

## **APPENDIX I**

### **COMMENTS ON THE DRAFT EIS AND RESPONSES**

## APPENDIX I

### COMMENTS ON THE DRAFT EIS AND RESPONSES

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#### FEDERAL AGENCIES AND CONGRESS

F1	U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (March 16, 2005)
F2	U.S. Department of the Interior, Office of Environmental Policy and Compliance (April 7, 2005)
F3	U.S. Army Corps of Engineers, Galveston District (April 15, 2005)
F4	Natural Resources Conservation Service (April 25, 2005)
F5	U.S. Environmental Protection Agency, Region 6 (April 20, 2005)

#### STATE AGENCIES

S1	Louisiana Department of Wildlife and Fisheries (April 11, 2005)
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S3	Louisiana Department of Environmental Quality (April 15, 2005)

#### GROUPS AND INDIVIDUALS

G1	Sabine Pilots, Captain Ellen Warner (March 29, 2005)
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G3	Thomas and Brenda A. Martin (April 10, 2005)
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#### PUBLIC MEETINGS

##### **Starks, Louisiana – March 22, 2005:**

PM-1 Mr. James Kirkland, Business Agent for the Boilermaker's Union, Orange, TX

##### **Sabine Pass, Texas – March 23, 2005:**

PM-2 Mr. Jeff Hayes, President of Hayes Real Estate  
PM-3 Mr. Walter Almon, Chairman of the Golden Triangle Business Roundtable  
PM-4 Mr. Stuart Salter, Resident, Pleasure Island  
PM-5 Mr. Tex Carter  
PM-6 Father Sinclair Oubre, Apostleship of the Sea  
PM-7 Mr. Chet Lloyd  
PM-8 Mr. Dall Landry, Resident, Pleasure Island  
PM-9 Mr. Larry Richard, Fire Chief, City of Port Arthur  
PM-10 Mr. Philip Long, President of the Southeast Texas Chapter of the American Institute of Architects  
PM-11 Ms. Johnnie Landry  
PM-12 Ms. Leann Ewing, Resident, Pleasure Island  
PM-13 Ms. Shirley McGuire, Resident, Pleasure Island  
PM-14 Mr. Tom Henderson, City Counsel Member, City of Port Arthur  
PM-15 Mr. Anthony Valentine, Business Manager, Pipefitters Local 195, Beaumont, TX  
PM-16 Mr. Tyrell Woolsey, Resident, Pleasure Island  
PM-17 Mr. Evan Ford, Resident, Pleasure Island  
PM-18 Mr. Carl Griffith, Jefferson County Judge  
PM-19 Ms. Ellen Warner, President, Sabine Pilots Association  
PM-20 Mr. A. Morris Albright, Resident, Pleasure Island  
PM-21 Mr. John Smith, General Manager, Newtron Inc.  
PM-22 Mr. James Duhon, IBEW electrical workers, Lake Charles  
PM-23 Mr. Dale Wortham, electrical workers from Brownsville to Mobile  
PM-24 Mr. Waymon Hallmark  
PM-25 Mr. Don Pumphrey, Chairman of the Board of Greater Port Arthur Chamber of Commerce  
PM-26 Mr. Walter Fenn, Superintendent of Schools in Sabine ISD  
PM-27 Mr. R.L. Gabby Eldridge  
PM-28 Mr. James Kirkland, Business Manager for Boilermakers Local 587  
PM-29 Mr. Clark Colvin, Huntsman Petrochemical Company  
PM-30 Ms. Verna Rutherford, President of the Greater Port Arthur Chamber of Commerce  
PM-31 Mr. Steve Fitzgibbons, City Manager, Port Arthur  
PM-32 Mr. Loren Bosarge, Resident, Pleasure Island

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#### APPLICANT

Golden Pass filed the following documents in response to the draft EIS. Responses to these filings and/or updated information on the Project have been incorporated into the final EIS, where applicable. These documents are available on the FERC internet website (<http://www.ferc.gov>) using the eLibrary link.

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<u>Date</u>	<u>Draft EIS Mitigation Measure (if applicable)</u>	<u>Description</u>
March 21, 2005	--	Copy of letter submitted on March 8, 2005, to the COE responding to COE comments.
March 23, 2005	30	Response to draft EIS mitigation measure requesting additional information.
March 24, 2005	--	Copy of revised NPDES application.
March 28, 2005	23, 30, 36, 37, 38, 39, 43, 98, and 99	Responses to draft EIS mitigation measures requesting additional information.
April 1, 2005	--	Comments on the draft EIS to incorporate Project modifications or clarify proposed facilities.
April 1, 2005	--	Security and emergency response planning – Schedule of meetings and consultations.
April 7, 2005	53 through 80	Responses to engineering design recommendations for the LNG terminal.
April 8, 2005	21, 47	Responses to draft EIS mitigation measures requesting additional information.
April 11, 2005	--	Copy of revised 401 Water Quality Certification submitted on April 8, 2005 to the COE, FWS, TXPWD, NOAA Fisheries, EPA, Texas Railroad Commission, and LADEQ and LADWF.
April 14, 2005	12, 29	Responses to draft EIS mitigation measures requesting additional information.
April 15, 2005	14, 27, 28	Comments on the draft EIS to incorporate Project modifications and respond to draft EIS mitigation measures for the pipeline system.
April 18, 2005	--	Comments on the draft EIS to incorporate Project modifications and clarify proposed facilities.
April 18, 2005	34	Comments on the draft EIS to clarify proposed mitigation and provide an update on the status of RCW surveys.
April 19, 2005	--	Copy of revised Stormwater Pollution Prevention Plan.
April 19, 2005	33	Submittal of additional soil sampling conducted in March 2005 to support beneficial reuse of dredge materials.

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<u>Date</u>	<u>Draft EIS Mitigation Measure (if applicable)</u>	<u>Description</u>
April 21, 2005	23	Minor revisions to previous response to draft EIS mitigation measures requesting additional information.
April 22, 2005	33	Copies of transmittal letters sent to the COE, EPA, and NOAA Fisheries transmitting additional soil sampling report to support beneficial use of dredge material.
April 26, 2005	16	Revised Dredge Material Management Plan
April 27, 2005	--	Copies of correspondence from the Calcasieu Parish Policy Jury (April 7, 2005), LADEQ (April 15, 2005), and LADNR (April 20, 2005).
May 4, 2005	--	Copy of correspondence from the FWS, Houston, Texas (April 25, 2005).
May 5, 2005	--	Comments on the draft EIS comment letters from landowners in the Dairyridge residential subdivision.
May 10, 2005	--	Copy of transmittal letter sent to NOAA Fisheries on May 9, 2005, including the Draft Final Aquatic Resource Mitigation Plan (May 5, 2005).
May 12, 2005	--	Comments on Mr. Baker's comments on the Project.

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OFFICE OF THE  
SECRETARY  
2005 MAR 21 P 3 57  
FEDERAL ENERGY  
REGULATORY COMMISSION



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office  
9721 Executive Center Drive N.  
St. Petersburg, Florida 33702  
(727) 570-5317; Fax 570-5300  
<http://sero.nmfs.noaa.gov>

ORIGINAL

March 16, 2005 F/SER4:RS

Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, D.C. 20426

Dear Secretary Salas:

The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) has reviewed the Draft Environmental Impact Statement (DEIS) for the Golden Pass LNG Terminal and Pipeline Project (Docket Nos. CP04-386-000, CP04-400-000, CP04-401-000, and CP04-402-000) received on February 3, 2005. The document, prepared by the Federal Energy Regulatory Commission (FERC), addresses the proposed construction of a liquefied natural gas (LNG) terminal on the Sabine-Neches Waterway (SNWW), near Sabine Pass, Texas.

Generally, we found that the DEIS adequately discussed alternatives to and described the impacts of the proposed LNG project on NMFS trust resources, including essential fish habitat (EFH). However, the proposed mitigation and monitoring plans for the project are still in conceptual design stages and will need to be more fully developed prior to issuance of a final environmental impact statement (FEIS) and completion of EFH consultation requirements. To improve other aspects of the DEIS and address NMFS's responsibilities under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*), we offer the following recommendations:

**3.0 ALTERNATIVES**  
**3.5 DREDGED MATERIAL PLACEMENT ALTERNATIVES**  
**3.5.1 DMPA Availability**

F1.1

Pages 3-26 through 3-28. The discussion of the beneficial use of dredged material (BU) in the DEIS dismisses BU options without adequately evaluating such alternatives. This shortcoming is reflected in the several unsupported assumptions regarding BU at the J.D. Murphree Wildlife Management Area (WMA). Contrary to the opinion stated in the DEIS, salinities in the proposed BU areas near Keith Lake Pass are nearly identical to and are compatible with those of the proposed dredging site. Additionally, the marshes in the areas proposed for BU are categorized as saline to brackish and it is inappropriate to suggest that the salinity levels of the



# Federal Agency Comments

F1

F1.1 We have revised the discussion in Section 3.5 of the final EIS. Golden Pass has amended its Aquatic Resources Mitigation Plan and will use part of the dredge materials for beneficial use in the J.D. Murphree WMA (see appendix G).

# Federal Agency Comments

F1

F1.1  
(cont'd)

dredged material-water slurry would adversely impact them. Therefore, NMFS believes the determination in the DEIS that "pumping of large volumes of salt water may be counter-productive to the restoration effort" on the WMA should be reevaluated and greater consideration should be given to BU alternatives.

F1.2

This section of the DEIS also states that, "managing large quantities of dredged material and tightly controlling its placement would, if ultimately possible, significantly increase Project costs." This assertion is not supported by appropriate cost documentation and does not consider the public costs incurred by reducing the capacity of publicly financed dredged material placement areas (DMPAs). It also should be noted that the State of Texas Coastal Management Plan requires all applicants to construct BU alternatives, even if those alternatives are more expensive than traditional placement, when practicable BU alternatives exist. Because of the viability of BU, neither the applicant nor the WMA representatives has summarily discounted this alternative. To the contrary, representatives from Golden Pass LNG recently met with NMFS, U.S. Fish and Wildlife Service, Texas Parks and Wildlife Department, and other state agencies to develop BU alternatives for the WMA. Based on discussions with the applicant's representatives, we expect a resource agency-approved BU plan alternative to be provided by the applicant for FERC's consideration prior to publication of the FEIS for the project. We recommend the FEIS include a detailed discussion of the positive and negative impacts of this alternative.

### 3.8 PIPELINE ALTERNATIVES

#### 3.8.3 Pipeline Route Alternatives

##### 3.8.3.2 Route Variations Incorporated by Golden Pass

F1.3

Pages 3-36 through 3-40. The identified pages are missing from the copy of the DEIS which NMFS received from FERC. However, provided there were no significant changes from the preliminary DEIS, we continue to concur with FERC's assessment that the selection of pipeline route Alternative B with the proposed route variation would be acceptable. Although the route and variation would add 3.1 miles to the length of the pipeline, this route would avoid 10.1 acres of wetland impacts by utilizing existing open water, drainage ditches, and canals. Additional EFH coordination is necessary if the route variations differ from those described in the preliminary environmental document.

### 4.0 ENVIRONMENTAL ANALYSIS

#### 4.5 VEGETATION

##### 4.5.1 Habitat/Community Types

###### 4.5.1.1 Typical Habitat/Community Types in the Project Area - Wetlands

F1.4

Page 4-44, Paragraph 6. The correct genus and species for saltmarsh bulrush is *Bulboshoenus robustus*, not *Schoenoplectus maritimus*. There also is a typographic error in the DEIS for saltmeadow cordgrass. This should be corrected to read "*(Spartina patens)*." These corrections should be made prior publishing the FEIS.

F1.2 Section 3.5 and Appendix G (draft Aquatic Resources Mitigation Plan) of the final EIS have been revised to include beneficial use of the dredge materials.

F1.3 There were no significant changes on pages 3-36 and 3-40 between the preliminary draft and the draft EIS.

F1.4 These corrections have been made in the final EIS.

# Federal Agency Comments

F1

## 4.6.3 Essential Fish Habitat

- F1.5** Pages 4-66 through 4-78. In this section, FERC requests that NMFS consider the DEIS as notification of initiation of EFH consultation. In a letter dated February 24, 2004, NMFS advised the FERC that the proposed project site includes and is adjacent to areas that have been identified by the Gulf of Mexico Fishery Management Council as EFH for postlarval, juvenile, and adult red drum (*Sciaenops ocellatus*), adult and subadult Spanish mackerel (*Scomberomorus maculatus*), and juvenile and subadult white shrimp (*Litopenaeus setiferus*) and brown shrimp (*Farfantepenaeus aztecus*). Following this early coordination, NMFS has continued to work with the applicant and its representatives to develop an acceptable mitigation plan that would compensate for adverse impacts to EFH and associated managed species. With minor exceptions, we find that the DEIS and EFH assessment adequately describe EFH and dependent fishery resources and the potential adverse project impacts affecting EFH.
- F1.6** According to the EFH assessment, construction of the terminal would temporarily impact approximately 62.5 acres and permanently impact 46.1 acres of coastal emergent marsh that does not function as EFH. Temporary impacts to approximately 6.6 acres of EFH would occur during the construction of the proposed pipelines. The DEIS discusses, in general terms, requirements for restoration and mitigation of EFH impacts; however, a detailed plan was not included in the DEIS. NMFS has coordinated with the applicant's representatives during the pre-filing process and has attended two post-filing interagency meetings concerning potential mitigation alternatives and BU projects. NMFS will continue to work with the applicant and other natural resource agencies to develop suitable restoration and mitigation plans that will compensate for adverse impacts to EFH. These plans should be fully developed and agreed upon prior to publication of the FEIS.
- 4.12 CUMULATIVE IMPACTS**  
**4.12.4 SNWW**  
**4.12.4.3 DMPAs**
- F1.7** Page 4-154. Although this section offers a brief discussion of dredged material that could be generated by the three LNG projects proposed for construction on the SNWW; it does not include an in-depth analysis of the cumulative impacts of the proposed LNG projects on the existing capacity of dredged material placement areas along the SNWW. NMFS believes that the statement in the DEIS that, "This could result in a shortage of viable DMPAs over the life of these projects," is an inadequate analysis considering the potential for significant adverse cumulative impacts from additional dredging and disposal. For example, if additional capacity will be required to compensate for lost capacity as a result of LNG construction, an estimate of the size and location of the additional DMPAs should be provided.
- F1.8** An extensive, cumulative impact assessment is a vital component of the FEIS because both expansion of the existing placement areas or creation of new sites to handle additional dredged material will likely impact EFH. Additionally, decreasing the project life of existing DMPAs may have financial implications to the Jefferson County Navigation District, the local sponsor of

F1.5 Thank you for your comment.

F1.6 The final EIS has been updated to include Golden Pass' current proposal for wetland mitigation and for the beneficial use of the dredged material at the J.D. Murphree WMA. The final EIS also revises the number of temporary impacts to EFH from 6.6 acres to 9.9 acres (see section 4.6.3.2).

F1.7 The final EIS includes additional discussion on the availability of capacity in and the cumulative impact on the DMPAs over the life of the Project.

F1.8 The SNWW Improvement Project is in the early stages of development. While we have revised the final EIS to include an estimate of the amount of potential dredge materials that might be generated from this project, as well as potential placement areas, it would be purely speculative to predict how the development of the three LNG terminals will affect the development of the SNWW Improvement Project.

**F1.8**  
(cont'd)

the SNWW, that were not considered in the DEIS. Consequently, we recommend that FERC consult with the Jefferson County Navigation District and the U.S. Army Corps of Engineers to determine the cumulative impacts of the added dredge disposal quantities from the three proposed LNG projects on the SNWW. The FEIS then should include an evaluation of disposal site capacities to determine how the increased dredge disposal volumes, both new work and maintenance, would affect the existing dredged material placement program for the SNWW federal navigation project.

**EFH CONSULTATION**

Section 305(b)(4)(A) of the Magnuson-Stevens Act requires that NMFS provide EFH conservation recommendations for any federal agency action or permit that may result in adverse impacts to EFH. Consequently, to ensure the conservation of EFH and associated fishery resources, final action on the proposed LNG facility should require the following:

**EFH Conservation Recommendation**

**F1.9**

Any license issued should require the licensee to offset adverse project impacts to EFH by developing and implementing an estuarine habitat mitigation plan that would adequately compensate for lost functions and values to approximately 6.6 acres of EFH. The mitigation plan should be fully implemented and deemed successful prior to initiation of operation of the LNG facility.

F1.9 Thank you for your comment.

Please be advised that Section 305(b)(4)(B) of the Magnuson-Stevens Act and NMFS' implementing regulations at 50 CFR Section 600.920(k) require federal agencies to provide a written response to EFH recommendations within 30 days of its receipt. Your response must include a description of measures to be required to avoid, mitigate, or offset the adverse impacts of the proposed activity. If your response is inconsistent with our EFH conservation recommendation, you must provide a substantive discussion justifying the reasons for not implementing this recommendation. If it is not possible to provide a substantive response within 30 days, the FERC should provide an interim response to NMFS, to be followed by a detailed response at least 10 days prior to final approval of the action.

**OTHER ISSUES**

**F1.10**

The proposed project area may be within the known distribution limits of federally listed species that are under the purview of NMFS. In accordance with the Endangered Species Act of 1973, as amended, it is the responsibility of FERC to identify actions that may affect endangered or threatened species or that may destroy or adversely modify their critical habitat. Determinations involving species under NMFS' jurisdiction should be reported to our Protected Resources Division (PRD) at the letterhead address. If it is determined that the activities may adversely affect any species listed as endangered or threatened and under PRD purview, then formal consultation must be initiated.

F1.10 Thank you for your comment.

# Federal Agency Comments

**F1**

Unofficial FERC-Generated PDF of 20050324-0087 Received by FERC OSEC 03/21/2005 in Docket#: CP04-386-000

Thank you for the opportunity to provide comments on environmental issues concerning the proposed permitting of the Golden Pass LNG Terminal and Pipeline Project. If we may be of further assistance, please contact Mr. Rusty Swafford of our Habitat Conservation Division Galveston office at (409) 766-3699.

Sincerely,



Miles M. Croom  
Assistant Regional Administrator  
Habitat Conservation Division

cc:  
F/SER3 - Bernhart  
F/SER46 - Ruebsamen, Swafford  
F/SER - Keys  
PPI/SP - Kokkinakis  
F/HC - Schmitt



IN REPLY REFER TO:

## United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
P.O. Box 26567 (MC-9)  
Albuquerque, New Mexico 87125-6567



# Federal Agency Comments

## F2

April 7, 2005

9043.1  
ER, 05/0193

Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Dear Ms. Salas:

The U.S. Department of the Interior (DOI) has reviewed the Federal Energy Regulatory Commission (FERC) Draft Environmental Impact Statement (Draft EIS) for the Proposed Golden Pass Liquefied Natural Gas (LNG) Terminal and Pipeline Project (Docket Nos. CP04-386-000, CP04-400-000, CP04-401-000, CP04-402-000), in Jefferson, Orange, and Newton Counties, Texas, and Calcasieu Parish, Louisiana. The proposed project would involve constructing and operating a LNG import terminal and natural gas pipeline. The proposed LNG receiving terminal would be located approximately 10 miles south of Port Arthur, in Jefferson County, Texas, and 2 miles northwest of the town of Sabine Pass on the Sabine-Neches Waterway (Port Author Ship Channel). The proposed 36-inch diameter sendout pipeline would begin at the terminal and would extend approximately 75 miles northward to an interstate interconnection near Starks, in Calcasieu Parish, Louisiana. We offer the following comments to assist you in developing the final document.

### General Comments

We believe the Draft EIS is generally well written and well organized. It adequately describes fish and wildlife resources in the project area, the purpose and need for the proposed action, and the potential impacts associated with each alternative.

F2.1

However, the DOI is concerned with the amount of significant impacts to fish and wildlife habitat caused by the construction of this facility and pipeline. The Draft EIS states the majority of impacts will be temporary; however, we believe that the most significant impacts will be permanent, e.g., those to forested wetlands and coastal emergent wetlands. The Draft EIS also does not include adequate compensation for these unavoidable losses. The U.S. Fish and Wildlife Service (FWS) is currently working with Golden Pass LNG to evaluate the extent of the permanent losses that may occur at the site and to develop an appropriate compensation plan. However, we believe this information should be included in Final Environmental Impact Statement (Final EIS) before authorization of the project by FERC.

F2.1 The final EIS includes a revised Aquatic Resources Mitigation (see appendix G) that provides more detail on mitigation for Project impacts.

# Federal Agency Comments

## F2

2

F2.2

The Draft EIS also serves as FERC's Biological Assessment of potential project effects on federally listed threatened and endangered species. The FERC has determined that the pipeline portion of the proposed project is not likely to adversely affect the threatened bald eagle (*Haliaeetus leucocephalus*), the endangered brown pelican (*Pelecanus occidentalis*), or the threatened piping plover (*Charadrius melodus*) and its designated critical habitat. Neither those species, nor their designated critical habitat, occur along the proposed pipeline route in Louisiana; therefore, the FWS concurs with the FERC's "not likely to adversely affect" determination. Section 7 consultation under the Endangered Species Act (ESA) on project effects to the endangered red-cockaded woodpecker (RCW, *Picoides borealis*) has not yet been completed, as noted in our specific comments below.

### Specific Comments

F2.3

Page 4-37, Section 4.4.1.2, Pipeline System - This section states Golden Pass would require 11 access roads that would affect about 1.7 acres of wetlands temporarily and 0.4 acre permanently. All new or improved roads should be constructed so they do not obstruct hydrological flows of the surrounding areas. Roads crossing wetlands areas should have culverts or similar structures to insure hydrology will be maintained.

F2.4

Page 4-48, Section 4.6.1.2, Affected Wildlife Habitats - The information provided in this section regarding impacts to forested habitat is inconsistent. One paragraph states 238.7 acres of upland and wetland forests will be converted to open herbaceous habitat, while the next paragraph states 515.2 acres of forest would be cleared for construction of the project of which 63.9 acres are forested wetlands. It is unclear what the correct amount is.

