

# **Texas Commission on Environmental Quality**

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## **INTEROFFICE MEMORANDUM**

**To:** Office of Chief Clerk **DATE:** June 27, 2022

**From:** Ruth Takeda  
Staff Attorney  
Environmental Law Division

**Subject:** Agenda backup - draft permit/ technical information

Applicant: Port of Corpus Christi Authority of Nueces County

Proposed Permit No.: WRPERM 13630

Program: Water

Docket No.: TCEQ Docket No. 2021-0421-WR

The following documents are attached as backup for the **July 20, 2022** agenda:

- Executive summary memo;
- Draft permit;
- Technical review memos;
- Notice of the application;
- Notice of the public meeting;
- Maps.

Please let me know if you have any questions or wish to discuss.

Thank you.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## WATER USE PERMIT

PERMIT NO. 13630

TYPE § 11.121

Permittee: Port of Corpus Christi Authority  
of Nueces County

Address: P.O. Box 1541  
Corpus Christi, Texas 78403

Filed: May 11, 2020

Granted:

Purpose: Industrial

County: San Patricio

Watercourse: Corpus Christi Bay

Watershed: San Antonio-Nueces Coastal  
Basin

WHEREAS, Port of Corpus Christi Authority of Nueces County (Applicant) requests a Water Use Permit to divert and use not to exceed 101,334 acre-feet of water per year from a point on Corpus Christi Bay San Antonio-Nueces Coastal Basin, at a maximum diversion rate of 140.12 cfs (62,890 gpm) for industrial purposes in San Patricio County; and

WHEREAS, the proposed diversion point is located at Latitude 27.873741° N, Longitude 97.294987° W in San Patricio County; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, this permit, if granted, is subject to requirements and orders of the South Texas Watermaster; and

WHEREAS, the Texas Commission on Environmental Quality finds that the issuance of the permit is consistent with the goals and policies of the Texas Coastal Management Program (CMP); and

WHEREAS, the Executive Director recommends that special conditions be included in the permit; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this permit.

NOW, THEREFORE, this permit, designated Water Use Permit No. 13630, is issued to Port of Corpus Christi Authority of Nueces County subject to the following terms and conditions:

1. USE

Permittee is authorized to divert and use not to exceed 101,334 acre-feet of water per year from Corpus Christi Bay, San Antonio-Nueces Coastal Basin, for industrial purposes in San Patricio County.

2. DIVERSION

Permittee is authorized to divert from a point on Corpus Christi Bay, located at Latitude 27.873741° N, Longitude 97.294987° W, at a maximum diversion rate of 140.12 cfs (62,890 gpm) in San Patricio County.

3. PRIORITY

The time priority of this right is May 11, 2020.

4. CONSERVATION

Permittee shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, and prevent the pollution of water, so that a water supply is made available for future or alternative uses. Such plans shall include a requirement that every water supply contract entered into on or after the effective date of this permit, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water shall have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

5. SPECIAL CONDITIONS

- A. The special conditions in this permit are subject to adjustment by the commission if the commission determines, through an expedited public review process, that such adjustment is appropriate to achieve compliance with applicable environmental flow standards adopted pursuant to Texas Water Code § 11.1471. Any adjustments shall be made in accordance with the provisions of Texas Water Code § 11.147(e-1).
- B. Permittee shall implement reasonable measures in order to reduce impacts to aquatic resources due to entrainment or impingement. Such measures shall include, but shall not be limited to, the installation of screens at the diversion structure(s).
- C. Permittee shall install and maintain a measuring device, which accounts for, within 5% accuracy, the quantity of water diverted from the point authorized above in Paragraph 2. DIVERSION and maintain measurement records.
- D. Permittee shall allow representatives of the South Texas Watermaster reasonable access to the property to inspect the measuring device and records.

E. Permittee shall contact the South Texas Watermaster prior to diversion of water authorized by this permit.

This permit is issued subject to all superior and senior water rights in the San Antonio-Nueces Coastal Basin.

This permit is subject to the requirements and orders of the South Texas Watermaster.

Permittee agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this permit.

All other matters requested in the application which are not specifically granted by this permit are denied.

