurrence—be completed for the

¹⁶³ 16 U.S.C. § 1536(a)(2) (1988).

¹⁶⁴ Resource Report 3 at 3-57 (GIS data shows that the proposed critical habitat located partially within the CCL Stage 4 Project area; *and see* 50 C.F.R. Section 402.02.

West Indian Manatee given its recent sighting in Port Aransas in August 2025.¹⁶⁵

- **Bottlenose Dolphin.** Effects on the bottlenose dolphins should also be evaluated as they are protected under the Marine Mammal Protection Act.¹⁶⁶
- **Tri-Colored Bat.** The tri-colored bat is proposed to be endangered, so federal agencies must confer with the U.S. Fish and Wildlife Service on this species.¹⁶⁷ There are 4 locations along the CCPL pipeline with “moderately suitable habitat for roosting.”¹⁶⁸ Additionally, the EIS should evaluate the impacts of any required tree clearing on the bat’s habitat.
- **Whooping Crane.** CCPL pipeline crosses the whooping crane’s critical habitat.¹⁶⁹

The Commission has an obligation to conduct a comprehensive review of the effects to habitats and species that the Project will encounter including preparing a Vessel Strike Avoidance Plan.

XI. SECTION 106 OBLIGATIONS

Section 106 of the National Historic Preservation Act (“NHPA”) requires FERC to consider the effects of its “undertakings” on historic properties. 33 C.F.R. § 800.1. The Section 106 process applies to any historic property, which means it applies to any cultural resource that is listed in or is *eligible to be listed in* the National Register of Historic Places.¹⁷⁰ As defined, an “eligible property” does not distinguish between those properties determined eligible and any property that *may* qualify. Specifically, “eligible property” means any district, site, building, structure, or object that meets the National Register

¹⁶⁵ Resource Report 3 at 3-42, 3-54.

¹⁶⁶ 16 U.S.C. § 1536.

¹⁶⁷ Resource Report at Table 3.4-1, 3-39.

¹⁶⁸ Resource Report at 3-49.

¹⁶⁹ Resource Report at 3.4-1, 3-52.

¹⁷⁰ 36 C.F.R. § 800.16(l)(1) and (2).

Criteria.¹⁷¹ An eligible property for NHPA purposes turns on the property’s inherent historical and cultural significance. Section 101(d)(6)(B) of the Act additionally allows “[c]ertain individuals and organizations with a demonstrated interest in the undertaking” to participate as a consulting party.¹⁷² The NHPA requires federal agencies to “take into account” the preservation of historic properties when implementing federal projects.¹⁷³ This process requirement is referred to as the Section 106 process.¹⁷⁴

Because Donnel Point will be affected by this Expansion, it triggers FERC’s requirements for the NHPA review of that site, including consultation, identification, reevaluation, and requires assessment and mitigation of adverse impacts.¹⁷⁵ The Section 106 Process requires that CCL’s Application be updated to include Donnel Point as a historic property that will be impacted by the Expansion as well as recommended measures to mitigate those adverse impacts.

A. Donnel Point meets the definition of a historic property.

Donnel Point, also referred to as archaeological site 41SP36, is one of the last remaining intact shell middens and possible Karankawa village sites on the north shore of Corpus Christi Bay.¹⁷⁶ Because this site is one of the last, it has particular cultural

¹⁷¹ 36 C.F.R. § 800.2(f).

¹⁷² 36 C.F.R. §§ 800.2(c)(2)(ii) and 800.2(c)(5).

¹⁷³ 54 U.S.C. § 306108 (requiring that any federal agency “having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking ... prior to the approval of the expenditure of any Federal funds on the undertaking ... shall take into account the effect of the undertaking on any historic property.”).

¹⁷⁴ See 36 C.F.R. §§ 800.3—800.13. And these regulations, codified at 36 C.F.R. § 800 *et seq.*, identify the steps that a federal agency must take to comply with the NHPA for any “historic property.” 54 U.S.C. § 306108.

¹⁷⁵ 36 C.F.R. §§ 800.2-800.5.

