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

In The Matter Of:	§	
	§	
Corpus Christi Liquefaction, LLC	§	**Docket No. 26-32-LNG**
Corpus Christi Liquefaction Stage IV, LLC	§	
	§	
Cheniere Marketing, LLC	§	
	§	

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 1

Patrick A. Nye – Co-President
Ingleside on the Bay Coastal Watch Association
1018 Bayshore Dr.
Ingleside, Texas 78362-4840
361-658-1089
patrick@nyexp.us
iobcwa.org

December 23, 2025

RE: FERC Office of the Secretary
Docket No PF25-10-000
Corpus Christi Stage 4 LNG Project and Corpus Christi Expansion Project (Cheniere)
Opposition Letter, Request for Deadline Extension and Request for EIS

Dear Sir or Madam,

Position

As one of the representatives of Coastal Watch Association (CWA) (AKA Ingleside on the Bay Coastal Watch Association) we are in opposition to Corpus Christi Stage 4 LNG Project and Corpus Christi Expansion Project (Cheniere).

We formally request that the **comment deadline be extended for 30 days** to accommodate the untimely deadline of Christmas Eve when many people affected by this project will be enjoying the holidays. My understanding is that there should be 30 days after publication of the permit before comments are due. The PDF from the DOE published the notice on November 28, 2025, and therefore does not adequately provide the public with the time to review the extensive amount of data. We understand that sometimes applicants will use holidays as a way to limit exposure of a project to the public. This should not be allowed when people's health and quality of life is threatened with this extremely polluting large expansion of Cheniere's LNG Stage 4 project.

We formally request that FERC **require a full Environmental Impact Statement** (EIS) for the expansion of Cheniere's facility. Records indicate that the last EIS was performed in 2014 prior to Cheniere's initial build-out and there have been substantial changes involving industrial developments along the La Quinta Ship Channel. These changes, in many cases, have altered the landscape and challenged the residents with emissions and the environment with pollutants and vessel traffic.

NEPA & Environmental Issues

Water Resources & Wetlands: Location of the Cheniere project is on the north end of the La Quinta Channel adjacent to Cheniere's prior expansion projects. The proposed expansion of the loading facility may further threaten seagrasses, mangrove and wetlands in the immediate area. This site is also the location of the former Reynolds Metals/Sherwin Alumina/Alcoa facility that contained large open air evaporation pits (called Red Mud Beds in legal documents) that contains wastewater and residue with toxic heavy metals from the operations.

See Google Photo “A” below. Disrupting these pits and soils creates an environment where the Red Mud Dust becomes airborne and blows into homes of residents and businesses in Gregory, and Portland Texas. Reports show that Red Mud Dust becomes corrosive when it comes in contact with moisture such as the mucus membranes, as it burns airway passages, causing coughing, difficulty in breathing and it burns the skin.

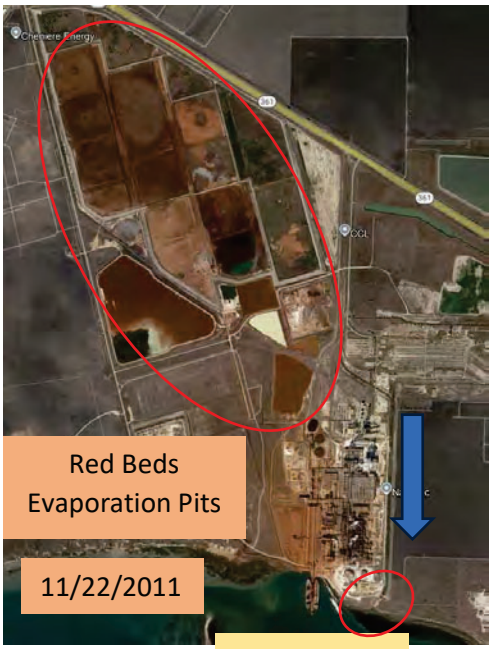
What should be concerning is the long-term health and environmental effects that the caustic Red Mud Beds and Dust are causing in this area. What happens to residents and marine environments when Red Mud Beds and Dust are capture during storm waters runoff? An EIS should test the marine and terrestrial soils and determine the effects as to the adjacent wetlands, La Quinta Channel, seagrass mitigation area, Corpus Christi Bay, and across the Portland, Texas wetland shoreline.

Photo below by Patrick Nye of airborne dust from the top of Red Mud Beds dike August 2, 2022, during Cheniere’s construction.

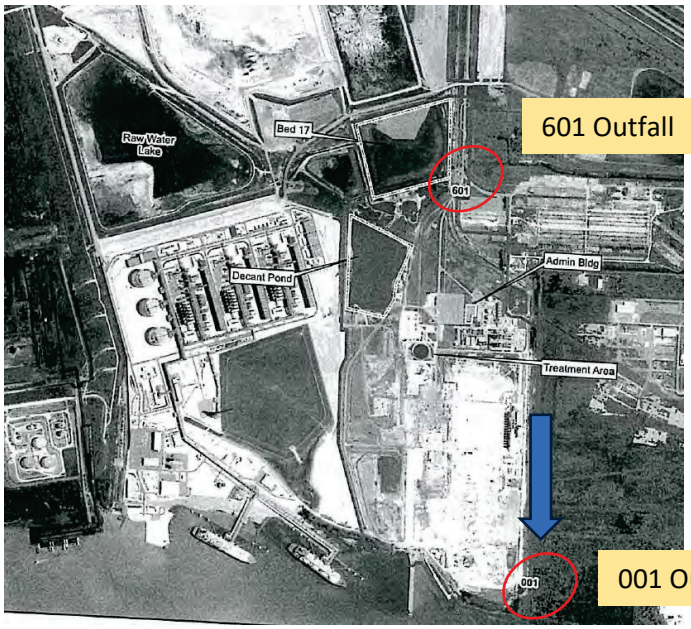
In March 2023, Cheniere filed for wastewater permit WQ0005367000 for “water treatment waste, inlet air chiller water, incidental utility wastewater, stormwater, and sanitary treatment plant water at a daily average flow not to exceed 1,000,000 gallons per day via Outfall 001” emptying into La Quinta Channel. CWA challenged this permit based upon a 2018 Texas Commission on Environmental Quality (TCEQ) Agreed Order citing that Corpus Christi Alumina, LLC while clearly in the control of Cheniere, had violated Texas Water Code Chapter 26 (and the Clean Water Act my note) by releasing approximately ***162 million gallons*** of untreated industrial wastewater directly into La Quinta Channel at Outfall 001. This violation occurred during the time period of September 12, 2018, through October 8, 2018, and contained untreated industrial wastewater and stormwater from the same toxic Red Mud Beds evaporation pits that we are concerned about. Cheniere’s wastewater permit

WQ0005367000 was ultimately withdrawn due to CWA's challenge. Google Earth Maps provides a visual history of the Cheniere Red Bed Mud violation and probable contamination of La Quinta Channel and Corpus Christi Bay. Water Quality Permit WQ0004645000 Photo "B" is a site map (that is conveniently presented) in black and white format, showing the location of the violation. (See Attached Agree Order Docket 2019-0215-IWD-E). TCEQ found that applicant bypassed the Decant Pond to Outfall 601 resulting in wastewater discharge into Corpus Christi Bay at Outfall 001 (AKA La Quinta Channel)

Google Earth Photo "A"

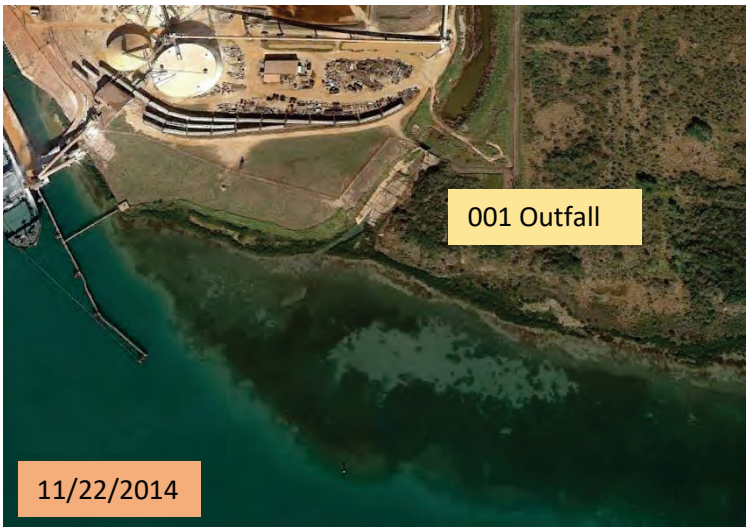


Water Quality Permit Photo "B"



A closer look at Google Earth Maps tells the rest of the story that these contaminates flowed through Outfall 001 into La Quinta Channel and settled along the immediate shoreline. Google Earth Map "C" below, illustrates the seagrasses at Outfall 001, along the shoreline prior to the violation in 2014. Google Earth Map "D" dated January 18, 2019, three months after the violation, clearly shows the destruction of seagrass at the Outfall 001 site as well as along the shoreline. What contaminates are there today and what effects are they having on the ecological systems in the area? Where will the dredge materials be place as they make room for another dock?

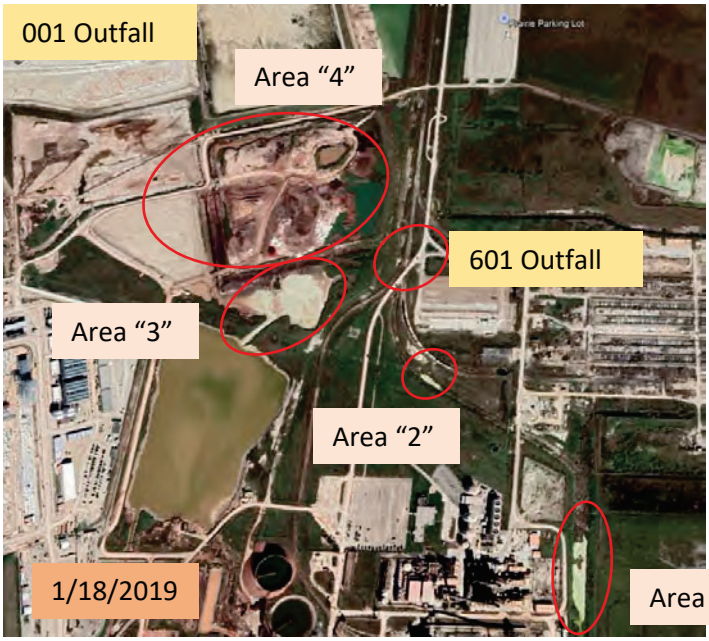
Google Earth Map "C"

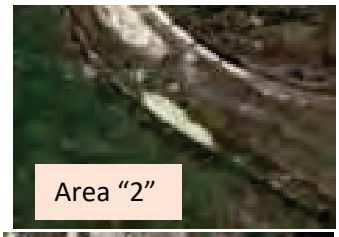


Google Earth Map "D"

There is more to this story as we do not know what other contaminates were released. Inspection of Google Earth Map "E" shows two areas of the contaminates along the Outfall channel marked as Area "1" and Area "2" on the map below. Area "3" appears to have the same coloration as the contaminants and possibly one of the sources of the violation although it has never been described in the TCEQ records. Of primary concern is the Area "4" that contains Red Mud Beds and it looks like it has been disturbed by heavy machinery and has pipelines crisscrossing the area. What happened to Area "4" and did these contaminates flow outside the containment walls and into Outfall 001? What is the chemical composition of this and did the soils become airborne and contaminate nearby residents and businesses? What has been described in the Agreed Order is that the wastewater tested had a pH of 10.5 suggesting that this was a chemical treatment for the Red Mud Beds. Why would this company dump **162 million gallons** of toxic contaminated wastewater into the very waters that we swim, fish and play in with our grandchildren? An Environmental Impact Statement should include the testing of the soils in the outfall and shoreline would be necessary to determine the true extent of this damage.

Google Earth "E"





Air Pollution

The local Corpus Christi Caller Times reported on November 3, 2025, that *"Cheniere Energy among the highest LNG polluters"* in the United States. https://www.caller.com/story/news/local/2025/11/03/cheniere-energy-liquefied-natural-gas-lng-pollution-according-to-new-report/86950065007/ This article was based upon a report by Environmental Integrity Projects (EIP), "*Terminal Trouble*" released October 29, 2025. Citing development of LNGs nationwide, EIP determined that LNG's will create higher energy prices and more pollution. Chronic flaring does not eliminate 99% of the emissions that LNG companies report. Optical Gas Imagery video captures the excess pollutants from the flare stacks each time they are recording. Environmental laws are weakening and those who live near Cheniere are guaranteed to have more exposure to contaminants that most likely will affect young school children and the elderly. **This facility has exceeded permitted limits hundreds of times since 2018**. See caption below.

A 2022 Reuters investigation found that the Corpus Christi LNG terminal exceeded limits for multiple pollutants hundreds of times since starting up in 2018.[71] Texas regulators acknowledged the plant's impact on deteriorating air quality in the region, but, instead of imposing penalties, responded by repeatedly authorizing permit amendments that allowed the company to emit more pollution. According to the investigation, several massive flaring events – some lasting for weeks – forced residents out of their homes.[72]

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://environmentalintegrity.org/wp-content/uploads/2025/10/LNG-Report-nonembargoed-10.29.25.pdf

Studies concerning health issues are limited except for antidotal statements from residents directly downwind of this facility living in Gregory, Texas. Storm wastewater makes its way into our bays and estuaries causing more harm to aquatic ecosystems. Are these toxins existing in the fish, crabs and shrimp that residents are eating? Toxic pollutants are entering our air shed daily threating thousands of residents and ultimately drains back into our bays and estuaries. A list of some of these toxic chemicals shown below is from this same EIP report.

Appendix C: Other Air Pollutants from Operating LNG Export Terminals, 2023

Facility, State	Particulate Matter (PM2.5) (tons/year)	Nitrogen Oxides (NOx) (tons/year)	Volatile Organic Compounds (VOCs) (tons/year)	Sulfur Dioxide (SO_2) (tons/year)	Carbon Monoxide (CO) (tons/year)	Benzene (lbs/year)	1,3-butadiene (lbs/year)	Ethyl benzene (lbs/year)	Formaldehyde (lbs/year)	Propylene oxide (lbs/year)
Calcasieu Pass LNG Terminal, LA	62.6	359.8	85.8	55.3	423.4	1,128.2	15.9	1,248.2	1,025	1,131.1
Cameron LNG Facility, LA	200	632.2	96.8	12.3	1,228.3	1,070.7	20	1,490.5	5,644.7	1,349.6
Corpus Christi LNG Terminal, TX	64.8	2,169.6	108.5	15.9	586.2	373.4	0	0	4,774.6	0

Air Emissions - It is unfortunate that TCEQ has ignored the hundreds of air permit violations and we are counting on FERC to uncover the detrimental harm that Cheniere, and this expansion project would cause. FERC is in the exclusive position to request an Environmental Impact Statement for this facility before more harm can be done to the surrounding communities. Coastal Watch Association (CWA) has been engaged in citizen science air monitoring together with the University of Texas Arlington (UTA) and Texas A&M Corpus Christi (TAMUCC) since 2021. Most troubling is the number of pollutants that are being emitted and potential health consequences of industries in close proximity to local communities. In July 2022, a TAMUCC PhD candidate wrote her dissertation on methane sources and determined that high levels were originating from the Cheniere facility using ground monitoring and flyover methane detection. Images below show that during the flyover in January 2023, instruments clearly identifies the methane plume that is more than likely accompanied with other pollutants including volatile organic compounds (VOC).

