



935 Gravier St, STE 700  
New Orleans, LA 70112

June 16 2022

**Re: Comment on proposed SEC rule on Enhancement and Standardization of Climate-Related Disclosures for Investors [File Number S7-10-22]**

SEC Chair Gary Gensler:

We at Healthy Gulf appreciate the opportunity to comment on the proposed rule (the “Rule”) by the Securities and Exchange Commission (the “SEC” or the “Commission”) on the Enhancement and Standardization of Climate-Related Disclosures for Investors. The Rule rightly identifies the urgent need for mandatory climate-related disclosures in order to ensure decision-useful information is provided to investors to enable informed judgments about the impact of climate-related risks on current and potential investments. Many petrochemical investments are being made in areas without political representation, and subject to immense financial damages from tropical forces, which are being greatly enhanced by the climate changes the facilities themselves are creating, and the risks are under-reported, or claimed to be "Acts of God." For this reason, we broadly welcome the proposed Rule.

This comment primarily addresses Question 170 of the Proposed Rule:

Should we require a registrant to discuss how it intends to meet its climate-related targets or goals, as proposed? Should we provide examples of potential items of discussion about a target or goal regarding GHG emissions reduction, such as a strategy to increase energy efficiency, a transition to lower carbon products, purchasing carbon offsets or RECs, or engaging in carbon removal and carbon storage, as proposed? Should we provide additional examples of items of discussion about climate-related targets or goals and, if so, what items should we add? Should we remove any of the proposed examples of items of discussion?

**Recommendation:**

- **In recognition that many registrants who are emitting immense amounts of CO<sub>2</sub>e are doing so in coastal wetland areas of the United States, registrants should be required to disclose whether or not:**
  - **their facilities are in a coastal zone under the Coastal Zone Management Act**
  - **their facilities are in wetlands federally regulated under the Clean Water Act**
  - **their facilities have been subject to hurricane forces, including wind, rain, and/or storm surge, in the last 20 years**
  - **their facilities have declared Force Majeure as a result of a tropical cyclone in the last 20 years**
  - **their facilities would be affected by coastal inundation should the surges of hurricanes Katrina, Rita, Ike, Ida, Isaac, or Gustav be repeated today**
  - **their facilities are built on lands likely to be submerged by sea level rise in the next 20 years, according to US NOAA.**



935 Gravier St, STE 700  
New Orleans, LA 70112

- **In recognition that many registrants who are emitting immense amounts of CO<sub>2</sub>e and other pollution are doing so in disadvantaged, low-income, and otherwise environmental justice areas of the United States, under exploitation by lack of representation under the US Congress, and by elected officials who often own lands sold for petrochemical development; registrants should be required to disclose whether or not:**
  - **their facilities are within states previously under preclearance under the Voting Rights Act**
  - **their facilities are within jurisdictions subject to pending litigation under the Voting Rights Act**
  - **the real estate hosting their facilities has been owned, in the last twenty years by any state or federal official elected in the last twenty years**
  - **their facilities are subject to local zoning ordinances**
  - **their facilities are on lands claimed by any organized peoples indigenous to the United States, regardless of federal or state recognition.<sup>1</sup>**
  
- **Registrants should disclose the disaggregated emissions and emissions reductions from operational changes that are the result of storms and weather-related events**
  - **For example, one -third of Sempra LNG's Cameron LNG's 2020 air pollution into Cameron Parish was emitted through the flare stack as unplanned operations.**

Explanation:

We support the SEC requiring a registrant to discuss how it intends to meet climate-related targets, goals, and related claims. Climate-related events are also creating billions of dollars of damages to these same registrants over time, leading to many unplanned carbon emissions, leading to tens of billions of dollars in cost overruns, and lost production due to declarations of Force Majeure that are entirely foreseeable, given the experiences of previous storms.

For a Healthy Gulf,

[sent by email]

Scott Eustis, Community Science Director, [REDACTED]

Healthy Gulf

935 Gravier St, Suite 700

New Orleans, 70112

---

<sup>1</sup> Rights of Indigenous People in Addressing Climate-Forced Displacement January 15, 2020  
<https://s3.documentcloud.org/documents/6656724/Louisiana-Tribes-Complaint-to-UN.pdf>