Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 11:02 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: Aug526@yahoo.com <Aug526@yahoo.com>
Sent: Friday, April 7, 2023 6:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Cindy Augustine

EMAIL: Aug526@yahoo.com

COMPANY:

ADDRESS: 302 PACK HORSE DR
BASTROP TX 78602-4150

PHONE: 3614556143

FAX:

COMMENTS: I don't think that this permit should be approved. This amount of water is needed for other purposes. No way to replenish this water or monitor their water usage if permit is approved.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:40 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: heathertaug@gmail.com <heathertaug@gmail.com>
Sent: Wednesday, April 5, 2023 7:45 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Heather Augustine

EMAIL: heathertaug@gmail.com

COMPANY:

ADDRESS: 101 MILLS XING
BASTROP TX 78602-4057

PHONE: 5125899242

FAX:

COMMENTS: I have concerns about the negative impact this permit would have on the plants and animals in the bay, as well as the air quality for the people who love in the area.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:42 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: heathertaug@gmail.com <heathertaug@gmail.com>
Sent: Wednesday, April 5, 2023 9:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Heather Augustine

EMAIL: heathertaug@gmail.com

COMPANY:

ADDRESS: 101 MILLS XING
BASTROP TX 78602-4057

PHONE: 5125899242

FAX:

COMMENTS: I have concerns about the negative impact this permit would have on the plants and animals in the bay, as well as the air quality for the people who love in the area.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 11:02 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: tga526@yahoo.com <tga526@yahoo.com>
Sent: Friday, April 7, 2023 6:06 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Tom Augustine

EMAIL: tga526@yahoo.com

COMPANY:

ADDRESS: 302 PACK HORSE DR
BASTROP TX 78602-4150

PHONE: 5129887161

FAX:

COMMENTS: I don't think this permit should be approved. Too much water and not enough available for other purposes.

TCEQ Registration Form

2

February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Desiree Beaudry

Mailing Address: 2032 State Hwy 361 Apt. 613

Physical Address (if different): _____

City/State: Ingleside TX **Zip:** 78362

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: dbeaudry70@gmail.com

Phone Number: (832) 263-9125

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

  If yes, which one? _____

☑ **Please add me to the mailing list.**

☑ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☑ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

RECEIVED 02/29/24
FEB 29 2024
AT PUBLIC MEETING

Water Rights for Application No. 13775

Public Comment Submitted to TCEQ in reference to Application No. 13775

Submitted by Desiree Beaudry, 2032 State Highway 361, Ingleside TX 78362. I am an American citizen and resident of Ingleside TX

A. TCEQ Mission Statement

The Texas Commission on Environmental Quality strives to protect our state's public health and natural resources consistent with sustainable economic development. Our goal is clean air, clean water, and the safe management of waste.

How are you doing? Are the business practices of TCEQ and Enbridge ethical and socially responsible?

Is TCEQ acting in the best interest of the public in their permitting and oversight practices? we shldn't be here

B. What is Enbridge's true motive in securing these water rights applied for by Moda Oil Terminal in 2019-an application that was table for 5 years and now want to be resurrected under a different entity, EIEC. And why now? After 2-3 years of operation?

I suspect that Enbridge wants the water for dubious if not nefarious purposes, while Americans will benefit little if at all and will incur extravagant cost and long-term consequences. That's not good business.

1. **Application was written for Moda Oil Terminal** not EIEC. In light of EIEC's ambitious plan, it ~~must~~ shd submit a new application for consideration. it cannot ride on the coattails of a defunct company.
2. **If Enbridge anticipates usage of 300 ac-ft, why request 500 ac-ft.?**

At the open house, I asked a rep about that quantity of water. She replied we will only use a "little" bit as she pinched her fingers.

And they can resell those shares.

Some of us suspect that Enbr will sell these rights to ICAP for production of gray H2 in a **phased permitting** strategy designed to reduce costs and skirt regulations that would occurr with a single major holistic permit for the 2-stage ammonia production process.

3. **Water rights should not be open for resale.** Water is far more valuable than gold. Leasing the rights would be to the advantage of the US.
4. The petroleum industry is guilty of **greenwashing** the American Public.

If the money spent on marketing campaigns designed to mislead the public, corporate attorneys, and lawsuits intended to overrule the spirit of the law using the letter of the law, they could pay for pollution control.

TCEQ is is aware of this practice and therefore is complicit in the fraud perpetrated on the American people and the entire human race.

5. To add insult to injury, Enbridge will leave the mess behind when operations cease.
6. The application and permitting process follows **the letter of the law, not the spirit of the law**. And are we to think TCEQ will provide adequate oversight?

Why? Do you think that global warming is a hoax? To what end?

What do scientists have to gain from perpetrating such a fraud which flies in the face of scientific inquiry? Science is a method, not an theology--a method intended to understand how things work. It behooves us to respect scientific inquiry not mock it.

The outcome is a boilerplate application is boilerplate, lacking careful thought and imagination. Instead, it is business as usual.

Damn the facts, full steam ahead. How do you sleep at night? Is this legacy you envision for your children and grandchildren?

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Beth Becerra

Mailing Address: 3021 Lawnview CC TX 78404

Physical Address (if different): _____

City/State: Corpus Christi TX **Zip:** 78404

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: beth@kcspublicrelations.com

Phone Number: ( )

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☐ No

  If yes, which one? _____

☑ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: kaybechuck@gmail.com <kaybechuck@gmail.com>
Sent: Wednesday, April 5, 2023 3:32 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Virginia Kay Bechuck

EMAIL: kaybechuck@gmail.com

COMPANY:

ADDRESS: 521 WOODHAVEN
INGLESIDE TX 78362-4678

PHONE: 7133969348

FAX:

COMMENTS: We are relatively new residents of Ingleside on the Bay. We moved here to enjoy the water, the views, and the peace and quiet. Most of that has been eliminated over the past year or so with dredging & construction. Every time a ship comes through the Intercoastal, the water in our canal and the bay, in general, water is displaced and changes the water level throughout the bay area. I have personally seen the damage this has done to residential bulkheads. The last

thing we need is a crooked "neighbor" that sneaks into our area under shady terms and then rips the water right out from under us - literally! Please do not allow this merger or this plant to ruin our little piece of heaven.

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: JENNIFER J. BRAY

Mailing Address: 618 DEL MAR BLVD.

Physical Address (if different): _____

City/State: CORPUS CHRISTI, TX **Zip:** 78404

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: jbray@edf.org

Phone Number: (361) 739-0698

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☑ No

  If yes, which one? _____

☐ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, March 29, 2023 11:33 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

PM

From: jbray@jjmediamessaging.onmicrosoft.com <jbray@jjmediamessaging.onmicrosoft.com>
Sent: Wednesday, March 29, 2023 11:28 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Jennifer Jill Bray

EMAIL: jbray@jjmediamessaging.onmicrosoft.com

COMPANY:

ADDRESS: 618 DEL MAR BLVD
CORPUS CHRISTI TX 78404-2908

PHONE: 3617390698

FAX:

COMMENTS: This water use permit will allow Enbridge to pump water from Corpus Christi Bay, for free, every week, for "testing of their fire system." This is very suspicious, as best practices indicate fires at oil storage tanks are contained by using foam, not sea water. Enbridge is proposing to pump copious amounts of water from Corpus Christi Bay but, according to their application, does not provide any information regarding the presence or the configuration of screens

that will be used to protect aquatic life, nor do they indicate the velocity by which they will conduct intake. Enbridge wants to take water from the bay with impunity to save money, disregarding the negative impact to aquatic life and seagrass beds in the area. This must not be permitted. Pursuant to 30 TAC § 297.55(b), the Commission MUST consider the ecology and productivity of the affected bay and estuary system in determining whether to issue a water rights permit. I request a public meeting be held on APPLICATION NO. 13775.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 11:53 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

PM

From: maryanncallender34@gmail.com <maryanncallender34@gmail.com>
Sent: Monday, April 10, 2023 11:45 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Mary Ann Callender

EMAIL: maryanncallender34@gmail.com

COMPANY:

ADDRESS: PO BOX 1115
INGLESIDE TX 78362-1115

PHONE: 3615486403

FAX:

COMMENTS: There are so many unanswered questions concerning the permit application. Please have a public meeting where our questions can be answered. Thank you!

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Tony Campbell

Mailing Address: 332 Woodhaven

Physical Address (if different): _____

City/State: Ingleside / TX. **Zip:** 78362

This information is subject to public disclosure under the Texas Public Information Act

Email: _____

Phone Number: ( )

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☐ No

  If yes, which one? _____

☑ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:57 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: Kathycarpenter06@gmail.com <Kathycarpenter06@gmail.com>
Sent: Thursday, April 6, 2023 4:26 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Kathy Carpenter

EMAIL: Kathycarpenter06@gmail.com

COMPANY:

ADDRESS: 12679 E MIRANDA ST
DEWEY AZ 86327-7270

PHONE: 7196517184

FAX:

COMMENTS: The discharge from this brine must go off shore to protect our bays.

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Alé Cota

Mailing Address: 1701 Ennis Joslin Rd. 0921

Physical Address (if different): _____

City/State: Corpus Christi **Zip:** 78412

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: alecotaix@gmail.com

Phone Number: (661) 916 9579

- Are you here today representing a municipality, legislator, agency, or group? ☒ Yes ☐ No

  If yes, which one? Texas Campaign for the Environment

☒ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

15

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Sarah Crumbley

Mailing Address: 2476 Henretta pl Ingleside

Physical Address (if different): _____

City/State: _____ **Zip:** _____

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: _____

Phone Number: ( ) _____

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☐ No

  If yes, which one? _____

☐ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Vincent Redondo

From: PUBCOMMENT-OCC
Sent: Thursday, February 29, 2024 4:49 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

Jesús Bárcena
Office of the Chief Clerk
Texas Commission on Environmental Quality
Office Phone: 512-239-3319

How is our customer service? Fill out our online customer satisfaction survey at:
www.tceq.texas.gov/customersurvey

From: Rjdrake@rocketmail.com <Rjdrake@rocketmail.com>
Sent: Thursday, February 29, 2024 3:43 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

NAME: Raven Drake

EMAIL: Rjdrake@rocketmail.com

COMPANY:

ADDRESS: 7037 ISLANDER WAY Apt. 2112
CORPUS CHRISTI TX 78412-2117

PHONE: 4697405342

FAX:

COMMENTS: As you know, Enbridge is an energy company and I do not believe they are obtaining the permit for testing. They are obtaining the permit to create Blue Ammonia, so they may use hydrogen as a fuel for energy. They should NOT be allowed to obtain the permit under false reasons. If they do obtain the permit, it should ONLY be if they are creating green ammonia, which is a more sustainable option. There is enough bay water being used by the industrial plants nearby which contributes to carbon emissions, so unless Enbridge plans to commit to sustainability to reduce carbon impacts, then I object to their organization receiving a permit to use bay water.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: Doslocosranch@gmail.com <Doslocosranch@gmail.com>
Sent: Thursday, April 6, 2023 8:13 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: John C Dusek

EMAIL: Doslocosranch@gmail.com

COMPANY:

ADDRESS: 103 ANGELFISH CT
ARANSAS PASS TX 78336-5332

PHONE: 2105938232

FAX:

COMMENTS: I am not in support of this permit, damage to the coastal fisheries and marine life is unacceptable. A more acceptable solution must be found. We must protect our natural resources and find ways to improve those resource while advancing technology or resource needs.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 11:24 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: 100kyote@gmail.com <100kyote@gmail.com>
Sent: Monday, April 10, 2023 11:14 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Larry Ferrell

EMAIL: 100kyote@gmail.com

COMPANY:

ADDRESS: 132 SUNSET
INGLESIDE TX 78362-4739

PHONE: 3617795051

FAX:

COMMENTS: I am opposed to the issue of this permit. I live on Corpus Christi Bay and enjoy boating and the marine life. I am concerned about the harm to our bay that this will cause.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 11:00 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: kikazzrf@gmail.com <kikazzrf@gmail.com>
Sent: Thursday, April 6, 2023 4:51 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Robin Frankel

EMAIL: kikazzrf@gmail.com

COMPANY:

ADDRESS: 652 S 8TH ST
ARANSAS PASS TX 78336-3921

PHONE: 5125656403

FAX:

COMMENTS: I am a new resident in Aransas Pass, TX. The reason my family & I moved here is 100% to be close to the local bays & beaches. I consider myself an environmentalist. And educate when/where I can. It is my belief that permit #WRPERM 13775 has a high probability of causing severe damage to OUR environment. Our waterways. Our wildlife.