¹⁷⁶ Peter Moore, *Report on the Discovery of an Indigenous Archeological Site at Donnel Point, La Quinta Channel, San Patricio County, Texas* (Aug. 21, 2024) at 6 (hereinafter “Donnel Point Report”).

significance.¹⁷⁷ It was first identified in the 1930's as one of a string of Indigenous Settlements.¹⁷⁸ But over the years, as La Quinta Channel has been industrialized, it was assumed the site was destroyed by dredging. While this assumption of destruction has been perpetuated, the site itself was also consistently documented as notably significant with warnings to preserve it. For example, in the early 1970's, when the Army Corps proposed to deepen La Quinta Channel, the National Park Service cautioned that doing so may cause "an irreversible commitment to the destruction of archeological resources."¹⁷⁹ Because current evidence indicates the site *is* intact and worth preserving, it must be included in the Project's cultural resource assessment.¹⁸⁰

To the best of Commenter's knowledge, a shovel test or full assessment has never been completed for archaeological site 41SP36, first discovered in 1933 at Donnel Point.¹⁸¹ Instead, reports just repeat the unverified assumption that the site was washed into the bay. Since these reports were authored, however, time has passed, and a reevaluation of this cultural resource is required for several reasons.¹⁸² First, 41SP36 was rediscovered in 2024.¹⁸³ This discovery proves that any prior survey claiming it was destroyed is no longer an accurate assessment of the site. Second, prior evaluations with shovel testing are incomplete.¹⁸⁴ Instead, the prior evaluations are based on assumptions that are now

¹⁷⁷ Earthjustice, Letter to the U.S. Army Corps of Engineers RE: Port of Corpus Christi 404 Permit SWG-2014-00848, (Nov. 12, 2025) https://earthjustice.org/wp-content/uploads/2025/11/ingleside-terminal-404-letter-without-exhibits-swg-2014-00848_2025.11.12.pdf (last visited Mar. 9, 2026).

¹⁷⁸ Donnel Point Report at 2.

¹⁷⁹ Donnel Point Report at 5.

¹⁸⁰ Donnel Point Report at 7–9; *and see* Ingleside on the Bay Coastal Watch Association, Inc., Opposition Letter, Request for Deadline Extension and Request for EIS, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC, and Cheniere Corpus Christi Pipeline, L.P.*, Docket No. PF25-10-000 (Accession # 20251229-5123) (Dec. 23, 2025) (photos at 8).

¹⁸¹ Donnel Point Report at 5.

¹⁸² 36 C.F.R. § 800.4(c)(1).

¹⁸³ *See generally* Donnel Point Report.

¹⁸⁴ 36 C.F.R. § 800.4(c)(1).

verifiably untrue. Third, with 41SP36's rediscovery also came a changed perception of Donnel Point's significance.¹⁸⁵

Because 41SP36 is not lost, and indeed one of the few remaining intact shell middens in the area, its perception of significance has changed. Now, it is not just notable; it is one of the only 2,300-year-old shell middens left.¹⁸⁶ Its significance, from an archeological perspective, has grown tremendously, too, because it is one of the few existing places where we can learn about the lives of ancient people. Its cultural significance has also been transformed. According to the Karankawa, the Texas Coast represents a sacred matrix of interconnected spiritual relationships where they "can feel the memories of their ancestors."¹⁸⁷ From the perspective of a present-day Karankawa, Hawk Clan member Chiara Sunshine Beaumont, this is just a glimpse into the site's cultural importance:

*The land...is sacred to us. It is where my relatives from the coyote clan journey to pray and gather in thanks and it is where our ancestors left their tools, pottery [and] artifacts for us. It is a tangible piece of our lineage that connects us to that land, and we have been connected to this land living on it, protecting it for at least the last 2000 years.*¹⁸⁸

The significance of Donnel Point and other cultural resources on the Texas Coast cannot be overstated.

B. Commenters should be Consulting Parties.

Commenters have requested consulting party status.¹⁸⁹ As is now well-established through the cited history and reports, Donnel Point is a profound and significant cultural

¹⁸⁵ *Id.*

¹⁸⁶ *See generally* Donnel Point Report.

¹⁸⁷ Bluewater Report at 10.

¹⁸⁸ *Id.*

¹⁸⁹ Commenters' National Historic Preservation Act Section 106 Consulting Party Request for Docket Nos. CP26-87-000, PF25-10-000, CP26-82-000, and CP18-513-000, *Corpus Christi Liquefaction Stage IV, LLC*,

resource of the Karankawa Tribe and should qualify as a historic property under the NHPA.¹⁹⁰ This is the site of a former village of the Karankawa People, and their ancestors. Thus, the site is of particular cultural significance to Commenters. Based on this, and each Tribe's well-documented historic presence on the Texas coast, the Karankawa Tribe and the Carrizo/Comecrudo Tribes requested to be consulting parties in the Section 106 process.¹⁹¹ Significantly, in other instances, State and Federal agencies have designated the Karankawa and Carrizo/Comecrudo Tribes as consulting parties for properties important to their history and culture.¹⁹² Coastal Watch additionally played an important role in documenting Donnel Point's importance and is also requesting to be a consulting party.

