



Submitted electronically

September 21, 2019

To:

coast.permits@state.or.us

Director Jim Rue

Manager Patty Snow

Coastal Management Program-DLCD

635 Capitol St. NE, Suite 150,

Salem, OR 97301-2540

Public Comment to the Oregon Department of Land Conservation and Development re:
Jordan Cove Energy Project (#NWP2017-41/#CP17-494-000/#CP17-495-000)

Dear Director Rue,

The Surfrider Foundation appreciates the opportunity to provide comments on the Jordan Cove Energy Project's Federal Consistency Review for the Coastal Zone Management Act, related to applications for an Army Corps Section 404/Section 10 permit and the Federal Energy Regulatory Commission's energy siting certificate. As a grassroots organization representing coastal and ocean recreational users, Surfrider Foundation would like to express our concerns with impacts to bay and ocean recreation, public safety and livability that are not sufficiently identified, analyzed, mitigated, addressed or realized within the project's permit(s) applications subject to this review. These impacts are in direct conflict and inconsistent with statewide planning goals, local land use policies and Oregon's Coastal Zone Management Plan. In particular, many of the threats to recreational activities and access may permanently eliminate existing opportunities that in some cases are not even accounted for by the applicant or are improperly deemed "temporary" in nature. Further, the applicant has not acquired many of the local and state permits necessary for federal consistency, including the 401 Water Quality Certification. The Department of Land Conservation and Development ("DLCD") should find this project is not consistent with the Oregon Coastal Management Plan and deny the Coastal Zone Management Act Certification.

The Surfrider Foundation ("Surfrider") is a 501(c)3 non-profit environmental organization dedicated to the protection and enjoyment of the world's oceans, waves and beaches through a powerful network. Working towards this mission, the Coos Bay Chapter is part of Surfrider's network of more than 80 grassroots chapters located in the U.S. The Chapter works within the greater Coos County area focusing on a variety of programs, stewardship

activities, campaigns and fun events – all for the love of our local ocean, waves and beaches. The chapter serves Coos County with the longest running beach water quality monitoring program ([Blue Water Task Force](#)) in the state of Oregon. At the statewide level, Surfrider Foundation is deeply involved representing non-consumptive recreational users on Oregon's Ocean Policy Advisory Council ("OPAC") and within the state's Territorial Sea Planning ("TSP") process which works to represent a number of ocean stakeholders, state and federal agencies and tribal nations in ocean planning and policy recommendations for the Governor's office and the state of Oregon.

As a grassroots organization, Surfrider's efforts include promoting the right of low-impact, free and open access to the coastal environment, protecting coastal and ocean recreational opportunities, as well as conservation of coastal habitat and resources. Surfrider Foundation is also concerned about the effects of climate change on coastal resources, leading to the need for more active coastal adaptation. The Surfrider Foundation is represented by over 250,000 supporters, activists and members nationwide. Surfrider members from across the U.S., and the world, recreate in Oregon and locally within Coos Bay.

In order to best represent non-consumptive coastal and ocean recreational users in these statewide planning processes, Surfrider Foundation has conducted an extensive [survey of non-consumptive recreational ocean use](#) for the entire Oregon coast, including estuary waters. Surfrider reached out to ordinary beach goers and also to specific user groups through dive shops, surf shops, kayak and paddling shops, certain charter boats, as well as clubs and schools focused on their activities. This data was intended to help guide state and federal decision-making alike with spatial and economic information to make responsible ocean energy siting decisions and most importantly, recognize existing uses and their economic value in this process. This data has been incorporated into the DLCD's own planning inventory tools, such as Marine Map which was used extensively for the Part V Territorial Sea Planning Process by the DLCD.