Our way of life. Myself & my family & anyone I would call "friend" is AGAINST anything that could (WILL) cause damage to OUR HOME!

8

TCEQ Registration Form

February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: CATHY FULTON

Mailing Address: P.O. Box 457

Physical Address (if different): _____

City/State: Port Aransas, TX **Zip:** 78373

This information is subject to public disclosure under the Texas Public Information Act

Email: mcf4040@Hotmail.com

Phone Number: (432) 386-3943

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

  If yes, which one? _____

☐ **Please add me to the mailing list.**

☒ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Both

Please give this form to the person at the information table. Thank you.

RECEIVED
FEB 2 9 2024
AT PUBLIC MEETING

1 Introduction

The Port of Corpus Christi Authority of Nueces County, Texas (Port Authority) intends to construct a desalination facility (the "Facility) on Harbor Island to produce reliable wholesale water for the Coastal Bend region beyond its current freshwater sources. Lake Corpus Christi, Choke Canyon Reservoir, Lake Texana and the Colorado River currently provide raw water to the region. The recent (2021-2022) drought with increased water demand has emphasized the continued need to find additional drought-proof water sources for the Coastal Bend region. The Port Authority requests authorization to divert up to 350,000 acre-ft/year (maximum diversion rate of 217,000 gallons/minute (gpm)) of State Water from the Gulf of Mexico (State Water') to the Facility. The Facility will initially use 175,000 acre-ft/year (maximum diversion rate of 109,000 gpm) of State Water to produce 50 million gallons per day (mgd) (56,000 acre-ft/year) of desalinated product water. Product water will be distributed on a wholesale basis to municipal and industrial entities. The requested authorization allows for expansion of the desalination plant to produce 100 mgd (112,000 acre-ft/year) of desalinated product water if future water requirements justify the additional capacity.

The purpose of this report is to provide a Basis of Design for the water intake structure, tunnel and intake screens in sufficient detail to support the Texas Commission on Environmental Quality (TCEQ) Water Rights Permit Application. Numeric measurements and values referenced in this document rely upon preliminary design considerations which are subject to confirmation or revision during the final engineering-design phase. Specific design, location, and operation inputs (based on the use of the InvisiHead technology and the use of five velocity caps) were used solely for the purposes of assessing potential impingement and entrainment from operation of the intake structure. Other technologies and/or products may be selected during the final engineering-design phase to meet or exceed the referenced performance criteria.

1.1 Water Supply Need and Applicability

The following statements demonstrate the need and applicability for the water right requested in the application and addressed in this report.

- "Since 1957, the Texas Water Development Board ('TWDB') has been charged with preparing a comprehensive and flexible long-term plan for the development, conservation, and management of the State's water resources." *See* Coastal Bend Regional Water Planning Area, Region N, by Coastal Bend Regional Water Planning Group, "2021 Regional Water Plan" at p. 1 (hereinafter "Regional Plan")
- The Coastal Bend Region (Region N) encompasses 11 counties of Texas – including Aransas, Nueces, and San Patricio Counties. (Regional Plan at pp. 1-2, 5, including Figure ES 1)
- Chapter 5 of the Regional Plan entitled "Water Management Strategies," and subchapter 5D.10 fully discuss "Seawater Desalination" as a specific water management strategy. (Regional Plan at pp. 5.10-1 to 5.10-46)
- Section 5D.10.7 of the Regional Plan specifically discusses the Harbor Island desalination facility as a management strategy (Regional Plan at 5.D.10-33 to 5D.10-39).
- "If projected future water needs are not met, the TWDB has forecast that Region N will suffer combined lost income of $1.9 billion by 2030 and $6.9 billion by 2070; a loss of 13,000 jobs by 2030 and loss of 48,000 jobs by 2070; and consumer surplus losses of $163 million by 2030 and $172 million by 2070 (and related population losses and school enrollment losses)." (Regional Plan at p. 30, and Appendix B at p. 2)

Accordingly, this application addresses a known "water supply need in a manner that is consistent with the state water plan..." and addresses a "water supply need" specific to the Region N plan. Seawater desalination is expressly addressed in the Regional Plan as a water management strategy. Diversion of State Water for purposes of desalination is expressly considered in the Regional Plan for the proposed Facility (at Harbor Island). The requested diversion of 156 mgd (175,000 acre-ft/year) is appropriately scaled to the 50 mgd potable water production fully discussed in the Regional Plan while the requested diversion of 312 mgd (350,000 acre-ft/year) is scaled to address potential growth given more recent trends.

2 Site Selection / Area of Influence

The Port Authority has determined that a possible location for the Harbor Island Facility intake is offshore in the Gulf of Mexico (GOM). Locating the intake in the GOM will require routing the intake tunnel under the Aransas Pass Channel, the Lydia Ann Channel, and San Jose Island. Siting the intake in the GOM will be a substantial cost; however, the Port Authority concluded that the offshore location could reduce potential environmental impacts from impingement and entrainment of marine life related to the proposed diversion of seawater. It was also determined that the intake will be located at an approximate depth of 35 ft of water (-35 ft NAVD88). This depth allows the entrances to the intake system to be located at least 20 ft below the water surface and approximately 5 to 10 ft above the sea bed. Locating the intake 5 to 10 ft off the sea bed minimizes the potential for sediments or benthic organisms to be drawn into the intake structure. At 20 ft below the water surface, the intake depth is well below depths where marine organisms in the GOM are most abundant, including sensitive stages of eggs and larval fish, such as red drum. It has been documented that viable red drum eggs are buoyant at salinities over 25 parts per thousand (ppt) (Holt et al. 1981). With naturally occurring salinity in the area of the intake of above 31 ppt, red drum eggs float near the surface and thus will not come into the hydraulic zone of influence of the intake. Furthermore, this intake is being located approximately 1.5 miles from the entrance to the Aransas Pass Jetty, which will reduce any potential impact on GOM species which may migrate in and out of the bays through Aransas Pass.

3 Fish Protection Standards

In May 2020, the Port Authority passed a resolution recommending placement of the intake structure for the Harbor Island Facility in the GOM. The Port Authority has also included several additional design features to further minimize any potential adverse environmental effects related to the diversion of state water. This report identifies and describes these design features including: the use of a velocity cap intake system, intake location selected based on available scientific information, and the use of a marine life handling system. Each of these design features are briefly explained below and discussed in further detail throughout this report.

1. The velocity cap intake system will have an entrance velocity of ≤0.5 feet per second (ft/sec). This intake system is described in greater detail below. The United States Environmental Protection Agency (USEPA) considers that offshore water intakes fitted with velocity caps meet the impingement performance requirements of the Clean Water Act 316(b) 2014 Phase II Rule for Existing Facilities, defined as an annual reduction in impingement mortality of 76% or greater (see 40 CFR § 125.94(C)(4)). While not directly applicable to desalination, USEPA's regulatory framework for cooling water intake structures provides useful guidance for evaluating the potential for impingement and entrainment at the proposed desalination facility. The USEPA has determined that most marine organisms can easily swim away from the 0.5 ft/sec intake velocity and thus avoid the intake (40 CFR 125.92(v)). In addition, as distance from the entrance increases, water velocity rapidly declines to less than the typical natural current velocity. The InvisiHead seawater intake velocity cap is referenced in the USEPA 316(b) Technical Document (USEPA 2006) as a system meeting the impingement performance requirement. The manufacturer states that the velocity drops to a maximum of 0.009 ft/sec only 5 meters away from the entrance. The Port Authority expects the final engineering design of the intake to be similar to the performance of the InvisiHead product. Furthermore, a three-inch mesh bar screen will be installed around the velocity caps to exclude larger marine organisms.

2. The intake will be located at an approximate sea bed depth of 35 ft (-35 ft NAVD88) and approximately 1.3 miles offshore; both characteristics will reduce the potential intake of marine organisms that are found in shallower water in more productive environments.

3. The intake opening will be located approximately 5 to 10 ft above the sea bed, which will minimize the potential for sediments or benthic organisms to be drawn into the intake structure.

4. The top of the intake structure will be at least 20 ft below the surface of the water to reduce potential intake of buoyant eggs and larvae that are associated with the upper reaches of the water column.

5. The Port Authority will utilize traveling water screens with marine life handling features to support the return of marine life to its natural habitat. This marine life return system will operate on large rotating screens at the Facility intake bay (immediately adjacent to the exit well of the intake tunnel), which are designed to catch marine organisms and redirect them into a return trough that transports them into the Aransas Channel.

The Port Authority will use these technologies and design features to minimize potential environmental concerns with the intake for the Harbor Island Facility. These systems are described in greater detail below.

4 Proposed Units

The intake structure will consist of a system of pipes and protected openings secured to the sea bed. The openings are located approximately 5 to 10 ft above the sea bed, and will be equipped with a velocity cap. The intake system will also include pumps at an intake bay on Harbor Island to draw water by gravity flow through an intake tunnel and deliver seawater to the Facility. Rotating screens will be used at the Harbor Island Facility intake bay to remove any marine life and debris from the system to prevent them from entering the initial treatment works, including pumps, of the Facility. The screens will function as a marine life protection measure that catches marine organisms and returns them to the Aransas Channel.

4.1 Location

The proposed seawater intake structure will be located approximately 1.3 miles offshore in the GOM. The intake tunnel will be routed approximately 3.1 miles from the offshore intake structure in the GOM to the tunnel exit well on Harbor Island, and then through marine life protection screens in the adjacent Facility intake bay. The tunnel exit well, marine life protection screens, and intake bay will be located on the east side of Harbor Island adjacent to the Aransas Channel. Figure 1a presents the plan of the intake tunnel route, and Figure 1b presents a profile view of the intake tunnel.

5 EVALUATION OF I&E POTENTIAL

This section evaluates how the physical conditions and salinities that prevail in the vicinity of the project area (Section 2), the general design features of the intake structure (Section 3), and the various species of marine life present in the vicinity of the project area (Section 4) may interact with the velocity caps and result in potential I&E at the proposed desalination facility.

5.1 INTRODUCTION

The main observations about the physical conditions and salinities prevalent in the project area are that it is mostly uniform in terms of bathymetry (approximately 35 ft deep, with minimal variation), has a predictable substrate composition (mostly sand), and the tidal currents are well defined (relatively faster than the intake velocity of ≤0.5 f/sec and typically moving parallel to the shoreline but in opposite directions depending on the seasons). The field-collected salinity and temperature profiles reflect the prevailing conditions in the GOM.

The major observations about the intake structure are that it will be located approximately 1.3 miles in the GOM, will divert 156 mgd (with the ability to expand in the future to 312 mgd) of State Water via four or five velocity caps to ensure an entrance velocity ≤0.5 ft/s and thereby relatively minimize withdrawal of eggs and larvae into the intake tunnel. Another important feature appropriately considered are the traveling fish screens proposed for the intake bay on Harbor Island to help remove marine life that may enter the intake structure from the GOM and be transported to Harbor Island through the intake tunnel.

