

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 9**

**Assessment of the Impact of the Bluewater SPM Pipeline on Indigenous Cultural Heritage  
Sites in Southern Live Oak Peninsula**

Prepared for the Indigenous Peoples of the Coastal Bend

by

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## Purpose and Scope

Bluewater SPM has applied for a permit to construct a deepwater port crude oil pipeline from its facility in Taft, Texas to a point 27 miles seaward of St. Joseph Island, Texas. This pipeline has three components: a 22-mile onshore portion from Taft to the Redfish Bay shoreline in Aransas Pass; a 7.15-mile inshore portion across Redfish Bay and Harbor Island to the Gulf of Mexico shoreline at St. Joseph Island; and a 27-mile offshore portion. As part of its permit application, Bluewater conducted separate cultural resource surveys for each portion of the pipeline. For the onshore and inshore portions – which are the focus of this study – Bluewater’s cultural resource management contractors concluded that no significant cultural resources (those eligible for listing in the National Register of Historic Places, or NRHP) would be affected by the pipeline. They therefore recommended that “no further work” be done to identify cultural resources or mitigate the impact of construction.<sup>1</sup>

The purpose of this report is to provide an independent assessment of the threat of the Bluewater pipeline and industrial development more generally to Indigenous, and principally Karankawa, sacred and ceremonial places on Live Oak Peninsula. An independent assessment is needed for three reasons. First, nearly all of the Indigenous settlements in the Coastal Bend are on or near the shoreline, and as such, they are subject to contamination by crude oil spills. Though the survey conducted on behalf of Bluewater for the onshore portion of the project claimed to “assess *any* potential for the Project to directly or indirectly affect historic properties, or other sensitive cultural resources,” it did not consider the potential impact of oil spills on the numerous Karankawa villages, camps, and burial grounds along coastal Live Oak Peninsula and its neighboring islands (the report for the inshore portion of the pipeline project was not available for this independent review, which must rely instead on summaries of that report given in the Bluewater SPM *Port License Application*).<sup>2</sup> Second, over the past half-century, industrial developers have accomplished the nearly wholesale destruction of Indigenous places on the southern half of Live Oak Peninsula. This has occurred in spite of fully compliant cultural resource surveys like those completed for Bluewater. Notably, the Bluewater report and application ignore this historical context. Third, the report and application fail to incorporate the perspective of present-day Karankawa people to get a more expansive view of the meaning, value, and significance of their ancestral places. Instead, they view and value these places as repositories of historic artifacts and potential sources of scientific knowledge. A Karankawa perspective is needed to understand the sacred character of these ancestral lands and assess their cultural value apart from their archeological significance.

This report is based on cultural resource survey reports and site files from the Texas Archeological Research Laboratory (TARL); peer-reviewed archeological publications; other books, articles, and news items; and site visits. Of particular importance is the groundbreaking work of two early twentieth century avocational archeologists, Harold Pape and John Tunnell. For two decades beginning in the late 1920s, Pape and Tunnell visited and recorded over 200

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<sup>1</sup> Bluewater SPM Project, *Deepwater Port License Application for the Bluewater SPM Project, Volume II: Environmental Evaluation, Section 9: Cultural Resources* (no publisher or date provided); Jennifer L. Cochran, *A Phase I Cultural Resources Survey of the Onshore Components for the Proposed Bluewater SPM Project, San Patricio and Aransas Counties, Texas* (Perennial Environmental Services, Inc., April 2019), ii.

<sup>2</sup> Cochran, *Phase I Cultural Resources Survey*, 9. The report for the inshore portion of the project, *Intensive Cultural Resources Survey for the Bluewater Single Point Mooring Project, San Patricio, Nueces, and Aransas Counties, Texas* (2019), was on file with SWCA Environmental Consultants as of August 2023.

Indigenous sites across the coastal bend, most of them on Live Oak Peninsula, the north shore of Corpus Christi Bay, and Copano Bay. Their work has been published in *Pioneering Archeology in the Texas Coastal Bend: The Pape-Tunnell Collection*, edited by John W. Tunnell and Jace Tunnell (College Station: Texas A&M University Press, 2015). The *Bluewater Port License Application* and onshore cultural resources survey report have not consulted this source.

This report is divided into four sections. A two-part section on historical background discusses, first, Indigenous settlements on the north shore of Corpus Christi Bay and Live Oak Peninsula, and second, the destruction of these Indigenous places by development and nature in the 20<sup>th</sup> and 21<sup>st</sup> centuries. Section two assesses the threat of further industrial development to these sites, with particular attention to the Bluewater pipeline. It focuses on those Karankawa settlements most vulnerable to oil spill due to their proximity to the pipeline – that is, coastal sites in Redfish Bay, Ingleside Point, and Ingleside Cove, as well as sites on Hog Island in Redfish Bay. The third section addresses the Karankawa perspective on their sacred places and the exclusion of local Indigenous peoples from decision-making about land use. The final section provides a summary of findings and recommendation.

#### Historical Background: Indigenous Places

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>3</sup>

The Karankawa and their ancestors made Live Oak Peninsula one of the most intensively occupied places on the coast. The work of Tunnell and Pape in the 1930s gives us a detailed snapshot of these sites before industrialists colonized the area 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

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<sup>3</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.

