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Office of Energy Projects

FERC/SEIS-019-20-000-1732105648 February 2025

# Commonwealth LNG Project

## DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Commonwealth LNG, LLC

Docket No. CP19-502-000
CP19-502-001

**Abstract:**

The staff of the Federal Energy Regulatory Commission (FERC or Commission) prepared a draft supplemental environmental impact statement to address the July 16, 2024 Opinion issued by the United States Court of Appeals for the District of Columbia Circuit (court) regarding the Commission's environmental review of the Commonwealth LNG Project, proposed by Commonwealth LNG, LLC. On November 17, 2022, the Commission issued its Order Granting Authorization Under Section 3 of the Natural Gas Act (Order) for the Commonwealth LNG Project (*Commonwealth LNG, LLC*, 181 FERC ¶ 61,143 [2022], *order on reh'g*, 183 FERC ¶ 61,173 [2023]). On July 16, 2024, the court issued an opinion finding, as relevant here, that FERC failed to properly assess the cumulative effects of the project's nitrogen dioxide emissions, and remanded the Order to FERC for further proceedings (*Healthy Gulf v. FERC*, 107 F.4th 1033 [D.C. Cir. 2024]).

Comments on the draft supplemental EIS are due to the Commission on or before 5:00 pm Eastern Time on **April 7, 2025.**

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FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICE OF ENERGY PROJECTS

In Reply Refer To:
OEP/DG2E/Gas 1
Commonwealth LNG, LLC
Docket Nos. CP19-502-000
CP19-502-001

TO THE INTERESTED PARTY:

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a draft supplemental environmental impact statement (EIS) to address the U.S. Court of Appeals for the District of Columbia Circuit's (court) July 16, 2024 opinion finding, as relevant here, that FERC failed to properly assess the cumulative effects of the Commonwealth LNG Project's (Project) nitrogen dioxide ($NO_2$) emissions, and remanded the Order to FERC for further proceedings.[1] The Project is proposed by Commonwealth LNG, LLC (Commonwealth) in the above-referenced dockets.[2] Commonwealth requests authorization to site, construct, and operate a natural gas liquefaction and export facility, including a Natural Gas Act section 3 natural gas pipeline, in Cameron Parish, Louisiana.

On September 9, 2022, the Commission staff issued a final EIS for the Project.[3] On November 17, 2022, the Commission issued an *Order Granting Authorization Under Section 3 of the Natural Gas Act* (Order) for Commonwealth's Project.[4] On June 9, 2023, the Commission issued an *Order Addressing Arguments Raised on Rehearing*.[5] On July 16, 2024, the court issued its opinion, and remanded the Order to FERC for further proceedings.[6] As part of the Commission's consideration of the proposed Project on remand, we[7] prepared this draft supplemental EIS to assess the issue raised by the court.

The Commission mailed a copy of the *Notice of Availability* to federal, state, and local government representatives and agencies; elected officials; environmental and

[1] *Healthy Gulf v. FERC*, 107 F.4th 1033 (D.C. Cir. 2024).

[2] For tracking purposes, the Council on Environmental Quality unique identification number for documents relating to this environmental review is SEIS-019-20-000-1732105621. 40 C.F.R. § 1502.4(e)(10) (2024).

[3] eLibrary accession number 20220909-3017.

[4] *Commonwealth LNG, LLC*, 181 FERC ¶ 61,143 (2022). eLibrary accession number 20221117-3091.

[5] O*rder on reh'g*, 183 FERC ¶ 61,173 (2023). eLibrary accession number 20230609-3058.

[6] *Healthy Gulf v. FERC*, 107 F.4th 1033 (D.C. Cir. 2024).

[7] "We," "us," and "our" refer to the environmental and engineering staff of the FERC's Office of Energy Projects.

public interest groups; Native American Tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The draft supplemental EIS is only available in electronic format. It may be viewed and downloaded from the FERC's website (www.ferc.gov), on the natural gas environmental documents page (https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents). In addition, the draft supplemental EIS may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (https://elibrary.ferc.gov/eLibrary/search) select "General Search" and enter the docket number in the "Docket Number" field (i.e. CP19-502). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

The draft supplemental EIS is not a decision document. It presents Commission staff's independent analysis of the environmental issues for the Commission to consider when addressing the merits of issues in this proceeding. Any person wishing to comment on the draft supplemental EIS may do so. Your comments should focus on the draft supplemental EIS's disclosure and discussion of potential environmental effects. To ensure consideration of your comments on the proposal in the final supplemental EIS, it is important that the Commission receive your comments on or before 5:00 pm Eastern Time on **April 7, 2025**.

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or FercOnlineSupport@ferc.gov. Please carefully follow these instructions so that your comments are properly recorded.

1) You can file your comments electronically using the eComment feature on the Commission's website (www.ferc.gov) under the link to FERC Online. This is an easy method for submitting brief, text-only comments on a project;

2) You can file your comments electronically by using the eFiling feature on the Commission's website (www.ferc.gov) under the link to FERC Online. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "eRegister." If you are filing a comment

on a particular project, please select "Comment on a Filing" as the filing type; or

3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP19-502) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR Part 385.214). Motions to intervene are more fully described at https://www.ferc.gov/how-intervene. Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. **Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.**

## Questions?

Additional information about the project is available from the Commission's Office of External Affairs, at **(866) 208-FERC**, or on the FERC website (www.ferc.gov) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

The Commission's Office of Public Participation (OPP) supports meaningful public engagement and participation in Commission proceedings. OPP can help members of the public, including landowners, community organizations, Tribal members and others, access publicly available information and navigate Commission processes. For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, the public is encouraged to contact OPP at (202) 502-6595 or OPP@ferc.gov.

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to https://www.ferc.gov/ferc-online/overview to register for eSubscription.

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# TECHNICAL ACRONYMS AND ABBREVIATIONS

| | |
|---|---|
| AERMOD | American Meteorological Society/EPA Regulatory Model |
| AQCR | Air quality control region |
| CAA | Clean Air Act |
| CFR | Code of Federal Regulations |
| CO | carbon monoxide |
| Commission | Federal Energy Regulatory Commission |
| Commonwealth | Commonwealth LNG, LLC |
| Court | United States Court of Appeals for the District of Columbia Circuit |
| EIS | environmental impact statement |
| EPA | U.S. Environmental Protection Agency |
| FERC | Federal Energy Regulatory Commission |
| GHG | greenhouse gases |
| HAPs | hazardous air pollutants |
| LDEQ | Louisiana Department of Environmental Quality |
| LNG | liquefied natural gas |
| µg/m3 | micrograms per meter cubed |
| MMBtu/hr | million British thermal units per hour |
| NAAQS | National Ambient Air Quality Standards |
| NEPA | National Environmental Policy Act |
| NESHAPS | National Emissions Standards for Hazardous Air Pollutants |
| NGA | Natural Gas Act |
| $NO_2$ | nitrogen dioxide |
| $NO_x$ | oxides of nitrogen |
| NSPS | New Source Performance Standards |
| Order | *Order Granting Authorization Under Section 3 of the Natural Gas Act* |
| PHMSA | U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration |
| $PM_{2.5}$ | particulate matter with an aerodynamic diameter less than or equal to 2.5 microns |
| $PM_{10}$ | particulate matter with an aerodynamic diameter less than or equal to 10 microns |
| Project | Commonwealth LNG Project |
| PSD | Prevention of Significant Deterioration |
| PTE | potential to emit |
| SIL | Significant Impact Level |
| $SO_2$ | sulfur dioxide |
| tpy | tons per year |
| VOC | volatile organic compounds |

## EXECUTIVE SUMMARY

On August 20, 2019, as amended July 8, 2021, Commonwealth LNG, LLC (Commonwealth) filed an application with the Federal Energy Regulatory Commission (Commission or FERC) in Docket Nos. CP19-502-000 and CP19-502-001 requesting authorization pursuant to Section 3 of the Natural Gas Act (NGA) and Part 153 of the Commission's regulations to site, construct, and operate a natural gas liquefaction and export facility, including an NGA Section 3 natural gas pipeline, in Cameron Parish, Louisiana (Commonwealth LNG Project or Project).

On November 17, 2022, the Commission issued an *Order Granting Authorization Under Section 3 of the Natural Gas Act* (Order) for Commonwealth's Project, and on June 9, 2023, the Commission issued an *Order Addressing Arguments Raised on Rehearing*.[1] On July 16, 2024, the U.S. Court of Appeals for the District of Columbia Circuit (court) issued an opinion finding, as relevant here, that FERC failed to properly assess the cumulative effects of the Project's nitrogen dioxide ($NO_2$) emissions, and remanded the Order to FERC for further proceedings.[2] As part of the Commission's consideration of this application on remand, we[3] prepared this draft supplemental environmental impact statement (EIS) to assess the issue raised by the court. The draft supplemental EIS was prepared in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA) and the Commission's implementing regulations under Title 18 of the Code of Federal Regulations, Part 380 (18 CFR 380).