The major observations about the biology in the GOM across from San Jose Island are that a) some MFS and HMS marine species, along with T&E marine species, may pass in the vicinity of the project area but are not expected to be adversely impacted by the State Water diversion process due to their large size and strong swimming abilities; b) smaller juvenile neritic sea turtles will be prevented from moving into the velocity caps by 3-in. mesh bar screens added at the entrances of these intake structures; and c) multiple species of marine and estuarine fish and invertebrates (including MFS and HMS) may reside and/or spawn in the vicinity of the area during different periods of the year.

The remainder of this section evaluates the sources of information used to determine the potential for I&E of local marine species.

5.2 SPECIFIC POTENTIAL FOR I&E

This section describes the specific potential of I&E for various species groups and life stages that may be present in the vicinity of the project area.

5.2.1 Potential I&E of MFS and HMS

Managed Fish Species

Table 4-1 summarizes the species and life stages of MFS that may be present in the GOM Offshore of San Jose Island. Of note, 4 of the 17 MFS shown in this table (namely, brown shrimp, pink shrimp, white shrimp, and red drum) are also evaluated as part of the 11 target species selected based on other considerations (see **Table 4-7**).

Of the 17 MFS, 8 species may have eggs and 11 species may have larvae in the vicinity of the project area at some time during the year. The velocity caps that define the entrance of the intake structure will minimize the number of juvenile and adult fish that may enter the intake structure because these older life stages are larger and can actively swim away upon sensing any horizontal intake currents. Eggs are passive and larvae have limited swimming capacity. Hence, these younger life stages do not have the ability to actively escape the current moving through the entrance and thus may be withdrawn by the velocity caps. Some plankton can be expected to enter the intake structure, even though the entrance velocity of ≤0.5 ft/s, and the depth of the velocity caps (i.e., 5 to 10 ft above the sea bed in at least 35 ft of water), will minimize this process. Of note, eggs and/or larvae that are positively buoyant (i.e., located close to the surface) or demersal (i.e., located on or close to the sea bed) are not expected to be withdrawn by the velocity caps, and therefore have a limited potential to experience I&E.

Highly Migratory Species

As shown in **Table 4-2**, of the 10 HMS, none are expected to have eggs or larvae in the vicinity of the project area. Although sailfish are an HMS that spawn eggs and form planktonic larvae, available data show that sailfish egg and larvae are not found in the vicinity of the project area. The remaining 9 species listed as HMS in **Table 4-2** are all shark species that have neonates (pups) born viviparously—fully formed swimmers that, unlike larvae, can avoid the intake structure current. Two of the shark species are also not found in the vicinity of the project area. The low entrance velocity of ≤0.5 ft/s at the velocity caps is expected to allow the highly-mobile shark pups, the only early life stage HMS in the vicinity of the project area, to avoid I&E.

In summary, the available information shows that 11 of the 17 MFS may have early life stages in the vicinity of the project area that have a potential to be drawn through the entrance of the velocity caps. Of the 10 HMS that may be present in the vicinity of the project area, only the sailfish spawn eggs and form planktonic larvae, but both of these life stages are not expected to be present in the vicinity of the project area, based on information presented in NMFS (2017). The remaining nine HMS all represent highly migratory shark species that give birth to fully-formed and actively-swimming pups. Two of these shark species are not found in the vicinity of the project area. The potential for shark pups to be captured by the water intakes is estimated to

be minimal because they are capable swimmers and their large body size would prevent passage through the 3-in. mesh bar screen and into the intake tunnel.

5.2.2 Potential I&E of T&E Species

Tables 4-3 and 4-4 summarize the T&E species and their life stages that have the potential to be present in the vicinity of the project area. As indicated by **Table 4-3**, some T&E species are not found in the project area.

Listed Fish Species

The seven listed fish species are either not present in the vicinity of the project area or may be present but give birth to fully-formed neonates with strong swimming abilities. Absent species cannot experience I&E. Species with fully-formed neonates do not have a larval life stage that would be susceptible to I&E. The approach velocity of ≤0.5 ft/s at the entrance of the velocity caps is expected to allow all life stages of sharks and rays to swim away. Additionally, the relatively large body size of shark pups would prevent passage through the 3-in. mesh bar screen covering the velocity caps.

The three listed fish species that have the potential to occur in the area (i.e., the giant manta ray, the shortfin mako shark, and the oceanic whitetip shark) were evaluated for their pup sizes:

- At birth, the width (disc width) of a giant manta ray pup ranges from 91 to 182 cm (35.8 to 71.7 in.) (Miller and Klimovich 2017; Rambahiniarison et al. 2018). Neonates of that size cannot enter velocity caps protected by 3-in. mesh bar screens.
- Sharks are typically measured in total length (TL), which runs from the tip of the nose to the end of tail. Measured pup lengths for shortfin mako sharks ranged from 70 to 80 cm TL (27.6 to 31.5 in. TL) (Miller et al. 2022). To estimate the height of the shortfin mako pup, the ratio of TL to height (top of dorsal fin to bottom of belly) was measured from a scaled image published in Duffy and Francis (2001), and then the ratio (19.32 cm [7.6 in.] width to 74.5 cm [29.3 in.] length) used to calculate height estimates from published data of shortfin pup length published in Miller et al. 2022. Using this approach, shortfin mako shark pups could range from 18.0 to 20.6 cm (7.1 to 8.1 in.) in height (dorsal fin to belly). Pups of that size cannot enter velocity caps protected by 3-in. mesh bar screens.
- Oceanic whitetip sharks inhabit oceanic habitat. Measured pup lengths for this species ranged from 55 to 77 cm TL (21.7 to 30.3 in. TL) (Miller et al. 2022). Published measurements of the height or widths of oceanic whitetip shark pups could not be located. Historically, the oceanic whitetip shark grew up to 350 cm TL (137.8 in.); however, measurements from recent specimens of the shark rarely exceed 200 cm TL (78.7 in.) (Lessa et al. 1999; Young et al. 2017). The oceanic whitetip is a pelagic shark species, generally remaining in the open ocean, on the outer continental shelf, or around oceanic

islands in water over 184 m deep, and occurring from the surface to at least 152 m depth (Compagno 1984; Bonfil et al. 2008; Young et al. 2017). The locations of the nursery grounds are not well known but are believed to be in oceanic areas (Young et al. 2017). Growth rates for this species are reported as 25.2 cm per year (9.9 in.) in the first free-living year (Lessa et al. 1999; Young et al. 2017). Based on published pup TLs, growth rates, and habitat preferences, it is unlikely that this species would be present in the vicinity of the project area or would be able to pass through a 3-in. mesh bar screen.

Based on these considerations, the three listed species of manta ray and shark species will not be affected by I&E.

Listed Mammal Species

The 16 listed mammal species (i.e., whales, dolphin, and manatee) are large, powerful swimmers that are either not present in the vicinity of the project area or give birth to large, fully-formed young with strong swimming abilities. The presence of 3-in. mesh bar screens at the entrance of the velocity caps will preclude the entry of listed mammals into the intake structure. Hence, these species will not be affected by I&E.

Listed Sea Turtle Species

All five listed sea turtle species are present in the vicinity of the project area as juveniles and adults, and three of the five listed sea turtle species are known to have nested recently on nearby beaches. The presence of turtle hatchlings in nearshore waters of the GOM is inferred by this recorded nesting activity.

Table 4-4 summarizes the species-specific lengths of the turtle hatchlings, which vary from 3.8 to 9.9 cm (1.5 to 3.8 in.).

A review shows that the marine turtle nesting season can start as early as April and continues through September, with hatching occurring as late as November. The hatchlings usually come out of their nests in early evening, although they have also been documented to emerge at daybreak or during daytime. Nests can contain up to 170 eggs, and 20 to 120 hatchlings can emerge all at once (Witherington 1992, as cited in Lutz and Musick 1997).

The "hatchling frenzy" period starts right after emergence. It represents a period of high activity during which the hatchlings will enter the GOM and quickly swim away from shore. They begin to swim vigorously as soon as their flippers no longer contact the sand or substrate. Diving behavior during the initial swim has been observed, where the hatchlings dive under breaking waves, position in the undertow, and guide themselves seaward (Wyneken et al. 1990; Lohmann et al. 1995; Wang et al. 1998). The hatchlings continue to swim away from shore, resurfacing from the shallow short dives under the shore breakers, and with brief paddling near

the surface for air (1 to 5 seconds), alternating with power stroking (2 to 10 seconds) below the surface (Salmon and Wyneken 1987; Witherington 1995). Green sea turtles were observed to power stroke for 10 to 40 minutes to cross a 2,000 ft wide, nearshore reef habitat (Booth 2009). The frenzied green sea turtle hatchlings reached speeds up to 1 mile per hour (1.47 ft/s) (Booth 2009).

The frenzy period is believed to increase survival as hatchlings cross predator-rich nearshore habitat. The continuous and direct swimming can last for 20 to 30 hours (Carr and Ogren 1960; Carr 1962, 1982; Wyneken and Salmon 1992; Witherington 1995). Swimming effort declines as time increases since entering the water (Wyneken 1997; Booth et al. 2004; Burgess et al. 2006). Booth (2009) showed that the green sea turtles put maximum effort into the first few minutes of swimming, and once beyond the nearshore reef habitat and into deeper water, the swimming effort eases. The residual egg yolk supplies enough energy for continuous swimming without feeding for at least 10 days. Following the frenzied phase, post-hatchlings likely become passive migrants in oceanic currents and use the Sargassum community as developmental habitat (Shaver 1991; NMFS et al. 2011).

Listed sea turtle hatchlings have only a minimal potential for interaction with the intake structure. Hatchlings swim directly and continuously towards the pelagic habitat past the continental shelf. They do not linger close to shore. Furthermore, observations of the initial swimming phase show that following their diving behavior from breaking shore waves, sea turtle hatchlings swim near the surface as they head seaward. Therefore, hatchlings will not occur 20 to 25 ft deep approximatively 1.3 miles Offshore.

The juvenile to adult life stages may occur in the vicinity of the project area for longer periods of time. Some juvenile and adult turtles may therefore interact with the entrances of the velocity caps. Recruitment to neritic habitat occurs at the juvenile life stage and is associated with the following straight carapace length (SCL): loggerhead = 41.6 to 79.7 cm (16.4 to 31.4 in.); Kemp's Ridley = 20 to 60 cm (7.9 to 23.6 in.); green turtle = 26.6 to 52 cm (10.5 to 20.5 in.); and hawksbill = 20 to 69 cm (7.9 to 27.2 in.) (**Table 4-4**). Based on the data presented in **Table 4-4**, the smallest neritic juveniles would measure 7.9 in. (Kemp's Ridley and hawksbill). The foraging grounds for these species include the entire water column and benthic habitats. All juvenile and adult sea turtles are highly mobile and strong swimmers.

Sea turtle uptake is documented at the Port St. Lucie Nuclear Power Plant, located on Hutchinson Island on the east coast of Florida. The information presented below was obtained from NMFS (2016). The plant has operated since 1976, and maintains detailed records of captured sea turtles. Cooling water is obtained via three submerged intake structures: two measuring 12 ft in diameter and one measuring 16 ft in diameter. The intake structures are found in shallow water approximately 1,200 ft from shore, with the tops of the intake structures located about 7 ft below the surface at mean low water. Each intake structure is equipped with a velocity cap that restricts flow to less than 1 ft/s without any bar screens. The intake pipes are

buried under the beach. They convey cooling water into an open intake canal approximately 1 mile long. The facility has installed barrier nets (5-, 8-, and 9-in. mesh) at the end of the canal to reduce impingement. This water intake arrangement (e.g., relatively close to shore, shallow), and the surrounding environmental setting, is quite different from the proposed water intake in the GOM for the Harbor Island desalination facility. However, the turtle uptake at the Port St. Lucie Nuclear Power Plant is included in the discussion as a point of reference.