There is a considerable amount of recreational activity in the area of the proposed project, including beachgoing, stand up paddling, kayaking, diving, wildlife viewing, boating, beachcombing, photography, fishing, recreational sailing, and aesthetic enjoyment. The project site proposed and the surrounding or affected area is used by members of the public and by Surfrider Foundation members, particularly our Coos Bay Chapter members which offer a strong, local, grassroots interest in the effects of the Project. Representing a deep knowledge of local recreational use and the resources that these activities depend upon, our Coos Bay chapter confirms locally much of what our statewide recreational data suggests for activities in the area. In fact, Coos Bay has seen a rapid growth in recreational uses on the bay and within the Project area over the last decade since the study, as

reinforced by the number of businesses like [South Coast Tours](#) and [Waxer's](#) that support a recreational economy in the bay. Surfrider's interests, and those of its members, will be irreparably harmed if state and federal agencies prioritize the JCEP uses over existing uses prioritized by policies within the State of Oregon's Coastal Zone Management Plan, statewide planning goals and associated rules and statutes.

In summary, as described below in more detail, the proposed Jordan Cove liquefied natural gas ("LNG") energy project (the "Project" or "JCEP") and federal permits there for are inconsistent with the Oregon Coastal Management Program's enforceable policies, and the Department should deny Coastal Zone Management Act consistency certification.

The Project Is Inconsistent with Statewide Policies

Among others, the Project is particularly inconsistent with Statewide Planning Goals 16 and 17, and ORS § 390.010.

Statewide Planning Goal 16

Oregon's Statewide Planning Goal 16: Estuarine Resources, OAR 660-015-0010(1), recognizes and protects the unique environmental, economic, and social values of each estuary and associated wetlands. The goal prioritizes uses "which maintain the integrity of the estuarine ecosystem."

Statewide Planning Goal 16, Implementation Requirement 2 provides, in relevant part:

Dredging and/or filling shall be allowed only:

- a. If required for navigation or other water-dependent uses that require an estuarine location or if specifically allowed by the applicable management unit requirements of this goal; and,
- b. If a *need* (i.e., a substantial public benefit) is demonstrated and the use or alteration *does not unreasonably interfere with public trust rights*; and
- c. If no feasible alternative upland locations exist; and,
- d. If *adverse impacts are minimized*.

As the Federal Energy Regulatory Commission (“FERC”) found in 2016, the proposed Project will not serve a public need. See, e.g., “Pacific Connector has presented little or no evidence of need for the Pacific Connector Pipeline;” “Pacific Connector states that the pipeline will benefit the public by delivering gas supply from the Rocky Mountains and Canada to the Jordan Cove LNG Terminal and by providing an additional source of gas supply to communities in southern Oregon though, again, it has presented no evidence of demand for such service;” and perhaps most importantly for purposes of the USACE’s public interest analysis, “The generalized allegations of need proffered by Pacific Connector do not outweigh the potential for adverse impact on landowners and communities.” (Docket Nos. CP-13-483-00, CP13-492-000, Order Denying Applications for Certificate and Section 3 Authorization, FERC (March 11, 2016)).

And while serving no need, as discussed further below, the Project will unreasonably interfere with public trust rights, including the public’s recreational rights to boat, fish, dive, surf, clam, kayak, etc. in Coos Bay and along the nearby shoreline. The Project in fact statedly excludes these and other uses. The LNG Tanker Transit Exclusion Zone, pictured in Exhibit A., will eliminate transit and recreation in Coos Bay unreasonably interfering with these public trust rights. The broad region of the exclusion area and the unpredictability of the weather, tidal and bar conditions not only interfere with these public trust rights, but they present dangerous and unsafe conditions for these existing uses.

Finally, the Project has not demonstrated that adverse impacts are minimized, evident from the state of Oregon’s denial of the Clean Water Act Section 401 State Water Quality Certification in May 2019. The project has failed to demonstrate it complied with state water quality standards that minimize adverse impacts. Further, many of the other necessary permits have yet to be approved and are pending local land use consistency decisions, many of which depend on changing land use or providing for conditional use subject to appeal.

In summary, because Goal 16 directs that *Other uses and activities which could alter the estuary shall only be allowed if the requirements in (b), (c), and (d) are met*, the DLCD must find the Project inconsistent with Oregon’s Coastal Zone Management Plan as it has not met these requirements.