C. The Project threatens Cultural Resources.

The Expansion's proposed LNG carrier route poses a serious risk to Donnel Point because 870 LNG Carriers ("LNGC") will now be routed directly by the rediscovered intact shell midden, further exposing it to degradation. As discussed, the estimated impacts from the Project include as many as 870 vessel trips per year.¹⁹³ Because these tanker ships, also called LNGCs, are up to 294.8 meters in size with a beam of 54 meters and laden draft of 12 meters, these ships will cause shoreline erosion.¹⁹⁴ This shoreline erosion threatens the remaining precious cultural resources on the Texas Coast. In addition to this uptick in

Corpus Christi Liquefaction, LLC, and *Cheniere Corpus Christi Pipeline, L.P.*, Docket Nos. CP26-87-000, PF25-10-000, CP26-82-000, and CP18-513-000 (Accession # 20260414-5005)(April 13, 2026).

¹⁹⁰ 36 C.F.R. § 800.16(l)(1) and (2).

¹⁹¹ 36 C.F.R. § 800.2(c)(5).d.

¹⁹² See Abselom Ketzirah, RE: Request for Consulting Party Status of Stephen F. Austin Elementary (1935), currently Minnei Mae Hooper Elementary, located at 500 Abell Street, Wharton, Texas, 77488 (May 28, 2021); Nancy A. Kenmotsu & Mariah F. Wade, *Amistad National Recreation Area, Del Rio Texas American Indian Tribal Affiliation Study Phase I: Ethnohistoric Literature Review*, at 5, 136, (Tex. Dep't Of Transportation & National Park Service) (2002), <https://nps.history.com/publications/amis/aspr-34.pdf>.

¹⁹³ Application at 9.

¹⁹⁴ Marine Link, *NYK Signs Long-Term Charter Agreement for New LNG Carriers with Cheniere*, (Feb. 5, 2026), <https://www.marinelink.com/news/nyk-signs-longterm-charter-agreement-new-535340> (last visited Mar. 9, 2026).

traffic, the Project will require a new berth to accommodate LNGCs with “cargo capacities up to approximately 200,000 m³.”¹⁹⁵ And this new berth will require dredging to a depth of 46 feet and approximately 1,200,000 cubic yards of material.¹⁹⁶ Because dredging deepens and changes the natural shape of the seabed, it can lead to accelerated erosion. Additionally, excavating sediment can destroy seagrass beds, which act as natural buffers against erosion—and all of this threatens significant known cultural resources in the Project area.¹⁹⁷

D. Area of Potential Effects (“APE”) is too narrow.

As part of the Section 106 process, FERC must identify historic properties which may be adversely affected by a federal project.¹⁹⁸ Per the NGA and NHPA, FERC cannot issue a certificate without taking “into account the effects of their undertakings on historic properties.”¹⁹⁹ To begin evaluating how a Project may impact historic properties, an Area of Potential Effects (“APE”) may be determined. The APE is defined in regulations as “the geographic area *or areas* within which an undertaking *may directly or indirectly* cause alterations in the *character or use* of historic properties.”²⁰⁰

¹⁹⁵ Application at 14.

¹⁹⁶ Resource Report 1 – General Project Description at 1-26, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC, and Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000, (Feb. 3, 2026) (hereinafter “RR1”).

¹⁹⁷ Seagrass Meadow, FL. KEYS NAT’L MARINE SANCTUARY, <https://floridakeys.noaa.gov/plants/seagrass.html>, (last visited Mar. 9, 2026); Li Chao *et al.*, *Changes in Survival and Growth in Response to Different Combinations of Turbidity and Duration in Eelgrass Zostera Marina Plants*, 249 ESTUARINE COASTAL & SHELF SCI Article 107108 (Feb. 2021) at 1; Kirk Cammarata, *Impacts to Ingleside on the Bay Seagrass Meadows from Siltation and Erosion* (2022), at 10.

¹⁹⁸ 54 U.S.C. § 306108.

¹⁹⁹ 36 C.F.R. § 800.1(a).

²⁰⁰ 36 C.F.R. § 800.16; *see also* *FirstLight Hydro Generating Co.*, 162 FERC ¶ 61,235, ¶13 (2018) (FERC-defined Project APE included “(i) all lands within the projects’ boundaries and (ii) lands outside the projects’ boundaries where project construction, operation, or project-related recreational development or other enhancements may cause changes in the character or use of historic properties.”).