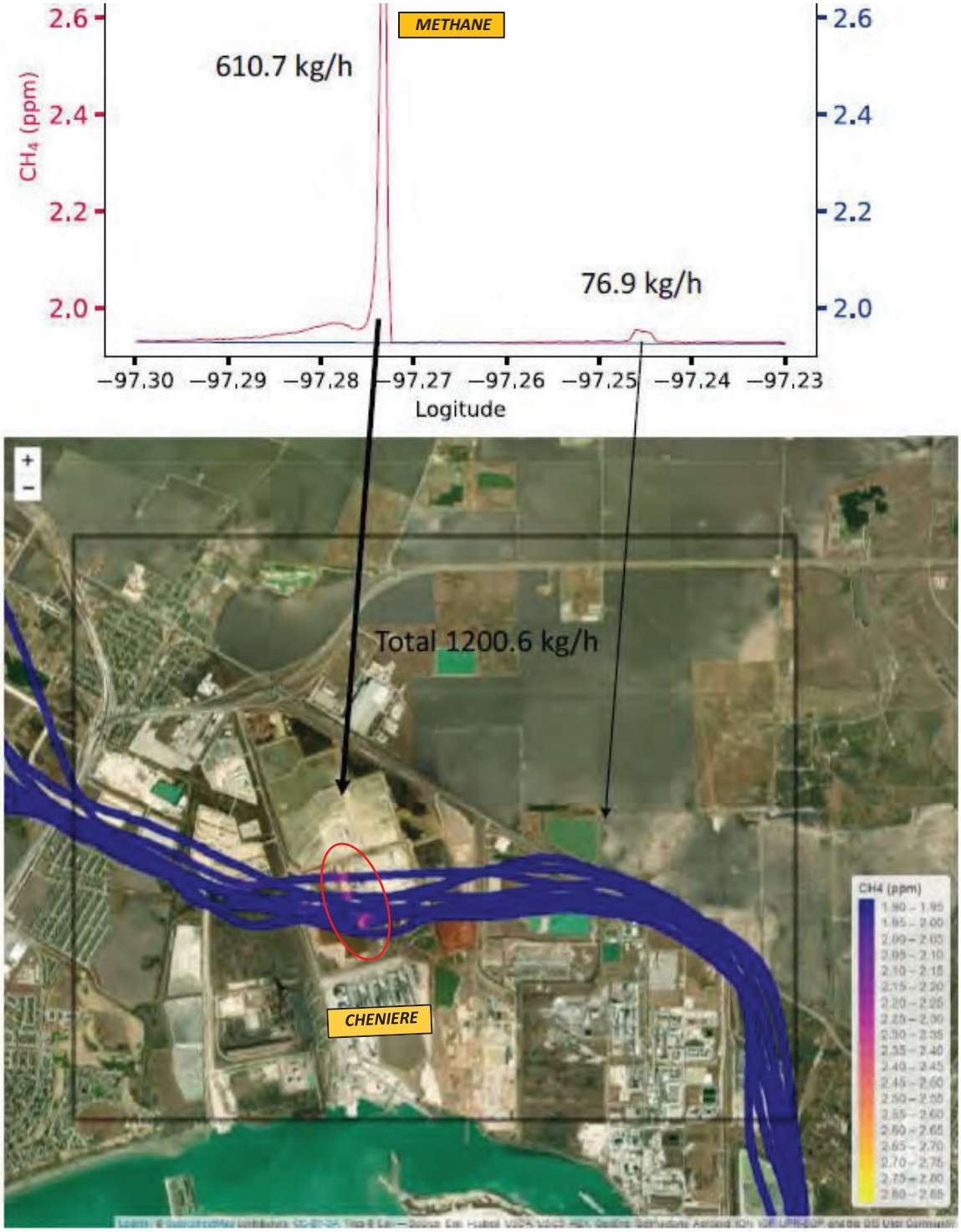


Figure 19b: Atmospheric CH_4 concentrations and CH_4 fluxes (97.23°W to 97.30°W, black rectangle) from the Ingleside-Gregory during the flight on January 6, 2023.

How is this possible if Cheniere claims that 99% of its emissions are combusted from the flare stacks? What chemical pollutants are they emitting with the methane plume? The newest expansion for the Cheniere projects will use ground flares that are feared to release Particulate Matter (PM) and Volatile Organic Compound (VOC) emissions at lower elevations that will not be dispersed as well as their initial phases of construction. How will

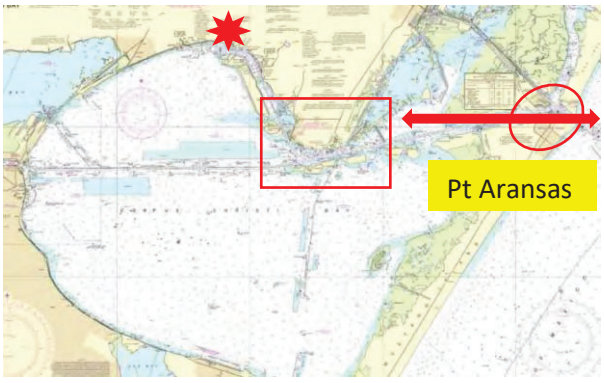
these pollutants affect the residents living downwind? Since the TCEQ does not have any regulatory monitors in San Patricio County CWA is taking lead on air monitoring. Today CWA has deployed 9 non-certified SENSIT monitors in Nueces and San Patricio Counties that regularly records high PM 2.5 and VOC numbers that are of great concern to residents. How will FERC assure the public that this mammoth Stage 4 expansion will emit pollutants that will not cause serious health issues or contaminate our precious Corpus Christi Bay?

Vessel Traffic and Relative Sea Level Rise

Ingleside on the Bay (IOB) is a low-lying coastal community that is facing the effects of rapid sea level rise. Each Cheniere vessel creates 1-3' high wakes that have already altered shorelines and destroyed property owner's bulkheads. Navigable channels are filling in, wakes during high tide events flood our streets. If FERC could imagine, or better yet come down and witness our plight we feel certain that you would have no hesitancy in issuing an EIS order. We are also concerned that the increase in vessel traffic has not been accounted for in the emissions from the vessels themselves. Attached is Exhibit "A" from FERC C23-129.

On January 25, 2024, the US Coast Guard issued a letter of recommendation (LOR) for the increase in vessel traffic from 400 to 480 liquified gas carriers for Cheniere's Trains 8 & 9 as it relates to safety and security. Attached is the USCG LOR and my personal response letter dated February 26, 2024, outlining many issues that I believed was seriously overlooked. (See attached LOR and PAN Response to USCG letter). Cheniere's Stage 4 expansion now calls for **an additional 390 vessels per year equals 870 LNG Vessels**! This number is multiplied times 2 = 1,740 because there are inbound and outbound passages. Not included are the 3, usually 4 tugboats assisting both inbound and outbound vessels. Please see below Nautical Map "1" of Corpus Christi Bay as a reference point for vessel traffic and the insert Nautical Map "2". Each vessel will pass through Port Aransas where 3 channels converge; Corpus Christi Ship Channel, Conn Brown Harbor Channel and Lydia Ann Channel. In the Port Aransas there are the numerous yachts, pleasure crafts, commercial and recreational fishing vessels **PLUS** the ferry traffic that crosses in this same area. Nautical Map "2" is a particularly heavily congested vessel traffic area where more than 8,000 transport vessels that use Corpus Christi Ship Channel converge. Enbridge is the largest oil exporter in North America followed by Gibson. Already accidents have occurred at Enbridge when an outbound tanker lost steerage and sunk 80' of Enbridge's pier in 2021. A pleasure boat was struck and sunk killing two passengers by an inbound tanker in 2024 at Port Aransas. As far as national security, this area must be considered a high priority target to terrorist where the blast zone of an LNG tanker would be catastrophic not to mention the oil tankers. How are these issues handled in the FERC evaluation?

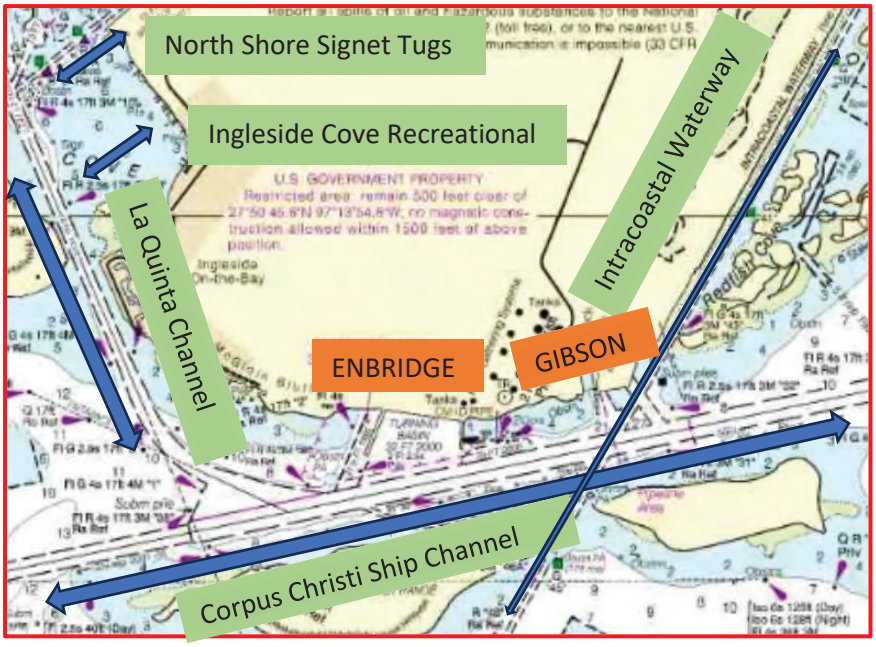
Nautical Map "1"



https://www.oceangrafix.com/chart/zoom?chart=11309

Cheniere LNG

Nautical Map "2"



Cultural Resources

Donnel Point is located less than 1 ½ miles away from Cheniere along La Quinta Channel and is the site of a rediscovered ancient settlement. A story about Donnel Point, written by Dylan Baddour was just released today, December 23, 2025, by The Texas Tribune. https://www.texastribune.org/2025/12/23/texas-indigenous-tribe-karankawa-settlement-site-corpus-christi/. This may be the last remaining campsite location along La Quinta Channel. As the article reports, some of the original sites were lost by dredging and vessels wake causing shoreline erosion. Today this site is seriously threatened by an increase in vessel traffic as these Cheniere expansions take place. This site must be preserved and fully evaluated by the Texas Historical Commission to determine its significance. As part of the NEPA Process and Environmental evaluation, FERC has the unique position to include this historic site in an EIS before it is lost forever. Photos below taken by Patrick Nye July 22, 2024.

Donnel Point Photo as Taken from La Quinta Channel

Donnel Point Close up of Artifacts

Health effects

A full EIS study of the health impacts to the communities of Gregory, Portland, Taft, Ingleside and IOB should be a critical component in FERC's evaluation process. Studies along "refinery row" in Corpus Christi found that:

1. CC Refinery Row Health Study 2016 found that Residents along refinery row have higher birth defects, asthma and other health issues including cancer.
2. Men's Health Article 2017 says that CC is #1 in the nation in Cancer.
3. 2021 April study by the Texas Health Institute concluded that people living along refinery row in CC had a life expectancy of 70 years while those living just 10 miles away 85 years.

FERC must protect the health and wellbeing of nearby communities and implement an EIS to eliminate risks to local communities.

Baywater Quality

Dredging and increased vessel traffic has caused Corpus Christi Bay's water quality to diminish. Muddy, high turbidity, silt laden baywater is found throughout the coastal estuary. Redfish Bay Texas Research Area has dredge silt plumes covering its protected seagrass meadows. Seagrasses are covered up along the Live Oak Peninsula, Ingleside on the Bay and into Ingleside Cove Sanctuary. Cheniere's vessels withdraw displacement water, eroding seagrass beds then wave action tears away vulnerable seagrass plots. Baitfish and even bird numbers are down leading to what is undeniably a severe reduction in marine life productivity. For the first time

in my 55 years in IOB, I have seen a dead baby dolphin not once but twice within the month of March 2023. The EIS should include baywater quality and future protections and mitigations of seagrasses and wildlife.

Although the current administration is forcing agencies to fast-track industrial developments, I believe that there is a moral compass that directs agencies to make the hard choices for the marginalize to preserve our homes, our health and our quality of life. Please approve an ***Environmental Impact Statement*** so that it can be said that this project used the best available technology practices in its decision.

Respectfully submitted,

Patrick A. Nye
Co- President
CWA

Attachments: Agreed Order Docket 2019
Exhibit A FERC C23
USCG LOR
CWA Response

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING CORPUS CHRISTI ALUMINA LLC RN102318847	**§ § § § §**	**BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2019-0215-IWD-E

On JUN 09 2021, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Corpus Christi Alumina LLC (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a wastewater treatment facility located at 4633 State Highway 361, approximately two miles southeast of the intersection of State Highway 361 and State Highway 35 in Gregory, San Patricio County, Texas (the "Facility"). The Facility is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5).

2. During an investigation conducted September 12, 2018 through October 8, 2018, an investigator documented that:

   a. The Respondent maintained less than two feet of freeboard, and then bypassed treatment in the Decant Pond to Outfall No. 601 resulting in the discharge of approximately 162 million gallons of untreated industrial wastewater and stormwater with a pH of approximately 10.5 standard units from Outfall No. 001 into Corpus Christi Bay between September 14, 2018 and October 5, 2018;

b. Between September 15, 2018 and September 18, 2018, the Decant Pond overflowed and flooded the adjacent property; and

c. Visible foam exceeding trace amounts was observed discharging from Internal Outfall No. 601 on September 13 and 14, 2018.

3. The Executive Director recognizes that the Respondent:

a. Ceased the diversion to bypass the Decant Pond by October 5, 2018;

b. Ceased the discharge of industrial wastewater at the Facility on October 5, 2018; and

c. Completed pumping unauthorized discharged water from the adjacent property and back into the Decant Pond by October 8, 2018.

II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE ch. 26 and the rules of the TCEQ.

2. As evidenced by Finding of Fact No. 2.a, the Respondent failed to take all reasonable steps to minimize or prevent any discharge, or other permit violation, which has a reasonable likelihood of adversely affecting human health or the environment, in violation of 30 TEX. ADMIN. CODE § 305.125(1), (4), and (5), TEX. WATER CODE § 26.121(a)(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0004646000, Permit Conditions No. 2.d and Other Requirements No. 7.

3. As evidenced by Finding of Fact No. 2.b, the Respondent failed to prevent an unauthorized discharge of industrial wastewater into or adjacent to any water in the state, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0004646000, Permit Conditions No. 2.g.

4. As evidenced by Finding of Fact No. 2.c, the Respondent failed to comply with permitted effluent limitations, in violation of 30 TEX. ADMIN. CODE § 305.125(1) and (5), TEX. WATER CODE § 26.121(a)(1), and TPDES Permit No. WQ0004646000, Effluent Limitations and Monitoring Requirements, Internal Outfall No. 601, No. 3.

5. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the Respondent for violations of state statutes within the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.

6. An administrative penalty in the amount of $32,400 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid the $32,400 penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 6 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Corpus Christi Alumina LLC, Docket No. 2019-0215-IWD-E" to:

   Financial Administration Division, Revenue Operations Section
   Attention: Cashier's Office, MC 214
   Texas Commission on Environmental Quality
   P.O. Box 13088
   Austin, Texas 78711-3088

2. The Respondent shall undertake the following technical requirements:

   a. Within 30 days after the effective date of this Order, implement procedures and conduct employee training to:

      i. Maintain freeboard in the Decant Pond;

      ii. Prevent discharges that have a reasonable likelihood of adversely affecting human health or the environment during large storm events; and

      iii. Prevent unauthorized discharges.

   b. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i through 2.a.iii. The certification shall be signed by the Respondent and shall include the following certification language:

      "I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Corpus Christi Regional Office
Texas Commission on Environmental Quality
6300 Ocean Drive, Suite 1200
Corpus Christi, Texas 78412-5839

3. All relief not expressly granted in this Order is denied.

4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.