## PROPOSED ACTION

The Project consists of two main components: 1) construction and operation of the liquefied natural gas (LNG) export terminal, which includes six LNG plant facilities to liquefy natural gas, six tanks to store the LNG, an LNG carrier loading/berthing facility (marine facility), and other appurtenant facilities; and 2) construction and operation of approximately 3.0 miles of 42-inch-diameter pipeline and one new meter station to deliver natural gas to the terminal. The Project would produce 8.4 million metric tonnes per annum of LNG for export on an average of 156 LNG carriers per year.

Commonwealth does not propose any modifications to the previously authorized Project facilities.

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[1] *Commonwealth LNG, LLC*, 181 FERC ¶ 61,143 (2022), *order on reh'g*, 183 FERC ¶ 61,173 (2023). eLibrary accession nos. 20221117-3091 and 20230609-3058.

[2] *Healthy Gulf v. FERC*, 107 F.4th 1033 (D.C. Cir. 2024).

[3] "We," "us," and "our" refer to the environmental and engineering staff of the FERC's Office of Energy Projects.

## PUBLIC INVOLVEMENT

Section A.3 of the September 9, 2022 final EIS described all Project public involvement throughout the Project's NEPA review in detail. Section A.2 of this supplemental draft EIS summarizes the Project public involvement. Overall, the Commission issued four notices seeking public comment with a cumulative 126 days of open scoping/comment periods and held three scoping/comment sessions for the Project.

On November 27, 2024, the FERC issued a *Notice of Schedule for the Preparation of a Supplemental Environmental Impact Statement for the Commonwealth LNG Project*.[4] This notice was sent to 399 potentially interested parties, including the environmental mailing list for the Commonwealth LNG Project (i.e., federal, state, and local officials, agency representatives, conservation organizations, Native American Tribes, local libraries and newspapers in the project area, and "affected landowners" as defined in the Commission's regulations in 18 CFR §157.6(d)(2)).

## PROJECT IMPACTS

The September 9, 2022 final EIS for the Project described all Project impacts in detail. The purpose of preparing this supplemental EIS is to address the court's July 16, 2024 opinion. Therefore, this supplemental EIS focuses on cumulative air quality impacts and our conclusions specific to the Project's $NO_2$ emissions.

For all other environmental resources, our analysis and conclusions are unchanged from what was presented in the September 9, 2022 final EIS for the Project, and the November 17, 2022 Order in Docket Nos. CP19-502-000 and CP19-502-001, as modified by the June 9, 2023 Rehearing Order in Docket No. CP19-502-002.

## ALTERNATIVES CONSIDERED

Commonwealth does not propose any modifications to the previously authorized project. Therefore, the alternatives analysis and conclusions are unchanged from what was presented in the September 9, 2022 final EIS for the Project in Docket Nos. CP19-502-000 and CP19-502-001, and are not addressed in this supplemental EIS.

[4] 89 Fed. Reg. 96,242 (Dec. 4, 2024). eLibrary accession number 20241127-3067.

## CONCLUSIONS

Based on the environmental analysis in this draft supplemental EIS, staff concludes that any increase in cumulative modeled National Ambient Air Quality Standards (NAAQS) exceedances that result in impacts exposing the public are likely significant. Therefore, while most of the NAAQS modeled exceedances for 1-hour $NO_2$ would occur even if the facility was not operating (i.e., background concentrations), and the Project contribution to exceedances would be minimal, staff conclude based on the environmental analysis in this draft supplemental EIS, that these impacts may be significant.

Our conclusions are stated in section B.4 of the supplemental EIS. All of the environmental and engineering conditions of the Commission's November 17, 2022 Order will apply, if approved, and are therefore not repeated in the supplemental EIS. We do not recommend any additional or modified mitigation measures be attached as conditions to any order on remand issued by the Commission in this proceeding.

## SECTION A – INTRODUCTION

On August 20, 2019, Commonwealth LNG, LLC (Commonwealth) filed an application with the Federal Energy Regulatory Commission (Commission or FERC) under Docket No. CP19-502-000 pursuant to Section 3(a) of the Natural Gas Act (NGA). Commonwealth requested authorization to site, construct, and operate a natural gas liquefaction and export terminal and an integrated NGA Section 3 natural gas pipeline, in Cameron Parish, Louisiana (see figure 1) ("Commonwealth LNG Project" or "Project"). On July 8, 2021, Commonwealth filed an amendment to its NGA Section 3 Application under Docket No. CP19-502-001 to modify the proposed LNG storage tank designs and capacities so as not to require an interpretation from the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA).

On November 17, 2022, the Commission issued an *Order Granting Authorization Under Section 3 of the Natural Gas Act* (Order) for Commonwealth's Project.[1] On June 9, 2023, the Commission issued an *Order Addressing Arguments Raised on Rehearing*.[2] On July 16, 2024, the U.S. Court of Appeals for the District of Columbia Circuit (court) issued an opinion finding that FERC failed to properly assess the cumulative effects of the Project's nitrogen dioxide ($NO_2$) emissions, and remanded the Order to FERC for further proceedings.[3] As part of the Commission's consideration of these applications on remand, we[4] prepared this draft supplemental environmental impact statement (EIS) to address the issue raised by the court.

[1] *Commonwealth LNG, LLC*, 181 FERC ¶ 61,143 (2022). eLibrary accession number 20221117-3091.

[2] O*rder on reh'g*, 183 FERC ¶ 61,173 (2023). eLibrary accession number 20230609-3058.

[3] *Healthy Gulf v. FERC*, 107 F.4th 1033 (D.C. Cir. 2024).

[4] "We," "us," and "our" refer to the environmental and engineering staff of the FERC's Office of Energy Projects.