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; 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>4</sup>

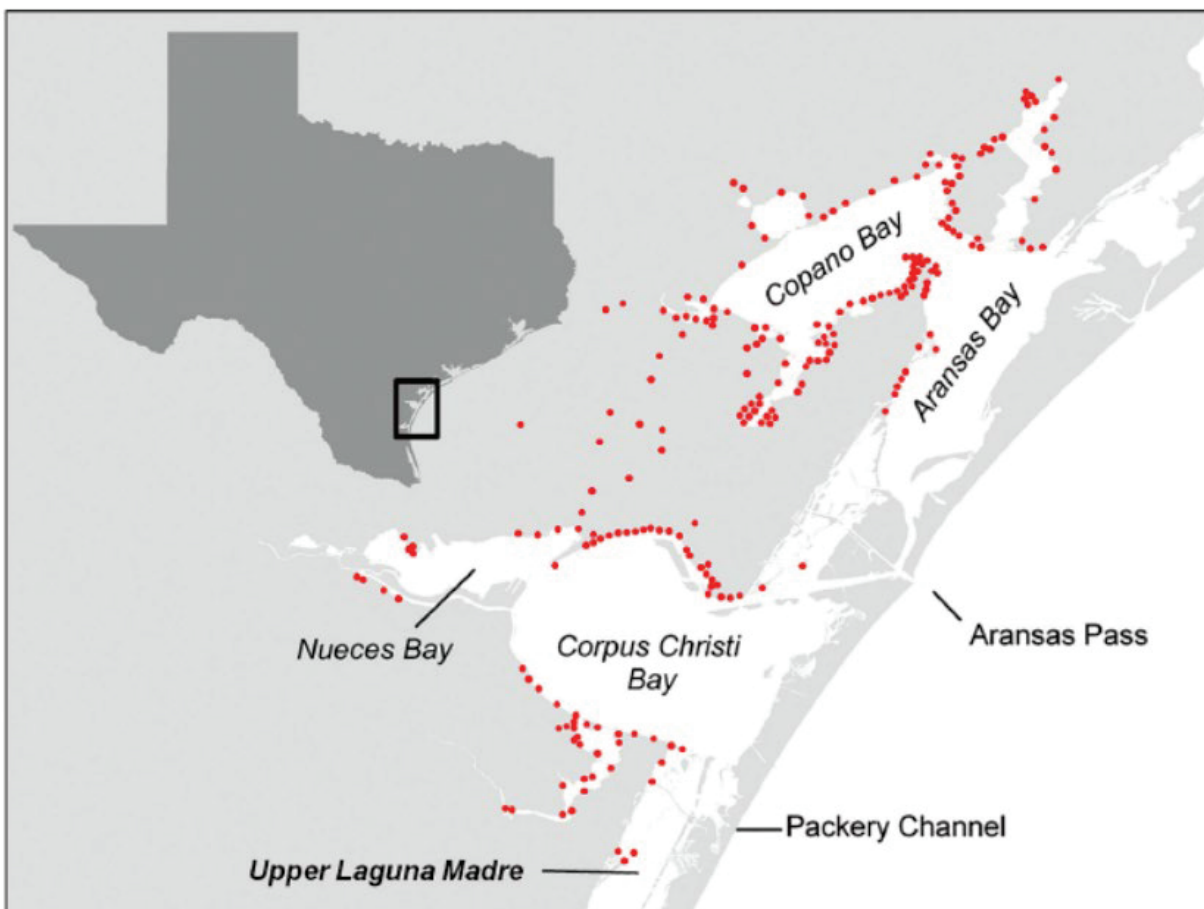


Figure 1: Sites documented by Tunnell and Pape in the 1920s-40s. Credit: Tunnell and Tunnell, eds., *Pioneering Archeology*, 81.

<sup>4</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.

