

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:44 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** fencelinewatch@gmail.com <fencelinewatch@gmail.com>  
**Sent:** Thursday, March 18, 2021 8:52 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Yvette Arellano

**E-MAIL:** [fencelinewatch@gmail.com](mailto:fencelinewatch@gmail.com)

**COMPANY:** Fenceline Watch

**ADDRESS:** 222 S 66TH ST Apt 9108  
HOUSTON TX 77011-4400

**PHONE:** 2819195762

**FAX:**

**COMMENTS:** Fenceline Watch is a Houston based environmental justice organization. We are dedicated to equitably meeting the developmental and environmental needs of future generations. We would like to thank TCEQ for the opportunity to provide comment on this permit application for water diversion. We would like to begin by requesting TCEQ extend the comment period for two weeks given the statewide blackout and freeze and that it hold a contested

case hearing. As the water looking to be diverted is held in public trust for the benefit of current and future generations we believe that the state must look at the long term impact as it has immediate need. We also do not believe TCEQ has done a substantial review of future need (future generations) or water scarcity. This means that the state must not utilize the water rights for purposes other than the benefit of the public as a whole. Lastly we believe TCEQ does not have the authority to permit diversion of a public trust for industrial or commercial use as public trusts are for the benefit of people not just housed but unhoused who would not be afforded a right to access utility water. With that we support the right of nature and that species and ecosystems are not simply a resource for humans to use but as living entities with rights of their own including this bay. For that reason TCEQ must deny the permit for water diversion.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:44 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** fencelinewatch@gmail.com <fencelinewatch@gmail.com>  
**Sent:** Thursday, March 18, 2021 8:35 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Yvette Arellano

**E-MAIL:** [fencelinewatch@gmail.com](mailto:fencelinewatch@gmail.com)

**COMPANY:** Fenceline Watch

**ADDRESS:** 222 S 66TH ST Apt 9108  
HOUSTON TX 77011-4400

**PHONE:** 2819195762

**FAX:**

**COMMENTS:** Fenceline Watch is an environmental justice organization. We are dedicated to equitably meeting the developmental and environmental needs of future generations. We would like to thank TCEQ for the opportunity to provide comments on this permit application for water diversion. We would like to begin by requesting TCEQ extend the comment period for two weeks given the statewide blackout and freeze and that it hold a contested case hearing. As the

water looking to be diverted is held in public trust for the benefit of current and future generations we believe that the state must look at the long-term impact as it has an immediate need. We also do not believe TCEQ has done a substantial review of future needs (future generations) or water scarcity. Lastly, we believe TCEQ does not have the authority to permit the diversion of a public trust for industrial or commercial use as public trusts are for the benefit of people. For that reason, TCEQ must deny the permit for water diversion.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 5:47 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676  
**Attachments:** PC TCEQ WRPERM 13676 (Desalination)1.docx

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**From:** Fencelinewatch@gmail.com <Fencelinewatch@gmail.com>  
**Sent:** Thursday, March 18, 2021 4:09 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Shiv Srivastava

**E-MAIL:** [Fencelinewatch@gmail.com](mailto:Fencelinewatch@gmail.com)

**COMPANY:** Fenceline Watch

**ADDRESS:** 222 S 66TH ST 9108  
HOUSTON TX 77011-4400

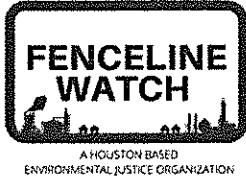
**PHONE:** 8326876966

**FAX:**

**COMMENTS:** TCEQ Permit No: WRPERM 13676 TCEQ Docket No: 2020-1559-WR Fenceline Watch is a Houston based environmental justice organization, we would like to thank TCEQ for the opportunity to provide comment on this permit application and move forward in collaboration towards a healthier, cleaner state. In the first section of this comment we

will highlight the three major negative impacts of the proposed Inner Harbor Desalination plant-the high cost it will impose upon working Texas families, the negative health and environmental impacts of this facility, and the massive energy and resulting strain on infrastructure this plant poses. The second part of this comment will offer a solution that would provide greater data to the state and aid in coming into compliance with Clean Air Act standards. Costs

Desalination plants raise the cost of water for working families, introduce extremely harmful waste discharge into the environment, and require massive energy consumption. A 2019 UCLA study researching the impacts of a proposed desalination plant in Orange County concluded that such a facility would raise water costs for residents by an estimated 5%-11%. The cost increase passed on to consumers by desalination plants would mean that for a family of four that live below the poverty level up to 3% of pre-tax income would be taken solely by water costs. Health risk The desalination process requires that water be pretreated with hydrochloride acid and hydrogen peroxide, chemicals that can only be used a limited number of times, upon which they are dumped into the areas surrounding the plant and poison surrounding animal and plant life while threatening humans living in those areas. Emissions and Air Quality A 2018 peer reviewed study of desalination plants in China found that such facilities are a significant contributor of green house gases as well as a source for NOx and SOx emissions. The increased emissions of this facility would be detrimental to surrounding communities and add onto the cumulative health impacts, such as respiratory ailments and inflammation of the throat and skin, experienced by those who live in the area. Further, the emissions from this plant will introduce environmental hazards caused by the atmospheric mixture of NOx and SOx that can lead to acid rain. Texas as a state has failed one ozone standard and is on the path to fail a second one in the weeks ahead. Currently Nueces/ San Patricio are designated unclassifiable meaning there is little to no information on air quality under any of the National Air Quality Standards (Ozone 2015/2008, Lead, Carbon Monoxide, Nitrogen Dioxide, Sulfur Dioxide, or PM 10/2.5). We know that Given our states current non-compliance with federal Clean Air Act requirements permitting a facility that would add more emissions is not Marine life and local economy Additionally, the Inner Harbor desalination plant would discharge the highly saturated salt discharge brine that is produced in the desalination process, this discharge reduces the level of oxygen found in surrounding water and is extremely detrimental to marine life, specifically plankton and phytoplankton, which comprise the base building blocks of the food chain. Along with marine life the impact on local fisherfolk and those who subsistence fishing for themselves and their families would be devastating. We cannot address this issue without recognizing the massive issues of the newly unhoused, those on the brink, and those who struggle to hold on to cultural traditions such as indigenous and tribal nations, who for generations, have practiced subsistence fishing and fisherfolk who generate a continuance of the culture of our Gulf Coast way of life. Statewide Outages Desalination plants require huge amounts of power to operate; 69% of the cost associated with operating the Aguas Antofagasta desalination plant in Antofagasta, Chile goes merely to power the plant. Having just seen the fragile state of our power supply introducing a facility that demands such enormous amounts of power while operating is ill advised and dangerous for all Texans. The proposed Inner Harbor desalination plant would cost Texans more money, pollute our state, and require more power than is available. We request this project be paused until the affected region establishes monitoring methods to help assess compliance with Clean Air Act standards as currently there is a gap in information. Without this information we believe that the commission is placing the vulnerable lives of low-resourced communities of color in danger. Respectfully, Yvette Arellano & Shiv Srivastava Fenceline Watch



**TCEQ Permit No: WRPERM 13676**

**TCEQ Docket No: 2020-1559-WR**

Fenceline Watch is a Houston based environmental justice organization, we would like to thank TCEQ for the opportunity to provide comment on this permit application and move forward in collaboration towards a healthier, cleaner state. In the first section of this comment we will highlight the three major negative impacts of the proposed Inner Harbor Desalination plant-the high cost it will impose upon working Texas families, the negative health and environmental impacts of this facility, and the massive energy and resulting strain on infrastructure this plant poses. The second part of this comment will offer a solution that would provide greater data to the state and aid in coming into compliance with Clean Air Act standards.

#### Costs

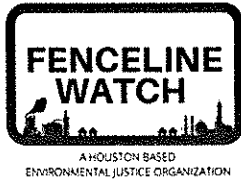
Desalination plants raise the cost of water for working families, introduce extremely harmful waste discharge into the environment, and require massive energy consumption. A 2019 UCLA study researching the impacts of a proposed desalination plant in Orange County concluded that such a facility would raise water costs for residents by an estimated 5%-11%. The cost increase passed on to consumers by desalination plants would mean that for a family of four that live below the poverty level up to 3% of pre-tax income would be taken solely by water costs.

#### Health risk

The desalination process requires that water be pretreated with hydrochloride acid and hydrogen peroxide, chemicals that can only be used a limited number of times, upon which they are dumped into the areas surrounding the plant and poison surrounding animal and plant life while threatening humans living in those areas.

#### Emissions and Air Quality

A 2018 peer reviewed study of desalination plants in China found that such facilities are a significant contributor of green house gases as well as a source for NOx and SOx emissions. The increased emissions of this facility would be detrimental to surrounding communities and add onto the cumulative health impacts, such as respiratory ailments and inflammation of the throat and skin, experienced by those who live in the area. Further, the emissions from this plant will introduce environmental hazards caused by the atmospheric mixture of NOx and SOx that can lead to acid rain. Texas as a state has failed one ozone standard and is on the path to fail a second one in the weeks ahead. Currently Nueces/ San Patricio are designated unclassifiable meaning there is little to no information on air quality under any of the National Air Quality Standards (Ozone 2015/2008, Lead, Carbon Monoxide, Nitrogen Dioxide, Sulfur Dioxide, or PM



10/2.5). We know that Given our states current non-compliance with federal Clean Air Act requirements permitting a facility that would add more emissions is not

#### Marine life and local economy

Additionally, the Inner Harbor desalination plant would discharge the highly saturated salt discharge brine that is produced in the desalination process, this discharge reduces the level of oxygen found in surrounding water and is extremely detrimental to marine life, specifically plankton and phytoplankton, which comprise the base building blocks of the food chain. Along with marine life the impact on local fisherfolk and those who subsistence fishing for themselves and their families would be devastating. We cannot address this issue without recognizing the massive issues of the newly unhoused, those on the brink, and those who struggle to hold on to cultural traditions such as indigenous and tribal nations, who for generations, have practiced subsistence fishing and fisherfolk who generate a continuance of the culture of our Gulf Coast way of life.

#### Statewide Outages

Desalination plants require huge amounts of power to operate; 69% of the cost associated with operating the Aguas Antofagasta desalination plant in Antofagasta, Chile goes merely to power the plant. Having just seen the fragile state of our power supply introducing a facility that demands such enormous amounts of power while operating is ill advised and dangerous for all Texans.

The proposed Inner Harbor desalination plant would cost Texans more money, pollute our state, and require more power than is available. We request this project be paused until the affected region establishes monitoring methods to help assess compliance with Clean Air Act standards as currently there is a gap in information. Without this information we believe that the commission is placing the vulnerable lives of low-resourced communities of color in danger.

Respectfully,

Yvette Arellano & Shiv Srivastava  
Fenceline Watch



**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 5:57 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

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**From:** campossylvia87@gmail.com <campossylvia87@gmail.com>  
**Sent:** Thursday, March 18, 2021 9:08 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** MS Sylvia Campos

**E-MAIL:** [campossylvia87@gmail.com](mailto:campossylvia87@gmail.com)

**COMPANY:**

**ADDRESS:** 4410 FIR ST  
CORPUS CHRISTI TX 78411-3635

**PHONE:** 3616877259

**FAX:**

**COMMENTS:** My name is Sylvia Campos and I am a life long resident of Corpus Christi. I am here to vehemently oppose permits for the desalination plants being considered for our Coastal Bay. Water is a precious resource which includes marine life. What the City of Corpus Christi and Port of Corpus Christi are planning is disastrous. The entities are not looking out for the citizens but for the greed of these hungry, thirsty heavy polluting industries. I am here to say enough

is enough. We just suffered a severe winter storm, which left thousands of people in our area in jeopardy. There was not enough power to accommodate us all and now we are considering building out more? The projected growth of the population and use of water does not call for destroying our bay and our way of life through these proposed desalination plants. I would also like to add at the expense of us taxpayers. I am asking for the following: o DENY THE PERMIT, o Extend the comment period for two weeks - to make up for time lost during the winter storm. o I AM ALSO Requesting for a Contested Case Hearing. Sincerely, Sylvia Campos [Campossylvia87@gmail.com](mailto:Campossylvia87@gmail.com) 4410 Fir Street Corpus Christi, Tx. 78411 361-687-7259

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 29, 2021 2:48 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

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**From:** clark7as@aol.com <clark7as@aol.com>  
**Sent:** Sunday, March 28, 2021 3:07 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Adrian Clark