F2.5

A review of aerial photography shows the majority of these impacts are located within bottomland hardwood corridors along the Sabine River. Bottomland hardwoods are where wood ducks breed and raise their young; migratory waterfowl take refuge in winter; and raccoons, squirrels, opossums, swamp rabbits, and other mammals make their permanent homes.<sup>1</sup> In addition, these forested areas provide important resting and feeding habitat for neotropical migrant songbirds and resident songbirds. The area proposed for the pipeline route is within coastal forested areas documented to be heavily used by large numbers of neotropical migrants each year. The continued loss and degradation of these coastal forests—by urbanization, oil and gas activities, and pollution—pose a risk to these migrating birds.<sup>2</sup> Mitigation is being offered for the loss of the forested wetlands at a ratio of 4.5:1, and no mitigation is being offered for the loss of the remaining 451 acres of forest proposed to be clear cut for the pipeline route. The DOI considers forested areas to be highly valuable as fish and wildlife habitat and believes the limited proposed mitigation will not adequately compensate for the loss of this habitat. A complete and adequate mitigation plan should be developed with the FWS and included in the Final EIS.

F2.6

Page 4-85, Section 4.7.1.4 Birds, Red-cockaded Woodpecker - According to the Draft EIS, two areas (near mileposts 71 and 72, and mileposts 78.7 and 78.8) of the proposed pipeline route contain suitable nesting habitat for the RCW. The applicant has not been able to obtain

<sup>1</sup> Larry D. Harris, 1984. "Bottomland Hardwoods: Valuable, Vanishing, Vulnerable". School of Forest Resource and Conservation, University of Florida; in cooperation with Florida Cooperative Fish and Wildlife Research Unit and the National Coastal Ecosystem Team of the U.S. Fish and Wildlife Service.

<sup>2</sup> W.C. Barrow Jr, et al. 2003. Coastal Forests of the Gulf of Mexico: A Description and Some Thoughts on Their Conservation. USDA Forest Service Gen. Tech. Rep. PSW-GTR-191.

F2.2 Thank you for your comments on the brown pelican and piping plover.

F2.3 Our recommendation in Section 4.4.1.2 of the final EIS has been modified to include the installation of culverts, as needed, to insure that hydrology is maintained in locations where access roads cross wetlands.

F2.4 The 238.7 acres is the estimated number of acres of upland and wetland forest that would be permanently affected by the 50- to 75-foot-wide easement for operation of the pipeline. The 515.2 acres of forest is the estimated number of acres of forest that would be temporarily cleared during construction to install the pipeline. Approximately 276.5 acres of forest (the difference between the two numbers) would be allowed to return to forest following construction.

F2.5 The pipeline would be installed adjacent to existing rights-of-way for 84 percent of the 11 miles between MPs 60.8 and 71.8, where aerials indicate primarily forested areas associated with the Sabine River watershed. In addition, Golden Pass plans to directionally drill (using two HDDs) the forested area between MPs 65.3 and 67.4. This segment includes 1.6 miles of the pipeline that would not be installed immediately adjacent to existing rights-of-way. Expansion of existing rights-of-way generally results in less environmental impact than the creation of new rights-of-way through forested areas. Completion of successful HDDs under Indian Bayou and the Sabine Island WMA would reduce direct impact on the WMA, as well as impact on nearly 2 miles forested areas. While we recognize the importance of this habitat, impacts to this habitat have been minimized where possible.

F2-6 See next page.

**F2.6  
(cont'd)**

landowner permission to access those areas within 0.5-mile of the proposed construction areas to complete needed RCW surveys. Consequently, section 7 consultation under the ESA for the RCW is continuing between the FWS's Lafayette, Louisiana, Field Office and the applicant (acting as FERC's designated representative). Alternative survey methods are currently being discussed for those areas where access has been denied. Please be aware that all section 7 consultation should be completed prior to issuance of the Final EIS.

**F2.7**

Page 4-49, Section 4.6.1.3 Migratory Flyways - There are several documented bird rookeries located within the vicinity of the proposed Golden Pass LNG facility and pipeline route. However, these bird rookeries are not identified in the Draft EIS. These rookery sites can be found on the FWS's Texas Coastal Program website at <http://texascoastalprogram.fws.gov/TCWC.htm>.

Migratory birds (e.g., waterfowl, shorebirds, passerines, hawks, owls, vultures, falcons) are afforded protection under the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703-712). Bird rookeries and nesting islands must be left undisturbed. Development operations—which include drilling, dredging, seismic exploration, construction activity, or watercraft landing—are not recommended within 1000 feet of the rookery areas during the peak-nesting season from February 15 to September 1.

Golden Pass LNG should develop a monitoring plan that identifies these rookeries and documents that the bird rookeries will not be disturbed by construction activities. This can be developed in concurrence with the bird strike monitoring plan currently being developed in consultation with the FWS and Texas Parks and Wildlife Department.

**F2.8**

In addition, transmission lines often pose a hazard to migratory birds in flight and can pose a threat to nesting birds attracted to the site; therefore, we strongly recommend the burial of the transmission lines to significantly reduce bird strikes in the area.

**F2.9**

Page 4-77, section 4.6.3.4, Conservation Measures and Mitigation Plans - We believe the wetland mitigation plan in Appendix G is vague and incomplete. In addition, the mitigation plan provides compensation only for wetland impacts. The DOI requests additional mitigation be provided for impacts to forested habitats. All mitigation for proposed impacts should be identified and approved by the resource agencies. The FWS is currently working with Golden Pass LNG to address these issues. However, a complete mitigation plan to significantly reduce impacts to fish and wildlife habitats should be included in the Final EIS.

**F2.10**

Page 5-9, Section 5.1.8 Threatened and Endangered Species - Please refer to above comments involving section 7 consultation under the ESA for the RCW.

**F2.11**

Page 5-13, Section 5.1.14 Cumulative Impacts - The last sentence of this paragraph is incomplete and should be revised to fully address the cumulative impacts of the proposed facilities on the Sabine-Neches Waterway.

**F2.12**

Appendix G, Draft Golden Pass Aquatic Resource Mitigation Plan - Sections 1 through 5 of Appendix G address estimated project impacts and potential mitigation projects. Tables 5, 6, and 7 list the proposed mitigation acreages, by habitat type, that would offset expected wetland impacts from construction and operation of the proposed project features. At this time in the

## Federal Agency Comments

### F2

F2.6 Golden Pass continues to attempt to gain access from landowners with property within 0.5 mile of the construction work area (see section 4.7.1.4 of the final EIS).

F2.7 We did review the FWS Texas Coastal Program website during preparation of the draft EIS. Only one colony was identified within 0.5 mile of the pipeline system at approximate MP 38.9. That colony, designated the McFadden Waterbird Colony, is listed as being 450 feet south of the pipeline at the Neches River crossing. Review of the data at the colony indicates that observations have not been conducted since 1990. In response to our request for additional information on the status of the colony, Golden Pass contacted the TXPWD which reported that the McFadden Rookery is no longer actively monitored. This is probably due to the industrial nature of the area at present and recent disturbances associated with dredging for a ship berth. The only other nearby colony, the United Marine Enterprise Colony, is listed as being about 4,800 feet (0.9 mile) north of the pipeline near MP 0.6. Because of its distance from the pipeline and the LNG terminal, we concluded that there would be no impact on this colony. Since no rookeries or waterbird colonies were identified within 1,000 feet of the pipeline or LNG terminal, no monitoring plan has been developed.

F2-8 The only transmission lines associated with this Project are the nonjurisdictional Entergy powerlines (see appendix B of the final EIS). Preliminary plans indicate that the last segment (approximately 2,410 feet) of the transmission lines would be placed adjacent to the primary access road to the LNG terminal. We have included the powerlines in our recommendation to monitor bird strikes at the LNG facility.

F2.9 The wetland mitigation plan (Aquatic Resources Mitigation Plan in appendix G) has been substantially revised since publication of the draft EIS. Included in the revised plan is Golden Pass' proposal to acquire and donate a site near an existing nature preserve in southeast Texas as compensation for forested wetland impacts. This site will likely include both upland and wetland forest.

F2.10 Comment noted.

F2.11 We have revised section 5.1.14 of the final EIS.

F2-12 See next page

# Federal Agency Comments

## F2

4

**F2.12**  
**(cont'd)**

planning process, however, specific compensatory mitigation projects have not been identified. Since the specific compensatory mitigation requirements within each state are not available, the mitigation estimates in Tables 5, 6, and 7 should be more fully explained and clarified. The document does not adequately describe the rationale used to calculate the mitigation figures, nor does it justify the mitigation acreage ratio for impacts to bottomland hardwoods and swamp being less than 1:1, which contradicts the text in Section 3.1. Section 5.4 indicates that a functional assessment methodology or an acreage-ratio determination will be conducted. However, the specific method used to derive the compensatory mitigation acreages in Tables 5, 6, and 7 is not identified. Because specific mitigation projects have not been selected, and the assessment methodology used to determine mitigation acreage needed in each state has not been adequately discussed, the FWS recommends that this section be fully revised to address and clarify those issues.

### Summary

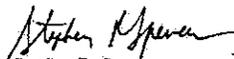
**F2.13**

The DOI believes that the Draft EIS does not adequately address several important issues involving the reduction of impacts and protection of fish and wildlife resources. There are cumulative impacts occurring due to industrial, commercial, and residential developments. There are three LNG facilities and pipelines proposed for this area alone. The intent of the National Environmental Policy Act is to evaluate the environmental consequences to all habitats. Conservation features should be incorporated into the project plans to significantly reduce the level of environmental impacts. The Final EIS should contain a completed mitigation plan that adequately compensates for the cumulative loss of the coastal habitats and forested areas found along the proposed project facility and pipeline. We believe these issues should be addressed before the Final EIS is approved or FERC project authorization is granted.

If you or your any of your staff have questions in the continuing planning process, please contact Brigitte Firmin at the FWS's Lafayette, Louisiana Field Office, at 351-291-3100 and Moni Belton, at the FWS's Clear Lake, Texas Field Office, at 281-286-8282.

Thank you for the opportunity to comment on this project proposal.

Sincerely,



Stephen R. Spencer  
Regional Environmental Officer

F2.12 The wetland mitigation plan (Aquatic Resources Mitigation Plan in appendix G) has been substantially revised since publication of the draft EIS and now includes a definition of the minimum mitigation standards (see section 5.2 in appendix G).

F2.13 This EIS addresses the environmental impacts, and proposed and recommended mitigation for these impacts, for this Project. EISs prepared for the other two projects will address impacts and mitigation for those projects, thus addressing cumulative environmental impacts associated with all three projects.



DEPARTMENT OF THE ARMY  
GALVESTON DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 1229  
GALVESTON, TEXAS 77563-1229

REPLY TO  
ATTENTION OF:

April 15, 2005

Evaluation Section

SUBJECT: Draft Environmental Impact Statement for Golden Pass LNG Terminal and Pipeline Project, Docket No. CP04-386-000 and CP04-400-000 *et al.*

Federal Energy Regulatory Commission  
Environmental Project Manager  
Office of Energy Projects  
Attn: Ms. Jennifer Kerrigan  
888 First Street, NE  
Washington, D.C. 20426-0002

Dear Ms. Kerrigan:

This is in response to the Draft Environmental Impact Statement (EIS), dated March 2005, for the proposed Golden Pass Liquefied Natural Gas (LNG) project. Please find our enclosed comments on the Draft EIS. The proposed project involves construction of an LNG vessel terminal, storage facilities, and pipeline. The proposed LNG facility is located in the Port Arthur Canal, Jefferson County, Texas.

As you are aware, the proposed project will also require a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. We issued our required Public Notice of application concurrently with the Federal Energy Regulatory Commission's (FERC) notice of availability for the Draft EIS. This allows us to conduct our evaluation of the application concurrently during FERC's completion of the Final EIS. Upon completion of the Final EIS, the Galveston District can then adopt the EIS.

In order for us to render a permit decision on the proposed project, the EIS must adequately address the proposed project's purpose and need, alternatives analysis, cumulative impacts, and the determination of the least environmentally damaging, practicable alternative. Upon review of the Draft EIS, we concur that the document successfully addresses our needs under the National Environmental Policy Act process for the proposed project's purpose and need. Most of the concerns that were raised in our comments on the preliminary Draft EIS have been addressed in the Draft EIS. In order for us to concur with the alternatives analysis section and the cumulative impacts section, our enclosed comments need to be addressed in the Final EIS.

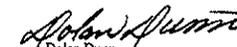
## Federal Agency Comments

F3

-2-

Thank you for the opportunity to provide our input and comments on the Draft EIS as a cooperating agency. If you have any questions, need additional information or wish to discuss any of our attached comments or recommendations in more detail please contact Mr. Bruce Bennett at 409-766-3934 or Mr. Doug Boren at 409-766-3949.

Sincerely,

  
Dolan Dunn  
Chief, Regulatory Branch

Enclosures

# Federal Agency Comments

## F3

### USACE Galveston District Comments on ExxonMobil Golden Pass LNG and Pipeline Project Draft EIS

#### Specific Comments

- |              |   |              |  |
|--------------|---|--------------|--|
| <b>F3.1</b>  | Page 1-11, paragraph 1.5: Entergy is currently working on the finalized route selection for the proposed powerline, when the route is finalized, it should be a part of the Final EIS.  | <b>F3.1</b>  | We have revised appendix B to include two potential powerlines from the Entergy Port Acres Bulk and Sabine substations to the LNG terminal. To our knowledge, the regulating agencies are still reviewing alternatives before finalizing the location of the preferred routes. |
| <b>F3.2</b>  | Page 2-4, 2nd paragraph: Now that the applicant has included beneficial use of the dredged material, it needs to be included in this paragraph, as well as others dealing with dredged material placement.  | <b>F3.2</b>  | Comment noted. The final EIS has been revised.   |
| <b>F3.3</b>  | Page 2-4, 4th paragraph: The proposed plans for the berths have 3 breasting dolphins and 6 mooring dolphins.  | <b>F3.3</b>  | Comment noted. The final EIS has been revised.   |
| <b>F3.4</b>  | Page 2-20, Site Stripping paragraph: Only the top 8 inches of soil are being stripped, the rest of the material will be dredged during berth construction.  | <b>F3.4</b>  | Comment noted. The final EIS has been revised.   |
| <b>F3.5</b>  | Page 2-22, last paragraph: The slip would be dredged to 44 feet below mean lower low water. This includes the 2 feet of overdrudge and 2 feet of advanced maintenance.  | <b>F3.5</b>  | Comment noted. The final EIS has been revised.   |
| <b>F3.6</b>  | Page 2-23, Marine Dredging paragraph: Needs to include beneficial use of material.  | <b>F3.6</b>  | Comment noted. The final EIS has been revised.   |
| <b>F3.7</b>  | Page 3-1, Specific Attributes of the Project: States the project should have Texas intrastate and interstate pipeline systems, should include Louisiana pipeline systems also.  | <b>F3.7</b>  | Comment noted. The final EIS has been revised.   |
| <b>F3.8</b>  | Page 3-7, paragraph 3.2.1.3: Should address the proposed expansion of the Freeport LNG terminal.  | <b>F3.8</b>  | Comment noted. The final EIS has been revised.   |
| <b>F3.9</b>  | Page 3-7, paragraph 3.2.1.4: Is the sentence stating that the expansion of the Sabine Pass LNG facility would result in more wetlands lost than would be permanently lost for the development of the proposed Golden Pass LNG terminal site still correct with the increase in numbers of permanently impacted wetlands at the Golden Pass site?  | <b>F3.9</b>  | Comment noted. The final EIS has been revised to include the results of the COE wetland verification at the LNG terminal.  |
| <b>F3.10</b> | Page 3-25, paragraph 3.5: The document has to address the beneficial use of the dredged material. The material will have to be tested to ensure it can be used for mitigation purposes. If the material is suitable for mitigation, then it can also be used for beneficial use.  | <b>F3.10</b> | Comment noted. Golden Pass has completed additional soil and sediment testing and verified that the dredge material can be used for beneficial use in the J.D. Murphree WMA. The final EIS has been revised.   |
| <b>F3.11</b> | Page 4-35, table 4.4.1-1: All wetland impacts have not been verified by the Corps of Engineers. The impacted wetland acreages could change upon Corps of Engineers verification. The numbers initially reported by the applicant are incorrect. The number of impacted wetlands needs to be verified in order to have an EIS that discloses the correct amount of impacts to the environment. | <b>F3.11</b> | Comment noted. The final EIS has been revised to include COE verification of the wetlands at the LNG terminal. It is our understanding that COE verification of wetlands along the pipeline system is nearing completion and will be part of any permit issued by the COE.     |

# Federal Agency Comments

## F3

- F3.12** | Page 4-44, Wetlands paragraph: There is no scientific name given for eastern baccharis.
- F3.13** | Page 4-45, paragraph 4.5.1.2: The first paragraph states there will be 13.7 acres of impacts due to access roads at the facility, but on page 4-35, it states the secondary access road will impact 16.2 acres and page 4-149 states 10.1 acres for access roads.
- F3.14** | Page 4-145, paragraph 4.12: In order for the Corps of Engineers to comply with guidelines from recent court rulings, the Cumulative Impacts section should have:
- 1 - The area in which effects of the proposed project will be felt.
  - 2 - The impacts that are expected in that area from the proposed project.
  - 3 - Other actions, past, proposed and reasonably foreseeable that have had or are expected to have impacts in the same area.
  - 4 - The impacts or expected impacts from these other actions.
  - 5 - The overall impact that can be expected if the individual impacts are allowed to accumulate.
- F3.15** | Page 4-149, 1st paragraph: The EIS needs to have a complete mitigation plan to ensure impacted wetlands are compensated for to ensure there are no cumulative impacts to wetlands within the project area and to ensure the project impacts are appropriately compensated for.
- F3.16** | Page 4-154, Cumulative Impacts, Dredge Material Placement Areas: The space within the existing placement areas is limited, if the LNG facilities are constructed and the channel is deepened and widened, the cumulative impact section should address the possibility of creating new placement areas.
- F3.17** | Page 5-9, 1st paragraph: Are the more precise restoration plans for the entire pipeline route or just what is considered Essential Fish Habitat?
- F3.18** | Appendix A: Can you add Bruce Bennett and Doug Boren to the EIS distribution list?
- General Comments
- F3.19** | The EIS should include a complete mitigation, monitoring and restoration plan to ensure all impacts of the proposed project are adequately compensated for.
- F3.20** | The proposed numbers for the amount of material to be dredged and the amount of wetland impacts at the terminal site need to be changed to the more correct numbers given by the applicant since the printing of the Draft EIS.

- F3.12** Comment noted. The scientific name for eastern baccharis has been added.
- F3.13** Comment noted. The final EIS has been revised to address these discrepancies and incorporate changes to the dimensions of the secondary road that have been proposed by Golden Pass.
- F3.14** We have added a new section to 4.12 (Cumulative Impacts) to address cumulative impacts from multiple projects that we are aware of that are being proposed in Calcasieu Parish, Louisiana. We believe we have quantified cumulative impacts to the best of our knowledge of known past, present, or reasonably foreseeable projects.
- F3.15** Comment noted. The final EIS includes a revised Aquatic Resource Mitigation Plan to compensate for wetland impacts for this Project.
- F3.16** Comment noted. We have revised the discussion of DMPAs in the final EIS to include an estimate of available DMPA capacity and potential future DMPA needs if all proposed projects are constructed.
- F3.17** Comment noted. We have eliminated this recommendation because the the Aquatic Resources Mitigation Plan includes restoration of the wetlands to pre-construction contours, which was the goal of this recommendation. Monitoring would be done using GIS and Remote Sensing techniques to verify elevations before and after construction.
- F3.18** Comment noted. Appendix A and the mailing list have been revised.
- F3.19** Comment noted. The final EIS includes a revised Aquatic Resource Mitigation Plan (see appendix G) that more completely quantifies wetland impacts and mitigation plans.
- F3.20** Comment noted. The final EIS has been revised in numerous places to incorporate changes and updated information provided by Golden Pass.

## Federal Agency Comments

### F3

- F3.21** | If the pipeline route is not going to be cleared by the State Historic Preservation Officer (SHPO) before the Corps of Engineers issues a permit for the proposed route, we will put a special condition on to our permit to ensure SHPO clearance. If the route is changed in order to avoid historical sites, the permit will have to be modified and the modified route will have to be assessed for its impacts.
- F3.22** | The Draft EIS does not discuss any alternatives for the beneficial use of the dredged material, now that Golden Pass LNG is planning to use some of the material for mitigation purposes, the alternative analysis section needs to address the use of the dredged material for beneficial purposes.
- F3.23** | We have included comments we received during our Public Notice period concerning pipeline route alternatives. The comments should be addressed in the Final EIS.

- F3.21 We concur. Before construction can begin on the pipeline system, Golden Pass will be required to provide SHPO comments on all cultural resources surveys completed to date, and to complete cultural resources surveys (and provide SHPO comments) for any modifications to the pipeline route,
- F3.22 Comment noted. Section 3.5 of the final EIS has been revised to include alternatives for beneficial use sites for dredged materials.
- F3.23 Comment noted. These comments are addressed in section 3.8.3.2 of the final EIS.

ORIGINAL

United States Department of Agriculture



Natural Resources Conservation Service  
101 South Main Street  
Temple, TX 76601-7802

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SECRETARY

2005 MAY -3 P 3 27

FEDERAL ENERGY  
REGULATORY COMMISSION

April 25, 2005

Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, D.C. 20426

Attention: Magalie R. Salas, Secretary

Subject: LNU-Farmland Protection-  
Golden Pass LNG Terminal and Pipeline Project  
Draft EIS  
Reference Document Nos. CP04-400-000, et al;  
Jefferson, Orange and Newton Counties, Texas

We have reviewed the Draft Environmental Impact Statement for the Golden Pass LNG Terminal and Pipeline Project in Jefferson, Orange and Newton Counties, Texas dated March 2005 which was prepared for the Federal Energy Regulatory Commission. We have reviewed the project as required by the Farmland Protection Policy Act (FPPA).

F4.1

We are pleased that you have recognized the importance of planning actions that will maintain the agricultural productivity of soils in project area. We have reviewed this project in the past with consultants on this project and we think the proposed actions will help maintain the long term productivity of the soils impacted. We have reviewed this document and concur with the plans outlined in Figure 2.2-1 and discussed in section 4.2.3.1 Prime Farmland. We believe this pipeline and Agricultural production can co-exist.

Thanks for the resource materials you submitted to evaluate this project. If you have any questions please call James Greenwade at (254)-742-9960, Fax (254)-742-9859.