Sea turtles at the Port St. Lucie Nuclear Power Plant enter the intake structure through the intake pipes and become entrapped in the open intake canal. Travel time through the pipes is approximately 5 minutes. This power plant entrapped 16,619 sea turtles between 2001 and 2016. The facility uses observers to capture and release the turtles. All five listed sea turtle species have been found in the intake canal, with loggerheads making up more than half of the total, green sea turtles making up slightly less than half of the total, and Kemp's Ridleys, hawksbills, and leatherbacks combined making up less than 1% of the total. From earlier records (1976 to 1985), the smallest turtle recorded was a 7.8-in. green sea turtle (NRC 1985). Overall, sub-adults were the most abundant age class found in the canal (NRC 1985). Of the 16,619 sea turtles captured, 297 (1.8%) resulted in mortality. The facility did not report a single instance of entrainment of sea turtle hatchlings.

Based on this case study, it is reasonable to deduct that neritic sea turtles as small as 7.9-in. SCL and larger may have a potential to enter unprotected velocity caps at the project area in the GOM, and move into the intake tunnel. Because of the turtles' protected status, and despite the low entrance velocity, the velocity caps will be enclosed by 3-in. mesh bar screens to prevent the entrance of sea turtle juveniles and adults into the intake structure.

An additional way to evaluate the potential for juvenile sea turtles to interact with the velocity caps in the project area is to derive an area use factor (AUF). EPA (USEPA 1997) states that the AUF represents the ratio of an area under investigation to the area used by the animal in terms of its home range, breeding range, or feeding/foraging range. In addition, the smallest area used by each animal should be retained to calculate AUFs in order to remain conservative

In the context of the current evaluation, the five velocity caps represent the area under investigation because this defined space represents the area that has the potential to allow turtles to enter the intake structure.[37]

Calculating a species-specific AUF requires two separate pieces of information: a) the combined surface area of the five velocity caps (in square miles), and b) conservative estimates of the home ranges of the neritic juvenile turtles (also in square miles). A species-specific AUF is then

[37] The calculations presented below are entirely for illustrative purposes only because 3-in. mesh size bar screens will be placed in front of the entrances of the velocity caps to prevent any juvenile or adult turtles from entering the intake structure.

calculated by dividing the combined surface area of the five velocity caps by a conservative estimate of the species-specific home range.

The velocity caps are circular structures with a diameter of 16 ft, 5 in. (see **Figure 3-1**), and therefore a radius of 8 ft, 2.5 in. (98.5 in.). The area of a circle is calculated as $\pi * r^2$, or 3.14 * (98.5 in.)^2, which equals 30,465.065 in.^{2}, or 211.563 ft^2 (1 ft^2 = 144 in.^{2}). The total surface area of the five velocity caps equals 1,057.82 ft^2, which represents 0.000038 mi^2 (1 mi^2 = 27,878,400 ft^2).

Valverde and Holzwart (2017) provide the following home ranges for juvenile neritic sea turtles in the GOM: Kemp's Ridley (1.9 to 11.6 mi^2); loggerhead (35 to 1,652 mi^2); hawksbill (0.008 mi^2 (average nighttime home range) to 0.048 mi^2 (average daytime home range): and green (>7.5 mi^2) (note: the authors do not provide home ranges for the leatherbacks).

These two pieces of information are then used to calculate conservative species-specific AUFs, as follows:

- Kemp's Ridley $AUF_{juvenile}$ = 0.000038 mi^2/1.9 mi^2 = 0.0000200
- Loggerhead $AUF_{juvenile}$ = 0.000038 mi^2/35 mi^2 = 0.000001086
- Hawksbill $AUF_{juvenile}$ = 0.000038 mi^2/0.008 mi^2 = 0.0047500
- Green $AUF_{juvenile}$ = 0.000038 mi^2/7.5 mi^2 = 0.0000051.

These AUFs show that the surface area of the velocity caps represents a tiny fraction of the surface area of the species-specific home ranges. At one extreme, the home range of the hawksbill turtle is 211 times larger than the surface area of the velocity caps (i.e., 1/0.00475). At the other extreme, the home range of the loggerhead turtle is 920,810 times larger than the surface area of the velocity cap (i.e., 1/0.000001086). These AUFs should be considered conservative because they are obtained using the lowest-reported home range for each species. Even so, these values are minute and emphasize the low likelihood that juvenile neritic sea turtles would interact with the velocity caps during their foraging activities in the GOM.

In conclusion, while several T&E marine species are known to be present or have the potential to be present in the vicinity of the project area, most are deemed unlikely to experience I&E due to larger body sizes, viviparity, swimming abilities, and the slow intake velocities of ≤0.5 ft/s at the entrances of the velocity caps. The five sea turtle species require in-depth consideration. The "hatching frenzy" phenomenon, rate of water withdrawal at the velocity cap entrances (≤0.5 ft/s), velocity caps' depth below surface (20+ ft), and the velocity caps' distance from shore (beyond surf) assure that turtle hatchlings emerging from nests on beaches in the surrounding region have minimal potential for I&E. However, sea turtle juveniles and adults that use neritic habitat do have a potential for interacting with the intake structure. The small AUFs of juvenile sea turtles greatly limit any chance of encountering these structures. Furthermore, placing bar

screens across the entrances of the velocity caps to exclude juveniles and adults will eliminate the potential for interaction.

5.2.3 Potential I&E of the 11 Target Species

Table 4-7 identified for further evaluation 11 target species of fish and invertebrates of special interest based on their a) local abundance, b) life history characteristics, c) recognition as "fragile" species, d) reported impingement potential at other water intake facilities in the region, and e) recreational and/or commercial value. For each species, the general life history information was obtained for eggs, larvae, juveniles, and adults. The potential for each of these life stages to be withdrawn from the GOM and experience I&E due to the operation of the intake structure was then determined.

Table 5-1 summarizes the outcome of this process. For purpose of this evaluation, the potential for I&E is divided into the following four categories: minimal, low, medium, and high. These groupings are qualitative and assigned based on review of the available information and best professional judgement. The term "minimal" refers to the fact that the potential for passage through the intake structure, followed by I&E, is considered minor to none.

The table is also color coded to help visualize the potential for I&E, as follows: minimal is green, low is yellow, medium is orange, and high is blue.

When reviewing this body of information, it is important to keep in mind that the analysis is not a quantitative prediction of harm, but a qualitative evaluation of the potential for various life stages to be withdrawn by the intake structure in the GOM. Several factors not incorporated in the assessment need to be considered when reviewing this information:

- The evaluation does not predict mortality.
- The 3-in. mesh bar screens will prevent entry into the intake structure by larger life stages of some fish species.
- The traveling screens at the proposed desalination facility will collect and return to Aransas Channel a portion of the marine life withdrawn from the GOM.
- As presented in Section 3.3.2 of this report, any intake of marine life should not be viewed in absolute terms but must be considered within a broader ecological context. Specifically, for every egg or larva potentially withdrawn by the intake structure, vastly larger numbers of eggs and larvae in the surrounding area will not encounter this structure. So, for example, even though the potential for I&E of bay anchovy larvae is estimated to be "high" because they are found throughout the water column, it is only so for the 1 in almost 50,000 larvae within a quarter mile in any direction that potentially come into contact with the intake structure. Hence, when viewed within the context of all of the bay

anchovy larvae present in the vicinity of the project area, the potential for I&E should best be considered minor.

The results of the evaluation are as follows:

- **Atlantic Croaker (*Micropogonias undulatas*)**
  The potential I&E of eggs is estimated as low because they are pelagic and positively buoyant. The potential I&E of larvae is estimated as low because they only spend a short amount of time as plankton before becoming primarily demersal at depths commonly greater than that of the intake structure. The potential I&E of juveniles is estimated as minimal because they seek out shallow habitats in estuaries. The potential I&E of adults is estimated as low because this life stage may be present in nearshore areas of the GOM but adults are expected to swim at speeds substantially higher than the entrance velocity of ≤0.5 ft/s.
- **Bay Anchovy (*Anchoa mitchilli*)**
  The potential I&E of eggs is estimated as medium because they are buoyant until near hatching before they gradually sink into the water column. The potential I&E of larvae is estimated as high because they are found throughout the water column. The potential I&E of juveniles and adults is estimated as low because both are expected to swim at speeds substantially higher than the entrance velocity of ≤0.5 ft/s.
- **Bluefish (*Pomatomus saltatrix*)**
  The potential I&E of eggs is estimated as low because spawning occurs Offshore over the continental shelf. The potential I&E of larvae is estimated as high because larvae are pelagic and planktonic, and are dispersed throughout the water column when they move inshore. The potential I&E of juveniles and adults is estimated as low because both are expected to swim at speeds substantially higher than the entrance velocity of ≤0.5 ft/s.
- **Gulf Menhaden (*Brevoortia patronus*)**
  The potential I&E of eggs is estimated as high because they are planktonic and pelagic. The potential I&E of larvae is estimated as medium because they are planktonic (with diurnal vertical movements) but are more commonly found in Offshore environments before moving close to shore to enter the estuaries. The potential I&E of juveniles is estimated as minimal because they are predominantly found in estuarine environments and therefore are not in the vicinity of the intake structure. The potential I&E of adults is estimated as low because they are expected to swim at speeds substantially higher than the entrance velocity of ≤0.5 ft/s.
- **Red Drum (*Sciaenops ocellatus*)**
  The potential I&E of eggs is estimated as low because they are pelagic and positively buoyant, which will tend to keep them higher up in the water column than the depth of the intake structure. The potential I&E of larvae is estimated as high because they are

planktonic and dispersed throughout the water column. The potential I&E of juveniles is estimated as minimal because they seek out shallow estuarine habitats and are therefore not expected to be present in the vicinity of the intake structure. The potential I&E of adults is estimated as low because they are expected to swim at speeds substantially higher than the entrance velocity of ≤0.5 ft/s.

- **Spotted Seatrout (*Cynoscion nebulosus*)**
  The potential I&E of eggs is estimated as low because spawning occurs mainly in coastal bays, estuaries, and lagoons, but also close to shore in the GOM. Eggs are positively buoyant at salinities >25 ppt and are therefore expected to remain near the surface. The potential I&E of larvae is estimated as medium because they are planktonic for a short duration before settling to the sea bed. The potential I&E of juveniles is estimated as minimal because juveniles seek out shallow habitat ≤7.2 ft and are therefore not anticipated to be in the vicinity of the intake structure. The potential I&E of adults is estimated as low because they are demersal and are expected to swim at speeds substantially higher than the entrance velocity of ≤0.5 ft/s at the water intakes.

- **Blue Crab (*Callinectes sapidus*)**
  The potential I&E of eggs is estimated as minimal because the gravid females are external brooders, and the eggs attach to females' pleopods and are held against their abdomens until hatching. The potential I&E of larvae is estimated as high because the larval stages are planktonic forms that disperse throughout the water column. The potential I&E of juveniles is estimated as minimal because they are demersal and seek out estuarine habitats and are unlikely to occur in the vicinity of the intake structure. The potential I&E of adults is estimated as low because they are demersal and unlikely to spend much time in the upper water column.

- **Gulf Crab (*Callinectes similis*)**
  The potential I&E of eggs is estimated as minimal because the gravid females are external brooders, and the eggs are attached to the females' pleopods and are held against their abdomens until hatching. The potential I&E of larvae is estimated as high because all larval stages are planktonic forms that disperse throughout the water column. The potential I&E of juveniles is estimated as minimal because they are demersal, seek out estuarine habitats, and are therefore unlikely to occur in the vicinity of the intake structure, except as older juveniles. The potential I&E of adults is estimated as low because they are benthopelagic and unlikely to spend much time in the upper water column.

- **Brown Shrimp (*Penaeus aztecus*)**
  The potential I&E of eggs is estimated as minimal because they are demersal and found at depths greater than the proposed location of the intake structure. The potential I&E of larvae is estimated as high because they are planktonic and follow diurnal migrations throughout the water column. The potential I&E of juveniles is estimated as low because they reside in estuarine habitats with only some older juveniles migrating into the

nearshore GOM. The potential I&E of adults is estimated as low because they are demersal, are capable of swimming at speeds higher than the entrance velocity, and prefer areas deeper than 35 ft.