**E-MAIL:** [clark7as@aol.com](mailto:clark7as@aol.com)

**COMPANY:**

**ADDRESS:** 935 WATERVIEW ST  
PORTLAND TX 78374-2222

**PHONE:** 3616438736

**FAX:**

**COMMENTS:** I am a resident of Portland, Texas and live approximately 10 miles away from the proposed site. I also work in Corpus Christi approximately 5 miles away from the proposed site. I am strongly opposed to the construction of the proposed desalination plant. I request that a Contested Hearing be held. According to the permit, the City of Corpus Christi would be allowed to suck 83 million gallons of water from the Inner Harbor every day. Sucking in that amount of

water that fast will require an enormous amount of suction power and I am concerned about aquatic life being trapped or killed in the process. This intake pipe is a death sentence! I and my family members (describe their relationship, such as grandchildren) love to fish/boat/swim/etc. in Corpus Christi Bay and the Inner Harbor is part of that water system where the intake pipe for the Port of Corpus Christi's desalination facility will be located and the discharge will flow to. I am concerned that given the number of small larvae which will be sucked up, turned to sludge, and deposited into landfills, fishing will be badly impaired in the region. The location of this plant is close to neighborhoods that have historically had more than their fair share of polluting facilities. This is an example of environmental racism. When the City of Corpus Christi applied to the Texas Water Development Board for a loan, the city said this plant was for industrial purposes, not residential water. If it is for industrial purposes, why aren't industries paying to construct this plant? If it is going to be mixed in with other water used for residents, I'm concerned about the taking in water that is downstream of refinery row and the chemicals that might remain after the desalination process. We have had boil water notices due to chemical contamination in the past, could this desalination plant lead to more? There is already a privately-owned but not yet operating desalination plant upstream of this proposed facility that has been permitted by the Texas Commission on Environmental Quality (TCEQ). When CC Polymers starts discharging its briny wastewater, I am concerned that the City's proposed facility will be sucking in very salty water and that this will affect the operation of the plant. Did the City or TCEQ factor in the impact of the CC Polymer discharge in this draft permit. If not, that is clearly a deficiency. In addition, to this proposed desalination plant and the already permitted CC Polymers plant, there are three other proposed desalination plants that are proposed to release millions of gallons of briny discharge into the Corpus Christi Bay system. I am concerned about the dramatic increase in salinity of our Bay system, and how that build-up would affect sea life, bird life and those of us who value these natural resources and those of us who depend on a healthy environment for our livelihoods. I am concerned about the amount of salty brine that will be discharged from the desal plant, plus its mixing in with other waste water from the industries located on and discharging into the Inner Harbor. This can't be good for the fish – or for people! If the fish die, then the birds we love to watch will also die or leave the area. I am concerned about possible health effects on me or my family from the chemicals used in the desalination process, including pre-treatment. I fish for business and I am concerned about loss of income that will happen when aquatic life in Corpus Christi Bay is harmed/destroyed by this desal plant. Many of us suffered through the historic winter storm in February 2021 and were without power for several days in freezing temperatures due to the amount of demand placed on the electrical grid in Texas. The operating pumps required to suck 83 million gallons of water per day will take an enormous amount of power, placing even more strain on the grid. I am opposed to issuing a permit which would demand excessive amounts of energy to supply water only for industrial use. Most of the desalinated water will be used by industry for cooling purposes. Aren't there federal regulations that apply to industrial cooling water intake structures? Since Corpus Christi Bay connects to the Gulf of Mexico, doesn't diverting water from Corpus Christi Bay to support private industry without federal oversight amount to stealing from the Waters of the United States (WOTUS)? Since Texas is already drought-prone and gets very hot, why is the City of Corpus Christi enticing such thirsty high-energy-requiring industries to come here in the first place? All of our area scientists, including from Texas Parks & Wildlife, the General Land Office, the UT Marine Science Institute, and the Harte Research Institute, have said, in published reports, that seawater desalination intake and discharge should only occur in designated areas offshore in the Gulf. There's even an expedited permitting process for this. Why is the City of Corpus Christi insisting on putting intake and discharge inside Corpus Christi Bay in the first place. Aren't they listening? Why aren't they showing the way by pursuing the expedited permit process that will keep our Bay safer? Why is the City applying for this permit? Shouldn't it be the private industries that plan to use the desalinated water? Why aren't industries paying for pipelines to bring in water from offshore and pump the brine back offshore? After all, they pay for other pipelines that cross the region, tearing up communities and farm land. This is terrible idea from an environmental and financial perspective. The permit should not be granted.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, March 25, 2021 1:07 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

PM  
H

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**From:** pattcoeck@aol.com <pattcoeck@aol.com>  
**Sent:** Thursday, March 25, 2021 11:40 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Patt &Yves Coeckelenbergh

**E-MAIL:** [pattcoeck@aol.com](mailto:pattcoeck@aol.com)

**COMPANY:**

**ADDRESS:** 410 MERCER ST  
PORT ARANSAS TX 78373-5160

**PHONE:** 3612443866

**FAX:**

**COMMENTS:** To whom it may concern, We STRONGLY oppose the POCcintake for desalination in the Inner Harbor on Tule Lake. We request a two week extension on comments, a public meeting and a Contested Case Hearing so concerned community citizens can make comments. According to the permit, the City of Corpus Christi would be

allowed to suck 83 million gallons of water from the Inner Harbor everyday. This water is for industrial use not residential. Sucking that amount of water will require vast amounts of power( remember the recent power outage that left people freezing for days) and will certainly be a death sentence to all aquatic life that comes within range/ contact. Our family has recreated in the Corpus Christi Bay for decades. We fish, boat, kayak swim. The POCC is proposing multiple desalination plants in this area. We will all be affected by the outcome. The location of this facility is near a neighborhood that has suffered from industrial pollution for years. This is an example of environmental racism. There is already a privately owned but not yet operating desalination plant upstream of this proposed facility. Why is the City of Corpus Christi applying for this permit when they state it is for industrial purpose not residential? Why is industry not paying for this permit? We are concerned and overwhelmed by the amount of permits being requested. Please consider the consequences as a whole. Thank you for your time and consideration, Best wishes, Patt & Yves Coeckelenbergh

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, March 26, 2021 8:01 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

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**From:** agenthandy@gmail.com <agenthandy@gmail.com>  
**Sent:** Friday, March 26, 2021 7:00 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Erin Denny

**E-MAIL:** [agenthandy@gmail.com](mailto:agenthandy@gmail.com)

**COMPANY:**

**ADDRESS:** 269 MADISON ST  
SAN FRANCISCO CA 94134-1347

**PHONE:** 5106463944

**FAX:**

**COMMENTS:** Hello, I lived in beautiful Corpus Christi for about five years and still have friends and family there and in the area. I grew to love the gorgeous bay because I lived just a few blocks away and would visit daily. I helped start numerous community gardens that are still going strong. I lived through three water boils in the short time I lived in Corpus Christi, and it changed me. No city should ever have to worry about water like Corpus Christi does. CC worries

about water because money for infrastructure projects is spent on projects like desalination and not on pipes for every day citizens. I STRONGLY OPPOSE the Port of Corpus Christi's placing an intake pipe for a desalination plant in the Inner Harbor on Tule Lake. I request a two-week extension of the deadline for comments on account of the recent freeze and loss of electricity in Texas. I request that a Contested Case Hearing be held. - According to the permit, the City of Corpus Christi would be allowed to suck 83 million gallons of water from the Inner Harbor every day. Sucking in that amount of water that fast will require an enormous amount of suction power and I am concerned that given the number of small larvae which will be sucked up, turned to sludge, and deposited into landfills, fishing will be badly impaired in the region. I am concerned about aquatic life being trapped or killed in the process. This intake pipe is a death sentence! - I loved fishing and many people I love who still live in CC and surrounding areas do as well, relying on it for food. I am concerned that given the number of small larvae which will be sucked up, turned to sludge, and deposited into landfills, fishing will be badly impaired in the region. - The location of this plant is close to neighborhoods that have historically had more than their fair share of polluting facilities. This is an example of environmental racism. - When the City of Corpus Christi applied to the Texas Water Development Board for a loan, the city said this plant was for industrial purposes, not residential water. If it is for industrial purposes, why aren't industries paying to construct this plant? If it is going to be mixed in with other water used for residents, I'm concerned about the taking in water that is downstream of refinery row and the chemicals that might remain after the desalination process. We have had boil water notices due to chemical contamination in the past, could this desalination plant lead to more? There is already a privately-owned but not yet operating desalination plant upstream of this proposed facility that has been permitted by the Texas Commission on Environmental Quality (TCEQ). When CC Polymers starts discharging its briny wastewater, I am concerned that the City's proposed facility will be sucking in very salty water and that this will affect the operation of the plant. Did the City or TCEQ factor in the impact of the CC Polymer discharge in this draft permit. If not, that is clearly a deficiency. - In addition, to this proposed desalination plant and the already permitted CC Polymers plant, there are three other proposed desalination plants that are proposed to release millions of gallons of briny discharge into the Corpus Christi Bay system. I am concerned about the dramatic increase in salinity of our Bay system, and how that build-up would affect sea life, bird life and those of us who value these natural resources and those of us who depend on a healthy environment for our livelihoods. I am concerned about the amount of salty brine that will be discharged from the desal plant, plus its mixing in with other waste water from the industries located on and discharging into the Inner Harbor. This can't be good for the fish – or for people! If the fish die, then the birds we love to watch will also die or leave the area. I am concerned about possible health effects on me or my family from the chemicals used in the desalination process, including pre-treatment. - All of our area scientists, including from Texas Parks & Wildlife, the General Land Office, the UT Marine Science Institute, and the Harte Research Institute, have said, in published reports, that seawater desalination intake and discharge should only occur in designated areas offshore in the Gulf. There's even an expedited permitting process for this. Why is the City of Corpus Christi insisting on putting intake and discharge inside Corpus Christi Bay in the first place. Aren't they listening? Why aren't they showing the way by pursuing the expedited permit process that will keep our Bay safer? PLEASE DENY THIS PERMIT.



2021 MAR 22 AM 11:24

CHIEF CLERKS OFFICE

Paige and Dr. James Dinn  
214 Ohio  
Corpus Christi, Texas 78404

REVIEWED

MAR 24 2021  
By GCW H

March 17, 2021

Office of the Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087 Mail Code MC - 105  
Austin, Texas 78711-3087

This letter is in response to **WRPERM WR13676** reviewed at the TCEQ Public Meeting held on the evening of March 18, 2021 which considered the Inner Harbor Intake permit. We were unable to activate the link in order to send our comments electronically. We also left messages on the Corpus Christi answering machine for the TCEQ here locally. We hope that you will accept this letter with our comments.

We are lifelong residents of Corpus Christi. We utilize Corpus Christi Bay as our primary recreation area as do many of our friends, enjoying sailing, boating and fishing. We are opposed to the Inner Harbor Desalination Plant under consideration for the following reasons:

1. The Harte Research Institute Study found the Inner Harbor site the least desirable due to multiple environmental reasons. The best least damaging intake and discharge sites would be offshore Mustang or Padre Island.
2. The proposed intake site is downstream from multiple refineries' wastewater discharges into the Inner Harbor. There is the risk of contamination of the treated water with compounds released in the refinery's discharge such as the known carcinogen benzene.
3. The intake as proposed would suck in fish and other marine species, further degrading the environment in Inner Harbor.
4. The brine discharge into the Inner Harbor would increase the salinity in that environment, which already has minimal circulation on a yearly basis compared to the recommended offshore sites.

We request that the TECQ

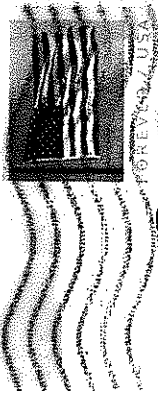
1. Deny the permit for the site in the Inner Harbor.
2. Extend the comment period for two weeks to make up for the delays caused by the power outages in February.
3. Establish a contested case hearing.

Thank you for considering the concerns of the public, who will have to live with the consequences if our Corpus Christi Bay is degraded by the proposed desal plants.'

Paige Dinn *Paige Dinn*

James Dinn *James Dinn* MNO

Paige and James Dinn  
214 Ohio  
Corpus Christi TX 78404



CORPUS CHRISTI  
TX 784 1 T  
15 MAR 2021 PM

RECEIVED

MAR 22 2021

TCEQ MAIL CENTER  
DA

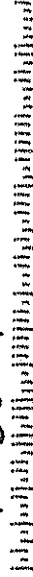
TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2021 MAR 22 AM 11:24  
CHIEF CLERKS OFFICE

Office of the Chief Clerk  
Texas Commission on Environmental Quality

PO, Box 13087 Mail Code - 105

Austin TX 78711-3087

7871133087



**Elisa Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:35 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** pegduran1@gmail.com <pegduran1@gmail.com>  
**Sent:** Thursday, March 18, 2021 9:28 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** MRS Margaret A Duran

**E-MAIL:** [pegduran1@gmail.com](mailto:pegduran1@gmail.com)

**COMPANY:** Retired

**ADDRESS:** 4022 CONGRESSIONAL DR  
CORP CHRISTI TX 78413-2523

**PHONE:** 3616969366

**FAX:**

**COMMENTS:** Please deny this permit. Extend the comment period since so many people here have been preoccupied with freezed damage and cleanup. I request a Contested Case Hearing. I oppose this permit due to its location in the Inner Harbor directly below what will be the outlet for another desalination plant. The location is problematic as there will be heavy metals, petroleum, and ship waste there making the water harder to clean, more expensive for the city

and taxpayer as it will require more chemicals and produce an effluent that will be more concentrated. The size of the filter around the intake will pull in fish larvae and change the habitat in negative ways. Unintended consequences from other desalination plants around the world have resulted in dead spots due to oxygen depletion, fish and larvae kills, increases in algae and red tides. Researchers from TAMU-CC were told to look at areas in the bay for their input. They agree that a better plan is to put the intake in the Gulf, not our nearly closed Bay. Directly outside of the Harbor are two major beaches, North Beach and the Downtown City Beach. Will we lose swimmers and tourists due to polluted water? We have shrimp and fish sold from the downtown T and L-heads and boats in the marina. How will they be affected? Will kayakers be greeted by dead fish in the bay? I love this city and want to keep its environment in better shape. We need to conserve and find other ways of getting fresh water. Thank you.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:43 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676  
**Attachments:** TECQ Comment on Inner Harbor Intake Permit My Name is Sally Clark Farris.docx

H

**From:** s.farris@att.net <s.farris@att.net>  
**Sent:** Thursday, March 18, 2021 9:02 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** MS Sally Clark Farris

