

To: Mr. Jayson Hudson USACE

Date: July 6, 2022

Galveston District Regulatory Branch

Subject: Port of Corpus Christi Deepening Project

Cc: Various Stakeholders

(SWG-201900067)

From: Encarnacion Serna

My name is Encarnacion Serna (Chon) I live on 105 Lost Creek Drive; Portland Texas and my mobile phone is 361-903-5774. My e-mail address is [cacheton1@tvc.com](mailto:cacheton1@tvc.com). I strongly oppose this project because if implemented it will have devastating destructive environmental effects on:

1. Our Corpus Christi Bay/Estuarine System.
2. This project calls for the slashing of Harbor Island, an island adjacent to Port Aransas (PA) smaller than PA. This project calls for deepening a branch of the ship channel to go from 50 feet plus to 80 feet deep over a length of 13 miles long. The slashing/dredging of this smaller island along with the additional 13 miles to be dredged will have a catastrophic impact on the Island of Port Aransas and its residents. The Island of Port Aransas, this beautiful Island needs to be saved and preserved, because it is a resort island that we all people with limited incomes need to save for us and for future generations to have and to recreate ourselves on and to enjoy with our families. *Because you see, we do not have enough money to go somewhere else, like the crooked corrupt politicians that promote and support monster projects like this have. And also, unlike the CEO's and CFOs of the giant corporations who can go to other places like Bahamas, Baja California, the Mediterranean etc. to have vacations and recreate themselves. We can only stay locally during our free times, and so we have to defend it from Thugs and Shysters who want to ruin it ecologically.*
3. The quality of our air during the construction phase and afterwards and permanently when the VLCC's get loaded with pumps, tanks, and pipelines that will never be properly repaired, replaced, operated or maintained because of costs and time. And certainly, badly operated and maintained without enforcement actions from the understaffed under-skilled regulating agencies who have no desire or inclination to investigate serious events let alone enforce anything.

I also strongly oppose this project because of the dark sinister forces of greed that drive these types of projects from behind the scenes, and in the shadows. It is stupid, counterintuitive, counterproductive, ludicrous, and against our national security to be exporting sweet crude oil to Europe and Asia, when just several weeks ago President Joe Biden was making phone calls to our enemies (Iran, Saudi Arabia and Venezuela) and was being ignored or forced to cut deals detrimental to National security in return for oil, begging these rogue countries to open up the valves and supply us with the oil, and on the other hand here in Texas especially here in San Patricio County and Nueces county the dark sinister greedy forces had valves wide open loading VLCC's with hydrocarbons (crude oil, condensate, fuels, LNG etc.) to develop other nation's economies, some of them who already strongly hate us.

Also, in the very short time given (about 30 days to review a document, the environmental impact study/statement – EIS, of this magnitude; three huge volumes containing over 2400 pages of scientific concepts and ideas) to review this document, I can say and write, based on what I have read so far on this EIS, and what I have heard from people commenting during the comment meeting held by USACE

on June 22, 2022: The study conducted is weak and does not reflect an in-depth research study needed for the general public and for people who understand science and can-do engineering to accept its validity or the lack of it and thus approve a project of this magnitude, with the potential severe negative impacts on our Corpus Christi Bay/Estuary System. So based on this hurried review, I can characterize this EIS study/document as having serious oversights on several crucial issues; such as salinity, as having half-truths on many conclusions, as having weak conclusions and determinations on very serious issues, and to be saturated with factoids and spins. Based on my reading and review of this EIS, as provided by the very limited time allowed, ***I offer the following comments and make some requests:***

