

November 17, 2022

The President
The White House
1600 Pennsylvania Ave, N.W.
Washington, DC 20500

Dear Mr. President,

I am writing to elevate the voices of thousands of community members and organizations across the Gulf Coast and nation that have urged the Biden Administration to deny the Sea Port Oil Terminal (SPOT) export facility to protect frontline communities and adhere to the Administration's climate and environmental justice commitments. This letter expresses our grave concerns regarding potential imminent federal agency approval of the SPOT deepwater port. The Final Environmental Impact Statement for SPOT was issued on July 29, 2022. 87 Fed. Reg. 45,849 (Jul. 29, 2022). Therefore, a licensing decision from the Department of Transportation (DOT) could be issued this month. Recognizing that SPOT directly undercuts our nation's ability to tackle the climate crisis, we request that the Biden Administration exercise its independent executive authority to direct the Secretary of Transportation to stop this project from moving forward.

SPOT is one of several massive crude oil export terminals proposed a few miles off the Texas Gulf Coast, which would upload and transport up to 2 million barrels per day of crude oil produced onshore in inland Texas and other parts of the country. Each of these projects also includes miles of onshore and offshore pipeline and oil processing infrastructure running directly through Gulf Coast communities and along the seabed. By itself, SPOT would increase U.S. oil exports by two-thirds, lock-in decades more of domestic oil production, and build out 140 miles of new pipeline and export infrastructure that would remain in use for the next 30 years. If approved, conservative estimates show that SPOT alone will lead to the emissions of 345 million tons of carbon dioxide equivalent per year – that is the equivalent of over 89 coal plants operating each year; and there will be frequent and significant oil spills and local ozone producing and hazardous air pollution. Licensing SPOT would indeed exacerbate the climate crisis and contravene the Administration's efforts to meaningfully reign in global warming pollution caused by the fossil fuel industry at home and abroad.

Our groups have been opposing the development of these massive crude oil export facilities for nearly four years and had hoped for more robust, ongoing conversations with the Biden Administration after announcing its ambitious climate and justice commitments. We strongly urge the following agencies – the Maritime Administration (MARAD), U.S. Coast Guard (USCG), Environmental Protection Agency (EPA), National Marine Fisheries Service (NMFS), and U.S. Fish and Wildlife Service (FWS) – to consider our legal and technical submissions about the harms that SPOT and other proposed fossil fuel export facilities would have on Gulf Coast frontline communities, public health, the local environment and climate. And we ask that your Administration maintain consistency with its commitments to meaningfully address the climate crisis and the long-term environmental injustices that federal agencies have forced upon frontline communities by denying the SPOT crude export terminal. Rejecting this project will prevent SPOT's infrastructure build out, induced oil production and attendant climate, public health and environmental destruction.

Notably, licensing SPOT and other proposed massive crude oil export facilities belie the national interest and MARAD's statutory duties. Approval of just one of these massive deepwater port fossil fuel terminals would induce a climate wrecking amount of greenhouse gas emissions, not to mention the resulting water and air pollution that has been and will continue to destroy the health and livelihoods of frontline community residents and Gulf of Mexico ecosystems. In fact, the stated purpose and need in SPOT's Environmental Impact Statement (EIS) simply adopts the project applicant's commercial goal to export 365 Very Large Crude Carriers (VLCC) each year, ignoring the agencies' Deepwater Port Act mandate to ensure projects are in the "national interest" and consistent with energy sufficiency and environmental quality national policy goals and objectives. However, no proven need exists, in the U.S. or internationally, for SPOT and the significant amount of oil production it would induce in the years to come. The same is true for other proposed massive deepwater oil export facilities that would be built in the future if licensed. Nothing about the pending fossil fuel export facilities will benefit Gulf Coast communities, economic or otherwise.

It appears from the Final EIS and recent agency approvals for SPOT, that MARAD is close to licensing at least one of the proposed massive oil export facilities and that the Administration may justify its approval based on the devastating situation in the Ukraine. Importantly, given the years it will take for even one of these facilities to come online, neither SPOT nor any other proposed deepwater oil export facility will relieve any actual or perceived immediate or intermediate crude oil demand created by the war in Ukraine.

As recent public hearings on these massive oil export projects demonstrate, almost no local voices support SPOT or any of the other proposed massive crude oil export facilities—not even for any perceived local economic boost typically cited by the fossil fuel industry as justification for these types of projects. Tens of thousands of individuals and groups from local communities and across the country have spoken out and submitted written comments opposing SPOT and other climate wrecking fossil fuel export projects.