Statewide Planning Goal 17

Oreogn’s Statewide Plan Goal 17: Coastal Shorelands, OAR 660-015-0010(2), provides for the conservation, protection, where appropriate development, and where appropriate restoration of the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. As an enforceable policy, Goal 17

provides that “*Local, state and federal agencies shall within the limit of their authorities maintain the diverse environmental, economic, and social values of coastal shorelands and water quality in coastal waters*”. The statewide planning goal further prioritizes the protection of the diverse value of coastal shorelands among these uses, in order of priority:

1. Promote uses which maintain the integrity of estuaries and coastal waters;

JCEP is inconsistent with this priority for use of coastal shorelands. As a project that would permanently alter the integrity of the Coos Bay estuary and coastal waters (including from dredging, maintenance dredging, and operational impacts from transiting LNG tankers), it completely eliminates critical habitat and many existing uses, foregoing the number one listed priority of use that “state and federal agencies shall maintain”.

2. Provide for water-dependent uses;

JCEP is inconsistent with this policy and priority for use of coastal shorelands by displacing and eliminating many existing water-dependent uses such as surfing, diving, sailing and recreational fish and shellfish harvest. The project fails to recognize existing water-dependent uses while displacing or eliminating those uses with no analysis of economic and safety tradeoffs or cost/benefits to the community of Coos Bay.

3. Provide for water-related uses;

The JCEP is inconsistent with this policy and priority for use as it eliminates more water related uses than it provides for. Additionally, the JCEP promotes a lower priority water-related use that causes permanent and long-term change to coastal shorelands over existing water-related uses which currently maintain the integrity of estuaries and coastal waters.

4. Provide for nondependent, nonrelated uses which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;

JCEP is clearly inconsistent with this policy and priority for use of coastal shorelands. The nature of the project and its design will inalterably commit these estuarine and coastal shorelands to industrial uses, far more intensive than the current uses. Further, JCEP is in direct conflict with a diverse group of existing economically important uses such as fishing, surfing, diving, sailing, etc.

5. Provide for development, including nondependent, nonrelated uses, in urban areas compatible with existing or committed uses;

The Coos Bay estuary and coastal shorelands is not an urban area and the project is inconsistent with this priority of use and incompatible with local land use laws. Many of the land use permits and conditional use requirements have yet to be approved because many of the activities and uses of the Project are incompatible with existing or committed uses.

6. Permit nondependent, nonrelated uses which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.

The JCEP is inconsistent with this policy and priority of use since, as FERC correctly found in 2016, it has not demonstrated a public need within the state of Oregon or for the United States for that matter. The JCEP will cause permanent and long-term change in the features of the coastal shorelands while providing for foreign private profit over that of United States profit and public use.

The JCEP prioritizes a singular use that not only directly conflicts with the priorities of public use that state and federal agencies shall maintain under Goal 17, but also eliminates existing uses and permanently alters the habitat for those prioritized uses in the future.

Goal 17 further recognizes appropriate uses of Coastal Shorelands requiring consistency of uses with the protection of natural values: *Uses in these areas shall be consistent with the protection of natural values. Such uses may include propagation and selective harvesting of forest products consistent with the Oregon Forest Practices Act, grazing, harvesting, wild crops, and low intensity water-dependent recreation.* The Project, is inconsistent by degrading the natural value and uses that are currently consistent with the protection of the Project area. In order to be consistent, the Project must demonstrate its use is consistent with the protection of the natural values as the existing uses. Further, the Project should not take priority over, and exclude many, existing uses such as recreation that are currently consistent with the protection of natural values and Oregon's Coastal Zone Management Plan.

Shorelands that are suitable for water-dependent uses shall be protected for water-dependent recreational, commercial, and industrial uses

The Project diminishes the minimum acreage required for protection of water-dependent recreational uses and the applicant has not demonstrated consistency with Goal 17's requirement for protecting minimum acreage of shoreland.