Thanks,

James M. Greenwade  
Soil Scientist  
Soil Survey Section  
USDA-NRCS, Temple, Texas

Cc: Dixie E Gelburd, Director, Ecological Sciences Division, P.O. Box 2890,  
Washington D. C., 20013

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer

Federal Agency Comments

F4

F4.1 Thank you for your comment.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

APR 20 2005

Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E. Room 1A  
Washington, DC 20426

Docket Nos: CP04-386-000, CP04-400-000, CP04-401-000, CP04-402-000

Dear Ms. Salas:

In accordance with the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, Environmental Protection Agency (EPA) Region 6 has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed construction and operation of the liquefied natural gas (LNG) import terminal (Jefferson County, Texas) and natural gas pipelines (Jefferson, Orange and Newton counties, Texas and Calcasieu Parish, Louisiana) proposed by Golden Pass LNG Terminal and Pipeline Project. The Golden Pass LNG proposed facility would transport up to 2.0 billion cubic feet per day of imported natural gas to the U.S. market.

EPA rates the DEIS as "EC-2," i.e., EPA has "Environmental Concerns and Requests Additional Information in the Final EIS (FEIS)." EPA has identified environmental concerns that may require changes to the preferred alternative or application of mitigation measures that can reduce environmental impact. EPA asks for additional information to be included in the FEIS to complement and to more fully insure compliance with the requirements of NEPA and the Council on Environmental Quality (CEQ) regulations. Areas requiring additional information or clarification include: explanation of alternative selection, additional impact discussion of invasive species and other organisms, and air quality impact and conformity.

Our classification will be published in the *Federal Register* according to our responsibility under Section 309 of the Clean Air Act to inform the public of our views on this proposed Federal action. Detailed comments are enclosed with this letter to more clearly identify our concerns. If you have any questions, please contact Mike Jansky of my staff at (214) 665-7451 or [jansky.michael@epa.gov](mailto:jansky.michael@epa.gov) for assistance.

EPA appreciates the opportunity to review the DEIS. Please e-mail Mike Jansky an electronic version and mail one copy of the FEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Federal Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20004.

Sincerely yours,

Rhonda M. Smith, Acting Chief  
Office of Planning and  
Coordination (6EN-XP)

Enclosure

Internet Address (URL) - <http://www.epa.gov/earthlink>  
Recycled/Recyclable - Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

Federal Agency Comments

F5

DETAILED COMMENTS  
ON THE  
GOLDEN PASS LIQUEFIED NATURAL GAS (LNG)  
AND PIPELINE PROJECT  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
JEFFERSON, ORANGE, AND NEWTON COUNTIES, TEXAS AND  
CALCASIEU PARISH, LOUISIANA

BACKGROUND

The Draft Environmental Impact Statement (DEIS) for projects proposed by Golden Pass LNG Terminal L.P. and Golden Pass Pipeline, L.P. has been prepared by the Federal Energy Regulatory Commission to fulfill the requirements of the National Environmental Policy Act and the Commission's implementing regulations under Title 18, Code of Federal Regulations, Part 380. Golden Pass proposes to construct and operate a new LNG import terminal in Jefferson County, Texas that would include LNG ship unloading berths, LNG storage and vaporization, and a new natural gas pipeline system to deliver the vaporized natural gas to 11 interconnections with the existing interstate and intrastate pipeline systems. The proposed facility would import, store, and vaporize an average of approximately 2 billion cubic feet per day of natural gas for delivery into the existing intrastate and interstate pipeline systems.

COMMENTS

F5.1

The onshore terminal would be located on the Port Arthur Channel of the Sabine-Neches Waterway in Jefferson County, Texas, and the three proposed pipelines would extend for a distance of approximately 122 miles in eastern Texas and western Louisiana. Considering the critical role wetlands serve in coastal Louisiana and Texas, avoiding wetland losses should be a primary focus of the alternatives analysis. The EIS should extensively analyze any and all less environmentally damaging practicable alternatives to the proposed project, with a focus on the direct and cumulative impacts. In addition, alternative routes that might eliminate or reduce wetland impacts from constructing the pipelines should be considered.

F5.2

Accordingly, Section 3.8.1.3 "Use of a Shorter Proposed Pipeline System," describes an alternative that would result in avoiding pipeline impacts to forested wetlands by reducing the furthest 35 miles of pipeline, and would rely on the existing sand out capacity between the AEP Texoma Interconnect and the Transco Interconnects. However, the DEIS indicates that this alternative was not explored in detail because of the uncertainty or difficulty in determining the available pipeline transport capacities and existing customer base in 2007, when the new pipeline system would be constructed. The additional new pipeline was selected as the preferred alternative because it would increase takeaway capacity and "diversity." If we understand the argument then, a new pipeline would always be the alternative of choice rather than utilizing existing pipelines or upgrading existing pipeline capacities. A clearer explanation of this alternative selection analysis should be provided in the FEIS. The FEIS should also include an analysis of a coordinated pipeline delivery system between the two proposed ExxonMobil LNG pipeline projects in this same area (the onshore Golden Pass LNG pipeline and the onshore portion of the Pearl Crossing pipeline).

## Federal Agency Comments

F5

F5.1 Because of the extensive wetlands in southeast Texas/ southwest Louisiana and the linear nature of pipelines, it is not possible to entirely avoid wetland impacts while still meeting the objectives of the project. Section 3.8 summarizes the different alternatives evaluated to reduce wetland impacts. Further, wetland impacts along the proposed route have been minimized through the use of HDDs, by co-locating the pipeline(s) along other existing utility rights-of-way, and by placement of the pipeline in the lakes and a double-leveled ditch through J.D. Murphree WMA.

F5.2 Section 3.8.1.3 addresses the possibility of ending the project near MP 42.8 at a potential interconnection with AEP Texoma. This would shorten the pipeline construction for the project by about 35 miles. However, this alternative would not be in line with purpose of the project which is to access the interstate market as well as the intrastate market. The shorter pipeline would not interconnect with the interstate pipeline systems of Florida Gas (MP 44), Tennessee Gas (MP 72.8), TETCO (MP 75.8), or Transco (MP 77.8). Additional text has been added to section 3.8.1.3 to clarify.

The FERC cannot compel pipelines under its jurisdiction to construct facilities for another pipeline company. Existing capacity might be used to transport some of the gas that would be transported by the proposed project. However, it is speculative to design a project based on capacity that might become available on other intrastate or interstate pipeline systems. Pipeline companies consider contract information and negotiations with their customers to be confidential. So, the future availability of existing capacity cannot be determined readily. This is not a reasonable alternative. Further, a pipeline system would have to be constructed from the new LNG terminal to interconnect with the existing pipelines. The Golden Pass pipeline system which would run roughly north-south would do this by intersecting with pipelines that are generally running east-west. At this time it does not appear that additional capacity would be required on these systems to accept the Golden Pass gas volumes.

These two pipeline projects are proposed by subsidiary companies of ExxonMobil, Golden Pass Pipeline, LP and Pearl Crossing Pipeline, LP. The purpose of each project and their design are to serve different markets. The proposed routing of the respective pipelines would allow interconnections with pipelines serving those markets. A single pipeline system to deliver the combined volume of gas proposed for the two projects would not accomplish this.

- F5.3** The 122.4 miles of new pipeline that would be constructed for the preferred alternative for this LNG project represent about 22% of the total mileage (approximately 570 miles) of new onshore pipelines associated with LNG facilities in this area (Trunkline, Sempra Hackberry/Cameron, Sempra Port Arthur, Cheniere Sabine Pass, Cheniere Croco Trail, ExxonMobil Pearl Crossing, and ExxonMobil Golden Pass). This is significant and the cumulative impacts analysis should include a discussion of all practical measures to minimize new pipeline construction. In addition, since six of the projects are proposed by the same three companies, there should be an explanation of whether any new pipeline construction could be further minimized by planning for joint pipeline delivery service among projects proposed by the same companies. The option of utilizing the same or portions of the same new pipeline corridors should also be considered.
- F5.4** Although the DEIS mentions the potential for noxious weeds and other invasive plants to become established at the construction sites, we could not find an analysis of marine pollution issues that might arise from the increase in foreign vessel traffic on the Sabine-Neches Waterway as a direct result of this project as well as cumulative effects of the increased traffic from other LNG facilities being proposed for this same channel. The environmental analysis should include the potential for invasive species introduction from organisms that might travel affixed to or onboard the LNG vessels or associated with any materials exchanged at the port.
- F5.5** In the Executive Summary, page ES-5, 5<sup>th</sup> full paragraph, EPA recommends the deletion of the sentence, "Air emissions resulting from the construction of the LNG terminal and pipeline system would be short-term and would not significantly affect air quality of the region." This statement is subjective and not supported elsewhere in the document where construction emissions are quantified. For instance, NOx construction emissions are estimated to be 662 tons per year and emissions from other criteria pollutants are over 100 tons per year.
- F5.6** Although general conformity requirements pertaining to the LNG terminal and pipeline construction in Texas are addressed in the document, construction emissions from the pipeline planned in Calcasieu Parish, Louisiana are not. Currently, Calcasieu Parish is a 1-hour ozone maintenance area and general conformity applies to Federal actions in this parish. However, it should be noted that the 1-hour ozone standard is scheduled to be revoked on June 15, 2005, after which the general conformity will no longer apply. Any Federal actions before this date are subject to the general conformity requirements.

## Federal Agency Comments

### F5

- F5.3** See section 4.12.2 for a discussion of the cumulative impact of pipeline construction. Figure 4.12.2-1 illustrates the general locations of the Golden Pass and other proposed and FERC-approved projects. It also shows where these projects are co-located. New pipeline construction has been minimized by using existing rights-of-way to the extent practicable. The Golden Pass pipeline would overlap and/or parallel existing pipeline, powerline, and road rights-of-way. This is discussed in section 4.8.1.2.
- F5.4** The SNWW serves the ports of Port Arthur, Beaumont, and Orange. In terms of general tonnage, it has consistently ranked as the 3<sup>rd</sup> or 4<sup>th</sup> transit waterway operating in the U.S. Both the ports of Port Arthur and Beaumont are international ports serving various parts of the world, including Europe, South America, and the Mediterranean. This would indicate the potential for routine exposure of port waters to aquatic organisms with diverse origins over an extended period of time. Consequently, the local biotic community is likely adapted to a regular influx of exogenous organisms.
- To respond to the issue of introduction of exotic/invasive organisms associated with foreign vessels, the Coast Guard's Office of Operating and Environmental Standards has developed *Mandatory Practices for all Vessels with Ballast Tanks on All Waters of the United States*. The mandatory practices include requirements to rinse anchors and anchor chains during retrieval to remove organisms and sediments at their place of origin and remove fouling organisms from hull, piping, and tanks on a regular basis, and dispose of any removed substances in accordance with local, state, and federal regulations. Therefore, it is unlikely that the introduction of non-indigenous attached organisms via ship hulls would significantly alter the local biotic community.
- F5.5** Comment noted. The executive summary has been revised in the final EIS.
- F5.6** The LADEQ has reviewed the part of the Project (e.g. Mainline and interconnects) that would be constructed in Calcasieu Parish and has determined that a *de minimus* applicability determination would apply. See comment letter S3. Golden Pass would be required to obtain any necessary permits or clearances that are applicable to the pipeline at the time of construction.



ORIGINAL

State of Louisiana

KATHLEEN BABINEAUX BLANCO  
GOVERNOR  
April 11, 2005

DEPARTMENT OF WILDLIFE AND FISHERIES

FILED  
OFFICE OF THE  
SECRETARY  
RIGHT LANORENEAU  
SECRETARY  
APR 18 P 4 28  
FEDERAL ENERGY  
REGULATORY COMMISSION

Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C 20426

Re: CP04-400-000, CP04-401-000, & CP04-402-000  
Golden Pass Pipeline LP

Dear Ms. Salas:

The professional staff of the Office of Wildlife reviewed the above referenced project and offers the following comments:

S1.1

1. In regards to the crossing of the Sabine Island Wildlife Management Area which is owned by the State of Louisiana and managed by this Department, we concur with the recommendation of your staff as found on page 4-105 and Page 5-21 Mitigation Measure No. 45. This measure reads "Therefore, we recommend that Golden Pass not initiate any ground disturbing activities associated with conventional construction techniques for installation of the Malaline (clearing, grading, or trenching) between MPs 61.2 (Old SH 8) and 66.3 and MPs 67.5 and 72.0 (No. Seven Road) until successful completion of the HDD crossing of the Sabine Island WMA between MPs 66.3 and 67.5. Golden Pass must file written documentation demonstrating the successful completion of the HDD prior to requesting authorization to commence additional construction activities between MPs 61.2 and 72.0."

The applicant shall obtain a Special Use Permit for operations on the Sabine Island Wildlife Management Area.

S1.2

2. Page 5-6 Section 5.1.5 We concur with your staff that the application has not provided sufficient justification for the increase right-of-width for construction within wetlands.

S1.3

3. Page 5-6 Section 5.1.5 The Aquatic Resources Mitigation Plan is not adequate in providing detail information for the proposed mitigation action. Additional information is needed in the following areas:

A. Specific acres of impacts by habitat type per drainage basin are needed.

B. Justification for the need for having impacts occurring within the Bear Head Creek and the Sabine River Basins being mitigated outside the river basins when there are mitigation opportunities within each of these basins.

State

S1

S1.1 Thank you for your comments.

S1.2 Thank you for your comments.

S1.3 Comment noted. Golden Pass has revised its Aquatic Resources Mitigation Plan to include mitigation, in the form of mitigation banking, for permanent loss of forested wetlands within the Calcasieu River watershed.

State

S1

Page 2  
CP04-400-000  
April 11, 2005

S1.4

C. Justification for the methodology used to arrive at the ratio for mitigation for the impacts in Louisiana in both the Sabine River and Calcasieu River basins. An approved evaluation method (HEP, HES, HGM, WVA, Charleston Method, etc) should be used with all regulatory and resource agencies involved.

S1.5

D. The ratio for preservation credit is extremely low compared with those experienced within the New Orleans Corps of Engineers District which are around 45:1. Justification for such a low ratio needs to be given along with the evaluation method used to arrive at the ratio.

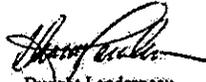
S1.6

4. Page 5-13 Section 5.1.14. Cumulative Impacts. There are other proposed pipeline projects using portions of the proposed right-of-way within Louisiana. These projects are the Pearl Crossing Pipeline and the Starks Gas Storage Pipeline projects. The use of the same area by multi pipeline projects needs to be addressed so that only the minimum amount of impacts will occur.

Representatives of the Golden Pass Pipeline Project are meeting and working with this Department on each of these issues. As recently as April 11, 2005 they have met with the staff of this agency to review, work on and address these issues.

The Department of Wildlife and Fisheries seeks to work with you in a facilitative manner on this and future such endeavors. Please call my staff should you need further assistance.

Sincerely,



Dwight Landreneau  
Secretary

C: John Robinette  
ExxonMobil

- S1.4 It is our understanding that Golden Pass has been working the COE and state regulatory agencies to quantify wetland impacts and develop appropriate mitigation ratios.
- S1.5 Project impacts on wetlands are expected to be primarily temporary because wetlands would be restored after construction so that they may continue to function as wetlands. The exception would be where the operational right-of-way would convert forested wetlands to emergent wetlands. Mitigation ratios should be based on the actual impacts to the wetland.
- S1.6 Comment noted. Section 4.12.2 (Projects in Calcasieu Parish, Louisiana) has been added to the final EIS to address those projects that are planned for construction in that parish.



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EXECUTIVE DIRECTOR

S2.1



Take a kid  
hunting or fishing  
\* \* \*

Visit a state park  
or historic site

S2.2

4800 BAILEY SCHOOL ROAD  
ALBUQU, TEXAS 78744-3897  
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www.tpwd.state.tx.us

April 15, 2005

ORIGINAL

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OFFICE OF THE  
SECRETARY  
2005 APR 25 P 3:50  
FEDERAL ENERGY  
REGULATORY COMMISSION

Ms. Magalie R. Salas  
Secretary  
Attn: Gas Branch 2  
Federal Energy Regulatory Commission  
888 First Street, N.E. Room 1A  
Washington, DC 20426

RE: Draft Environmental Impact Statement for the Golden Pass LNG Terminal  
(Docket No. CP04-386-000) and Pipeline Project (Docket Nos. CP04-400-  
000, CP04-401-000 and CP04-402-000)

Dear Ms. Salas:

Texas Parks and Wildlife Department (TPWD) reviewed Draft Environmental Impact Statement for the above referenced project located in Jefferson, Orange and Newton Counties, Texas and Calcasieu Parish, Louisiana. TPWD has also received an updated mitigation plan from the applicant dated March 8, 2005. The project proponent, Golden Pass LNG (GPLNG) is applying for licenses for the construction and operation of a liquefied natural gas (LNG) import terminal and pipeline.

GPLNG has coordinated extensively with TPWD in efforts to avoid, minimize and adequately mitigate for impacts to wetlands and other sensitive habitats at both the LNG terminal site and along the pipeline route. This coordination has resulted in project plans that avoid a majority of the most sensitive habitats in the project footprint by routing the pipeline through Keith Lake, Johnson Lake, Salt Bayou and through levees and ditches in the Big Hill Bayou Unit of the J.D. Murphree Wildlife Management Area (JDMWMA). TPWD has reviewed the revised mitigation plan dated March 8, 2005 and finds that concepts outlined in the plan will adequately mitigate for emergent wetlands impacts.

To compensate for forested wetland impacts, GPLNG has proposed to preserve forested lands adjacent to the Big Thicket National Preserve. TPWD agrees that this strategy is the best compensatory method for forested wetland impact mitigation. However, the applicant has proposed mitigation ratios that will not compensate for forested wetland impacts. GPLNG has proposed mitigation ratios based in forested wetland type. Mitigation ratios should be determined based on habitat quality, and quality is not a function of habitat type. Most of the forested wetlands of the Neches and Sabine River watershed are high quality, in that they consist of multi-strata forests with diverse tree age classes, low invasive species densities and adequate canopy coverage. TPWD recommends that GPLNG compensate for these forested impacts at 7:1 mitigation to impact ratio. Medium quality forested wetlands; defined as forested wetlands with preponderance of

S2.1 Thank you for your comments.

S2.2 Additional mitigation/compensation could be included in the COE permitting process.

To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.

Ms. Magalie R. Salas  
Page 2 of 3  
April 15, 2005

**S2.2**  
(cont'd)

young trees (less than 20 centimeters DBH), and with an adequate diversity and potential to develop into a high quality forested wetland; at a 5:1 mitigation to impact ratio. For low quality forested wetlands, generally reserved for forested wetlands which have recently been logged, TPWD recommends mitigation at 3:1 ratio. The 4:1 mitigation ratio that GPLNG has proposed for pipe flatwoods is not indicative of standard recommended mitigation ratios.

**S2.3**

Section 4.6.1.2. of DEIS (page4-48) indicates that approximately 239 acres of forest will be cleared for pipeline operation. Another document provided by GPLNG to TPWD indicates that approximately 85 acres of upland forest will be permanently cleared for pipeline operation. The impacts to upland forest habitat should be clarified. The mitigation plan has outlined a mitigation option for only the wetland portion of the impacted forests. As stated in previous letters from mosaic of habitats with forested wetlands, and thus are integral components forested communities of east Texas. Therefore, all temporary impacts should be restored in the same manner as forested wetlands, and permanent impacts to mature forested communities should be mitigated.

**S2.4**

Though coordination with the U.S. Army Corps of Engineers, Galveston District, TPWD is aware that the wetland delineation verification for the entire project is not yet complete. Upon completion of the verification, the wetland mitigation plan may need revision to assure that the mitigation is commensurate with the project's impacts.

**S2.5**

GPLNG has provided TPWD with the project modifications referred to the FERC staff recommendation 23 (pages5-18). TPWD requests that GPLNG move the access channel to the southwest, so that it is adjacent to the dredge material placement area on the south side of the Gulf Intracoastal Waterway (GIWW). All side cast material should be placed within this dredged material placement area as opposed to the unimpacted marsh to further minimize marsh impacts. TPWD also requests that GPLNG utilize all excess rip rap from the cut to create breakwaters along to the GIWW banks.

**S2.6**

Section 5.1.14, Cumulative Impacts (Page 5.13), concludes with an incomplete sentence, and thus lacks a conclusion on the cumulative impacts of three LNG facilities on the Sabine-Neches waterway. This summary should include the cumulative impacts of the three projects on ecosystem dynamics and recreational use of the Sabine Lake system.

**S2.7**

Section 4.4.1 of Appendix B (page7) discusses the potential impacts of the proposed electrical lines that would need to be constructed to supply power to GPLNG. The analysis indicates that the wires would need to be 81-100 feet high, and could have long term impacts on migratory birds along its route. The proposed route is adjacent to the JDMWMA. Migratory waterfowl and other birds frequently cross Sabine Lake traveling between the marshes of the JDWNA

State

**S2**

- S2.3 Our understanding is that 515.2 acres of forest in Texas and Louisiana would be cleared for construction of the pipeline system, of which 238.7 acres would be permanently maintained in a grassy condition for operation of the pipelines. Mitigation is being proposed for compensation for temporary and permanent impacts to 64.2 acres of forested wetlands, of which 36.0 acres would be in Texas (see table 4.4.1-1 of the final EIS). We are not aware the document provided to TXPWD by Golden Pass indicating that 85 acres of upland forest would remain permanently cleared for pipeline operations, nor to what part of the Project that estimate applies. Golden Pass, in consultation with federal and state agencies, is developing an Aquatic Resources Mitigation Plan to resolve issues associated with compensation for habitat loss.
- S2.4 The COE has completed verification of the wetlands at the LNG terminal site, which are included in the final EIS, and is completing verification of the wetlands along the pipeline system. The final Aquatic Resources Mitigation Plan that would be made part of any permit issued by the COE would include the COE's wetlands verification.
- S2.5 The final EIS has been revised to include Golden Pass' proposed plan for the flotation channel from the Gulf Intracoastal Waterway to Shell Lake. We recognize that this plan may be modified to respond to COE and TXPWD comments.
- S2.6 Comment noted. Section 5.1.14 of the final EIS has been revised.
- S2.7 The powerlines would be constructed and operated by Entergy and are regulated by the Public Utility Commission of Texas (PUCT). The PUCT would be responsible for conducting the environmental review of the proposed route and alternatives before it issues a Certificate of Public Convenience and Necessity. This environmental review would consider the benefits or constraints associated with placement of the powerlines underground.

State

S2

Ms. Magalie R. Salas  
Page 3 of 3  
April 15, 2005

S2.7  
(cont'd)

and the McFadden National Wildlife Refuge on the west side of Sabine Lake and the expansive marshes on the east side of Sabine Lake. TPWD manages large portions of the JDMWMA for waterfowl refuge and public waterfowl hunting. The construction of these powerlines could severely impact these missions; therefore TPWD strongly requests that these powerlines be buried underground.