For years, our organizations have submitted technical comments and expert reports providing evidence of the problems and devastating impacts that these projects will cause, as well as the failures of lead agencies—MARAD and USCG—to adequately evaluate project impacts to ensure informed decision making and public disclosure and participation. Our comments describe the climate change impacts of these projects, including economic analyses that demonstrate the induced emissions and significant oil production that would directly result from licensing SPOT or any of the other similar large-scale deepwater export facilities. Indeed, SPOT's consequential greenhouse gas emissions and induced long-term oil production will not only conflict with efforts to transition to a clean energy economy but will directly prevent that transition from occurring at home and abroad. Additionally, the agencies fail to evaluate the impacts of a worst-case oil spill and other frequent and ongoing sizable spills that will surely result from a project of this scope, and by a company that has a long history of damaging spills and egregious non-compliance. The agencies have also completely ignored new, highly relevant information regarding the existence of the Rice's whale – the Earth's most endangered marine mammal - within the project's action area. Finally, the agencies fail to acknowledge that the Houston and Brazoria area, in which SPOT infrastructure would be located, was recently elevated to "severe nonattainment" for ozone. In doing so, the agencies omit critical analysis of the project's direct and cumulative impacts on public health and air quality, as well as overlook

feasible and available air pollution reduction technology that could significantly decrease ozone precursor air pollutants emitted by SPOT.

We are attaching recent letters submitted to MARAD, USCG, NMFS, and EPA that describe this highly relevant information that must be considered in evaluating the impacts of SPOT and other proposed deepwater crude oil export facilities. Our other comment submissions on the draft, supplemental, and final Environmental Impact Statements for SPOT can be found at Regulations.gov Docket MARAD-2019-0011. To date, we have seen almost no improvement in federal agency review of the project's impacts on climate, Gulf ecosystems or frontline communities. The federal agencies cannot simply accept continued fossil fuel industry harms. We therefore ask the White House to stand with Gulf communities once and for all, and ensure that a stop order is issued on SPOT.

We are nearly past the tipping point of irreversible climate disaster. Approval of even one of these projects completely undermines this Administration's national and international commitments to combat the climate crisis and lift up the communities who have long been disproportionately harmed by the fossil fuel industry. Importantly, the Biden Administration, cannot assert its ambitious climate commitments to the international community, while taking action at home to approve the global movement of an additional 2 million barrels of crude oil each day, locking in decades of fossil fuel production with devastating consequences to the climate, Gulf environment, and frontline communities.

The Administration has no time to waste. It must reverse course on what appears to be the imminent licensing of the SPOT project. On behalf of thousands of residents across the Gulf Coast and millions across the country demanding real action on climate, energy transition, public health, and a clean environment, we urge you to stop SPOT. Please do not hesitate to contact me if you would like to meet to discuss SPOT and our concerns over the project's impacts, and the consequences of approving oil export facilities in the Gulf of Mexico.

Thank you for your consideration,



Devorah Ancel, Senior Attorney
Sierra Club

On behalf of:

A Community Voice

Action for the Climate Emergency (ACE)

Bayou City Waterkeeper

Center for Biological Diversity

Center for Oil and Gas Organizing

Chispa Texas

Citizens for Clean Air and Water of Freeport and Brazoria County

Clean Economy Coalition

Climate Reality Project, New Orleans Chapter

Coastal Bend Sierra Club Group
Coalition Against Death Alley
Coalition of Community Organizations, COCO
Concerned Citizens of St. Johns
Earthjustice
Earthworks
Environment Texas
Esto'k Gna Nation of Texas
Food & Water Watch
Friends of the Earth
Greater New Orleans Interfaith Climate Coalition
Healthy Gulf
Inclusive Louisiana
Ingleside on the Bay Coastal Watch Association
Justice & Beyond Louisiana
Louisiana Bucket Brigade
Louisiana League of Conscious Voters
Oil Change International
Property Rights and Pipeline Center
Public Citizen
RISE St. James
San Antonio Bay Estuarine Waterkeeper
Save RGV
Seeding Sovereignty
Sierra Club
Stop SPOT & Tx Gulfink
Sunrise Movement New Orleans
Texas Campaign for the Environment
Texas Environmental Justice Advocacy Services
The Descendants Project
Turtle Island Restoration Network
350 New Orleans

cc:

Ali Zaidi, National Climate Advisor, Office of Domestic Climate Policy
Secretary Pete Buttigieg, U.S. Department of Transportation
Admiral Ann C. Phillips, Administrator, Maritime Administration
Admiral Linda L. Fagan, Commandant of the United States Coast Guard
Yvette Fields, Director, MARAD Office of Deepwater Port Licensing
William Nabach, U.S. Coast Guard
Katherine Tai, United States Trade Representative