Specifically, in determining any APE, the agency must review, seek and gather information on historic properties.²⁰¹ Each of these affirmative actions has its own set of criteria as well. When reviewing information, FERC must not only review existing information, but the agency must also review information that includes “data concerning *possible* historic properties *not yet identified*.”²⁰² When seeking information, FERC must pursue information from “consulting parties” *and* “other individuals and organizations *likely to have knowledge of, or concerns with*, historic properties in the area” and “identify issues relating to the undertaking’s effects on historic properties.”²⁰³ When gathering information, FERC is instructed to collect that information from “individuals and organizations” that have requested to be consulting parties.²⁰⁴

Additionally, the APE must encompass direct and indirect project consequences that may affect historic properties.²⁰⁵ An APE must be tailored to a Project’s “scale” and be reciprocal also to the “nature of any undertaking.”²⁰⁶ Commenters urge the Commission to re-draw the current APE referenced in CCL’s application materials as it fails to include areas that the “undertaking may directly or indirectly cause alterations” to for several reasons.²⁰⁷ It is well documented that the Texas Coast is clustered with invaluable Indigenous artifacts.²⁰⁸ Currently, the APE is constrained to the terminal footprint where subsurface may be impacted.²⁰⁹ The permitted project area and the APE cannot be

²⁰¹ 36 C.F.R. § 800.4.

²⁰² 36 C.F.R. § 800.4(a)(2) (emphasis added).

²⁰³ 36 C.F.R. § 800.4(a)(3) (emphasis added).

²⁰⁴ 36 C.F.R. § 800.4(a)(4); *and see* 36 C.F.R. § 800.3(f).

²⁰⁵ 36 C.F.R. § 800.16(d).

²⁰⁶ *Id.*

²⁰⁷ *Id.*

²⁰⁸ Donnel Point Report at 3–5; *and see* Bluewater Report at 11–12.

²⁰⁹ *See* RR4 at 4-3 (Figure 4.2-1); 4-2 (“The Direct APE includes areas where ground disturbances will occur as a result of the Projects, potentially impacting subsurface resources (archaeological sites). The

synonyms. At the very least, an APE must include all project components so that impacts on cultural resources are comprehensive. As is, the currently designated APE fails to do the work its definition requires because: it excludes impacts from the terminal's operations and project components; it excludes supporting terminal infrastructure (like compressor stations and portions of pipelines); it excludes a 150 mile pipeline (Traverse Pipeline); and it excludes impacts from the LNGC traffic route—which will now have *at least* 870 vessels routed there from CCL.²¹⁰ One primary purpose of the Project stated in its Application is to “enable abundant natural gas supplies to be exported as LNG.”²¹¹ This purpose can only be accomplished when all the Project's components work together. To draw a compliant APE means drawing an APE that also includes areas that will suffer other impacts that are central to the Expansion—not just to the terminal's landlocked footprint.

The Application, by way of other maps showing impacts, demonstrates the Project's own adverse impacts are far-reaching from onshore to offshore, and even out into the Bay. For example, a large portion of Corpus Christi Bay was analyzed for impacts on seagrasses.²¹² Admitting the Project will have “direct impacts to seagrasses, which are unique and sensitive plant species,” CCL acknowledges that “unavoidable loss” of seagrasses will require mitigation.²¹³ As is shown in Application Figure 3.1-2, these impacted seagrasses extend far beyond the Expansion's footprint.²¹⁴ As was explained

Indirect APE includes areas where the planned aboveground facilities associated with the Projects may alter the viewshed of that location.”).

²¹⁰ Compare RR4 at 4-3 (Figure 4.2-1) with RR1 at 27.

²¹¹ Application at 20.

²¹² Resource Report 3 – Fish, Wildlife and Vegetation at Figure 3.1-2 Seagrass within Corpus Christi Bay CCL Stage 4 and CCPL Expansion Projects, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC*, and *Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000, (Feb. 3, 2026) (hereinafter “RR3”).

²¹³ RR3 at 3-7.

²¹⁴ RR3 at 3-7.

above, seagrasses play an important role in preventing shoreline erosion.²¹⁵ Additionally, the Project will have dredge placement areas shown in Application Figure 2-3.²¹⁶ The current APE does not include any of the dredging areas—or account for the impacts that either the dredging or the placement areas may have on cultural resources. Additionally, Zones of Concern of Accidental Release shown in Application Figures 11.2-1 and 11.2.2.²¹⁷ are also unaccounted for in the APE. This is of particular concern because an accidental release may totally destroy remaining cultural resources. Furthermore, the Application explains that areas near Chiltipin Creek (that will house compressor stations, other project components, and portions of a pipeline) may include cultural resources that may be affected, but yet, the APE also fails to include that inland area.²¹⁸ The Project will also have its own new 150 mile pipeline—the Traverse Pipeline—to service it, but that area is totally omitted from all the current Resource Reports. Because these maps illustrate other potential impacted areas—these maps illustrate additional ways, but not every way, this Expansion “may directly or indirectly cause alterations” to areas beyond what is currently captured by the APE. As such, the APE must be expanded to include these areas beyond the Expansion’s footprint onshore to include all the project components that may affect cultural resources. Including some areas, and not others, defeats the purpose of the APE.²¹⁹

²¹⁵ *Supra* at Section VIII.