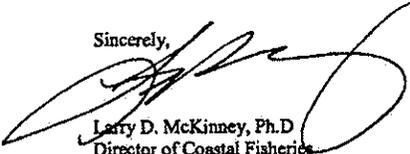
S2.8

GPLNG has also supplied TPWD with a Chinese Tallow Control Plan for areas that will be affected by pipeline construction. TPWD reiterates its request (see TPWD letter dated November 23, 2004) that GPLNG include the deep-rooted sedge (*Cyperus entrerianus*) in this invasive species management plan. Deep-rooted sedge is a highly aggressive species that quickly invades disturbed areas and can greatly reduce recolonization by native herbaceous species. Neglecting to control this species along the pipeline route will greatly reduce the likelihood of reestablishment of native herbaceous plant species.

The extensive coordination between GPLNG and TPWD has resulted in a project which has minimized impacts to sensitive wetland habitats within the project footprint. TPWD is willing to continue to work with GPLNG and FERC to resolve these outstanding issues.

If you any questions about the comments please contact Jamie Schubert in our Dickinson Office at (281) 534-0135.

Sincerely,



Larry D. McKinney, Ph.D.  
Director of Coastal Fisheries

LDM:WS:da

S2.8 The final EIS includes Golden Pass' proposed Chinese Tallow Control Plan. Similar appropriate measures could be employed for control of the invasive deep-rooted sedge and could be incorporated in any permit issued by the TXPWD or the COE.



State of Louisiana  
Department of Environmental Quality



KATHLEEN BABINEAUX BLANCO  
GOVERNOR

April 15, 2005

MIKE D. McDANIEL, Ph.D.  
SECRETARY

Harold W. Yates  
ExxonMobil Development Company  
P.O. Box 4876  
Houston, Texas 77210-4876

FILED  
OFFICE OF THE  
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2005 APR 25 P 4 14  
REGULATORY COMMISSION

RE: Emissions Demonstration and Confirmation of  
No Required Conformity Determination  
Construction of Golden Pass Pipeline  
Calcasieu Parish, Louisiana  
FERC Docket Nos. GPPL: CP04-400-000,  
CP04-401-000, and CP04-402-000

Dear Mr. Yates:

S3.1

The Air Quality Assessment Division (AQAD) of the Office of Environmental Assessment acknowledges receipt of the general conformity applicability determination and supporting technical documentation that were hand-delivered to the AQAD at a meeting held in Baton Rouge on April 11, 2005. As you know, during that meeting Mr. Ron Rebouche of my staff met with you and Mr. Randy Anderson and Mr. Nasser Fehdani of your ExxonMobil staff to discuss the portion of the referenced pipeline project that is confined to the Louisiana borders in Calcasieu Parish (approximately 11 miles of 36-inch diameter pipeline terminating near Starks, Louisiana).

S3.1 Thank you for your comments.

Because of Calcasieu Parish's air quality maintenance status, the emissions associated with this project have been estimated in accordance with the State's general conformity regulations (LAC 33:III.14.A). After reviewing all relevant technical information submitted by ExxonMobil, the AQAD finds that the estimates are reasonable and adequate for making a *de minimis* applicability determination (< 100 tons per year of volatile organic compound and nitrogen oxide emissions).

Accordingly, the Air Quality Assessment Division concurs with the *de minimis* findings of the analysis and does not object to the construction of this project as this action complies with the prerequisite applicability requirements of the State's general conformity regulations.

Should you have any questions, please contact Mr. Rebouche at 225-219-3561.

Sincerely,

Teri F. Lanoue  
Environmental Scientist Manager  
Air Quality Assessment Division

TFL:RR

c: Magalie R. Salas, Secretary (FERC)  
Peggy Wade (USEPA - Region 6)



## Groups and Individuals

G1

Unofficial FERC-Generated PDF of 20050331-0249 Received by FERC OSEC 03/29/2005 in Docket#: CP04-386-000

(409) 722-1141  
FAX: (409) 962-9223

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2005 MAR 29 P 3 16

FEDERAL ENERGY  
REGULATORY COMMISSION

**Sabine Pilots**

5148 WEST PARKWAY  
GROVES, TEXAS 77618

ORIGINAL



Federal Energy Regulatory Commission  
888 First St. N.E., Room 1A  
Washington, D.C. 20426

Ref: Docket No. CP04-386-000; CP04-400-000

The Sabine Pilots have worked closely with Exxon-Mobil in the design of their proposed LNG Terminal, Golden Pass, located approximately 1.5 miles above Mesquite Point. We have had successful simulation of the facility with various size vessels at the Marine Safety Institute in Rhode Island.

The Pilots would like to address some areas of concern regarding this facility.

G1.1

There is no doubt that this waterway has a large erosion problem along the banks of the channel. Currently the Texas Department of Highways is bulkheading several sections of the roads in an effort to prevent further erosion. But this stage of erosion has taken years to reach, coupled with an increasing size and amount of traffic into a channel that has not kept up with the growth experienced. Two thousand one hundred and thirteen vessels transited the Sabine-Neches waterway in 2004, many similar to the size of the proposed LNG vessels. The Golden Pass vessels will be slowing down upon their approach to Pleasure Island in preparation for docking at their facility, thus reducing their effect on erosion.

Ever since September 11, security has been a priority in all ports. This area brings in approximately 15% of the nation's crude oil supply and supplies approximately 25% of the military equipment. The Golden Triangle area has been a terrorist target long before the advent of LNG.

Our area today is more security conscious than ever before, and will be even more so with the coverage of our new security-based vessel traffic system, tracking vessels up to one hundred fifty miles in the Gulf of Mexico.

Golden Pass's location below Texas Island intersection in the wider 500' channel allows many advantages. There will be no interference with intracoastal tow traffic, quick transit of approximately two hours with twelve miles to the inner bar allows minimal interference with other waterway users, as well as night time transits will also reduce interference.

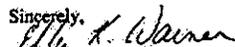
Golden Pass will be a state of the art facility, with three tractor tugs of 70 ton bollard pull each twice the power of anything currently in use on the waterway today.

G1.1

Thank you for your comments.

The Sabine Pilots feel that the Sabine-Neches waterway can adequately handle this increase in traffic. With special regard to safety and security, we urge the Federal Energy Regulatory Commission to grant the permit for Golden Pass LNG.

Sincerely,

  
Captain Ellen K. Warner, President  
Sabine Pilots Association

## Groups and Individuals

G1

## Groups and Individuals

G2

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Federal Energy Regulatory Commission  
888 1 Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

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2005 APR 19 P 3 39  
FEDERAL ENERGY  
REGULATORY COMMISSION

The undersigned has the following comments/objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipeline LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

- G2.1 1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
- G2.2 2. The proposed pipelines pass just to the West of a residential area known as Dairyridge. They pass within feet of that property which contains about 20 family dwellings. A problem with the pipelines could cause damage and / or destruction of the homes and injury and /or death to the occupants.
- G2.3 3. Apparently no worst case study has been made to evaluate the extent of damage and destruction that might be caused by a failure of the pipeline and measures taken to alleviate such damage. It would appear that a failure of the two 36" natural gas pipelines could result in a large cloud of natural gas that could catch fire and burn adjacent property or worse, result in an explosion that could affect a large surrounding area.

- G2.1 The pipelines would be installed approximately 950 feet east of the property line for the Jefferson County Municipal Water Treatment facility on FM 365. The pipelines would parallel the eastern property line for approximately 1,000 feet between approximate MPs 26.0 and 26.2. The pipelines would be installed by the water treatment facility using an HDD for the Lovell Lake, FM 365 and Gallier Canal crossings. Because of the distance between the pipelines and the facility, it is unlikely that a problem with the pipelines would jeopardize water service.
- G2.2 The pipelines would be approximately 1,265 feet west of, and parallel to, the westernmost property line of the Dairyridge residential subdivision on the west side of La Belle Road. The pipelines would parallel the western property line for approximately 1,800 feet between approximate MPs 26.1 and 26.5. The HDD for the Lovell Lake/FM 365/Gallier Canal crossing would extend from approximate MPs 25.6 to 26.4. Thus, only about 300 feet of the pipelines would be installed using conventional lay at the northernmost segment near the subdivision. Because of the distance from the property line, and even greater distance to the nearest residence within the Dairyridge subdivision (about 1,600 feet), it is unlikely that a problem with the pipelines would jeopardize residences within the subdivision.
- G2.3 The DOT is the agency responsible for the administration of regulations to ensure the safe transportation of natural gas (see section 4.13.7.1 of the EIS). This includes development of public safety regulations and other approaches to risk management to ensure safety in the design, construction, testing, operation, maintenance, and emergency response of pipeline facilities.

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

- G2.4 | 1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
- G2.5 | 2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:

10060 MILKY WAY LAWS

BEAUMONT, TEXAS 77705

Mr & Mrs John A. MARDELLO

Mr & Mrs Jada L. Marshall

April 1, 2005

## Groups and Individuals

G2

- G2.4 Golden Pass routed the pipelines to minimize potential impacts on both the residences within the Dairyridge subdivision and the water treatment facility. This included a reroute in the La Belle Road area between approximate MPs 22.7 and 29.5 to avoid crossing through a subdivision along an existing right-of-way (see section 3.8.3.2 of the EIS). Routing the pipelines further west serves no practical purpose in the absence of tangible safety concerns. We concluded that the pipeline location as currently proposed is the best balance to minimize overall impact.
- G2.5 This route (Corridor A) was eliminated for a number of reasons, including industrial/residential development in the Port Arthur area and concerns about impacts to wetlands in the J.D. Murphree WMA (see section 3.8.3.1 of the EIS).

# Groups and Individuals

G3

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Federal Energy Regulatory Commission  
888 I Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

ORIGINAL  
2005 APR 19 P 3 12  
OFFICE OF THE  
SECRETARY  
FEDERAL ENERGY  
REGULATORY COMMISSION

The undersigned has the following comments /objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipeline LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

G3.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
2. The proposed pipelines pass just to the West of a residential area known as Dairyridge. They pass within feet of that property which contains about 20 family dwellings. A problem with the pipelines could cause damage and / or destruction of the homes and injury and / or death to the occupants.
3. Apparently no worst case study has been made to evaluate the extent of damage and destruction that might be caused by a failure of the pipeline and measures taken to alleviate such damage. It would appear that a failure of the two 36" natural gas pipelines could result in a large cloud of natural gas that could catch fire and burn adjacent property or worse, result in an explosion that could affect a large surrounding area.

G3.1 See response to comments G2.1 through G2.5.

## Groups and Individuals

G3

G3.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:



THOMAS A. MARTIN



BRENDA F. MARTIN

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Federal Energy Regulatory Commission  
888 I Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

ORIGINAL  
APR 19 2 31 PM '05  
FEDERAL ENERGY REGULATORY COMMISSION  
OFFICE OF THE SECRETARY

The undersigned has the following comments/objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipeline LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

G4.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
2. The proposed pipelines pass just to the West of a residential area known as Dairyridge. They pass within feet of that property which contains about 20 family dwellings. A problem with the pipelines could cause damage and / or destruction of the homes and injury and / or death to the occupants.
3. Apparently no worst case study has been made to evaluate the extent of damage and destruction that might be caused by a failure of the pipeline and measures taken to alleviate such damage. It would appear that a failure of the two 36" natural gas pipelines could result in a large cloud of natural gas that could catch fire and burn adjacent property or worse, result in an explosion that could affect a large surrounding area.

G4.1 See response to comments G2.1 through G2.5.

## Groups and Individuals

G4

G4.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

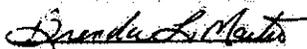
1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:



THOMAS A. MARTIN



BRENDA F. MARTIN

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SECRETARY  
APR 18 P 4:11  
FEDERAL ENERGY  
REGULATORY COMMISSION

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

✓ Federal Energy Regulatory Commission  
888 I Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

The undersigned has the following comments /objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipeline LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

G5.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
2. The proposed pipelines pass just to the West of a residential area known as Dairyridge. They pass within feet of that property which contains about 20 family dwellings. A problem with the pipelines could cause damage and / or destruction of the homes and injury and / or death to the occupants.
3. Apparently no worst case study has been made to evaluate the extent of damage and destruction that might be caused by a failure of the pipeline and measures taken to alleviate such damage. It would appear that a failure of the two 36" natural gas pipelines could result in a large cloud of natural gas that could catch fire and burn adjacent property or worse, result in an explosion that could affect a large surrounding area.

G5.1 See response to comments G2.1 through G2.5.

Groups and Individuals

G5

## Groups and Individuals

G5

G5.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline Interconnect site.

Respectfully submitted,

Home / property owner, occupants:

*Charles B. Steele*

*Sidney A. Steele*

*10080 Milky Way Ln.*

*Beaumont, TX 77705*

ORIGINAL

FILED  
OFFICE OF THE  
SECRETARY  
2005 APR 18 P 2:58  
FEDERAL ENERGY  
REGULATORY COMMISSION

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Federal Energy Regulatory Commission  
888 1 Street  
North East Room 1A    Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

The undersigned has the following comments /objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipelines LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

G6.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
2. The proposed pipelines pass just to the West of a residential area known as Dairyridge. They pass within feet of that property which contains about 20 family dwellings. A problem with the pipelines could cause damage and / or destruction of the homes and injury and / or death to the occupants.
3. Apparently no worst case study has been made to evaluate the extent of damage and destruction that might be caused by a failure of the pipeline and measures taken to alleviate such damage. It would appear that a failure of the two 36" natural gas pipelines could result in a large cloud of natural gas that could catch fire and burn adjacent property or worse, result in an explosion that could affect a large surrounding area.

## Groups and Individuals

G6

G6.1 See response to comments G2.1 through G2.5.

## Groups and Individuals

G6

G6.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:

10055 Milky Way Lane Beaumont TX 77705

M. M. White Jr.  
Yara M. White

ORIGINAL

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OFFICE OF THE  
SECRETARY

2005 APR 19 P 3 41

FEDERAL ENERGY  
REGULATORY COMMISSION

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Federal Energy Regulatory Commission  
888 I Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

The undersigned has the following comments /objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipeline LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

G7.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
2. The proposed pipelines pass just to the West of a residential area known as Dairyridge. They pass within feet of that property which contains about 20 family dwellings. A problem with the pipelines could cause damage and / or destruction of the homes and injury and / or death to the occupants.
3. Apparently no worst case study has been made to evaluate the extent of damage and destruction that might be caused by a failure of the pipeline and measures taken to alleviate such damage. It would appear that a failure of the two 36" natural gas pipelines could result in a large cloud of natural gas that could catch fire and burn adjacent property or worse, result in an explosion that could affect a large surrounding area.

## Groups and Individuals

G7

G7.1 See response to comments G2.1 through G2.5.

## Groups and Individuals

G7

G7.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:

Donald J. Broussard

Linda A. Broussard

10050 MILKYWAY, LN

BAHAMON, TX. 79705

# Groups and Individuals

G8

Federal Regulatory Energy Commission

To Whom It May Concern:

Regarding ExxonMobil's liquefied natural gas terminal in Jefferson County, Texas (Docket Mo. CP04-386-000 and CP04-400-000). I wish to make a formal complaint against ExxonMobil because they will put the citizens of my town in danger if they obtain permission to build their LNG terminal in their prospective location. Also ExxonMobil's LNG terminal will cause irreparable damage to the environment. And I believe ExxonMobil is taking part in bribes and corrupt business practices with local and state politicians in order to build their LNG terminal here.

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SECRETARY  
APR 19 P 3 02  
FEDERAL ENERGY  
REGULATORY COMMISSION

- G8.1 ExxonMobil's LNG terminal is not safe and will put the citizens of Port Arthur in danger because it is too close to where people live. The Pleasure Island community is directly across the river and there is a school down the road from the proposed site. A congressional mandate has been in place since 1979 stating that LNG terminals should be located in remote areas. The US Department of Energy recently stated that LNG terminal safety studies failed to take in account several factors and are narrowly focused. The studies do not attempt to determine how large a fire could result, or how far the damage could spread. Even the Federal Regulatory and Energy Commission admitted it did not take into consideration a scenario of a LNG terminal exploding with a LNG ship in close proximity. Some studies say that if a terminal explodes and a LNG ship is nearby everything within 2.5 miles (and possibly up to 10 miles) of the explosion would be destroyed. The school I mentioned above is about 2 miles from the proposed LNG terminal site. ExxonMobil was recently denied permission to build a LNG terminal in Alabama. The Mobile Alabama County School District unanimously passed a resolution opposing any LNG terminal being built within 2.5 miles of any school. There is also a concern over building a LNG terminal in an area where hurricanes occur frequently. The power of these storms have been underestimated too many times in this area. Anyone that has witnessed a hurricane storm surge can understand the type of flooding that can happen. The Mobile Alabama County Commission denied an ExxonMobil proposed LNG terminal site because the site was in a flood plain. I believe that ExxonMobil's proposed site here in Southeast Texas is in an area where dangerous flooding will occur. I also want to comment on the fact that there are plans to build several LNG terminals in this area. The idea of locating several LNG terminals in the same area is only increasing the risk of disaster. But it seems that Exxonmobil's proposed site is more risky then others. Listen to what Cheniere Energy Inc had to say about ExxonMobil's proposed site in an article from *The Port Arthur News*: "There was a nature preserve and Pleasure Island community. We wanted to stay out of the wetlands and Keith Lake. So we chose the site on the Louisiana side".
- G8.2
- G8.3
- G8.4 If ExxonMobil is allowed to build its LNG terminal at their proposed site irreparable damage to the environment will occur. Although there are several environmental problems with the proposed site I am most concerned with the pipeline route and its path through environmentally sensitive wetlands/marsh. Past experience indicates that excavation through emergent marsh results in loss of volume upon refill of the trench so

- G8.1 While operation of an LNG terminal does pose a unique hazard that could affect public safety, this hazard is reduced through implementation of stringent requirements for the design, construction, operation, and maintenance of these facilities, as well as extensive safety systems to detect and control potential hazards. These requirements have been taken into consideration in our review of the Golden Pass facility and we have made additional recommendations where we concluded that additional safety measures would be warranted (see section 4.13 of the EIS).
- G8.2 There are no regulations nor is there any factual justification for placing an LNG terminal over 2.5 miles from a school or outside of a floodplain. Golden Pass would implement all required safety measures and would install a storm surge berm around the facility at an elevation of 16 feet NGVD to withstand a 100-year flood.
- G8.3 Each of the LNG terminals would be designed, constructed, and maintained for safe operation on its site. This would involve incorporating differences in design to address site-specific conditions.
- G8.4 The route for the pipelines was developed in consultation with the TXPWD with the specific purpose of minimizing impacts on wetlands, and particularly to reduce the potential for the creation of open water areas in and around the pipelines. In addition, Golden Pass proposes to implement a pre- and post-construction monitoring program to ensure that wetland contours are reestablished (see the Aquatic Resource Mitigation Plan in appendix G of this EIS).

## Groups and Individuals

G8

G8.4  
(cont'd)

that the pipeline route is lower than the grade at which it was before work began. This problem has caused negative effects to the wetlands in this area in the past and it is perpetuated every time a pipeline is constructed. I believe this particular area of marsh (to the North and West of Shell Lake) will not be able to sustain itself if ExxonMobil builds its pipeline. When a pipeline is constructed through marsh such as this it allows water to travel into the marsh and erode away the vegetation. The result is open water in the marsh due to loss of material volume that becomes larger and larger as time goes on because of erosion. The problem with the pipeline trench can not be fixed by building up the grade to a higher level after construction because water will build up on both sides of the pipeline and erosion will still occur. The United States Fish and Wildlife Service and Texas Parks and Wildlife will voice their opinions on this problem and say that the work should not be permitted. But the Army Corps of Engineers will seek the advice of ExxonMobil's environmental agent, which is a private company that will say whatever ExxonMobil wants, and the USFWS and TP&W will not have a chance to comment on the problem again before it is permitted. I do not blame USFWS or TP&W if the pipeline path is permitted (the people that work for them care about the environment), nor do I blame the Corps of Engineers. The problem here in Texas is the private environmental companies that put the oil and gas industry and their interests above the environment. Also there is a lack of coordination between the regulatory agencies (USFWS, USACE, and TP&W) here in TX. I could continue to talk about some of the other problems that will occur if the pipeline path is permitted through the wetlands but I want to address another issue. Emissions from refineries here in Jefferson County are jeopardizing our clean air. Jefferson County is already considered out of compliance with the Clean Air Act because of ozone pollution. ExxonMobil's proposed LNG terminal would release about 48 tons of nitrogen oxide into the atmosphere each year. Other LNG terminals in the area, if they are built, will only add to the problem. Cheniere Energy's LNG terminal, because it is being built in Louisiana, doesn't have to follow the same guidelines as ExxonMobil's terminal, and will release about 550 tons of nitrogen oxide each year. But Cheniere Energy's terminal is located only a few miles away from ExxonMobil's terminal and emissions from all of the terminals will effect Jefferson County.

G8.5

I believe ExxonMobil is taking part in bribes and corrupt business practices with local and state politicians. ExxonMobil knows that their LNG terminal is dangerous but they are willing to build it because they stand to make a lot of money. In order to convince the local and state politicians to allow them to build, ExxonMobil is attempting to buy them off. ExxonMobil came into our community with a lot of promises about how their facility is going to help the area. But really what they are saying is that if you let us build this dangerous thing here we will do this for you. ExxonMobil has already hired lobbyist to push their interests before the legislature and now ExxonMobil is in the process of bribing our local politicians. Friends of these local politicians are getting put in positions where they can collect salaries from ExxonMobil. And certain members of our community that have influence are receiving perks in order to support ExxonMobil's project. Rev. Sinclair Oubre, who is the director of the Apostleship of the Sea for the Catholic Diocese of Beaumont, recently showed his support for ExxonMobil's project and I have reason to believe that he received a generous donation of money. Also, John Beard, who is a Port Arthur city councilman recently supported ExxonMobil's project.