**E-MAIL:** [s.farris@att.net](mailto:s.farris@att.net)

**COMPANY:** CAPE

**ADDRESS:** 13043 HUNTERS BREEZE ST  
SAN ANTONIO TX 78230-2822

**PHONE:** 2103137028

**FAX:**

**COMMENTS:** My Name is Sally Clark Farris....Second Submission e-Comment because email receipt did not arrive. I reside at 13043 Hunters Breeze in San Antonio, Texas. 78230 Phone: 210-313-7028 RE: WRPERM 13676 Comment Position: I heartily • OPPOSE the Port of Corpus Christi, on behalf of applicant City of Corpus Christi, locating an intake

pipe for a desalination plant in the Inner Harbor on Tule Lake • Request a two-week extension of comments deadline because of extraordinary hardships imposed by Storm Uri, loss of electrical and gas power to the Coastal Bend and the remainder of Texas • Request a Contested Hearing on this permit application If I fail to have standing to request a Contested Hearing, I urge you to please consider my comments. Here are the reasons: I was born in Corpus Christi in 1942. My family made its living from the fishing business within the waters of CC Bay beginning in 1945 until about 2012, approximately 72 years. Due largely to environmental degradation, similar to the kind proposed in this permit, my family ceased boating operations in 2012. I was raised on Corpus Christi Beach in proximity to the intake for the proposed permit. The old Bascule and Tule Lake Lift Bridges were features of my childhood whose playtime was often punctuated by a bridge's siren warning when a ship passed. The plan to consume 83 million gallons of sea water per day for this project could be viable ONLY if the proposed plant were destined to be the ONLY desal operation to use bay or estuary water. However, it is not. This proposed permit is merely a single application in an avalanche of planned extractions using bay water to service profit driven desal proponents whose ambitions have little or no regard for the environment or limited resources. Here is why. This plant and the additional plants will not be abiding by the expedited Permit Process Legislation spearheaded under HB 2031. That bill amended TCEQ rules to allow for what might be more reasonable intake and discharge in the deep waters of the Gulf of Mexico, authority entitled Diversion and Discharge Zones for Marine Seawater Desalination Plants. The bill and the rule-making that implemented it are predicated upon intake and discharge ONLY in deep Gulf Waters more likely to give some measure of protection to both water resources and marine life forms. To the contrary, the permit proposal before you violates both the letter and the spirit of HB 2031 by intending to take and discharge within a bay or estuary. Further, such ill-advised exploitation, in the form of this intake, runs counter Texas A&M's study finding that bays and estuaries are unsuited to desal operations. Hence, the alternative opportunity offered by HB 2031 is not pursued by the permit applicant. Please give consideration to how this proposed permit departs from existing TECQ rules intended to incentivize intake and discharge in the deep Gulf. Please give consideration to the anticipated environmental damage this intake proposition will pose to the abutting estuary. Please consider that there are legislatively created alternatives to this ill-conceived move that, in conjunction with other such projects, is a model for marine life abuse in Corpus Christi Bay and its environs. Thank you. Respectfully submitted, Sally Clark Farris

My Name is Sally Clark Farris

I reside at 13043 Hunters Breeze in San Antonio, Texas. 78230

Phone: 210-313-7028

RE: WRPERM 13676

Comment Position:

I heartily

- OPPOSE the Port of Corpus Christi, on behalf of applicant City of Corpus Christi, locating an intake pipe for a desalination plant in the Inner Harbor on Tule Lake
- Request a two-week extension of comments deadline because of extraordinary hardships imposed by Storm Uri, loss of electrical and gas power to the Coastal Bend and the remainder of Texas
- Request a Contested Hearing on this permit application

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I was raised on Corpus Christi Beach in proximity to the intake for the proposed permit. The old Bascule and Tule Lake Lift Bridges were features of my childhood whose playtime was often punctuated by a bridge's siren warning when a ship passed.

The plan to consume 83 million gallons of sea water per day for this project could be viable ONLY if the proposed plant were destined to be the ONLY desal operation to use bay or estuary water. However, it is not. This proposed permit is merely a single application in an avalanche of planned extractions using bay water to service profit driven desal

proponents whose ambitions have little or no regard for the environment or limited resources. Here is why.

This plant and the additional plants will not be abiding by the expedited Permit Process Legislation spearheaded under HB 2031. That bill amended TCEQ rules to allow for what might be more reasonable intake and discharge in the deep waters of the Gulf of Mexico, authority entitled **Diversion and Discharge Zones for Marine Seawater Desalination Plants**. The bill and the rule-making that implemented it are predicated upon intake and discharge ONLY in deep Gulf Waters more likely to give *some measure* of protection to both water resources and marine life forms.

To the contrary, the permit proposal before you violates both the letter and the spirit of HB 2031 by intending to take and discharge within a bay or estuary. Further, such ill-advised exploitation, in the form of this intake, runs counter Texas A&M's study finding that bays and estuaries are unsuited to desal operations. Hence, the alternative opportunity offered by HB 2031 is not pursued by the permit applicant.

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Thank you.

Respectfully submitted,

Sally Clark Farris



**Elisa Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:49 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676  
**Attachments:** TECQ Comment on Inner Harbor Intake Permit My Name is Sally Clark Farris.docx

H

**From:** s.farris@att.net <s.farris@att.net>  
**Sent:** Thursday, March 18, 2021 7:41 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** MS Sally Clark Farris

**E-MAIL:** [s.farris@att.net](mailto:s.farris@att.net)

**COMPANY:**

**ADDRESS:** 13043 HUNTERS BREEZE ST  
SAN ANTONIO TX 78230-2822

**PHONE:** 2103137028

**FAX:**

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I reside at 13043 Hunters Breeze in San Antonio, Texas. 78230

Phone: 210-313-7028

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Thank you.

Respectfully submitted,

Sally Clark Farris

**Elisa Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Wednesday, March 17, 2021 10:52 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-APD  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** GGtheROBOT@yahoo.com <GGtheROBOT@yahoo.com>  
**Sent:** Tuesday, March 16, 2021 4:42 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Guillermo Gallegos

**E-MAIL:** [GGtheROBOT@yahoo.com](mailto:GGtheROBOT@yahoo.com)

**COMPANY:**

**ADDRESS:** 7621 CEDAR BROOK DR  
CORPUS CHRISTI TX 78413-5622

**PHONE:** 3616587370

**FAX:**

**COMMENTS:** I STRONGLY OPPOSE the Port of Corpus Christi's placing an intake pipe for a desalination plant in the Inner Harbor on Tule Lake. I request a two-week extension of the deadline for comments on account of the recent freeze and loss of electricity in Texas. I also request that Contested Case Hearing be held. I'm opposed to this for many reasons. First, this permit would allow up to 83 million gallons of water to be sucked in daily from the Inner Harbor. Even the most cutting edge pipe taking in that much water that fast would trap and kill a huge amount of aquatic life. It would

also suck up eggs and larvae, greatly impacting fishing in the region. Additionally, this location is close to neighborhoods that have already been historically subjected to pollution from our current industries. A plant like this would only further contribute to the environmental racism inflicted on the people of this area. Furthermore, there is no reason for the City to apply for a permit and pay for this plant when the water is for INDUSTRIAL use, not residential. There's already proposed plant by CC Polymer. How much water and power would both these plants require? What are the effects the brine from these plants would have on our wildlife? What about the chemical pollution involved? As well, there's already a proposed alternative location for a desalination that was suggested by Texas Parks & Wildlife and the General Land Office. Why would we go ahead with this plan, which would discharge into Corpus Christi Bay when a safer alternative exists? Finally, industry has historically only harmed that land and water it touches. Why would we invite that into our city when our leading industries such as healthcare, teaching, and tourism, could easily provide revenue and promote environmental health if we just put a bit of effort and a fraction of this proposed budget into it?

**Elisa Guerra**

---

**From:** PUBCOMMENT-APD  
**Sent:** Wednesday, March 17, 2021 10:59 AM  
**To:** PUBCOMMENT-OCC; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD;  
PUBCOMMENT-APD  
**Subject:** RE: Public comment on Permit Number WRPERM 13676

This needs to go to Water Rights.  
There are no Air permits associated with this RN.

PubComment-APD

**From:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Sent:** Wednesday, March 17, 2021 10:52 AM  
**To:** PUBCOMMENT-OCC2 <PUBCOMMENT-OCC2@tceq.texas.gov>; PUBCOMMENT-OPIC <PUBCOMMENT-OPIC@tceq.texas.gov>; PUBCOMMENT-ELD <PUBCOMMENT-ELD@tceq.texas.gov>; PUBCOMMENT-APD <PUBCOMMENT-APD@tceq.texas.gov>  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** [GGtheROBOT@yahoo.com](mailto:GGtheROBOT@yahoo.com) <[GGtheROBOT@yahoo.com](mailto:GGtheROBOT@yahoo.com)>  
**Sent:** Tuesday, March 16, 2021 4:42 PM  
**To:** PUBCOMMENT-OCC <[PUBCOMMENT-OCC@tceq.texas.gov](mailto:PUBCOMMENT-OCC@tceq.texas.gov)>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Guillermo Gallegos

**E-MAIL:** [GGtheROBOT@yahoo.com](mailto:GGtheROBOT@yahoo.com)

**COMPANY:**

**ADDRESS:** 7621 CEDAR BROOK DR  
CORPUS CHRISTI TX 78413-5622

**PHONE:** 3616587370

**FAX:**

**COMMENTS:** I STRONGLY OPPOSE the Port of Corpus Christi's placing an intake pipe for a desalination plant in the Inner Harbor on Tule Lake. I request a two-week extension of the deadline for comments on account of the recent freeze and loss of electricity in Texas. I also request that Contested Case Hearing be held. I'm opposed to this for many reasons. First, this permit would allow up to 83 million gallons of water to be sucked in daily from the Inner Harbor. Even the most cutting edge pipe taking in that much water that fast would trap and kill a huge amount of aquatic life. It would also suck up eggs and larvae, greatly impacting fishing in the region. Additionally, this location is close to neighborhoods that have already been historically subjected to pollution from our current industries. A plant like this would only further contribute to the environmental racism inflicted on the people of this area. Furthermore, there is no reason for the City to apply for a permit and pay for this plant when the water is for INDUSTRIAL use, not residential. There's already proposed plant by CC Polymer. How much water and power would both these plants require? What are the effects the brine from these plants would have on our wildlife? What about the chemical pollution involved? As well, there's already a proposed alternative location for a desalination that was suggested by Texas Parks & Wildlife and the General Land Office. Why would we go ahead with this plan, which would discharge into Corpus Christi Bay when a safer alternative exists? Finally, industry has historically only harmed that land and water it touches. Why would we invite that into our city when our leading industries such as healthcare, teaching, and tourism, could easily provide revenue and promote environmental health if we just put a bit of effort and a fraction of this proposed budget into it?



**Elisa Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:36 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** donnaleehoffman@gmail.com <donnaleehoffman@gmail.com>  
**Sent:** Thursday, March 18, 2021 9:20 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Donna Hoffman

**E-MAIL:** [donnaleehoffman@gmail.com](mailto:donnaleehoffman@gmail.com)

**COMPANY:** 5th generation Corpus Christi person

**ADDRESS:** 1500 GREGORY ST  
AUSTIN TX 78702-2732

**PHONE:** 5122995776

**FAX:**

**COMMENTS:** TO: Office of the Chief Clerk, MC 105 TCEQ P. O. Box 13087 Austin, TX 78711-3087 FR: Donna Hoffman 1500 Gregory St. Austin, TX 78702 512-299-5776 RE: Water Rights Application DENY WR PERM 136767 Provide Contested Case Hearing DT: March 18, 2021 Thank you for this opportunity to provide written comments. I trust you hear my words and take them with the weight and light from which they are delivered. Gracias por traducir al español.

My name is Donna Hoffman. While I live in Austin, Texas, I am a 5th generation Corpus Christian. My mother, brother, nephews and nieces now live in Corpus Christi. I visit the Coastal Bend area regularly and recreate on Corpus Christi bay. I request that TCEQ extend the comments period by two weeks to make up for the time lost in the recent winter storm, grant a contested case hearing, and deny the Inner Harbor desal application 136767. I have many reasons for this request. I grew up in Corpus Christi. My father worked in the oil and gas industry and he showed us how the industry polluted the area, for example orange boxite mountains of Reynolds metals and the refinery flares still burning like the apocalypse even after hurricane Celia's devastation. My Dad taught our family to love nature like he did. He was a fisherman and his earliest memories he shared with me were of being in a boat with a friend on Corpus Christi Bay. He took our family fishing in a boat he built with his own hands and taught my brother, sister, and me how to fish. He took us crabbing at LaBonte park and we were amazed at the beauty of the blue crabs. My Dad was a great cook too. He prepared a large flounder and stuffed it with that fresh delicious crab meat. He baked it with lemons on top and fried oysters, shrimp and a cooked big pot of seafood gumbo. When you take your food from the sea, prepare it and receive that nourishment, you learn gratitude and appreciation for the abundance possible on the Gulf Coast. It is not a sacrifice zone. It is the source of life. I oppose any desal from being built on Corpus Christi Bay. If built, the intake that's a subject of this hearing and the discharge of heavy salinity would destroy the bay by killing the sea life. A month ago, the deadly winter storm, killed a minimum – according to Texas Parks and Wildlife estimates of 3.8 million fish from at least 61 species! 65% of the Spotted Seatrout in the lower Laguna Madre were killed. When combined with the upper Laguna Madre, 89% of all Spotted Seatrout in the area were killed. 78% of the Black Drum were killed. 91% of the fish killed were the smaller fish that are the primary food source for the game fish, and the ones more sensitive to changes in salinity. The last thing we need now is the ecology of our coastal waters being made more toxic to fish by increasing the salinity. We need to put all of these desal permits on permanent pause so we can assess the potential damage using these new wildlife numbers. In this matter of the intake, desal sucks. And it kills when it sucks. There's no denying that. There IS denying the permit and not allowing that to happen. I worked for seven years as Communications Coordinator for the Lone Star Chapter of the Sierra Club in support of the Texas Living Waters Project. Its water experts informed the Regional Water Planning Groups. I know that the fish, shrimp, and oyster feeding, breeding, resting, and growing grounds of Corpus Christi's estuarine nurseries are already fragile from high salinity. They already need enough freshwater inflows from the Nueces River to balance. Desal discharge would imbalance that and make the water unlivable for those creatures that give the bay life. I also learned over those years and also from work for the City of Austin's Watershed Protection Department about the many water options besides desalination including advanced water conservation technologies now available for buildings, homes, agriculture and industry. There is also vast groundwater available in the Evangeline aquifer. There is reuse. And there is rainwater collection which isn't yet developed much in the Coastal Bend but there is absolutely no reason why its can't be. We know Texas is dry but it has more water on an annual average than wet and cloudy Seattle Oregon. We have gully washers that we all know. And flooding from rain. We have to capture that and we can. I personally have two 3,000-gallon tanks on my 1200 square foot home in downtown Austin. I was here on Sunday in Ingleside on the Bay when it rained and I witness the gutters and drainage flowing powerfully. All of these sources – especially advanced conservation supply the water this region needs. The City and corporations who stand to take all the money and water at the expense of people and environment are misleading and inaccurate in saying we need desal. The people and city needs don't. We don't need desal, friends. The population numbers and other available sources bely that assertion. I don't believe it's wanted for municipal use. It's wanted by those corporations that would do the same deadly polluting that I described witnessing as a child. Several members of my family have the asthma to show for it and my grandmother who taught high school near the refineries died of cancer. I echo other commenters concerns that this project is proposed by the Hillcrest neighborhood, a historically Black, Indigenous, and People of Color neighborhood. As a child, I remember the love I felt when I was enveloped in that community as a guest at a high attendance Sunday service. Its classic environmental racism that would allow this project that would cause pollution from trucks hauling sludge and smell from the sea life dying on the intake. There's a much better way of life for the people and natural environment of this beautiful region. The Coastal Bend region can meet its water needs through a combination of advanced water conservation technology across all sectors, groundwater as a backup, reuse and rainwater harvesting. We need to resoundingly reject any and all desalination permits and prevent operation of the one existing one that got through the gate before citizens learned of this serious threat to life and ways of life on beautiful Corpus Christi Bay. It is not a sacrifice zone. It's a deeply valuable place to protect and preserve for the present moment and for coming generations. Please deny the permit, extend the comments period for two weeks, and hold a contested case hearing. Please inform me of your decision. Be strong. In all

due respect, please rise above old bureaucracy – you are so much more than that! Deny desalination on Corpus Christi Bay. DENY WR PERM 136767 Thank you. Donna Hoffman