ORS § 390.010

As ORS § 309.010(1) provides, "(1) It is desirable that all Oregonians of *present and future generations* and visitors who are lawfully present within the boundaries of this state be assured *adequate outdoor recreation resources*. It is desirable that all levels of government and private interests take prompt and coordinated action to the extent practicable without diminishing or affecting their respective powers and functions to *conserve, develop, and utilize such resources for the benefit and enjoyment of all the people.*" (emphasis added)

Further, “The economy and well-being of the people are in large part dependent upon proper utilization of the state’s outdoor recreation resources for the physical, spiritual, cultural, scientific and other benefits which such resources afford.” (ORS § 309.010(2)). Additionally, “It is in the public interest to *increase* outdoor recreation opportunities,” through, among other activities, protecting existing and needed open spaces, preserving resources which are examples of Oregon history, archaeology and natural science, and using waterways for recreational boating and fishing. (ORS § 309.010(3)). Accordingly, the policy plainly emphasizes the need to protect and conserve Oregonians’ outdoor recreational resources, including those resources for on and in water recreation. The proposed Project instead would irreversibly adversely impact recreation in Coos Bay and in the adjacent ocean.

Coos Bay is an extremely popular spot for surfing, fishing, SCUBA diving, and kayaking, among other types of recreation. The Project’s proposed security zone around the more than 100 LNG tankers annually transiting up through the Bay - which will require recreationalists to exit the zone, frequently giving them nowhere to go - will pose a serious hindrance to these activities. The public may have to delay, reschedule for inopportune times (e.g., when tides are not favorable or conditions are otherwise unsafe), or cancel their activities altogether based on the tankers’ schedules. Tourists will likely not know in advance about the transiting tankers, and be put in harm’s way. Further, as the attached Exhibits B and C events document, a near collision between an LNG tanker and a passenger ferry boat in Port Aransas, Texas in August 2019 illustrates the very real dangers posed by transiting LNG tankers to other watercraft and recreational public trust users.

Proposed dredge and fill activities for the Project will further significantly harm these activities.

Diving is very popular within the Bay, from the bar entrance up to Jordan Cove. The map attached as Exhibit D shows several popular SCUBA diving spots identified by the Oregon Department of Fish and Wildlife, many of which are right at the entrance to Coos Bay, near proposed dredging area #1, and where more than 100 LNG tankers are proposed to enter and exit the bay each year as part of the Project. In addition to SCUBA diving, these areas are also popular with free divers. The project would thus pose a serious danger to this recreational use. Divers may be unaware of LNG tankers approaching and may not be able to quickly get out of the way of a tanker and tankers will not be able to avoid a diver in the water. Beyond the safety concerns LNG tankers pose for the diving community, the impacts to the natural environment caused by dredging have the potential to make these sites no longer desirable to divers given visibility impacts and destruction of the natural marine environment. The unintended consequences of changing the environment from dredging are very concerning. If dredging changes current patterns, that can pose

significant risks to divers who develop their dive plan based on current conditions only to find conditions have changed. Moreover, diminishing the diving experience in the area will negatively impact tourism for the community as well.

Similarly, the proposed dredge and fill activities would have negative impacts on fishing and clamming within the Bay, and on eelgrass which provides important species habitat.

Further, the Project will negatively impact surfing in the vicinity of the Project. Specifically, surfing near both the north and south jetties - where more than 100 LNG tankers are proposed to be entering and exiting Coos Bay each year - are extremely popular surf spots in southern Oregon. See, e.g., <https://magicseaweed.com/Coos-Bay-Surf-Guide/320/> ("South of the dunes and moated by a complex system of bays and estuaries, the North Bend/Coos Bay area is the epicenter of surfing in south-central Oregon, thanks to a complex system of rocky headlands and coves leading out to Cape Arago. First stop on the Cape Arago Highway is the popular Bastendorff Beach, a wide, sandy cove flanked by Yoakam Head and the south jetty at the entrance to Coos Bay.") There are additionally multiple locations inside the jetties that are premium surf spots. These locations offer unique recreational opportunities sheltered from wind and high seas when ocean conditions are too stormy for surfers and other ocean recreational activities. Some of the surfing locations within the jetties are extremely important to recreational users during the winter season, offering up the only opportunity for this type of recreation for hundreds of miles. These areas are indicated by the blue wave symbols within Exhibit E. It has yet to be analyzed how dredging, particularly in nearby area #1, will impact these recreational surf sites.