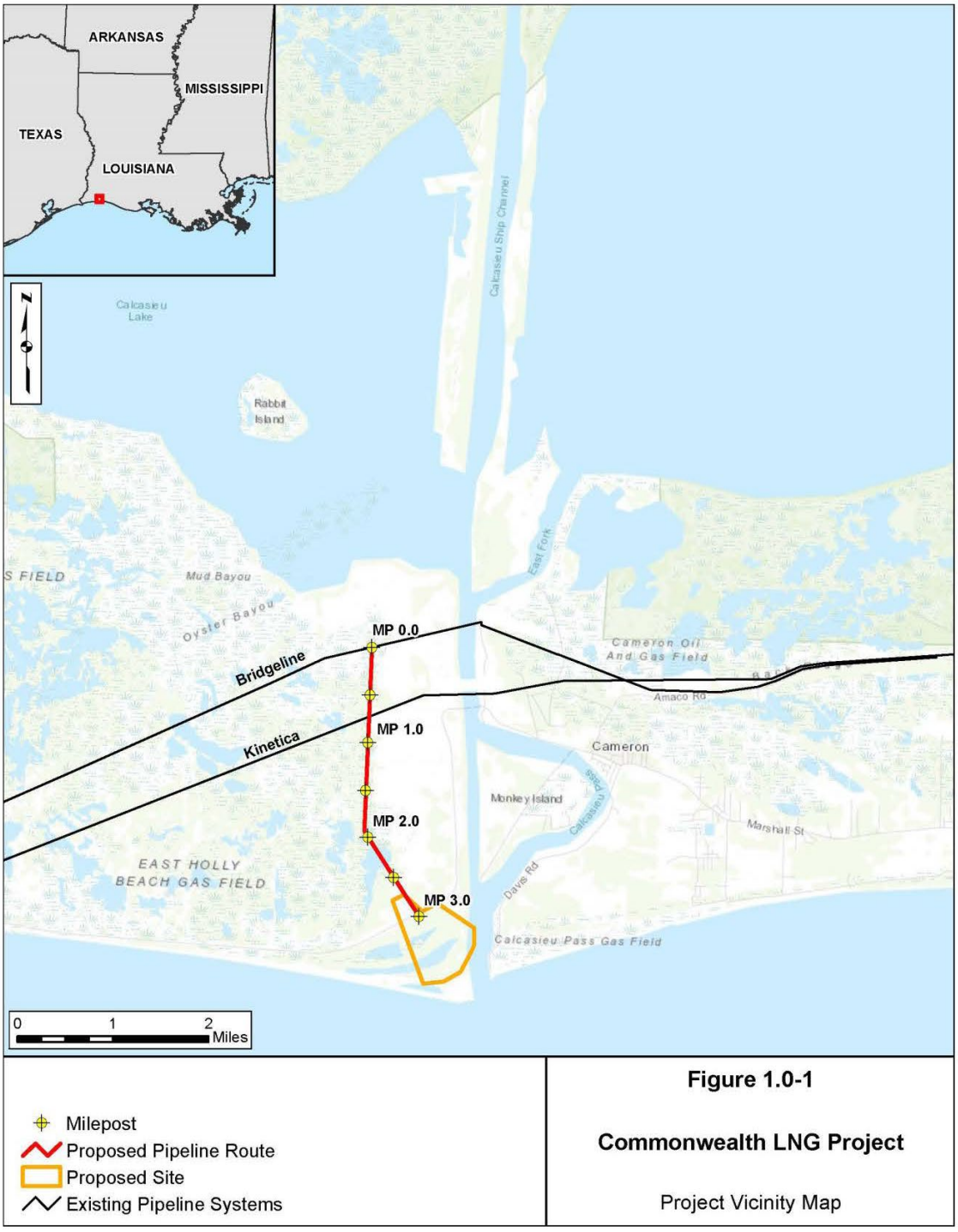


**Figure 1 Proposed Project Map**

## A.1 PROJECT PURPOSE AND NEED

Commonwealth states that the purpose of the proposed Project is to liquefy and export to foreign markets, domestically produced natural gas sourced from the existing interstate and intrastate pipeline systems of Kinetica and Bridgeline, respectively, in southwest Louisiana.

## A.2 PURPOSE AND SCOPE OF THIS SUPPLEMENTAL EIS

Based on its authority under the NGA, the FERC is the lead agency for preparation of this supplemental EIS in compliance with the requirements of the National Environmental Policy Act (NEPA) and FERC regulations implementing NEPA (18 CFR 380).

The principal purpose in preparing this supplemental EIS is to address the court's July 16, 2024 opinion finding that FERC failed to properly assess the cumulative effects of the Project's $NO_2$ emissions, which remanded the Order to FERC for further proceedings. Therefore, this supplemental EIS focuses on the cumulative air quality impacts specific to the Project's $NO_2$ emissions. For all other environmental resources, our analysis and conclusions are unchanged from what was presented in the September 9, 2022 final EIS for the Project, and the November 17, 2022 Order in Docket Nos. CP19-502-000 and CP19-502-001 and upheld as modified in the June 9, 2023 Rehearing Order in Docket No. CP19-502-002. This supplemental EIS also presents our conclusions and recommendation regarding mitigation. All of the conditions of the Commission's November 17, 2022 Order will apply, if approved, and are therefore not repeated in the supplemental EIS. We do not recommend any additional or modified mitigation measures be attached as conditions to any order on remand issued by the Commission in this proceeding.

## A.3 PUBLIC REVIEW AND COMMENT

### Pre-filing Process and Scoping

On July 28, 2017, Commonwealth filed a request with FERC to use our pre-filing review process. We approved Commonwealth's request on August 15, 2017, and established pre-filing docket number PF17-8-000 for the Terminal and Pipeline. Information and documents filed by Commonwealth for the Project, as well as related documents, were placed into the public record. The pre-filing review process provides

opportunities for interested stakeholders to become involved early in project planning, facilitates interagency cooperation, and assists in the identification and early resolution of issues, prior to a formal application being filed with the FERC.

During the pre-filing process, we conducted biweekly conference calls with Commonwealth to discuss Project progress and identify and address issues and concerns that had been raised by FERC staff or other agencies. Interested agencies were invited to participate on a monthly basis. Project information, documents, and summaries of the conference calls during the pre-filing process are available for viewing on the FERC eLibrary system under Docket No. PF17-8-000.[5]

Commonwealth held an initial open house meeting on October 23, 2017, in Johnson Bayou, Louisiana, to introduce the Project to the local community. FERC staff participated in the meeting to describe the Commission's process and provide those attending with information on how to file comments with the Commission.

On February 22, 2018, the Commission issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Planned Commonwealth LNG Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Session*.[6] This notice was sent to about 300 interested parties, including property owners; elected officials; tribal governments; local, state, and federal regulatory agencies; libraries; local emergency responders; and local newspapers in the Project area. Publication of the notice established a 30-day public scoping period for the submission of comments, concerns, and issues related to the environmental aspects of the proposed Project.

We conducted a public scoping session in Johnson Bayou, Louisiana on March 13, 2018, to provide an opportunity for the public to learn more about the Project and provide oral and written comments on environmental issues to be addressed in the EIS. During the meeting, we received oral comments from one individual that was transcribed by a court reporter, as well as written comments. Additional comments were submitted either by letter or electronically. All comments received were posted to the Commission's public record through the FERC's online eLibrary system. The FERC staff also visited the Terminal site on March 13, 2018, along with representatives from the United States Coast Guard, National Marine Fisheries Service, and the Louisiana Department of Natural Resources.

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[5] To access the public record for this Project, go to FERC's website (http://www.ferc.gov), click on "Documents & Filings," and select the "eLibrary" feature. Click on "General Search" from the eLibrary menu and enter the docket number excluding the last three digits in the field (i.e., PF17-8, or CP19-502). Select an appropriate date range.

[6] 83 Fed. Reg. 10,470 (Mar. 9, 2018).

On March 16, 2020, the Commission suspended the environmental review schedule for the Project pending adequate responses from Commonwealth to Commission staff data requests and an official interpretation from PHMSA pertaining to Commonwealth LNG's proposed LNG storage tank design. On June 8, 2021, Commonwealth filed an amendment to its NGA Section 3 Application to modify the proposed LNG storage tank designs and capacities so as not to require an interpretation from PHMSA. On July 13, 2021, the Commission issued a Notice of Application for Amendment and Establishing Intervention Deadline, which established a 21-day comment period for the submission of comments, concerns, and issues related to the environmental aspects of the proposed Project.[7] On September 24, 2021, the Commission issued a *Notice of Intent to Prepare an Environmental Impact Statement, Request for Comments on Environmental Issues, and Revised Schedule for Environmental Review for the Project*.[8] The notice established another 30-day scoping period.

During the scoping periods, we received a total of 12 comments from two individuals that own land adjacent to the proposed Terminal site; 207 comments from individuals that do not own land adjacent to the proposed Project footprint; 11 comments from federal, state, and local agencies; 2 comments from Native American Tribes; and 13 comments from companies and other non-governmental organizations. The primary issues raised by the commenters related to potential Project impacts on water quality, wetlands, wildlife, aquatic resources, threatened and endangered species, recreational activities, local infrastructure, and air quality. All substantive environmental comments received prior to issuance of the draft EIS were addressed within the draft EIS.

**Draft and Final EIS**

On March 31, 2022, we issued a *Notice of Availability of the Draft Environmental Impact Statement for the Commonwealth LNG Project.* This notice, which was published in the Federal Register on April 6, 2022,[9] listed the dates of two virtual public comment sessions and established a closing date of May 23, 2022, for receiving comments on the draft EIS. Copies of the notice were mailed to 413 stakeholders.

We held two virtual public sessions to solicit and receive comments on the draft EIS. These sessions were held on April 25 and 26, 2022. The sessions provided the public an opportunity to present oral comments to a court reporter on the environmental

[7] 84 Fed. Reg. 47,284 (Sept. 9, 2019).

[8] 86 Fed. Reg. 54,182 (Sept. 30, 2021).

[9] 87 FR 19918.

analysis described in the draft EIS. A total of 10 individuals provided oral comments. During the public comment period for the draft EIS, we received comments from 3 federal agencies, 1 state agency, 4 non-governmental organizations, and 33 individuals. We also received 1,792 copies of one form letter and 579 copies of a second form letter. All unique comments received and a representative copy of the form letters were included in our comment responses contained in appendix M of the final EIS. Transcripts from the public sessions, as well as written comment letters, were entered into the public record and are available for viewing on FERC's eLibrary website (www.ferc.gov).[10]

On September 9, 2022, the final EIS was issued by the Commission and filed with the U.S. Environmental Protection Agency (EPA). The Commission's *Notice of Availability* of the final EIS was published in the federal register[11] and mailed to agencies, individuals, companies/organizations, non-governmental organizations, and other parties identified in the distribution list provided as appendix A in the final EIS. The EPA's notice indicating that the final EIS was available for review was published in the Federal Register on September 16, 2022.[12] The final EIS addressed all substantive environmental comments submitted to the FERC or made at scoping sessions, interagency meetings, and public comment sessions on the draft EIS.

The Commission received comments on the final EIS from the EPA and from Commonwealth. All comments received on the final EIS were addressed in the November 17, 2022 Order.