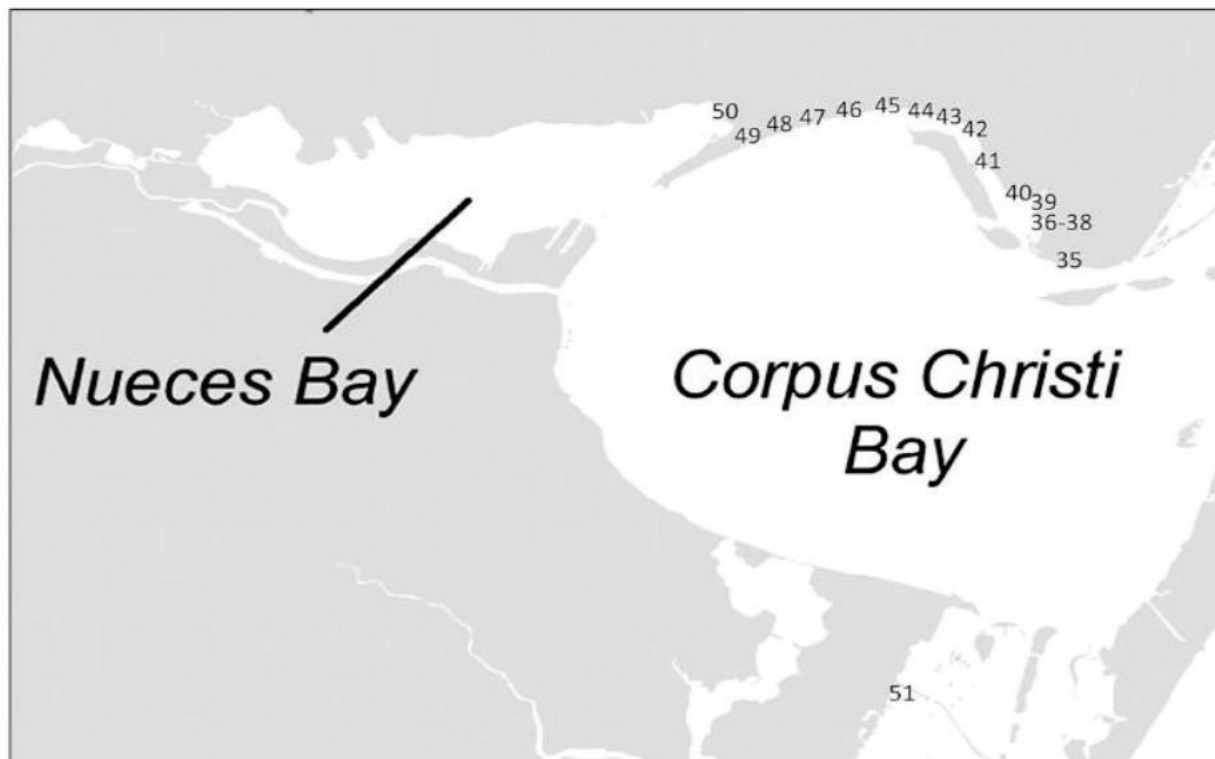


Figure 2: Campsite locations on the north shore of Corpus Christi Bay surveyed by Tunnell and Pape in the 1920s-40s. Credit: Tunnell and Tunnell, eds., *Pioneering Archeology*, 173.

Stretching for twelve miles along the coast of the north shore, these sites once contained tens of thousands of artifacts, reflecting intensive occupation from the Archaic to the Historic era. However, few human remains have been found at these locations.<sup>5</sup> Conversely, there are practically no Indigenous settlements on the twelve-mile shoreline bordering Redfish Bay on the east side of Live Oak Peninsula. Tunnell and Pape found no sites there (Figure 1), and subsequent searches have turned up just one significant site, Redfish Bay 1 (41SP72), which lies just south of Aransas Pass. Yet this coastline includes three known Indigenous cemeteries. Two of these cemeteries, Ingleside Burial Sites 1 and 2 (41SP64 and 41SP78), are on the southern end of the peninsula, in proximity to but clearly separate from the north shore settlements. Burial Site 1 was exposed by erosion in 1967 and contained at least four burials. Burial Site 2 was discovered by a local man digging for bait in 1969 and contained 5-7 burials. The third cemetery, Palm Harbor (41AS80), is at the extreme northern end of Redfish Bay, in proximity to but clearly separate from the occupation sites on Aransas Bay in north Live Oak Peninsula. It was discovered during construction in 1983 and contained twelve burials.<sup>6</sup> None of these burial

<sup>5</sup> A partial skull was found at Ingleside on the Bay (41SP203); see Atlas site form 9409020301. A nineteenth-century source claimed that two burial sites were found near Ingleside but did not give the number of burials or precise locations; see A.R. Roessler, "Antiquities and Aborigines of Texas," *Annual Report of the Board of Regents of the Smithsonian Institution ... for the Year 1881* (Washington, DC: Government Printing Office, 1883), 613-16.

<sup>6</sup> T.R. Hester and J.E. Corbin, "Two Burial Sites on the Central Texas Coast," *The Texas Journal of Science* (August 1975); TARL site files, 41SP78, Ingleside Burials Site, San Patricio County; E.R. Mokry and W.L. Fitzpatrick, *The Palm Harbor Site, 41AS80: A Prehistoric Mortuary Site from the Central Texas Coast* (typescript, TARL, 1986).

grounds is in close proximity to the settlement at Redfish Bay (41SP72). The relative isolation of these cemeteries from settlements is consistent with practices noted along Oso Bay and Creek, where much more extensive cemeteries have been found. The Karankawa and their ancestors preferred to put distance between their settlements and their cemeteries.<sup>7</sup> The evidence suggests that Indigenous people treated the Redfish Bay shoreline as an extended burial precinct. It is entirely possible that other cemeteries have either eroded into the bay or have not yet been discovered.