#### **Volume I of the EIS**

1. ***I quote from page ii,*** "This project was determined to be a covered project under Title 41 of the Fixing America's Surface Transportation Act (FAST-41.) As a result, the PCCA CDP was added to the Permitting Dashboard for Federal Infrastructure Projects which tracks covered projects publicly. Fast 41 is intended to improve the timeliness, predictability, and transparency of the federal environment review and authorization process." **So, if this is the case then the Applicant is wrong and corrupt because this project does not fix anything but rather destroys existing inshore, offshore and onshore critical marine, estuarine and on land habitat. In addition, while it puts this project on fast track to expedite and thus to benefit an abusive Bully Applicant, The Port of Corpus Christi Authority (POCCA) and the Hydrocarbon Export Industry, it does nothing for the general public who truly cares and promotes good stewardship of "God Given" natural resources.** **It does nothing for the public and there is no transparency when USACE and the Port conduct the public meeting in a venue (City of Corpus Christi in Nueces County in a convention center owned by the Port, the Bully and Corrupt Applicant and owner of this project.) where the dredging and the people affected do not live,** and not in Port Aransas where the monster dredging will take place, and where the affected residents and their way of living will be severely impacted. And it does nothing, but abuses the public, when USACE and POCCA compress in barely one month the public meeting, and the review of this voluminous document in about a month's time for the public to attend the meeting, to review the document, to learn from it, to check its contents and then to comment on it. So what transparency, fairness is USACE and POCCA writing about in this permitting process? **So, what is contained in this false claim, lies, half-truths or just plain Bull Shit (BS)?**
2. I quote from page ii, "The overall purpose as determined by the USACE after concurrence with the Cooperating Agencies is: to safely, efficiently and economically export current and forecasted crude oil inventories via VLCC's." **So first of all, who are the Cooperating Agencies? Please provide me and all the people who attended the public meeting and the general public with a letter stating: a.) who they are, b.) what exactly were they consulted on, c.) what exactly they agreed on, d. what exactly did they disagree on, and f.) what did they acquiesced on?** Secondly, on the issue of efficiency what efficiency is USACE talking about when the most important alternative was left out and not considered at all by USACE or the Applicant. And that alternative is the combining of all existing and proposed stations into one or two sites only, as opposed to granting rights and approving terminals for everybody and his brother and sister who want to have their own export stations. When will this destruction of habitat come to an end? What could be more efficient than combining export stations into one? In a stretch of land of about 12 miles there are already four (4) operating terminals (and more so in the

planning stages and with permits already entering the permitting system) exporting crude oil, condensate, product hydrocarbons etc. These terminals are:

- A. Enbridge. In operation
- B. Flint Hills. In operation
- C. Buckeye. In operation
- D. Cheniere LNG exporter. In operation
- E. Blue Water (Phillips 66 and Trasfigura) a proposed projects in permitting stages.

**Here again a myopic and tunnel vision approach to the stewardship and management of “God Given Resources” taken by USACE and POCCA the Applicant.**

3. On the issue of Safety. I do not see how an entity like POCCA, an irresponsible Agency that is not accountable to anybody, that is not transparent on critical and serious issues with anybody, that bullies and coerces local governments to do POCCA's will, and does not accept responsibility for explosions and fires taking place in Inner Harbor and adjacent sites, can safely execute this project if approved by USACE. To confirm what I say here, I will remind the readers of this letter to remember the explosion in Inner Harbor in 2020 when during a dredging project conducted by Orion, for EPIC, the dredging tools hit a propane line owned by Enterprise. This accident tragically killed four (4) people and seriously burned seven others. In this tragic event and several others, POCCA immediately denied having anything to do with this event, along with their denial to do anything about on 57 identified pipelines located in the same Inner Harbor where this explosion took place. Pipelines that were identified shortly after this deadly accident occurred. On the claim of POCCA being monster bully and corrupt, because I do not have time in this space, I refer you to conscientiously interview and consult the Mayors and City Councils of Corpus Christi (on the issues of financing and permitting for Bay Water Desalination) The Mayor and City Council of Portland (on the issue of Indian Point Pier) and the city of Port Aransas (on many issues including the proposed desalination plant in Harbor Island)
4. On the issue of “Reverse Lightering” and its elimination by the implementation of this monster dredging project, Ms. Cathy Fulton, a resident of Port Aransas who has lived there all her life, and knows better than anybody about this “lightering” concept already revealed and exposed **this created factoid** to the public attending the comment meeting on June 22, 2022. So, I will not write anymore on this POCCA/USACE created factoid.
5. In this same page under section ES.2 PURPOSE AND NEED. The EIS declares “Crude oil inventories exported at the POCC have increased from 280,000 barrels per day in 2017 to 1,650,000 barrels per day in January 2020 with forecasts increasing to 4,500,000 barrels per day by 2030. Current facilities require reverse lightering to fully load a VLCC, which increases cost and effects safety.” My comments addressing this quote and what it reveals to me and many others who have read this statement follow below:
  - A. It has to be an unmeasurable and dark greed, aided by stinking rotten corruption, that drives this project. Just based on the gargantuan amounts of oil currently being exported, and soon to be almost tripled. My conclusion on this project and many others is that this project is ill-conceived, that it is the work of unscrupulous Lunatics and must be aborted immediately. It is a project like many others already in operation of Greedy CEO's and CFOs from Corporations who will not only sell our sweet crude and other hydrocarbon products to foreigners, but would also sell their mothers overseas If only somebody would buy them.

