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January 30, 2020

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

**Re: Commonwealth LNG, LLC
Commonwealth LNG Project
Docket No. CP19-502-000**

Dear Ms. Bose:

On December 3, 2019, the National Audubon Society (“Audubon Society”) filed a comment (“Comment”) with the Federal Energy Regulatory Commission (“Commission” or “FERC”) in the above-captioned docket, regarding Commonwealth LNG, LLC’s (“Commonwealth”) proposal to site, construct, and operate a liquefied natural gas facility in Cameron Parish, Louisiana (“Project”). After consulting with relevant resource agencies in December 2019 and January 2020, Commonwealth hereby responds to the concerns raised in the Comment.

As an initial matter, the Audubon Society recommends “that the Commission issue a Notice of Schedule for Environmental Review, resulting in an Environmental Impact Statement.” However, the Commission issued such a Notice of Schedule on October 15, 2019, stating the Commission’s intention to prepare an Environmental Impact Statement. Additionally, the Audubon Society requests public hearings on the Project and consideration of alternative Project sites. Two public meetings have already been held for the Project (one by FERC and one by Commonwealth) and with regard to alternative sites, these will be considered in the Environmental Impact Statement and are discussed in Commonwealth’s application and data responses.¹

The Comment next raises concerns regarding impacts to the eastern black rail. The eastern black rail was proposed for listing as a protected species under the Endangered Species Act on October 9, 2018, but has not yet been listed. Because the eastern black rail is not a listed species at present, methods of analysis and management are still being developed. Therefore, Commonwealth is working closely with U.S. Fish and Wildlife Service (“USFWS”) representatives to better understand how to address this issue. Commonwealth met with a USFWS representative for a site visit to identify potential habitat and for a discussion of impacts and

¹ See *Commonwealth LNG, LLC*, Application for Authorization under Section 3 of the Natural Gas Act, Resource Report 10 (August 20, 2019); *Commonwealth LNG, LLC*, Response to October 2, 2019 Environmental Information Request, pgs. 126-134 (October 22, 2019); *Commonwealth LNG, LLC*, Response to November 22, 2019, Environmental Information Request, pgs. 84-86 (December 12, 2019).

mitigation in December 2019, and participated in a follow-up call in January 2020. Suitable habitat for the eastern black rail was identified on the Project site. In this regard, Commonwealth is proactively coordinating to ensure that any potential impacts on the species and mitigation measures are appropriately assessed in a Biological Assessment, should the species become protected under the Endangered Species Act.

Third, the Audubon Society briefly mentions objections to the Project relating to (1) Endangered Species—in particular the piping plover, (2) Nesting Birds of Conservation Concern, (3) Migratory Birds, and (4) Coastal Erosion. With regard to endangered species, nesting birds of conservation concern, and migratory birds, Commonwealth does not anticipate affecting piping plover, red knot, Wilson’s plover, or snowy plover habitat, based on its most recent discussions with resource agencies (*see* Attachment 1).² However, because least tern rookeries may occur in the area and can move from year to year, Commonwealth has committed to a pre-construction survey, should construction begin during nesting season for colonial water birds (April 1 to August 31).

Furthermore, Commonwealth has continued to find ways to reduce its impact on sensitive habitats. For example, the Project has reduced the footprint of the LNG Facility through incorporation of full-containment LNG storage tanks, which reduced impacts on chenier habitat (which support many species of migratory birds) from 17.0 acres to 13.3 acres. To mitigate for remaining impacts, Commonwealth will be preserving and enhancing 23.6 acres of chenier habitat on an undeveloped portion of the site, and is actively exploring other mitigation opportunities with resource agencies.

Regarding coastal erosion, the Coastal Protection and Restoration Authority completed its Cameron Parish Shoreline Nourishment Project in 2014. The 2018 Cameron Parish Coastal Erosion Master Plan notes that the 2014 replenishment at Holly Beach appears to be successful and that the installed segmented rock breakwaters appear to be effective in reducing shoreline erosion rates. Furthermore, with the addition of the breakwater, no additional re-nourishment is expected to be necessary during the 20-year Master Plan period. Construction of the Commonwealth LNG Project ensures that a private entity (i.e., Commonwealth) will be actively monitoring and managing shoreline erosion during the 30-year life of the Project, thus protecting the habitat present along the shoreline.

² In Attachment 2, Commonwealth’s environmental contractor TRC has superimposed the LNG Facility footprint on the figure provided by the Audubon Society, demonstrating the 900-foot setback from sensitive beach habitat, including Wilson’s plover and least tern habitat (shown), as well as piping plover critical habitat (which is dynamic and follows the unvegetated sand portions of the Gulf shoreline).

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Should you have any questions about the instant filing, please feel free to contact the undersigned at (212) 506-3710.

Respectfully Submitted,

/s/ Lisa M. Toney

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Mariah T. Johnston

Attorneys for

Commonwealth LNG, LLC

Attachments

cc: Robin Griffin, FERC
Wayne Kicklighter, Cardno
John Brewer, Cardno

Certificate of Service

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list by the Secretary in this proceeding.

Dated at New York, N.Y. this 30th day of January, 2020.

/s/ Dionne McCallum-George
Dionne McCallum-George
Executive Assistant on behalf of
Commonwealth LNG, LLC