5. If the Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.

7. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.

8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

9. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

10. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

11. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission — Date: 6/14/2021

For the Executive Director — Date: 04/29/2021

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature — Date: March 4, 2021

Andrew Smith — Name (Printed or typed)
Authorized Representative of
Corporate Secretary — Title
Corpus Christi Alumina LLC

☐ *If mailing address has changed, please check this box and provide the new address below:*

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 18, 2021

FIRST CLASS MAIL

Andrew Smith, Corporate Secretary
Corpus Christi Alumina LLC
301 Tresser Boulevard
Stamford, Connecticut 06901

RE: Corpus Christi Alumina LLC
TCEQ Docket No. 2019-0215-IWD-E; Permit No. WQ0004646000
Agreed Order Assessing Administrative Penalties and Requiring Certain Actions

Enclosed is a copy of an order issued by the Commission.

Questions regarding the order should be directed to the Texas Commission on Environmental Quality's Enforcement Division at (512) 239-2545 or the Litigation Division at (512) 239-3400. If there are questions pertaining to the mailing of the order, then please contact Michael O'Malley of the Office of the Chief Clerk at (512) 239-3300.

Sincerely,

Laurie Gharis

Laurie Gharis
Chief Clerk

LG/mo

Enclosure

cc: Steven Van Landingham, Enforcement Coordinator, TCEQ Enforcement Division

MEMORANDUM TO: Public File for the Corpus Christi Midscale Trains 8 & 9 Project under Docket No. CP23-129-000

FROM: U.S.C.G. – United States Coast Guard
[Posted by John E. Bugno II, FERC staff]

SUBJECT: Letter of Recommendation on Corpus Christi Midscale Trains 8 & 9 Project
Docket No. CP23-129-000

DATE: January 29, 2024
[Letter dated January 25, 2024]

This document was provided to the Federal Energy Regulatory Commission via email from the Coast Guard on January 25, 2024.

U.S. Department of Homeland Security

United States Coast Guard

Commander
United States Coast Guard
Sector Corpus Christi

Valent Hall
249 Glasson drive
Corpus Christi, TX 78406
Phone: (361) 939-0201

16611/SCC24-347
January 25, 2024

Director of Gas Environment and Engineering, PJ 11
Federal Energy Regulatory Commission
888 First St NE
Washington, DC 20426

Dear Sir or Madam:

This Letter of Recommendation (LOR) is issued pursuant to 33 CFR 127.009 in response to the Letter of Intent submitted by Lanier and Associates Consulting Engineers, Inc. on behalf of Corpus Christi Liquefaction, LLC on August 15, 2022, proposing to begin construction for the Corpus Christi Midscale Trains 8 & 9 Project at Corpus Christi Liquefaction, LLC in Ingleside, Texas. It conveys the Coast Guard's recommendation on the suitability of the Corpus Christi Ship Channel from the entrance approach at Port Aransas to the La Quinta Junction, and the entire length of the La Quinta Channel as it relates to safety and security due to the increase from 400 liquefied natural gas carriers (LNGCs) per annum from the initial three stages to a maximum of 480 after the Corpus Christi Midscale Trains 8 & 9 Project is completed. In addition to meeting the requirements of 33 CFR 127.009, this letter also fulfills the Coast Guard's commitment for providing information to your agency under the Interagency Agreement signed in February 2004.

After reviewing the information in the applicant's Letter of Intent and Follow-on Waterway Suitability Assessment (WSA) and completing an evaluation of the waterway in consultation with a variety of state and local port stakeholders, I recommend that the Corpus Christi Ship Channel from the entrance approach at Port Aransas to the La Quinta Junction, and the entire length of the La Quinta Channel be considered suitable for the additional liquefied natural gas (LNG) marine traffic that is anticipated as a result from the additional capacity of LNG. My recommendation is based on my review of the factors listed in 33 CFR 127.007 and 33 CFR 127.009. The reasons supporting my recommendation are outlined below.

On December 13, 2023, I completed a review of the Follow-on WSA for the Corpus Christi Liquefaction, LLC expansion project, submitted to the Coast Guard by Lanier and Associates Consulting Engineers, Inc. on February 9, 2023. This review was conducted following the guidance provided in U.S. Coast Guard Navigation and Vessel Inspection Circular 01-2011, dated January 24, 2011. In conducting this review and analysis, I focused on the navigational safety and maritime security aspects of LNGC transits along the affected waterway. My analysis included an assessment of the risks posed by these transits and validation of the risk management measures proposed by the applicant in the WSA. During the review, I consulted a variety of stakeholders including Port of Corpus Christi, local facility security representatives, the Aransas-Corpus Christi Pilots Association, and maritime stakeholders.

Based upon a comprehensive review of the applicant's WSA and after consultation with state and local port stakeholders, I recommend that the Corpus Christi and La Quinta Ships Channels be considered suitable for accommodating the type and frequency of LNG marine traffic associated with this project.

The attached LOR Analysis contains a detailed summary of the WSA review process that has guided this recommendation. It documents the assumptions made during the analysis of the WSA submitted to the Coast Guard by Corpus Christi Liquefaction, LLC. It discusses details of potential vulnerabilities and operational safety and security measures that were analyzed during the review. The LOR Analysis sets forth the navigational safety and maritime security resource gaps that currently exist in, on, and adjacent to the waterway, including the marine transfer area of the proposed facility, and which, to the extent allowable under the Federal Energy Regulatory Commission's (FERC) existing legal authority, may be addressed in its Commission Order if one is issued. To the extent implementation of specific mitigation measures fall outside the scope of FERC's legal authority, the applicant is expected to examine the feasibility of implementing such mitigation measures, in consultation with the Coast Guard and state and local agencies as applicable.

This recommendation is provided to assist in the Commission's determination of whether the proposed facility should be authorized. This letter is not an enforceable order, permit, or authorization that allows any party, including the applicant, to operate a facility or a vessel on the affected waterway. Similarly, it does not impose any legally enforceable obligations on any party to undertake any future action be it on the waterway or at the proposed facility. It does not authorize, nor in any way restrict, the possible future transit of properly certificated vessels on the Corpus Christi or La Quinta Ship Channels. As with all issues related to waterway safety and security, I will assess each vessel transit on a case by case basis to identify what, if any, safety and security measures are necessary to safeguard the public health and welfare, critical marine infrastructure and key resources, the port, the marine environment, and vessels. In the event the facility begins operation and LNG vessel transits commence, if matters arise concerning the safety or security of any aspect of the proposed operation, a Captain of the Port Order could be issued pursuant to my authority under the Ports and Waterways Safety Act of 1972, as amended by the Port and Tanker Safety Act of 1978, 33 U.S.C. § 1221 – 1232, among other authorities, to address those matters.

If you have questions, my point of contact is LCDR Anthony Garofalo. He may be reached at 249 Glasson Drive Corpus Christi, TX 78406, (361) 939-5130 or at anthony.m.garofalo@uscg.mil.

Sincerely,

M. A. CINTRON
Captain, U.S. Coast Guard
Captain of the Port Sector Corpus Christi, Acting

16611/SCC24-347

Enclosure: (1) LOR Analysis, Public Release

Copy: Commander, Eighth Coast Guard District 8 (dpw), (dl)
Commander, Coast Guard Atlantic Area (LANT-544)
Commandant, U.S. Coast Guard (CG-5P), (CG-OES), (CG-MSR), (CG-FAC), (CG-741)
Corpus Christi Liquefaction, LLC

UNITED STATES COAST GUARD

Corpus Christi Liquefaction, LLC

ANALYSIS SUPPORTING THE LETTER OF RECOMMENDATION ISSUED BY COTP SECTOR CORPUS CHRISTI ON JANUARY 25, 2024

1. This analysis is a supplement to my Letter of Recommendation (LOR) dated January 25, 2024 that conveys my recommendation on the suitability of the Corpus Christi and La Quinta Ship Channels for liquefied natural gas (LNG) marine traffic associated with the expansion of the Corpus Christi Liquefaction, LLC (CCL) export terminal project Ingleside, Texas. It documents the processes followed in analyzing CCL's Waterway Suitability Assessment (WSA) and the suitability of the waterway.

2. For the purposes of this analysis, the following assumptions were made:

a. The applicant is fully capable of, and would fully implement, any and all risk management measures they identified in their WSA.
b. The conditions of the port identified in the WSA fully and accurately describe the actual conditions of the port at the time of the WSA submission.
c. The conditions of the port have not changed substantially during the analysis process.
d. The applicant will fully meet all regulatory requirements including the development and submission of a Facility Security Plan, Emergency Manual, and Operations Manual.

3. The Port of Corpus Christi is the third-largest port in the United States in total tonnage. It provides quick access to the Gulf of Mexico and the entire United States inland waterway system. The Port of Corpus Christi offers access to overland transportation with on-site and direct connections to three Class I railroads and direct, vessel-to-rail discharge capabilities. The Corpus Christi and La Quinta Ship Channels are managed under the jurisdiction of the Port of Corpus Christi and has ranging depths between 45 and 54 feet. The current Corpus Christi Ship Channel improvement project is expected to be completed by mid-2025 and will increase the Corpus Christi Ship Channel depth to 54 feet. Work is completed from the Gulf of Mexico to the La Quinta Ship Channel intersection with depth to 54 feet. There are five turning basins within the Inner Harbor of the Corpus Christi Ship Channel and two turning basins within the La Quinta Ship Channel. The Corpus Christi Ship Channel stretches for 29 miles and the La Quinta Ship Channel stretches 6 miles north from the Corpus Christi Ship Channel. The primary import/export commodities handled by the ports include crude oil, liquified natural gas, fuel oil, gas oil, and feedstock. The Port of Corpus Christi is also a designated, strategic military deployment port.

The U.S. Coast Guard regulates the port under the Maritime Transportation Security Act (MTSA), Security and Accountability for Every Port Act (SAFE Port Act), Ports and Waterways Safety Act (PWSA) and other laws applicable to maritime safety and security. These facilities include oil refineries, chemical plants, oil terminals, grain terminals, and various facilities handling bulk cargos. The various industries that comprise this petroleum and chemical complex have pro-actively cooperated over the years to establish and maintain a robust mutual aid emergency response program as well as an integrated security and surveillance network, which includes five separate law enforcement agencies that are recognized throughout the country for their effectiveness.

Certain vessels entering or departing Texas ports require a pilot in accordance with Title 46 of the Code of Federal Regulations, part 15, Section 812 and Texas Transportation Code Chapter 61. The Aransas-Corpus Christi Pilots are state licensed Texas pilots responsible

for ensuring the safe transit of vessels transiting through the Port of Corpus Christi. They handle approximately 4,700 vessel transits through the Port of Corpus Christi each year. The Aransas-Corpus Christi Pilots are among the 150 members of the Texas State Pilots Association (TSPA), which includes the Matagorda Pilots, Aransas-Corpus Christi Pilots, Brazos Pilots, Galveston-Texas City Pilots, Houston Pilots, and Sabine Pilots.

Inbound and outbound traffic density in the Port of Corpus Christi include a variety of vessels sizes and classes which are projected to increase on average by approximately 1.5 LNG Carriers per week once the terminal and facility are operational with 2 additional liquefaction trains. The maximum anticipated port calls per year is expected to be around 480, an increase of 80 vessels from the first three phases. Other traffic transiting through the La Quinta Channel include offshore rigs, chemical carriers, ore carriers and a small number of tug/barges. The U.S. Coast Guard is responsible for screening LNG carriers transiting from flag states prior to arrival to the port.

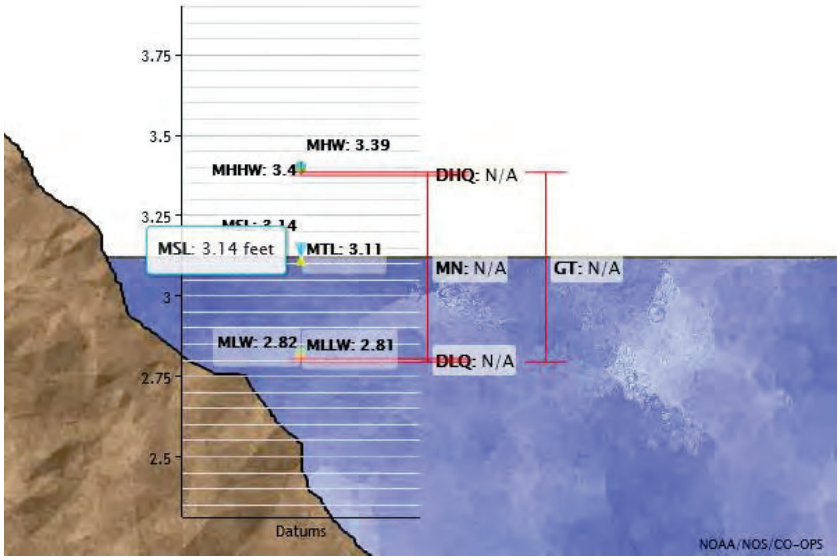
The terminal is sited along the La Quinta Channel located in San Patricio County, Texas. All terminal facilities will be located within an approximately 1,500-acre parcel of land owned or controlled by Cheniere and situated along the northeast side of the Corpus Christi Bay. The property is roughly centered on the northern end of the La Quinta Channel. The center point of the terminal property has the approximate coordinates: Latitude 27°53’ N and Longitude 97°16’ W.

Figure 1. Cheniere Conceptual Rendering of Facility

Factors Adjacent to the Facility:

a. **Depth of Water** – The La Quinta is currently maintained at a 45’ depth and up to 400’ wide, starting at the Corpus Christi Ship Channel junction and extending 5.9 miles north.
b. **Tidal Range** - The normal tidal range along the ship channel is approximately outlined in Table 1 below.

Table 1 Tidal Datums, Port Ingleside, TX NOAA Tide Station 8775283, 1983-2001 Tidal Epoch



c. **Protection from High Seas** – Protection from High Seas – The facility is located within the La Quinta Channel and therefore only exposed to high water as a result of a severe storm surge from a hurricane or tropical storm.
d. **Natural Hazards** – There are no natural hazards in the La Quinta Channel.
e. **Underwater Pipelines and Cables** - Based on current pipeline charts that are available, there are several active pipelines running across/underneath the channel in the vicinity of the LNG Carrier transit route or Terminal mooring operations. Due to the depths of the pipeline, this will have no effect on ship channel traffic.
f. **Maximum Vessel Size by Dock** – The dock can accommodate a vessel with lengths of approximately 1,133 feet and with nominal cargo capacities up to 267,000 m^3. The mooring assessment has also been performed to establish safety and environmental procedures to ensure safe mooring operations for LNG Carriers at each berth. The maximum size ship to call on the facility will be a Q-Max size ship.

Included in the assessment, was a plan to divide the LNG Carrier transit routes into five (5) inbound, one (1) loading at berth, and five (5) outbound segments. The total inbound transit from the sea buoy (pilot boarding area) to the terminal berth is approximately 18.4 miles and will take approximately 2 hours to berth. The route is reversed for outbound

LNG Carrier transits with the exception of the turning/maneuvering basin, which is bypassed. The route is shown below in Figure 2.

Figure 2. Overview of LNG Carrier Transit Route

The LNG vessels exporting cargo from the two proposed marine loading berths are expected to accommodate both membrane and spherical designed LNG vessels with cargo capacities up to 267,000 m^3. The terminals will be built in accordance with applicable international and domestic design requirements giving due consideration to collision and grounding protection. Double bottom and double side protection are sized appropriately based on the hazard associated with the cargo being carried.