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:33 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676  
**Attachments:** WRPERM 136767 DHoffman Addendum to Comments.docx

**From:** donnaleehoffman@gmail.com <donnaleehoffman@gmail.com>  
**Sent:** Thursday, March 18, 2021 10:19 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Donna Hoffman

**E-MAIL:** [donnaleehoffman@gmail.com](mailto:donnaleehoffman@gmail.com)

**COMPANY:** Sth generation Corpus Christi person

**ADDRESS:** 1500 GREGORY ST  
AUSTIN TX 78702-2732

**PHONE:** 5122995776

**FAX:**

**COMMENTS:** Addendum Great grandmother Jolley, Grandmother Belle Hoffman, and family members fishing in Nueces County



Great Grandmother Florence Ship Jolley, Great Uncle Durwood Jolley, Grandmother Mary Belle Jolley Hoffman, Great Aunt Evelyn Jolley Butler and family members fish in Nueces County

Addendum to Donna Hoffman's comments

Re: Deny WRPERM 136767

March 18, 2021

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:40 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** uneedalaitinen@gmail.com <uneedalaitinen@gmail.com>  
**Sent:** Thursday, March 18, 2021 9:14 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Uneeda Laitinen

**E-MAIL:** [uneedalaitinen@gmail.com](mailto:uneedalaitinen@gmail.com)

**COMPANY:**

**ADDRESS:** 102 MARKHAM PL  
PORTLAND TX 78374-1418

**PHONE:** 3618773523

**FAX:**

**COMMENTS:** I STRONGLY OPPOSE WRPERM 13676 enabling the city of Corpus Christi to place an intake pipe for a desalination plant in the ship channel. I request a two-week extension of the deadline for comments because of the recent freeze and loss of electricity in Texas. I request a Contested Case Hearing be held. Seawater desalination is one of the most expensive sources of fresh water. The total costs of desalination, including the costs of planning, permitting,

and concentrate management are high, both in absolute terms and in comparison, with the costs of other alternatives. The costs of desalination are not just monetary but environmental as well. Sea life can get sucked into desalination intakes, killing small ocean creatures specifically fry, larva, and plankton, thereby upsetting the food chain. Because desalination requires a lot of energy the plants are also expensive to maintain. Energy is reported to be the largest single expense for desalination plants, accounting for as much as half of the costs to make drinking water from the sea viable. According to a report from Pacific Institute, "Desalination plants on average use about 15,000 kilowatt-hours of power for every million gallons of fresh water that's produced". These high energy requirements raise concerns about greenhouse gas emissions. Also, the power usage required by the plant will place additional stress on an already overburdened Texas electrical grid. The city of Corpus Christi has not disclosed indirect or operating costs. Do they not know what the cost will be? The city of Corpus Christi does not appear to be inclined to build or operate any of the proposed facilities. However, we the taxpayers are asked to support and bear ultimate responsibility for a loan of \$222 million from the Texas Water Development Board. The water produced will be utilized by industry not residents. However, residents, will be faced with higher water bills and the burden of loan repayment commitments. This is not a win for the citizens of the Coastal Bend. This is a gift to industry at the expense of the citizens. Excessive costs, energy consumption, the threat to fisheries and marine life, and the resulting loss of the recreational fishing and tourism industry should make the T.C.E.Q. and local communities think twice about desalination as a solution to providing freshwater for industrial use at the taxpayer's expense. Conservation and recycling programs are usually much less expensive and less risky alternatives to building desalination plants. In summary: Desal intake is a death trap for small aquatic life. Desal will kill fishing and tourism in Corpus Christi Bay. Desal plants are expensive to build. Desal requires a lot of energy. Desal will increase the stress on the Texas electrical grid. Desal contributes to the world's greenhouse gas emissions. Desal loans will add to the debt load of the city and raise our water bill! Thank you for your time.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 5:35 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

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**From:** mclare.lee@gmail.com <mclare.lee@gmail.com>  
**Sent:** Thursday, March 18, 2021 6:18 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** MS Mary C Lee

**E-MAIL:** [mclare.lee@gmail.com](mailto:mclare.lee@gmail.com)

**COMPANY:**

**ADDRESS:** 7046 HATHOR DR  
CORPUS CHRISTI TX 78412-4110

**PHONE:** 3615370312

**FAX:**

**COMMENTS:** I request that TCEQ grant a Contested Case Hearing for the Inner Harbor desal plant water intake permit (WRPERM13676). The Inner Harbor/Corpus Christi Bay is not an appropriate location for the intake of such a large amount of water or for the discharge of the hypersaline effluent. Eventually, desal will be necessary but will need to be appropriately designed with an offshore intake and discharge point. I do not believe that this project has been



thoroughly planned with the health of the bays and estuaries in mind. I attempted to find an example of a desal plant discharging directly into a bay system and was, thus far, unable to find such an operation. Florida has only three seawater desalination plants, two of these are located in the Florida Keys and likely draw water from and discharge to the Gulf of Mexico rather than a bay system. The plant in Tampa Bay dilutes the concentrated seawater discharge with cooling water to match the salinity of Tampa Bay prior to discharge. The desal plant in Carlsbad, California discharges 15 miles offshore. Is there a good example of a seawater desal plant discharging into a bay system similar to the proposed Inner Harbor plant? We need to protect our resources for future generations. I am a life-long resident of Corpus Christi and I am not opposed to eventually funding a desal plant that is designed appropriately and is for the residents of the community. However, I do not believe that residents should foot the bill for industrial use. As stated in the notice of application "The City and its wholesale customers will experience shortages beginning in 2030 and is due to large manufacturing demands in Nueces and San Patricio counties. According to the Draft 2021 Region N Water Plan, by 2070, the shortage will be approximately 55,000 acre-feet per year, which include both municipal retail and wholesale, as well as steam-electric and manufacturing demands".

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, March 26, 2021 8:08 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

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**From:** debmanning01@gmail.com <debmanning01@gmail.com>  
**Sent:** Thursday, March 25, 2021 8:50 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** MS Deborah Manning

**E-MAIL:** [debmanning01@gmail.com](mailto:debmanning01@gmail.com)

**COMPANY:**

**ADDRESS:** 3634 SHORE DR  
CORPUS CHRISTI TX 78418-3064

**PHONE:** 3614380781

**FAX:**

**COMMENTS:** I STRONGLY OPPOSE the Port of Corpus Christi's placing an intake pipe for a desalination plant in the Inner Harbor on Tule Lake I request a two-week extension of the deadline for comments on account of the recent freeze and loss of electricity in Texas. I request that a Contested Case Hearing be held According to the permit, the City of Corpus Christi would be allowed to suck 83 million gallons of water from the Inner Harbor every day. Sucking in that amount of

water that fast will require an enormous amount of suction power and I am concerned about aquatic life being trapped or killed in the process. This intake pipe is a death sentence

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:34 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676  
**Attachments:** UPLOADED\_Masten\_Comments\_136761.docx

H

**From:** kathrynmasten@yahoo.com <kathrynmasten@yahoo.com>  
**Sent:** Thursday, March 18, 2021 9:45 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** DR. Kathryn Masten

**E-MAIL:** [kathrynmasten@yahoo.com](mailto:kathrynmasten@yahoo.com)

**COMPANY:**

**ADDRESS:** 1006 SANDPIPER  
INGLESIDE TX 78362-4689

**PHONE:** 4695002373

**FAX:**

**COMMENTS:** See attached Word version of my comments.

## Comments by Kathryn Masten: WRPERM 13676

In addition to significant environmental issues, this Permit for the Inner Harbor desalination plant should be denied based on its failure to comply with at least three statutes:

First, **Texas Water Code Sec. 11.135(a)** states: "The applicant's right to take and use water is limited to the extent and purposes stated in the permit." The purpose of the water claimed in the application and on the draft permit is for "municipal use", when it's really for "industrial use". Texas Water Code Sec. 11.023 defines MUNICIPAL use as including "water for sustaining human life and the life of domestic animals", while INDUSTRIAL use includes "processes designed to convert materials of a lower order of value into forms having greater usability and commercial value". However, in its attached Supplement to the Corpus Christi Water Conservation Plan, the City deceptively expands the definition of "municipal use" to include "retail sales to residential, commercial, manufacturing and institutional customers". The Municipality of Corpus Christi may be the primary wholesale water supplier in the Coastal Bend, but that does not mean that the purpose for the water is municipal. In Attachment 2 of the City's application, the Coastal Bend Regional Water Planning Group acknowledges that "...the Region N 2021 Water Plan...shows *manufacturing* needs within the 2020-2070 planning period which the project can be shown to address, but does not identify *municipal* needs for the City of Corpus Christi or their customers." So even the crafters of the Region N Water Plan reject the City's argument that its desal plants are for municipal use. Figure ES.3 in the Water Plan projects only a modest population increase over the next 50 years, with Aransas County and San Patricio County, two of the four counties covered by this permit, growing by only 3% and 12%, respectively. However, as shown in Table 2.3 of the Water Plan, "total water use for the region is projected to increase [by] 47.2 percent ..., primarily attributable to projected industrial growth." The truth is, ALL of the desal plants proposed for Corpus Christi Bay, including this one on the Inner Harbor, are ONLY needed because of industrial growth and will PRIMARILY be used for "industrial purposes". Most of the heaviest industrial growth will likely continue to occur in San Patricio County, which will suppress population growth and the county's ability to economically diversify into areas such as tourism.

Second, **Texas Water Code Sec. 11.134(b)(3)(A)** states that TCEQ shall grant the permit application only if the proposed appropriation is intended for a beneficial use and (4) the applicant has provided evidence that reasonable diligence will be used to avoid waste and achieve water conservation. Texas Water Code 11.002 defines beneficial use as the amount of water economically necessary when reasonable intelligence and diligence are used and when conserved water is included. The evidence presented here for beneficial use of desalinated water is inaccurately based on **municipal** use and conservation instead of **industrial** use and conservation. Thanks to a voluntary Drought-Exemption Fee offered by the City, heavy water-using industrial customers will benefit from having an uninterruptible supply of water even during droughts without having to practice conservation, while municipal customers are expected to conserve and curtail their water usage during droughts. TCEQ's Water Conservation Review of June 26, 2020 was based on a false pretense - that this permit is about municipal use and that setting goals for PEOPLE to reduce their per capita consumption will compensate for the wasteful daily withdrawal of huge volumes of water from Corpus Christi Bay for use by the City's private industry customers!

Third, **Article III, section 52, and Article XI, section 3 of the Texas Constitution** prohibit a city from lending its credit or granting anything of value in aid of a corporation. The \$220 million low-interest SWIFT loan recently granted to the City of Corpus Christi from the Texas Water Development Board to support building the Inner Harbor desal plant will benefit private industries, while leaving Corpus Christi taxpayers on the hook for decades to pay back the loan. The first industry to construct a desal plant on the Inner Harbor, M&G Resins, went bankrupt before the plant was even finished. Who's to say that won't happen again? Only this time it will be at taxpayer expense.

It is important for TCEQ to understand that several of us spoke out strongly, both in writing and at virtual meetings, during the comment period for the 2021 Region N Water Plan. We argued that none of the desal plants included in the Plan should be labeled as "recommended water strategies". Alas, our comments were ignored. This is because NONE of the plants followed the expedited TCEQ permit process that was based on recommendations in a 2018 study by Texas Parks & Wildlife and the General Land Office commissioned by the State Legislature, entitled "Marine Seawater Desalination Diversion and Discharge Zones Study"

(<https://tpwd.texas.gov/publications/pwdpubs/media/hb2031dz.pdf>). This study clearly showed that intake should not happen anywhere inside the bay or near inlets to the bay. Instead, intake should only occur offshore in the Gulf of Mexico. Similar sentiments were echoed in Texas A&M Corpus Christi's Harte Research Institute's Statement on our Desalination Science. Industries simply do not want to pay for the extra costs in constructing pipelines to go offshore.

I'm concerned:

- That the City of Corpus Christi plans to design, build, and operate this plant themselves, when they have no experience in desalination and they have a significant judgment against them from the EPA over Clean Water Act violations.
- That the City's push for desal is based on the city's making promises to industry that it can't keep. The Region N Water Plan states that "The City of Corpus Christi, after meeting demands and/or contracts with its customers, has raw water supply shortages from 2030 through 2070, indicating a need for increased source water supplies." But letters from city officials in 2017 show where they assured both Exxon-SABIC and Steel Dynamics that their water needs could be met – with no mention of desalination.
- About the statement that desalination is the only recommended water strategy, as I do not feel other options, such as groundwater, waste water reuse, evaporation capture, and others have been fully explored – based on presentations made to the Corpus Christi City Council on 9/29/20
- About whether desalinated water from Inner Harbor can possibly be made safe enough for drinking, since it's so polluted along Refinery Row
- That since communities of Hillcrest and Washington-Coles in the Inner Harbor have already been largely displaced, the number of those who can meet the "affected party" status is limited and those who remain are potentially going to be harmed even further
- That the cumulative impacts of ALL the different desal plants proposed in Corpus Christi Bay needs are not going to be examined by TCEQ. It seems as if applicants should have the burden of exploring these impacts and/or showing they're working with or at least cognizant of these other efforts
- About impact of hurricanes on the intake structure and metering
- About the lack of standardization on the meters tracking the diversions and the lack of clarity about aquatic protection designed for the intake structure
- About the claim by TCEQ that bay water belongs to the state and that it doesn't count at all as Waters of the U.S. and is therefore not subject to EPA guidelines like 316b for Cooling Water Intake Structures

I would like to request a Contested Case Hearing.