- B. Please imagine the bleeding from our nation of this valuable resources when we need them here as we transition to other forms of energy. Also, please imagine and visualize the damage created on our habitat and environments by this destruction. **This project along with several others must be aborted immediately.**
- C. And on the last statement of this quote that addresses cost and efficiency **is it a factoid or just plain BS statements coming from POCCA or from USACE?**
  
- 6. On page iii in Volume I and on subsequent sections of this document the claim is made with the argument that the 46.3 million cubic yards will be used as restoration of eroded shorelines. The document uses catchy BS words and acronyms such as: BU for beneficial use, beach nourishment, restoration etc. This use as an effort to bullshit the reader and to develop factoids and half-truths attempting to subtly but stupidly manipulate the minds of the readers. This also to circumvent very important and crucial issues that were left out that should have been studied like subsidence of existing structures and man-made foundations located in the proximity/vicinity of this huge ditch footprint, subsidence of adjacent geological formations etc. Underlying all these issues is the fact that all islands and shorelines here in the Coastal Bend area are geological sandbar formations whereby digging ditches or dredging would create enormous subsidence effects that were not studied let alone quantified in this study. The EIS makes no mention indicating and committing to the proper and adequate compaction with heavy equipment of the dredge material, (46.3 cubic yards,) to truly provide some degree of reduction in erosion. Nor does the Applicant commit to the construction of bulkheads/concrete walls internal to the gigantic proposed ditch; throughout the length of this proposed foot print 13 miles or so. Or on the adjacent formations to protect on-land structures.
- 7. On page v Volume I the EIS states “The no action alternative does not include improvements presented under the Applicants Proposed Action Alternative. Therefore, annual maintenance dredging to the CCSC would continue as scheduled” **I say this comment is a spin and a lie because the proposed project does not provide any improvements. This comment is inserted here to create an illusion or mirage that the no-action alternative is bad because sediment distribution, and short-term sedimentation would continue and the proposed alternative of dredging the channel would eliminate this.**
- 8. On page v Volume I the EIS states “Modeling of the Inner Channel indicates that Shoaling rates with the Applicant’s Proposed Action alternative were comparable to that with the NO-Action Alternative” but then the paragraph goes to say that the model did predict a 5 to 10 percent increase in sedimentation. This is a contradiction from one statement to the next. **I say here that the Applicant needs to have a “Sit Down Session” with members of the community and explain the modeling program/software or calculations made, and also to explain and show: the assumptions that were made, the input numbers that went into the modeling, along with the output obtained from such modeling or calculations.**
- 9. On page vi Volume I the EIS states “Modeling of Applicant’s Proposed Action Alternative indicates that channel deepening is unlikely to change mean water levels in the bay.” but then in the same paragraph the EIS goes to say that the model did predict an increase, but that the increase only was less than 0.79 inches. This is a contradiction from one statement to the next. **I say here that the Applicant needs to have a “Sit Down Session” with members of the**

**community and explain the modeling program/software or calculations made, and also to explain and show: the assumptions that were made, the input numbers that went into the modeling, along with the output obtained from such modeling or calculations. In addition, some houses located on Ingleside on the Bay are already experiencing an invasion of water flooding their backyards and houses especially when the VLCC's go by at speeds higher than the allowable. And nobody so far has been able to enforce the maximum 7 knots per hour speed, and nobody will. So, what will the true predicted gain in water level be on these houses and their backyards?**