This permit is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of state water resources exercised by the Commission.

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For the Commission

Date Issued:



# Texas Commission on Environmental Quality


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## INTEROFFICE MEMORANDUM

**To:** Hal Bailey, Project Manager  
Water Rights Permitting Team

**Date:** November 19, 2020

**Through:** Jason Godeaux, Team Leader  
Resource Protection Team

 Kristin Wang, Senior Water Conservation Specialist  
Resource Protection Team

**From:**  Jennifer Allis, Senior Water Conservation Specialist  
Resource Protection Team

**Subject:** Port of Corpus Christi Authority of Nueces County  
WRPERM 13630  
CN600885248  
Corpus Christi Bay, San Antonio-Nueces Coastal Basin  
San Patricio County

### APPLICATION SUMMARY

Port of Corpus Christi Authority of Nueces County (Applicant) requests a water use permit to divert 101,334 acre-feet of water per year from a point on Corpus Christi Bay, San Antonio-Nueces Coastal Basin, at a maximum diversion rate of 140.12 cfs (62,890 gpm), for industrial purposes in San Patricio County.

### WATER CONSERVATION REVIEW

Pursuant to Title 30 Texas Administrative Code (TAC) §295.9(1), an application requesting a new appropriation of water requires the submittal of water conservation plans.

The Applicant submitted a water conservation plan for wholesale water providers. Additionally, the Applicant submitted an industrial water conservation plan.

Resource Protection staff reviewed the water conservation plans and found that the plans meet the requirements in 30 TAC Chapter 288.

Additionally, the Applicant is required to provide evidence that the amount of water appropriated will be beneficially used, i.e., effectively managed and not wasted pursuant to Texas Water Code (TWC), §11.134(b)(3)(A). Also, the Applicant must provide evidence that reasonable diligence will be used to avoid waste and achieve

water conservation pursuant to TWC §11.134(b)(4). To provide that evidence, the Applicant must submit a water conservation plan in accordance with 30 TAC Chapter 288. In applications where a new appropriation of water is requested, the review includes an analysis of whether the requested appropriation is reasonable and necessary for the proposed uses in accordance with TWC §11.134 and 30 TAC §297.50.

The purpose of this review is to:

- (1) determine whether reasonable water conservation goals have been set;
- (2) determine whether the proposed strategies can achieve the stated goals;
- (3) determine whether there is a substantiated need for the water and whether the amount to be appropriated is reasonable for the proposed use; and
- (4) determine whether the water conservation plan addresses a water supply need in a manner that is consistent with the state water plan and the relevant approved regional water plan.

If these criteria are met, then Resource Protection staff considers this sufficient evidence to conclude that the Applicant will avoid waste and achieve water conservation. This review forms a basis for permit conditions and limitations as provided by TWC §11.134.

### **Water Conservation Goals and Strategies**

As a wholesale water supplier for industrial customers, the Applicant submitted a water conservation plan.

The water conservation plan establishes goals for water savings:

- The 5-year goal is to increase water returned by 0.01 percent.
- The 10-year goal is an increase in water returned by 0.001 percent.

The water conservation plan discusses several programs that the Applicant will establish to help achieve the stated goals:

- Six months after startup and yearly thereafter, the data of water intake versus water returned will be reviewed and machinery, piping and processes will be monitored to determine if any leaks are found or increased efficiencies might be possible.
- Daily visual inspections will be performed and if any leaks are noted, a work order will be prepared for repair of the deficient item.
- A monitoring and record management program will be employed to track water deliveries, sales, and losses.
- Wastewater generated at the desalination plant will be treated and put back in the bay where originally diverted from.
- Successive customer conservation will be required in all water supply contracts.

Resource Protection staff determined that the overall water conservation strategies provided in the Port of Corpus Christi Authority's water conservation plan are reasonable and can help achieve and maintain the stated goals.

**Requirements for Water Right Application under 30 TAC §288.7**

Under 30 TAC §288.7, a water conservation plan submitted with a water right application for a new or additional appropriation of water must include data and information which:

- (1) supports the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
- (2) evaluates conservation as an alternative to the proposed appropriation; and
- (3) evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

As part of their application, the Applicant submitted information to address these requirements.