- **Pink Shrimp (*Penaeus duorarum*)**
  The potential I&E of eggs is estimated as low because they are demersal and are released at depths equivalent to or greater than the proposed location of the intake structure. The potential I&E of larvae is estimated as high because they are planktonic and found dispersed throughout the water column. The potential I&E of juveniles is estimated as low because juveniles are commonly found in estuaries over seagrass at depths <9.8 ft but subadults occur at depths ranging from 3.3 to 213 ft. The potential I&E of adults is estimated as low because they are demersal and are capable of swim speeds above the entrance velocity of ≤0.5 ft/s.
- **White Shrimp (*Penaeus setiferus*)**
  The potential I&E of eggs is estimated as low because they are demersal and found at depths equal to or greater than the proposed location of the intake structure. The potential I&E of larvae is estimated as high because they are planktonic and dispersed throughout the water column. The potential I&E of juveniles and subadults is estimated as low because they are demersal and found over soft-bottom habitats in estuaries. Older juveniles migrate out into the GOM to mature. The potential I&E of adults is estimated as low because they are demersal and are capable of swim speeds above the entrance velocity of ≤0.5 ft/s.

The available information suggests that eggs and larvae are the life stages with the highest potential for I&E. This finding is not surprising considering that eggs are unable to swim independently, and larvae only have limited swimming capabilities, particularly in the planktonic stage. Even though the entrance velocity of the velocity caps will be engineered to withdraw water at ≤0.5 ft/s, some eggs and larvae present in the water column that passively enter the intake structure can be expected to be drawn in.

It is important to note that the potential for I&E is species- and life-stage specific. For example, blue crab eggs are not expected to be withdrawn by the velocity caps because females carry their eggs until hatching. As a result, blue crab eggs have a minimal potential for withdrawal. Red drum post-larvae are carried by tidal currents out of the GOM, through the Aransas Inlet, and into the extensive estuarine seagrass beds beyond. Therefore, juvenile red drum are not expected to be present in the GOM approximately 1.3 miles Offshore and have a minimal potential for I&E. Other species, such as the bay anchovy and bluefish, have eggs and larvae that are present throughout the water column in the GOM, and therefore have a higher potential to be withdrawn by the velocity caps. But, as mentioned earlier, for every egg or larva that may be withdrawn by the intake structure, large numbers of eggs and larvae in the surrounding area will not encounter this structure. Hence, even though the potential for I&E by life stages of certain species is estimated to be "high" because they are found throughout the

water column, it is only so for a tiny fraction of the total number of ichthyoplankton present in the larger area around the intake structure. So, when viewed within the context of all of the eggs and larvae present in the vicinity of the project area, the potential for I&E should best be considered to be minor when viewed on a larger scale.

5.2.4 I&E Studies in Texas

The proposed Harbor Island desalination facility and its associated intake structure are under design but have not yet been constructed. Hence, I&E data specific to this facility are not available for evaluation. By default, any assessment of the potential effect to biota from the proposed desalination facility and its intake structure is qualitative and based on extrapolated data and assumptions. Published monitoring information from several power plants operating in Texas was reviewed to support the current assessment and develop a realistic understanding of the potential for causing measurable population-level effects.

Table 5-2 summarizes I&E data collected from power stations in Texas that withdraw large volumes of cooling water from nearby water bodies. The facilities with quantitative information retained for this evaluation are the Barney M. Davis Power Plant in Corpus Christi, Texas (near Corpus Christi Bay), the P.H. Robinson Generating Station in Bacliff, Texas (Galveston Bay), the Sam Bertron Station in Strand, Texas (Houston Ship Channel), and the Cedar Bayou Generating Station in Baytown, Texas (Cedar Bayou). This section of the report focuses specifically on the data provided for these power facilities. For the sake of completeness, **Table 5-2** also provides monitoring data for several other power generating facilities in Texas. However, information from these other power generating facilities is not discussed below because it lacks actual counts of the number of impinged marine life during the monitoring period.

Several key factors must be considered when evaluating and interpreting this kind of facility-specific information:

- The power stations do not withdraw their cooling waters from the GOM 1.3 miles away from shore but instead from nearby shallow estuaries or other water bodies that have habitats, physical characteristics, salinities, and species assemblages that are expected to be quite different than those found in the GOM.
- It is unlikely that the power stations encounter the same mix of species and life stages as the intake structure in the GOM. For example, older demersal life stages of the blue crab will be more prevalent in the estuaries because of their habitat requirements, whereas planktonic life stages of the blue crab will be more prevalent in the GOM where this species spawns. Older larvae and juveniles of red drum are found in estuaries, whereas adults are also found in the GOM.
- The seasonal timing for the presence of different life stages will vary between the GOM and the other water bodies. For example, in the fall, red drum eggs are expected to be

present in the nearshore waters of the GOM where the adults spawn but not within estuaries where widespread spawning by this species is not expected to occur.

- The number of the smallest marine life that might have been entrained through the traveling screens has not been counted, and therefore is unknown.
- All else being equal, the potential for I&E also depends on a number of facility-specific factors, such as water intake capacity (mgd versus billions of gallons per day [bgd]), average intake velocities, depth of the intakes, any additional avoidance technologies, the type of fish screen technology implemented at the facility, and other engineering considerations. These variables inevitably cause existing power plants to differ substantially in their I&E performance. With full consideration of known variables and improved technologies, I&E performance is expected to be significantly improved with the more modern facilities proposed for the Harbor Island intake structure, particularly since most of the previous monitoring studies occurred before implementation of the 316(b) CWIS rules.

Notwithstanding these important caveats and unknowns, the available impingement information from the Texas power stations is summarized below:

- The *Barney M. Davis Power Plant in Corpus Christi, Texas,* performed a monitoring study over a period of 11 months, between March 14, 2006, and February 21, 2007 (estimated total of 345 days). During that time frame, the facility impinged 42,286 fish and 28,418 invertebrates, for a total of 70,704 organisms, or around 205 organisms per day. This total is equivalent to 0.38 organisms per day per million gallons of intake water based on the water intake capacity at this facility of 540 mgd.[38] Eleven species made up 92% of the impinged marine life during the study period. Five of those 11 species (specifically, Atlantic croaker, bay anchovy, Gulf menhaden, blue crab, and brown shrimp) also represent the target species outlined in Section 4 of this report.
- The *P.H. Robinson Generating Station in Bacliff, Texas,* performed a monitoring study over a 13-month period, from February 1969 to March 1970 (estimated total of up to 395 days). During that time frame, the facility impinged 68,518 organisms representing 83 species, or around 173 organisms per day. This total is equivalent to 0.0012 organisms per million gallons of intake water based on the water intake capacity at this facility of 138.6 bgd. The reported injury rates of the impinged marine life varied by species (10 species were assessed), and ranged from a high of 34.2% for bay anchovies to a low of 2.6% for Atlantic croakers and spotted seatrout.
- The *Sam Bertron Generating Station in Strand, Texas,* performed a monitoring study over a 12-month period, from January 12, 1978, to January 2, 1979 (estimated total of 356 days).

[38] The flow rate at this facility was variable. The highest flow occurred at ~492 mgd (20.52 million gallons per hour) for 7.5% of the time during the study. The flows fell below ~233 mgd (9.72 million gallons/hour) for 70% of the time during the study.

During that time frame, the facility impinged 479,448 fish and 132,450 invertebrates, for a total of 611,898 organisms, or around 1,719 organisms per day. This total is equivalent to 0.007 organisms per million gallons of intake water based on the water intake capacity at this facility of 241.1 bgd. Brown shrimp, white shrimp, and blue crab accounted for 96.2% of the invertebrate impingement. These three species are target species outlined in Section 4 of this report. Also, close to 90% of all impinged fish species consisted of Gulf menhaden, threadfin shad, bay anchovy, sand seatrout, spotted seatrout, Atlantic croaker, red drum, and southern flounder. Five of those eight species are target species outlined in Section 4 of this report.

- The *Cedar Bayou Generating Station in Baytown, Texas* (Cedar Bayou) performed a monitoring study over an 11-month period (estimated total of 334 days). During that time frame, the facility impinged 11,556 organisms, or around 35 organisms per day. It is not possible to calculate the number of organisms impinged per million gallons of intake water because the reference does not report the water intake capacity of this facility.

Galveston Bay NEP (1993) analyzed the I&E data for five power generating stations around Galveston Bay (note: the monitoring data collected at several of these stations are summarized above). The overall conclusions of those various monitoring studies were as follows:

- Small or weak-swimming larvae, post-larvae, and young fish were susceptible to I&E when intake velocities averaged >1.1 ft/s.
- Species most frequently subjected to I&E consisted of white shrimp, blue crab, Gulf menhaden, bay anchovy, sand seatrout, spot, and Atlantic croaker.
- Species less frequently subjected to I&E consisted of brown shrimp, sea catfish, and striped mullet.
- Larval fish found to be susceptible to entrainment included the naked goby, juvenile Gulf menhaden, bay anchovy, larval comb-tooth blennies, and Atlantic croaker.
- Generally, members of commercially or recreationally important fish species were not impinged in large numbers with respect to the most-abundant species.
- The overall probabilities of survival for impinged fish were much lower than for crustaceans.
- More crustaceans were impinged by number and weight compared to finfish, other than menhaden.

The available Texas I&E studies show that the number of marine life that may be retained on traveling fish screens at the proposed Harbor Island desalination facility is expected to be relatively minor when considered within a larger ecosystem context. **Table 5-3** provides fecundity information for 5 of the 11 target species. A recurring theme is the extraordinary fecundity of these species, with each female laying from tens of thousands to many millions of

eggs each year. This reproductive strategy releases untold number of eggs in the GOM based on the evolutionary premise that the vast majority of early life stages will perish before they reach adulthood. This general pattern is also described in Section 3.3.2 of this report.

5.3 POTENTIAL FOR POPULATION-LEVEL EFFECTS

The potential I&E impacts to area marine life caused by the intake structure supplying State Water to the proposed Harbor Island desalination facility will be minor based on the following considerations: a) a review of the physical variables and salinities in the GOM in the vicinity of the intake structure, b) the general engineering details and components that combine to deliver a state-of-the-art State Water diversion system, and c) review of representative and relevant marine species at all life stages for the intake structure location. This conclusion is primarily due to the relatively low numbers of marine life expected to be drawn through the intake structure as compared to the high numbers of marine life present in the vicinity of the project area.

Entrainment impacts of planktonic larvae are typically assessed indirectly based on modeling. From a population biology perspective, the spatial scale of the proposed State Water diversion is very minor when considering the substantially larger amount of source water containing eggs and planktonic larvae in the vicinity of the project area. Depending on site-specific factors, such as withdrawal volume, velocity, and density of planktonic larvae, the range of potential larval entrainment losses derived from modeling results have been estimated as 0.02% to 0.33% of the source water populations for the Huntington Beach Desalination Facility in California, which had a proposed intake volume of 152 mgd (Tenera Environmental 2010a). Modeled species-specific losses of 0.01% to 0.063% were calculated by Tenera Environmental (2010b) for another facility in California with a proposed intake flow rate of 7 mgd. These losses were not considered significant because of the high fluctuations in population levels from changing environmental conditions, other stressors, and natural sources of mortality, which reach 99.9% (Tenera Environmental 2010b).