All factors regarding the condition of the waterway, vessel traffic, and facilities upon the waterway, were taken into consideration during the LOR process. The processes used are detailed in Section 4 of this analysis.

4. To ensure all regulatory processes were met, Sector Corpus Christi took a systematic approach in the decision-making process as outlined in Figure 3. To streamline and ensure transparency in the LOR process, Sector Corpus Christi worked with Cheniere, the Lanier and Associates Consulting Engineers, Inc., and port partners though a series of ad-hoc meetings.

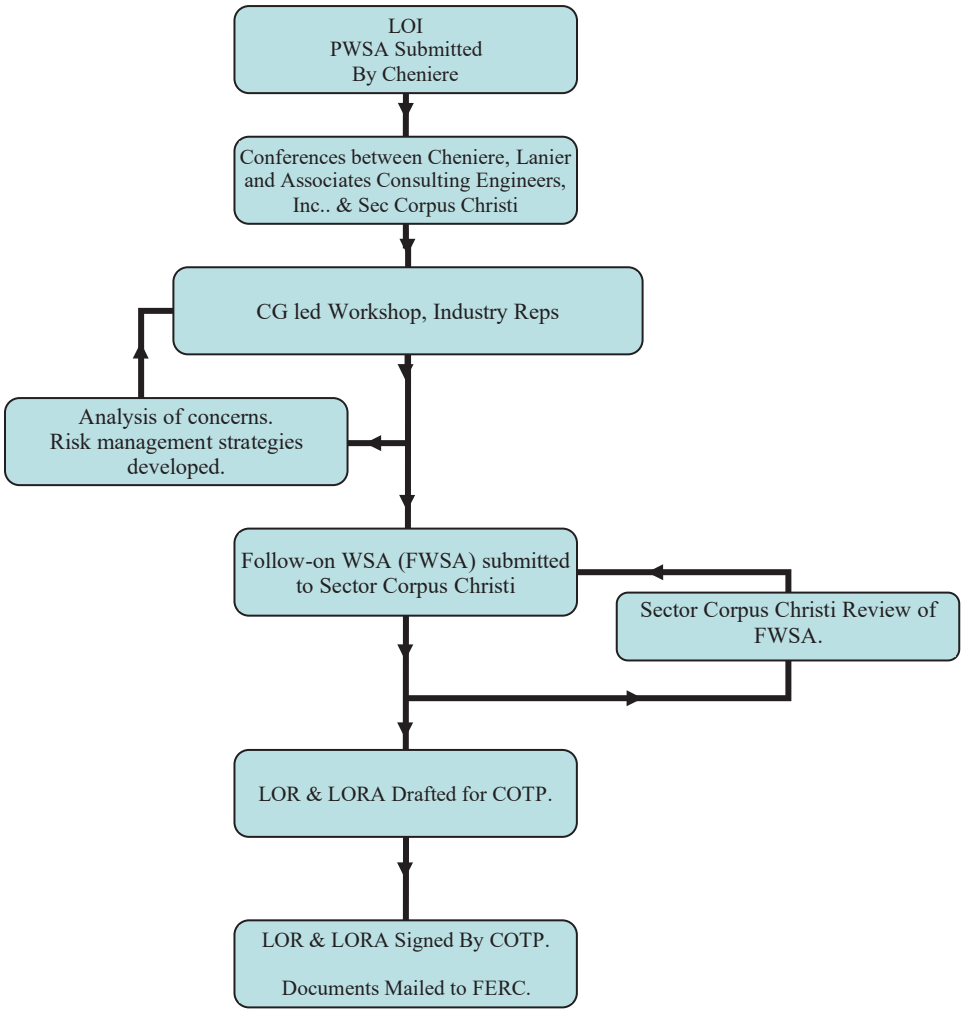


Figure 3 - LNG LOR Process
(Sector Corpus Christi)

Enclosure (3) of NVIC 01-2011 provides guidance on the review of a WSA. To meet the expectations of NVIC 01-2011, my staff held several in-house reviews of the WSA, and facilitated discussions during a workshop held in Corpus Christi, TX on October 27, 2022 and November 16, 2023. The workshop included a wide range of participants as a subcommittee of the South Texas Waterways Advisory Committee, including representatives from Cheniere Energy, Inc., Lanier and Associates Consulting Engineers, Inc., the USCG, Aransas-Corpus Christi Pilots Association, terminal operators, refinery operators, Port Authority, shipping agents, and law enforcement agencies.

Members	Position/Role

LCDR Anthony Garofalo	Waterways Management Division Chief, Sector Corpus Christi
MSTC William Rogers	Waterways Management Division, Sector Corpus Christi
Joeseph Harrington	Valero Energy
Timithy Lewis	Texas Department of Transportation
Romeo Rice	Genesis Marine
Eric Giannamore	Port of Corpus Christi Police Department
Hunter Myres	Kiewit Offshore Services
Quentin Henderson	Kiewit Offshore Services
Tracy Myrick	ArcelorMittal
Adrian Wilson	MAX Shipping
John Williams	Aransas-Corpus Christi Pilots
Marvin Tamez	Port of Corpus Christi Police Department
Richard Ludwig	BIEHLCO
Samuel Holland	BIEHLCO
Brandi Rogers	STWAC Chairperson/Enbridge
William Griffin	Oxy Chemical Corp
Rebecca Muckleroy	Cheniere Energy, Inc.
Mike Winans	Cheniere Energy, Inc.
David Krams	Lanier and Associates Consulting Engineers, Inc
Mike Kershaw	Port of Corpus Christi and Aransas-Corpus Christi Pilots Liaison
Wesley Langston	ArcelorMittal
Dan Koesema	Port of Corpus Christi
Manmeet Chhabra	Teekay Tankers
Matthew Peterson	Moram Shipping
Xavier Valverde	G&H Towing
Russel Cordo	Port of Corpus Christi
Tony MacDonald	Port of Corpus Christi

Figure 4 – South Texas Waterway Advisory Committee WSA Team
(Port of Corpus Christi)

The participants of this "ad-hoc" workshop, authorized by NVIC 01-2011 enclosure (3), utilized their expertise on the physical characteristics and traffic patterns of the waterway, as well as their respective specialty knowledge of the marine, LNG, safety, security, and facility fields, to analyze the feasibility of the project.

Participants considered the changes in the area's safety and security dynamics due to the introduction of additional LNG ship traffic associated with the Cheniere Project. Lanier and Associates Consulting Engineers, Inc used methodology similar to that previously used by the U.S. Coast Guard for Ports and Waterway Safety Assessments in various ports to evaluate the navigation and operational safety risks associated with the project. That methodology or model was developed from the work done by the National Dialogue Group (NDG) in 1998. Risk factors identified by the NDG were put into a model form and during the course of more than ten years of workshops throughout the United States and in international venues; the model has been substantially revised to more accurately reflect the nature of waterway risks being experiences. For security purposes, participants considered potential threats and consequences of intentional act of aggression to the facility and developed security measures to mitigate the risks. At a minimum, each of the recommended risk management measures from enclosure (7) of NVIC 01-2011 were

considered, yet in the WSA workshop, additional risks and recommendations were discussed.

The WSA workshop members considered whether the expansion project would cause maritime traffic concerns with the additional traffic expected.

Sector Corpus Christi followed the checklist found in enclosure (4) of NVIC 01-2011 during the review. Through this review, Sector Corpus Christi clarified certain points in the WSA to ensure that the document contained accurate information, and that all references were proper. With the final draft of the WSA, Cheniere and Lanier and Associates Consulting Engineers, Inc. have satisfied the requirements of the LOR process.

The reader must reference Waterway Suitability Assessment Corpus Christi Liquefaction Midscale Trains 8 & 9 Project dated February 2023 in order to interpret the following check sheet:

Checklist for Reviewing a Waterway Suitability Assessment (WSA) for LNG Marine Traffic

This checklist can be used by the Captain of the Port (COTP)/Federal Maritime Security Coordinator (FMSC) or members of a standing committee or work group to review a Waterway Suitability Assessment (WSA). The reviewer should fill in the appropriate box(es) for each section under review. For any entries deemed not applicable, check "N/A." Provide a brief explanation for "No" and "N/A" responses.

SCOPE OF ASSESSMENT AND GENERAL CONTENT REVIEW				
1.	Yes	No	N/A	Does the WSA identify the professional competencies of those selected to conduct an assessment?
2.	Yes	No	N/A	Does the WSA cover the liquefied natural gas (LNG) tanker's transit for the distance outlined in 33 CFR 127.007?
3.	Yes	No	N/A	Does the WSA address the physical vessel-facility interface and cargo operations?
4.	Yes	No	N/A	Does the WSA address broad port level concerns?
5.	Yes	No	N/A	Does the WSA focus on the transit waterway and facility site in adequate detail?
6.	Yes	No	N/A	Does the WSA address both safety and security issues?
7.	Yes	No	N/A	Is the WSA written for an audience comprised of various port stakeholders?
Comments: 1) All members involved with the development of the WSA were identified; the COTP's representatives has ensured competencies within the field are legitimate. 2) WSA includes additional considerations for stakeholders not previously addressed in past WSAs and adequately captures various stakeholders. 3) The WSA scope and general content is adequate for the COTP to evaluate increased vessel traffic from 400 to 480 vessel per year.				

A. PORT CHARACTERIZATION:				
1.	Yes	No	N/A	Does the WSA adequately summarize the port environment?
2.	Yes	No	N/A	Does the WSA describe the general issues and port level impacts of introducing LNG operations into the port?
3.	Yes	No	N/A	Does the WSA graphically show where the LNG operations are proposed (*i.e.*, a "footprint") so that the relative physical impact to the port may be gauged?
4.	Yes	No	N/A	Is the port characterization in general alignment with the Area Maritime Security Plan (AMSP) and any other important local references?
Comments: 1) The WSA accurately summarizes the port environment and captures changes from previously submitted WSAs.				

2) LNG operations have existed in the port since 2018. During the workshop, the Aransas-Corpus Christi Pilot Association acknowledged LNG vessel movements are more predictable than other vessel types and impact the port less than other industries. Recommendations were made during the workshop to assess future channel shoaling locations and amounts. The recommendation is not specific to movement of LNG vessels.

B. CHARACTERIZATION OF THE LNG FACILITY AND LNG TANKER ROUTE:				
1.	Yes	No	N/A	Does the WSA sub-divide the transit route into logical segments for detailed review?
2.	Yes	No	N/A	Does the WSA describe the transit route in adequate detail to identify important navigation safety issues?
3.	Yes	No	N/A	Does the WSA describe all locks, bridges, or other man-made obstructions in the waterway?
4.	Yes	No	N/A	Does the WSA describe the natural features and hazards of the waterway?
5.	Yes	No	N/A	Does the WSA describe the transit route in adequate detail to discern points or areas that pose security concerns or problems?
6.	Yes	No	N/A	Does the WSA adequately describe the density, character, and type of marine traffic in the waterway?
7.	Yes	No	N/A	Does the WSA include information on regular and non-routine marine events and seasonal considerations that affect the waterway?
8.	Yes	No	N/A	Does the WSA describe the physical location of the facility, with a description of the proposed facility?
9.	Yes	No	N/A	Does the WSA describe the proposed LNG tankers' characteristics and the frequency of LNG shipments to or from the facility?
10.	Yes	No	N/A	Does the WSA include information on the flag state and the nationality of officers and crew members of LNG tankers that are regularly expected to call on the facility?
11.	Yes	No	N/A	Does the WSA describe the following factors adjacent to or near the facility? • Depths of the water. • Tidal range. • Protection from high seas. • Natural hazards, including reefs, rocks, and sandbars. • Underwater pipelines and cables. • Distance of berthed vessel from channel and width of channel.
12.	Yes	No	N/A	Does the WSA graphically depict the "zones of concern" overlaid on the transit route?
13.	Yes	No	N/A	Does the WSA identify critical infrastructure (CI) and key assets along transit route? (See the AMSP for a listing of the CI along the transit route).
14.	Yes	No	N/A	Does the WSA identify populated areas, shoreside use and important community structures along the transit route?

15.	Yes √	No	N/A	Does the WSA show high density population areas (>9,000 persons per square mile) and medium density population areas (1,000 to 9,000 persons per square mile)?

Comments:
1) All concerns regarding the waterway were addressed through the workshop. The workshop focused on increased traffic from 400 to 480 vessels/year and validated port conditions. The USCG found the route to remain satisfactory based on input from the Aransas-Corpus Christi Pilots Association, federal, state and local agencies.
2) The workshop validated the conditions along the route's five segments have not significantly changed since the last WSA. Dredging has been completed for the Corpus Christi Ship Channel segment of this route and the workshop found the waterway is improved by the Corpus Christi Ship Channel Improvement Project.
3) The route currently contains no nationally-designated CI/KR, pending changes to MSRAM model.

C. RISK ASSESSMENTS (SAFETY AND SECURITY):				
1.	Yes √	No	N/A	Does the WSA use a specific industry or government accepted risk assessment methodology? If not, is the methodology used adequate?
2.	Yes √	No	N/A	Does the WSA address both safety and security issues and correctly identify the differences and similarities between them?
3.	Yes √	No	N/A	Does the WSA clearly identify the key assumptions that were made in performing the analysis?
4.	Yes √	No	N/A	Does the WSA include a sensitivity analysis of the key assumptions and characterize their effect on risk?
5.	Yes √	No	N/A	Does the WSA identify all of the potential scenarios for accidental release of LNG?
6.	Yes √	No	N/A	Does the WSA adequately address the consequences of an accidental release of LNG?
7.	Yes √	No	N/A	Does the WSA address all the specific attack scenarios identified in the Sandia report (reference (e), which include sabotage, projectile threats, aerial, surface, and underwater threats?
8.	Yes √	No	N/A	Does the WSA consider attack scenarios or accident types that are in addition to those listed in the Sandia report and the Risk Management Quick-Reference Tool (enclosure (7))?
9.	Yes √	No	N/A	Does the WSA adequately identify areas in the port from which an attack could be launched?
10.	Yes √	No	N/A	Does the WSA adequately address vulnerabilities, both in terms of the physical target and likelihood of a successful attack?
11.	Yes √	No	N/A	Does the vulnerability assessment consider the vessel, the facility and the port community?
12.	Yes √	No	N/A	Does the WSA identify the points or areas along the transit route where attacks would have the most significant consequences?
13.	Yes √	No	N/A	Does the WSA use the "zones of concern" (Encl.9)?
14.	Yes √	No	N/A	Does WSA lead to a distinct set of issues which can be addressed with risk management strategies?

Comments:
1) The risk-based approach were evaluated using a methodology similar to that used by the U.S. Coast Guard in Ports and Waterway Safety Assessments. The methodology is adequate.
2) Key assumptions concerning weather, spills, intentional attacks and a consequence scale were all made when developing the WSA. It includes effects on the environment, human lives, and the economy, taken into account economic impacts for Corpus Christi and the disruption to the terminal.
3) The WSA discussed all concerns required by enclosure (7) of this NVIC and the Sandia report. Due to the location of the operation and waterway, a disruption to this operation would only reach the "Low" risk category.
4) Additional firefighting needs and emergency response capabilities within the port have been increased since the last WSA and remains adequate with increased traffic levels.

D. RISK MANAGEMENT STRATEGIES:

1.	Yes √	No	N/A	Does the WSA adequately use the Risk Management Quick-Reference Tool (enclosure (7)) and/or other sources to identify possible risk management strategies to consider for identified areas of risk and determine which risk management strategies are appropriate for each?
2.	Yes √	No	N/A	Does the WSA identify or propose additional risk management strategies that are locally available or that might be made available?
3.	Yes √	No	N/A	Does the WSA identify and apply risk management strategies that are appropriate for the given issues?

