

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 5**

# Report on the Discovery of an Indigenous Archeological Site at Donnel Point, La Quinta Channel, San Patricio County, Texas



Peter Moore  
Professor of History  
Texas A&M University-Corpus Christi  
for  
Coastal Watch Association

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## Summary

In mid-July 2024 Patrick Nye, a resident of Ingleside-on-the-Bay, discovered a shell deposit in an eroded bank at Donnel Point, located on La Quinta Channel approximately 1.3 miles north of Kinney Bayou. The coordinates of this location are [REDACTED]

On August 1, I joined Patrick in a follow-up visit to the site. We found a significant number of shells, including horse conch, lightning whelk, and oyster, exposed several feet below the surface of the bluff. Based on the nature of the shells and pictures of the site, a local archeologist, Kim Cox, estimates that this is an archaic shell midden dating back some 2300 years. This site is presumed to be 41SP36, one of a string of Indigenous settlements on Donnel Point first identified in the 1930s. Though long thought to have been destroyed by the dredging of La Quinta Channel, this site is clearly still intact, and there is evidence of a second such site 195 feet to its north. This property is owned by the Port of Corpus Christi and may be slated for development. Immediate steps must be taken to protect these cultural resources and preserve this place, which may be the last intact Indigenous settlement on the north shore of Corpus Christi Bay.

## Overview of Indigenous Places on the North Shore

The Texas coast as we know it today took shape about three thousand years ago. Sea-level rise filled in the channels of rivers flowing into the Gulf, and wave action formed the barrier islands and created the broad, shallow bays and estuaries that characterize the coastal bend. The bays provided an ideal habitat for varieties of mollusks, fish, and edible plants, and they became a magnet for the humans who hunted and gathered on the coastal plain. Thanks to the abundance of marine life in the bays, the human population expanded, and early coastal peoples established dozens of settlements along the shores of Oso, Nueces, Corpus Christi, Redfish, Aransas, and Copano Bays. Called Archaic Indians by present-day anthropologists, these peoples were ancestors of the Karankawa, a Late Prehistoric people who emerged as a distinct cultural group around the thirteenth century. Like their ancestors, the Karankawa were sophisticated hunters and gatherers who were well-adapted to the coastal environment. They practiced seasonal mobility, spending their winters fishing and gathering in the estuaries and their summers hunting and gathering along the rivers and prairies further inland. Unlike their ancestors, the Karankawa hunted with bows and arrows and made a unique style of pottery which they coated with asphaltum (called Rockport Pottery by archeologists). By the time the first Europeans washed ashore in the early sixteenth century, thousands of Karankawa lived in dozens of seasonal but permanent settlements on the Texas coast (indeed, 950 archeological sites have been identified on this stretch of the coast).<sup>1</sup>

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<sup>1</sup> 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.

