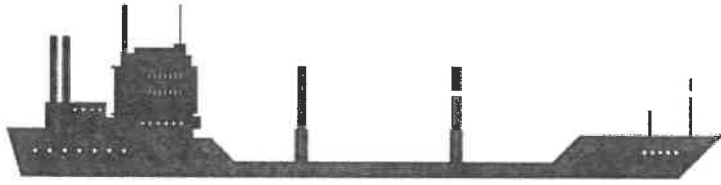


SUBMIT COMMENTS TO STOP THE SEA PORT OIL TERMINAL (SPOT)



OIL GIANTS ENTERPRISE AND CHEVRON WANT TO BUILD A MASSIVE CRUDE OIL STORAGE FACILITY, ONSHORE AND OFFSHORE PIPELINES, AND AN OIL EXPORT TERMINAL OFF THE SURFSIDE COAST.

The terminal would load Very Large Crude Carriers (VLCCs) - massive oil tankers - at a rate of 85,000 barrels of oil an hour, or 2 million barrels per day. U.S. oil markets are saturated and SPOT would allow Enterprise and Chevron to ship oil from the Permian Basin and other shale formations to European and Asian markets. **HERE ARE SOME OF THE MAJOR IMPACTS:**

OIL SPILLS: The SPOT terminal, VLCCs, and supporting pipelines pose extreme threats to the Texas shoreline and Gulf waters. An oil spill would harm local fishing and tourism industries and destroy nesting grounds for the Kemp's Ridley sea turtle, the world's most critically endangered sea turtle species. The Texas Gulf Coast has seen the impacts of oil spills on its human health, ecosystems and the industries that rely on its natural resources, and putting more oil via pipeline and carrier into the waters only increases those risks.

An oil spill from the onshore pipeline, or spills of drilling fluids used during construction, could permanently damage Surfside Beach's well water. Similar pipeline projects have ruined residential wells and destroyed wetlands in Pennsylvania, Ohio, and other areas of the US.

AIR POLLUTION: Additionally, the air pollution produced by a large terminal and loading operation would release harmful volatile organic compounds (VOCs) that would travel throughout coastal areas and communities, exacerbating existing public health problems caused by industrial air toxics, especially in Oyster Creek where the terminal would be built.

CLIMATE CHANGE: Increased crude oil infrastructure for exports spells disaster for our climate. Overseas markets are driving the export of oil from the Permian Basin -- oil that poses risks from wellhead to pipeline transport through aquifers, communities, waterways, and natural areas, and drives climate pollution when we need to decrease global emissions.

Your voice is crucial. Visit the links below to submit comments!

US Army Corps (due 3/20)

Bit.ly/StopSPOT

Martime Admin. (due 3/23)

Bit.ly/SPOTcomments

HAVE QUESTIONS?

WANT TO GET INVOLVED?

GET IN TOUCH:

STOPSPOTOIL@GMAIL.COM 

(979) 417-2532 



How to Submit Public Comments

SPOT Terminal Services, LLC Section 404 of the Clean Water Act

Reference: SWG-2018-00751

Submit comments to:

Policy Analysis Branch
Regulatory Division, CESWG-RDP
U.S. Army Corps of Engineers
P.O. Box 1229
Galveston, Texas 77553-1229
swg_public_notice@usace.army.mil

Deadline to Submit Comments: March 20th 2020

Agency: U.S. Army Corps of Engineers

Amy Dinn, Managing Attorney
Environmental Justice Team
Equitable Development Initiative
Lone Star Legal Aid
phone: (713) 652-0077 ext 8108
email: adinn@lonestarlegal.org



LONE STAR
LEGAL AID

How to Submit Public Comments

Deepwater Port License Application SPOT Terminal Services, LLC

Docket No. MARAD-2019-0011

- **Submit comments electronically at:**
<http://www.regulations.gov>
- You must include docket number on comments

Deadline to Submit: March 23, 2020

Agency: Maritime Administration (MARAD)
Parent Agency: Department of Transportation (DOT)

Email for more information or
to submit non-electronically:
William A. Nabach, William.A.Nabach@uscg.mil or
Yvette Fields, Yvette.Fields@dot.com

Amy Dinn, Managing Attorney
Environmental Justice Team
Equitable Development Initiative
Lone Star Legal Aid
phone: (713) 652-0077 ext 8108
email: adinn@lonestarlegal.org

BEST PRACTICES PUBLIC COMMENT WRITING

If MARAD and the US Coast Guard should approve the SPOT project, allowing them to install 47 miles of 36" pipeline through coastal communities and out through gulf waters to an offshore platform, where two very large crude carriers (VLCC) can load as much as 2 million barrels of oil every day. **These public comments are an opportunity for you to voice your concerns about the impacts of oil infrastructure in your community and environment. You are encouraged to add additional thoughts, facts, and stories from your own experience.**

The most valuable public comments are *unique, fact-based, and brief*. The agency will have to sort through many identical form letters and expressions of personal opinion. As a community member, your ability to share information that is unique to your area and your knowledge of your community's interests is your greatest strength when writing a public comment.