***Consideration of Water Conservation Goals***

The practice of utilizing desalination technology to establish an alternate water supply source is supported under 30 TAC Chapter 288. The definition for Conservation is, *"Those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses."*

***Conservation as an Alternative to the Proposed Appropriation***

Regional water planning guidelines require each region to consider water conservation to meet projected shortages, although funding to implement such water conservation programs is limited. For the draft 2021 Region N Water Plan, Conservation is shown as a recommended strategy for all water user groups with needs identified for the planning period.

The regional water planning group adopted the following conservation recommendations for the 2021 Plan:

- Irrigation, manufacturing, and mining water user groups with identified needs were recommended to reduce water use by 15 percent by 2070.
- Manufacturing water user groups report the largest identified needs in the region by category. Manufacturers were recommended to continue to pursue best management practices to reduce water consumption.

***Feasible Alternatives to New Water Development***

The draft 2021 Region N Water Plan include recommendations for five seawater desalination plants to increase water supplies for Nueces and San Patricio County manufacturing users. The cumulative water supplies from recommended water

management strategies exceeds identified shortages. However, no alternative water management strategies are recommended as part of the planning process.

Desalination is the only recommended strategy that has sufficient quantity to meet the projected water needs in these counties.

The proposed La Quinta desalination plant will be designed to be scalable so that it can be built and can expand to accommodate additional water needs as they come on-line. The Port of Corpus Christi foresees these near-term demands to be consistent with an additional, large-scale project coming on-line during the 2020 planning decade in the Corpus Christi area/San Patricio County. Desalination can provide a 100 percent unlimited reliability of source water; therefore, making it the best alternative for new water development when comparing to the other alternatives which rely on surface water sources.

### **Water Need**

The total population of the Coastal Bend Region is projected to increase from 614,790 in 2020 to 744,544 by 2070. Similarly, the total water demand is projected to increase from 261,970 acre-feet in 2020 to 343,244 acre-feet by 2070.

The Coastal Bend Region shows water supply shortages throughout the 50-year planning cycle. According to the draft 2021 Region N Water Plan, the Region will have water supply shortages from 2020 through 2070, indicating a need for increased source water supplies. These shortages are due to large manufacturing demands in Nueces and San Patricio counties. Beginning in 2020 a shortage of 13,530 acre-feet exists within the Region and increases to a shortage of 49,363 acre-feet by 2070.

The Coastal Bend Region has four current regional wholesale water providers: the City of Corpus Christi; San Patricio Municipal Water District (SPMWD); South Texas Water Authority (STWA); and Nueces County Water Control and Improvement District No.3 (Nueces County WCID 3). According to the draft 2021 Region N Water Plan, the Port of Corpus Christi was identified as a potential future wholesale water provider, associated with the recommended seawater desalination strategy to primarily serve future San Patricio County and Nueces County manufacturing users.

### **Consistency with State and Regional Water Plans**

Seawater desalination is included as a water management strategy in the 2016 Region N Water Plan and in the draft 2021 Region N Water Plan. This strategy will increase water supplies available for both the Region's municipal retail and wholesale customers, as well as steam-electric, and manufacturing in Region N if approved. The proposed project also promotes regionalization and serves as an alternative to existing fresh water supplies that further promotes conservation of that water supplies.

The Port of Corpus Christ has proposed two desalination strategies in Nueces and/or San Patricio counties to meet manufacturing water demands beginning in the 2020 planning decade. They intend to compliment the City of Corpus Christi's efforts to implement desalination in the Region. This project would be in addition to the other desalination projects to secure a drought-proof source of water.

As such, the application is consistent with the 2016 Region N Water Plan, the 2017 State Water Plan, and the draft 2021 Region N Water Plan.

### **RECOMMENDATIONS**

Based on the analysis, Resource Protection staff has evaluated the application and determined that it meets the review requirements.

The following water conservation language should be included in the permit, if granted:

Permittee shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, and prevent the pollution of water, so that a water supply is made available for future or alternative uses. Such plans shall include a requirement that in every water supply contract entered into on or after the effective date of this permit, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water shall have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures.