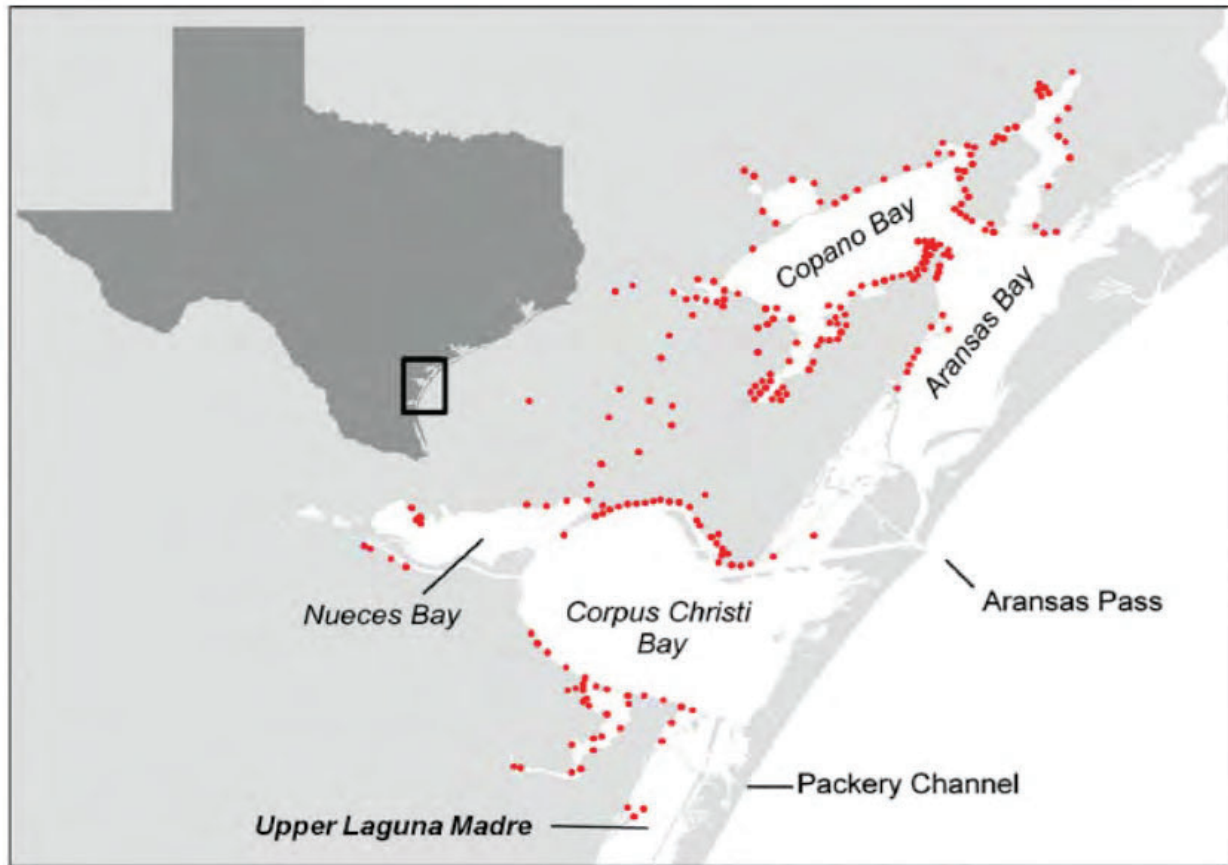


Figure 1: Sites documented by Tunnell and Pape in the 1920s-40s. Credit: Tunnell and Tunnell, eds., *Pioneering Archeology*, 81.

The Karankawa and their ancestors made Corpus Christi Bay one of the most intensively occupied places on the coast. The work of John Tunnell and Harold Pape, two avocational archeologists who worked in the 1930s, gives us a detailed snapshot of these sites before the north shore was industrialized in the mid-20<sup>th</sup> century. Tunnell and Pape identified two dense clusters of nearly continuous settlements in the area: one on the north shore of Corpus Christi Bay stretching from present-day Portland down to Ingleside; the other wrapped around the north end of Live Oak Peninsula, from Rockport north to Live Oak Point and then south along the shoreline of Copano Bay (figure 1). Many of these sites were small encampments whose inhabitants left few cultural traces behind. Others were bustling villages whose massive shell middens reflect generations of occupation. Between Portland and Ingleside, Tunnell and Pape recorded multiple dense villages and camps: a mile-long settlement extending from Portland east along the north shore of Corpus Christi Bay; a village with artifacts “far too numerous to mention” at the La Quinta Mansion site; multiple Archaic and Late Prehistoric middens, many of them still intact, at Donnel Point (also called Boyd’s Point); and a continuous string of camps and villages running from Kinney Bayou southward 1.5 miles along Ingleside Cove, comprising one of the largest Indigenous settlements in the Coastal Bend (figure 2). By the mid-20<sup>th</sup> century,