Several studies have modeled the movement of passive particles, representing red drum eggs and larvae, from the GOM into the Aransas Inlet by accounting for various environmental forces (e.g., tides and wind) and biological factors (e.g., egg or larval development and settlement) (Brown et al. 2000, 2004, 2005). These modeling studies found that between 39% and 55% of all the passive particles present in the GOM immediately outside of the Aransas Inlet at the start of the simulations were not anticipated to enter the inlet and were therefore effectively "lost" to the ecosystem. This type of large-scale loss is normal and expected. It emphasizes that the relatively small numbers of eggs and larvae that may be withdrawn by the intake structure at a more remote location in the GOM, when compared to the total number of eggs and larvae present in the vicinity of the project area (Section 3.3.1) and for many miles beyond in all directions, is not expected to affect local populations.

5.4 SUMMARY AND CONCLUSIONS

The analysis presented in this report suggests that the proposed water intake structure for the Harbor Island desalination plant has the potential to interact with planktonic life stages and weakly swimming older life stages of fish and invertebrates present in the GOM, as well as sea turtle juveniles. The numbers, kinds, and sizes of fish and invertebrates that interact with the intake structure will depend on life history considerations (e.g., spawning close to shore vs. pelagic areas; floating and demersal eggs vs. neutrally buoyant eggs; organism size; swimming abilities), seasonal considerations (e.g., fall spawners vs. year-round spawners), and intake structure considerations (e.g., average intake velocities, structure and function of velocity caps), among others. These topics have been discussed above.

Although some intake of marine life is inevitable with the intake structure for the project area in the GOM, the following considerations indicate that the potential effects to marine species and their local populations are expected to be minor:

- The design intake flow velocity at the entrance to the intake structure will fall below the EPA-established limit of ≤0.5 ft/s for power plants in other contexts, and is expected to drastically reduce the amount of marine life entering the velocity caps (and therefore greatly reduce I&E).
- The prevailing tidal velocities in the GOM are generally higher than the entrance velocity of 0.5 ft/s at the intake structure (see **Figure 2-10**). This combination suggests that, on average, eggs and larvae are more likely to pass through the velocity caps instead of being withdrawn by them.
- The location of the intake structure is approximately 1.3 miles Offshore, away from shallow habitat that comprises areas that may be used more widely by smaller species or for spawning.
- The intake structure will be submerged at depth with approximately 20 to 25 ft of water overlying the velocity caps. This deeper placement will greatly limit or eliminate the withdrawal of positively buoyant eggs found at or near the surface of the GOM.
- The intake structure entrances will be at least 5 ft above the sea bed. This design feature will greatly limit or eliminate the withdrawal of demersal eggs and other benthic marine life species.
- The number of those marine species potentially affected by I&E is further reduced by application of current technology, including bar screens that prevent certain marine life from entering the intake structure, and traveling screens at the proposed desalination facility on Harbor Island that return marine life to a natural habitat.

Based on volumetric considerations, and assuming even distribution throughout the water column, any withdrawal of eggs and larvae by the intake structure will represent a very small

fraction of the total number of eggs and larvae expected to be present in the vicinity of the project area. If ELS are not evenly distributed in the water column (e.g., the eggs of red drum and spotted seatrout have positive buoyancy in the salty waters of the GOM), then the potential for withdrawal of such marine life is reduced even further.

The survival potential of marine life impinged on the traveling screens likely depends on the species (e.g., early life stages of fish have lower survival rates than invertebrates, "fragile" fish species are more affected than other fish species) and the proposed efficiency and efficacy of the steps used to remove the impinged marine life from the traveling screens for return to the nearby aquatic habitat.

An important consideration is the high fecundity of the 11 target species evaluated in this report. Their reproductive strategy presupposes that the vast majority of eggs and larvae will not survive to adulthood. Such a strong, built-in resiliency helps mitigate any impacts that might be associated with any potential withdrawal of these early life stages by the intake structure.

Finally, T&E species (sea turtles) and HMS are not expected to be affected by the intake structure due to a combination of the following factors: lack of presence in the project area, strong swimming abilities, large body sizes, birthing of fully formed neonates (e.g., shark pups and whale calves, instead of eggs and larvae), the design of the intake velocity caps, the presence of 3-in. bar screens, the depth of intake, and the distance of the intake from shore.

Turtle hatchlings have the potential to be present in the project area in the GOM for short periods of time based on the recorded presence of sea turtle nests on several regional beaches. However, nesting activity does not appear to be widespread (i.e., dozens of nests, not thousands), and the potential for withdrawal of sea turtle hatchlings by the intake structure is anticipated to be rare based on behavioral considerations (e.g., "frenzied" swimming close to the GOM surface towards the open ocean to minimize mortality from nearshore predators). Juvenile and adult sea turtles are present in the vicinity of the project area and have the potential to interact with the intake structure, as has been shown to occur at the Port St. Lucie Nuclear Power Plant in Florida. However, the potential for neritic juvenile sea turtles to interact with the velocity caps is demonstrably minimal using an AUF approach. The design of the intake structure will include adding 3-in. mesh size bar screens at the entrances of the velocity caps to eliminate any potential for accidental "take" of juvenile turtles. This mitigation measure will also prevent adult sea turtles or larger fish from entering the velocity caps.

The following components will be implemented based on all these considerations: a) place the water intake structure approximatively 1.3 miles Offshore at 5 to 10 ft above the sea bed in approximately 35 ft of water to limit interaction with marine life, b) set the entrance velocity at the velocity caps to ≤0.5 ft/s to reduce the potential withdrawal of eggs and larvae, c) enclose the velocity caps with 3-in. mesh size bar screens to prevent incidental entrance by juvenile and

adult sea turtles, and d) use traveling screens at the proposed desalination facility to support survival.

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Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, April 4, 2023 9:24 AM
To: PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: CORRECTION: Public comment on Permit Number WRPERM 13775

PM

From: PUBCOMMENT-OCC
Sent: Monday, April 3, 2023 9:24 AM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-WWW-WRAS <pubcomment-www-wras@tceq.texas.gov>
Subject: FW: Public comment on Permit Number WRPERM 13775

H
PM

From: mcf4040@hotmail.com <mcf4040@hotmail.com>
Sent: Saturday, April 1, 2023 7:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Cathy Fulton

EMAIL: mcf4040@hotmail.com

COMPANY:

ADDRESS: PO BOX 457
PORT ARANSAS TX 78373-0457

PHONE: 4323863945

FAX:

COMMENTS: Dear Sir/Madam: I have several concerns about the draft permit for the Enbridge Water Right application. I am requesting a public meeting to address multiple concerns and questions with this half-baked draft permit. Comment 1: The original applicant was Moda Midstream, not Enbridge, but Enbridge has not altered the reasons given for the water need. Two reasons were given for the need: 1) To fight any possible fires that may breakout at this facility; 2) To run tests on firewater pump systems. The application claims the water usage will be less, but wants to ensure there will be an adequate amount of firewater should there be an emergency. Having served on a volunteer fire department as a wildland firefighter, drafting from various water sources was necessary. Depending on the water source, our pumps needed cleaning and flushing to remove debris of poor water quality sources. The use of seawater (saltwater) to run checks on firewater pumps and other equipment at a supposed rate of once per week does not make sense. Leaving saltwater in tanks, pumps and other equipment would ruin the equipment in short time. The pumps and other equipment would have to be flushed out with clean water to reduce corrosion after each test event. The reason given in the application is not plausible and it would be ridiculous to use saltwater to run weekly or monthly checks on a firewater system, unless Enbridge wants all the fire fighting equipment to fail. If Enbridge has a significant fire outbreak at the Ingleside facility, don't they already have water sources in-place and isn't it required for this type of facility to have dedicated fire suppression – firefighting system established? Comment 2 The application only indicates the seawater will be used for two purposes, testing firewater systems and in the event of a fire, for fire suppression. No other uses are indicated, yet the draft permit states water will be diverted for industrial purposes. Diverted for fire systems is not the same as "industrial purposes". The permit must reflect the actual use and not use broad wording. In this case, the more likely use for the seawater would be for cooling purposes. Comment 3 Enbridge just announced it is partnering with Yara Clean Ammonia to build and operate a low carbon ammonia plant at the Ingleside Enbridge facility. It seems more likely the diverted seawater will be for such a facility and not for any fire system tests. The most likely use will be for cooling purposes, which then triggers other requirements for discharge. Comment 4 Under Special Conditions, item A: This condition is a joke. The applicant must be required to protect aquatic life. Obviously, screens must be used, but the possible rate of 100,000 gpm would be detrimental to marine life. Screen size must be defined and to protect marine life the diversion needs to be located sub-seabed. This facility is just adjacent to Redfish Bay Scientific Area and activities by Enbridge, Flint Hills and Buckeye Partners are having impacts to the marine environment. Allowing the proposed amount of seawater to be sucked out without considering impacts to sea life is ridiculous. At the minimum, a survey must be conducted for what marine life will be most impacted which will help determine screen size to use. Item A fails to provide protections to the marine environment and needs to require robust measures to minimize impacts. I am unclear when the deadline is to submit comment, and hope my comments will be considered for WRPERM 13775. If a public meeting is scheduled, then my comments must be considered. This application and draft permit are grossly insufficient to protect the marine environment. The draft permit wording is not reflective of the seawater diversion use in the application. TCEQ staff must stop the rubber stamp of applications and ask questions about how the water will be used.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, April 3, 2023 9:24 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

H
PM

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Sent: Saturday, April 1, 2023 7:13 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Cathy Fulton

EMAIL: mcf4040@hotmail.com

COMPANY:

ADDRESS: PO BOX 457
PORT ARANSAS TX 78373-0457

PHONE: 4323863945

FAX:

COMMENTS: Dear Sir/Madam: I have several concerns about the draft permit for the Enbridge Water Right application. I am requesting a public meeting to address multiple concerns and questions with this half-baked draft permit. Comment 1: The original applicant was Moda Midstream, not Enbridge, but Enbridge has not altered the reasons given for the

water need. Two reasons were given for the need: 1) To fight any possible fires that may breakout at this facility; 2) To run tests on firewater pump systems. The application claims the water usage will be less, but wants to ensure there will be an adequate amount of firewater should there be an emergency. Having served on a volunteer fire department as a wildland firefighter, drafting from various water sources was necessary. Depending on the water source, our pumps needed cleaning and flushing to remove debris of poor water quality sources. The use of seawater (saltwater) to run checks on firewater pumps and other equipment at a supposed rate of once per week does not make sense. Leaving saltwater in tanks, pumps and other equipment would ruin the equipment in short time. The pumps and other equipment would have to be flushed out with clean water to reduce corrosion after each test event. The reason given in the application is not plausible and it would be ridiculous to use saltwater to run weekly or monthly checks on a firewater system, unless Enbridge wants all the fire fighting equipment to fail. If Enbridge has a significant fire outbreak at the Ingleside facility, don't they already have water sources in-place and isn't it required for this type of facility to have dedicated fire suppression – firefighting system established? Comment 2 The application only indicates the seawater will be used for two purposes, testing firewater systems and in the event of a fire, for fire suppression. No other uses are indicated, yet the draft permit states water will be diverted for industrial purposes. Diverted for fire systems is not the same as "industrial purposes". The permit must reflect the actual use and not use broad wording. In this case, the more likely use for the seawater would be for cooling purposes. Comment 3 Enbridge just announced it is partnering with Yara Clean Ammonia to build and operate a low carbon ammonia plant at the Ingleside Enbridge facility. It seems more likely the diverted seawater will be for such a facility and not for any fire system tests. The most likely use will be for cooling purposes, which then triggers other requirements for discharge. Comment 4 Under Special Conditions, item A: This condition is a joke. The applicant must be required to protect aquatic life. Obviously, screens must be used, but the possible rate of 100,000 gpm would be detrimental to marine life. Screen size must be defined and to protect marine life the diversion needs to be located sub-seabed. This facility is just adjacent to Redfish Bay Scientific Area and activities by Enbridge, Flint Hills and Buckeye Partners are having impacts to the marine environment. Allowing the proposed amount of seawater to be sucked out without considering impacts to sea life is ridiculous. At the minimum, a survey must be conducted for what marine life will be most impacted which will help determine screen size to use. Item A fails to provide protections to the marine environment and needs to require robust measures to minimize impacts. I am unclear when the deadline is to submit comment, and hope my comments will be considered for WRPERM 13775. If a public meeting is scheduled, then my comments must be considered. This application and draft permit are grossly insufficient to protect the marine environment. The draft permit wording is not reflective of the seawater diversion use in the application. TCEQ staff must stop the rubber stamp of applications and ask questions about how the water will be used.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, March 28, 2023 9:59 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: joenpolly3742@gmail.com <joenpolly3742@gmail.com>
Sent: Monday, March 27, 2023 5:31 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Polly Garbutt

EMAIL: joenpolly3742@gmail.com

COMPANY:

ADDRESS: 605 STARLIGHT
INGLESIDE TX 78362-4726

PHONE: 3617758885

FAX:

COMMENTS: Enbridge is a storage tank farm for petroleum products. It is conceivable that an accident might create a need for a way to control a fire. The use of water from Corpus Christi Bay to manage this possible emergency is not well thought out. The manner of capture and storage of this water has not been properly stated. Methods to make sure that marine populations are not hurt by sucking water out of the bay has not been properly addressed. Since the original

permit was presented by Moda, and that company no longer owns the property, Enbridge should be required to resubmit the request under their own name and address the problems mentioned here.