# Texas Commission on Environmental Quality

## INTEROFFICE MEMORANDUM

To: Hal Bailey, Project Manager  
Water Rights Permitting Team

Date: November 23, 2020

Through: Jason Godeaux, Team Leader  
Resource Protection Team

From: George Gable, Aquatic Scientist  
Resource Protection Team  
*GMG IV*

Subject: Port of Corpus Christi Authority of Nueces County  
WRPERM 13630  
CN600885248  
Corpus Christi Bay, San Antonio–Nueces Coastal Basin  
San Patricio County

Environmental reviews of water right applications are conducted in accordance with applicable provisions of the Texas Water Code (TWC) and the administrative rules of the Texas Commission on Environmental Quality (TCEQ). The provisions applicable to environmental reviews can vary according to the type and the location of the authorization requested.

### APPLICATION SUMMARY

Port of Corpus Christi Authority of Nueces County (Applicant) requests a water use permit to divert a maximum of 101,334 acre-feet of water per year from a point on Corpus Christi Bay, San Antonio–Nueces Coastal Basin, at a maximum diversion rate of 140.12 cfs (62,890 gpm), for industrial purposes in San Patricio County.

### ENVIRONMENTAL ANALYSIS

On February 12, 2014, the TCEQ adopted environmental flow standards for the Nueces River and its associated tributaries, tributaries in the Nueces-Rio Grande Coastal Basin, and Corpus Christi and Baffin Bays (Title 30 Texas Administrative Code (TAC) Chapter 298 Subchapter F). These environmental flow standards are considered adequate to support a sound ecological environment (Title 30 TAC §298.410). This review is conducted in accordance with §11.147(e-3) of the TWC and Title 30 TAC Chapter 298 Subchapter F (Nueces River and Corpus Christi and Baffin Bays). The Applicant's proposed diversion point is located on Corpus Christi Bay.


### **RECOMMENDATIONS**

Resource Protection staff have no recommendations regarding this proposed permit, if granted.

**Texas Commission on Environmental Quality**

INTEROFFICE MEMORANDUM

To: Hal E. Bailey, Jr., Project Manager                      Date: December 4, 2020  
Water Rights Permitting Team

Through:  Kathy Alexander, Ph.D., Technical Specialist  
Water Availability Division

From: Siavash Bassam, Hydrologist  
Surface Water Availability Team

Subject: Port of Corpus Christi Authority of Nueces County  
WRPERM 13630  
CN600885248  
Corpus Christi Bay, San Antonio-Nueces Coastal Basin  
San Patricio County

**HYDROLOGY REVIEW**

**Application Summary**

Port of Corpus Christi Authority of Nueces County (Applicant) requests a water use permit to divert 101,334 acre-feet of water per year from a point on Corpus Christi Bay, San Antonio–Nueces Coastal Basin, at a maximum diversion rate of 140.12 cfs (62,890 gpm), for industrial purposes in San Patricio County.

The application was declared administratively complete on May 11, 2020.

**Hydrology Review**

Resource Protection staff did not recommend instream flow requirements for this application. See the Resource Protection Memo dated November 23, 2020.

On February 12, 2014, the TCEQ adopted environmental flow standards for the Nueces River, and Corpus Christi and Baffin Bays (Chapter 298-Environmental Flow Standards for Surface Water, Subchapter F). The adopted rules include freshwater inflow standards for the Nueces Bay and Delta. This application is located in Corpus Christi Bay which is downstream of the location where the freshwater inflow standards apply. Therefore, this application does not impair freshwater inflows to Nueces Bay and Delta. Because staff found that the application did not impair the freshwater inflow regime, which by rule is adequate to support a sound ecological environment, and because one of the purposes of the adopted rules is to protect coastal natural resources the application is consistent with any applicable Coastal Management Program (CMP) goals and policies.



Regarding water availability, no analysis is needed because the application is located in Corpus Christi Bay where the water is saline

In addition, the application is subject to the requirements and orders of the South Texas Watermaster. The Watermaster actively manages water rights on a daily basis and protects senior water rights in times of shortage.