Tunnell and Pape noted, storms and waves had severely eroded some of these sites, which had once extended 50-100 yards further into the bay. Nevertheless, several settlements at the southern end of the north shore retained much of their integrity into the 1980s, when archeologist Robert Ricklis found persistent evidence of “an extensive zone of prehistoric occupation” along the shore of Ingleside Cove. Archeologists deemed seven of these sites eligible for inclusion in the NRHP: Kinney Bayou (41SP40), Ingleside Cove (41SP43), Ingleside On the Bay (41SP131), McGloin Bluff (41SP11), and three unnamed sites (41SP123, 41SP124, and 41SP197).<sup>2</sup>

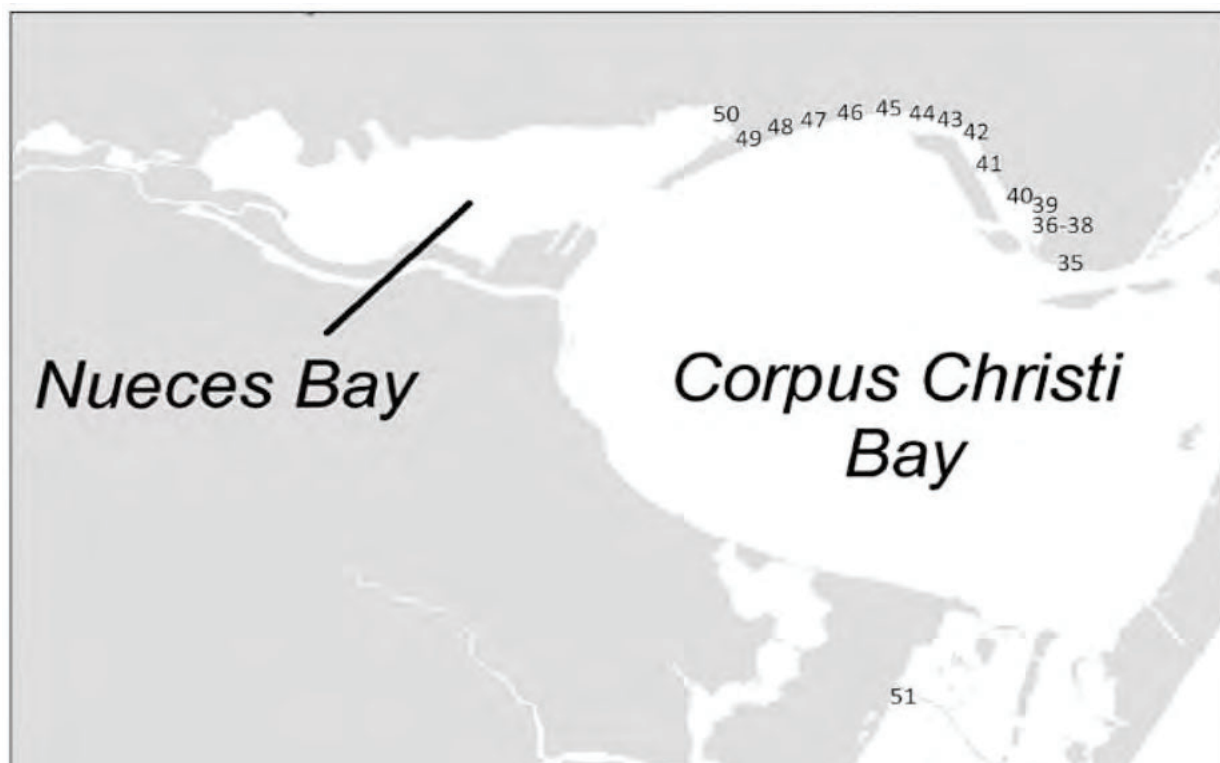


Figure 2: Campsite locations on the north shore of Corpus Christi Bay surveyed by Tunnell and Pape in the 1920s-40s. Credit: Tunnell and Tunnell, eds., *Pioneering Archeology*, 173.