Additionally, there are numerous recreation and tourism based businesses in the Coos Bay region that depend on healthy and vibrant recreational opportunities in the Bay. Such businesses include Oregon Coast Kayak, South Coast Tours (kayak tours), Surf Waxers (surf rentals and lessons), Bahama Boards (surf rentals and sales), Betty Key Charters (fishing charters), and Canoa Sport Bay Bridge Rentals (kayak, canoe, and stand up paddleboard rentals). These, and many other businesses in the area like them, also depend on the Bay and ocean waters to sustain these recreational opportunities that their businesses, and livelihoods, depend upon. As ORS § 309.010 recognizes, "The economy and well-being of the people are in large part dependent upon proper utilization of the state's outdoor recreation resources" which the policy seeks to protect. These existing recreational uses are unparalleled opportunities and residents and visitors to Coos Bay choose this area to live, work and play because of these outdoor recreational resources. The loss of these opportunities would irreparable harm the well-being of the people and community that depends upon and utilizes these local outdoor recreation resources.

The Project is Inconsistent with Local Policies

The Project is inconsistent with the Coos Bay Estuary Management Plan (CBEMP), which has been adopted and incorporated into local codes. (See, e.g., North Bend Municipal Code, Chapter 18.88; City of Coos Bay Municipal Code, Chapter 17.352) The CBEMP governs the use of the Coos Bay estuary and adjacent shorelands, implementing Statewide Planning Goal 16. The Project violates policies of the CBEMP, including but not limited to Policy 5. The CBEMP designates a number of estuarine resources in the Jordan Cove area. Some are designated as "Development" zones, and others as "Natural" zones in which development, including dredging and filling, is limited or prohibited.

The Project proposes dredging within areas zoned 5-DA and 6-DA (Development Aquatic Management Units), to construct an access channel from the navigation channel to the marine slip. Such dredging is subject to CBEMP Policy 5(I). CBEMP Policy 5(I) (Estuarine Fill and Removal) provides, in relevant part (emphasis added):

Local government shall support dredge and/or fill *only if* such activities are allowed in the respective management unit, and:

a. The activity is required for navigation or other water dependent use that requires an estuarine location or, in the case of fill for non-water-dependent uses, is *needed for a public use and would satisfy a public need that outweighs harm to navigation, fishing, and recreation*, as per ORS 541.625(4) and an exception has been taken in this Plan to allow such fill.

b. A *need* (i.e., a substantial public benefit) is demonstrated and the use or alteration *does not unreasonably interfere with public trust rights*.

c. No feasible alternative upland locations exist; and

d. *Adverse impacts are minimized*.

As provided above, in 2016 FERC determined that the proposed Project will not serve a public need. And while serving no need, as discussed above with respect to ORS § 309.010, the Project will unreasonably interfere with public trust rights, including recreational rights to boat, fish, dive, surf, clam, kayak, etc. in Coos Bay and along the nearby shoreline.