### **Conclusion**

Staff can support granting the application.

Note that the application is subject to the requirements and orders of the South Texas Watermaster.

*Siavash Bassam*

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Siavash Bassam, Hydrologist

# TCEQ Interoffice Memorandum

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**To:** Mehgan Taack  
Office of the Chief Clerk

**From:** Chris Kozlowski, Team Leader  
Water Rights Permitting Team  
Water Rights Permitting & Availability Section

**Date:** April 18, 2022

**Subject:** **Items to be Scheduled for Commissioners' Agenda**  
**Port of Corpus Christi Authority of Nueces County**  
Docket No. 2021-0421-WR  
WRPERM 13630

The Executive Director respectfully requests that the above-referenced item be scheduled for Commissioners' Agenda. Permit information is attached for your convenience. This is a contested Water Use Permit Application matter.

The Executive Director received an application from the Port of Corpus Christi Authority of Nueces County seeking a Water Use Permit pursuant to Texas Water Code § 11.121 and Texas Commission on Environmental Quality Rules Title 30 Texas Administrative Code (TAC) §§ 295.1, *et seq.*

The application was received on September 3, 2019. Additional information and fees were received on December 3, 2019, January 28, 2020, February 4, 2020, and March 18, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on May 11, 2020. Additional information was also received on July 22, 2020, and August 17, 2020. Notice was published and mailed to the water right holders of record in the San Antonio-Nueces Coastal Basin pursuant to Title 30 TAC § 295.151. The comment period and hearing request period for this application closed on March 29, 2021. Due to significant public interest in this application, the comment period was re-opened, a virtual public meeting was held on July 13, 2021, and the comment period closed on July 13, 2021.

The Applicant's current contact information is below:

Port of Corpus Christi Authority of Nueces County  
P.O. Box 1541  
Corpus Christi, Texas 78403

The caption for this matter is below and has been uploaded into the eAgenda system.

**TCEQ Docket No. 2021-0421-WR.** Consideration of the application by Port of Corpus Christi Authority of Nueces County for Water Use Permit No. 13630, seeking authorization to divert and use 101,334 acre-feet of water per year from a diversion point on Corpus Christi Bay, San Antonio-Nueces Coastal Basin, at a

maximum diversion rate of 140.12 cubic feet per second (62,890 gallons per minute) for industrial purposes in San Patricio County. The Commission will consider all timely filed hearing requests and related responses and replies. (Hal Bailey, Ruth Takeda)

Please do not hesitate to call me at (512) 239-4615 if you have any questions regarding this matter.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF AN APPLICATION FOR A WATER USE PERMIT

APPLICATION NO. 13630

Port of Corpus Christi Authority of Nueces County seeks a Water Use Permit to divert and use not to exceed 101,334 acre-feet of water per year from a diversion point on Corpus Christi Bay), San Antonio-Nueces Coastal Basin, at a maximum diversion rate of 140.12 cfs (62,890 gpm) for industrial purposes in San Patricio County. More information on the application and how to participate in the permitting process is given below.

**APPLICATION.** Port of Corpus Christi Authority of Nueces County (Applicant), P.O. Box 1541, Corpus Christi, Texas 78403, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Water Use Permit pursuant to Texas Water Code (TWC) § 11.121 and TCEQ Rule Title 30 Texas Administrative Code (TAC) §§ 295.151, et seq. Notice is being published and mailed to the water rights holders of record in the San Antonio-Nueces Coastal Basin pursuant to Title 30 TAC § 295.151.

Port of Corpus Christi Authority of Nueces County (Applicant) seeks a Water Use Permit to divert and use not to exceed 101,334 acre-feet of water per year from a point on Corpus Christi Bay), San Antonio-Nueces Coastal Basin, at a maximum diversion rate of 140.12 cfs (62,890 gpm) for industrial purposes in San Patricio County.

The proposed diversion point is located on Corpus Christi Bay at Latitude 27.873741° N, Longitude 97.294987° W, in San Patricio County. There is no Zone Improvement Plan (ZIP) code currently assigned and the nearest assigned ZIP Code is 78374.