Comments:
1) Zones of concern were addressed in the WSA and provides adequate research into potential risk and mitigation strategies.
2) The risk management strategies found in the WSA and currently practiced remain acceptable to the COTP.

5. Based on my review of the WSA completed on December 13, 2023 and input from state and local port stakeholders, and taking into account the previously reviewed original project, I am recommending to the Federal Energy Regulatory Commission that the waterway in its current state be considered suitable for LNG marine traffic associated with the proposed project.

Document Accession #: 20251229-5123 Filed Date: 12/29/2025

Ingleside on the Bay Coastal Watch Association
Patrick A. Nye, President
1018 Bayshore
Ingleside, Texas 78362

February 26, 2024

United States Coast Guard
Director of Gas Environment and Engineering
Federal Energy Regulatory Commission
888 First St NE
Washington, DC 204426

RE: Letter of Recommendation on Corpus Christi Midscale Trains 8 & 9
Docket No. CP23-129-000
La Quinta Channel, Corpus Christi Texas Bay

Dear Sir or Madam,

On behalf of the Ingleside on the Bay Coastal Watch Association (IOBCWA), as President of its 180 members, I am responding to the referenced Letter of Recommendation by the US Coast Guard (USCG) Corpus Christi, Texas office dated January 29, 2024. As a born and raised Corpus Christian and now living in Ingleside on the Bay (IOB), all of us truly appreciate the duties of the USCG to "Protect defend and save" maritime interests. Today I would like to respond to the Letter of Recommendation provided by M.A. Cintron, Captain, US Coast Guard Port Sector Corpus Christi, Acting, concerning the additional capacity of LNG for Corpus Christi Midscale Trains 8 & 9 (Cheniere) that will increase vessel traffic from 2023's 215 vessels to 480 vessels per year.

As a fulltime resident of IOB for 12 years and part-time weekend visitor with my family for a total of 56 years, I have perceived the changes in volume of vessel traffic as well as sea level rise during those 5+ decades. As a boater, observer of this coastline, and a former 100 gross ton captain license holder, I would like to ask a few direct questions and make comments regarding the Letter of Recommendation (LOR).

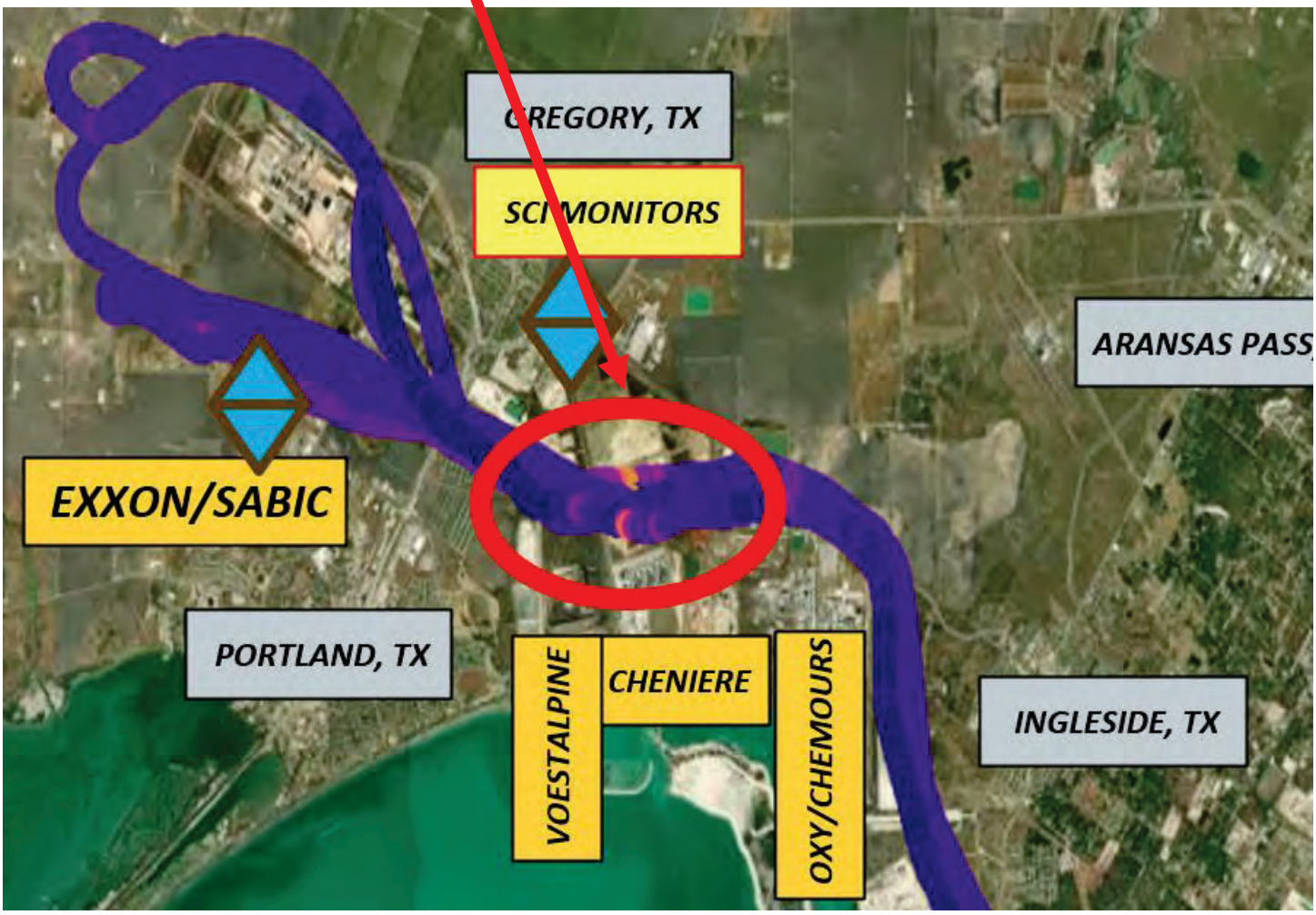
1. Regarding the transparency for the LOR, the ad-hoc meetings involved a wide range of participants yet failed to include the communities of Port Aransas, Aransas Pass, Portland, Gregory, Ingleside and Ingleside on the Bay (IOB). IOB is particularly susceptible to LNG ship traffic damage from ship wakes to structures, boaters, swimmers, siltation of residential channels including Bahia Marina, emissions from vessels, and congestion of the Corpus Christi Ship Channel and La Quinta Channel during vessel transits.
2. What risks did the ad-hoc committee identify for residents and marine life by the increase in vessel traffic from 215 vessels in 2023 to 480 vessels with Trains 8 & 9 in place? Were the communities notified and is an emergency management plan proposed for each community?

This portion of my questions and comments pertain to the "Checklist for Reviewing a Waterway Suitability Assessment (WSA) for LNG Marine Traffic."

SCOPE OF ASSESSMENT AND GENERAL CONTENT REVIEW

1. Item #3 asks about physical vessel-facility interface and cargo operations.

SLIDES SHOW **METHANE** PLUME FROM FLARE STACKS. Greenhouse Gas study Strategic Carbon, Dr. Hao Yu fixed wing airplane flyby January 6, 2023. The lighter colors clearly show evidence of methane releasing from Cheniere. Source – "Coastal Bend Air Quality Report: Atmospheric Methane" Did the LOR address the emission levels of methane, volatile organic compounds and other pollutants coming from the facility? Are health effects to populations and workers considered in the LOR?



Does the LOR include LNG emissions from the vessel loading and how much methane or volatile organic compounds (VOC) are released into the air over communities, near active ignition sources, and vessel traffic? What happens to the water quality as these emissions precipitate or flow back into the bay water?

LOADING OPERATIONS AT CHENIERE'S DOCK PHOTO SHOWS CLOUD OF COLD VAPORS COMING FROM VESSEL. Is this cold vapor cloud shadow methane being released from the vessel? Photo P. Nye February 6, 2024

Does the LOR account for the **prop washing of silt** that is covering up seagrasses in the **mitigation area** south of Cheniere's docks? Google Earth 6/17/2023

2. Regarding Items #4, #5 and #6 addressing the broad port level concerns, waterways in adequate detail, safety and security of residents, recreational and commercial vessels include; additional vessel traffic from other sources at the intersections of Corpus Christi Ship Channel (CCSC) at La Quinta, Kiewit offshore facility, oil export terminals at Enbridge, Flint Hills and Gibson as well as the Intracoastal Canal? As you are aware, barges traveling southbound on the Intracoastal Canal must turn west past Gibson and Enbridge, the largest oil exporters in North America and the POCC exports, and then past La Quinta Channel intersection will greatly increase vessel traffic along that section of the CCSC.

How detailed are these Items reviewed for recreational vessels in Ingleside Cove Sanctuary, IOB, and Port Aransas?

3. Does Item #7 include the audiences of Portland, IOB and Port Aransas communities adjacent and/or along the vessel transit to and from the Cheniere terminal?

PORT CHARACTERIZATION

1. Item #1. Did the Port of Corpus Christi (POCC) discuss future vessel traffic plans of the ammonia facilities near Kiewit and Enbridge? Did the POCC include the proposed POCC La Quinta desalination and City of Corpus Christi La Quinta desalination projects? How will these projects affect the LOR review as vessel traffic increase and what are the risks for collision?

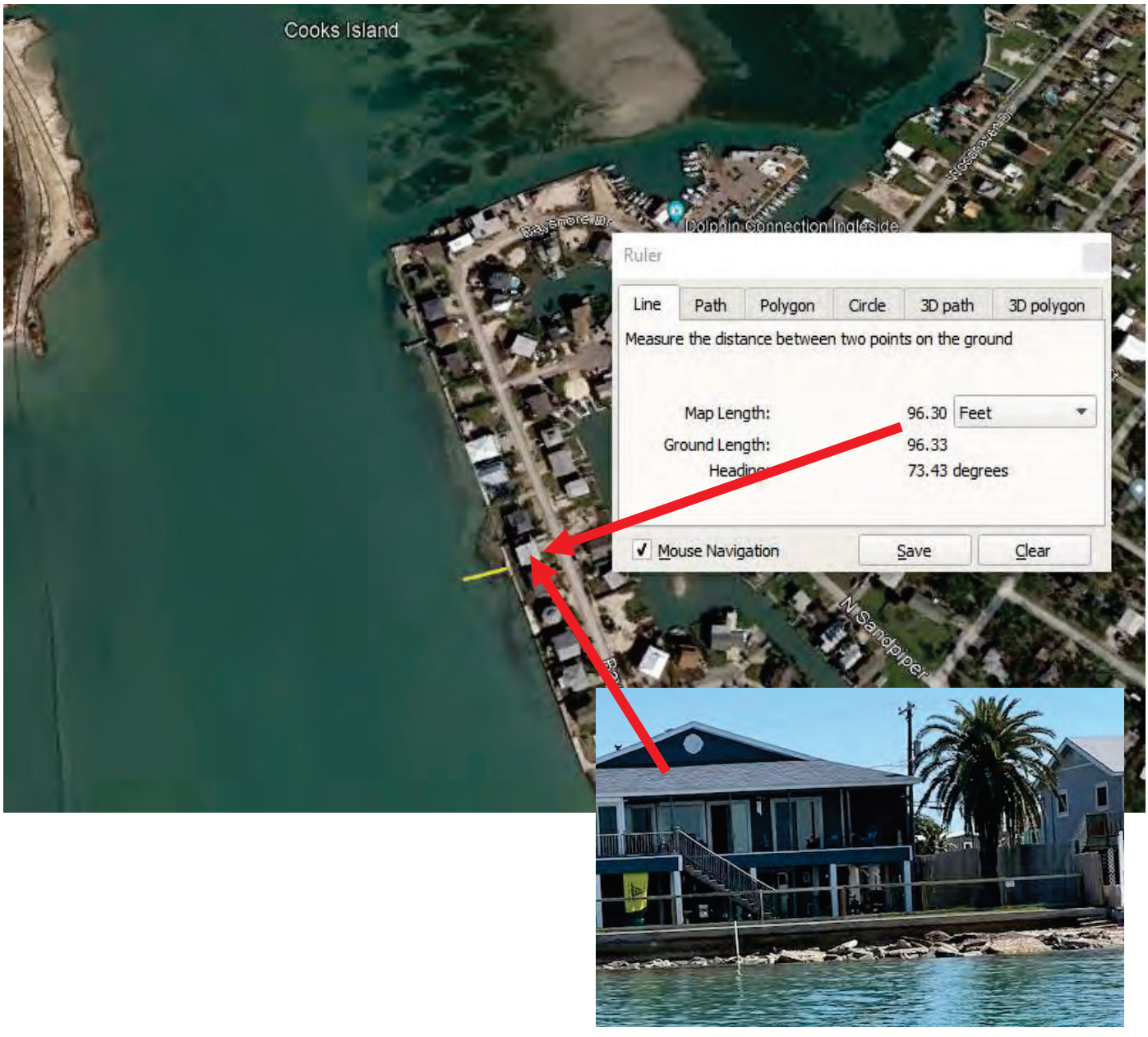
2. Item #4. Does the Port have an emergency action plan for events related to LNG? What is the blast radius for the Cheniere facility including trains 8 and 9? What is the blast radius for each tanker as it transits in and out of the terminal?