I also request that the comment period be extended for at least two weeks so that the over 100 people at this meeting can absorb and review the comments brought up here and get more familiar with the ramifications of this permit. If this is for Corpus Christi drinking water, there are MANY concerns. If this is for industrial cooling water, there are also MANY concerns. Please reject this permit.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:40 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

**From:** kathrynmasten@yahoo.com <kathrynmasten@yahoo.com>  
**Sent:** Thursday, March 18, 2021 9:18 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** DR. Kathryn Masten

**E-MAIL:** [kathrynmasten@yahoo.com](mailto:kathrynmasten@yahoo.com)

**COMPANY:** Ingleside on the Bay Coastal Watch Association

**ADDRESS:** 1006 SANDPIPER  
INGLESIDE TX 78362-4689

**PHONE:** 4695002373

**FAX:**

**COMMENTS:** In addition to significant environmental issues, this Permit for the Inner Harbor desalination plant should be denied based on its failure to comply with at least three statutes: First, Texas Water Code Sec. 11.135(a) states: "The applicant's right to take and use water is limited to the extent and purposes stated in the permit." The purpose of the water claimed in the application and on the draft permit is for "municipal use", when it's really for "industrial use".

Texas Water Code Sec. 11.023 defines MUNICIPAL use as including “water for sustaining human life and the life of domestic animals”, while INDUSTRIAL use includes “processes designed to convert materials of a lower order of value into forms having greater usability and commercial value”. However, in its attached Supplement to the Corpus Christi Water Conservation Plan, the City deceptively expands the definition of “municipal use” to include “retail sales to residential, commercial, manufacturing and institutional customers”. The Municipality of Corpus Christi may be the primary wholesale water supplier in the Coastal Bend, but that does not mean that the purpose for the water is municipal. 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TCEQ’s Water Conservation Review of June 26, 2020 was based on a false pretense - that this permit is about municipal use and that setting goals for PEOPLE to reduce their per capita consumption will compensate for the wasteful daily withdrawal of huge volumes of water from Corpus Christi Bay for use by the City’s private industry customers! Third, Article III, section 52, and Article XI, section 3 of the Texas Constitution prohibit a city from lending its credit or granting anything of value in aid of a corporation. The \$220 million low-interest SWIFT loan recently granted to the City of Corpus Christi from the Texas Water Development Board to support building the Inner Harbor desal plant will benefit private industries, while leaving Corpus Christi taxpayers on the hook for decades to pay back the loan. The first industry to construct a desal plant on the Inner Harbor, M&G Resins, went bankrupt before the plant was even finished. Who’s to say that won’t happen again? Only this time it will be at taxpayer expense. It is important for TCEQ to understand that several of us spoke out strongly, both in writing and at virtual meetings, during the comment period for the 2021 Region N Water Plan. We argued that none of the desal plants included in the Plan should be labeled as “recommended water strategies”. Alas, our comments were ignored. This is because NONE of the plants followed the expedited TCEQ permit process that was based on recommendations in a 2018 study by Texas Parks & Wildlife and the General Land Office commissioned by the State Legislature, entitled “Marine Seawater Desalination Diversion and Discharge Zones Study” (<https://tpwd.texas.gov/publications/pwdpubs/media/hb2031dz.pdf>). This study clearly showed that intake should not happen anywhere inside the bay or near inlets to the bay. Instead, intake should only occur offshore in the Gulf of Mexico. Similar sentiments were echoed in Texas A&M Corpus Christi’s Harte Research Institute’s Statement on our Desalination Science. Industries simply do not want to pay for the extra costs in constructing pipelines to go offshore. I’m concerned:

- That the City of Corpus Christi plans to design, build, and operate this plant themselves, when they have no experience in desalination and they have a significant judgment against them from the EPA over Clean Water Act violations.
- That the City’s push for desal is based on the city’s making promises to industry that it can’t keep. The Region N Water Plan states that “The City of Corpus Christi, after meeting demands and/or contracts with its customers, has raw water supply shortages from 2030 through 2070, indicating a need for increased source water supplies.” But letters from city officials in 2017 show where they assured both Exxon-SABIC and Steel Dynamics that their water needs could be met – with no mention of desalination.
- About the statement that desalination is the only recommended water strategy, as I do not feel other options, such as groundwater, waste water reuse, evaporation capture, and others have been fully explored – based on presentations made to the Corpus Christi



City Council on 9/29/20 • About whether desalinated water from Inner Harbor can possibly be made safe enough for drinking, since it's so polluted along Refinery Row • That since communities of Hillcrest and Washington-Coles in the Inner Harbor have already been largely displaced, the number of those who can meet the "affected party" status is limited and those who remain are potentially going to be harmed even further • That the cumulative impacts of ALL the different desal plants proposed in Corpus Christi Bay needs are not going to be examined by TCEQ. It seems as if applicants should have the burden of exploring these impacts and/or showing they're working with or at least cognizant of these other efforts • About impact of hurricanes on the intake structure and metering • About the lack of standardization on the meters tracking the diversions and the lack of clarity about aquatic protection designed for the intake structure • About the claim by TCEQ that bay water belongs to the state and that it doesn't count at all as Waters of the U.S. and is therefore not subject to EPA guidelines like 316b for Cooling Water Intake Structures I also request that the comment period be extended for at least two weeks so that the over 100 people at this meeting can absorb and review the comments brought up here and get more familiar with the ramifications of this permit. If this is for Corpus Christi drinking water, there are MANY concerns. If this is for industrial cooling water, there are also MANY concerns. Please reject this permit.

**Elisa Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, August 17, 2020 9:37 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ;  
PUBCOMMENT-WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WQ0005290000  
**Attachments:** TCEQ Wastewater Permit Review Form\_V2.docx

Associate to WQ0005290000

Associate to WRPERM 13675  
Associate to WRPERM 13676

**From:** kathrynmasten@yahoo.com <kathrynmasten@yahoo.com>  
**Sent:** Friday, August 14, 2020 11:35 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0005290000

**REGULATED ENTY NAME** LA QUINTA CHANNEL DESALINATION PLANT

**RN NUMBER:** RN110940558

**PERMIT NUMBER:** WQ0005290000

**DOCKET NUMBER:**

**COUNTY:** SAN PATRICIO

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** DR. Kathryn Masten

**E-MAIL:** [kathrynmasten@yahoo.com](mailto:kathrynmasten@yahoo.com)

**COMPANY:**

**ADDRESS:** 1006 SANDPIPER  
INGLESIDE TX 78362-4689

**PHONE:** 4695002373

**FAX:**

**COMMENTS:** Please see my attached review of the water rights permit and discharge permit applications.

## Additional Comments from Kathryn Masten on WQ0005290000

### Water Rights Permit Review

Item	Comment
Section 3: Bed and Banks	Questions not answered. The City does not indicate that the questions are not applicable.
Section 4: General Information	This references the Region N Water Plan from 2016 as recommending this project. However, as we found from observing the Region N discussions, being a "recommended water strategy" by virtue of placement on the Region N Water Plan does NOT include any assessment of the merits of a project. Rather, it's just a set of options that are not inconsistent with the Water Plan.
Worksheet 1.1	In response to question 1.b the applicant states "Maximum of 100%," but the application asks for a number to be given in acre-feet
Worksheet 3.0	Subsection 2.d – longitude omits the "-" sign (this is true for the upstream and downstream diversion point worksheets pages 28 and 30)
Worksheet 6.0	1.c. As a feasible conservation alternative to desalination, where was preventing, rather than enticing, high-water-using industries to come to the Coastal Bend evaluated?
Attachment 7 – Supplement to Corpus Christi Water Conservation Plan	The attachment states that the proposed water permit supports the CC Conservation Plan because the water is (at least in part) needed for municipal use. However, as acknowledged in attachment 2 ("Letter from Coastal Bend Regional Water Planning Group"), the 2021 Region N Plan under development shows "manufacturing needs within the 2020-2070 planning period" but does <u>NOT</u> "identify municipal needs for the City of Corpus Christi or their customers." The end of attachment 7 states: "Desalination is the only recommended strategy that has sufficient quantity to meet the projected needs in these counties." Where is there a documented projected need for municipal water in such large quantity? Attracting NEW industries that require a lot of water does not make sense from a conservation perspective. The planned diversion of 166.2 MGD (based on the diversion application) is expected to result in discharge of up to 69 MGD (based on the discharge application), showing that 100 MGD of water will be either used (primarily for plant cooling) or taken to another discharge site. This does not appear to be in a sound conservation practice. What alternative cooling strategies have even been explored, such as solar or wind?

## Discharge Permit Review

Since this plant is also supposedly for potable domestic water, shouldn't domestic permitting applications also be completed?

Item	Description	Review Comments
Administrative Report 1.0	Section 1	Item a. is blank for Permit Number and EPA ID.
	Section 2	Co-applicant should include Occidental, since they own the land. It is unclear the specific arrangement between City of Corpus Christi and Occidental, since there is no agreement, such as a deeded easement, included in the application. Who owns the facility? Who will operate it? Who maintains insurance? What's the expense to water ratepayers or taxpayers?
	Section 4	The application specifically asks that the names of <b>two</b> individuals be provided that can be contacted throughout the permit term. Only <b>one</b> individual is provided by the City.
	Section 7	There was no Notice for this application in <u>The News Of San Patricio</u> newspaper. Usually that's where we see TCEQ notices. During COVID-19 area libraries have had limited (or no) open hours. We (Ingleside on the Bay Coastal Watch Association) happened to hear about this permit request from another environmental organization. A notice should have been sent to Mayor Ehmann of Ingleside on the Bay, since our city is located directly downstream (within 3 miles) of the proposed facility. Having a link to notices and complete applications online at a standard place on the TCEQ website should be a requirement and standard practice in this day and age (21 <sup>st</sup> Century, with the World Wide Web in existence for 25 years now). As it is now, it seems as if notices such as this (for desalination, that has been a contentious issue in the Coastal Bend) are being obscured deliberately from public view. Affected small communities in particular have a hard time knowing about matters that directly affect us because of outdated Public Notice Practices. Also, there is no published Deadline for Public Comments in the Public Notice that we found in the Corpus Christi Caller Times or via the CCTexas/desal website. Without knowing what the actual comment period is, it is impossible to know which "disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns" will be considered by TCEQ as having been "submitted during the comment period". So we assume that these comments are considered "timely" since the CCTexas/desal website, as of today, still says they are accepting comments (as stated in their August 2020 desalination update).
	Section 8	Subsection a. No RN number was provided.
	Section 8	Subsection e. The relationship between the property owner (Occidental) and the City of Corpus Christi is not clear. Is the

Item	Description	Review Comments
		absence of a lease agreement, wouldn't the property owner also own the facility itself? What assurances do taxpayers (water rate payers) have that this is a municipally-owned facility vs. belonging to private industry?
	Section 8	Subsection f. Attachment B is simply a placeholder for long-term lease agreement. This does not seem sufficient. Without being able to see the agreement, it is impossible to assess whether taxpayers' interests are being protected and at what cost.
	Section 9	See subsection "b" and accompanying appendix "c." The topographical map does not include all the elements it is supposed to include. The point of discharge is not marked and labeled. The discharge route is not highlighted for a distance of three stream miles, which would show that Ingleside on the Bay is within the 3-miles downstream. All new and future commercial developments are also supposed to be included. Since "Project Falcon" features so prominently in the City of Corpus Christi's rationale for needing this desalination plant, its location as a "future commercial development" should be on this map. But it is not shown.
	Section 9	Subsection d: Since so many desalination plants are being proposed for La Quinta Channel, it needs its own Segment Number. Simply saying this is discharging into Corpus Christi Bay writ large is insufficient. La Quinta Channel is a nearly closed system, more akin to a bayou.
	Section 9	Subsections "J-L" are left blank, including naming the city nearest the disposal site as well as the latitude and longitude of the disposal site.
	Section 10	<p>Subsection b. and c. Maybe technically no <b>fees</b> or <b>penalties</b> are owed to TCEQ, but the 4/21/20 City of Corpus Christi Council meeting agenda packet contained a document called "Application Affidavit". Item #3 showed the following TCEQ Enforcement Orders against the City of Corpus Christi:</p> <ul style="list-style-type: none"> <li>• TCEQ Enforcement Order Docket No. 2015-1478-PWS-E;</li> <li>• TCEQ Enforcement Order Docket No. 2016-0638-MLM-E;</li> <li>• TCEQ Enforcement Order Docket No. 2018-0201-MWD-E;</li> </ul> <p>In addition, the following Consent decree negotiations were reported as ongoing for the following EPA Administrative Orders:</p> <ul style="list-style-type: none"> <li>• Docket CWA-06-2011-1913 Permit Number TX0047082; Docket CWA-06-2011-1914, Permit Number TX0047066;</li> <li>• Docket CWA-06-2011-1915 Permit Number TX0047074; Docket CWA-06-2011-1916, Permit Number TX0047104;</li> <li>• EPA: Docket CWA-06-2011-1917, Permit Number TX0047058;</li> </ul>