#### History of the Sites on Donnel Point

At one time, Donnel or Boyd’s Point was an actual point that jutted about 1,000 feet into Corpus Christi Bay (figure 3). The site now known as 41SP36 was first documented by Texas archeologist J.E. Pearce in 1930, who described dense and massive “shell heaps” or middens along the shoreline. In 1940, Tunnell and Pape identified six minor and two major camp sites on Donnel Point, measuring from 6 to 15 feet in diameter. The depth and condition of the shell deposits dated these sites as among “the oldest in this area,” which Kim Cox has now confirmed,

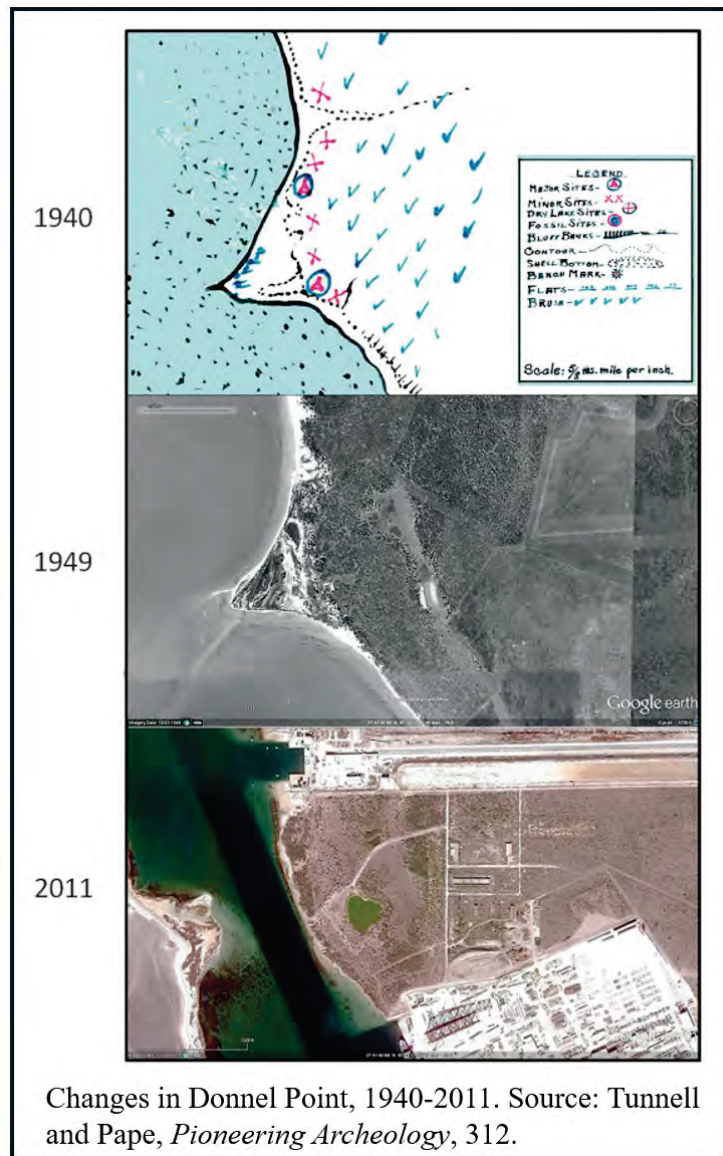
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<sup>2</sup> Atlas site forms 9409004001, 9409004302, 9409013101, 9409001101; John W. Tunnell and Jace Tunnell, eds., *Pioneering Archeology in the Texas Coastal Bend: The Pape-Tunnell Collection* (College Station: Texas A&M University Press, 2015), 285, 259-300; Ricklis, *Karankawa Indians*, 37.

though Tunnell and Pape also found ceramics and points indicating more recent Karankawa occupation. In addition to the discarded shells, Tunnell and Pape unearthed stone hammers, punches made from whelk columella, a stone club, and what they believed were bison, mammoth, and/or mastodon bones.<sup>3</sup>