**Draft Supplemental EIS**

This draft supplemental EIS was filed with the EPA, and a *Notice of Availability* was mailed to the environmental mailing list, as described above. The distribution list for the *Notice of Availability* is provided in appendix A. A formal notice that the draft supplemental EIS is available for review and comment will be published in the *Federal Register*. Also, this draft supplemental EIS was posted to FERC's eLibrary for public review. The public has 45 days after the date of publication of the EPA's formal notice to submit written or electronic comments on the draft supplemental EIS. All comments received related to the environmental issues presented in the draft supplemental EIS will be addressed in the final supplemental EIS.

[10] See accession no. 20220826-4001.

[11] 87 Fed. Reg. 56,639 (Sept. 15, 2022).

[12] 87 Fed. Reg. 56,944 (Sept. 16, 2022).

## A.4 DESCRIPTION OF THE PROPOSED ACTION

Commonwealth proposes to construct and operate the Project in south-central Cameron Parish, Louisiana. The Project would consist of two main components: (a) a new LNG export Terminal adjacent to the mouth of the Calcasieu Ship Channel; and (b) a new natural gas Pipeline extending northward from the Terminal to interconnections at existing pipelines. The Terminal would produce approximately 8.4 million metric tonnes per annum of LNG for export. The primary components of the Terminal facilities are summarized here:

- six liquefaction trains;
- six gas pre-treatment trains;
- two flare systems (containing a total of four flares);
- six LNG storage tanks;
- one marine facility consisting of an LNG carrier berth, barge dock, and vessel maneuvering area;
- utilities (e.g., electricity generation, water, plant air, nitrogen, hot oil system);
- operation and safety systems (e.g., access and haul roads, storm protection structures, stormwater drainage systems, spill containment system, fire suppression facilities, facility lighting and security, emergency shutdown systems); and
- appurtenant facilities (e.g., administrative facilities, maintenance and warehouse buildings, marine facility operator buildings, equipment enclosures and electrical rooms).

The Pipeline facilities would provide approximately 1.44 billion cubic feet per day of natural gas to the Terminal. The primary components of the Pipeline facilities are summarized here and detailed in the following sections:

- 3.0 miles of 42-inch-diameter pipeline;
- two interconnection facilities with existing pipelines; and

- one metering station.

More detailed information in regard to the Project facilities can be found in Commonwealth's application and supplements, the September 9, 2022 final EIS, and November 17, 2022 Order. Commonwealth does not propose any modifications to these previously authorized Project facilities.

## A.5 ALTERNATIVES

The purpose of this supplemental EIS is to address air quality impacts specific to the Project's $NO_2$ emissions, in light of the opinion issued by the court.[13] Commonwealth does not propose any modifications to the previously authorized Project. Therefore, the alternatives analysis and conclusions are unchanged from what was presented in the September 9, 2022 final EIS for the Project in Docket Nos. CP19-502-000 and CP19-502-001, and are not addressed further in this supplemental EIS.

[13] *See Healthy Gulf v. FERC*, 107 F.4th 1033 (D.C. Cir. 2024).

## SECTION B – ENVIRONMENTAL IMPACT ANALYSIS

### B.1 Air Quality

The term air quality refers to the relative concentrations of pollutants in the ambient air. Air quality would be affected by construction and operation of the Project. Although air emissions would be generated by operation of equipment and vehicles during construction of the Project facilities, most air emissions associated with the Project would result from the operation of the Project facilities. The final EIS addresses the impacts of construction and operational emissions.[14]

This air quality analysis addresses the court remand regarding $NO_2$ operational emissions associated with the Commonwealth LNG Project, specifically emissions from the Commonwealth LNG Terminal and certain marine emissions. The court determined that the Commission's reliance on the 1-hour $NO_2$ Significant Impact Level (SIL) was insufficient for assessing cumulative effects, as required under NEPA.[15] Consequently, we are supplementing our analysis of $NO_2$ emissions to ensure that environmental impacts on ambient $NO_2$ levels are adequately assessed. This section exclusively focuses on addressing the court's concerns regarding $NO_2$ operational emissions and resulting cumulative impacts.

The Commonwealth LNG Terminal is on the western shoreline of the Calcasieu Ship Channel, less than 1 mile from the Gulf of America[16] in Cameron Parish, Louisiana.

The proposed Project facilities are on the flat Coastal Plain in the southwestern corner of Louisiana. The general climate of the region is classified as humid subtropical with a strong maritime character. The climate is influenced to a large degree by the proximity of the Gulf of America. Available data from meteorological monitoring stations representative of the region surrounding the two primary facilities of the Project are summarized in the final EIS.[17]

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[14] Final EIS Sections 4.11.1.4 at 4-211, 4.11.1.5 at 4-218, and 4.13.2.8 at 4-388.

[15] The SILs are a screening tool for modeled concentration impacts considered too small to consider in air permitting. If the predicted Significance Analysis impacts for a particular pollutant and averaging period are below the applicable SIL, then no further analyses are required for that pollutant/averaging period.

[16] Previously identified as the Gulf of Mexico per https://www.whitehouse.gov/presidential-actions/2025/01/restoring-names-that-honor-american-greatness/

[17] Final EIS at 4-201.

Combustion emissions resulting from the use of fossil fuels, such as natural gas, produce criteria air pollutants, including oxides of nitrogen ($NO_x$), carbon monoxide (CO), sulfur dioxide ($SO_2$), particulate matter with an aerodynamic diameter less than or equal to 2.5 microns ($PM_{2.5}$), and inhalable particulate matter with an aerodynamic diameter less than or equal to 10 microns ($PM_{10}$). Combustion of fossil fuels also produces volatile organic compounds (VOC), a large group of organic chemicals that have a high vapor pressure at room temperature. VOCs react with $NO_x$, typically on warm summer days, to form ozone.

Other byproducts of combustion are greenhouse gases[18] (GHG) and hazardous air pollutants (HAP). HAPs are chemicals known to cause cancer and other serious health impacts. The final EIS has additional information on GHG emissions[19] and HAPs impacts.[20]

Other pollutants from Project operations, not produced by combustion, are fugitive emissions. Fugitive emissions include leaks and releases of GHGs and VOCs from pipes and other equipment at aboveground facilities.

The EPA has established National Ambient Air Quality Standards (NAAQS)[21] for the following criteria pollutants: $SO_2$, CO, ozone, $NO_2$, PM ($PM_{10}$ and $PM_{2.5}$), and lead. There are two classifications of NAAQS: primary and secondary standards. Primary standards set limits the EPA believes are necessary to protect human health, including sensitive populations such as children, the elderly, and asthmatics. Secondary standards are set to protect public welfare from detriments, such as reduced visibility and damage to crops, vegetation, animals, and buildings.

Individual state air quality standards cannot be less stringent than the NAAQS. The state standards established by the Louisiana Department of Environmental Quality (LDEQ) as outlined in the Louisiana Administrative Code, Title 33, Part III, Section 711.A and Section 711.B (LAC 33:III.711.A and 711.B), are the same as the federal NAAQS for criteria pollutants.

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**18** The EPA has defined air pollution to also include the mix of six directly emitted and long-lived GHGs: $CO_2$, methane ($CH_4$), nitrous oxide ($N_2O$), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. GHGs occur in the atmosphere both naturally and because of human activities, such as the burning of fossil fuels. The primary GHGs produced by fossil fuel combustion are $CO_2$, $CH_4$, and $N_2O$.

**19** Final EIS at 4-394.

**20** Final EIS at 4-209.

**21** NAAQS Table | US EPA Accessed January 22, 2025, https://www.epa.gov/criteria-air-pollutants/naaqs-table

Air quality control regions (AQCRs) are areas established for air quality planning purposes in which state implementation plans describe how ambient air quality standards would be achieved and maintained. AQCRs were established by the EPA and local agencies, in accordance with Section 107 of the Clean Air Act (CAA) and its amendments, as a means to implement the CAA and comply with the NAAQS through state implementation plans. The AQCRs are intrastate and interstate regions, such as large metropolitan areas where the improvement of the air quality in one portion of the AQCR requires emission reductions throughout the AQCR. Cameron Parish, Louisiana is part of the Southern Louisiana-Southeast Texas Interstate AQCR (No. 106).

An AQCR, or portion thereof, is designated based on compliance with the NAAQS. AQCR designations fall under three general categories as follows: attainment (areas in compliance with the NAAQS); nonattainment (areas not in compliance with the NAAQS); or unclassifiable (air quality data is not available). AQCRs that were previously designated nonattainment but have since met the requirements to be classified as attainment are classified as maintenance areas. The Southern Louisiana-Southeast Texas Interstate AQCR is designated as unclassifiable and/or attainment for all criteria pollutants per 40 CFR Part 81. Areas designated as unclassifiable are treated as attainment areas.

The Project would be potentially subject to a variety of federal and state regulations pertaining to the construction of the Commonwealth LNG Terminal and operation of air emission sources.