Item	Description	Review Comments
		<ul style="list-style-type: none"> <li>EPA: Docket CWA-06-2011-1918, Permit Number TX0047121</li> </ul> <p>These EPA matters likely relate to the recent settlement between the EPA and Corpus Christi described in a KRIS-TV6 8/11/20 story at <a href="https://www.kristv.com/news/local-news/corpus-christis-new-wastewater-system-will-cost-taxpayers-millions">https://www.kristv.com/news/local-news/corpus-christis-new-wastewater-system-will-cost-taxpayers-millions</a>. Since this involved “sanitary sewer overflows into federal waters”, this appears to be especially relevant. If it took a decade for the City to settle this case, what harm can be done from an ill-advised seawater desalination project managed by the same entity?</p> <p>Since Compliance history is relevant, pending matters need to be considered by TCEQ in granting a permit.</p>
Administrative Report 1.1	Section 1	The map provided in appendix “D” does not highlight the discharge route(s) for one mile downstream.
SPIF	Item 8	Permit and EPA numbers not shown. The map provided in attachment “E” does not fulfill the requirement of highlighting the discharge route from the point of discharge for a distance of one mile downstream.
	Item 13	This shows a planned construction date of Quarter 4 of 2021! At our July 8, 2020 meeting with the City of Corpus Christi project team, the indication was that this plant won’t be constructed until closer to 2028, when it is projected to be needed by Project Falcon.
Attachment A: Core Data Form		Item 27, the longitude incorrectly omits the “-” sign.
Technical Report 1.0	Section 1	Item a says this is for “an existing public water system”, but it is clear from presentations that the only reason for bringing in desalination is for industry customers. We have commented elsewhere, including in the 2021 Region N Water Plan, that it is not appropriate for a drought-prone area to entice industries that require huge volumes of water to come here. Since the water is needed mostly for cooling purposes, it doesn’t make sense to come to a hot climate either. This requires a lot of energy, adds to heat and air pollution, and depletes our water resources.
		While item f contends the treatment facility is above 100-year frequency flood level, the intake and discharge locations are not. We are prone to hurricanes, having suffered from two in the last 3 years. What are the protective measures?
		Items g & h refer to the need for dredging and filling as a result of construction. Again, we are surprised by the timeline of January 2021, since we were told the La Quinta desal plant wouldn’t be built until closer to 2028. The claim was that they’re applying for

Item	Description	Review Comments
		permits now because of the favorable financing terms thru the TWDB SWIFT program, thru which they already got funding approved for the Inner Harbor desal plant (despite many public comments and outcry about the deceptive manner in which that funding was approved).
	Section 4	Anticipated discharge date of 2021 is a surprise to us, based on our meeting. What are the chemicals used for Clarifier, Strainer Backwater, and Microfiltration Media Filter Backwash? What chemicals are used for pre-treatment of the intake water?
	Section 8.	With regard to compliance, the following TCEQ Enforcement Orders are pending against the City of Corpus Christi: <ul style="list-style-type: none"> <li>• TCEQ Enforcement Order Docket No. 2015-1478-PWS-E;</li> <li>• TCEQ Enforcement Order Docket No. 2016-0638-MLM-E;</li> <li>• TCEQ Enforcement Order Docket No. 2018-0201-MWD-E;</li> </ul> In addition, the following Consent decree negotiations were reported as ongoing for the following EPA Administrative Orders: <ul style="list-style-type: none"> <li>• Docket CWA-06-2011-1913 Permit Number TX0047082; Docket CWA-06-2011-1914, Permit Number TX0047066;</li> <li>• Docket CWA-06-2011-1915 Permit Number TX0047074; Docket CWA-06-2011-1916, Permit Number TX0047104;</li> <li>• EPA: Docket CWA-06-2011-1917, Permit Number TX0047058;</li> <li>• EPA: Docket CWA-06-2011-1918, Permit Number TX0047121</li> </ul>
	Section 12	12.a. should be answered "Yes". While the desalination facility itself may (or may not) be planning to use the desalinated water for cooling purposes, the water itself (up to 83 MGD), drawn from the Waters of the U.S., will be used <u>by industry</u> primarily (perhaps exclusively) <u>for cooling</u> . Thus, Items 12.b. thru 12.f. should be completed. The requirements of 316(b) of the Clean Water Act should apply. This seems like an effort to exploit a loophole in the application to avoid federal oversight. Despite efforts by the City of Corpus Christi to depict this desal plant as a domestic water source, the proposed desal plant IS a CWIS (Cooling Water Intake Structure) its with its primary purpose to provide cooling water to industry.
Worksheet 4.0	Section 2	Subsection c: Distance to the sea grass is shown but not the direction. The impacts of that amount of brine discharge, even (and maybe especially) through the proposed diffusers, will be devastating and needs to be addressed. This will, in all likelihood destroy acres of seagrasses that provide vital habitat and nutrients

Item	Description	Review Comments
		for aquatic life. Yet impact on seagrasses is neither mentioned nor mitigated for.
	Section 3	Because of its relatively closed nature, La Quinta Channel should be seen as a separate body of water from Corpus Christi Bay and therefore is an unclassified segment of its own. Therefore, the answer to this should be No.
	Section 4	This should be filled out with La Quinta Channel in mind. It is more like a Bayou, with a finite surface area, depth, etc. Item e. would show that 3 miles downstream of discharge are located our city's canal (on which many residents live) and Ingleside Cove (a major recreational spot).
	Section 5	Item a. Likely all of these elements apply, but especially upstream discharges.
	Section 5	Item b. Likely all apply, especially recreation, fishing, navigation, picnic/park activities.
	Section 5	Item c. Natural Area.
Worksheet 6.0		Depending on how this is viewed, it would seem that there would be some CIU's or SIU's.
Attachment B: Property Owner Info		Placeholder for Long-Term Lease Agreement. Is this acceptable? How does the public know the terms?
Attachment G:	Flow Schematics	DAF is not explained. What happens to make the raw seawater "clarified"? What is in the Thickener? What chemicals are added to the seawater upon intake and as it goes through the desalination process?
Attachment H: Supplemental Info	F&N: Background and Tidal Current Velocity Studies	The Plummer & Associates modeling report fails to conclude that La Quinta Channel is able to tolerate the cumulative brine discharge levels that would result from the proposed desalination plant. It focuses on more detailed analysis on Inner Harbor instead. We look forward to getting the data collected on background flow.
	F&N: Seawater Desalination Source Water Characterization TM	Are there any items that were left out of the sampling plan? Will this schedule continue throughout operations? Please provide the locations for the sampling, and the data (once the final collection of 8/21/20 occurs).



**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:43 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** rmmuircc@gmail.com <rmmuircc@gmail.com>  
**Sent:** Thursday, March 18, 2021 8:55 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Robert Muir

**E-MAIL:** [rmmuircc@gmail.com](mailto:rmmuircc@gmail.com)

**COMPANY:**

**ADDRESS:** 6230 BOURBONAI DR  
CORPUS CHRISTI TX 78414-6015

**PHONE:** 3614420926

**FAX:**

**COMMENTS:** I request TCEQ to deny the permit and I request a Contested Case Hearing. I also request the public comment time be extended to two weeks because of the Big Freeze. It is not fair to have a short public comment period when many citizens are still recovering from the impacts of the Big Freeze. The intake will kill oysters and other marine life including endangered sea turtles. No one really knows how much this would cost. The Beneficial Use of this permit

needs to be looked at again. It is much more beneficial to corporations and would actually be detrimental to the citizens of Corpus Christi if the water becomes even more polluted. It would hurt tourism and fishing and would deal a blow to the local economy and the citizens will suffer these economic and environmental impacts. The facts need to come to light before an Administrative law judge. The City has not been transparent with me about the proper specifications and how they would put screens there. This would cost too much with the power used (it may be in the neighborhood of 40 MG Watts, and the city has not disclosed indirect and operating and capital costs. This would be beneficial to corporations, but not its citizens with the costs of wastewater and huge stench of dead fish and marine life in the water.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Friday, April 2, 2021 10:00 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676  
**Attachments:** 2021.04.01 Supplemental Comments and Hearing Request of HRA.pdf

H

**From:** katie@txenvirolaw.com <katie@txenvirolaw.com>  
**Sent:** Thursday, April 1, 2021 4:38 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Marisa Perales

**E-MAIL:** [katie@txenvirolaw.com](mailto:katie@txenvirolaw.com)

**COMPANY:** Perales, Allmon & Ice, P.C.

**ADDRESS:** 1206 SAN ANTONIO ST  
AUSTIN TX 78701-1834

**PHONE:** 5124696000

**FAX:**

**COMMENTS:** Please see the attached document.

# PERALES, ALLMON & ICE, P.C.

ATTORNEYS AT LAW

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(512) 469-6000 · (512) 482-9346 (facsimile)

info@txenvirolaw.com

Of Counsel:

David Frederick

Richard Lowerre

Brad Rockwell

April 1, 2021

Laurie Gharis  
Chief Clerk, MC-105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

*via TCEQ eComments*

**Re: Supplemental Comments and Hearing Request regarding Application of City of Corpus Christi for Water Rights Permit No. 13676.**

Ms. Gharis:

I am writing you on behalf of the Hillcrest Residents Association (“HRA”) regarding the Application of the City of Corpus Christi (the “City” or “Applicant”) for Water Rights Permit No. 13676. Please consider these comments as a supplement to the written comments we submitted on March 18, 2021. For the reasons set forth in those March 18 comments and in these comments, the above-referenced application should be denied. If the application is not denied, HRA requests a contested case hearing regarding the application. HRA may be contacted through the address and telephone number identified above.

**I. The Application does not contain adequate information on the purpose and location of use.**

HRA’s March 18 comments regarding this issue are incorporated herein by reference. In addition, during the informal portion of the March 18 public meeting, Applicant’s representative made clear that the City of Corpus Christi has not identified a specific intended beneficial use of the water. Further the City’s representative provided no specific location for the intended use of the water, stating only that it will be used in the “region.”

Applicant’s representative acknowledged that the water could be used for any purpose, including industrial and commercial. Applicant’s representative further

acknowledged that the water could be used for industrial cooling purposes, implicating the requirements of Section 316(b) of the Clean Water Act.

This lack of specificity fails to satisfy the requirements of TCEQ Rule 295.5. Applicant also cannot state, with any certainty, that the intended use of the water is a beneficial use, as required by 30 TAC § 297.41, because the City has not specified what the intended use of the water is. Further, because the Applicant contemplates use of the water for industrial cooling purposes, an analysis under Section 316(b) of the Clean Water Act is required.

## **II. The application fails to consider reasonable measures to minimize impingement and entrainment.**

During the public meeting, a reference was made to an inlet design that includes a wedge-wire screen—in response to questions regarding a biological assessment and potential impingement and entrainment issues. But the application includes no such design details. There is nothing in the application that demonstrates that the facility will be designed in accordance with the 0.5 ft/sec design standard that was referenced during the public meeting. Nor is there anything in the application materials that demonstrates that this 0.5 ft/sec design standard is based on a site-specific assessment for this project; there is nothing in the application materials that demonstrates that this is the appropriate design standard for this particular project. Under the applicable statute and rules, the City is required to demonstrate that the facility will employ reasonable measures to minimize impingement and entrainment.

Further, as explained in HRA's initial March 18 written comments, the governing statutes for the permitting of desalination projects require: "[TCEQ] *by rule* shall prescribe reasonable measures to minimize impingement and entrainment." Tex. Water Code § 18.003(h) (emphasis added). TCEQ has failed to fulfill this statutory requirement because TCEQ has failed to adopt rules prescribing reasonable measures to minimize impingement and entrainment. TCEQ cannot remedy this failure to adopt rules by referring to an inlet design that has not even been provided in the application materials.

## **III. The proposed water right is detrimental to the public welfare.**

Both the City and TCEQ staff mischaracterized the community that will be impacted by the proposed project. They both described the area as an industrial ship channel, neglecting to acknowledge that a community resides nearby as well. The Hillcrest community, in particular, is a residential community that is in close proximity to the proposed facility, and will be adversely impacted by the project. This failure to acknowledge the nearby residential Hillcrest community has resulted in a failure to assess the potential adverse impacts on the public welfare, as required by 30 TAC § 297.41.

The proposed desalination project will also demand tremendous amounts of electricity from an already fragile electrical grid. Large amounts of energy are required for the withdrawal with high pressure pumps, transport of the water, and waste disposal systems associated with the proposed facility. During the recent winter storm in February, Hillcrest residents were without electricity for several days, because of the unreliability and fragility of the electrical grid. The installation of critical infrastructure with such an extreme energy need places the reliability of electricity for residential uses in the area, such as in the Hillcrest community, at greater risk.

In addition, this project is likely to impact water rates. This project will require substantial financial resources, which will be passed on to the ratepayers. Ratepayers, particularly in the Hillcrest area, should not be burdened with this increase in rates. The community consists of working class residents, and they should not be further taxed to pay for this expensive project for which no specific intended beneficial use has been identified.

During the public meeting, TCEQ staff also commented that they reviewed only this individual permit application, not cumulative impacts of other proposed facilities. But consideration of the public welfare requires an acknowledgement, at the very least, of the multiple unnecessary proposed desalination projects in the Corpus Christi Bay area. The detriment of the City's proposed facility to public welfare is only heightened by the cumulative impact of these multiple proposed desalination facilities. The needs of the community should be carefully considered, with permits only issued for those facilities that are necessary for a beneficial use and which will be located, designed and constructed in a manner that would minimize adverse environmental impacts. Considering that the City has failed to identify a proposed beneficial use for this particular facility, has failed to provide any design details that ensure minimization of environmental impacts, and that there are several other proposed facilities in the area, this water right permit should be denied.

Relatedly, during the public meeting, TCEQ staff attempted to characterize certain issues raised by the public, such as the facility design and biological impacts, as irrelevant to this application for a water right, explaining that these issues are more relevant to the anticipated discharge permit application. But such a distinction cannot so easily be made. This water right application raises impingement and entrainment issues that have not been adequately addressed by the Applicant nor by TCEQ staff—as explained above. References to an anticipated discharge permit application or to the anticipated design of the facility fail to address the significant potential biological and ecological issues that are relevant to this proposed water right.