G8.5 Golden Pass has agreed to purchase and retire 48 tons of NOx before beginning operation of the LNG terminal to offset NOx emissions from the terminal. This would effectively result in no net increase in NOx as a result of LNG terminal operations. It is likely that the Port Arthur LNG facility would be required to implement similar measures. While the Sabine Pass LNG facility would not be required to offset NOx emissions, its estimated emissions have been reported to TXCEQ so that these emissions can be factored into the overall plan for the Beaumont-Port Arthur area.

but he also works for ExxonMobil. It seems logical to assume that Mr. Beard would support ExxonMobil because they are paying his salary. But it is disquieting to know that Mr. Beard will have something to do with Port Arthur's decision about dis-annexing the 900 acres that ExxonMobil plans to use to build its terminal. It would not be as bad if the citizens of Port Arthur were getting something out of this because they are the ones at risk. What they are getting is nothing compared to the amount of profit ExxonMobil is going to make. And its unfortunate that a lot of the people that are going to profit from ExxonMobils facility will do so out of personal greed without regard for the community. I don't think the citizens of Port Arthur would want ExxonMobil's LNG terminal in their town if they understood the consequences no matter what ExxonMobil offered them.

Sincerely,

Carlo Defrancis  
2333 Evergreen  
Port Arthur, TX 77642

## Groups and Individuals

G8

ORIGINAL

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Federal Energy Regulatory Commission  
888 1 Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

FILED  
OFFICE OF THE  
SECRETARY  
2005 APR 19 P 3 51  
FEDERAL ENERGY  
REGULATORY COMMISSION

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

The undersigned has the following comments /objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipeline LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

G9.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
2. The proposed pipelines pass just to the West of a residential area known as Dairyridge. They pass within feet of that property which contains about 20 family dwellings. A problem with the pipelines could cause damage and / or destruction of the homes and injury and / or death to the occupants.
3. Apparently no worst case study has been made to evaluate the extent of damage and destruction that might be caused by a failure of the pipeline and measures taken to alleviate such damage. It would appear that a failure of the two 36" natural gas pipelines could result in a large cloud of natural gas that could catch fire and burn adjacent property or worse, result in an explosion that could affect a large surrounding area.

G9.1 See response to comments G2.1 through G2.5.

# Groups and Individuals

G9

## Groups and Individuals

G9

G9.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Renn Taylor

Home / property owner, occupants:

Renn Taylor  
4050 Dairy Ridge  
Beaumont, TX  
77705

ORIGINAL

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PB-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

Federal Energy Regulatory Commission  
888 1 Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

FILED  
OFFICE OF THE  
SECRETARY  
APR 20 P 4 45  
FEDERAL ENERGY  
REGULATORY COMMISSION

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

The undersigned has the following comments /objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipeline LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

G10.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
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G10.1 See response to comments G2.1 through G2.5.

G10

## Groups and Individuals

G10

G10.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:

*Lot R. Hahn 8/26/4-12-05*

*Laura Holbrook 4-13-05*

\_\_\_\_\_  
\_\_\_\_\_

ORIGINAL

Date: April 15, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

FILED  
OFFICE OF THE  
SECRETARY  
2005 APR 21 P 2:47  
FEDERAL ENERGY  
REGULATORY COMMISSION

CC: Federal Energy Regulatory Commission  
888 I Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

The undersigned has the following comments /objections to a portion of the routing of the proposed Golden Pass pipeline. Specifically a portion of the pipeline detailed on page 3 of 102, Permit No. 23620, Golden Pass Pipeline LP, that cuts through the LaBelle area situated North-South and roughly parallel to LaBelle Road.

The following objections to this routing are submitted:

G11.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
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Groups and Individuals

G11

G11.1 See response to comments G2.1 through G2.5.

## Groups and Individuals

G11

G11.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:

Jay Walton  
Louanna Walton  
10035 - Milky Way Ln.  
Beckwith, Texas 77005

ORIGINAL

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

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SECRETARY  
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FEDERAL ENERGY  
REGULATORY COMMISSION

Federal Energy Regulatory Commission  
888 I Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

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The following objections to this routing are submitted:

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G12.1

Groups and Individuals

G12

G12.1 See response to comments G2.1 through G2.5.

## Groups and Individuals

G12

G12.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:

Phyllis Merchant  
Rozanne Merchant  
Burt D. 077905

ORIGINAL

Date: April 10, 2005

FILED  
OFFICE OF THE  
SECRETARY

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

2005 APR 22 P 2:08  
FEDERAL ENERGY  
REGULATORY COMMISSION

Federal Energy Regulatory Commission  
888 1 Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
Permit Application No.: 23620  
Golden Pass Pipeline LP

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G13.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
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G13.1 See response to comments G2.1 through G2.5.

Groups and Individuals

G13

## Groups and Individuals

G13

G13.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

*Sheila Elizondo*

Home / property owner, occupants:

10065 Milky Way Dr

Bmt Jy 7705

(409) 796-2885

Sheila Elizondo

ORIGINAL

Date: April 10, 2005

To: Douglas P. Boren  
Regulatory Branch, CESWG-PE-RE  
U.S. Army Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553-1229

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OFFICE OF THE  
SECRETARY  
7085 APR 25 P 3 06  
REGULATORY COMMISSION

Federal Energy Regulatory Commission  
888 1 Street  
North East Room 1A Re: CP04-386-000 / CP04-400-000  
Washington, DC 20426

Subject: Public Notice  
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Golden Pass Pipeline LP

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The following objections to this routing are submitted:

G14.1

1. The proposed pipelines go just East of the West Jefferson Co. Municipal Water Treating Plant which is located on FM 365 just West of the LaBelle Road intersection. Should a problem occur with the pipeline in the area it would surely jeopardize water service, both domestic and firewater, to the whole LaBelle area served by the water plant. A loss of fire water service could compound any resulting damage to homes surrounding the pipeline.
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3. Apparently no worst case study has been made to evaluate the extent of damage and destruction that might be caused by a failure of the pipeline and measures taken to alleviate such damage. It would appear that a failure of the two 36" natural gas pipelines could result in a large cloud of natural gas that could catch fire and burn adjacent property or worse, result in an explosion that could affect a large surrounding area.

## Groups and Individuals

G14

G14.1 See response to comments G2.1 through G2.5.

## Groups and Individuals

G14

G14.1  
(cont'd)

As a home owner in the Dairyridge housing area I would suggest the following alternatives:

1. Route the pipelines further West utilizing existing pipeline routes to avoid populated areas and the water plant.
2. Take a more direct route North on the plan described on page 3, permit 23620, still meeting up with the KM-TEXAS Pipeline interconnect site.

Respectfully submitted,

Home / property owner, occupants:

Kim Bordonaro  
Scott Bordonaro

**Comments from DEIS Public Comment Meeting  
Starks, Louisiana  
March 22, 2005**

Public Meeting

**PM**

PM-1

**JAMES KIRKLAND**

Thank you very much. My name is James Kirkland. I'm a business agent for the boilermaker's union in Orange, Texas. We would like to support this program as long as it's done safely and it supports local people and local subcontractors and contractors. That's all I have to say. Thank you.

PM-1 Thank you for your comment.

**Comments from DEIS Public Comment Meeting  
Sabine Pass, Texas  
March 23, 2005**

**Public Meeting**

**PM**

PM-2

**MR. JEFF HAYES**

Good evening. I'm Jeff Hayes, president of Hayes Real Estate. I have been, in the past, president of the economic development corporation here, a Retail Merchants Association that has merchants in it. I would just like to encourage you to move as fast as possible. We, in this room, you, all of us, would not be here if it were not for Spindletop, January the 10th, 1901. That discovery put this area on the map, and this community is ready, willing and able to have the largest company in the world invest money that will benefit locally and nationally and be a part of the energy for our national well-being and defense.

I would like to put as part of the record -- and if you-all have a chance, look through this book. It is titled The Height About Hydrogen; The Fact and Fiction in the Race to Save the Climate. And it is by a guy named Joseph Romm, R-o-m-m. Under President Clinton, he was in charge of studying hydrogen. My take on this book is it's about 50 years off, so we better do something today for energy in this country. Let's move as quickly as possible.

Thank you very much.

PM-2 Thank you for your comment.

PM-3

**MR. WALTER ALMON**

I'm Walter Almon. I'm the chairman of the Golden Triangle Business Roundtable. I would like to say that Liquefied Natural Gas Facility is important for the Golden Triangle from an economic standpoint. You know that natural gas prices are high and they are going to remain high for quite a number of years to come. And the U.S. economy, in many facets, needs lower prices of natural gas.

To put the facility here would create 50-plus permanent jobs plus a number of contractor jobs, construction jobs, initially. And these jobs will remain to support this facility for many years to come. This will also increase tax revenue to the county. Lower natural gas prices are important for all types of industries. One, in particular, in the chemical industries, those that are very dependent on natural gas as a

PM-3 Thank you for your comment.

**Comments from DEIS Public Comment Meeting  
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Public Meeting

PM

PM-3 | **MR. WALTER ALMON (cont'd)**

feedstock. It is critical to the competitive nature of these facilities to have the lowest possible natural gas prices. The chemical plant that I work at, for example, we have seen two units shut down permanently within the last 4 years strictly due to high natural gas prices. So we are very interested in a competitive source for lower natural gas prices.

The Golden Pass facility will operate, I know, in a safe and environmentally friendly manner and they will be a good neighbor for the Golden Triangle. We in the Business Roundtable are very supportive in a facility coming here and as soon as possible.

Thank you.

PM-4 | **MR. STUART SALTER**

Good evening. I am Stuart Salter. I'm a local business owner, but I'm here today to speak as a local homeowner. I live at 3770 Dr. Martin Luther King Drive in Port Arthur on Pleasure Island, some roughly 1 mile from where I am standing right now.

I'm here tonight to express my full support for the proposed Golden Pass LNG project and to address the environmental impact this facility will have on myself and my family and our home.

I guess first I would like to address the noise issue. If you'll look at your diagram in this wonderful scientific document you put together for us in Section 4 Page 142 in your March, 2005, draft, it appears that my house will be located some 50 yards from the location of your noise sensitive area No. 5, over on Pleasure Island. We saw them set it up and monitor it sometime back. So I'm about as close to that area as you can get.

If you look at the Table 4.11.2 through 3, I have had a chance to review the scientific data that you evaluated in there; and I agree with FERC's assumption in conclusion that there would be no significant adverse noise impact due to operation of this project.

PM-4 Thank you for your comment.

**Comments from DEIS Public Comment Meeting  
Sabine Pass, Texas  
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Public Meeting

PM

PM-4

**MR. STUART SALTER (cont'd)**

Now, if you-all could do something about the trucks that are coming down 82 skirting the weigh stations on I-10, now, you could help us with our noise problem; but this doesn't appear to be an issue for us. I think the differential was .07 or something like that; but trucks are our problem, not this issue.

Let's talk about air quality. On Page ES5 under executive summary, the Texas Counsel on Environmental Quality, which I think most everyone around here knows is not what you would call a pushover agency here in the State of Texas, particularly those in industry. They have already agreed to issue a conformity certificate petitioned upon Golden Pass's planned emissions mitigation measures and have concluded themselves that the LNG terminal would be in general conformity with the state implementation plan, something that many of area industries have spent tens of millions of dollars just here in the last few years towards a painting and they continue to make progress towards. I'm thinking this is an excellent opportunity to help us maintain good air quality, since TECQ has already given it its blessings. So I don't see a problem there.

Let's talk about safety. On Page ES5 -- pardon me. Executive Summary 6, you-all spent a lot of time evaluating the cryogenic design, the terminal design, the safety systems, the thermal radiation effects, flammable vapor hazards from accidents or attacks; and you reviewed the LNG shipping experience, the structural design and operational controls that will be imposed by our local Coast Guard. And I spoke with the captain of the port yesterday. She confirmed this for me, and our local Sabine Pass pilots, and they all confirm that a vessel casualty is highly unlikely. Those are your words exactly. You also evaluated the onshore LNG terminal containment failure probability, and it was equally highly unlikely, and that the risk to the public should be considered negligible at best. I agree with that.

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PM-4

**MR. STUART SALTER (cont'd)**

Finally, I would like to address the issue that I believe many of my friends and neighbors over on Lafitte's 1 and 2 on Pleasure Island, who I'm not too well liked by these days; but I do want to address it. I think what they are mostly concerned about is the viewscape, what they are going to see out their front door. And I can't find anything in here that talks about viewscape because frankly I think that's an opinion and not a scientific issue, but I can tell you my opinion on the issue. When I look out my front door and I look down at the southeast and I see those huge jacked up rigs down at Gabby's Dock, I see employment and I see stability. When I look across a little further to the east and I see the fleets of shrimp boats with the masses sticking up in the air, I see a group of hardworking immigrants who have worked for the betterment of their family and their future in the community. When I look out to the west and I see that big thing Primcore built -- I don't know what it does, but it has the red lights on it, the warning don't run into it. It is that big -- I see a commitment, a long-term commitment, and a significant investment in the future of Port Arthur. And if you choose to approve Golden Pass LNG, what I will see when I look across the ship channel to the south will be great progress and prosperity for my city, for my county, for my family and for every person in this room.

In conclusion, I just want to refer you to Page 1 of this draft environmental impact statement. And it says, After reevaluating alternatives to the proposal, including system alternatives, alternative sites for the LNG import terminal and pipeline alternatives, after reviewing all of that by your organization, Federal Energy Regulatory Commission and U.S. Army Corps of Engineers, NOAA, U.S. Parks and Wildlife and the United States Coast Guard, the staff concludes that approval of the Golden Pass LNG Terminal and Pipeline project is a good idea. I concur.

Thank you.

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PM-5

**MR. TEX CARTER**

He is a hard act to follow. I didn't come prepared to talk tonight; but after thinking about it, I spent 35 years in the construction industry and this project is a world class project. The efforts that have gone into the EIS, the draft EIS so far by FERC and ExxonMobil and all the other stakeholders in the project are pretty impressive. I have worked in the construction industry all over the world; and after returning to America and seeing how projects proceed and the screening activities that have to go forward for a project to be built in the United States, it is very impressive. And I suppose what I want to add to the mix is that ExxonMobil's commitment to invest and to follow the recommendations of the EIS represent commitments of one of the leading operators in the world. I have worked with 80 clients. I counted them in preparation for coming up here to talk. ExxonMobil stands out as probably the most responsible corporate citizen of those that I have worked with around the world. If they commit to doing this project in the way that you folks have worked out, they will do it and they will deliver those results. And I know that because they have started working on contractors like my company to start getting in position to deliver those results. And they have asked us a tremendous number of questions and asked us to supply a tremendous amount of information to show that we are prepared to deliver the same kinds of commitments that they've made to the community here and that they've made to you guys as they've proceeded with the work. They've made a commitment to invest in a safe and responsible manner; and from what we see, this project will be world class here in Southeast Texas.

Someone talked about the number of jobs that the project will create or that the plant will create. I have worked in a lot of places where you build world class projects of a size like this and project literally create hundreds and thousands of jobs for a short term period and it challenges the local economies to grow. It challenges the people to grow, to accept new training to understand today's methods of constructing as opposed to yesterday's methods. And in order to

PM-5 Thank you for your comment.

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PM-5

**MR. TEX CARTER (cont'd)**

meet the requirements that are set out to this project, folks are going to have to be trained. They are going to walk away from these projects with a set of skills that they didn't have going into it. And that will make a difference to this area. I have seen that. I have seen that in the back waters of Thailand. I have seen it in Chile. I have seen it even in Louisiana.

I better be careful walking out of here. But I'm serious about that, the amount of training and the amount of effort that people put into constructing world class projects today makes a big difference in the lives of people.

I'm scared now. I started out as a construction worker when Kay and I graduated from high school here in East Texas. I have gotten to do 35 years of construction around the world and it's been a wonderful experience. I'm looking forward to that experience for people here from Southeast Texas on this project. It will add to the economy. It will improve their environment and it will give them a sense of belonging to a world economy and to a global economy that they might not have without the opportunity that this project presents.

Thank you.

PM-6

**FATHER SINCLAIR OUBRE**

I'm Father Sinclair Oubre, and of the many titles that brings me here today, as I am the diocese and director for the Apostleship of the Sea and work closely with the Port Arthur International Seafarers Center in Port Arthur, Texas. Both the Apostleship of the Sea and the Port Arthur International Seafarer's Center are caught up in participating in what is called Seafarer Welfare Activities. The city of Port Arthur, which I was born and raised in, was founded by Arthur Stillwell in the late 1800s when he had a vision of establishing a deepwater port to move midwestern grain from Missouri and Kansas directly into the Gulf and then sell it to the Europeans. And from that time, this has always been a shipping and a seafarer's town.

PM-6 Thank you for your comment.

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PM-6

**FATHER SINCLAIR OUBRE (cont'd)**

In the 1930s, Port Arthur supplied the first seafarer welfare facility which was called the Seaman's Church Institute. And founded by parishioners at the St. George Episcopal church and that continued into the 1940s. During the second World War, we had two seafarer welfare facilities. They were the United Seaman's Service, which was founded at 201 Proctor Street and also the Negro Seafarer's Club which was on Texas Avenue on the west side of Port Arthur.

In the 1970s, the Port Arthur International Seafarer Center itself was founded and has continued in operation to this present day and really becomes the focal point for seafarer welfare.

In the midst of this discussion about LNG and the question about seafarers and Catholic maritime ministry and Port Arthur's Seafarer Center, it may raise a question as to where does it cross over. What we do at the Port Arthur International Seafarer's Center is to take care of the spiritual and temporal needs of the thousands of seafarers that come. In the Port Arthur waterway way area alone, we see over 23,000 deep sea mariners. That doesn't include the traffic that goes north of Port Neches in what we consider the Beaumont area. Those 23,000 seafarers come to us every year from around the world. And as they come here, they have needs for transportation, communication with their families, rest and relaxation and often shopping and taking care of personal needs in that 24 or 36 or maybe, if they are lucky, two days of time that they have ashore before they set out for sea again. What we do, though, is not just sort of nice churchy things for the welfare seafarers, because anyone who is an expert in regards to the human factor in the maritime industry will know that 80 percent of the casualties and fatalities that occur in the industry are caused by human factors; and most of those are directly attributed to fatigue and low morale. And I say that because, as we are discussing the LNG programs, whether it is this one or the other two other proposed projects that are taking place, I am concerned at the lacuna in discussion of anything that has to do with the seafarer welfare. When

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PM-6

**FATHER SINCLAIR OUBRE (cont'd)**

those ships come in, they will have probably 23 or more seafarers who will be responsible for bringing those ships in safely, discharging them safely and leaving safely. I know we're doing this a lot of times talking about safety. We are not doing anything talking about the human factors of the actual people who are going to be doing that work. And I really see that the work of the Port Arthur's Seafarer Center and all seafarer welfare agencies are going to have a significant impact on improving the potential for safety so that a tired merchant mariner from the Philippines is not going to cause a catastrophic problem in our community because he is fatigued or he is suffering from low morale because of his 8 to 10 months that he's been away from home.

The discussion of the LNG facilities make us tremendously excited at the Apostleship of the Sea as well as the Port Arthur International Seafarer Center because it gives us the opportunity to reach out and to welcome tens of thousands more mariners into our local community.

It will give us the opportunity to do more work to improve the seafarer welfare, and this is in respect to the human factors and also to improve those human factors that will so much improve safety. I'm truly convinced that if we can work with ExxonMobil and their planning and working with the ISPS code in regards to the safety of the facility, that we will be able to alleviate what that may eventually see as a seafarer problem and as an opportunity by partnering with us that we can, in fact, enhance the seafarers' safety and welfare while being able to partner together in regards to those issues that are brought up in the International Ship and Port Security Code.

And then, finally, the alternative to this present LNG facility, I really have tremendous questions about. The primary alternative is to place it offshore. We are talking right now about shipping natural gas from Katar, which has about a 28-to-30-day voyage to this area, discharge, turn around and go back to Katar. The average unlicensed seafarer on these ships will be onboard for 8 to 10 months at a time. That's the standard. They will be coming from places like Burma, the

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PM-6

**FATHER SINCLAIR OUBRE (cont'd)**

Philippines and India. They will leave their wives, families and children to be onboard those ships for that long of a time. If the facility is offshore, that means that they will never, in an 8-month period, see anybody except their other 23 shipmates until they finally can get home. This is a recipe for incredibly bad morale and also for a tremendous amount of fatigue that up in this constant unbroken routine that takes place there. And there is enough literature out there in the International Maritime Press in regards to human factor that can certainly base what my point is here.

And the second point is, this is a simple situation of the security. I, myself, am an able-bodied seafarer. I do sail on U.S. Flag merchant ships. I have come in and out of these areas and out of the Houston areas. And what I know is that it is absolutely wide open in the Gulf of Mexico. Coming up the fareways into Houston or Port Arthur, we are always docking shrimp boats that are moving backwards and forwards. If you put a facility out there, there is no way that you could secure that facility because we are not going to have 24 hours a day, 7 days a week, 365 days armed Coast Guards patrolling around those facilities. There may be one when the ship is out there, but they're not going to be there all the time. So the opportunity for terrorist attacks or just foolish accidents of shrimpers moving out there and running into the facility as they are culling the shrimp on the back of the boat is out there. Certainly, Captain Ellen Warner is here. She can certainly tell stories about trying to hail shrimp boats when nobody is in the pilot house as they are sailing through the middle of the fareways taking care of the shrimp on the back deck.

So I don't see the alternative as anything that has any value, one, for seafarer welfare because of the lack of any type of care or the well-being of the seafarers in that situation nor as a security issue. So I wanted to raise those concerns, and I do look forward to the opportunity that we will begin to see 50, 60 more ships coming to Port Arthur in the near future and we will be able to reach out to those seafarers and greet them when they come.

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**PM**

PM-7 **MR. CHET LLOYD**

Good evening. I probably don't have a lot of new comments to add, but I do have maybe a prospective on those comments from working in the area. I work at the ExxonMobil refinery in Beaumont on a major project, and I have actually been impressed working with the ExxonMobil personnel there in terms of their attention to safety and in terms of their attention to the community.

From a safety prospective, as a contractor working there, we have actually been challenged and stretched quite a bit in our thinking working with the ExxonMobil personnel. In terms of working with the community, we do quite a bit of work and we're very impressed with the work we've done with the ExxonMobil team.

Several of those members who are on that team that we are working with are assigned on this project also. So, I have high hopes that on this project there will be a similar transfer of safety and community involvement. The folks that I have met here with ExxonMobil lead me to believe that we will have that same type of impact.

For the area during construction, as I understand the project right now, I believe somebody had mentioned hundreds and thousands of jobs. I would say that during construction over a three-year period through 2008 was mentioned; and I'm sure that in the local content type of situation, we would probably have between a thousand and 2,000 jobs potentially.