- 10.** On the very important issue of salinity covered by the EIS statement on page vi Volume I and pages 284 through page 290 Fig. 5.1 and table 5.1 of Appendix I in Volume III, USACE and POCCA failed miserably in this study as they did not consider salinity cumulative effects in their evaluation. On page vi Volume I, the EIS states "Gradual salinity change is expected with sea level rise and changes in freshwater inflow. However, the No-action Alternative would not alter the expected changes. The increased water exchange associated with the Applicant's Proposed action Alternative is predicted to result in salinity changes less than 1 part per thousand (PPT) for the bays with up to 3 ppt change at the outlet of Nueces Bay and in the vicinity of the deepened channel." **There are currently seven (7) known gigantic desalination projects being proposed by different industrial entities and agencies these are:**
- A. Port of Corpus Christi "La Quinta Channel"
  - B. Port of Corpus Christi "Harbor Island"
  - C. City of Corpus Christi "La Quinta Channel"
  - D. City of Corpus Christi "Inner Harbor"
  - E. Corpus Christi Polymers "Inner Harbor"
  - F. Seven Seas "Harbor Island"
  - G. City of Ingleside "Poseidon on IOB shoreline"

And their salinity accumulation/build up in the Bay was not considered. Also, the hydrodynamic impact to be created continuously, day in and day out, by both the hydraulic lift of the intake flows to the desalination plants and the discharge flows coming back to the Bay were not considered either. The first four desalination projects listed above are already in the permitting process with the TCEQ. The fifth proposal i.e., the one described on item E above is a desalination plant that we understand is already built but has not been started yet. The last two i.e., the ones proposed by Seven Seas and the city of Ingleside are in planning stages but have not entered the permitting process yet. The four proposed desalination projects listed from A through D alone will suction lift with gigantically sized pumps 490.39 MGD from the Corpus Christi Bay netting 150 MGD (the permeate) for industrial consumption and will return back to the Bay high salinity streams (retenates) adding up to 307 MGD. These high salinity streams would contain initially as much as 77 ppt. This as is indicated on the Water Discharge permits submitted to the TCEQ. In addition, the EIS statement does not mention four of the desalination projects listed above (see Volume III fig. 5.1 And table 5.1 Pages 284-290. The ones the EIS leaves out are:

- A. Port of Corpus Christi "La Quinta Channel"
- C. City of Corpus Christi "La Quinta Channel"
- E. Corpus Christi Polymers "Inner Harbor"
- H. City of Ingleside "Poseidon on IOB shoreline"

**The EIS statement fails to consider cumulative impacts that would be created by these monster-sized desalination plants with its gargantuan volumetric rates being lifted from the Bay and the high salinity ones proposed to be returned to the same Bay as the recipient water body.**

11. On page vi Volume I - **Climate Setting** - the USACE admits the proposed project would allow more surge to propagate the channel intensifying velocity and increasing water levels. EIS predicts an elevation gain of 3.5 inches with a category 4 storm, resulting in an increase in inundation area of up to 492 acres. Then on the last statement the EIS claims that beach nourishment and nearshore berms proposed under the Applicants proposal action Alternative erosion would be offset and wave energy would be attenuated. **The Modeling that gives these results needs to be discussed and explained in detail in a “sit down” session with the residents of Ingleside, Ingleside on the Bay and Port Aransas/Aransas Pass. And the residents in these communities need to be told how high the water level will get in their backyards and houses, and how much of their acreage would be under water, under the various hurricane categories. In addition, this predicted gain in level should be added to the already level gain experienced by the citizens of Ingleside on the Bay when the fast-moving VLCC’s pass by on their euphoric rush to deliver hydrocarbons overseas. Then on the last statement the EIS claims that Beach nourishment and near-shore berms proposed under the Applicants proposal action Alternative erosion would be offset and wave energy would be attenuated. This last statement is nothing but far-reaching out propaganda for this ill-conceived project.**
12. Also, on page vi Volume I -**Water Quality and Sediment Quality** - the Applicant and USACE need to prove that the potential impacts of turbidity, dissolved O2 and salinity would only be localized and transient.
13. on page viii Volume I - **Air Quality** - USACE and POCCA take a myopic and tunnel vision approach to the fact that this dredging is being done for VLCC’s to load hydrocarbons that would be coming from tank farms, pumping stations, though pipelines etc., that would emit very large quantities of air pollutants. And so USACE and POCCA fail to mention this and thus neglect to include cumulative/aggregate impacts that would be produced by ancillary equipment.
14. on page viii Volume I-**Noise**- USACE and POCCA just plain admits that noise will increase significantly, but uses different words to describe this increase, but noise will increase both temporarily and permanently, so the real question is what will the impact be on the nearby communities of Aransas Pass/Port Aransas and Ingleside/Ingleside. **Will people here be able to get eight-hour sleep nights?**
15. on page viii Volume I-**Wetlands and Submerged Aquatic Vegetation** - While it might be true that POCCA will just dredge beneath the existing footprint and only affect the turbidity in this dredged footprint temporarily. The dredging is done to accommodate larger vessels and to increase traffic to export the hydrocarbons in larger quantities, the increased traffic and the increased size of the vessel will permanently increase the turbidity and thus decrease the dissolved O2 in the water, affecting grass, and marine fauna. **USACE and POCCA need to quantify this.**
16. on page XI Volume I -**Essential Fish Habitat** - USACE and POCCA only provide a half-truth and does not complete this study on Essential Fish Habitat. In addition, it is a plain lie to say that turbidity would likely be temporary. While the EIS does make mention of the fact that PA construction activities would directly impact the estuarine habitats, and fauna in the study area due to dredging and placement activities and thus it would impact/destroy acres of tidal