CHARACTERIZATION OF THE LNG FACILITY AND LNG TANKER ROUTE:

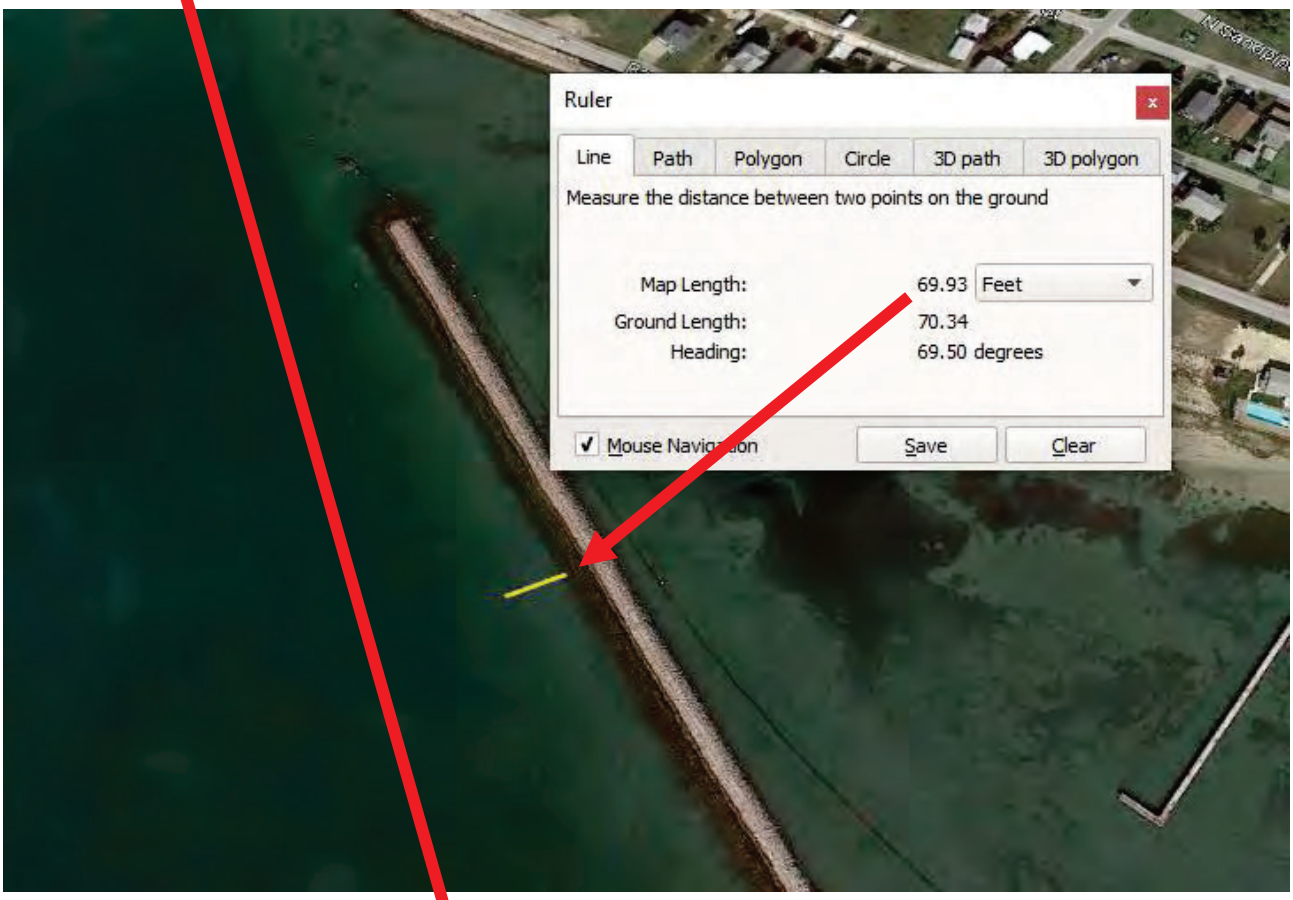
1. Item #2. Are the navigational issues inclusive of all vessel traffic, commercial and recreational boaters from Port Aransas, IOB and Ingleside Cove Sanctuary? Does the WSA include: (1) the grounding of an LNG tugboat, https://www.marinelog.com/news/excessive-speed-seen-in-expensive-asd-tug-grounding/

(2) sinking of dredge fuel barge vessel https://www.newsbreak.com/ingleside-tx/3124044837116-fuel-barge-sinks-near-ingleside-coast and (3) did it include the outgoing vessel striking and knocking down part of the Enbridge pier? https://www.marinelink.com/news/engine-issues-led-tanker-striking-dock-495402 Did this section include the Port Aransas ferry near miss? https://www.caller.com/story/news/local/2019/08/12/passing-lng-carrier-causes-ferry-scare-port-aransas/1987172001/ Are all groundings, vessel collisions or any type and maritime emergencies within the LNG carrier transit route included in the LOR evaluation?

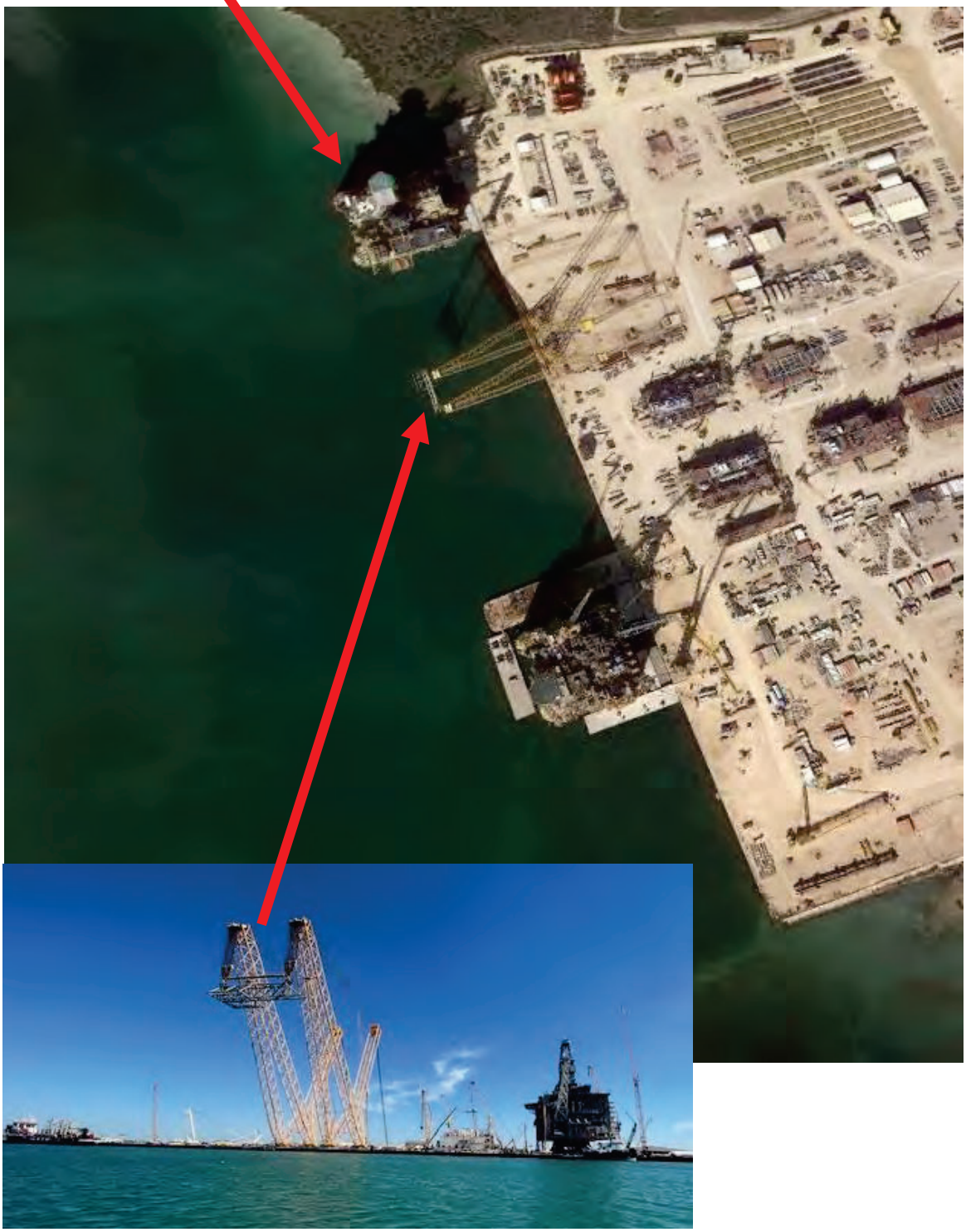
2. Item #4 and #5 should not only describe but *prioritize* the *risks* of the many man-made obstructions that each LNG vessel will pass. Here are some of the risks I see that should be further analyzed:
(1) Port Aransas Jetty where large granite blocks could tear a ship's hull. (2), Ferry traffic and docks. (See link to near hit in Port Aransas above) (3) Harbor Island docks, (4) Gibson, Flint Hills and Enbridge docks and piers. (See link where Enbridge pier strike knocked down part of pier. Photos show that an Enbridge vessel departed only minutes before this collision) (5) IOB community's seawalls and bulkheads that are less than 100' from edge of La Quinta Channel.



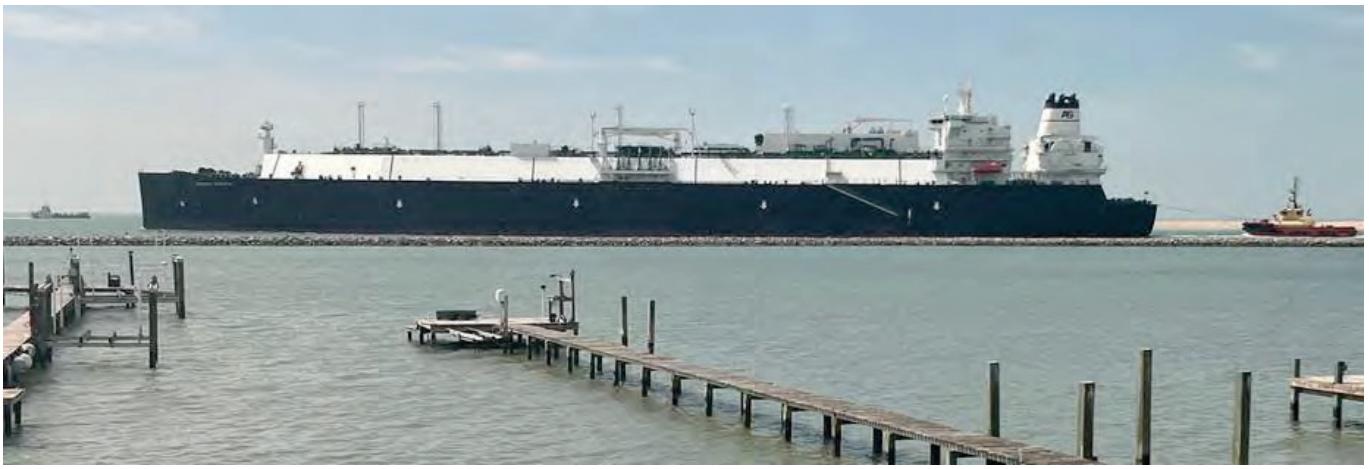
IOB breakwater is a mere 69’ away from the La Quinta Channel where a vessel’s grounding would strike its hull. It is not uncommon to hear 5-horn blasts to warn other vessels of risks of this transect of the LNG vessels.



Kiewit structures are of major concern as the structures are extremely large and change positions frequently. In the event a LNG vessel strikes the large crane, pictured below, the less protected LNG containers could rupture and cause catastrophic damage. The water depth right up to the Kiewit bulkhead would not slow a vessel's speed.



Additionally, Oxy and Chemours docks, Sherwin Alumina docks, ArcelorMittal docks, Gulf Coast Growth Ventures docks, and the multiple anchored dredge equipment along the La Quinta Channel are all man-made obstructions. Because, if one misguided LNG vessel strikes a man-made structure and breaches the vessel's hull sides, we are *all* in trouble. Photo P. Nye 2/26/2024



3. Item #6. Does the density, character and type of marine traffic include the POCC's future projections of increased tonnage and vessel traffic?
4. Item #11 should include man-made hazards along with natural hazards. SEE ITEMS RELATED TO #4 & #5 WITH PHOTOS ABOVE.
5. Item #13 should include an emergency evacuation plan for communities along the transit route. How are communities able to recognize any event and what path to take to safety?
6. Item #14 and #15 should not only include identification of community structures and populations but the risk to the residents in its analysis. What emergency plan has the WSA included with populations where multiple injuries are caused by an LNG event and where would the injured be treated? There are no hospitals in San Patricio County.

RISK ASSESSMENTS (SAFETY AND SECURITY):

1. Item #1. What is the risk assessment methodology used for the LOR and how does it compare to this transit route nationwide?
2. Item #6. Do all of the potential scenarios for accidental release include the LNG facility, loading and unloading air emissions? How are these emissions monitored? See SCOPE OF ASSESSMENT AND GENERAL CONTENT REVIEW Item #3 above
3. Item #11. What is the definition of "port community"? Is this inclusive of Port Aransas, Aransas Pass, Portland, Gregory, Ingleside and Ingleside on the Bay?

In conclusion, I would like to add that I am a member of the Cheniere Community Advisory Panel and wish to state that Cheniere reported a total of 215 vessels for the year 2023. Three major oil export terminals are located next to IOB at what is referred to as Point Ingleside, the tip of the Live Oak Peninsula where La Quinta Channel begins. These terminals account for 60% of the nation's oil exports leaving from this location. The Port of Corpus Christi is also trying to locate two NEW oil export terminals on Harbor Island, next to Port Aransas, at the point where the Corpus Christi Ship Channel meets the Gulf of Mexico. Vessel traffic down La Quinta during extreme tides and storm tides create wakes that damage homes and building structures. Has this been identified as more problematic

with the increase to 480 vessels multiplied times 2 (total of 960) as each vessel would transit inbound and outbound? It is puzzling how an evaluation for 480 vessels could be given a LOR without some serious conditions applied.

Lastly, I greatly admire the USCG and the work its men and women perform on a daily basis. Many of us witness the high risks they take to protect and defend our country. My hope is that this LOR will be re-evaluated with communities and include increasing industrial expansion.

Sincerely,

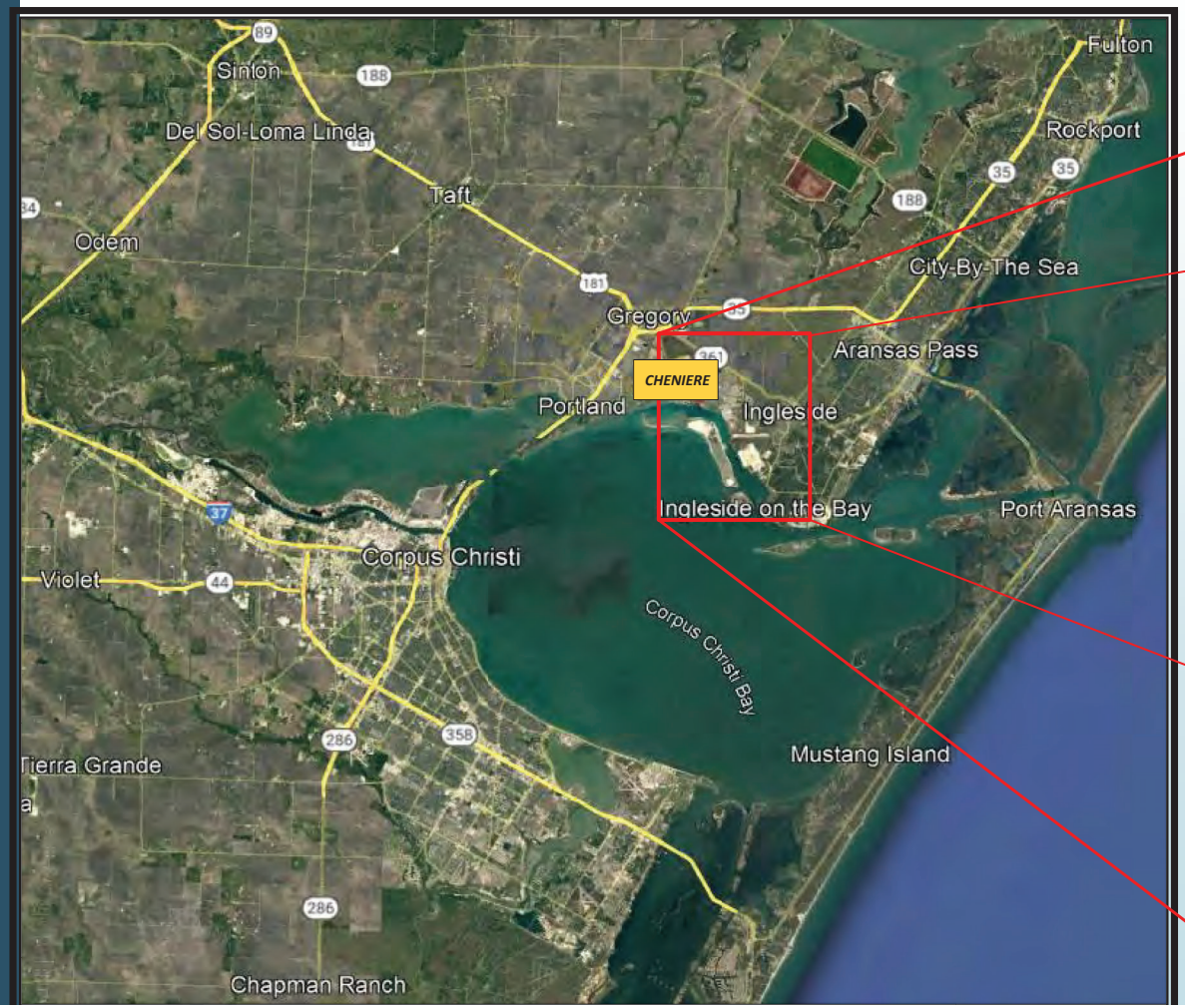
Patrick A. Nye
President
Ingleside on the Bay Coastal Watch Association

IOBCWA

IOB Coastal Watch Association, Inc.