The CAA, 42 USC 7401 et seq., as amended in 1977 and 1990, and 40 CFR Parts 50 through 99 are the basic federal statutes and regulations governing air pollution in the United States.

New Source Review/Prevention of Significant Deterioration

Federal preconstruction review for sources in nonattainment areas is referred to as Nonattainment New Source Review, while federal preconstruction review for sources in attainment areas is referred to as Prevention of Significant Deterioration (PSD). The review process aids in preventing new sources and modifications to existing systems from causing existing air quality to deteriorate beyond acceptable levels. A source is classified as PSD major if it has the potential to emit (PTE) more than 100 tons per year (tpy) of a pollutant regulated under the CAA and it is listed in one of the 28 named source categories in Section 169 of the CAA, or if it has PTE more than 250 tpy and is not listed in one of the 28 named source categories in Section 169 of the CAA. Sources that exceed the major source threshold are then subject to a PSD review. Emissions from the

Terminal would be above the PSD major source thresholds for $NO_x$ and CO. If a source is subject to PSD review for one regulated pollutant, the source is also subject to PSD review for all other pollutants causing a significant increase in emissions level.[22] For this reason, the Commonwealth LNG Terminal would be subject to PSD review.

Title V Operating Permit

The required elements of Title V operating permit programs are outlined in 40 CFR 70 and 40 CFR 71. Title V operating permits may be referred to as "Part 70" or "Part 71" permits, or as Title V permits. A Title V permit should list all air pollution requirements that apply to the source, including emissions limits and monitoring, recordkeeping, and reporting requirements. Regulations also require that the permittee annually report the compliance status of its source with respect to permit conditions to the corresponding regulatory agency. A Title V major source, as defined in 40 CFR 70.2, is a source or group of stationary sources (including new and existing sources) within a contiguous area and under common control, emitting or with the PTE criteria pollutants or HAPs above the criteria pollutant threshold values. The Title V major source threshold is 100 tpy for any of the criteria pollutants, 10 tpy for any single HAP, and 25 tpy for any combination of HAPs. The Project would be subject to Title V permitting requirements.

Commonwealth conducted air dispersion modeling to assess the potential air quality impacts of the Project and show compliance with applicable NAAQS for the pollutants subject to PSD review. The EPA's *Guideline on Air Quality Models* provides the basic modeling guidance and recommendations of specific air dispersion models for use in assessing potential air quality impacts. The American Meteorological Society/EPA Regulatory Model (AERMOD) is designated by the guideline as a preferred air quality model for assessing potential impacts at receptors within 50 kilometers of a subject source and was used for the Class II air dispersion modeling analysis.

Commonwealth used the Lake Charles Regional Airport National Weather Service station 03937 based on guidance specified by the LDEQ in its Air Quality Modeling Procedures document (LDEQ, 2006). All modeling methods and results are reviewed and assessed for appropriateness and accuracy by LDEQ. Additionally, LDEQ staff provided written confirmation to Commonwealth on June 16, 2022, that the Lake Charles

[22] Significant emission rates for criteria pollutants are 100 tpy for CO; 40 tpy for NOx, VOC, and $SO_2$; 25 tpy for total suspended particulate; 15 tpy for $PM_{10}$ and 10 tpy for [direct] $PM_{2.5}$ and noncriteria pollutants; 10 tpy for $H_2S$; 7 tpy for sulfuric acid mist; and 75,000 tpy for $CO_2e$.

Regional Airport National Weather Service station 03937 was the appropriate meteorological station for Commonwealth to use in the dispersion modeling.[23]

The maximum modeled impacts from Commonwealth's stationary sources, as part of the AERMOD significance modeling, are summarized in table 1 below. The modeling showed that 1-hour and annual $NO_2$ exceeded their respective SIL values; therefore, a full impact analysis was performed to assess compliance with the applicable NAAQS.[24]

In addition to the modeling required by the LDEQ, Commonwealth performed modeling to include the mobile LNG carrier and support vessel emissions in addition to the LNG Terminal stationary sources in order to fully assess the impacts of the LNG Terminal operations. These modeling results are summarized in 2. Commonwealth maintained the assumptions used in its original modeling with respect to background concentrations and $NO_x$ to $NO_2$ conversion methodology.[25]

**Table 1**
**AERMOD Significance Modeling Results for Commonwealth LNG Stationary Sources**

| Pollutant | Averaging Time | SIL (µg/m³) | Maximum Modeled Impact (µg/m³) | Distance from Terminal of Maximum Impact Location (km) | Full Impact Analysis Necessary |
|---|---|---|---|---|---|
| $NO_2$ | 1-hour a/ | 7.5 | **37.7** | 1.9 | Yes |
| | Annual | 1.0 | **3.02** | 0.004 | Yes |

a/ Maximum 1-hour yearly maximum averaged over 5 years
NOTE: Bold Values = greater than SIL

**Table 2**
**AERMOD Significance Modeling Results for Commonwealth LNG Stationary and Marine Sources**

| Pollutant | Averaging Time | SIL (µg/m³) | Maximum Modeled Impact (µg/m³) | SIL Distance (km) | Distance from Terminal of Maximum Impact Location (km) |
|---|---|---|---|---|---|
| $NO_2$ | 1-hour a/ | 7.5 | **124.53** | 54 | 0.5 |
| | Annual | 1.0 | **4.44** | 1.4 | 0.5 |

a/ Maximum 1-hour yearly maximum averaged over 5 years.
Note: Bold Values = greater than SIL

[23] Response to FERC June 9, 2022 Environmental Information Request. eLibrary accession no. 20220624-5157. Filed June 24, 2022.

[24] The 1-hour $SO_2$, and 24-hour $PM_{2.5}$ modeled concentrations also exceeded the SIL. For all other pollutants and averaging periods presented, the maximum modeled impacts were below the SIL, so compliance was demonstrated with the NAAQS and PSD Increments, and no further analyses was required for those air pollutants and averaging periods.

[25] See appendix C of eLibrary accession no. 20210604-5170.

Table 2 indicates, as with the stationary-only modeling, that concentrations of 1-hour and annual $NO_2$ due to stationary and mobile sources at the LNG Terminal would exceed the respective SIL.

Commonwealth performed a "full" or cumulative modeling analysis for 1-hour $NO_2$ and annual $NO_2$ as required by the PSD Permit program overseen by the LDEQ. The Commonwealth LNG Terminal's stationary pollutant sources were modeled along with additional sources from off-site inventory obtained from the LDEQ within the area of impact and averaged over five years to determine impacts in comparison with the NAAQS. The area of impact was established as the distance from the Project to the farthest receptor that showed a modeled impact greater than the SIL in the significance modeling analysis. The background sources inventory included all sources within the area of impact plus 15 kilometers and all major sources, including the Venture Global Calcasieu Pass LNG Project (CP1) under Docket No. CP15-550, within the area of impact plus 20 kilometers (in either case, the area of impact would not extend beyond a 50 kilometer by 50 kilometer grid from the LNG Terminal due to the accuracy constraints of dispersion models).[26] Table 3 provides the Commonwealth LNG Terminal's stationary sources' maximum modeled concentration, plus off-site emission sources and background values, in comparison to the NAAQS values for 1-hour and annual $NO_2$.

[26] Note that due to the 50 by 50 kilometer square receptor grid, some receptors near the corners may be more than 50 kilometers from the LNG Terminal.

**Table 3**
**Cumulative Model Results for LNG Terminal Stationary Sources**

| Pollutant / Period | Project Contribution to Maximum Cumulative Concentration ($\mu g/m^3$) | Non-Project Contribution to Maximum Cumulative Concentration ($\mu g/m^3$) | Background Concentration ($\mu g/m^3$) a/ | Modeled Maximum Cumulative Concentration Plus Background ($\mu g/m^3$) b/ | NAAQS ($\mu g/m^3$) | NAAQS Exceedance(Yes/ No) | SILs ($\mu g/m^3$) | SILs Exceedance |
|---|---|---|---|---|---|---|---|---|
| $NO_2$ 1-Hour | 0.00043 | 182 | 46.7 | 228.7 c/ | 188 | **Yes** | 7.5 | **No** |
| $NO_2$ Annual | 3.01 | 1.35 | 6.6 | 10.96 d/ | 100 | **No** | 1.0 | NA |

a/ Background concentrations are the ambient atmospheric values of pollutants (adjusted to account for the presence of surrounding industry, as applicable); background pollutant concentrations are recorded by LDEQ at ambient monitoring sites throughout Louisiana; ambient monitoring data are also available from the EPA (LDEQ, 2006).
b/ Modeled maximum impact of the 8th highest high.
c/ Impact occurs 13.2 km from Commonwealth LNG Terminal.
d/ Impact occurs 0.3 km from the Commonwealth LNG Terminal.