### Historical Background: The Destruction of Indigenous Places

Little remains of the extensive settlements documented by Tunnell and Pape in the mid-20<sup>th</sup> century. Waves and storms had already washed portions of them into the bay, and the two men scrambled to record as much as they could before these sites were further submerged. But in the decades following World War II these Indigenous settlements and cemeteries, which were and still are sacred to the Karankawa and their descendants, would face a far greater threat from commercial, residential, and especially industrial development. Indeed, in the last half century the Port of Corpus Christi, intracoastal waterway, and petrochemical industry have transformed southern Live Oak Peninsula from a lightly developed agricultural area and tourist destination into a despoiled industrial wasteland. The relentless and deliberate disturbance of significant Karankawa places, many of them deemed NRHP eligible, has compromised them as archeological sites and justified their complete destruction through further development. Notable examples include:

- Donnel Point, aka Boyd's Point (41SP36, Tunnell and Pape #41): this was a triangular peninsula that jutted about 1,000 feet into Corpus Christi Bay in what is now La Quinta Channel. Tunnell and Pape identified six minor and two major camp sites there in 1940. In the mid-1950s, Donnel Point was literally wiped off the map when the Army Corps of Engineers dredged La Quinta Channel. 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. Though multiple archaeological surveys – in 1972, 2004, 2006, and 2014 – found no traces of Indigenous culture at the site, a local resident discovered an ancient shell midden in the eroded shoreline at Donnel Point in 2024. To date, the Port of Corpus Christi, which owns the property, has not conducted an archeological survey of the site to determine its extent and significance.<sup>8</sup>
- Kinney Bayou (41SP38-41, Tunnell and Pape #39 and 40): This bayou is situated on the northern edge of Ingleside Cove. Tunnell and Pape found numerous settlements on both sides of the bayou in 1940, which they described as an “extensive village” that was “much larger than the present Oso Site” on the south shore of Corpus Christi Bay and “is not equaled by the Puerto Site” south of Copano Bay. Much of this village was destroyed by dredging, roads, and residential construction in the 1950s and 60s. The lower portion of the bayou was also dredged and developed into a ship channel, destroying any remaining sites along its edges.<sup>9</sup> Two significant additional sites were later identified

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<sup>7</sup> Cheryl Claassen, *Beliefs and Rituals in Archaic Eastern North America: An Interpretive Guide* (Tuscaloosa: University of Alabama Press, 2015), 178; Robert A. Ricklis, *Archeological Testing at the Callo del Oso Site, 41NU2, Nueces County, Texas* (Coastal Archeological Research, Inc., 1997), 70-71.

<sup>8</sup> Tunnell and Pape, *Pioneering Archeology*, 310-12. For a full report on the recent discovery at Donnel Point, see Peter N. Moore, *Report on the Discovery of an Indigenous Archeological Site at Donnel Point, La Quinta Channel, San Patricio County, Texas* (August 21, 2024).

<sup>9</sup> Tunnell and Pape, *Pioneering Archeology*, 265, 310.

further inland: 41SP39, a large shell midden extending 200 yards along the north bank of the bayou; and 41SP40, a 130-meter long, 1-meter thick shell midden on the south bank, which, despite erosion and disturbance, was deemed NRHP eligible in 1984.<sup>10</sup> Instead of protecting the site, the owners continued to disturb it. By 2014, a survey for an LNG project found little evidence of Indigenous culture at these sites. The middens were “conspicuously absent” from both sides of the bayou. Trenching, channel construction, and erosion had left shell deposits “too diffuse to be called a shell midden.” These sites had been neutralized and no longer posed a problem for industrial developers seeking federal permits.<sup>11</sup>

- Baker’s Port (41SP123 and 41SP124): A 1983 survey for a proposed industrial project found multiple Indigenous sites on the southeastern portion of Ingleside Point, two of which were deemed NRHP eligible. 41SP124 was a “fairly dense” shell concentration, possibly extensive, immediately inland and just east of McGloin Bluff.<sup>12</sup> Current aerial maps show that it has been completely enclosed and probably destroyed by a Flint Hills oil storage facility.<sup>13</sup> 41SP123 lay just east of intersection of FM 2725 and FM 1069. It was a large cluster of shell concentrations, 1 meter in depth. As one of the “few intact prehistoric sites known in the...general region,” it was recommended for “extensive controlled excavations” and NHRP eligibility.<sup>14</sup> Instead, it was enclosed by 20-foot earthen walls and converted into an open pit dredge dump.<sup>15</sup>
- Ingleside Burial Sites 1 and 2 (41SP64 and 41SP78): These two Indigenous cemeteries lay 1,500 feet apart on the shores of Redfish Bay between Ingleside and Aransas Pass. Both were discovered in the late 1960s, and together they contained at least 10-12 burials. Some of these remains were removed by looters, others by archeologists. No effort to protect these cemeteries was made after their bones were removed. Though skeletal fragments were subsequently found in a test pit at the northernmost site, 41SP64, in 2001 it was “totally eroded or under industrial development” and is now a dumping site for waste materials.<sup>16</sup> Archeologists believe that Burial Site 2 was once situated on an island, but the landward side waters were filled in, presumably by dredge spoil. Looters removed 5-6 bodies from this cemetery. Despite assumptions that more burials were present at this site, it was totally destroyed by construction of a boat basin by the early 1980s. A 2001 survey confirmed that it was “under extensive development as an industrial property.”<sup>17</sup>
- Redfish Bay (41SP72): This coastal camp site lay south of Aransas Pass. It contained a large shell midden that was excavated by local archeologists in the 1960s. In 1978 an avocational archeologist found olive shell beads there, an unusual find. The site was visited three times in the early 1980s and deemed eligible for NRHP inclusion, though it was covered by fill and trash and crossed by a paved road. However, nothing was done to

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<sup>10</sup> TARL file 41SP39, Kinney Bayou Site 1 (Jim Corbin), San Patricio; Atlas site forms 9409004001; Elton R. Pruitt, *Archeological and Historical Investigations in the Proposed Baker’s Port Project and Vicinity, Southern Live Oak Peninsula, San Patricio County, Texas* (Prewitt and Associates, Inc., 1984), 63, 71.

