



October 5, 2018

Texas Commission on Environmental Quality
Air Quality Division
Implementation Grants Section, MC-204
ATTN: VW Settlement
P.O. Box 13087
Austin, TX 78711-3087

Re: Texas Commission on Environmental Quality Draft Volkswagen Environmental Mitigation Trust – *Draft Beneficiary Mitigation Plan for Texas* RG-537 – DRAFT August 8, 2018

Texas Commission on Environmental Quality (TCEQ):

The Port of Corpus Christi Authority (PCCA) is grateful for the opportunity to provide comments to be considered for development of the final plan by the TCEQ in its management of the VW Settlement Mitigation Plan (Plan).

PCCA is an environmental leader in our community. Our ISO 14001 certified and award winning Environmental Management System helps us to continually improve on our commitments to compliance and pollution prevention, which was recognized by TCEQ with an Environmental Excellence Award in 2018. As stewards of our community, PCCA requests the TCEQ to extend eligible mitigation actions as proposed within the Priority Areas of the *Draft Beneficiary Mitigation Plan for Texas* to include the Corpus Christi region and community.

The funds from the Volkswagen State Environmental Trust (Trust) were allocated based on the number of affected vehicles registered within each state. These funds are intended to mitigate the excess nitrogen oxide (NO_x) emissions from the affected vehicles. The TCEQ has allocated the bulk of the funding to only 27 of the 254 counties in Texas, which makes the remaining counties ineligible for most grant funding categories within the proposed Plan. The Port of Corpus Christi is geographically aligned within Nueces and San Patricio Counties, which contain a considerable number of affected cars – more than many of the counties under the designated priority areas. The community within Nueces and San Patricio counties has recognized the fact that affected vehicles registered in the area have brought mitigation funding to the state that will not be spent in our community. This does not line up with the original intention of the Trust. Additionally, PCCA is the fourth largest Port in the United States, the second largest in the state of Texas, and the number one crude export Port in the United States.



Grant funding for projects such as repowering or replacing port drayage trucks and port cargo handling equipment would be proactive measures that are crucial to growth of the Port and continued attainment of our air quality. As described in the VW Settlement Mitigation Plan, the funding is intended to complement the Texas Emissions Reduction Plan (TERP). The Drayage Truck Incentive Program under TERP allows for grant funding of similar eligible mitigation actions as the Plan. However, the Corpus Christi Region where PCCA is located is *also excluded* as an eligible county under this program. Extending the eligible counties to include the Corpus Christi Region would allow advancement of our strategic action plans for environmental sustainability and resiliency much sooner than can be done without additional funding opportunities.

As the leading U.S. crude oil export port and the fourth largest port in the U.S. in total tonnage, The Port of Corpus Christi is a major economic driver for Texas and the nation. PCCA will continue to strive for environmental excellence. However, grant funding for projects to repower and replace Port equipment will aid in implementing our vision and lead our stakeholders and community to do the same.

Critical funding to our area was cut last session, which included funds to support education and modeling programs. Currently PCCA is providing funding to the Pollution Prevention Partnership to keep the AutoCheck program, which is voluntary, operating in our area. Choosing not to provide funding to the Corpus Christi area because the area is in attainment is not a good precedence and promotes complacency for maintaining attainment.

PCCA appreciates the opportunity to comment and provide input on the VW Settlement Mitigation Plan and hopes that TCEQ will closely consider the ramifications of no funding in attainment areas.

Sincerely,



Sarah Garza
Director of Environmental
Planning and Compliance

SG/nk

Cc: Sean Strawbridge
Nelda Olivo
Omar Garcia
Neal Kunkel