The application was received on September 3, 2019. Additional information and fees were received on December 3, 2019, January 28, 2020, February 4, 2020, and March 18, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on May 11, 2020. Additional information was also received on July 22, 2020 and August 17, 2020.

The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, installation of measuring devices. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ web page at: [www.tceq.texas.gov/permitting/water\\_rights/wr-permitting/wr-apps-pub-notice](http://www.tceq.texas.gov/permitting/water_rights/wr-permitting/wr-apps-pub-notice). Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

**PUBLIC COMMENT / PUBLIC MEETING.** Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. A

public meeting is intended for the taking of public comment, and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

**CONTESTED CASE HEARING.** The TCEQ may grant a contested case hearing on this application if a written hearing request is filed within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**INFORMATION.** Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 13630 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en Español, puede llamar al 1-800-687-4040 o por el internet al <http://www.tceq.texas.gov>.

Issued: February 5, 2021

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF PUBLIC MEETING ON AN APPLICATION FOR A WATER USE PERMIT

APPLICATION NO. 13630

Port of Corpus Christi Authority of Nueces County seeks a Water Use Permit to divert and use not to exceed 101,334 acre-feet of water per year from a diversion point on Corpus Christi Bay, San Antonio-Nueces Coastal Basin, at a maximum diversion rate of 140.12 cfs (62,890 gpm) for industrial purposes in San Patricio County. More information on the application and how to participate in the permitting process is given below.

**APPLICATION.** Port of Corpus Christi Authority of Nueces County (Applicant), P.O. Box 1541, Corpus Christi, Texas 78403, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Water Use Permit pursuant to Texas Water Code (TWC) § 11.121 and TCEQ Rule Title 30 Texas Administrative Code (TAC) §§ 295.151, et seq. Notice was published and mailed to the water rights holders of record in the San Antonio-Nueces Coastal Basin pursuant to Title 30 TAC § 295.151.

Port of Corpus Christi Authority of Nueces County (Applicant) seeks a Water Use Permit to divert and use not to exceed 101,334 acre-feet of water per year from a point on Corpus Christi Bay, San Antonio-Nueces Coastal Basin, at a maximum diversion rate of 140.12 cfs (62,890 gpm) for industrial purposes in San Patricio County.

The proposed diversion point is located on Corpus Christi Bay at Latitude 27.873741° N, Longitude 97.294987° W, in San Patricio County. There is no Zone Improvement Plan (ZIP) code currently assigned and the nearest assigned ZIP Code is 78374.

The application was received on September 3, 2019. Additional information and fees were received on December 3, 2019, January 28, 2020, February 4, 2020, and March 18, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on May 11, 2020. Additional information was also received on July 22, 2020 and August 17, 2020.

The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, installation of measuring devices. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ web page at: [www.tceq.texas.gov/permitting/water\\_rights/wr-permitting/wr-apps-pub-notice](http://www.tceq.texas.gov/permitting/water_rights/wr-permitting/wr-apps-pub-notice). Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments to the Office of the Chief Clerk at the address below. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a

contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the permit application and the Executive Director's recommendations, but the comments and questions submitted orally during the Informal Discussion Period will not be considered by the Commissioners and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period, members of the public may state their formal comments orally into the official record. The Executive Director will subsequently summarize the formal comments and prepare a written response which will be considered by the Commissioners before they reach a decision on the application. The Executive Director's written response will be available to the public online or upon request. The public comment period on this application concludes at the close of the public meeting.

**The Public Meeting is to be held:**

**Tuesday, July 13, 2021 at 7:00 PM**

Members of the public who would like to ask questions or provide comments during the meeting may access the meeting via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 443-664-835. It is recommended that you join the webinar and register for the public meeting at least 15 minutes before the meeting begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the meeting for assistance in accessing the meeting and participating telephonically. Members of the public who wish to only listen to the meeting may call, toll free, (415) 655-0052 and enter access code 384-784-632.