As indicated in 3, the results of the cumulative air quality modeling impacts (excluding marine emissions) for 1-hour $NO_2$ (228.7 micrograms per meter cubed [$\mu g/m^3$]) exceeded the NAAQS of 188 $\mu g/m^3$. Annual $NO_2$ concentrations did not exceed the NAAQS. In addition, Commonwealth conducted a cumulative analysis that included the stationary facility emissions, LNG carriers and tugs, as well as other industrial sources in the area, which is summarized in table 4.

**Table 4**
**Cumulative Model Results for LNG Stationary and Marine Sources**

| Pollutant/ Period | Project Contribution to Maximum Cumulative Concentration ($\mu g/m^3$) | Non-Project Contribution to Maximum Cumulative Concentration ($\mu g/m^3$) | Background Concentration ($\mu g/m^3$) a/ | Modeled Maximum Cumulative Concentration Plus Background ($\mu g/m^3$) b/ | NAAQS ($\mu g/m^3$) | NAAQS Exceedance? (Yes/No) | SILs ($\mu g/m^3$) | SILs Exceedance |
|---|---|---|---|---|---|---|---|---|
| $NO_2$ 1-Hour | 0.0055 | 260.97 | 46.7 | 307.68 | 188 | **Yes** | 7.5 | **No** |

a/ Background concentrations are the ambient atmospheric values of pollutants (adjusted to account for the presence of surrounding industry, as applicable); background pollutant concentrations are recorded by LDEQ at ambient monitoring sites throughout Louisiana; ambient monitoring data are also available from the EPA (LDEQ, 2006).
b/ Modeled maximum impact of the 8th highest high

We here alter our conclusions in the final EIS with respect to cumulative effects of the Project's $NO_2$ emissions during operation.

The 2010 EPA guidance memorandum, titled "*Guidance Concerning the Implementation of the 1-hour $NO_2$ NAAQS for the Prevention of Significant Deterioration Program*," provided interim recommendations for state and federal permitting authorities following the introduction of the 1-hour $NO_2$ NAAQS of 188 $\mu g/m^3$. The 2010 EPA guidance memorandum introduced a SIL of 7.5 $\mu g/m^3$ as a screening tool to determine whether a proposed source's emissions would have a significant impact on ambient air quality. The SIL of 7.5 $\mu g/m^3$ was chosen based on its relationship to the NAAQS, representing 4% of the 1-hour $NO_2$ standard. This fractional threshold was intended to capture emissions contributions that were unlikely to cause or contribute to air quality violations while simplifying the permitting process under the PSD program. Therefore, the final EIS analysis determined that the largest contribution of the Commonwealth LNG Terminal sources at any NAAQS exceedance was less than the interim $NO_2$ SIL of 7.5 $\mu g/m^3$, concluding that such a contribution would not "cause or contribute" to a NAAQS exceedance per PSD permitting guidelines and therefore would not cause any significant cumulative impacts.

However, upon further examination, and considering that the 1-hour $NO_2$ SIL is an interim standard, we have determined that the interim $NO_2$ SIL, while being useful for PSD permitting purposes, does not provide an adequate threshold for determining the significance of cumulative effects. An increase in cumulative effects equal to a concentration below the 1-hour $NO_2$ SIL represents a minor increase in the cumulative impact of air quality in the region. This contrasts with recent EPA guidance for other pollutants which have a statistically defined NAAQS standard, namely $PM_{2.5}$ and ozone.

In 2018, the EPA issued a technical basis for the SILs for $PM_{2.5}$ and ozone which relies on a statistical analysis of the natural variability of air quality to determine if a modeled change in cumulative concentration represents a design value that is statistically distinct from design values that would naturally occur. A modeled design value change which is below any $PM_{2.5}$ SIL would thus not represent a change in the ambient environment because that modeled value is likely to occur even under current ambient conditions (without the new sources). Due to the interim SIL's lack of a similar statistical analysis of natural variability for $NO_2$, staff cannot apply the interim SIL as a threshold for determining the significance of cumulative effects. Therefore, any modeled NAAQS violation with a modeled non-zero contribution by the facility is considered to worsen a NAAQS exceedance.

Figure 2 shows areas of modeled 1-hour $NO_2$ NAAQS exceedances in the cumulative model which includes marine sources (in red). Generally, the area west of Orange and east of Deatonville contains modeled NAAQS exceedances. Most of these NAAQS exceedances would occur even if the facility was not operating; however, operation of the facility would cause minor increases in these concentrations. We are not comparing the increase in cumulative impacts with the 1-hour $NO_2$ SIL; we simply interpret any increase in cumulative modeled NAAQS exceedances as a significant impact if it would impact locations where the public would likely be exposed. A small area south of the Cameron LNG facility and east of Sabine Pass also shows NAAQS exceedances. The total area covered by these exceedances is approximately 141 square miles.

The region west of Deatonville in Cameron Parish, Louisiana, encompassing the area from the western shore of Calcasieu Lake south to Hackberry and extending westward is characterized by a low population density and predominantly rural land use. Residential development is sparse and largely concentrated near the community of Hackberry, which serves as the primary population center within the area. Beyond Hackberry, the region transitions into expansive undeveloped areas, with occasional isolated structures or properties, but no highly populated residential or commercial hubs. The area east of West Orange, Texas, is primarily characterized by limited development

and sparse land use. The region features scattered residential properties, with homes generally along rural roads or within small communities. These residential clusters are minimal, and the overall population density of the area is low. The area south of the Cameron LNG facility on the eastern side of Sabine Pass in Cameron Parish, Louisiana, is predominantly undeveloped and characterized by coastal wetlands and marshes. Land use in this region is minimal but includes rural residential communities.

Although we acknowledge that the Project must comply with its state PSD permit pursuant to the CAA, based on the existence of modeled cumulative 1-hour $NO_2$ NAAQS exceedances in areas where there are residences and other locations frequented by the public, we conclude that there would likely be a significant cumulative air quality impact as a result of operation of the Project.

However, because most of these exceedances are likely to occur regardless of operation of the project, any mitigation would likely not be perceptible within the exceedance areas. The highest overall modeled maximum impact for 1-hour $NO_2$, including LNG stationary sources and LNG carriers and tugs, plus background sources concentration, was 308 $\mu g/m^3$ whereas the Project's (inclusive of LNG carriers and tugs) contribution for 1-hour $NO_2$ was only 0.005 $\mu g/m^3$. The highest Project contribution at any NAAQS-exceedance location was 2.8 $\mu g/m_3$, which is below the SIL and only 1.5% of the NAAQS. We also note that Commonwealth has taken steps to mitigate 1-hour $NO_2$ emissions, as detailed in the Best Available Control Technologies (BACT) assessment in its PSD permit. Due to the minor contribution of the proposed facility to NAAQS exceedances and Commonwealth's commitments to implement BACT, we conclude that any mitigation would likely not have a perceptible effect within the exceedance areas. Therefore, we are not recommending any additional mitigation to minimize impacts from Project $NO_2$ emissions. Furthermore, the cumulative model used the maximum emission rates for most off-site sources to ensure conservativeness and therefore tended to overestimate air quality impacts.[27]

[27] See Commonwealth's Class II Modeling Report in Support of Part 70 (Title V) Operating Permit and Prevention of Significant Deterioration Permit, filed on August 17, 2021 (accession no. 20210817-5051.