Indeed, the intended withdrawal, and the desalination facility it enables, will result in serious and lasting damage to the nearby environment and the residential community. In addition to the environmental impacts of the intake structures at the facility, the

desalination process will significantly contaminate the nearby waters. Reject water will contain large concentrations of brine that will kill and injure nearby aquatic life. Also, the discharged wastewater will potentially contain chemicals associated with the reverse osmosis process, as well as heavy metals from contact with the plant machinery. In addition, the facility will create tremendous amounts of solid waste requiring transport and disposal, placing the nearby Hillcrest residents at further risk.

For the reasons described above, the application should be denied. In the alternative, HRA's hearing request should be granted, and the application should be referred to SOAH for a contested case hearing.

Respectfully submitted,

/s/ Marisa Perales  
Marisa Perales  
State Bar No. 24002750  
[marisa@txenvirolaw.com](mailto:marisa@txenvirolaw.com)

**Perales, Allmon & Ice, P.C.**  
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Telephone: 512-469-6000  
Facsimile: 512-482-9346

/s/ Erin Gaines  
Erin Gaines, Attorney  
State Bar No. 24093462  
Earthjustice  
[egaines@earthjustice.org](mailto:egaines@earthjustice.org)



**Elisa Guerra**

---

**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:51 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676  
**Attachments:** 2021.03.18 HRA Public Comment and Hearing Request.pdf

H

**From:** elena@txenvirolaw.com <elena@txenvirolaw.com>  
**Sent:** Thursday, March 18, 2021 7:09 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Marisa Perales

**E-MAIL:** [elena@txenvirolaw.com](mailto:elena@txenvirolaw.com)

**COMPANY:** Perales, Allmon & Ice, P.C.

**ADDRESS:** 1206 SAN ANTONIO ST  
AUSTIN TX 78701-1834

**PHONE:** 5124696000

**FAX:**

**COMMENTS:** Please see attached.



# PERALES, ALLMON & ICE, P.C.

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Austin, Texas 78701

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Of Counsel:

David Frederick

Richard Lowerre

Brad Rockwell

March 18, 2021

Laurie Gharis  
Chief Clerk, MC-105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**Re: Comments and Hearing Request regarding Application of City of Corpus Christi for Water Rights Permit No. 13676.**

Dear Ms. Gharis:

I am writing you on behalf of the Hillcrest Residents Association (“HRA”) regarding the Application of the City of Corpus Christi (the “City” or “Applicant”) for Water Rights Permit No. 13676. For the reasons set forth herein, the application should be denied. If the application is not denied, HRA requests a contested case hearing regarding the application. HRA may be contacted through the address and telephone number identified above.

## **I. Extend Hearing Request Period.**

As a preliminary matter, while TCEQ’s rules make clear that the comment period for this permit application has been extended at least through the end of the public meeting, it is not clear whether the hearing request period has also been similarly extended. To avoid confusion, HRA requests that both the hearing request period and the comment period be extended until one week from today’s date—March 25, 2021. This will allow members of the public to fully participate in the public meeting, consider the information presented at the public meeting by TCEQ staff, review the technical application materials in light of the information shared from the public meeting, and determine whether they have additional comments to contribute regarding the permit application that they were unable to share during the public meeting. This will also allow members of the public to determine whether they satisfy the definition of affected person and thus, whether they would like to seek a contested case hearing.

Alternatively, HRA requests that the hearing request period be extended to coincide with the comment period, so that both the comment period and the hearing request period will end once tonight's public meeting ends.

## **II. HRA is an Affected Person.**

HRA satisfies TCEQ's rules regarding associational standing. That is, one or more members of the association would have standing to request a hearing in their own right; the interests the association seeks to protect are germane to the association's purpose; and neither the claim asserted nor the relief requested requires the participation of the individual members in the case.

The officers of HRA are Reverend Henry Williams, Lamont Taylor, Daniel Pena, and Jestine Knox. In addition to these officers, among HRA's membership are: David Garza and Carrie Meyer.

Reverend Williams is President of HRA and resides in the Hillcrest neighborhood at 2422 Summers Street, Corpus Christi, Texas. He has lived at this residence for more than 60 years and his family has a long history in the neighborhood. For example, the park in Hillcrest is named after Reverend Williams' father, Dr. Henry J. Williams. In addition to Reverend Williams' property interest, Reverend Williams also has a history of fishing and swimming near the Harbor Bridge. The proximity of Reverend Williams' property interest to the proposed facility intake and his history of fishing and recreating near the proposed facility are personal justiciable interests; these interests will be impacted by the proposed facility to the extent the facility impacts fish and wildlife habitat and the ecology and productivity of the bay. His interests will be impacted in a manner not common to members of the general public.

Similarly, David Garza, another member of HRA, resides in the Hillcrest neighborhood at 2813 Hulbirt Street, Corpus Christi, Texas. Mr. Garza has resided at his residence for at least 5 years. Mr. Garza fishes regularly along North Beach near the Harbor Bridge; in fact, he fishes, on average, 3 times a week. He often catches fish such as drum, redfish, trout, and the occasional flounder—all of which he consumes. He also regularly swims or otherwise recreates along the shore of North Beach. Mr. Garza would be impacted by the proposed facility to the extent it impacts fish and wildlife habitat and the ecology and productivity of the bay. Mr. Garza's interests, like Reverend Williams', are personal justiciable interests that will be impacted the proposed facility in a manner not common to members of the general public.

Finally, Carrie Meyer is also a member of HRA. Ms. Meyer resides at 4401 Gulfbreeze Boulevard, Corpus Christi, Texas, with her family. Ms. Meyer and her family recreate regularly along North Beach, in close proximity to the Harbor Bridge, and near

the proposed intake for the proposed facility. Ms. Meyer regularly swims, kayaks, kitesurfs, and stand-up paddle boards in the Corpus Christi Bay, near North Beach and the USS Lexington. She engages in these recreational activities at least 2 times per week. Ms. Meyer also has economic interests that will be impacted by the proposed facility. Ms. Meyer has taken significant steps and invested significant resources to launch a guided kayaking business. Ms. Meyer has expended resources to purchase the equipment necessary for this business and has invested time and resources to obtain the necessary certifications to serve as a kayaking guide. Her intention is to launch this business in the next few months. The success of her business depends, in large part, on tourism in the area, particularly in the North Beach area. Similarly, Ms. Meyer already owns another business: Third Coast Photo. Through this business, Ms. Meyer regularly contracts with tourists seeking a photographer to take their photos along North Beach, such as near the USS Lexington. Both Ms. Meyer's existing business and her prospective business would be impacted by the proposed facility to the extent it impacts fish and wildlife habitat and the ecology and productivity of the bay, and thus, impacts tourism in the area. Ms. Meyer's economic interests, together with her property and recreational interests, are personal justiciable interests that would be impacted by the proposed facility, if permitted, in a manner not common to members of the general public.

The interests the association seeks to protect are germane to HRA's purpose. HRA's purpose statement, as described in its bylaws, is as follows: HRA was formed for the purpose of protecting public health, safety, the environment, and the quality of life for residents in the Hillcrest neighborhood and the immediately surrounding area, and to combat community deterioration. With this purpose as the focus, HRA intends to represent its members by participating in the decision-making process of local, state, and federal officials on issues related to pollution and protection of natural resources and other quality of life issues. HRA will represent its members in government proceedings and in court, if necessary, in pursuit of HRA's stated purpose.

Indeed, HRA has a long history of taking action in accordance with its purpose statement. For example, in 2007, HRA filed a civil rights complaint under Title VI of the Civil Rights Act against the City of Corpus Christi for discrimination in the siting of the city's proposed new sewage treatment facility in the Hillcrest neighborhood, which was proposed for essentially *the same location* as this currently proposed desalination plant.<sup>1</sup> HRA's civil rights complaint was filed "in the context of a long history of racist land use decisions affecting African Americans and the Northside and Hillcrest neighborhoods," and was successful in stopping the proposed sewage treatment plant. Hillcrest is a historically African American neighborhood along Corpus Christi's Northside, where for two generations, all African Americans who lived in Corpus Christi were required to live.

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<sup>1</sup> Complaint under Title VI of the Civil Rights Act of 1964 by Hillcrest Residents Association vs. City of Corpus Christi (April 5, 2007), *available at* [https://www.epa.gov/sites/production/files/2015-02/documents/04r-07-r6\\_complaint\\_redacted.pdf](https://www.epa.gov/sites/production/files/2015-02/documents/04r-07-r6_complaint_redacted.pdf).

Hillcrest is located along Corpus Christi's "Refinery Row" and is surrounded by two refineries, the ship channel, highway I-37, and the new Harbor Bridge. Hillcrest residents disproportionately suffer from high incidences of cancers, asthma and respiratory problems, and birth defects as well as face daily impacts such as loud noises and sirens, dust and traffic, light from industrial flares, vibrations, and foul odors.

Finally, neither the claim asserted nor the relief requested—denial of Permit No. 13676—requires participation of the individual members of HRA.

**III. The Application does not contain adequate information on the purpose and location of use as required by 30 TAC § 295.5.**

The application does not state, in definite terms, the purpose of the use of the water, as required by 30 TAC § 295.5. Within the application, the purpose of use is solely listed as "municipal," which lacks the level of specificity required. As explained below, Applicant does not appear to know, with any specificity, where the water will be used. Thus, Applicant cannot know, with any specificity, the purpose for which the water will be used; the "municipal" purpose identified in the application appears to be mere speculation.

The application also fails to sufficiently describe or state the location of use. The place of use lists a number of counties: Nueces, Kleberg, San Patricio, and Aransas. The combined total area of these counties encompasses thousands of square miles. Nueces County alone encompasses over 1100 square miles. Such a vague description of the place of use does not constitute a definite identification of the place of use for the water. Moreover, the application presents these counties as a mere list of "options" for place of use. This is made clear when one compares the place of use information with the interbasin transfer information in the application. Applicant proposes 4 interbasin transfers—3 of which propose to transfer 100% of the quantity of water authorized for diversion. That is, each of the 3 proposed interbasin transfers seeks to transfer up to 100% of the water authorized for diversion; the fourth contemplates an interbasin transfer of less than 3000 acre/feet. This demonstrates that Applicant does not know where the water will be used. For these reasons, the requirements of 30 TAC § 295.5 have not been met.

Because Applicant does not appear to know and has not identified the specific location and purpose for the proposed use of the water, Applicant also failed to state, in definite terms, the specific amount of water to be used for each identified purpose, as required by 30 TAC § 295.5. Applicant also cannot state, with any certainty, that the intended use of the water is a beneficial use, as required by 30 TAC § 297.41.

**IV. The Application does not contain the required information regarding return and surplus flows.**

TCEQ rules require that the application describe the location of return or surplus flows. The rules also provide that the application “shall state with as much accuracy as possible the quantity of return flow expressed in acre-feet per annum.” 30 TAC § 295.8. In this case, much of the water will be rejected as a byproduct of the desalination process. Yet, the location of the desalination reject water discharge is not adequately identified in the application, the location of return water flows is not shown in the application, and the quantity of return flows are not provided in the application. In this manner, the application does not contain the information required by 30 TAC § 295.8.

**V. The Application does not include the information required regarding interbasin transfers.**

In its application, Applicant proposes a number of interbasin transfers, all of which Applicant claims satisfy subsection (c) of Rule 295.13 (exempting the Applicant from providing certain required information regarding the proposed interbasin transfer). As explained above, however, it is apparent that Applicant’s proposed interbasin transfers are nothing more than a speculative list of options for the potential location and use of the water. Applicant has proposed transferring up to 100% of the water to each of the following 3 counties: Nueces, Kleberg, and San Patricio. Applicant also claims that it may transfer less than 3,000 acre-feet of water to Aransas County. This interbasin transfer request is nothing more than a request to allow the City to move the water to wherever it may find a customer. This is not what is contemplated by Rule 295.13; Applicant has failed to comply with this rule.

**VI. The Application has not demonstrated consistency with the State and Regional Water Plans.**

Applicant also has not shown that the proposed project addresses a water supply need in a manner that is consistent with the state water plan and applicable approved regional water plan. As noted above, the application includes a list of counties where water is proposed to be used for “municipal” purposes: Nueces, Kleberg, San Patricio, and Aransas. Further, according to the interbasin transfer information, all of the water may be used in either Nueces, Kleberg, or San Patricio County. The application simply fails to identify where the water will be used and in what quantities. The Applicant therefore cannot claim to know the proposed use of the water, with any accuracy. And thus, it is simply not possible to determine whether the proposed use is consistent with the State and Regional Water Plans.

Significantly, the Regional Water Plan addresses the environmental analysis required if the seawater desalination strategy is pursued:

The potential environmental effects resulting from the construction of a desalination plant in the vicinity of Nueces Bay and/or Corpus Christi Bay will be sensitive to the siting of the plant and its appurtenances. Environmental analyses including impingement and entrainment will need to be considered as part of the intake evaluation.<sup>2</sup>

Applicant has not considered both impingement and entrainment in its proposed intakes for the project. Simply put, the environmental analysis of the intakes that the Regional Water Plan deems necessary has not been performed.

For these reasons, the proposed facility is not consistent with the approved regional water plan for the area where the appropriation is proposed to be located.

**VII. The proposed withdrawal is detrimental to the public welfare.**

Applicant's intended withdrawal will result in serious and lasting damage to the nearby environment and the community.

Applicant's proposed intake structure is not described with any detail. Nevertheless, the proposed intake of water is likely to disrupt recreation in the impacted waters. As illustrated by the HRA members described above, numerous persons use the waters in the area near the proposed intake for recreational activities including fishing, swimming, kayaking, and kitesurfing. The intake structure proposed by Applicant may create currents that may interfere with the use of these waters.