²¹⁶ Appendix 2A: Figures at 52, Figure 3-2 Dredge Material Placement Areas, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC*, and *Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000, (Feb. 3, 2026).

²¹⁷ RR11- Reliability and Safety Study RR11 at 11–13.

²¹⁸ *Compare* Resource Report 4 at 4-3 to Appendix 4E—Geoarchaeological Deep Testing Report, Figure 1 Project Overview (Aerial) at 3, *Corpus Christi Liquefaction Stage IV, LLC, Corpus Christi Liquefaction, LLC*, and *Cheniere Corpus Christi Pipeline, L.P.*, Docket CP26-82-000, Docket No. PF25-10-000, Docket CP26-87-000, and/or CP18-513-000, (Feb. 3, 2026).

²¹⁹ 36 C.F.R. § 800.16(d).

Importantly, 36 C.F.R. § 800.4 requires FERC to “make a reasonable and good faith effort to carry out appropriate identification efforts” with respect to historic properties within the Area of Potential Effects. The current APE is deficient and fails to include areas with Project components that will be adversely impacted. Movants request that FERC reexamine the APE to include Project impacts that may directly or indirectly injure historic properties on the Texas Coast.

Because the Expansion is on the North Shore of Corpus Christi Bay, which was one of the most intensively occupied Indigenous places on the Texas Coast—more cultural resources are likely at risk.²²⁰ Notably, 41SP36 is missing from the current application’s cultural resource assessment. To appropriately evaluate the breadth of resources that may be implicated by the Expansion, the EIS must: (1) document all cultural resources that may indirectly or directly impacted by the Expansion; (2) evaluate whether those cultural resources can withstand project impacts, and (3) determine whether Project footprint changes and/or mitigation is required.²²¹

As has been explained, Indigenous settlements were historically clustered on the Texas shoreline and industrialization from the Expansion poses a particular risk to these artifacts. The Cultural Resources Report attached to the Application confirms this, but it remains deficient. Specifically, there are 18 sites within the narrowly drawn APE, and the report shows 38 previously recorded sites within 1 mile of the APE, including:

- 1 historic above ground site that listed on the NRHP;
- 1 burial ground that is NRHP eligible; and

²²⁰ See generally Donnel Point Report; see also Motion to Intervene of Indigenous Peoples of the Coastal Bend at 2, *Corpus Christi Liquefaction LNG, LLC*, Docket Nos. CP23-129-000 & PF22-10-000, (Accession # 20230504-5148) (May 4, 2023).

²²¹ See 42 U.S.C. §§ 4331(b)(4), 4332(2)(C)(iii), 4332(2)(C)(v) (NEPA requirements).

- 13 unevaluated shell middens.²²²

But, as many sites as have been identified, if the APE were appropriately drawn to include all the other cultural resources in impacted areas—there would be many more. Shovel tests must be completed at some of these sites because they could be adversely impacted and must be evaluated. Field surveys are still incomplete.²²³ No decision can be made on this Project until those field surveys have been completed. Project approval should also not be granted until consultations with the groups requesting it are completed.

²²² RR4 at 4-6–4-7.

²²³ RR4 at 4-11.

XII. EXHIBITS

NO.	DESCRIPTION
1	Water Crisis Documentation
2	Air Quality Documentation
3	Cultural Resource Documentation
4	Vessel Traffic Risks and Traffic Reports

XIII. CONCLUSION

Commenters have highlighted significant areas of concern where necessary analysis is required. Under NEPA and the NGA, the Commission is required to comprehensively evaluate the impacts described. Commenters appreciate the opportunity to participate in the NEPA process and urge FERC to take a hard look at this Project.

Dated: May 29, 2026

Respectfully submitted,

/s/ Caroline Crow

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CERTIFICATE OF SERVICE

Pursuant to 18 C.F.R. § 2010(h) and (j), the undersigned served all parties electronically. I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding for the following Docket Nos: CP26-87-000, CP26-82-000, and CP18-513-000.

Dated: May 29, 2026

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