Oregon's public trust doctrine is embodied in case law and reflected in its constitution and statutes. In addition to *Weise v. Smith*, 3 Or 445, 449-50 (1869), articulating the public's broad rights to use the state's navigable waters, *Guilliams v. Beaver Lake Club*, 175 P. 437, 442 (Or. 1918) holds that all waters in the state capable of navigation by small craft can be used for recreational purposes and recognizes a broad range of protected public uses including "sailing, rowing, fishing, fowling, bathing, skating, taking water for domestic, agricultural, and even city purposes, cutting ice, and other public uses which cannot now be enumerated or even anticipated." (citing to *Lamprey v. State*, 52 Minn. 181.) Similarly, Justice Denecke's concurrence in *State ex. rel Thornton v. Hay*, 462 P.2d 671 (Or. 1969), recognizes the state's broad public trust rights, and the fact that the public trust doctrine is flexible, so as to adapt to the public's changing needs and uses. Accordingly, the *jus publicum* is broad and adaptive and encompasses today's modern uses in Coos Bay and surrounding waters, including kayaking, diving, fishing, clamming, crabbing, stand up paddling, and surfing.

A consistency certification must be denied, as the Project would unreasonably harm the public's recreational public trust rights, while there is no demonstrated need for the Project.

The Project is similarly inconsistent with CBEMP Policy 55, regarding recreational planning. "Coos County shall strive to *increase* recreational opportunities and facilities in proportion to population growth consistent with the guidelines established by the Statewide Comprehensive Outdoor Recreation Plan." This policy is based in part on the recognition "that future generations have the right to at least an equal level of the recreational opportunities currently available to County residents..." The Project will not serve to increase recreational opportunities, but instead will diminish and harm them, through for example, the Project's dredging impacts and interference and potential risks from the transiting LNG tankers and proposed security zone.

In conclusion, the proposed Jordan Cove liquefied natural gas ("LNG") energy project (the "Project" or "JCEP") and federal permits are inconsistent with the Oregon Coastal Management Program's enforceable policies, and the Department should deny Coastal Zone Management Act consistency certification.

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Exhibit A.



Exhibit B

Video captures close call between passing LNG carrier and Port Aransas ferry

Tim Acosta, Corpus Christi Caller Times

Published 11:45 a.m. CT Aug. 12, 2019 | Updated 3:28 p.m. CT Aug. 12, 2019

A massive vessel used to transport liquefied natural gas gave Port Aransas residents and visitors a scare Monday morning when it came close to a ferry.

The incident occurred just after 9 a.m., as a ferry was in the process of being loaded with vehicles and passengers, said Rickey Dailey, with the Texas Department of Transportation. An LNG carrier that was headed for Cheniere Energy's Corpus Christi Liquefaction facility in Gregory approached the ferry landing and began sounding its horn, or "danger signal," Dailey said. That prompted the ferry captain and staff to begin implementing procedure and evacuate passengers on foot.



A video on Aug. 12, 2019 shows an LNG carrier passing closely by a ferry in Port Aransas, causing some passengers to run off in alarm. (Photo: Screenshot via Facebook)

Video of the passing vessel posted to social media shows the LNG vessel passing closely by the ferry as passengers begin to run off the ferry. One woman appears visibly shaken, with her hands on her knees.

The man who filmed the video, Robert Caughron, told the Caller-Times it was a scary sight. He had just boarded the ferry when he said crew members began telling him and another vehicle behind him to back up, while urging others to get off.

"It was bearing down on us," he said. "Those tugboat captains (escorting the carrier), they saved the day."

Caughron said it appeared that the LNG vessel was maneuvered around a dredger doing work in the ship channel, but wound up "off kilter to the line of the channel." He said the tugs were able to push the LNG vessel back on track, but that it looked like a close call.

"I'll never forget it ... it was coming straight at us," Caughron said. "I didn't know what to do."

Dailey confirmed that the vessels did not collide, and that ferry service resumed shortly after the LNG carrier passed. There was a report of a woman who had fallen and scraped her knee, but Dailey said she refused medical treatment.

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Cheniere Energy issued a statement about the incident Monday afternoon.

"We take concerns from the community, and the safe navigation of all vessels, very seriously," the statement reads. "What we learned from the pilots is that — while operating in coordination with the Coast Guard and the Port Authority — the ship took a wider turn than usual at Harbor Island due to the placement of another vessel in the channel. The (LNG) vessel was always in control."