wetlands, acres of fresh water wetlands, acres of shoreline, acres of unconsolidated shoreline and grasses. It does not mention let alone quantify the lethality/mortality rates of all or various key marine organisms who dwell in the affected area by the proposed PA. There is no mention made in the EIS of any neuston net, bongo net and or gill net catch surveys to have determine the quantities types of marine species (eggs, larvae, juvenile and adult) that would be adversely affected by the dredging activities and by the increased traffic of bigger ships. So, because none of the listed above tasks and activities were done by either USACE and or POCCA, then we do not know what we really need to know and that is, the quantity, and the variety, and the price of this fauna treasure which would be sacrificed, and its adverse socio-economic and financial impacts on other industries and ways of life. On the issue of turbidity-turbidity will be made worst both, temporarily during the dredging from the 50 ft plus depth to the intended 80 ft., and permanently when the ship size and traffic frequency increases and again when this gigantic ditch is dredged later after it back fills due to subsidence/sedimentation. USACE and POCCA state in various parts of the EIS that cooperating agencies were consulted during the preparation of this study. USACE and POCCA need to state who these agencies were, what documents they provided, what questions were asked, what answers were provided, and above documentation needs to be provided as proof that all of this was done, and due-diligence was served on this very important issue.

17. on page XI Volume I – Cultural Resources- The EIS states “State and Federal resource regulators reviewed the project’s potential to affect significant cultural resources. The reviewing agencies commented that the proposed, the Applicants Proposed Action Alternative was not likely to affect non-archeological historic-age cultural resources, but an intensive survey was necessary to assess certain project component’s impacts to terrestrial and underwater archeological resources. On this very important issue/concern we the reviewers, the people who care for cultural issues and our brother Native Americans would most definitely ask these questions and demand answers:
  - a. Who were the State and Federal Agencies who reviewed and commented on this issue/concern?
  - b. What were their findings?
  - c. Did USACE/POCCA received any documents/letters from State or any other federal agency confirming claims and conclusions made by USACE/POCCA on this cultural issue.
  - d. Assuming that the “intensive survey that was necessary” referred to on page XI of Volume I is presented in Appendix F, there is no indication in Appendix F at all that on this project USACE/POCCA conducted any field work themselves to confirm if the area is or is not an archeological site. Appendix F appears to be nothing more than an extensive literature search with no actual field work done at all. Therefore; without actual field work having being conducted in the specific area of interest i.e., the foot print of the proposed dredge and beyond, the claims and conclusion made here lack credibility.
  - e. It is my understanding also that USACE already lacks sufficient credibility with lots of the people and entities that are directly affected by many other nefarious dredging projects being promoted and supported by USACE. As an additional proof of this, is the fact that on another recently USACE approved dredging project, USACE and MODA (now Enbridge) were sued in Federal Court; jointly by both the Indigenous people of the Coastal Bend, The Karankawa/Kadla Tribe of the Texas Gulf Coast and The Organization Ingleside on the Bay

Coastal Watch Association. With my understanding that this law suit was triggered by USACE/MODA putting at risk a sacred Karankawa site where over 39,000 archeological artifacts were found.

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