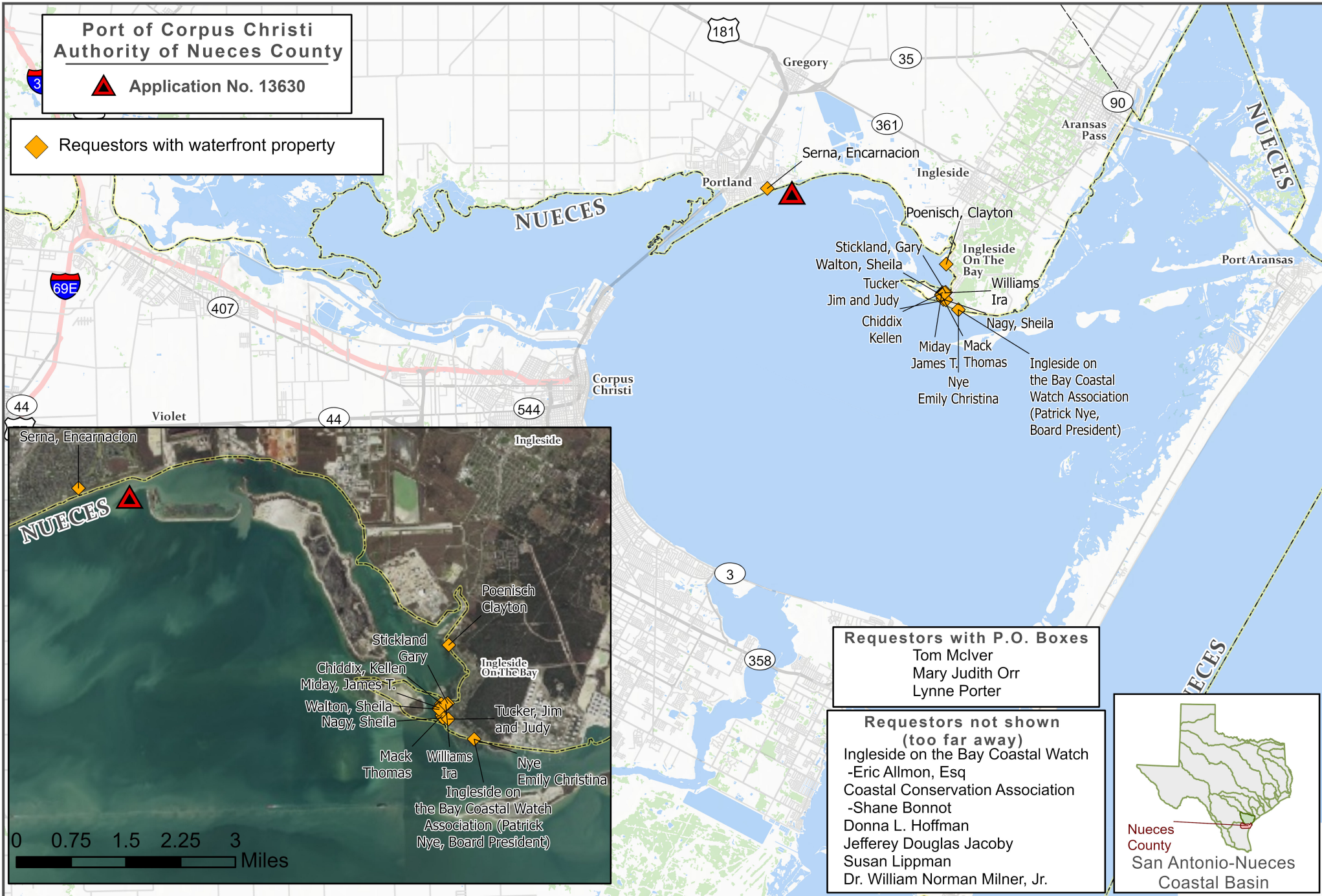
Additional information will be available on the agency calendar of events at the following link: <https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

**INFORMATION.** Citizens are encouraged to submit written comments anytime before and during the public meeting. Citizens may mail their comments to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or submit them electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 13630 in the search field. If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040. General information can be found at our Web site at [www.tceq.texas.gov](http://www.tceq.texas.gov). *Si desea información en Español, puede llamar al 1-800-687-4040 o por el internet al <http://www.tceq.texas.gov>.*