The company's statement also said that three Cheniere tugboats were assisting the LNG carrier through the waterway, as is the company's standard procedure. Communication between the pilots and applicable parties was ongoing, as well, the statement said.

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Individuals with questions or concerns about the incident are asked to contact Cheniere by sending an e-mail to Community@cheniere.com or by calling 888-371-3607.

This is a developing story. Check back to Caller.com for updates.

Tim Acosta covers the Port of Corpus Christi, county and city government stories for the Corpus Christi Caller-Times. [Consider supporting local journalism with a digital subscription to the Caller-Times \(https://offers.caller.com/specialoffer?gps-source=CPTOPNAVBAR&utm_campaign=specialoffer&utm_medium=onsite&utm_source=topnavbar\)](https://offers.caller.com/specialoffer?gps-source=CPTOPNAVBAR&utm_campaign=specialoffer&utm_medium=onsite&utm_source=topnavbar).

RELATED COVERAGE

More: [Cheniere Energy, Bechtel wrap 2nd LNG train at South Texas LNG facility \(/story/news/2019/07/05/cheniere-bechtel-complete-2nd-lng-train-south-texas-lng-facility/1651470001/\)](https://www.caller.com/story/news/2019/07/05/cheniere-bechtel-complete-2nd-lng-train-south-texas-lng-facility/1651470001/)

More: [Cheniere's Corpus Christi Liquefaction opens, puts Texas in play for LNG \(/story/news/local/2018/11/15/chenieres-corpus-christi-liquefaction-puts-texas-play-lng/1975848002/\)](https://www.caller.com/story/news/local/2018/11/15/chenieres-corpus-christi-liquefaction-puts-texas-play-lng/1975848002/)

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Exhibit C



Quick links...

BREAKING NEWS

Suspect in high speed chase arrested

NEWS



Near accident at Port Aransas landing underscores concern of Harbor Island export terminal critics

Posted: 7:13 PM, Aug 13, 2019 Updated: 5:26 PM, Aug 13, 2019



By: [Greg Chandler](#)



+ Show Caption



PORT ARANSAS, Texas — Passengers ran for safety yesterday when a large LNG tanker nearly hit a ferry boat at the Port Aransas landing.

Nobody was hurt, but opponents of a planned export terminal just across the channel on Harbor Island say the close call underscores their concerns.

The trouble started here, where the channels intersect.

That tanker somehow ended up too close to this dredging vessel and was forced to make a wide turn.

The dredging vessel is there to deepen and widen the ship channel so it can accommodate even bigger tankers, a key part of the proposed Harbor Island Export Terminal.

“Where that dredge is right now, there's a danger, in my estimation at least, between where it's located and where large ships have to turn,” said Port Aransas Mayor Charles Bujan.

A liquefied natural gas tanker got too close to the dredge Monday and was forced to make a wide turn. It nearly hit the ferry landing.

“It was a near miss,” said John Morris of the Port Aransas Conservancy.

“There’s no way to way to candy coat when you're less than 100 feet from a stationary object on the opposite side of the channel.”

Morris opposes dredging the ship channel for environmental reasons. He says had the tanker hit either the dredge or the dock and caused an explosion.

“You've got a mile radius of Port A that's no longer there,” he said. “We’ve got churches in that mile, we've got schools, we've got how many visitors on a summer day.”

While Bujan agrees a collision would have been a catastrophe he says safety measures worked as intended, including a submerged natural structure.



Officials say the dredging project is safe.

Opponents say Monday's incident proves otherwise.

“They got lucky this time,” Morris said. “Is next time going to be not so lucky?”

Bujan applauded the ferry captain and the tanker pilot telling KRIS that both followed emergency procedures by the book.

The port is investigating yesterday's incident and the Coast Guard was scheduled to meet today with everyone who was involved.