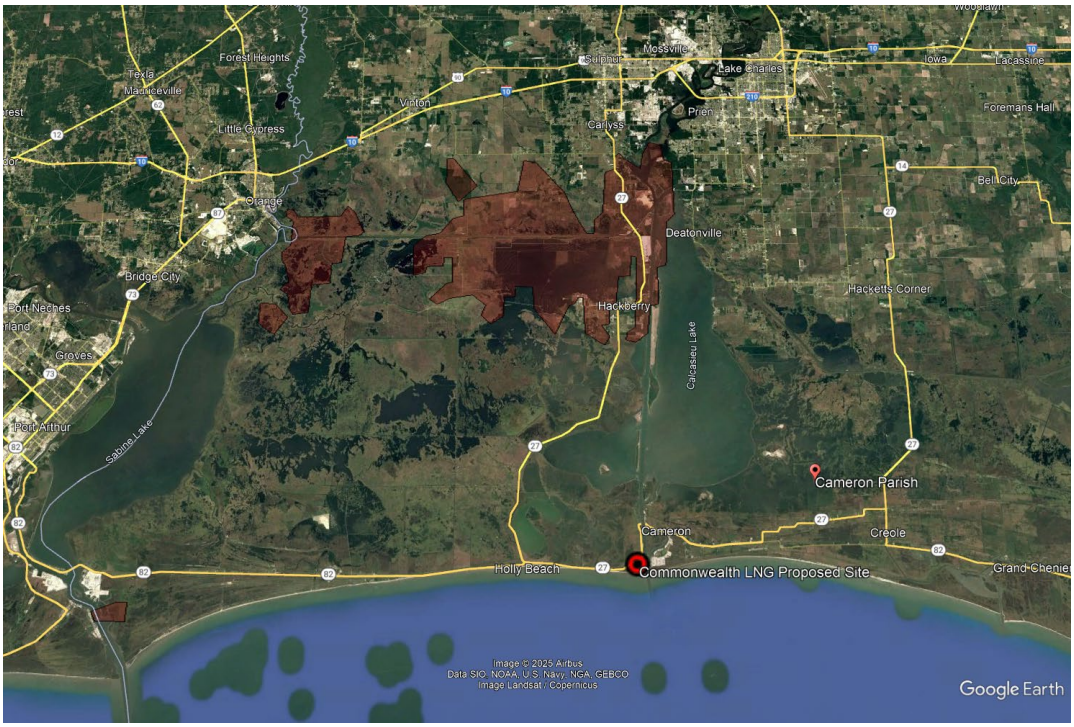


*Figure 2. Areas of modeled 1-hr NO2 NAAQS exceedances in the Cumulative Model (including marine sources)*

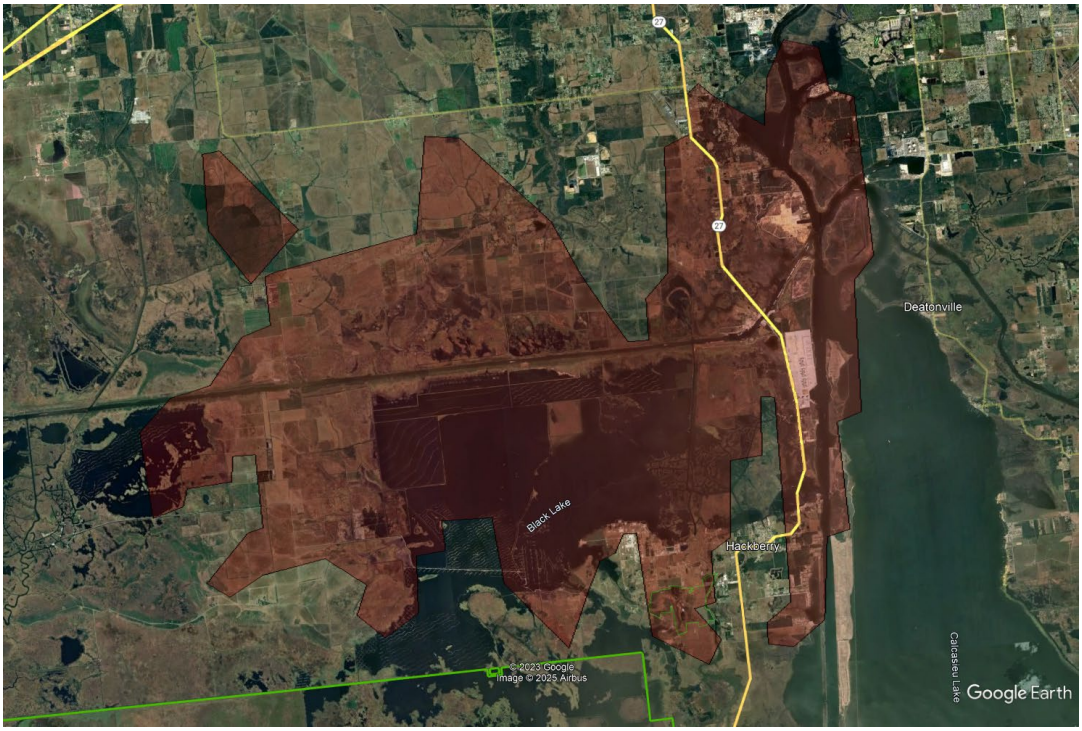


*Figure 3. Closer view of NAAQS exceedances near Deatonville and Hackberry, Louisiana.*

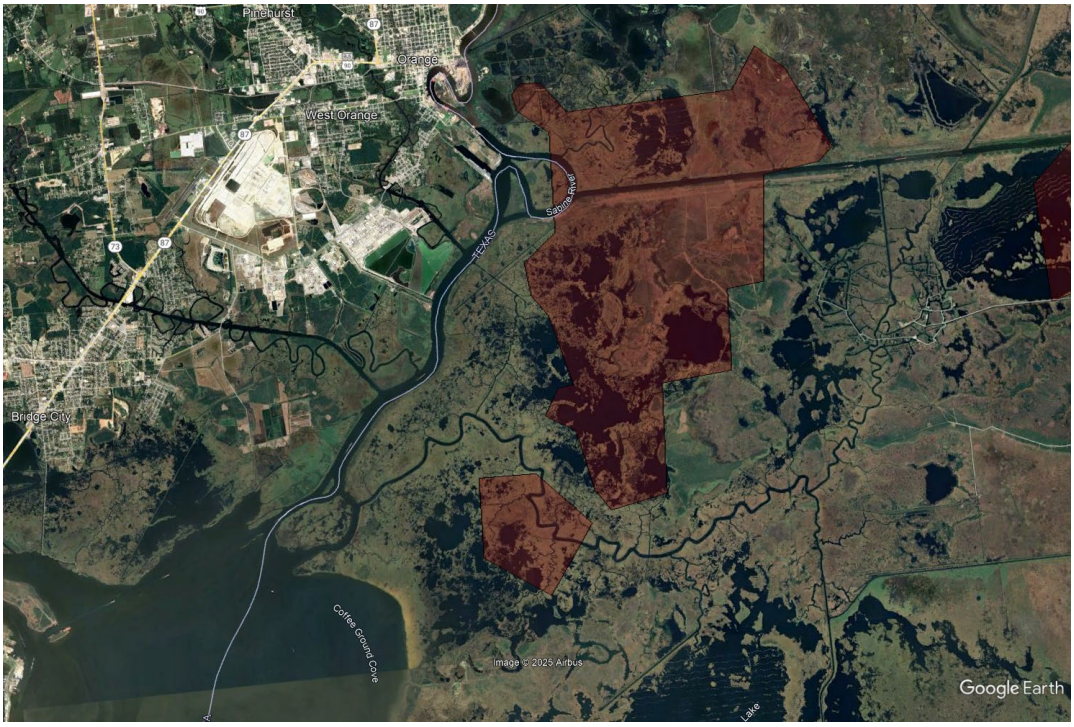


*Figure 4. Closer view of NAAQS exceedances east of Orange, Louisiana.*


*Figure 5. Closer view of NAAQS exceedances near the mouth of the Sabine Pass, east of the channel.*

## B.2 CONCLUSIONS AND RECOMMENDATIONS

Based on the environmental analysis in this draft supplemental EIS, staff concludes that any increase in cumulative modeled NAAQS exceedances that result in impacts exposing the public are likely significant. Therefore, while most of the NAAQS modeled exceedances for 1-hour $NO_2$ would occur even if the facility was not operating (i.e., background concentrations), and the Project contribution to exceedances would be minimal, staff conclude based on the environmental analysis in this draft supplemental EIS, that these impacts may be significant.

Based on our analysis and conclusions above, we have determined that no further mitigation measures are required for the Project's $NO_2$ emissions. All of the conditions of the Commission's November 17, 2022 authorization of the Project will apply, if approved, and are therefore not repeated here.

