

November 24, 2020

Via electronic mail

Stephen F. Murphy
Colonel, U.S. Army, District Commander
Department of the Army
U.S. Army Corps of Engineers, New Orleans District
7400 Leake Ave.
New Orleans, LA 70118-3651
Email: martin.s.mayer@usace.army.mil

Re: Request for Public Comment Period and Public Hearing on the Army Corps' Reevaluation of Permit MVN-2018-00159-CM for Formosa Plastics' Petrochemical Complex

Dear Colonel Murphy:

The undersigned groups respectfully request that the U.S. Army Corps of Engineers ("Corps") provide a formal public comment period and public hearing on the reevaluation of FG LA's permit #MVN-2018-00159-CM to build a petrochemical complex in St. James, Louisiana. We believe public input is essential for a thorough reevaluation process on any proposed reinstatement, modification, or other action the Corps intends to take.

In addition to the Corps reevaluating the elimination of alternatives from consideration, we request that the Corps fully reopen and reevaluate other aspects of its decision. The reevaluation of this permit for the proposed FG LA petrochemical complex provides the opportunity for the Corps to prepare a thorough Environmental Impact Statement ("EIS"). The EIS should meaningfully analyze the impacts of the project on the human environment. It must have a robust analysis of the environmental justice impacts of this proposed project, including the reevaluation of the impacts to the unmarked burial sites on the property that directly impact the cultural resources of the community.

The Army Corps must not simply paper over its error that improperly eliminated alternative sites in Ascension Parish; it instead must confront the underlying conditions that may have led to those decisions. At a time when Americans are recognizing the role of systemic racism and unconscious racial bias in our country, it is problematic that a predominantly white parish was eliminated based on erroneous information and a flawed analysis in favor of a predominantly Black district in St. James Parish. This project deserves a far deeper and more probing environmental justice analysis than what the Corps has provided.

Given the difficult circumstances the COVID-19 pandemic presents, we request that any public hearing be scheduled for a location that can adhere to proper social distant protocols. Although shelter-in-place orders have been lifted, it is especially critical for individuals who are affected by the proposed project and are vulnerable to serious illness from COVID-19 are not put at further risk. Many residents in St. James Parish remain without reliable internet access or the ability to effectively participate in virtual hearings. To allow for meaningful public input on the application and the Corps' public interest review, a public hearing must be held in-person.

In summary, we urge the Corps to provide a public comment period and public hearing to allow meaningful public input for the reevaluation process to provide input on any proposed reinstatement, modification, or other action for permit #MVN-2018-00159-CM. Thank you for your consideration.

Sincerely,

Darryl Malek-Wiley
Senior Organizing Representative,
Environmental Justice
Sierra Club New Orleans

Alanah Odoms
Executive Director
ACLU of Louisiana

Renate Heurich
Vice President
350 New Orleans

Corinne Van Dalen
Staff Attorney
Earthjustice

Jane Patton
Director
No Waste Louisiana

Diane Wilson
Executive Director
San Antonio Bay Estuarine Waterkeeper

Dominic Renfrey
Advocacy Program Manager
Center for Constitutional Rights

Sylvia McKenzie
Director
Louisiana League of Smart Voters

Ethan Buckner
Energy Infrastructure and Petrochemical
Program Manager
Earthworks

Allison Woolverton
Campaign Team
Sunrise Movement New Orleans

Osprey Orielle Lake
Executive Director
Women's Earth and Climate Action Network
(WECAN)

Mary Gutierrez
Director
Earth Action, Inc.

Ben Hunkler
Organizer
Concerned Ohio River Residents

Sam Pearse
Campaign Manager
The Story of Stuff Project

Josh Eisenfeld
Steering Committee Member
People Over Petro Coalition

Vivian Stockman
Executive Director
Ohio Valley Environmental Coalition (OVEC)

Judith Enck
President
Beyond Plastics

Kelly Yagatich
Regional Organizer
The Climate Reality Project

Brook Lenker
Executive Director
FracTracker Alliance

Matthew Mehalik
Executive Director
Breathe Project

Collin Rees
Senior Campaigner
Oil Change International