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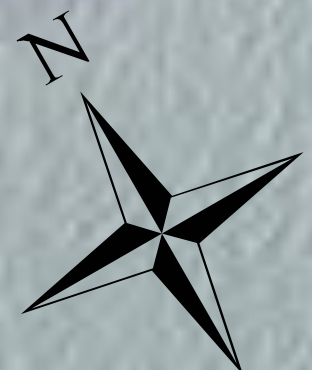


Charleston SCUBA Diving

The nearshore ocean of Charleston is filled with exciting dive sites. Popular harvest targets such as black rockfish, lingcod, and rock scallops can be found in good numbers on just about every rocky area. Viewing dives are excellent among the kelp beds and boulder fields. Highlights include: stalked pink hydroids found at Norton Gulch, estuarine populations of Copper rockfish, and the beautifully colored "Simpson Reef" rock greenling in the shallow kelp beds.

Gregory Point Research Reserve is one of the state's oldest subtidal reserve areas, it allows fishing but not for invertebrate harvest. The site provides refuge for species important to local fisheries such as red sea urchins and rock scallops. The Cape Arago Research Reserves (areas A,B &C) pertain only to intertidal areas and does not restrict harvest below the lowest low tide levels. See current sport regulations for details.

Boat dives are best, but some good shore dives can be accessed with rugged walking and swimming. Visibility tends to be best in winter and spring though 10-15' visibility can frequently be found in the summer. Wave heights, current, and boat traffic are critical to consider on any dive. Diving offshore takes extra skill and expertise. This chart should not be used for navigation.



Baltimore Reef:
A yellow buoy "BR" demarks the end of this reef. Tidal currents and boat traffic make this dive extremely difficult to execute.

Yellow buoy "BR"



Cape Arago Lighthouse:
The kelp bed north of the lighthouse is a good dive in south wind. Depths are 15-45' within the kelp bed and current is minimal.

Gregory Point Research Reserve:
This reserve only excludes take of invertebrates. There are many great kelp dives within. Areas within the emergent rocks are protected from swell, but visibility is not as good as offshore. Big lingcod are common in these shallows during winter.

Cape Arago Lighthouse:
A steep trail and a long swim will take you to some nice 20-30' kelp dives on the north side of the Cape Arago Lighthouse.

Sunset Bay:
The middle of the Sunset Bay is sandy, while the sides are shallow and rocky. Entry is easy, but depths are shallow and good visibility is rare.

Norton Gulch:
A narrow gulch just south of Sunset Bay, follow a dirt trail to the water. Swim directly out 200 yards and drop down to 30'. Swim left into shallow purple sea urchin herds, straight out to black rockfish schools and right to some nice ridges and walls. Good visibility is rare.

North Simpson Reef:
Great dives can be found along three ridges that extend from Simpson Reef. The wreck of the steamship "Brush" can be found at the northwest corner of the reef.

Simpson Reef:
With skilled navigation, excellent dives can be found in the middle of Simpson Reef. The inside of the reef has Oregon's only giant kelp (*Macrocystis*) bed and is an excellent dive, stay distant from sea lions.

South Cove:
Extensive kelp beds and shallow depths are found.

North Jetty/ The Cribs:
Consider drift dives on the jetty. Anchor carefully at "The Cribs", dive during slack water. Rockfish and lingcod can be found.



OIMB Kelp Bed:
A rare estuarine kelp bed. The bottom is low relief sandstone with many juvenile fish.

Charleston Bridge:
For those not bothered by low visibility, this is a great viewing dive. Many species of fish and invertebrates can be found on the hard substrates of the bridge and shell hash.

Dive Site

Kelp beds

Cape Arago Research Reserve Areas A&C

Cape Arago Research Reserve Area B

Gregory Point Subtidal Research Reserve



Strawberry anemones, red sea urchins, and a rock scallop at Cape Arago.



Red soft coral on a wall at South Cove.



Ochre sea stars and black rockfish at Norton Gulch.



Copper rockfish among plumose anemones at Charleston tri-leg buoy #1.



A rock greenling laying on coralline algae at Simpson Reef.



Sea urchins, cucumbers and anemones among the kelp at Gregory Point Research Reserve.

Exhibit E

