

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF PUBLIC MEETING FOR A PENDING SECTION 401 WATER QUALITY CERTIFICATION DECISION ON U.S. ARMY CORPS OF ENGINEERS SECTION 404 PERMIT APPLICATION NO. SWG-1995-02221 FOR MODA INGLESIDE OIL TERMINAL, LLC

Application. Moda Ingleside Oil Terminal, LLC has applied to the U.S. Army Corps of Engineers for a Department of the Army Permit under Section 404 of the Clean Water Act (CWA) and to the Texas Commission on Environmental Quality (TCEQ) for water quality certification under Section 401 of the CWA to discharge dredged or fill material into waters of the United States associated with the proposal to dredge approximately 3.9 million cubic yards of material to increase the area of its West Basin by approximately 32.8 acres to a total of 43 acres. In addition, Moda proposes construction of a new barge dock and other improvements to the West and East Basins. Approximately 8.86 acres of seagrass and 0.95 acre of emergent wetlands would be impacted by this project. The project is located on the north side of the Corpus Christi Ship Channel at 262 Coral Sea Road (formerly Naval Station Ingleside), Ingleside, San Patricio County, Texas.

The TCEQ is reviewing the application under Section 401 of the CWA and in accordance with Title 30, Texas Administration Code Chapter 279 to determine if the proposed work would be consistent with Texas Surface Water Quality Standards and the CWA.

Public Comment / Public Meeting. The TCEQ will hold a public meeting on the 401 certification process for the proposed project. During the meeting, you may submit public comments related to TCEQ's certification decision on the application. The TCEQ will hold the public meeting on the application as requested by state legislators. The purpose of the public meeting is to provide the opportunity to submit comments or to ask questions about TCEQ's 401 water quality certification review of the application. A public meeting is not a contested case hearing under the Administrative Procedure Act.

The public meeting will consist of two parts, an Informal Discussion Period and a Formal Comment Period. During the Informal Discussion Period, TCEQ staff will give a brief presentation about the TCEQ's role in the Section 404 permitting process for the proposed project. The public will be encouraged to ask questions of TCEQ staff concerning the Section 401 water quality certification review. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period, members of the public may state their comments orally into the official record. All formal comments relevant to the TCEQ 401 certification review will be considered

before a final certification decision is made. A formal response to comments will not be provided.

The public meeting will be held:

Tuesday, December 1, 2020 at 7:00 PM

Members of the public who would like to ask questions or provide comments during the meeting may access the meeting via webcast by following this link:

<https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 770-318-739. It is recommended that you join the webinar and register for the public meeting at least 15 minutes before the meeting begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the meeting for assistance in accessing the meeting and participating telephonically. Members of the public who wish to only listen to the meeting may call, toll free, (213) 929-4212 and enter access code 221-515-203.

Additional information will be available on the agency calendar of events at the following link:

<https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

Information. Citizens are encouraged to submit written public comments related to the 401 certification up until the time of the public meeting either by mail to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> (by entering 20201351MIS with no dashes in the Search Field). The comment period will end at the close of the public meeting.

For more information about the 401 certification process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040. *Si desea información en Español, puede llamar 1-800-687-4040.* General information about the TCEQ can be found at our website at www.tceq.texas.gov.

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at 512-239-3300 or 1-800-RELAY-TX (TDD) at least one week prior to the meeting.

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