A few general guidelines:

1. Your comment can report on local information or knowledge of potential impacts of the project, scientific evidence, or other data that opposes or supports the theory behind the proposed project. Providing additional supporting evidence helps strengthen the agency's position by creating a stronger scientific foundation for taking action.
2. Include a heading that states the regulation name and the docket ID number. While this may seem unnecessary, it demonstrates that you are taking the time to carefully review the document and be well informed. It also helps the agency match your comments with the correct proposed project.
3. Use an opening sentence to establish your credibility. State who you are and summarize any of your experiences that are relevant to the topic of the proposed project.
4. Use the next few sentences to succinctly summarize the data or information that you have provided. You can (and are encouraged) to go into further detail later in your comment, but starting with the equivalent of a discussion section will help the agency respond more effectively.
5. You do not have to come to a conclusion or judgement regarding the entirety of the proposed project, but you do have to clearly communicate the implications of the information that you present. Avoid leaving it up to the agency to infer how research or data relates to the proposed project.
6. If you are citing specific papers, newspaper articles, or online data or references in your comment, including your sources will help the agency staff find them later.

General Comment Format

LETTER: Reference the Proposed Project and Docket Number (MARAD 2019-2011)

Re: MARAD-2019-0011; SPOT Technical Services, LLC Deepwater Port License Application

To Whom It May Concern,

START WITH AN INTRODUCTION:

Introduce yourself and your credentials, residence, or other experience, as they relate to the comment you are writing.

Thank you for the opportunity to comment on the draft Environmental Impact Statement for the Deepwater Port License Application for SPOT Technical Services, LLC.

My name is _____ and I am from [your city], Texas. I believe that the proposed SPOT Terminal and associated oil pipelines and offshore export infrastructure pose an immediate threat to the safety and wellbeing of my community and to our fragile environment.

MAKE IT PERSONAL

- Use your comments to add a human face to this problem. Your story matters. YOU will live with this project for years to come.
- Express your personal concerns about how the proposed SPOT Export Terminal threatens your community, waterways, recreation opportunities, or the health risks to you and your family/friends from oil spills.
 - Have you been personally affected by the impacts of an oil spill or air pollution?
 - Do you live near the ECHO terminal, pipeline route, pump station, or a waterway (including the Gulf) that could be impacted by a spill?
 - Do you see how this could impact the wellbeing of Gulf Coast communities if allowed to proceed?

INCLUDING DATA AND REFERENCING EVIDENCE

- Pick one or two statistics to frame your personal comments.
- Don't worry about highly technical information.
- You can include attachments to your comments, including pictures, news stories or reference articles.
- List your sources, online references, or other data so that the agency can locate them.

I would like to... [raise concerns / inform you of new information / provide supporting evidence] regarding [Document Title]:

1. [1 sentence describing first major point]
2. [1 sentence describing second major point]
3. etc...

In summary, [1-2 sentences summarizing your comment]. Please see below for additional details and pertinent literature.

INCLUDE YOUR NAME AND CONTACT INFORMATION

- Be sure your comments include some form of contact information, but remember, it will become a public document available online.

Sincerely,

[Name]

Public Comments Talking Points

MARAD/USCG DEIS

The SPOT Export Facility is all risk and no reward for Texans:

The construction and operation of SPOT threatens the quality of life of the Gulf of Mexico environment, coastal ecosystems, and human communities.