Also the impact, of course, is obvious in terms of operating the unit. There is a secondary impact which another speaker had mentioned, and that is the fact that a considerable amount of the natural gas that will be coming in will be used in the local area and will have impact on the refineries, including ExxonMobil's refinery and other industries in the area, certainly helping the job situation down here.

From the standpoint of working with ExxonMobil, we've been very impressed with the job that they've done. We think that the ExxonMobil LNG project will be very beneficial for the area and I would like to give me vocal support to that.

Thank you.

PM-7 Thank you for your comment.

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**Public Meeting**

**PM**

PM-8 **MR. DALL LANDRY**

8.1 I'm Dall Landry, and I live at 3594 South MLK Drive, which is across the ship channel from where ExxonMobil is proposing to build an LNG terminal. On your Page ES4, you stated that there are no more current proposals for residential development for any area within a 0.25 miles of the proposed LNG terminal. Well, that is not true. We still have about 80 vacant lots over on Pleasure Island that the city of Port Arthur sold us for residential homes. And when all of these are built, there will be anywhere from 200 or better residents there. We have a state park, thanks to Walter Humphrey, at the end of Pleasure Island next to the causeway bridge.

8.2 And one thing I don't understand, we are in the city limits of Port Arthur. We pay city taxes and we've been in the city of Port Arthur ever since that Lafitte's Landing 1 and 2 was built. And how can you say it is remote or rural? How can you be in a remote and rural area living with inside the city limits of Port Arthur.

8.3 Also, homeland security lists LNG tankers as an enemy target; and I think we all realize we are at war. With all of the oil and chemical plants that we have in this area, do we need more targets for the enemy? I don't think so. I'm against this being built, and this man before me or ahead of me said something about the people on the ships, if it was going offshore, they would be away from home to long. Well, as far as I'm concerned, that's the only place the LNG terminal should be built is offshore.

Thank you for your time.

PM-8.1 Comment noted. The Executive Summary and Section 4.8.2.1 of the final EIS has been revised to state that additional residential lots are available for development on Pleasure Island.

PM-8.2 While there are residences within 1 mile of the proposed site, they are not located within the densely populated part of the city of Port Arthur.

PM-8.3 Comment noted.

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PM-9

**MR. LARRY RICHARD**

My name is Larry Richard and I'm the fire chief of the city of Port Arthur and I support this project. This terminal would be built and designed for safety. There would be multiple layers of protections built into the facility, including sound design and construction, FERC required safety exclusion zones, well-maintained equipment and trained personnel. Redundant fire and gas protection alarm systems would monitor for the presence of LNG leaks or spills or fires. An extensive fire water and high expansion foam supply and distribution system would provide firefighting capability at the terminal. Automated and manual emergency shutdown systems would be employed to contain the spreading of an incident. World class state of the art tug boats with firefighting capability would service the LNG ships and also would be available for other industry in the area.

The fire protection system would utilize a variety of automatic, manual fixed and portable systems and equipment to fight fires. Equipment and systems would utilize water, dry chemicals, high expansion foam, carbon dioxide for surface cooling, LNG vapor control, LNG fire control and fire extinguishing. Access to fire water would be provided by means of an extensive of hydrants, fire monitors, hose, reels located throughout the facility.

Thank you.

PM-9 Thank you for your comment.

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PM-10

**MR. PHILIP LONG**

Good evening. My name is Philip Long. I'm not nearly as well-spoken or well-informed as some of the gentlemen here, and I concur with most of their comments. I come tonight speaking in favor of the proposed ExxonMobil LNG plant and representing the architects of Southeast Texas as the current president of the Southeast Texas Chapter of the American Institute of Architects.

I'm also standing in for Mrs. Barbara Mulroy, who is the executive director of the Associated General Contractors of Southeast Texas who is unable to attend this evening because of medical difficulties but sends with me her wholehearted support for this project.

From my research, LNG has proven itself to be a safe clean industry and has shown itself to be a good neighbor and a good employer. The positive impact of the construction of this facility will be far-reaching and longlasting for our entire region. I'm convinced that construction of the LNG facility will be good for economic development in Southeast Texas and will be good for diversity for the local and regional economy. It will be good for the growth of peripheral businesses created as a result of the project. And it will be good for job creation and retention in our region.

Representing those I previously mentioned, we wholeheartedly support the construction of the onshore LNG Terminal proposed to be built at Sabine Pass and hope the Commission will look favorably upon it also.

Thank you.

PM-10 Thank you for your comment.

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**PM**

PM-11

**MS. JOHNNIE LANDRY**

Hi. Well, at the last meeting that you-all had at the Holiday Inn, there was a young man there that was from Lake Charles and he spoke for the Lake Charles LNG facility. Well, my husband and I have been to Lake Charles and we have driven all around the area where the LNG plant is. There is not one home visible anywhere in that area, none in close proximity. This is all industrial. And we deserve the same consideration, and that's why we have asked that you put this facility offshore. That would be a good place to have it in the event of a hurricane. You can't smell it. You can't see it. So, you know, nobody on the East Coast wants LNG. Nobody on the West Coast wants it. Mobile, Alabama, didn't want it; and said no thank you to ExxonMobil. And I think there was some talk about Corpus Christi. And I think we are your last hope. And so, you know, if you had a home that was on Pleasure Island and nobody in this audience but the few people that are sitting here do; but I can tell you that not one of you would want your home built across from it except for maybe Stuart. But we are not for it, and it would be a great boom to us if y'all would just consider putting it offshore.

Thank you.

PM-11 The Trunkline LNG terminal is located adjacent to an industrial plant with the nearest residence located about 3,800 feet east. Alternative facility locations are addressed in section 3.3 of the EIS. Offshore alternatives have been evaluated in section 3.2.2 of the EIS.

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## Public Meeting

**PM**

PM-12 | **MS. LEANN EWING**

12.1 | I'm a property owner on the south end of Pleasure Island at 3630 Martin Luther King. I have voiced my opposition to the ExxonMobil permitting process of the LNG facility at Golden Pass on several occasions, and I have written numerous letters to that regard. It is my contention and my opposition of this facility due to the proximity of this location to residents on the south end of Pleasure Island.

I know in the report it states that there are 33 residents that would be affected by this, and I'm not even considered one of those yet as I have not built a permanent residence. That building and structure is pending on the outcome of this permitting process. And I believe that there are many others on the south end of Pleasure Island that are waiting to see the outcome of this process to see whether or not they are going to build a home on the south end of Pleasure Island.

12.2 | It was the intent of Congress and our legislature to have these facilities in remote settings. My neighbors are 1,700 feet from this facility. My property for my family and myself that I have committed our resources, our hard work and a financial commitment to are less than a half mile. The Golden Pass facility, I don't believe that the DEIS has taken into consideration the latest report that was issued by Sandia which talked about the one-mile radius of -- the minimum radius for exclusion zones and safety zones, one mile. That involves myself, and numerous of my neighbors are within that one-mile setting. So I urge FERC and our legislature and those that are so pro LNG to think about the remote settings and those exclusion zones that relate directly to safety considerations.

12.3 | It appears to me that FERC and ExxonMobil are attempting to push this through for approval before the pending petition to the U.S. Coast Guard regarding the marine exclusion zones. At this time, there are no such exclusion zones. I recommend that you deny this permit and that ExxonMobil needs to actively engage in seeking alternative sites. Please consider the one-mile radius exclusion zones as reported in the Sandia report.

Thank you.

PM-12.1 Comment noted.

PM-12.2 We received a number of comments which mentioned that Congress passed legislation on the need to site LNG facilities in remote locations. The comments refer to the Pipeline Safety Act of 1979 (PL96-129, November 30, 1979) which directed the Secretary of Transportation to issue minimum safety standards for determining the location, design, installation, construction, initial inspection and initial testing of any new LNG facility. Section 6(d) of the Pipeline Safety Act listed several factors to consider in prescribing the rules, including "(F) the need to encourage remote siting."

On January 30, 1980, DOT issued the final rule that established Federal Safety Standards for LNG Facilities. Part 193.2057 requires the establishment of thermal exclusion zones around the facility and Part 193.2059 requires flammable vapor dispersion exclusion zones in order to protect people who live or work near the facility. The DOT stated that the safety advantages of "remote siting" were essentially obtained by compliance with the exclusion zone provisions, but without incurring such potential drawbacks as poor positioning relative to existing pipelines, gas markets, or navigational needs.

The draft EIS incorporated the results of the Sandia Report (December 2004) for the hazard areas from a range of intentional breach scenarios. However, the hazard areas should not be misconstrued as defining an exclusionary zone, rather they provide guidance for the development of operating restrictions for LNG ship movements in the ship channels, as well as for establishing potential impact areas for emergency response and evacuation planning.

PM-12-3 Golden Pass will be required to comply with any new applicable Coast Guard regulations or guidance before beginning operation of the LNG terminal. As previously explained, the hazard distances in the Sandia Report are for developing operating restrictions and not exclusion zones.

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**PM**

PM-13

**MS. SHIRLEY MCGUIRE**

13.1

On February 15, 2005, the following letter was sent to the Attorney General of the State of Rhode Island, the Honorable Patrick C. Lynch, from Captain David L. Scott, Chief Office of Operating Environmental Standards, United States Coast Guard.

I quote, "In response to your letter of February 1st, 2005, regarding the petition of the City of Fall River, Massachusetts, Seeking to Promulgate Regulations Establishing Exclusion Zones for LNG Marine Transportation, Docket USCG2004-19615, we will reopen the comment period for 60 days. As per your letter, you indicated that there is ongoing Threat Analysis being conducted by Mr. Richard Clarke. I would like to take this opportunity to formally request a copy of this report upon its release," end quote.

In his letter, the Commander, John Cushing, United States Coast Guard, United States Department of Transportation, Attorney General Lynch says, quote, "These economic trends have coincided with the most unprecedented challenges to ever affect our nation. The events of September 11, 2001, and the unfolding War on Terrorism. Despite these unprecedented threats to the security of the United States, no regulations exist to adequately safeguard the public from the risk associated with the trends of LNG supertankers through coastal waterways along populated communities. With all due respect, the time is long over due for the federal government to take decisive action to secure the homeland by promulgating regulations that establish marine exclusion zones for LNG tanker operations. While public safety risks and consequences associated with a breach of a LNG supertanker far exceed the consequences of a spill within an earthen dike around the environment...While the industry purports that it has enjoyed an impeccable safety record, the Coast Guard and FERC - my addition, must consider the biased source of the representations as well as the following incidents where LNG supertankers were involved in grounding, accidents and episodes of human error. They are as follows:

PM-13.1

The EIS has identified the incidents involving LNG vessels over the past 25-plus years, but notes that no cargo containment failures resulted. The EIS also reviews the proposed facility with respect to the Skikda incident and makes recommendations to control potential fault paths.

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PM-13

**MS. SHIRLEY MCGUIRE (cont'd)**

1. The Polenger, April 1979- LNG spill caused cracking of steel plate.

2. Mastafa Ben Boulaid, no date given - failure of check valve and release of gas.

3. El Paso Paul Kayser, June, 1979, a grounding with extensive bottom damage.

13.1

4. LNG Libia, October, 1980 - grounding, Japan.

5. LNG Taurus, December 1980 - grounding, Japan.

6. Isabella, June 1985 - LNG cargo tank overflow.

7. The Tellier, February, 1989 - blown from its docking berth in Skikda, Algeria.

8. The Normand Lady, November, 2002 - struck by the nuclear submarine USS Oklahoma City.

So you see, accidents do happen. History demonstrates that even during the pre 9/11 era, the LNG marine industry has had multiple close calls in terms of potential catastrophe. If anything, the history of accidents merely indicates that the LNG marine industry has been lucky so far. In Algeria, they were not so lucky a year ago when a leak caused an explosion that killed 22 people.

It is clear that the industry is requesting that it be granted carte blanche discretion and the right to continue operating as if the War on Terrorism never began. Simply because there have been no related deaths or disasters yet within the confines of our nation or federal waters does not excuse the federal government from proactively protecting citizens through the establishment of sensible regulations for marine safety zones," end quote. How I wish that our elected officials, both local and state had acted so honorably as did this man.

13.2

Again, as I have said before in your presence, I request that the government establish definitions for remote siting of LNG terminals and establish 1,600 meters or one mile according to the Sandia report for safety zones around these supertankers...meaning terminals cannot be built in areas close to highways, homes, commercial establishments, parks or recreational areas. People are to important.

PM-13.2 There are petitions before DOT concerning remote siting of LNG terminals and before the Coast Guard concerning exclusion zones around the LNG ships. See response to comment PM-12.2.

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**MS. SHIRLEY MCGUIRE (cont'd)**

The conservation law foundation in its letter to FERC on January 21st says, Relying upon scientific analysis in the Sandia/DOE report, CLF concludes that a minimum safety zone extending a radius 1,600 meters from the tankers navigation path should be the standard nor LNG terminal sites. The report presents strong evidence supporting a safety zone of this size, reflecting the risk that a large scale fire could cause second degree burns at a distance of up to one mile." The national promulgation of regulations establishing thermal and vapor dispersion exclusion zones for marine spills will contribute to a more reasonable process for early evaluation of the feasibility of LNG import terminals. If ensuring the security of the tankers and protecting life and property while tankers are in transit or berthed at a proposed terminal, would involve measures acceptable to the public, then no one need waste time debating or processing an application for that location. Again, I request FERC to define remote siting and to establish marine safety zones concerning human habitation and safety.

13.3

13.4

The second point I would like to make tonight is that according to scientists working with other anti-LNG homeowners around the nation, FERC has failed to apply correct mathematical procedure for determination of exclusion zones contained in the draft environmental impact statement. I request to see the mathematical for determining the zones for Golden Pass LNG. FERC has yet to respond to any request by anyone involved asking to review the formulas and procedures for the tables on Pages 4-173 and 4-174. I believe that applying the correct data would indicate the need for larger distances to be included in these zones; and, by implication, federal law requires that if these exclusion zones are incorrectly applied, then they may be incorrectly applied to other LNG terminals in the permitting process around the nation or to those that have already been permitted. This should be a public record policy of FERC and their engineers.

PM-13.3

See response to Comment PM-12.2. The DOE Sandia Report provided hazards for a range of accidental and intentional breach scenarios, but they should not be misconstrued as defining an exclusionary zone.

PM-13.4

These exclusion zones are calculated according to the methodology and approved computer model programs that meet the requirements in 49 CFR 193.2057, 49 CFR 193.2059, and Sections 2.2.3.2, 2.2.3.3, and 2.2.3.4 of NFPA 59A. Inputs used in the model are atmospheric conditions, size and material of sumps and impoundments, and process design parameters. FERC staff has verified that these inputs are correct and that the model has been used properly.

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PM-13

**MS. SHIRLEY MCGUIRE (cont'd)**

13.5

Thirdly, the according to the Clean Air Task Force in the Beaumont Enterprise newspaper, the Jefferson County metro area ranked No. 1 in the nation for deaths linked to diesel soot per 100,000 adults, according to a study released on Tuesday, February 22nd of this year. Southeast Texas' soot sources include ships. A May, 2002, EPA report linked long-term diesel engine exhaust exposure to lung cancer and other respiratory health problems. Diesel exhaust contains pollutants including formaldehyde and benzene. The Clean Air Task Force study established that in 1999 diesel soot contributed to 59 premature deaths, over a thousand asthma attacks and 58 heart attacks in Jefferson County alone. The study also established that the average lifetime diesel soot cancer risk for Jefferson County residents is one in 845, almost 1,200 times greater than the EPA's acceptable cancer level of one in one million. Of course, you know that the main source of ozone pollution around LNG terminals is due to diesel emissions from both the supertankers themselves and the huge tugs that will be accompanying them into the channel and while offloading the gas. If any of you are curious as to what it feels like to have an asthma attack or what it is like to have chronic obstructive pulmonary disease due to nothing you have overtly done in your life but live in this area over a period of time, let me help you out. Just take a few deep breaths and hold it for as long as you can, then without expelling that air in your lungs, try taking another deep breath and another and another. You will find you feel as if your chest is about to explode and you quickly find that your outlook on environmental pollution has changed dramatically. Southeast Texas does not need more ozone problems. And, further, the purchasing of credits from neighboring counties is an absurd game of card shuffling.

PM-13.5

We believe this comment refers to a newspaper summary of a study commissioned by the Clean Air Task Force (CATF). This study estimated the local impacts of directly emitted diesel particulate matter (soot) based on emissions estimates from 1999 and used models to generate estimates of various health impacts and risks. The study was conducted at a county level and yielded estimates of health impacts on the state, county, and metropolitan area levels. It is important to remember that the results of the CATF study are only estimates and that they are based on predicted concentration levels and on assumptions about how various health effects and risks are associated with fine particulate (PM<sub>2.5</sub>) concentration levels.

The CATF report ranks Jefferson County, Texas, the location of the proposed Project, as 8<sup>th</sup> out of 3,109 counties in terms of modeled risks associated with diesel soot emissions. The statistics cited for Jefferson County concerning various possible health effects, including premature death, asthma attacks, non-fatal heart attacks, were not "established" as asserted but were predicted based on 1999 PM<sub>2.5</sub> emissions in Jefferson County. The study did not analyze actual morbidity or mortality data for Jefferson County or even actual ambient air quality data for the area.

The EPA has established NAAQS for six common air pollutants (referred to as criteria pollutants), including PM<sub>2.5</sub>. NAAQS are established from health-based criteria based on a review of available studies involving the epidemiological and toxicological effects of criteria pollutants. Primary NAAQS are set to protect human health with an adequate margin of safety to protect sensitive populations, such as children, the elderly, asthmatics, etc., from deleterious public health effects. Secondary NAAQS are set to protect against welfare effects, such as effects on vegetation, ecosystems, visibility, climate, and manmade materials such as buildings and monuments. The NAAQS are reviewed periodically (generally every 5 years) and revised, if appropriate, based on new information that has become available.

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PM-13 MS. SHIRLEY MCGUIRE (cont'd)

PM-13.5 (cont'd)

A review of actual  $PM_{2.5}$  monitoring data collected in the counties comprising the Beaumont-Port Arthur area (Jefferson, Orange, and Hardin Counties) shows that all  $PM_{2.5}$  monitors in the area are measuring  $PM_{2.5}$  concentrations that are below the corresponding NAAQS established by EPA for  $PM_{2.5}$ . Summaries of actual measured  $PM_{2.5}$  levels from 2001 through 2003 at monitors in the Beaumont-Port Arthur area were included in the draft EIS. A review of available data for 2004 continues to show actual measured  $PM_{2.5}$  concentrations in the Beaumont-Port Arthur area are below the NAAQS.

On April 5, 2005, the designations of the air quality status of areas with respect to the NAAQS for  $PM_{2.5}$  went into effect. These designations were based primarily on state and federal review of actual measured  $PM_{2.5}$  concentrations. In establishing the boundaries of areas not meeting standards, other factors including emissions of  $PM_{2.5}$  and precursors, population, commuting patterns, and expected growth were considered. Although EPA has estimated that roughly one in three individuals living in the U.S. is at risk of experiencing  $PM_{2.5}$  related health effects, those areas classified as nonattainment (*i.e.*, not in attainment with standards) for  $PM_{2.5}$  are scattered throughout the eastern U.S., in Southern California, and in northwestern Montana. There are no areas in Texas, including Jefferson County and the Beaumont-Port Arthur area, that have been designated as nonattainment with respect to the  $PM_{2.5}$  NAAQS. By these designations, EPA has found that air quality for  $PM_{2.5}$  is within acceptable levels in the Project area.

The lifetime diesel soot cancer risk for Jefferson County has not been "established" by the CATF study. Again, these estimates were based on predicted concentrations from 1999 emissions and on assumptions about how cancer risk is associated with  $PM_{2.5}$  concentration levels. The referenced May 2002 EPA report found that diesel engine exhaust was judged to be a probable human carcinogen with the lung as the target organ and was likely to be carcinogenic in humans by inhalation at occupational and environmental exposure levels. However, epidemiological studies have shown only generally small increases in lung cancer relative risk (between 1.2 and 1.5) for occupational exposure at levels far greater than those that would generally be experienced via environmental exposure. Further, the EPA study concluded that "analyses indicate that lifetime cancer risk may exceed  $10^{-5}$  and could be as high as  $10^{-3}$ " (*i.e.*, between 1 in 1,000 and 1 in 100,000) and that "considering the assumptions used and the uncertainties, lower risk is possible and a zero risk cannot be ruled out." The risks identified in the studies were based on exposure to emissions from diesel engines built prior to the mid 1990s. As newer and cleaner diesel engines are incorporated in the fleet and as cleaner diesel fuels are brought into wider use, it is expected that any associated risks from diesel exhaust would decrease. Estimated cancer risks from the

CATF study must also be considered within the context of other risks. For example, the CATF report acknowledges that the California Air Resources Board has estimated the expected lifetime rate of cancer from all causes to be about 200,000 to 250,000 cases per million people, or approximately one case in every four to five people. These risk levels far outweigh those cited.

This comment identifies ships as one of the sources of soot emissions in Southeast Texas. Data obtained from EPA's AIRDATA database shows that in 1999,  $PM_{2.5}$  emissions from Jefferson County were dominated by the miscellaneous source category (comprising fugitive dust emissions, miscellaneous small combustion sources, and agricultural and forestry activities), which accounted for 54 percent of  $PM_{2.5}$  emissions. Industrial fuel combustion was the next largest category, accounting for 23.6 percent of the county's  $PM_{2.5}$  emissions. Off-highway vehicles (non-road gasoline vehicles, non-road diesel vehicles, aircraft, marine vessels, railroads, and others) were next with 14.2 percent of the  $PM_{2.5}$  emissions in the county. Marine vessels accounted for 85.6 percent of the  $PM_{2.5}$  emissions in the off-highway vehicle category and for 12.2 percent of  $PM_{2.5}$  emissions in the county. Therefore, marine vessels accounted for less than one-eighth of the  $PM_{2.5}$  emissions in Jefferson County in 1999. Even if it is assumed that all of the potential 13.6 tons per year of LNG ship  $PM_{10}$  emissions associated with the Project (from main propulsion engines and on-board generators for vessels transiting and at the slip) and that all of the potential 2.2 tons per year of  $PM_{10}$  emissions from tug assist vehicles are new emissions and are all in the form of  $PM_{2.5}$ , the annual total of 15.8 tons per year would represent less than 1.5 percent of the marine vessel  $PM_{2.5}$  emissions from Jefferson County in 1999 and only about 0.18 percent of the total 1999  $PM_{2.5}$  emissions from the county. Therefore,  $PM_{2.5}$  emissions from marine vessels associated with this Project would have an insignificant effect on the level of emissions of  $PM_{2.5}$  from Jefferson County.