FERC REQUEST ENVIRONMENTAL IMPACT STATEMENT 5/4/2023

EXHIBIT "A"



COASTAL BEND of TEXAS LOCATION MAP

IOBCWA

INDUSTRIAL DEVELOPMENT SAN PATRICIO COUNTY, TX

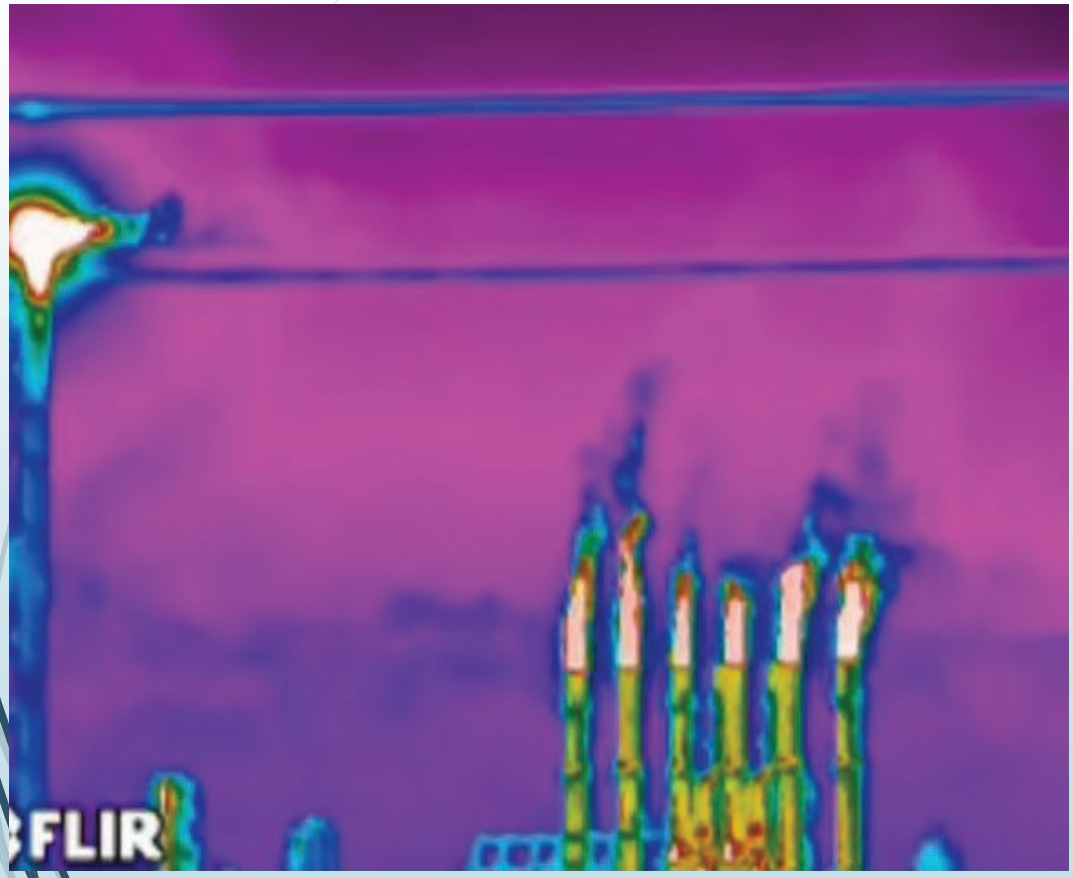
IOBCWA is Engaged in Citizen Science to Determine Air Quality Baselines at Seven Locations in the Coastal Bend
THERE IS A DIRECT CORRELATION OF HIGHER EMISSIONS LEVELS COMING FROM CHENIERE, VOESTALPINE, OXY & CHEMOURS

SailBri Cooper (SCI) Air Monitor (SO2, NO2, O3, Particulate Matter 10 & 2.5 and Total Volatile Organic Compounds)

Greenhouse Gas Analyzer (Methane & CO2)

IOBCWA

AIR EMISSION SOURCES IN IOB
LET'S LOOK AT CHENIERE?



https://youtu.be/C_S7ZkjdXv8

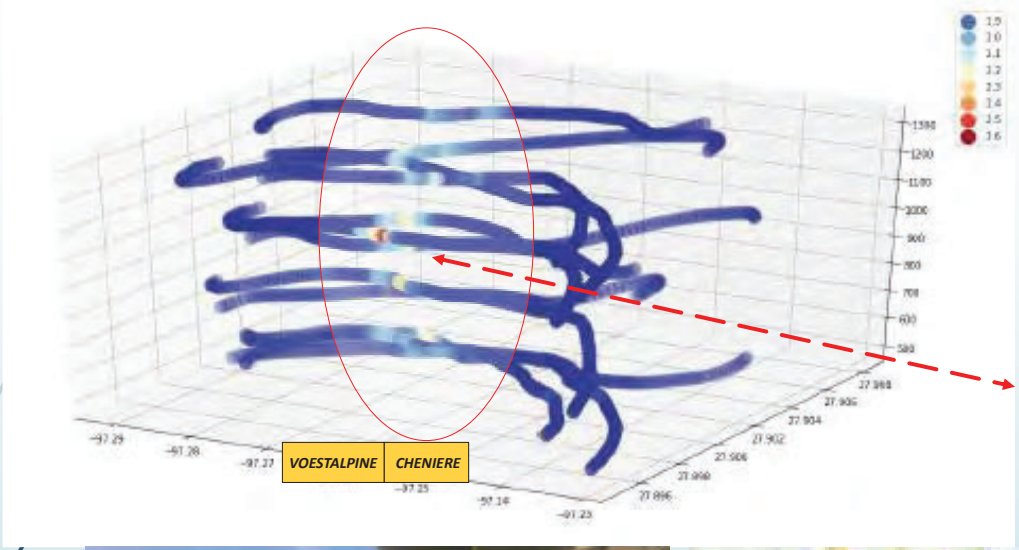
CHENIERE OPTICAL GAS IMAGERY
EARTHWORKS
SEPTEMBER 11, 2022

TIM DOTY - EARTHWORKS
CHENIERE REPORT
SEPTEMBER 11, 2022

Palettes and HSM showing significant lofting emissions from at least 18 hot exhaust stacks and some uncombusted/partially combusted emissions from a tall vertical flare with four separate flare tips. The emissions were intense, high-pressure, and were adding a significant quantity of hydrocarbon to the airshed and surrounding communities which was consistent with findings in December 2021.

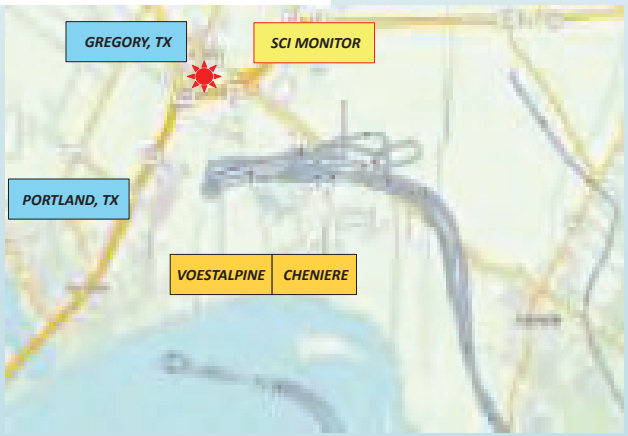
IOBCWA

IOB Greenhouse Gas – Ph.D. Dissertation
Dr. Hao Yu – TAMUCC (May 2022)



FIRST METHANE FLYOVER
August 10, 2021

Emission Sources coming from Cheniere & Voestalpine directly towards Gregory, TX



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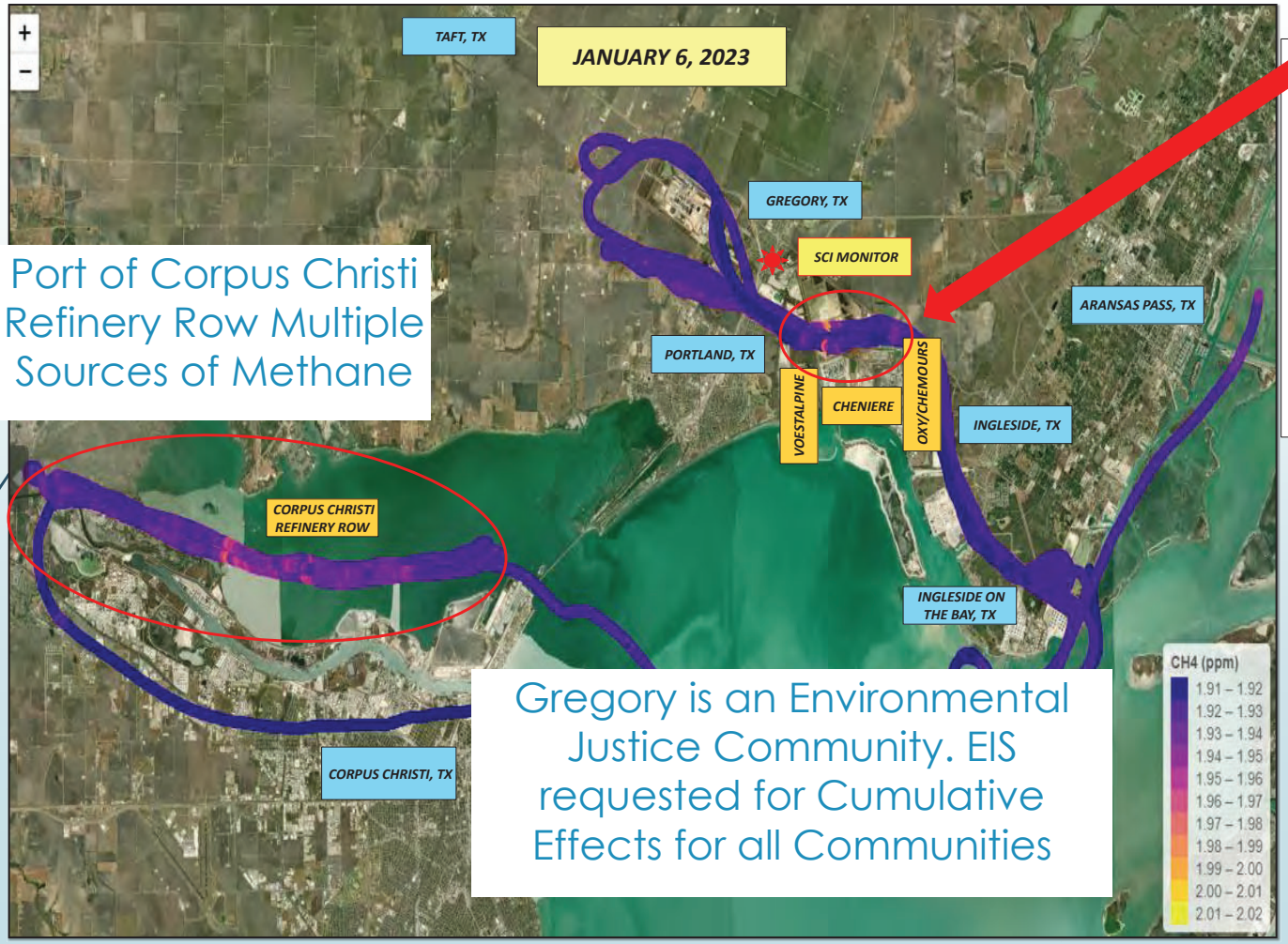


Port of Corpus Christi Refinery Row Multiple Sources of Methane

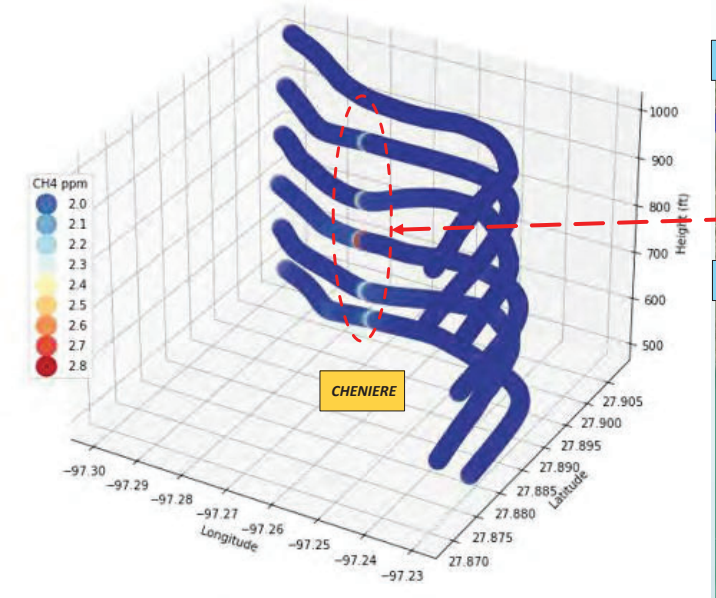
Gregory is an Environmental Justice Community. EIS requested for Cumulative Effects for all Communities

SECOND METHANE FLYOVER JANUARY 6, 2023

DATA CLEARLY SHOWS **CHENIERE** HAS **HIGHEST METHANE VALUES**

IOBCWA

CHENIERE SECOND METHANE FLYOVER
January 6, 2023



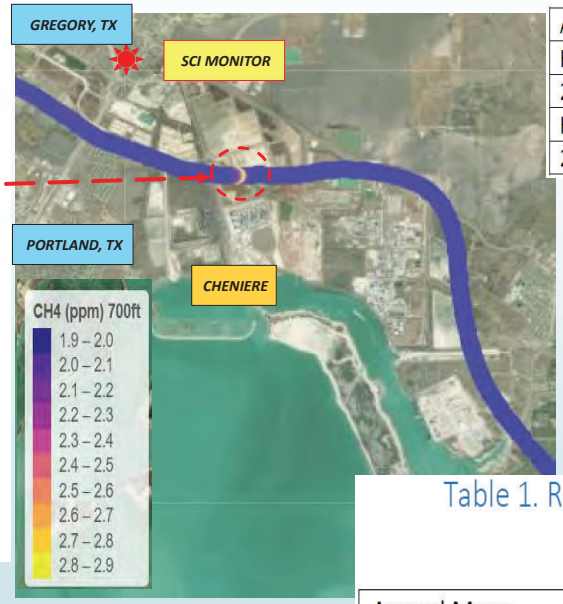


Table 1. Relevant TVOC Values

PT. ARANSAS FEBRUARY 2023	
Annual Mean	10 ppb
Highest 1hr Value	14 ppb
2nd Highest 1hr Value	13 ppb
Highest 24hr Value	11 ppb
2nd Highest 24hr Value	11 ppb

Pt Aransas Baseline

WHAT ARE THE HEALTH AFFECTS TO GREGORY, TX AN ENVIRONMENTAL JUSTICE COMMUNITY??

Table 1. Relevant TVOC Values

GREGORY FEBRUARY 2023	
Annual Mean	6136 ppb
Highest 1hr Value	57282 ppb
2nd Highest 1hr Value	57279 ppb
Highest 24hr Value	44852 ppb
2nd Highest 24hr Value	11712 ppb

Gregory, TX Values

Smoking Methane Gun!