12

TCEQ Registration Form

February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Marilena T. Garza

Mailing Address: 1008 Marguerite St. Corpus Christi

Physical Address (if different): _____

City/State: Corpus Christi **Zip:** 78401

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: maritgarza1991@gmail.com

Phone Number: (361) 319-0933

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

  If yes, which one? _____

☒ **Please add me to the mailing list.**

☒ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Tuesday, April 18, 2023 10:36 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: Gingrichd@hotmail.com <Gingrichd@hotmail.com>
Sent: Monday, April 17, 2023 4:43 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Debra Jean Gingrich

EMAIL: Gingrichd@hotmail.com

COMPANY:

ADDRESS: 314 INGLEWOOD
INGLESIDE TX 78362-4843

PHONE: 5126568914

FAX:

COMMENTS: Enbridge currently has firewater provided by the City of Ingleside and as such does not meet the burden of proof that no feasible alternative to the appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use. Analysis and calculations are not provided of the fire suppression system to quantify need based upon facilities to be protected and system capabilities. Therefore, Enbridge has not

adequately demonstrated a need for the water. This water rights permit will allow Enbridge to pump water from the bay, for free, every week, for testing of their fire system. Therefore, the need for the water is simply to save money at the expense of aquatic resource and to the detriment of the public, specifically the community of Ingleside on the Bay and the commercial and recreational shrimpers and anglers that regularly fish this area. As an alternative, Enbridge could recirculate, recycle and store the potable water currently provided by the City of Ingleside at each testing cycle and therefore only need the additional water from the City in the event of an emergency. Regular testing of equipment is an scheduled event and therefore conservation and recycling efforts should be required of the system currently in place, not at the expense of the natural environment. In the permit map provide, the location of the intake is within the definition of the littoral zone, near shore, within the tidal range, and adjacent to seagrass beds. Therefore it has the highest incidence on impingement and entrainment, and thus the greatest negative impact to aquatic life in the area. See attachment "A" Aerial map showing diversion locations included in permit application. Under the Texas Water Quality Standards, the source waters have been characterized as used for exceptional aquatic life uses. Issuance of the draft permit fails to protect the ecology and productivity for the impacted bay and estuary system, and fails to maintain existing uses of the impacted source water. The impingement and entrainment impacts of the intake endanger the ecology and productivity of the source waters, and would prevent maintenance of existing uses of the source waters. The water will be withdrawn at a rate of 100,000 gallons per minute. If Enbridge installed a 48" diameter intake pipe (which is a VERY large pipe) to withdraw the water, the velocity of the water would still be 17.73 feet per second. This is more than 35 times the EPA recommended intake velocity of .5 fps in a littoral zone. Under applicable statute and rules, Enbridge is required to demonstrate that the facility will employ reasonable measures to minimize impingement and entrainment. NO such measure have been described or untaken as part of this permitting process. Enbridge does not specify the size of pipe so that the intake velocity can be determined, but at the rate of 100,000 gpm, it is most definitely going to be well above the recommended velocity to be protective of aquatic life. Enbridge did not provide adequate information regarding presence or the configuration of the screens that will be used to protect aquatic life. The permit must stipulate the velocity of the intake flow in a littoral zone to be protective of aquatic life. The location of the proposed withdrawal within an estuary triggers the consideration of specific additional criteria under the TCEQ rules. Pursuant to 30 TAC § 297.55(b), the Commission is to consider the ecology and productivity of the affected bay and estuary system in determining whether to issue a water right. The permit is not appropriately limiting the use of the water by the applicant. The proposed use is not being limited to testing and emergency operation of fire suppression systems. The applicant may therefore at any time in the future use the water for other uses as it deems appropriate, such as for cooling water. The permit allows the applicant to sell the diverted water to another entity that could use the water for irrigation or cooling water purposes. In so much as the intake of cooling water is not prohibited, the intake of this water is thus subject to the requirements of federal regulations implementing CWA 316 (b). Accordingly to those regulations, impingement and entrainment must be minimized when an intake structure is proposed to be located when there are sport or commercial species of impingement and entrainment concern within the area of the proposed intake. Enbridge has not provided the information necessary to evaluate the impact that the impingement and entrainment resulting from the diversion of 500 acre feet. This portion of Corpus Christi Bay has contact recreation, boating and fishing as well as primary recreation in the manner of swimming and beach going. The conservation plan does not describe best available technology in leak detection. Visual inspection is rudimentary and does not meet conservation goal requirements #4 regarding leak detection and repair, and water-loss accounting measures to be used.

TCEQ Registration Form

February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Paul Gingrich

Mailing Address: 314 Inglewood

Physical Address (if different): _____

City/State: Ingleside on the Bay **Zip:** 78362

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: gingrichp@hotmail.com

Phone Number: ( )

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

  If yes, which one? _____

☐ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Ellie Guerra

From:	PUBCOMMENT-OCC
Sent:	Tuesday, April 18, 2023 10:36 AM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject:	FW: Public comment on Permit Number WRPERM 13775

From: gingrichp@hotmail.com <gingrichp@hotmail.com>
Sent: Monday, April 17, 2023 4:40 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Paul Lee Gingrich

EMAIL: gingrichp@hotmail.com

COMPANY:

ADDRESS: 314 INGLEWOOD
INGLESIDE TX 78362-4843

PHONE: 5126568122

FAX:

COMMENTS: Enbridge currently has firewater provided by the City of Ingleside and as such does not meet the burden of proof that no feasible alternative to the appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use. Analysis and calculations are not provided of the fire suppression system to quantify need based upon facilities to be protected and system capabilities. Therefore, Enbridge has not

adequately demonstrated a need for the water. This water rights permit will allow Enbridge to pump water from the bay, for free, every week, for testing of their fire system. Therefore, the need for the water is simply to save money at the expense of aquatic resource and to the detriment of the public, specifically the community of Ingleside on the Bay and the commercial and recreational shrimpers and anglers that regularly fish this area. As an alternative, Enbridge could recirculate, recycle and store the potable water currently provided by the City of Ingleside at each testing cycle and therefore only need the additional water from the City in the event of an emergency. Regular testing of equipment is an scheduled event and therefore conservation and recycling efforts should be required of the system currently in place, not at the expense of the natural environment. In the permit map provide, the location of the intake is within the definition of the littoral zone, near shore, within the tidal range, and adjacent to seagrass beds. Therefore it has the highest incidence on impingement and entrainment, and thus the greatest negative impact to aquatic life in the area. See attachment "A" Aerial map showing diversion locations included in permit application. Under the Texas Water Quality Standards, the source waters have been characterized as used for exceptional aquatic life uses. Issuance of the draft permit fails to protect the ecology and productivity for the impacted bay and estuary system, and fails to maintain existing uses of the impacted source water. The impingement and entrainment impacts of the intake endanger the ecology and productivity of the source waters, and would prevent maintenance of existing uses of the source waters. The water will be withdrawn at a rate of 100,000 gallons per minute. If Enbridge installed a 48" diameter intake pipe (which is a VERY large pipe) to withdraw the water, the velocity of the water would still be 17.73 feet per second. This is more than 35 times the EPA recommended intake velocity of .5 fps in a littoral zone. Under applicable statute and rules, Enbridge is required to demonstrate that the facility will employ reasonable measures to minimize impingement and entrainment. NO such measure have been described or untaken as part of this permitting process. Enbridge does not specify the size of pipe so that the intake velocity can be determined, but at the rate of 100,000 gpm, it is most definitely going to be well above the recommended velocity to be protective of aquatic life. Enbridge did not provide adequate information regarding presence or the configuration of the screens that will be used to protect aquatic life. The permit must stipulate the velocity of the intake flow in a littoral zone to be protective of aquatic life. The location of the proposed withdrawal within an estuary triggers the consideration of specific additional criteria under the TCEQ rules. Pursuant to 30 TAC § 297.55(b), the Commission is to consider the ecology and productivity of the affected bay and estuary system in determining whether to issue a water right. The permit is not appropriately limiting the use of the water by the applicant. The proposed use is not being limited to testing and emergency operation of fire suppression systems. The applicant may therefore at any time in the future use the water for other uses as it deems appropriate, such as for cooling water. The permit allows the applicant to sell the diverted water to another entity that could use the water for irrigation or cooling water purposes. In so much as the intake of cooling water is not prohibited, the intake of this water is thus subject to the requirements of federal regulations implementing CWA 316 (b). Accordingly to those regulations, impingement and entrainment must be minimized when an intake structure is proposed to be located when there are sport or commercial species of impingement and entrainment concern within the area of the proposed intake. Enbridge has not provided the information necessary to evaluate the impact that the impingement and entrainment resulting from the diversion of 500 acre feet. This portion of Corpus Christi Bay has contact recreation, boating and fishing as well as primary recreation in the manner of swimming and beach going. The conservation plan does not describe best available technology in leak detection. Visual inspection is rudimentary and does not meet conservation goal requirements #4 regarding leak detection and repair, and water-loss accounting measures to be used.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Wednesday, April 5, 2023 10:29 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: grahamb47@gmail.com <grahamb47@gmail.com>
Sent: Tuesday, April 4, 2023 4:20 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Robert Graham

EMAIL: grahamb47@gmail.com

COMPANY:

ADDRESS: 919 SANDPIPER
INGLESIDE TX 78362-4688

PHONE: 5125897152

FAX:

COMMENTS: Any taking of surface water from the bay near Ingleside on the Bay would negatively affect our community. Boating, fishing, swimming,etc. are important to us. Please learn to be a good neighbor.

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Catherine Hatch

Mailing Address: 418 Woodhaven

Physical Address (if different): _____

City/State: Ingleside **Zip:** 78362

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: katieandskip@gmail.com

Phone Number: (361) 776 2071

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ ~~No~~

  If yes, which one? _____

☑ **Please add me to the mailing list.**

RECEIVED
FEB 29 2024
AT PUBLIC MEETING

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

I expect to see a change in the application to drop "other uses" for the intake water - to only be used for fire fighting.

Please give this form to the person at the information table. Thank you.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Friday, April 14, 2023 11:13 AM
To: PUBCOMMENT-WWW-WRAS; PUBCOMMENT-ELD; PUBCOMMENT-OCC2; PUBCOMMENT-OPIC
Subject: FW: Public comment on Permit Number WRPERM 13775

This is a comment only, not a hearing request.