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

Issued: June 11, 2021





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0 2.5 5 7.5 10 Miles

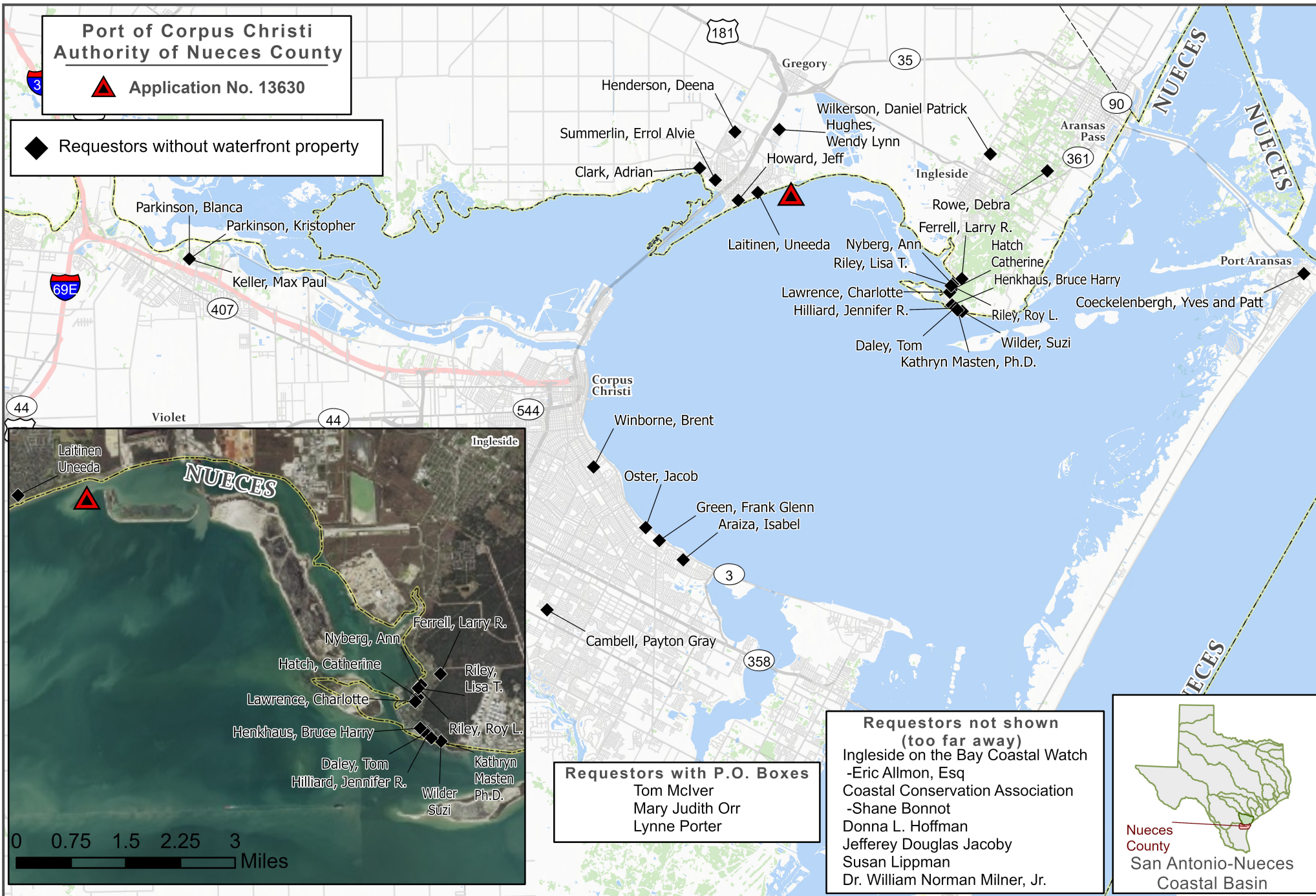




**Port of Corpus Christi  
Authority of Nueces County**

 **Application No. 13630**

 **Requestors without waterfront property**



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0 2.5 5 7.5 10 Miles