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PM-13 **MS. SHIRLEY MCGUIRE (cont'd)**

PM-13.5 (cont'd)

This comment asserts that the main source of ozone pollution near LNG terminals is diesel engine emissions from LNG ships and tug assists. This is simply not true. Ozone is not directly emitted to the atmosphere in any significant amounts by marine vessels or other sources. Rather, ozone is formed in the lower atmosphere as a result of photochemical reactions involving emissions of NO<sub>x</sub> and VOCs, the precursor pollutants for ozone formation. These reactions typically occur over many hours and over hundreds of kilometers, so that the effect of emissions of NO<sub>x</sub> and VOC emissions on ozone concentrations may not be discerned for many hours and may occur well beyond the local area where the emissions originated. Emissions of NO<sub>x</sub> or VOCs from LNG ships and tug assist vessels near LNG terminals would not necessarily be expected to increase local ozone concentrations; in fact, emissions of NO<sub>x</sub> can under certain circumstances (where the atmosphere is characterized by high NO<sub>x</sub> concentrations) lead to decreases in local ozone production rates or ozone concentrations.

Ozone formation is a regional phenomenon. The potential emissions of NO<sub>x</sub> from marine vessels associated with this Project represent less than 3 percent of the 1999 Jefferson County NO<sub>x</sub> emissions. The potential emissions of VOC from marine vessels associated with this Project represent only about 0.3 percent of the 1999 Jefferson County VOC emissions. Therefore, marine vessel emissions associated with this Project would not cause any significant increase in ozone precursor emissions from Jefferson County.

Potential increases of NO<sub>x</sub> emissions associated with the Project are being mitigated to some extent and have otherwise been analyzed with respect to their potential effect on ozone levels in the Beaumont-Port Arthur ozone nonattainment area. For example, the calculated potential marine vessel NO<sub>x</sub> and VOC emissions associated with the Project were provided to the TXCEQ along with a request that the emissions be included in regional ozone attainment modeling being conducted for the State Implementation Plan. The modeling that was conducted demonstrated that the marine vessel emissions of NO<sub>x</sub> and VOC would not interfere with plans to bring the Beaumont-Port Arthur area into compliance with the NAAQS for ozone.

The potential emissions of NO<sub>x</sub> from stationary sources associated with the proposed Project would be completely offset. Golden Pass has agreed to purchase and retire 48 tons of NO<sub>x</sub> emission reduction credits prior to commencement of operations. This would completely offset the potential annual NO<sub>x</sub> emissions of 47.7 tons per year from stationary sources at the terminal. Golden Pass has also agreed to additional conditions that would help to mitigate emissions associated with the Project.

Contrary to the assertion that the purchase of emission reduction credits from neighboring counties constitutes "an absurd game of card shuffling," the purchase and retirement of emission reduction credits would ensure that the offsetting of stationary source NO<sub>x</sub> emissions from the Project would be enforceable, permanent, quantifiable, real, and surplus. The emission reduction credits may come from Jefferson County or from another county (Orange County or Hardin County) that is part of the Beaumont-Port Arthur ozone nonattainment area. Allowing for the emission reduction credits to come from anywhere within the same nonattainment area is consistent with TXCEQ regulations and recognizes the regional nature of ozone formation.

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PM-13

**MS. SHIRLEY MCGUIRE (cont'd)**

13.6

Fourth, using the government's own Sandia National Laboratory measurement of a 1,600 meter safety zone, it would encompass, among others, the McGuire, Cooper, Gripp, Wyble, Henderson, Landry, Bosarge, Salter Dike, Coleman, Ewing, Woolsey, Bodin, Gaudet, Turner, Adair, Mills, Thorpe, and Kent homes, already purchased and/or built on land that they bought before knowing or having any idea that a significant detrimental impact in their lives would be built directly across the ship channel from their property. Concerning a marine spill, the 1,600 BTU per square feet per hour flux level is associated with an exposed person experiencing burns within about 30 seconds. At 3,000, an exposed person experiences burns within 30 seconds -- excuse me. A 3,000 exposed person would experience within 10 seconds, and a wooden structure would not be expected to burn and affords protection to a sheltered person. A 10,000 BTU per square feet per hour, clothing and wood can ignite spontaneously. Let me translate this for you: What you are saying is how quickly we will burn up in the event of a catastrophe. We are all within a 900 to 1,000 feet of the middle of the ship channel. What plans do you have for our evacuation in the event of a large spill accompanied by high winds from the southeast? A magic carpet? Surely you can't mean we can evacuate by means of our internal combustion engines? Going to issue us some thermal protective clothing and gear like firefighters wear? Do we wear them instead of pajamas? How would we be warned? How do we live with this kind of situation hanging over our every move every day and night. At high wind speeds, the fire bends over in a pool fire situation and can easily extend over Highway 82 and over homes on the south end of the Pleasure Island, the homes and the people I mentioned above.

PM-13.6

The emergency response plans are normally prepared at the later stages of the construction period when the operating and maintenance procedures are being finalized and the staff functions defined. However, the EIS recognizes the importance of this issue and recommends that emergency evacuation routes be developed prior to construction.

We have recommended that Golden Pass prepare an Emergency Response Plan and develop emergency evacuation routes for the LNG terminal site as well as along the route of the LNG vessels. These plans would be developed in consultation with the local emergency officials. Golden Pass would be required to complete these plans and file them with the FERC before commencement of service. Additionally, before placing the LNG terminal in operation, Golden Pass would be required to prepare emergency procedures manuals as required by the DOT's regulations in 49 CFR 193.2509 and submit its Operations Manual and Emergency Manual to the Coast Guard Captain of the Port, Port Arthur as required in 33 CFR 127.019.

Also see response to PM-12.2.

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PM-13 | **MS. SHIRLEY MCGUIRE (cont'd)**  
13.6 We were here first. ExxonMobil, you can go offshore or go remote. FERC and ExxonMobil, you have spent countless dollars and hours on the DEIS, especially concerning benthic invertebrates, the mosquito fish, the hardhead catfish, and the brown shrimp, environmental habitats and wetlands. How about spending a little more time and effort on human beings. Establish marine safety zones, define remote, let our scientists and engineers review the safety zone formulas and stop letting businesses control the process.  
Respectfully submitted today. Thank you.

PM-14 | **MR. TOM HENDERSON**  
Good evening. My name is Tom Henderson. I am the city counsel member with the City of Port Arthur. The council, after the very first reception that ExxonMobil held, went on record as endorsing this project. The environmental impact statement that was issued by FERC seems to help put to rest a number of issues or concerns that have been raised regarding this project; not all of them, but most. I would like to briefly cite some of the statements contained in this report. For the benefit of those who may not have read this EIS or possibly made it for the record here.  
One, it states the construction and operation of the proposed Golden Pass terminal and pipeline project would have minimal effect on geologic resources. And, further, overall project impacts are not expected to substantially affect local wildlife or wildlife population movements. Also, we conclude that the LNG terminal would be in conformity with the Texas State Implementation Plan. Also, the risk to the public from accidental causes should be considered negligible. So we concluded that there is no practical alternative sites which meet the project purpose and that offer a clear environmental advantage. In other words, this was the best site that could have been chosen. And in their major conclusion, FERC states that with the adoption of its suggested litigation measures, that the already minimal environmental impact would be substantially reduced.

PM-14 Thank you for your comment.

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**MR. TOM HENDERSON (cont'd)**

Hopefully, this FERC report will help get this project on the fast track. The Port Arthur city council counsel stands ready to assist Golden Pass in any way possible to facilitate this project.

You know, we in the City of Port Arthur, we have lived in the shadow of these refineries for a hundred years. We have been willing to exchange any of the dangers that might be involved for the jobs that these industries provided, understanding that there is no such thing as being 100 percent safe. In terms of safety, this project is very much less dangerous than other area industries. It is less polluting and more environmentally friendly than the existing industries that we already have. The Port Arthur city council give this project our wholehearted support.

Thank you very much.

PM-15

**MR. ANTHONY VALENTINE**

Good evening. I'm Anthony "Val" Valentine. I'm the business manager for the Pipefitters Local 195 here in Beaumont, Port Arthur and Orange and surrounding areas. I represent approximately 1,300 members and their families that reside mainly in this area and the surrounding areas as well. I understand there has been an extreme amount of controversy pro and con on the construction of this particularly large and potentially dangerous project, due mainly to the fact that it is to be built across the channel from the Pleasure Island neighborhood. I believe we can all see these concerned citizens' point. With that said, I also believe that with organized laborers present on this project that it would be built with the most highly-skilled, highly-qualified local work force available to man. Therefore, eliminating any possible questions or concerns that may be raised in regard to the construction of this project.

PM-15 Thank you for your comment.

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**MR. ANTHONY VALENTINE (cont'd)**

In light of what happened just today in Texas City, let's never believe that something can't happen. I would again like to point out that with organized laborers' involvement in the construction of this project that we will be here not only during the construction phase but when the first ship is unloaded and the first switch is flipped to start this tremendous process. We live here. We pay taxes here. We vote here. We attend church here, and our children attend school here.

Thank you.

PM-16

**MR. TYRELL WOOLSEY**

My name is Tyrell Woolsey, 3634 South MLK. I didn't come real prepared tonight. I don't have anything really written. I left my glasses at home, but -- and I think Shirley McGuire pretty much already said pretty much everything I wanted to say. But I'm here to show my opposition, along with the other residents of Pleasure Island, except for one. And I've talked here at these meetings before and I have written to FERC before, so I'm not going to go over everything that I said before. But the human safety aspect is what I'd like to reiterate on tonight in having an LNG facility move next to a residential neighborhood.

You know, when Spindletop came and when the refineries were built, people chose to move next to them. Well, I moved to Pleasure Island to be on Sabine Lake and not next to an LNG facility. And I agree we need this source of energy and we need to move fast. But -- well, I don't have my glasses; but this particular --

We need to move fast on this, but this particular facility needs to be moved away from residential areas. You know, we need to have more industries like this; but they need to be in more remote locations, such as the Cheniere facility is in a remote and the Lake Charles facility is.

Thank you very much.

PM-16 Thank you for your comment.

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PM-17 | **MR. EVAN FORD**

17.1

Hello. My name is Evan Ford and I am also a resident on Pleasure Island. This is my first meeting with regard to this. And I decided I better come and make myself heard after reading all of these pages in this book. I find it a little insulting that interest groups can put things to light like people's lives, their investments and their properties. When we are referred to as a view shed and there is only 19 people here, 19 houses. And, by the way, I wasn't on the list that they submitted as those that might burn up if the thing did blow up. So we can get me on there as well.

17.2

And I have quite a few -- I can understand how certain groups and people think this is a good thing. ExxonMobil don't have any relationship with the company. I'm surprised that a company who claims to be as forthright and as upstanding as they are takes the policy of: Well, what we'll do is we'll go out and request about 10 of these permits and whoever puts up the least resistance is probably where it's going to go. If there are legitimate problems with LNG -- by reading, again, all of this stuff in here, I find lots of inconsistencies where we have various different vapor zones, you know, anywhere from -- according to the FERC's conclusion, they are establishing it at about 900 feet based on 42 degrees temperature, 45 percent humidity and 18 mile an hour wind. Has there ever been a day like that in Sabine? Certainly not in the summer.

17.3

I am an acting engineer. Don't practice in engineering; but, you know, gases are very volatile and I have a feeling that, as we can see from these various different Sandia reports, even in the EIS studies from the '79 Calcasieu they established that this zone of safety at 3,595 feet, the 2001 Quest Consultants did a study for the Department of Energy. They declared it at 770 feet. And then in the EIS for the Yukon Pacific LNG, they established the rate at 3.3 miles. So there is obviously not a lot of good information with regard to the safety zones for this type of a project.

- PM17.1 The residences on Pleasure Island are referenced in section 4.8.2.1, as well as residences west and south of the site (see Figure 4.8.2-1 of the EIS).
- PM17.2 The thermal radiation and flammable vapor hazards are based on the atmospheric conditions that produce worst case scenarios defined by 49 CFR part 193 and NFPA 59A for the onshore facility. The past occurrence of these atmospheric conditions has been determined from historical weather data.
- PM17.3 The various distances referred to by the commenter are the results from different computer models and analyses used to calculate a "worst case" scenario for various conditions and do not reflect current modeling methodology applied to this project. These distances represent the potential thermal radiation hazards from an LNG spill on water should not be misconstrued as defining a safety or exclusion zone similar to the onshore requirements. Rather, the transient and temporary hazard areas provide guidance in developing the operational restrictions on LNG vessel movements. . The EIS presents worst-case scenarios for marine spills in 4.13.5, as revised with the intentional breach scenarios from the December 2004 Sandia Report, to provide guidance on the maximum extent of potential hazards. FERC staff uses the methodology of the ABSG Study as a conservative approach to estimating the consequences of LNG spills on water.

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PM-17 **MR. EVAN FORD (cont'd)**

17.4

I don't see the rush. You know, if ExxonMobil needs this gas so bad, you know, at their facilities, which appears to be a major concern here, the fact that the No. 1 reason for having this plant in this area is because they have a Beaumont facility where they are intending to use this gas; and I suppose that's a nice competitive advantage. And I'm deducting that from the fact that several of these other locations were not approved because they were too far away from this particular area.

And, again, all of this stuff is in this book here. I'm surprised that in a city like Port Arthur where you have a population leaving your market, where you have substandard employment rates and you have lower than Texas average job payments, way lower than Texas average real estate values, I'm just curious why that is. I think that is because of the amount of industry and the amount of risk associated in living in these industrial areas.

I bought built my house on Pleasure Island because it was away from that kind of thing. There is not a lot of Gulf Coast property left along the coast. We are having lots of wetland deterioration. We are having erosion problems. Lots of different various issues. We are having some fish problems. You know, all of the coastal conservation associations and everybody are fighting to keep our environment the way it is. And we certainly don't need anymore of this particular type of activity.

It states, again in the report, that we're going to lose some 300 acres of wetlands, destroy 2,000 acres of wildlife habitat. We're going to hurt the wildlife and the migratory birds. We're going to destroy aquatic resources from the dredge work. We're going to impair the central fish habitat. We're going to threaten 15 elected state species of which have a low priority or a low percent that these things might exist here. But we are going to create 60 new jobs, and 60 new jobs is great. I think there is 20 or 25 working at McDonald's. So I don't understand what that is going to do for the economy.

PM-17.4 Thank you for your comment. Project impacts on various resources and mitigation are described in section 4 of the final EIS.

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PM-17 **MR. EVAN FORD (cont'd)**

17.4  
(cont'd) I do understand that this thing would generate a nice bit of work for the short term. And I'm sure that the area and the community could use that, but I don't believe that that is a good reason or a good enough reason based again on this particular report to have this thing built. The safety concerns are very high. I think there is probably a lot of good people. You have the pipers' people here. You've got the firefighters. And these people are all good qualified people who probably need work. I wouldn't dispute that fact. But to endanger people's lives to do it, I don't believe is right. There is just not enough research on the safety zones for this project.

BP had an explosion today at their gasoline plant in Texas City where quite a few people were killed. I'm sure they have all kinds of nice regulations in that industry as well, but you still have people and things still happen. There is probably no study based on the fact of what an airplane will do to the World Trade Center. Nobody in their right mind would have ever had to calculate the fact that that thing could come tumbling down, but it did. These are real events and there are real people who are so close to this project. So, I also oppose it; and I really hope that we can come to some kind of an agreement.

The only other thing that I want to add is that I understand that there is going to be an offshore platform that is going to be finished in just a few months. Supposed to be completed in 2005. And this is kind of a new technology, but it seems to make a lot more sense to me. If the guys are so tired after being on the boats for 8 months that we have to put them on the land, I don't want those guys driving a boat in front of my house.

Thank you.

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**MR. CARL GRIFFITH**

Hi. I'm Carl Griffith, Jefferson County Judge. You know, I really do understand the concerns of the residents on Pleasure Island; and I think back about probably four or five or six years ago that I personally made a couple of trips to Austin, working with city officials when we worked together to bring water through an EDA grant that now helps cause the construction of those homes there that you are hearing the people talk about. And, clearly, our whole thrust with the EDA, the only reason that we got that grant was to create new industrial jobs along the island.

I completely support the ExxonMobil project and know that as a former sheriff and now the head of emergency management in Jefferson County as the county judge that life is about managing risk. And the reality is that the likelihood of every one of us in this room is more likely to die driving from Sabine Pass to Port Arthur than they are to be impacted by this LNG project.

I can tell you that I'm currently building a new home on my ranch, and in within 300 yards of that is a 6 inch high pressure natural gas pipeline that cuts my ranch in half; but it is within 300 yards from my back windows of where the house. But I clearly know that has been a safe industry in America and we know how, as a country, to manage risk. And if we start fearing for everything we do in life, then -- particularly, because of terrorists, we have shown that the terrorists have won, that we have just got to stop living and we can't have plants and we can't grow the communities.

We have watched, as a community over the last 40 years, a deterioration of our heavy industry in the respect of losing jobs because of high technology. It has decreased the amount of people that it takes to operate those. And, clearly, in the last five years, the chemical industry has been devastated by the high cost of natural gas. In this community, Southeast Texas has been impacted tremendously in a negative way. This brings stability to our industry. And everyone in the community is touched by the stability brought by broadbase natural gas supply, not only to Southeast Texas but to the

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**MR. CARL GRIFFITH (cont'd)**

entire country. And one of the largest threats to this county is that we are not going to have the energy needs to meet our nation's supply. It is imperative that we move this process quickly. We have plants today that are shut down, different units. And, actually, I had a call two weeks ago from a company, three weeks ago, asking us to get them in touch with potential LNG suppliers so that they could see if they could secure contracts if and when they build these projects because this one was thinking about reopening. They have been closed, but they think that potentially this would bring the prices down. So suggesting that the one impact is the number of jobs on the site is not correct. I know that the pipefitters and electricians and ABC and all of the people that work in this community are impacted not just on the side of ExxonMobil's or Sempers or Sheneers but what it is going to do to the economy of Southeast Texas and Southwest Louisiana. And ExxonMobil has a proven track record in this country to be a tremendous great supplier of jobs and safety in this country. So I, as a county judge, representing the Commissioner's Court of Jefferson County, believe that this is a great project. And please expedite it. The sooner we can get this gas flowing in this community, the better off we are as a community.

Thank you.

PM-19

**MS. ELLEN WARNER**

I'm Ellen Warner, president of the Sabine Pilots Association. I represent 29 pilots, that we drive the vessels up and down the Sabine, Neches waterway. We serve the ports of Port Arthur, Beaumont, Orange and Sabine Pass. And I spoke to this commission, I know many times now, in support of the LNG facilities within this area. We work very closely with ExxonMobil Oil. We have successful simulation of moving this size vessels they have plans for into their facilities. We are in support of this facility. The Sabine pilots are concerned with safety and security. That is our main concern.

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**MS. ELLEN WARNER (cont'd)**

As today, we brought 40-foot vessels in, 2 million barrels of crude oil and the U.S. And SCA, 950 foot long. We bring the size of vessels that they are considering into this waterway and we don't have a problem with it.

I would like to voice opinion on a few of the matters that I have heard here this evening. From a pilot's prospective and the waterway's prospective, I'm going to define what I consider remote; and that is below Texas Oil intersection. I speak for 29 pilots. We all breathe a sigh of relief when we get out of that 400-foot wide channel and we are down in a 500-foot wide channel. The LNG facilities are down below Texas Oil intersection for many reasons. They are out of the intercoastal waterway.

Look at the history that we have in this waterway. We don't have allusions, collusions vessel to intercoastal. They are out of the congested intercoastal waterway. They are out of the congested areas around the refineries, the congested areas in the Neches river. They are in the wider channel, 500 foot off of where Golden Pass is. And when you get down into the jetties, you are opening up 7 to 800 foot. You have minimal impact of the rest of the waterway users. I don't think people have a thought about trying to get an LNG tanker up to some oil refinery in Nederland. Unfortunately, they can't get under the MLK bridge. They are too tall.

But the place down below the island, a minimal impact to the rest of the waterway users. Golden Pass is approximately 12 miles from the area locks, less than two hours. We operate right now in this waterway with 8 tugs. I bring a convoy of four tankers in, all 8 tugs are up river. The people down at Suncore at the port of Port Arthur, they are waiting 6 to 8 hours to get tugs down their to move their vessels.

The LNG facilities will have dedicated traffic tugs that will be with their facilities. They are not going to have wait. They are not going to have to share tugs. They are not going to take away the other waterway users' tugs. And that was one of our main concerns when

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**MS. ELLEN WARNER (cont'd)**

we were working with Golden Pass and the other facilities as well. Yes, security is a problem in this area. Now, I know more than anybody. I travel 65 miles of waterway every day. I'm the one that is on the floating bob. You know, it is a different world since September 11th and we all know this. You know, I know we had 100 percent compliance with our industry with the security plan. I get on vessels every single day, and they all have security requirements that we have. Of course, we have the new vessel traffic service that will be coming online in October of 2005. With AIS coverage up to 150 miles out in the Gulf of Mexico.

I studied 15 years before I became a pilot, and I have been here 11 years. And I can they are a state of the art facility. And, I'm sorry; but you don't have one currently in this waterway. I have been to Saudi Arabia. Go over there and look at a state of the art facility. Now, we have a chance to build a state of the art facility here with the best technology available, with the best tugs available. And I think it is an opportunity for this area that we do not need to let pass.

I'm not going to say that there is not a problem with erosion, because we do have a considerable erosion problem on the banks of the channel here. It is a combination of many things. It's taken years to get where it is you. Go down there right now and you're going to see the Texas Department of Highways is bulkheading several sections to try to prevent further erosions. Whether or not Golden Pass or does not come, it's not going to make your erosion problem any better or any worse, because bottom line, when we are approaching the southern end of Pleasure Island, we have got those tugs on those ships. We are backing them down and we're getting the seed off. The slower you are,, the less you affect.

We feel the Sabine, Neches waterway can adequately handle this increase in traffic and we urge the Federal Energy Regulatory Commission to grant the permit for Golden Pass.

Thank you.