<sup>11</sup> Atlas site form 9409004004.

<sup>12</sup> Pruitt, *Archeological and Historical Investigations*, 77-78; Atlas site form 9409002401.

<sup>13</sup> Google Maps, accessed August 8, 2023.

<sup>14</sup> Pruitt, *Archeological and Historical Investigations*, 72; Atlas site form 9409012301.

<sup>15</sup> Atlas site form 9409012302.

<sup>16</sup> Atlas site forms 9409006401-02; TARL file, 41SP78, Ingleside Burials Site...San Patricio County.

<sup>17</sup> Atlas site forms 9409007802-03; TARL file, 41SP78, Ingleside Burials Site...San Patricio County.

preserve or mitigate this site. In 2005 it was found to be “extensively disturbed” and “mostly destroyed,” thus no longer NRHP eligible.<sup>18</sup>

As these examples show, state and federal laws and enforcement mechanisms have done little to stop the destruction of Karankawa places and cultural resources by industrial developers on Live Oak Peninsula and the North Shore of Corpus Christi Bay. Even sites that have been deemed NRHP eligible have not been spared. This has been an incremental process with a significant cumulative impact. And the threat to Karankawa heritage is ongoing, making it critically important to protect the remaining intact sites.

#### The Bluewater SPM Deep Water Port Pipeline

In 2019 Perennial Environmental Services, Inc. conducted a cultural resource survey for the onshore portion of the Bluewater pipeline.<sup>19</sup> This 22-mile section will run from the facility in Taft to the shoreline where Texas Highway 361 enters Redfish Bay. Perennial designated a 300-foot margin from the center of the proposed pipeline as the project area, a total of 812 acres. Sixteen acres are on public lands and subject to the state antiquities code. The remaining 796 acres are privately owned. The cultural resource survey consisted of two parts: 1) background research using the Texas Archeological Sites Atlas and other textual sources to identify known historic and archeological sites within one mile of the proposed pipeline; and 2) a field survey of the 300-foot wide project area. For the field survey, Perennial conducted a surface inspection and made 438 shovel tests. No cultural resources were found on public lands within the project area, and only historic-era (non-Indigenous) sites were found on private lands. None of these were deemed NRHP eligible.

Given the concentration of Indigenous settlements along the shoreline, it is not surprising that Perennial’s background research identified only three Karankawa sites within one mile of the onshore project area. Two, a shell midden (41SP70) and an open campsite (41SP71), are on Gum Hollow Creek in the western portion of the project area on Nueces Bay. They are not likely to be affected by the pipeline. Perennial also identified an “artifact scatter” (41SP55) directly within the path of the pipeline. They recommended avoiding this site, and the pipeline was routed around it. No artifacts were found in the test holes they dug near this site, though their caution to avoid it suggests that monitoring construction near 41SP55 is advisable.<sup>20</sup>

Perennial’s background research minimized or overlooked two significant Indigenous sites that are threatened by the project. Both are well within the one-mile radius of the projected pipeline:

- Puerto Lake (41SP45): Perennial noted this site in its report but provided no data, claiming instead that the nature and NRHP eligibility of 41SP45 was “unknown,” in spite of the fact that a site form is on file in the Texas Archeological Sites Atlas. The site form locates 41SP45 at coordinates 27°56'00.0"N 97°11'00.0"W, placing it at the southernmost extension of Puerto Lake and within 1,500 feet of the project area. Human remains were found at this site.<sup>21</sup>

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<sup>18</sup> TARL file, 41SP72, Redfish Bay Site .... San Patricio County; Atlas site forms 9409007205-06.

<sup>19</sup> Cochran, *Phase I Survey*.

<sup>20</sup> Cochran, *Phase I Survey*, 20.

<sup>21</sup> Cochran, *Phase I Survey*, 20; Atlas site form 9409004501.

- Bentwood Burial Ground: During the construction of highway 1069 in 1917-18, Indigenous human remains were found near what is now the intersection of 1069 and Bentwood Lane/Resendez Road. This is within one mile of 41SP45 and .5-.75 miles of the project area.<sup>22</sup>

The proximity of these cemeteries to one another suggests that these were not isolated burials but instead were part of a more extensive burial precinct. If so, pipeline construction is likely to disturb or destroy other Indigenous burials in this area.