In the mid-1950s, Donnel Point was literally wiped off the map when the Army Corps of Engineers dredged La Quinta Channel. As figure 3 shows, however, the Indigenous sites mapped by Tunnell and Pape lay along the current shoreline, not on the point itself, so they would have survived the dredging. Moreover, dredge spoil was deposited in the bay, not on the shoreline, further preserving the integrity of these sites. When the Corps of Engineers proposed to deepen La Quinta Channel in the early 1970s, the National Park Service warned that the project represented “an irreversible commitment to the

destruction of archeological resources” that could “seriously damage or completely destroy” these sites. The Corps ordered an archeological survey, which was carried out by David Dibble in 1972. Dibble voiced particular concern about the impact on 41SP36, but his survey found no evidence of the site. He concluded that wave action from “intensive navigational use” had washed the site into the bay. Subsequent archeological reports repeated this assumption. The 2005 report for the Ingleside Energy Center LNG terminal found no evidence of 41SP36 after conducting a walkover. The 2006 Beacon Port Deepwater Port license application claimed the site had been “likely destroyed” by dredging, as did an earlier report for the Pearl Crossing LNG project. And the 2013 cultural resources report for OxChem’s fractionator project did not even mention 41SP36, though it was well within the 1-mile project radius. Thus the ancient, dense,



<sup>3</sup> J.E. Pearce, “The Present State of Texas Archaeology,” *Bulletin of the Texas Archaeological and Paleontological Society*, 4 (Sep. 1932), 33-4; Tunnell and Pape, *Pioneering Archeology*, 266-277.

and deeply interesting Indigenous settlements Pearce, Tunnell, and Pape documented during the Great Depression had seemingly vanished from the map.<sup>4</sup>

### The Rediscovery of 41SP36

Patrick Nye's recent discovery of a shell midden on Donnel Point indicates that these claims of the destruction of 41SP36 are premature. Despite three rounds of dredging, at least one and perhaps several of the eight sites Tunnell and Pape documented are still present (see accompanying photos). This is because Donnel Point, unlike any other strip of shoreline along La Quinta Channel, has been undisturbed by residential, highway, or industrial development.

The numerous shell middens, camp sites, fishing encampments, and villages that once dotted the shores of Corpus Christi Bay have nearly all been destroyed by urban and industrial development. The sites at Donnel Point may be the last remaining intact middens on the north shore, and now they too finally seem to be eroding into the bay. These shell middens are the archeological equivalent of an endangered species. If the state fails to intervene to protect and preserve 41SP36, they may well become extinct, to the irreparable loss of an important part of our history.

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<sup>4</sup> Tunnell and Pape, *Pioneering Archeology*, 310-12; U.S. Army Engineer District, Galveston, *Environmental Statement, Corpus Christi Ship Channel, Texas (45-foot project) (Navigation)*, February 17, 1971, 4, 9-10; David S. Dibble, *An Assessment of the Archeological Resources to be Affected by Modifications of the La Quinta Navigation Channel and Basin (Corpus Christi Ship Channel) Texas*, Research Report 9, Texas Archeological Salvage Project (University of Texas at Austin, May 1972), 6-7; Federal Energy Regulatory Commission, *Final Environmental Impact Statement, Ingleside Energy Center LNG Terminal and Pipeline Project* (Washington, D.C., 2005), 4-80; U.S. Coast Guard and Maritime Administration, *Final Environmental Impact Statement for the Beacon Port Deepwater Port License Application* (Washington, D.C., November 2006), 3-147; US Coast Guard, *Pearl Crossing LNG Project Draft Environmental Impact Statement*, April 2005, 3-193; HRA Gray and Pape, *Cultural Resources Management Survey and Consultation for the Occidental Corporation Ingleside Fractionator Site in San Patricio County, Texas* (Tetra Tech, May 2013), 2.