- Oil and Toxics spills/leaks
 - Drinking water contamination: crosses Brazos River and will pass near water wells of Surfside Beach
 - Decimation of wildlife in wetlands and Gulf Waters
 - Loss of important flora and fauna that keep the coastal ecosystems healthy
 - HD drilling and hydrostatic testing under roads, lakes, ocean produces waste fluids that are toxic, need to be disposed of, and often spill
- Erosion and flooding
 - Pipeline trenching, bulldozing, HD drilling
 - Erosion and flooding cost nearby communities and individuals thousands of dollars in damages, some of which are irreparable (lawsuits of landowners—remediation, surface agreements)
 - Remediation or “restoring the land to its original state” often falls well below expectations leaving property forever altered with new erosion and/or flooding problems
 - Damage to habitat and landscape
 - Nesting grounds for birds, sea turtles are destroyed during clearing of easements, trenching, and drilling reducing numbers of critically endangered species significantly
 - Countless species of flora and fauna are destroyed during construction

- Ecosystems are disrupted and weakened resulting in a Higher risk of damage and erosion from strong storms.
- Endangered and Threatened species
 - DEIS does not accurately assess the significant risk of spills on sensitive marine and coastal ecosystem wildlife habitats and claims the project would not adversely affect protected species and their critical habitats.
- Cumulative Impacts
 - The DEIS fails to fully examine the cumulative impacts of an oil spill in Gulf waters already compromised by past catastrophic spill events, ongoing spills, and hazardous releases from other industrial facilities (LNGs & Chemical Plants)
 - More research is needed on the current impacts of other facilities and past occurrences. That data would then be added to SPOT projections to show true potential impact data.
- Environmental Justice
 - DEIS does not consider impacts including increased air pollution and limited access to clean drinking water on affected low-income, minority communities and communities of color. And does not take. Into consideration that Brazoria County area is already out of compliance with ozone standards.
- **Unnecessary Project that Exacerbates Climate Change**
 - SPOT is not needed here in the US -- the terminal will only facilitate the export of crude to European and Asian markets. If MARAD licenses SPOT, it will place the profits of Enterprise and Chevron ahead of the health and well-being of coastal communities.
 - The production, processing, and combustion of the crude supplying the export project will emit significant greenhouse gas emissions exacerbating climate change. This is a serious threat locally as gulf waters rise and flood our region, and extreme storms ravage our communities.

- The DEIS fails to consider the cumulative impacts of emissions and leaks throughout the supply chain cycle due to increasing oil drilling and production to end use combustion such as processing plants. The true impact of this project would account for the full impact on climate change, and air and water pollution that will not occur if this project is not constructed.

USACE 404

Flooding

- area in 100 year floodplain, severe flooding events are happening more frequently, cost to community is enormous
- Corps should require an analysis, using Harvey, Imelda, and other data, about the flood potential and safety of construction in the floodplain/floodway and storm surge zone.

Storms

- Rainfall and storm surge mitigation must be required to prevent oil spills from rainfall and storm surge of 15 feet or more. This will prevent or reduce the impacts of oil spills that can contaminate Oyster Creek, San Bernard River, Brazos River, Gulf of Mexico, other waterbodies, and terrestrial areas during rainfalls, hurricanes, and storms.
- A hurricane impacts analysis must be included based on stronger storm systems that accounts for potential impacts to nearby homes as well as project equipment (platforms, valves, tanks, pipelines, etc). We ask the Corps to provide a plan for how the crude oil terminal platform, pipelines, and other equipment will be stormproof and a spill contingency plan and how nearby homes will be protected.

Spills

- A spill contingency plan is necessary and should be provided to the public for review and comment in this Public Notice since a spill may affect wetlands and waters of the U.S. for this Section 404 permit application.
- An accurate assessment of potential for contamination of drinking water must be included. The pipeline will cross the Brazos River and pass near the water wells of Surfside Beach. There is also potential for infiltration and migration of the oil into the wetland and water channels to the drinking water sources.

Construction and Operation

- The Corps should require that the applicant state what impacts its construction, operation, and maintenance (O&M) of a crude oil ocean terminal, onshore terminals,

pipelines, and other equipment will have on freshwater and other wetlands that are on and off the site.

- We request the Corps require the applicant to prepare and present to the public for review and comment an Operations and Maintenance plan that will be implemented after construction to protect wetlands, waters of the U.S., and water quality under the Clean Water Act and Sections 401 and 404 and the 1899 Rivers and Harbors Act.
- We ask that the Corps increase its standards and requirements for dredging mitigation to maintain water quality.

Remediation and Wetlands Loss

- Account for and address the reality of remediation—Forested wetlands take decades to fully recover. It can take 50 to 100 years because trees grow slowly, and the benefits/values of old trees can only be achieved via time.
- The applicant should be required to prepare a non-native invasive plant species (NNIPS) plan.
- Mitigation should be required for so-called “temporary wetlands loss”. Native wetlands lost due to “temporary wetlands loss” must be calculated to be at least 50% of “temporary wetlands loss”. This means the Corps should require that the applicant provide at least 50.5 acres of additional wetlands mitigation due to the loss of 101 acres of wetlands.