The inshore portion poses an even greater threat to Karankawa cultural places. This 7.15-mile section runs from the Redfish Bay shoreline at Aransas Pass to a booster station on Harbor Island and from there to the seaward coast of St. Joseph Island. SWCA Environmental Consultants conducted the inshore survey; notably, this is the same company that overlooked evidence of the site at Donnel Point in its 2014 survey for Cheniere.<sup>23</sup> SWCA defined the project area as a mere 100-foot wide strip along the proposed path of the pipeline.<sup>24</sup> The survey found no Indigenous sites within this narrow project area, and only one Indigenous settlement, an open campsite on Hog Island (41NU286), within one-half mile of the proposed pipeline. The cultural resource management consultants concluded that “no known historic properties or state landmarks... will be impacted by the Proposed Project construction” in the inshore area, and there was “a low potential for unknown cultural resources to be impacted by construction.”<sup>25</sup>

Significantly, the report did not note the discovery of multiple Indigenous burials at Hog Island. In January 1971, collectors donated two sets of human remains taken from Hog Island to the Corpus Christi Museum of Science and History. Days later, museum staff removed another burial from this site. All three are now curated by the Department of Anthropology at Texas State University. In 2004, a burial was excavated from a Hog Island site, 41NU298, by the South Texas Archaeological Association; the SWCA report identifies neither the burial nor the site, though its location has been published. The remains of at least two other individuals were later discovered by fisherman. The first was found in 2001 and stored for over two decades at the University of North Texas Center for Human Identification. The second was discovered in August 2022 (admittedly, after the inshore survey was conducted). Both were repatriated to the Karankawa by the Nueces County Medical Examiner in 2023.<sup>26</sup> Though there is extensive evidence that the Karankawa or their ancestors used Hog Island as a burial ground, none of it is mentioned in Bluewater’s license application. By omitting multiple known human burial sites from its onshore and inshore reports, all of which fall within the stated project boundaries,

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<sup>22</sup> Harriet Johnson, *Our First Residents: The Karankawa Indians* (typescript, Ingleside Public Library, Ingleside, TX), 1.

<sup>23</sup> SWCA Environmental Consultants, *Intensive Archaeological Survey of Portions of the 550-Acre Cheniere Ingleside Terminal Project, San Patricio County, Texas* (October 13, 2014), 15.

<sup>24</sup> Bluewater SPM, *Deepwater Port License Application*, 9-2. The cultural resources survey report was unavailable for review. Information about the inshore survey is taken from the *Port License Application*.

<sup>25</sup> Bluewater SPM, *Deepwater Port License Application*, 9-19-9-20.

<sup>26</sup> File on Human Remains, Accession Record 461, Corpus Christi Museum of Science and History, Corpus Christi, Texas (1971 remains); Nueces County Inventory, TARL; and Matthew S. Taylor, “Dental Pathology as an Ethnic Marker on the Upper Texas Coast,” *Bulletin of the Texas Archaeological Society*, 81 (2010), 194 (41NU298 remains); Aransas Pass Police Department, “Human Remains Found – Hog Island,” <https://police.aptx.gov/human-remains-found-hog-island/2/>; Nueces County PIO, News Release, “Remains of Indigenous Male Found in 2011 Repatriated,” April 21, 2023 (author’s possession).

Bluewater evinces a pattern of either deliberate obfuscation or callous disregard for sacred Indigenous places.

Because of their proximity to the shoreline, Karankawa settlements and burial sites in Redfish Bay and southern Live Oak Peninsula are especially susceptible to contamination by oil spill. Data from two major spills – the 1989 *Exxon Valdez* spill in Prince William Sound, Alaska, and the 2010 Deepwater Horizon BP spill in the Gulf of Mexico – offer object lessons on the impact of oil and its cleanup on Indigenous cultural resources. In Alaska, significant damage was done by spill cleanup personnel who were vandalizing sites in search of high-value artifacts. Costly cleanup procedures were put in place to minimize the disturbance of archeological sites by clean-up crews and prevent unauthorized access to onshore sites by treasure-hunters. Other sites were so damaged by oiling that they had to be excavated and stabilized. On Louisiana’s Gulf coast, oil has become part of the archeological record. Oil and dispersants used in cleanup have been found in permeable artifacts such as bone and pottery sherds. Unfortunately, little is known about the long-term effects of these chemicals on artifacts and sites. Severe coastline erosion, propelled in part by oil and gas development, has submerged many coastal Louisiana sites, so that the effect of the Horizon spill on intact shell middens is difficult to assess. Likewise, the long-term impact of these chemicals on artifacts and on carbon dating techniques is unknown.<sup>27</sup>

With the proliferation of shoreline terminals and deepwater ports, more and more crude oil passes through Live Oak Peninsula each year, increasing the risk of spill. In December 2022 a sump pump at Flint Hills Ingleside oil terminal discharged 335 barrels of crude into Corpus Christi Bay. This facility is located on Ingleside Point adjacent to the McGloin Bluff site. Despite emergency clean-up efforts for this relatively small spill, oil drifted across the bay and was found on North Beach (11 miles away) and University Beach (10 miles away, and adjacent to the Cayo del Oso burial ground, 41NU2). Yet no assessment has been made of the impact of this spill on the Karankawa village at McGloin Bluff, where artifacts that might have eroded into the shoreline would be subject to contamination.<sup>28</sup>

A spill in Redfish Bay could have an immediate impact on sites on Hog Island; on two exposed, though mostly destroyed, shoreline sites: the Indigenous settlement south of Aransas Pass (41SP72) and Ingleside Burial Site 1 (41SP64); and on shoreline deposits along McGloin Bluff and Donnel Point, the only significant intact sites on southern Live Oak Peninsula. If oil were to wash into Aransas and Copano Bays, it could do incalculable damage to the massive, pristine, and otherwise protected shell midden at the Kent-Crane Site (41AS3), which is a State Archeological Landmark and is listed on the National Register of Historic Places.