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PM-20

**MR. A. MORRIS ALBRIGHT**

Good evening. My name is Morris Albright. I live at 812 South Wind on Pleasure Island. It's not on the south end of Pleasure Island but on Pleasure Island. I'm here in support of the proposed LNG terminals, the ExxonMobil terminal. This new industry in our area will keep our local refineries and chemical companies economically competitive and help to retain and add to our present work force. The LNG facilities and ships will be safe because industry standards, codes training, inspections and operating procedures as well as government regulations are in place for the safe design, construction and operation of the LNG onshore terminals as well as the ships.

I think it is very important that we realize that we have the infrastructure for these facilities in place; not only the pipelines, the end users, the pilots that have experience in this waterway, but the Coast Guard, as has been mentioned, is installing a vehicle traffic control system that they can tell exactly what is going on in this channel. We have a lot of homeland security funds being placed in this area because of our present shipping and refining and our loading of military vessels out of the port of Beaumont. This is an ideal situation with all the pieces of the puzzle in place that will cost the least amount to be effective.

Each facility is required to have dedicated tugs as has been mentioned in their crews to handle these tankers. The tankers will be coming in at a very slow rate with the power and control of the tugs on them. Right now, we have chemical carriers and oil tankers coming into our channel and they are going past this area of concern. They are under their own power. They have a pilot on them, but they're under their own power. Their cargos are much more hazardous than LNG is. And I think that is something that a lot of people don't realize.

And another important thing, there was a conversation here about a marine exclusion zone. I think it is important to understand what is referred to in a marine exclusion zone. This is the distance between ships that come in. If there is an LNG tanker coming in, the

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**MR. A. MORRIS ALBRIGHT (cont'd)**

pilots and the Coast Guard and the pilot support, a certain distance from one ship to the next ship, not from the ship to the land, but from one ship to the next ship because it takes so long to stop a ship in motion. So I think that's important to understand, that when we're talking about marine safety zones, we're talking about putting one ship behind the other ship. And that's the whole point of that because of ship collisions.

LNG tankers, as I said, will be less of a hazard in our waterway than current tankers. The erosion from wave wash on the south beach of the island should be reduced. They LNG ships will come in with assistance from their tugs at a very slow speed in order to turn around in the channel and be docked. While LNG tankers in berth, offloading, all passing ships will be required to reduce their speed by U.S. Coast Guard regulations.

It's my understanding that one of the recommendations that ExxonMobil has agreed to is that the soils of the -- the virgin soil that will be taken for their slip can be used to enhance the fresh water marsh of Heath Lake that is rapidly deteriorating. They can build this marsh back to be a vital wetlands area for our future generations of our kids. And I think this is very important, we can do something like that to save a marsh from the salt water intrusions.

You know, there is always a fear of unknown; and that fear of the unknown has been expressed by some of the people on the island. But as the Judge said, you know, if we are concerned about terrorists doing something to an LNG ship or to an LNG terminal, they've already won. You know, if we stop our economy because we are concerned about terrorists and what they might potentially do, they don't have to do anything. They've already done it. So I don't see how we can be concerned about something like that.

And on a personal note, we have heard from people on the south end of the island. My son and his wife and three children have bought property and are in the process of building a home in this immediate area that we're talking about. And they purchased this

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PM-20 | **MR. A. MORRIS ALBRIGHT (cont'd)**  
house in a process of construction after the LNG proposal was put in place, with full knowledge. And if I thought there was anymore danger there than any place else in the City of Port Arthur, I would have certainly intervened and tried to convince them not to.  
Thank you.

PM-21 | **MR. JOHN SMITH**  
Unfortunately, I have probably one of the more common names of anyone here tonight. Thank you, Chet.  
But at any rate, my name is John Smith; and I am the general manager Newtron, Incorporated. We have local offices here in Nederland, Texas; and we have been 25-plus year service provider of ExxonMobil. We are very proud of the relationship that we have with ExxonMobil. It was mentioned by Chet Lloyd earlier tonight that he was on an ExxonMobil project, it's a cogen project of ExxonMobil that is going in currently, coming close to fruition and talking about the extra steps that ExxonMobil has taken to make sure that we work safely.  
I wish in five minute that I could tell you their entire program. The program is so involved and it has such startling low rates of accidents that they have had a two-day workshop here in Beaumont this week to model future project after the cogent project because of the very low incident rate that has occurred on this project. ExxonMobil not only talks the talk. They also walk the walk when it comes to safety in construction.  
I find it almost impossible to believe or fathom that ExxonMobil would be involved with anything that would cause harm to the neighborhood and/or to the local property owners. I know that with the ExxonMobil project, the cogent project specifically, that they've worked very closely with the Charlton Pollard neighborhood association and have, actually, supported that association with any concerns or revelations that they've had during the course of the cogent construction.

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**MR. JOHN SMITH (cont'd)**

Again, we have been a service provider for many years. We hope to continue that process. Our local offices here in Nederland employ anywhere from 150 to 250 employees at the ExxonMobil refineries and chemical plants. Those are all local employees here in the immediate area, immediate nine county area defined as local. Those monies and those employees' dollars are spent right here in our area. And we are very pleased and happy to service ExxonMobil, and we would be very pleased and happy to be able to serve them at this site and certainly hope that FERC looks favorably upon their application process.

Thank you.

PM-22

**MR. JAMES DUHON**

My name is James Duhon. I'm from Lake Charles, Louisiana; and I represent IBEW electrical workers. And the first thing I want to say is about the ladies that spoke about Truckline LNG over in Lake Charles. There is no houses around there. They do have a buffer of woods around it, but they have been a very good neighbor of Lake Charles and it has been a very safe plant. And I'm here to support ExxonMobil on their project, but I do have a concern.

I have a concern which I have never brought forth toward testifying before FERC. And I'm sure most of the people here heard that they had a plant explosion in Texas City today. And we've been talking about, you know, terrorists controlling our lives and not controlling our lives. Well, this is a big concern of mine. When I look at those five LNG tanks out there, I see 600 tanks. I take that back. 6,000 -- let's see. 3,000 tanks. I'm sorry. 3,000 tanks of natural gas is what I see. And natural gas, we've been around all of our lives. I was raised in a house on natural gas, and it is safe. But if I would have had a terrorist in my house lighting it, it wouldn't have been. And this concerns me. I see 3,000 tanks of natural gas out there. When I

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**MR. JAMES DUHON (cont'd)**

see one ship, I see 600 ships. And it is a concern. And it is a concern that the government should address and it is a concern that ExxonMobil should address. Nobody should be allowed on these projects to work without a clearance, just like if you were going onto a nuclear project.

Construction nowadays, if you got a Nomex suit and a hammer, you are hired. And on these LNG plants, this should not be allowed. They should go to a very, very high security check. I think from here to back there, I stepped it off 27 foot. Nobody saw me step it off but I did it right in front of a whole bunch of people. Terrorists could have people out there stepping off everything on these plants. There should be a very high security check on these LNG plants, not just ExxonMobils. I'm talking about all of them. I'm talking about Sheneer. They are taking soil samples right now at Sheneer. They are on the project. Very, very high security should be checked on these plants.

I don't know who guards these plants. Trucklines, five good coonasses with five rod and reels could go in that plant and take it over right now. And I'm not trying to be ugly, but we have got to have these plants with security. I'm a firm believer. I have testified. These are safe plants, but I'm worried about our security. Other than that, I'm all for it.

And thank you very much.

PM-23

**MR. DALE WORTHAM**

I'm glad I don't have a rod and reel.

I represent electrical workers from Brownsville to Mobile, Alabama; and we certainly spend a lot of time supporting LNG projects. I personally believe the onshore projects are safer as opposed to the offshore projects. I too have some of the concerns that the previous speaker just raised, and I think some of those concerns are probably some of the residents on Pleasure Island. The only way to guarantee a number of things, and I just want to say this,

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**MR. DALE WORTHAM (cont'd)**

the BP explosion has probably been mentioned too many times today. The only three scenarios I heard was it was a process problem, a contractor problem and terrorism was not ruled out. Two of three of those are unacceptable. The process problem happens. Accident happen. That's why they call them accidents and not purposes. Your contractors that you hire, you need to make sure that they have the qualified personnel.

I have been in the construction business for 25 years. I have worked on jobs where police officers have come up on the job and taken somebody away for back due child support. They've also taken some who were murderers and rapists. There is an unsavory -- and I can say to this my other construction friends out here. There is an unsavory group out there in the construction industry. Not everyone is. Just look at me. I'm not unsavory, but there are those that are out there. I went through a four-year apprenticeship program. I am licensed by the State of Texas as a licensed electrician. An in order to get that license, I got to go through a background check. Other crafts, plumbers, there are a number of crafts that have apprenticeship programs where you can't be an unsavory character and you have to go through background checks. I think that could possibly ease some of the fear of the residents on Pleasure Island, if they knew that the facility built, even though it's a state of the art facility; and I have seen the drawings that it is a state of the art facility. It was built with state of the art craftsmen. We support the project. We look forward to working with ExxonMobil in building this state of the art facility.

And thank you.

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PM-24

**MR. WAYMON HALLMARK**

Thank you very much. I'm Waymon Hallmark. I live at 6038 Moonshaw in Port Arthur, Texas. Judge Griffith basically told you about how the Commissioner's Court of Jefferson County feels about this project. It will be built in my precinct, Precinct 3. I'm looking forward to this process being completed and we can get the shovel in the ground and get started on it. I think it is going to mean much to this area. If we're going to see these plants continue to spend billions of dollars on expansions and cleaning their air quality scrubbers and so forth in their industries, then they've got to have a good supply of low price natural gas or competitive priced. This will assure that the plants can stay in this area from now on. The worst thing we could do is to not let them have the supply that they need and see them have to shut down and maybe move. We would really have clean air then.

Thank you.

PM-24 Thank you for your comment.

PM-25

**MR. DON PUMPHREY**

Good evening. My name is Don Pumphrey and I'm the chairman of the board of Greater Port Arthur Chamber of Commerce. And I rise this evening to voice the Chambers wholehearted support for this project. It will provide needed natural gas supplies not only for this region but for the entire country. Many of us fail to realize many times the products that we rely on that are derivative of that basic element, natural gas. It is essential to our continued growth in this country and to fuel our economy and we have got to find a way to get it in here.

We feel that the company has taken the necessary steps. Your own EIS statement and findings support that they have taken the necessary steps to do this in an effective scientifically efficient manner and meet the environmental impact requirements that have been set forth by government regulations. Our economy needs the natural gas. We need the jobs. There is double digit unemployment here in the Port Arthur community. And we understand that the jobs will not only

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**MR. DON PUMPHREY (cont'd)**

go to residents in Port Arthur but throughout the region, but we've got to do those things that are necessary to fuel this economy and create the employment opportunities that will keep our young people here in the Southeast Texas area.

I encourage FERC to proceed with all due dispatch in approving this process so that this facility might begin construction and get those needed supplies into the pipeline.

Thank you.

PM-26

**MR. WALTER FENN**

Good evening. I would like to thank FERC for being here and allowing community input on this very important issue.

My name is Walter Fenn. I'm the superintendent of schools here in Sabine ISD, and I'm also a resident of this very same community. And I'm very much in support of this project.

I ask FERC to speedily grant the approval of the permit for this project to proceed. There are two very important reasons that I'm in favor of this project. The first, being concerned about the environment as I am, we know that natural gas is a very clean burning and environmentally friendly fuel when compared to the other fuel options that we have available.

The second important reason that I'm in favor of this project is for our students. And we haven't heard from a group that is representing the children, the youth of our community until now. All over the State of Texas, there are school districts that are scrambling to find the dollars to meet the educational needs of the youth in our state. Right now in Austin, the legislature is struggling over ways to funnel the needed resources to these communities, to these school districts. ExxonMobil has already proven to be and I believe will continue to be a good neighbor to our school district. I fully expect to

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**MR. WALTER FENN**

have scholarships, internships and grants made available to the youth in our community. So for both of these reasons, the environment and for our students, as superintendent of Sabine Pass ISD, I'm strongly in favor of this project.

Thank you.

PM-27

**MR. R.L. GABBY ELDRIDGE**

I'm Gabby Eldridge, Sabine Pass. Been here probably 74 years. At one time here, Mobil was -- had a facility here. Of course, they widened and deepened the channel of Beaumont and we lost all of that. And we keep losing and we need more. And, of course, I always pushed for growth here and tried to think of things that we could do here. We couldn't put a chemical plant here or refinery because of the water situation and a few other things. This come along to me as one of the greatest things that has ever come in front of us in all of the years that I have been here. And it is something that we really need. We have to support our school and this is going to help us and taxes -- and economy any way. As far as safety, I think it is very safe. I have looked at it. I was looking at the drawing of their dock facilities; and my company, that's what we do, is build docks up and down the river and repair, plus a few other things. And these LNG plants that are coming in, their ships are going to be completely out of the canal, which I think is great because you can go all the way to Beaumont and they are all out in the edge of the channel and we are lucky we have some good pilots to handle this. And I'm sure it puts them in stress to have to pass these ships and stuff like that. They are putting these things out of the channel. There is no way a ship can hit them, so we're safe in that respect. And I think we are safe in everything else. It is clean. We don't have to worry about chemical spill that will wipe us out. So as far as I'm concerned I think

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**MR. R.L. GABBY ELDRIDGE (cont'd)**

don't have to worry about chemical spill that will wipe us out. So as far as I'm concerned I think it is one of the greatest things that has ever happened to us. And I sure urge that you-all help us and work with us and get this facility in here. We need it bad.

Thank you.

PM-28

**MR. JAMES KIRKLAND**

Thank you. My name is James Kirkland. I'm the business manager for the boilermakers Local 587. We support this project, but we do have two concerns. One of them is security, the other being contractors hiring undocumented and unskilled workers. That's it.

PM-28 Thank you for your comment.

PM-29

**MR. CLARK COLVIN**

My name is Clark T. Calvin, and I can't write either. I'm sorry. I'm a Huntsman Petrochemical Company, and we have, between our full-time employees and our full-time nest contractors, we employ about 1,400 people here in south county. All of those jobs are very dependent on natural gas. One of the things that makes them dependent on natural gas is the price. And as you know, price is a matter of supply and demand. And what has happened in our country over the last 10 or 15 years, is that the regulators, both state and federal, present company excluded, have caused problems in the energy industry because natural gas is a very clean burning fuel and so everyone has wanted to use it. And the government has encouraged the demand of natural gas tremendously. And it has grown and as we have seen in the power industry, 98 percent of the major of facilities that were built over 100,000 megawatts were built using natural gas. Gosh, we would sure like to have some of those to make petrochemicals with.

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**MR. CLARK COLVIN (cont'd)**

And what's happened during that time, is even though the federal government has really increased the demand for natural gas, there has been very little to happen on the supply side and we are very glad to have FERC and the Coast Guard here tonight. And we are glad that you are acting on this because this is a major problem in this country on the supply side.

We could always -- you know, in the electric business, I guess, would could always burn coal. But the federal government and many of the regulatory agencies were not interested in that. So we have a price differential for our company with some of the other facilities we operate in 23 countries that compete with us for major facilities that we might build and investment capital that our own company has. Some of those facilities have natural gas prices that are three times less than what we face currently in this area.

What the future means for our 1,400 people and for our facilities here is unless we do something about the supply side, these facilities will -- we won't invest in them. We'll be putting our investments where we can make some money. And that's going to be in other parts of the world. So it is very vital to our people here and the 1,400 people that Huntsman represents or has employed by our company and also the other petrochemical companies in this area that we get a competitive source of natural gas. We are very encouraged by this project. It is a very good start and we would encourage you to move quickly on this to have this approved.

Thank you very much.

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PM-30

**MS. VERNA RUTHERFORD**

Good evening. I'm Verna Rutherford president of the Greater Port Arthur Chamber of Commerce. I'm representing over 900 business and organization members.

First of all, I want to thank you very much for your time and attention throughout the process for this and other LNGs facilities in our area. I could stand here and recount numerous reasons why this and other projects are good for our area, but I won't do that because so many other people have done so quite well. But there are many, many positive impacts that this would have on our community; and I know that you have heard many of them time and time again.

I have been privileged to be able to work with ExxonMobil since they began the process of exploring possibilities process of building Golden Pass LNG in Port Arthur. I have always known and viewed ExxonMobil from a distance. I have seen them work in a safe and responsible manner, doing things the right way with attention to detail, taking others into a great deal of respect as they went about their business in a professional way.

I view this as a first class facility, a state of the art facility and it would be a great opportunity to have this facility in Port Arthur. ExxonMobil is committed to doing things the proper way and I'm keenly aware of the time and attention that they have paid in listening to the concerns and the input from others in the community and the few concerns that have been raised. I have seen them explore the questions, look at all sides of the issues, be respectful to those who had a position that was other than the favorable position to the project, and they've taken a great deal of time in trying to tend to those needs and concerns.

ExxonMobil has moved forward, as I mentioned, showing a great deal of respect to everyone and they've worked diligently to be able to line things up in tandem with the process that they are undergoing with your agency, so that when this project is approved, they will be ready to respond and move forward immediately without

PM-30 Thank you for your comment.

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**MS. VERNA RUTHERFORD (cont'd)**

any delays and being able to start turning ground right away so that we can get this much needed facility underway and operational in our community.

For our community, this would mean a number of jobs. It would mean stability for the existing petrochemical facilities. It would mean a huge economic impact for our existing companies, the suppliers and others here. And, most importantly, it would provide for the national needs that we have for natural gas. So it not only benefits us in our community, but without looking at it selfishly for just our community in Southeast Texas, it would be a tremendous benefit for our nation.

In closing, I would urge you to expedite this process to the extent possible so that the project can move forward in a timely manner and we can have a state of the art facility operating here very soon.

Thank you.

PM-31

**MR. STEVE FITZGIBBONS**

Thank you. As she said, my name is Steve Fitzgibbons. I'm the city manager in Port Arthur and have been the city manager for a little over nine years.

About five years ago, give or take a few years, our economic development corporation director came into my office and said that he had a prospect and was wondering if we could provide some economic development incentive dollars to put a ship breaking facility across from Pleasure Island. And, at least, since the area that is in question has been in the city I think for about 17 years, it's either been industrial or marine industrial. And I told the director that I didn't really think that that was the kind of money we wanted to use government funds or the kind of project we would like to use government funds to support. However, the area was zoned for it; so if the ship breaking company could have come up with their own money, they could have put a ship breaking company across from the south end of Pleasure

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**MR. STEVE FITZGIBBONS (cont'd)**

Island and that was what would have been there today because it has been zoned marine industrial and these things go and go by right in those areas without hearings because that's what the zoning does. It gives you the right to do that.

About the same time, the Pleasure Island commission which is a commission that has the authority the legislature gives to it to manage the lands of Pleasure Island wanted to subdivide the south end of the island and they came before the city council and there was some discussion about subdivision regulations. And we at the staff strongly stated to the counsel that if this was not Pleasure Island and this was not Pleasure Island Commission, they couldn't put in a subdivision because you don't put in a subdivision where there isn't water or, generally, you don't because when you do it's paloneus basically. Otherwise it is paloneus, that where they built houses and you don't have water you have paloneus. So the council did not let the Pleasure Island Commission land subdivide because there was no water at the south end of the island.

As the judge mentioned, we were able to get water down there read, but we got it through an economic development administration grant on the basis of creating commercial and industrial jobs. That's how the water got there. That's how the Pleasure Island Commission was able to sell individual lots that they wouldn't have before because they had water. The water was there with a commitment by us to create in that area or further south industrial and commercial jobs. So you knew they were going to the south and you knew right across the water was commercial where there have been discussions of putting in a ship breaking facility. So, that is the zoning and that's how the water got down there.

Based on the 2000 census, the City of Port Arthur has a population of 57,750. 68 percent of our population is comprised of African Americans, Hispanics of any race and Vietnamese. Based on the census medium family income was 32,143 or about 76 percent of

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**MR. STEVE FITZGIBBONS (cont'd)**

the county, medium family of 42,290. A full 25 percent of our population is at or below poverty levels. As was mentioned earlier, we have high unemployment. It generally runs at twice the state and national averages.

The average appraised value of a house in Port Arthur -- and these are numbers from October -- was \$42,105. The main issues facing our community are job creation, provision of basic city services, including public safety infrastructure, safe housing and community revitalization. I believe right now through this LNG project, the City of Port Arthur has an incredible opportunity to substantially improve the quality of life of our citizens. This opportunity is through job creation, not only by the LNG facility and related construction jobs but also by an industry that will support these LNG projects. It will create hundreds or possibly thousands of spin-off jobs in commercial retail and other sectors as a result of the huge capital investments. Revenue to the city from taxes would help create city improvements and basic infrastructure in needed revitalization projects.

Safety is a critical concern, and I'm glad that the FERC has looked into it. And I understand the concerns of the people on the south end of Pleasure Island. However, I believe it is important that you know -- and you probably wouldn't get this information from just listening tonight, but of the city's 57,000 people, less than one half of one percent live on Pleasure Island. I believe it is also important for you to understand that the average value of a home on Pleasure Island is \$198,000 or 4.7 times the average value in the city. And we have about 500 dilapidated vacant structures that we have redtagged for health and safety reasons. None are on Pleasure Island.

I think it is also important that when you note the poverty levels in some of the other issues that I have mentioned to you, we don't have census data on poverty for Pleasure Island; but I doubt whether there is any. And if there some, it is very little. So it is a different situation than the 99 and a half of the other percent of our population.

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**MR. STEVE FITZGIBBONS (cont'd)**

And I think it is extremely vital to this community, probably one of the most important opportunities that we'll have in a generation for our citizens to get this facility permitted, hopefully as quickly as possible and get this construction started because as so many have said tonight, this could be critical to the future of Southeast Texas for the next generation.

And I want to thank you for the opportunity of letting me speak tonight.

PM-32

**MR. LOREN BOSARGE**

My name is Loren Bosarge. My wife and I live on Pleasure Island. We are one of the 33 residences that is mentioned in the EIS. And I went through this, took quite awhile; and my best guess is that the word mitigation was used about 350 times but not one time was the word mitigation used in the same sentence with 33 residences.

Redheaded woodpeckers got three mentions. So, you know, we can't compete with that. We can't argue with the need for energy in this country. We can't argue about the need for jobs in this area and an increased tax base. But what we can argue about is: What about us?

You know, I hear Mr. Fitzgibbons talk about 198,000-dollar houses on Pleasure Island, would it make any difference if the houses were \$22,000? How does that change the case? All we are asking for is consideration of our concerns.

Now, as far as I can see, FERC and ExxonMobil, you know, they are not going to do anything to mitigate our concerns. All you are going to do is devalue our property. And I think we deserve a better shake than that.

Thank you.

PM-32 Thank you for your comment.