# APPENDIX A
# DISTRIBUTION LIST

**Federal Agencies**

Bureau of Ocean Energy Management, DOI
- Dr. Jill Lewandowski, Chief, Division of Environmental Assessment

Bureau of Safety and Environmental Enforcement, DOI
- David Fish, Chief, Environmental Compliance Division

Department of Defense
- Assistant for Environment, Tribal & Regulatory Affairs, Office of the Assistant Secretary of the Army for Civil Works
- Chief, Mission Evaluation Branch, Office of the Deputy Under Secretary of Defense (Installations & Environment)
- DoD Siting Clearinghouse
- Liaison, DoD Siting Clearinghouse, Office of the Deputy Assistant Secretary of the Army (Energy & Sustainability)
- Liaison, DoD Siting Clearinghouse, Office of the Deputy Assistant Secretary of the Air Force (Installations)
- Office of the Assistant Secretary of the Navy (Energy, Installations and Environment)
- Robbin Beard, Office of the Deputy Under Secretary of Defense (Installations & Environment)

Environment and Natural Resources Division, DOJ
- Stephen Finn, NEPA Coordinator

Environmental Protection Agency
- Eli Martinez
- Raul Gutierrez, Ph.D, Sediment Quality, Region 6
- Robert Houston, Chief, Office of Planning and Coordination, Region 6

Federal Aviation Administration
- Chris Shoulders, Eastern Obstruction Evaluation Team Manager, Southwestern Regional Office

Federal Emergency Management Agency
- Tony Robinson, Regional Administrator, Region 6

Federal Energy Regulatory Commission
- Gertrude Fernandez Johnson, Director, Division of Gas - Environment and Engineering

National Center for Environmental Health, CDC, HHS
- Sharunda Buchanan, Director, Division of Emergency and Environmental Health Services

National Park Service, DOI
- Patrick Walsh, Chief, Environmental Planning and Compliance Branch

National Oceanic and Atmospheric Administration (NOAA) – National Marine Fisheries Service
- Dr. Roy E. Crabtree, Regional Administrator, Protected Resources Division

NOAA Fisheries Southeast Region
- NEPA Coordinator
- Craig Gothreaux, Habitat Conservation Division
- January Murray, Habitat Conservation Division
- Michael Tucker, NOAA Fisheries Protected Resources Division Lead - ESA Compliance

Office of Environment and Energy, HUD
- Danielle Schopp, Community Planner

Pipeline and Hazardous Materials Safety Administration
- William Schoonover, Associate Administrator for Hazardous Materials Safety
- Sentho K. White, P.E.
- James Urisko, Pipeline Safety

U.S. Bureau of Land Management, DOI
- FERC Contact

U.S. Coast Guard
- Attorney/Advisor, Commandant Chief (Acting), Deepwater Ports Standards Division

Capt. Molly Wike, Commanding Officer
CDR Nicole Rodriguez, Commanding Officer
LCDR Jessica Galarza, Executive Officer
LTJG Mache Mason

U.S. Department of Energy
Brian Lavoie, Office of Regulation, Analysis, and Engagement; Office of Fossil Energy and Carbon Management
Amy Sweeney, Director, Division of Natural Gas Regulatory Activities

U.S. Customs and Border Protection Dept. of Homeland Security
Michelle Brown, Enterprise Services

U.S. Geological Survey
Esther Eng, Chief, Environmental Management Branch

U.S. Army Corps of Engineers, New Orleans District
Assistant Operations Manager
Brenda Archer, Regulatory Branch, New Orleans District
Darrell S. Barbara, Chief, Western Evaluation Section
Michael Herrmann, Project Manager, New Orleans District
Tracy Falk, Calcasieu River Operations Manager

USDA Forest Service- Administrative Review and Litigation
Andrea Pahlevanpour, Assistant Director, NEPA

U.S. Department of Transportation
Pamela Whitley, Interim Executive Director, Engineering and Research Division
Camille Mittelholtz, Environmental Policy Team Coordinator, Office of Assistant Secretary for Transportation Policy

U.S. Fish and Wildlife Service, Louisiana Ecological Services
Joseph Ranson, Field Supervisor, Louisiana Ecological Services

**Elected Officials and Staff**

The Honorable John Kennedy, U.S. Senator
The Honorable William "Bill" Cassidy, U.S. Senator
The Honorable Alan Lowenthal, U.S. Representatives
The Honorable Clay Higgins, U.S. Representative
The Honorable Garrett Graves, U.S. Representative
The Honorable Raul M. Grijalva, U.S. House of Representatives
The Honorable John Bel Edwards, Governor, Louisiana
The Honorable Billy Nungesser, Lt. Governor, Louisiana
The Honorable Ryan Bourriaque, Louisiana State Representative
The Honorable Dan Morrish, State Senator
David Stokes, Office of John Kennedy
Jess Andrews, Office of John Kennedy
Ty Bofferding, Office of Bill Cassidy
James Quinn, Office of Bill Cassidy
Kevin Roig, Office of Garrett Graves
Paul Sawyer, Office of Garrett Graves
Matthew Block, Executive Counsel, Governor's Office

**Native American Tribes**

Alina Shively, THPO, Jena Band of Choctaw Indians
B. Cheryl Smith, Chief, Jena Band of Choctaw Indians

Bobby Komardley, Chairman, Apache Tribe of Oklahoma
Bryant Celestine, THPO, Alabama Coushatta Tribe of Texas
Dr. Ian Thompson, THPO, Choctaw Nation of Oklahoma
Earl Barbry, THPO, Tunica-Biloxi Tribe of Louisiana
Gary Batton, Chief, Choctaw Nation of Oklahoma
Janice Lowe, THPO, Alabama-Quassarte Tribal Town
Kimberly Walden, THPO, Chitimacha Tribe of Louisiana
Linda Langley, THPO, Coushatta Tribe of Louisiana
Lindsey D. Bilyeu, Senior Compliance Review Officer, Choctaw Nation of Oklahoma
Lovelin Poncho, Chairman, Coushatta Tribe of Louisiana
Marshall Pierite, Chairman, Tunica-Biloxi Tribe of Louisiana
Mekko Tarpie Yargee, Town King, Alabama-Quassarte Tribal Town
Melissa Darden, Chairman, Chitimacha Tribe of Louisiana
Nita Battise, Chairperson, Alabama Coushatta Tribe of Texas
Phyliss Anderson, Chief, Mississippi Band of Choctaw Indians

**Newspapers**

The Cameron Parish Pilot
The Times-Picayune

**Libraries**

Cameron Main Library
Grand Chenier Library
Grand Lake Library
Hackberry Library
Johnson Bayou Library
Lowry Library

**State Agencies**

Bryan Johnston, Administrator, Air Permits Division, Louisiana Department of Environmental Quality
Chaunda Allen Mitchell, Director, Governor's Office of Indian Affairs
Cheston Hill, Titles and Surveys Section, Louisiana Office of State Lands
Dave Butler, Permits Coordinator, Louisiana Department of Wildlife and Fisheries
Don Pierson, Louisiana Department of Economic Development
Dr. Shawn D. Wilson, Secretary, Louisiana Department of Transportation
Jay Pecot, Coastal Resource Scientist, Louisiana Department of Natural Resources
Karl Morgan, Administrator, Permits and Mitigation Division, Louisiana Department of Natural Resources
Kristin Sanders SHPO, Louisiana Department of Culture, Recreation, and Tourism
Marc Maniscalco, Oyster Lease Section, Louisiana Department of Wildlife and Fisheries
Scott Guillams, Water Permits Division, Louisiana Department of Environmental Quality
Steve Giambrone, Director, Louisiana Office of Conservation
Vivian Aucoin, Environmental Scientist Manager, Louisiana Department of Environmental Quality
Clair Hebert Marceaux, Director, West Cameron Port Commission

**County Agencies**

Kara Bonsall, Coast Zone Coordinator, Cameron Parish Police Jury

Magnus "Sonny" McGee, Cameron Parish District 1, Cameron Parish Police Jury
Myles Hebert, Flood Plain Administrator and Chief Building Code Official, Cameron Parish Police Jury
Ron Johnson, Cameron Parish Sheriff, Cameron Parish Police Jury
Scott Trahan, Cameron Parish President; District 5, Cameron Parish Police Jury
Wendy Harrington, Cameron Parish Tourist Commission
Clair Hebert Marceaux, Port Director, Cameron Parish Port, Harbor & Terminal District
Cliff Cabell, Chairman, Cameron Parish Port, Harbor & Terminal District

**Individuals and Non-governmental Organizations**

5K Holdings, TX
Adams, Emily, AL
Addison, David, VA
Adrienne Blochm Earthjustice, CA
Akland, Kristine, Center for Biological Diversity, MT
Ana Gale-Orellana, Entergy Louisiana, LA
Andrea Amar, LA
Anne Rolfes, Louisiana Bucket Brigade, LA
Ardoin Limited Partnership c/o Arwen Shackelford, LA
Avavia Investments LLC c/o Chad Mudd, LA
Bobrow, Sharon Trustee of the Sharon Bobrow Revocable Trust, CA
Brooke, Dorothy, NY
Broussard, Craig, LA
Bruno-Small, Janet, LA
Brushwood, Kailee, WA
Buford, Janet Cooley, LA
Bunch, Carolyn R, et al, TX
Burton, Martha, FL
Byrne, Gayle, AL
C F Henry Properties, LLC, LA
Cameron Commercial Property LLC c/o Chad Mudd, LA
Cameron Parish, Sewerage District No. 1, LA
Campion, Aarlene, LA
Carney, Cheryl, TX
Carolyn R Bunch, Trustee of the Elizabeth Taylor Rush's Children and Grandchildren Trust, Carolyn R. Bunch, Richa c/o Carolyn R Bunch (Agent), FL
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# APPENDIX B
# REFERENCES

# REFERENCES

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# APPENDIX C
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