#### A Karankawa Perspective on Indigenous Places

For the Karankawa and their ancestors, settlements along the Coastal Bend were not just sites for foraging, fishing, harvesting oysters, and making pots and points. Instead, these places were filled with spirits. Indigenous peoples had what anthropologists call an animistic view of the cosmos: everything was animated by spirits -- plants, animals, stones, stars, water, wind,

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<sup>27</sup> Robert C. Betts, et. al., *Site Protection and Oil Spill Treatment at SEL-188* (Exxon Shipping Company, 1991); Exxon Valdez Oil Spill Trustee Council, “Archeological Resources,” <https://evostc.state.ak.us/status-of-restoration/archaeological-resources/>; Mark A. Rees, Samuel Huey, and Scott Sorset, *An Assessment of the Effects of an Oil Spill on Coastal Archeological Sites in Louisiana* (U.S. Department of the Interior, 2019);

<sup>28</sup> Flint Hills Resources, Discharge Event Summary, Ingleside, Texas, April 24, 2023.

enemies, as well as the tools, weapons, baskets, and ceramics they made. These spirits were powerful and interacted with humans, sometimes for good, at other times for ill. To placate these spirits, harness their power, maintain balance, and ward off disaster, the Karankawa covered violent interactions with ritual, paid close attention to dreams and visions, and purified themselves and their communities with ceremonial smoking, dancing, and drinking the black drink.<sup>29</sup>

The spirits of the dead were especially powerful. If treated honorably, they might intercede with the spirit world on behalf of the living. If not, they might wander and do harm. The placement of burial grounds apart from settlements reflects the fear and respect Indigenous peoples accorded the dead. Because burial released the spirit from the bones of the deceased, mortuary practices were designed to appease disembodied spirits and ease their path to the afterlife. Coastal peoples typically buried their dead near water, in flexed positions, facing east or southeast toward the rising sun, and with a variety of grave goods such as beads, pendants, and whelk shells. At the Cayo del Oso burial ground (41NU2) near the south shore of Corpus Christi Bay, many generations of Archaic and Prehistoric Karankawa brought their dead for burial, reflecting the sacred character and great spiritual power of this place. The Karankawa also had elaborate mourning rituals. The community fed mourners for three months following the death of a loved one, and the immediate family of the deceased wailed mournfully three times a day for a full year, after which they performed purification rituals.<sup>30</sup>

For many present-day Karankawa, these ancestral places are still filled with spirits. Hawk Clan member Chiara Sunshine Beaumont decries the threat of industrial development to “our swimming and crawling relatives” in the coastal waters off McGloin Bluff. “The land...is sacred to us. It is where my relatives from the coyote clan journey to pray and gather in thanks and it is where our ancestors left their tools, pottery [and] artifacts for us. It is a tangible piece of our lineage that connects us to that land, and we have been connected to this land living on it, protecting it for at least the last 2000 years.” For Beaumont and other Karankawa, artifacts are not “cultural resources.” They are part of the land, their land, for the Karankawa did not cede their lands when they were driven out in the nineteenth century. This land is a sacred matrix of interconnected, spiritual relationships. Attuned to this sacred power, present-day Karankawa linguist Alex Perez “can feel the memories of my ancestors” in his home on Galveston Island, just as Karankawa leader Love Sanchez hears the voice of her ancestor in a croaking bullfrog at a secluded burial ground on Oso Creek, and as the late Corpus Christi spiritual guide Larry Running Turtle Salazar heard the voices of his people, the plant people and rock people and the dead at rest in the Cayo del Oso, carried in the wind.<sup>31</sup>

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<sup>29</sup> David La Vere, *The Texas Indians* (College Station, TX: Texas A&M University Press, 2003).

<sup>30</sup> Claassen, *Beliefs and Rituals*, 159-65; Barbara M. Meisner, et. al., *The Cayo del Oso Site (41NU2), Volume II: Results of Archeological Monitoring of Spur 3, Corpus Christi, Nueces County, Texas, 2000-2007* (Center for Archeological Research, 2009), 74; La Vere, *Texas Indians*.

<sup>31</sup> Keaton Peters, “Karankawa Kadla Fight to Protect Sacred Land,” *Branch Out*, April 27, 2022, <https://branchoutnow.org/karankawa-kadla-fight-to-protect-sacred-land-water-against-enbridges-fossil-fuel-expansion-in-texas/>; John Nova Lomax, “We’re Still Here,” *Texas Highways*, June 2022, [https://texashighways.com/culture/people/karankawa-descendants-are-reclaiming-their-heritage-after-being-written-off-extinct/?fbclid=IwAR3FYFcRWjtLCZVnT7\\_MkyausX-EQiHclqszV2tOIG9qkAJfSbZeCGRoq9s](https://texashighways.com/culture/people/karankawa-descendants-are-reclaiming-their-heritage-after-being-written-off-extinct/?fbclid=IwAR3FYFcRWjtLCZVnT7_MkyausX-EQiHclqszV2tOIG9qkAJfSbZeCGRoq9s); Love Sanchez conversation with the author, May 24, 2023; *Truly Texas Mexican*, directed by Adán Medrano, JM Media, 2021.