FERC SHOULD PERFORM AN ENVIROMENTAL IMPACT STATEMENT TO DETERMINE THE HEALTH AFFECTS TO NEARBY COMMUNITIES INCLUDING INGLESIDE ON THE BAY

TOTAL VOLATILE ORGANIC COMPOUNDS (TVOC) for GREGORY, TX APRIL 2023 SCI MONITOR

Figure 1. Plot of TVOC Concentration as 1 Hour Averages

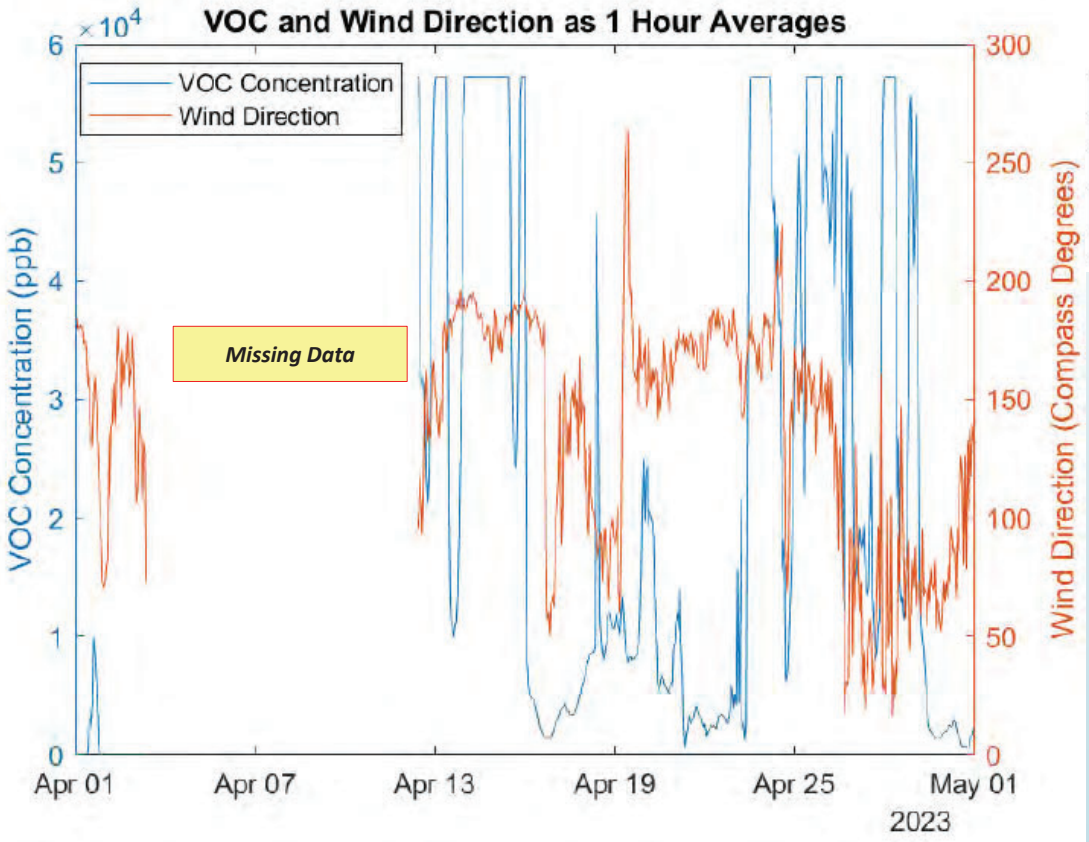


Table 1. Relevant TVOC Values

Annual Mean	21358 ppb
Highest 1hr Value	57295 ppb
2nd Highest 1hr Value	57294 ppb
Highest 24hr Value	57275 ppb
2nd Highest 24hr Value	48539 ppb

TVOC's Contain Carcinogens

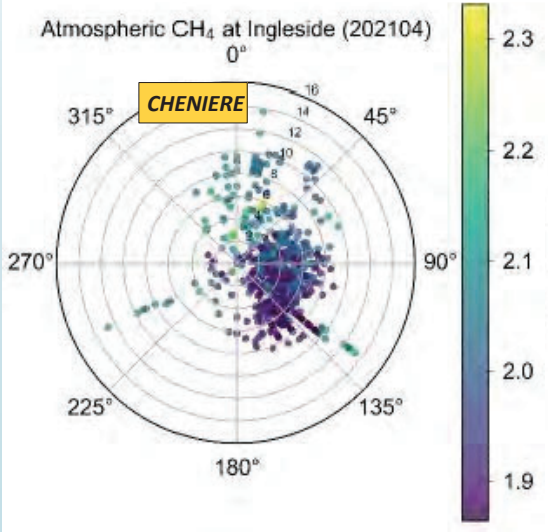
Air Permits have been TCEQ Non-compliant hundreds of times

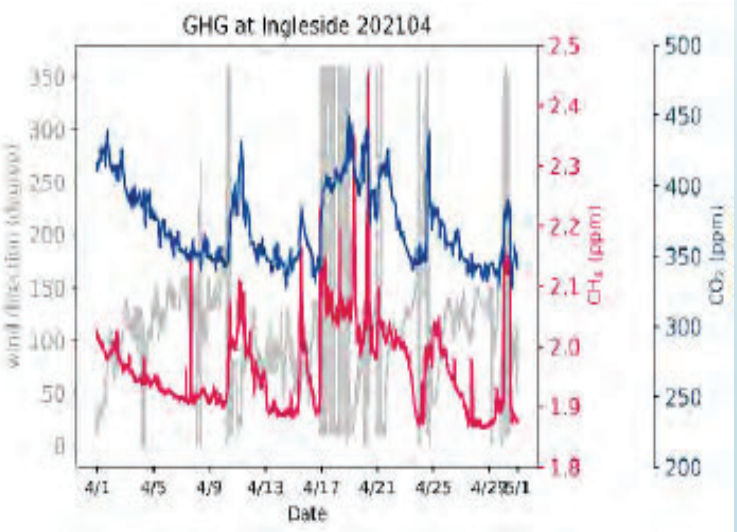
Does the Projected Ship Traffic Increase with Facility Expansion Include Air Emissions?

IOBCWA

IOB Greenhouse Gas Ph.D. Dissertation
Dr. Hao Yu – TAMUCC (May 2022)

of the Ingleside community. In summer, as more wind came from the south and southeast, although the highest CH_4 mixing ratio was still related to the north wind, the relatively higher CH_4 corresponding to the south and southeast winds was probably caused by emissions from maritime exhaust and loading/offloading operations at the dock of the MODA Ingleside Energy Center. Moreover, elevated CH_4 mixing ratios occurred more extensively under wind with low wind speeds rather than high wind speeds. This is probably because the large wind could accelerate the dispersion of gases. Monthly atmospheric CO_2 showed similar patterns as CH_4.





Cheniere Expansion – Trains 8 and 9

Existing Facility: 3 Large Scale Trains

Potential to emit 6,439,07 tons of greenhouse gasses/year

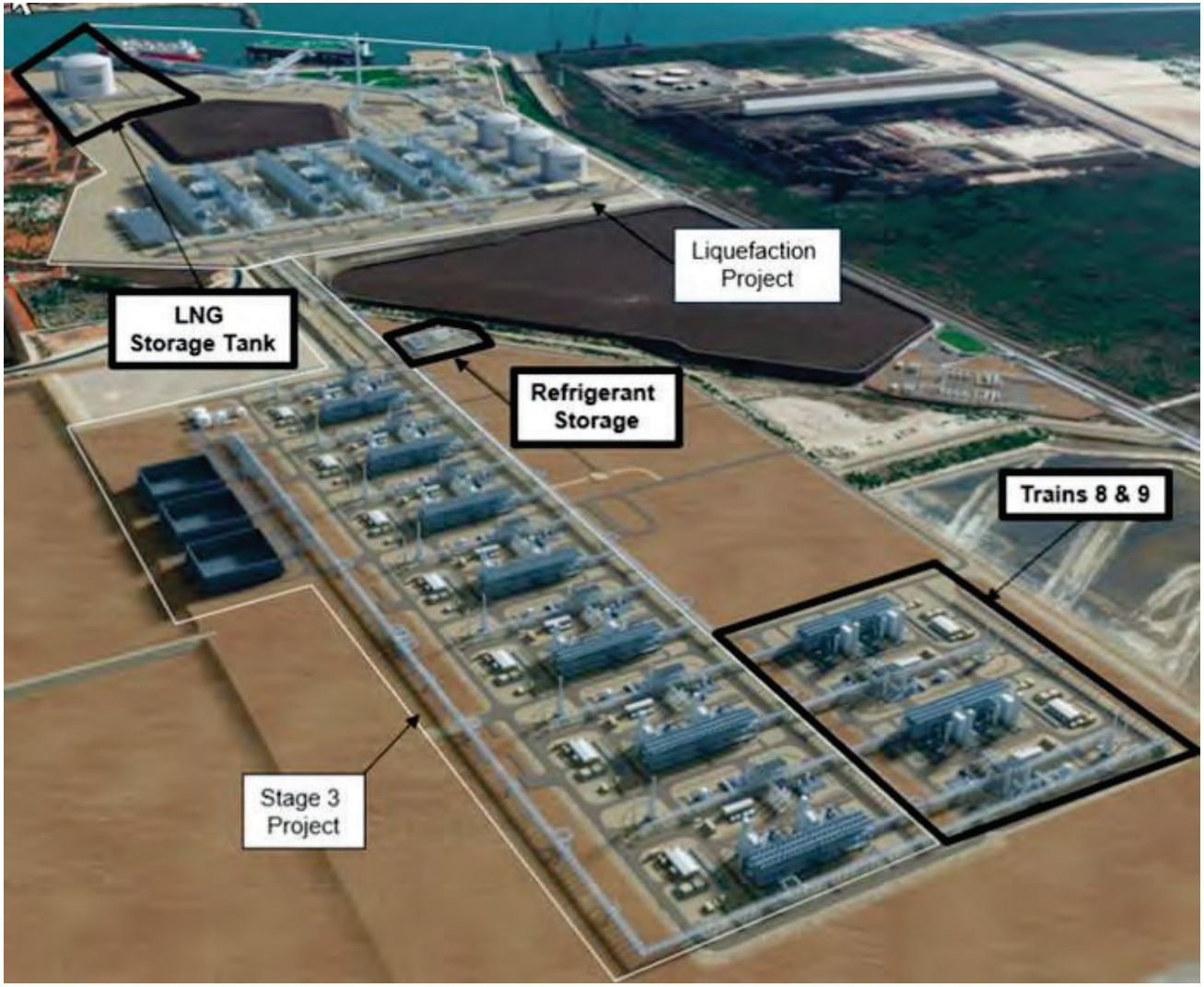
8,513 tons of criteria air pollutants/year

- PM 2.5: 85.30 Tons/yr
- Nox: 3,541.4 Tons/yr
- VOCs: 353.1 Tons/yr
- SO2: 49.39 Tons/yr
- CO: 3,621 Tons/yr

Stage 3 Facility: Adding midscale 7 Trains

Potential to emit additional 900,845 tons of greenhouse gasses/year

- Added PM 2.5: 19.6 Tons/yr
- Nox: 188.2 Tons/yr
- VOCs: 104.6 Tons/yr
- SO2: 12.00 Tons/yr
- CO: 537 Tons/yr
- 400 Ships per year

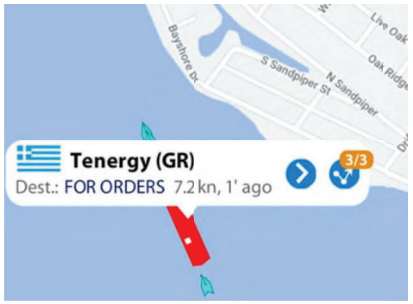


Big Ships Big Wakes

Cheniere Shoreline Impacts

Cheniere Impacts to IOB

- Residents that live on La Quinta Channel have experienced pier damage and bulkhead undermining since Cheniere started operating in 2018.
- IOB residents have taken their complaints to the Port of Corpus Christi with minimal success.
- **IOBCWA requests an Environmental Impact Statement from FERC to determine all effects from Cheniere Expansion.**



Mott MacDonald Passing Vessel Hydrodynamic Study 4/2018

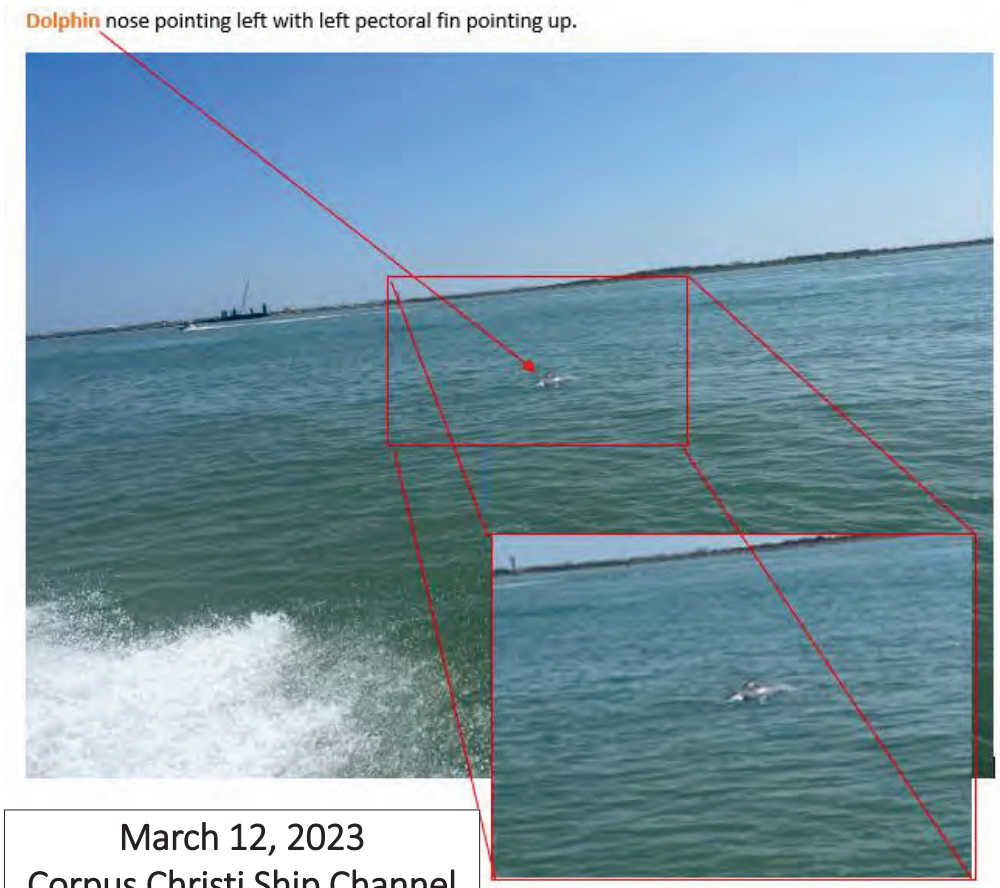
Mott MacDonald Study Predicts Overtopping of Seawalls of Ingleside on the Bay Residents 2018
FERC SHOULD REQUIRE EIS TO DETERMINE CHENIERE'S DAMAGE WITH INCREASE OF 480 VESSELS PASSING *TWICE* PER YEAR

Figure 17. Still frame from the security camera (A) prior to and (B) at the point in time when overtopping is observed.

Cheniere Shoreline Impacts

Since Cheniere's Vessel Traffic began, the Breakwater along Bayshore Dr. has Started to Fail

TWO DEAD BABY DOLPHINS IN ONE MONTH MARCH 2023



March 12, 2023
Corpus Christi Ship Channel

Dead Baby Dolphin with Mother trying to Save it

March 25, 2023
La Quinta Ship Channel in front of IOB

Dead Baby Dolphin with Dredge

CORPUS CHRISTI BAYWATER QUALITY

Document Content(s)