**VIII. The proposed permit fails to contain conditions necessary to maintain fish and wildlife habitats, water quality, and bay and estuary health.**

By both statute and rule, TCEQ is required to include within a permit those conditions necessary to maintain fish and wildlife habitats. The proposed location for the intake structures is near an area that includes habitats that are sensitive for important species of fish. Indeed, HRA members regularly fish in areas near the proposed location for the intake structure, as described above. Yet, it is apparent that the permit did not consider all of these public interests, as required, and thus, did not include the types of conditions necessary to maintain fish and wildlife habitats and water quality. *See* 30 TAC §§ 297.41(a)(3)(d), 297.55; Tex. Water Code §§ 11.147(e); 11.150. Nor does the application include sufficient information to allow the assessment of impacts on bays and estuaries. Indeed, one of the factors to be considered by the Commission in conducting this analysis is: the proposed use of the water by the applicant as well as the needs of those who would be served by the applicant. 30 TAC § 297.55(b)(4). But the application

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<sup>2</sup> Regional Water Plan, p. D.9-8.

lacks sufficient information to determine the proposed use of the water and the needs of those who would be served by the applicant.

**IX. Applicant's failure to identify, with specificity, the intended location and use of the requested water renders the application deficient in other respects.**

As described above, Applicant has not identified, with any specificity, the intended location and use of the requested water. Instead, Applicant identified 4 different counties in requesting an interbasin transfer and generally described the intended use as "municipal." Because Applicant has failed to identify, with any certainty, the intended use and location of the requested water, one cannot determine, with any certainty, whether various TCEQ regulatory requirements have been satisfactorily addressed.

For instance, Applicant included water conservation plans associated with municipal use and wholesale water suppliers. Without knowing the specific location and the specific intended use of the water, however, one cannot determine, with any certainty, that no additional water conservation plans are necessary, such as for industrial uses.

Similarly, because there is no specific information regarding the proposed location and use of the requested water, one cannot determine, with any certainty, whether the water may be sold and used for industrial cooling water purposes, implicating the requirements of Section 316(b) of the Clean Water Act. One of the requirements of Section 316(b) is to ensure compliance with state law and state water quality standards, including Tier 2 anti-degradation standards.

**X. The application should not be considered, until TCEQ implements rules addressing impingement and entrainment. Alternatively, the application fails to consider reasonable measures to minimize impingement and entrainment.**

The governing statute for the permitting of desalination projects provides that "[TCEQ] *by rule* shall prescribe reasonable measures to minimize impingement and entrainment." Tex. Water Code § 18.003(h) (emphasis added). TCEQ has failed to fulfill this statutory requirement. The processing of this application should be halted until the statutorily-required governing standards have been adopted by rule.

Even without the implementation of the rules, the City is required to demonstrate that the facility will employ reasonable measures to minimize impingement and entrainment. In this case, the City's application is essentially devoid of the information necessary to determine potential environmental impacts of the facility—information such as the specific design of the intake structure to be used. Nor did the City meaningfully consider any alternative methods that would minimize the impingement and entrainment of marine organisms.

For the reasons described above, the application should be denied. In the alternative, HRA's hearing request should be granted, and the application should be referred to SOAH for a contested case hearing.

Respectfully submitted,

/s/ Marisa Perales

Marisa Perales

State Bar No. 24002750

marisa@txenvirolaw.com

/s/ Erin Gaines

Erin Gaines, Attorney

egaines@earthjustice.org

Earthjustice

**Perales, Allmon & Ice, P.C.**

1206 San Antonio Street

Austin, Texas 78701

Telephone: 512-469-6000

Facsimile: 512-482-9346





**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, March 25, 2021 5:14 PM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

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**From:** rogersjuliet@gmail.com <rogersjuliet@gmail.com>  
**Sent:** Thursday, March 25, 2021 1:20 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Julie Travis Rogers

**E-MAIL:** [rogersjuliet@gmail.com](mailto:rogersjuliet@gmail.com)

**COMPANY:**

**ADDRESS:** 710 FURMAN AVE  
CORPUS CHRISTI TX 78404-3222

**PHONE:** 3614611967

**FAX:**

**COMMENTS:** We live in downtown Corpus Christi four blocks from the Bay. We are members of several organizations that support and encourage an excellent quality of life, including arts, nature and recreation. There are already three other proposed desalination plants that will release millions of gallons of briny discharge into the Corpus Christi Bay system. Such a dramatic increase in salinity of our Bay system will undoubtedly affect sea life, bird life and out quality of

life. We strongly oppose the Port of Corpus Christi's placing of an intake pipe for a desalination plant in the Inner Harbor on Tule Lake. I also request that a Contested Case Hearing be held. Thank you, Julie Rogers, 710 Furman Ave, Corpus Christi, TX 78404

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:45 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

**From:** Drossonjr@yahoo.com <Drossonjr@yahoo.com>  
**Sent:** Thursday, March 18, 2021 8:16 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Donna Rosson

**E-MAIL:** [Drossonjr@yahoo.com](mailto:Drossonjr@yahoo.com)

**COMPANY:**

**ADDRESS:** 11464 HIGHWAY 188  
SINTON TX 78387-5539

**PHONE:** 3612221212

**FAX:**

**COMMENTS:** The City of Corpus Christi wants to take in water downstream of wastewater from the ship channel refineries. The water quality would only be acceptable for industrial use and should not be able to be sold for human consumption and should not be paid for or supported with tax payer money. The intake would suck in and kill fish and other marine animals and organisms. Heavy brine would be discharged into Corpus Christi Bay killing more marine life in

the bay. A third party environmental impact study should be done before permitting. Desal would require extreme amounts of electricity that is not available as we saw in the recent storm. We do not need desal. This proposed desal would be used for corporations' needs, not people's needs and would add to residents utility bills even though it's not for residents' water. A contested case hearing is requested and denial of the permit.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, July 20, 2020 8:46 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

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**From:** cacheton1@twc.com <cacheton1@twc.com>  
**Sent:** Thursday, July 16, 2020 2:15 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:**

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Encarnacion Serna

**E-MAIL:** [cacheton1@twc.com](mailto:cacheton1@twc.com)

**COMPANY:**

**ADDRESS:** 105 LOST CREEK DR  
PORTLAND TX 78374-1449

**PHONE:** 3619035774

**FAX:**

**COMMENTS:** I request a public hearing with the TCEQ and all stakeholders present after the pandemic is over and things go back to normal (not a virtual conference on a computer screen or smart phone)

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Thursday, July 2, 2020 8:36 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WQ;  
PUBCOMMENT-WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WQ0005290000

H  
+ associate to WRPERM 13675  
+ associate to WRPERM 13676  
+ associate to WQ0005289000

**From:** cacheton1@twc.com <cacheton1@twc.com>  
**Sent:** Tuesday, June 30, 2020 10:56 AM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WQ0005290000

**REGULATED ENTY NAME** LA QUINTA CHANNEL DESALINATION PLANT

**RN NUMBER:** RN110940558

**PERMIT NUMBER:** WQ0005290000

**DOCKET NUMBER:**

**COUNTY:** SAN PATRICIO

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Encarnacion Serna

**E-MAIL:** [cacheton1@twc.com](mailto:cacheton1@twc.com)

**COMPANY:** self

**ADDRESS:** 105 LOST CREEK DR  
PORTLAND TX 78374-1449

**PHONE:** 3619035774

**FAX:**

**COMMENTS:** The City of Corpus Christi and the TCEQ need to schedule a public hearing on this permit application and the other permits (WRPERM 13675, 13676 and permit WQ 0005289000) all pertaining to water desalination projects

that will draw water in the millions of gallons per day drawing water on their intakes from La Quinta Channel and Corpus Christi Bay and the discharge of concentrated reject water back to the same water bodies. They need to be transparent and honest and tell the public how these waters, sludges etc being returned to these bodies will pollute and affect the ecosystem in these water bodies. They need to explain in detail the nature (i.e. the chemical composition and quantities of all streams going and leaving the reverse osmosis plant, along the same information on all streams entering and leaving the necessary pre- treatment processes. The City of Corpus Christi and the TCEQ need to provide material balances showing flows and compositions leaving and entering the processes including chemicals and MSDS pertaining to these proposed processes. They also need to conduct studies to determine how these quantities of concentrated reject water going back to the bays and Channel will affect all marine life in these bodies of water.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:28 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

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**From:** Teksun1@aol.com <Teksun1@aol.com>  
**Sent:** Thursday, March 18, 2021 10:41 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Clara Villarreal Varner

**E-MAIL:** [Teksun1@aol.com](mailto:Teksun1@aol.com)

**COMPANY:**

**ADDRESS:** 2413 GAVIN TRL  
PFLUGERVILLE TX 78660-6528

**PHONE:** 7032092201

**FAX:**

**COMMENTS:** I concur with many of the verbal comments at tonight's meeting that we request a Contested Case Hearing. For completion, I do not understand the sense of urgency. I implore you to DENY the permit. I ask that you extend the comment period by two weeks to accommodate the time we all had to recover from the recent snow/ice storm Uri. Please hear out over 9 organizations who have the best interest of the citizens of Corpus Christi and



surrounding areas, the marine life, and the environment. We have other option to desal plants to include (1) conservation, (2) ground water, & (3) wastewater reclamation. Please do not ignore the voice of the people who will be effected. Most importantly to my, please do not ignore the fact that this inlet water permit will allow the continuation of the desal plans for the bay and will destroy indigenious lands. The Karankawa are still here and our land should not continue being destroyed. Thank you for your time.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Monday, March 22, 2021 11:27 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

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**From:** captaindpw@gmail.com <captaindpw@gmail.com>  
**Sent:** Thursday, March 18, 2021 11:58 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Daniel P Wilkerson

**E-MAIL:** [captaindpw@gmail.com](mailto:captaindpw@gmail.com)

**COMPANY:**

**ADDRESS:** 3196 REBECCA ST  
INGLESIDE TX 78362-4649

**PHONE:** 3617658467

**FAX:**

**COMMENTS:** My name is Daniel Wilkerson, I am a full time fishing guide and resident to the Corpus Christi area. I would like to add to my previous comment during the public meeting webinar. The port of Corpus/inner harbor area has been the home of heavy industry for over 95 years. Many of the refineries located on the shores of the port of Corpus Christi date all the way back to the 1930s, they problem is not the cleanliness of the refineries today it's what happened

in the past and lies in the ground underneath them, leaching out of the soil and into the ship channel where the municipal water intake is proposed. We're talking 95 years of leaking tanks, chemical spills and ground contamination. There's no telling what all kinds of heavy metals and toxins are in or could get into that water supply. One simple mishaps could harm the health of hundreds of thousands of residents should a filter get bypassed and those contaminants reach the water supply grid. There are simply better and much safer locations to source our citizens water from. Aside from the impingement of aquatic life hurting the ecosystem my main concern is using water for human consumption from anywhere near an area with such a long history with storage and production of petrochemical products. I request that an extension be given for public comments on this permit and that a contested case hearing take place regarding this permit. Thank you for your time.

**Elisa Guerra**

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**From:** PUBCOMMENT-OCC  
**Sent:** Tuesday, March 30, 2021 9:41 AM  
**To:** PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-  
WWW-WRAS  
**Subject:** FW: Public comment on Permit Number WRPERM 13676

H

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**From:** zmelissa898@gmail.com <zmelissa898@gmail.com>  
**Sent:** Monday, March 29, 2021 9:13 PM  
**To:** PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>  
**Subject:** Public comment on Permit Number WRPERM 13676

**REGULATED ENTY NAME** WRPERM 13676

**RN NUMBER:** RN110941192

**PERMIT NUMBER:** WRPERM 13676

**DOCKET NUMBER:** 2020-1559-WR

**COUNTY:** NUECES

**PRINCIPAL NAME:** CITY OF CORPUS CHRISTI

**CN NUMBER:** CN600131858

**FROM**

**NAME:** Melissa Zamora

**E-MAIL:** [zmelissa898@gmail.com](mailto:zmelissa898@gmail.com)

**COMPANY:** Indigenous People of the Coastal Bend

**ADDRESS:** 3917 BRAWNER PKWY  
CORPUS CHRISTI TX 78411-3254

**PHONE:** 3614252318

**FAX:**

**COMMENTS:** What kind of harm will diverting the water rights over to the city of Corpus Christi in order to use the water diverted for desalination? Is there any prior research that has been done in this body of water to confirm the quality of water is safe to divert and consume? Diverting the freshwater inflow that flows through the ship channel and into Corpus Christi Bay will have detrimental affects on the local marine life, by depriving needed fresh water to keep the

proper salinity/required balance of salt and nutrients to the bays benthic and free-swimming organisms (fish and shrimp larva, sea grasses, oyster beds, turtles, dolphins, fish, etc). Although the intake pipe was mentioned to be around 2mm that is still small enough to capture some of the smaller previously mentioned marine life and benthic organisms via infringement and entrapment. Why was this location chosen if not solely for industrial use? How will the City of Corpus Water Utilities pay for this diversion of water? Will the cost go to the taxpayers? It is concerning that there are no further plans besides gaining access to the rights of this water, but what about after rights are allotted and what type of negative environmental affects will be the outcome from the four proposed desalination plants for the area? If this is a city permit, then the citizens of Corpus Christi should be able to vote on obtaining water rights that will affect us and the bay. We as citizens of this city have a right to protect and conserve our local resources and oppose projects like this, that only plan to use the water is for industrial/monetary gain. If drought is becoming more of an issue, than we should highly limit the amount of water industry is able to use and put more of our focus towards local PEOPLE's (NOT industry's) access to clean, fresh water for drinking, bathing, and cooking. All of the comments I heard at this public meeting were in opposition of this permit, except for the Port of Corpus Christi's own CEO, who showed his true colors and is obviously for the water rights diversion for his own personal gain and for the port industries private financial gain through municipal water use. As a life long resident of Corpus Christi and a holder of both biology and environmental science degrees, I strongly suggest that the TCEQ deny this permit and I hereby request for a contested case hearing as this will affect my life, my family's life and all others living in and around Corpus Christi Bay as we depend on the health of our water, land and air for our livelihoods and survival. We need to be investing in conservation of water, not the exploitation and never ending consumption of this precious finite resource. WATER IS LIFE and we should treat her as the ancient, sacred being that she is. Also, do not forget that the city of Corpus Christi has a terrible rapport with maintaining water infrastructure as the EPA has sued the city several times for not maintaining critical sewer pipes and related infrastructure, resulting in multiple violations of the clean water act. If the state of Texas or the city of Corpus Christi truly cares about what the citizens have to say on this issue, then they will put in on the ballot and let the people vote! Tlazocamati, Ometeotl.