These voices and perspectives find no place in the cultural resource reports and permit applications that greenlight the destruction of Indigenous places in southern Live Oak Peninsula. This is ironic, given the central role archeology has played in preserving Indigenous culture over the past century. By privileging an exclusively scientific understanding of sacred Native places as “sites” and Native objects as “cultural resources,” this cultural resource management process silences Native voices and contributes to the erasure of Indigenous people, like racism, allotment, boarding schools, forced relocation, enslavement, and genocide.

### Conclusions and Recommendations

Destruction of Karankawa settlements and burial grounds on southern Live Oak Peninsula is widespread, but it is not yet complete. Indeed, the nearly wholesale destruction of these places makes it all the more important to preserve what few remain. At least two significant sites on the North Shore, McGloin Bluff and Donnel Point, have been minimally disturbed by construction, as has the burial ground at Hog Island. Others, such as the Redfish Bay settlement and Ingleside Burial Ground 1, have been largely erased but not enclosed by development, and they remain sacred places to present-day Karankawa. To prevent further erasure of Indigenous cultural heritage in this area, agencies like MARAD and the USCG should halt all further industrial development, including construction of the Bluewater SPM pipeline.

### Key Archeological Sites on the North Shore of Corpus Christi Bay and Southern Live Oak Peninsula (sites in red type are from Tunnell and Pape)

Name	Trinomial	Location	Description	NRHP	Status
Brown VIII	41SP33	North shore	Small shell midden		
--	41SP106	North shore	Shell accumulation		
--	41SP107	North shore	Shell scatter		Eroded (1973)
--	41SP108	North shore	Shell accumulation		Eroding (1973)
Brown VI	41SP31	North shore	Small shell midden		
Brown IV	41SP29	North shore	Small shell midden		
Brown III	41SP28	North shore	Small shell midden		
--	41SP100	North shore	Shell accumulation		Eroding (1973)
--	41SP101	North shore	Scattered shell		Eroding (1973)
--	41SP102	North shore	Shell accumulation		Eroding (1973)
--	41SP103	North shore	Shell scatter		Eroding (1973)
Brown II	41SP27	North shore	Shell midden		Residential development (1985)
--	41SP104	North shore	Shell midden		Eroding (1973)
Brown X	41SP51	North shore	Large midden		Eroding (1963)
Prairiedog	41SP50	North shore	Shell midden		Eroding (1963)
Brown I	41SP26	North shore	Shell midden		
--	41SP25	North shore	Large campsite		Good (1937)
Kinney Bayou 2	41SP40	Kinney Bayou	Large, dense shell midden	Yes (1984) No (2014)	Industrial development
Windy Hill	41SP42	Ingleside Cove	Shell midden		Residential development
Ingleside Cove	41SP43	Ingleside Cove	Large shell midden	Yes (1984) No (2021)	Erosion, residential development
Hatch House	41SP120	Ingleside Cove bluff	Shell midden and historic house	Nominated (1985)	
Ingleside on the Bay	41SP131	Ingleside Cove	Dense midden	Yes (1985) Unknown (2002)	Residential development

--	41SP158	Ingleside Cove	Midden		Industrial and road dev.
--	41SP197	Ingleside Cove	Small midden	Potential (1998)	
--	41SP418	Ingleside Point	Camp site		Industrial and road dev.
Baker's Port	41SP123	Ingleside Point	Shell concentration	Yes (1984)	Industrial development, dredge fill site, completely destroyed by 2007
--	41SP124	Ingleside Point	Shell concentration	Yes (1984)	Destroyed by MODA development
--	41SP127	Ingleside Point	Artifact scatter		Erosion, bulldozing, destroyed by clearing by 2007
--	41SP203	Ingleside Point	Human skull		Isolated find, no site, no other bones
McGloin Bluff	41SP11	Ingleside Point	Large fishing camp	Yes (2006)	Excavated but intact
--	41SP64	Redfish Bay	Cemetery	No (2005)	Destroyed by development and erosion by 2001
--	41SP72	Redfish Bay	Large shell midden	Yes (1984) No (2005)	Destroyed by development and erosion
--	41SP78	Redfish Bay	Cemetery	No (2005)	Destroyed by development by 1983
Palm Harbor	41AS80	Redfish Bay	Cemetery		Preserved by owner 1980
--	41AS84	Redfish Bay	Shell midden		Destroyed by dredging by 1984
Bentwood	--	Hwy 1069 near Bentwood Rd.	Cemetery		
Puerto Lake	41SP45	S tip of Port Lake	Camp, burial		
Hog Island	41NU286 41NU298	Redfish Bay	Camp, burial		Undisturbed but vulnerable to spill
Kinney Bayou	39	Kinney Bayou south	Large camp or village		Some erosion, brush cleared by road workers, more erosion expected
Kinney Bayou	40	Kinney Bayou south	Extensive village reaching 15 miles south around point, much larger than Oso Site		Much eroded and continuing to erode
Boyd's Point	41	Boyd's Point in La Quinta Channel	Old and large site with multiple intact shell middens, as well as newer sites at same location		Much eroded but still much intact
La Quinta Shoreline	45	La Quinta Mansion	Village, numerous artifacts		Much eroded
North Shoreline	48	Portland Point one mile east	Large village one mile long		Much eroded

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