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:45 AM
To: PUBCOMMENT-OCC2 <pubcomment-occ2@tceq.texas.gov>; PUBCOMMENT-OPIC <pubcomment-opic@tceq.texas.gov>; PUBCOMMENT-ELD <pubcomment-eld@tceq.texas.gov>; PUBCOMMENT-WWW-WRAS <pubcomment-www-wras@tceq.texas.gov>
Subject: FW: Public comment on Permit Number WRPERM 13775

H

From: Hannahsnana16@yahoo.com <Hannahsnana16@yahoo.com>
Sent: Thursday, April 6, 2023 12:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Anita Maxine Kirkland

EMAIL: Hannahsnana16@yahoo.com

COMPANY:

ADDRESS: 615 W GOODNIGHT AVE
ARANSAS PASS TX 78336-3514

PHONE: 3616488989

FAX:

COMMENTS: I am firmly against an ammonia plant in my community!!!!! So very unsafe! Plenty of land where a community will not be in danger. Does the EPA approve of this? This plant would be entirely too close to families that have lived here too many years to be threatened by this !!!!!

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:45 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

H

From: Hannahsnana16@yahoo.com <Hannahsnana16@yahoo.com>
Sent: Thursday, April 6, 2023 12:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Anita Maxine Kirkland

EMAIL: Hannahsnana16@yahoo.com

COMPANY:

ADDRESS: 615 W GOODNIGHT AVE
ARANSAS PASS TX 78336-3514

PHONE: 3616488989

FAX:

COMMENTS: I am firmly against an ammonia plant in my community!!!!! So very unsafe! Plenty of land where a community will not be in danger. Does the EPA approve of this? This plant would be entirely too close to families that have lived here too many years to be threatened by this !!!!!

13

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Jim Klein

Mailing Address: 3501 Monterrey St Corpus Christi, TX 78411

Physical Address (if different): _____

City/State: Cc **Zip:** 78411

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: JEKlein20@gmail.com

Phone Number: (361) 334-3908

- Are you here today representing a municipality, legislator, agency, or group? ☒ Yes ☐ No

  If yes, which one? Coastal Bend Sierra Club group

☒ **Please add me to the mailing list.**

☒ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

16

TCEQ Registration Form

February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Jaree Kotalik

Mailing Address: 333 Bayshore dr

Physical Address (if different): _____

City/State: Ingleside Tx **Zip:** 78362

This information is subject to public disclosure under the Texas Public Information Act

Email: harleysprnk@gmail.com

Phone Number: ( )

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

  If yes, which one? _____

☐ **Please add me to the mailing list.**

☒ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

* Wish for perpituity to be stricken + legislature to Amend ~~meet~~ this process ensuring we hold companies like Enbridge accountable for use, prove usage, to continue to retain rights by showing ~~viable~~ viability & reason to continue

* I would like Enbridge to be held accountable for any marine/ecologic/Biologic damaged caused by their unproven Concept of pulling water from the bay at a rate so fast that it may Cause the inability to sustain our way of Lives.

RECEIVED
FEB 29 2024
AT PUBLIC MEETING

Interested Person Detail

IP No. 255666 Name MACK, MICHELLE Organization Title

IP Detail | Address | Electronic Communications | Items & Actions | Additional IDs | Counties | Zip Codes | Customers & Regulated Entities

Items

Show more columns

Number	Program	ID Type	Additional ID	Principal	CN	Status	Active	Comments	Delete
138875	AIROP	PERMIT	4592	CORPUS CHRISTI LIQU...	CN604136374	ACTIVE	YES	NO	×
134688	AIRNSR	PERMIT	174275 - 2	INGLESIDE CLEAN AM...	CN606190668	ACTIVE	YES	NO	×
132649	AIROP	PERMIT	3906	ENBRIDGE INGLESIDE ...	CN605745140	ACTIVE	YES	NO	×
130479	AIROP	PERMIT	3454	FLINT HILLS RESOURC...	CN605721935	CLOSED	YES	NO	×
124669	WATERIGHT	PERMIT	WRPERM 13775	ENBRIDGE INGLESIDE ...	CN605636521	ACTIVE	YES	NO	×

Associate...

Actions

Date/Time	Type	Delivery	Acknowledgement	Comments	Documents	Delete
04/05/2023 11:56 AM	COMMENT - WRITTEN ENGLISH	ECOMMENT	-	YES	NO	×

Add...

Edit Item Action

* Delivery Method: ECOMMENT

* Type: COMMENT - WRITTEN ENGLISH

* Date/Time: 03/24/2023 01:27 PM

Acknowledgement Date:

✔ Protestant Comments

Save | Reset | Cancel

Edit Protestant Comments

Comments

I vehemently object to this permit. This entire shoreline is already compromised. We have lost seagrasses, had dead dolphins and sea turtles in the area. The fishing in front of our home is nonexistent, the shorebirds and water birds have all but disappeared. These ecosystems no longer have a fighting chance as it is. This is blatant destruction of this shoreline and bay.

Documents

+ Choose File

Drag & Drop files to the box above to upload, or select Choose File

Ok Reset Cancel

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:58 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: Mathisjan03@msn.com <Mathisjan03@msn.com>
Sent: Thursday, April 6, 2023 4:28 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Janice Mathis

EMAIL: Mathisjan03@msn.com

COMPANY:

ADDRESS: 222 TERRACE CREEK CT
RICHMOND TX 77406-3590

PHONE: 2816336823

FAX:

COMMENTS: The approval of this permit will greatly harm this fragile bay environment. We raised out family in this community and want to bring my grandkids here as well.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:44 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: Mathisjan03@msn.com <Mathisjan03@msn.com>
Sent: Thursday, April 6, 2023 9:29 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Janice Mathis

EMAIL: Mathisjan03@msn.com

COMPANY:

ADDRESS: 222 TERRACE CREEK CT
RICHMOND TX 77406-3590

PHONE: 2816336823

FAX:

COMMENTS: The approval of this permit will greatly harm this fragile bay environment. We raised out family in this community and want to bring my grandkids here as well.

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Eli McKay

Mailing Address: 1005 Marguerite St Corpus Christi TX 78401

Physical Address (if different): _____

City/State: CC TX **Zip:** 78401

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: elimckay361@gmail.com

Phone Number: (970) 433 9329

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☑ No

  If yes, which one? _____

☑ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☑ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

written comment on back →

Please give this form to the person at the information table. Thank you.

Written Comments:

Please restate the language in the permit to specify what the water will be used for, and limited to only fire water use.

Water is especially sacred at this time, and any permitting in regard to water should be carefully studied and all environmental impacts put as the priority before any permits are approved.

The people who live in Ingleside on the Bay deserve to be considered as a priority over Enbridge or any other industrial companies.

TCEQ should deny this permit as the impacts have not been properly studied. Environmental impacts and impacts to the human quality of life.

RECEIVED
FEB 29 2024
AT PUBLIC MEETING

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Mark Muenster

Mailing Address: 1015 Luxor Drive

Physical Address (if different): _____

City/State: Corpus Christi, TX **Zip:** 78412

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: mjmuenster728@gmail.com

Phone Number: (361) 658-9692

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

  If yes, which one? _____

☑ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT Roland Loy Robinson

Name: BRANDI Michelle Robinson

Mailing Address: 106 Bayshore Circle

Physical Address (if different): same

City/State: Ingleside, TX **Zip:** 78362

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: bgbaby29@yahoo.com robo.robinson@yahoo.com

Phone Number: (405) 226-1016 (405) 249-8443

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☑ No

  If yes, which one? _____

☑ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:55 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: bgbaby29@yahoo.com <bgbaby29@yahoo.com>
Sent: Thursday, April 6, 2023 1:24 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Brandi Robinson

EMAIL: bgbaby29@yahoo.com

COMPANY:

ADDRESS: 106 BAYSHORE CIR
INGLESIDE TX 78362-4709

PHONE: 4052261016

FAX:

COMMENTS: My husband and i moved to Ingleside on the Bay a year ago this month. After retiring from 30 years in the Army, we wanted to retire to a peaceful and beautiful area to enjoy your retirement. The first few months were very nice, relaxing and peaceful. The huge ships come storming in and damage our shoreline and residents bulkheads. The all day and night noise from dredging is very annoying and loud. We look out our balcony window, all we see is a big hill of

dirt and equipment. The cost of living here is pretty high. We pay these high prices to have the beautiful view and peace that one it's suppose to have living along the coast. ENBRIDGE has absolutely ZERO care about our small community. ENBRIDGE's main goal in life is MONEY!! MONEY is the root of all evil and it shows throw ENBRIDGE! We lose so much water with your huge ships coming in and out, not to mention that our marine life is suffering. Enough is enough!!! Leave our small community and shore ALONE! You mention the water will be used for fire testing. It does not take a rocket scientist to know that's not true. What is the real reason for the abundance of water that you "need"? How are you going to protect our acquatic life? We need truthful answers!

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:43 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: leslierozzell@gmail.com <leslierozzell@gmail.com>
Sent: Wednesday, April 5, 2023 11:59 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Andrea L Rozzell

EMAIL: leslierozzell@gmail.com

COMPANY:

ADDRESS: 1030 BAYSHORE DR
INGLESIDE TX 78362-4647

PHONE: 6029038352

FAX:

COMMENTS: The applicant should not be allowed to damage and diminish the natural environment, and thus the quality of life of residents, fishermen, and all who enjoy it. If allowed our property values will be jeopardized as well. City water is available to the applicant without damage to the environment. It is not appropriate to sacrifice environmental and ecological quality as well as the quality of life of residents in order to enhance the applicant's profits. The application

is inaccurate with respect to the ownership of the property and owner's responsible representatives. The application fails to demonstrate a responsible plan for intake and discharge of into the environment.

Interested Person Detail

IP No. 260899 Name SALTARELLI,SHIRLEY Organization Title

IP Detail | Address | Electronic Communications | Items & Actions | Additional IDs | Counties | Zip Codes | Customers & Regulated Entities

Items

Show more columns

Number	Program	ID Type	Additional ID	Principal	CN	Status	Active	Comments	Delete
124669	WATERIGHT	PERMIT	WRPERM 13775	ENBRIDGE INGLESIDE ...	CN605636521	ACTIVE	YES	NO	×

Associate...

Actions

Date/Time	Type	Delivery	Acknowledgement	Comments	Documents	Delete
03/24/2023 01:27 PM	COMMENT - WRITTEN ENGLISH	ECOMMENT	-	YES	NO	×

Add...

Back To Search

Edit Item Action

* Delivery Method: ECOMMENT

* Type: COMMENT - WRITTEN ENGLISH

* Date/Time: 03/24/2023 01:27 PM

Acknowledgement Date:

✔ Protestant Comments

Save | Reset | Cancel

Edit Protestant Comments

Comments

This water grab will hurt the bay ecosystem....}

plus the permit request is under MODA, not Enbridge....so it is not legit

Documents

+ Choose File

Drag & Drop files to the box above to upload, or select Choose File

Ok Reset Cancel

Ellie Guerra

From:	PUBCOMMENT-OCC
Sent:	Monday, March 13, 2023 10:31 AM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject:	FW: Public comment on Permit Number WRPERM 13775
Attachments:	Comments and Requests MODA's Deviation Reports.docx; Comments and Requests MODA's Deviation Reports.docx

From: cacheton1@twc.com <cacheton1@twc.com>
Sent: Saturday, March 11, 2023 4:00 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: MR Encarnacion Serna

EMAIL: cacheton1@twc.com

COMPANY: self

ADDRESS: 105 LOST CREEK DR
PORTLAND TX 78374-1449

PHONE: 3619035774

FAX:

COMMENTS: This water rights permit must not be granted. Please read the attached document.

My name is Encarnacion Serna. My wife Rosa and I reside at 105 Lost Creek Drive in Portland, Texas. We have lived in this home since July 1991. My telephone number is 361- 903-5774.

I request here that Instead of granting/approving the MODA amendment request to Permit No 122362, and after reading some of MDAS deviation reports submitted to the TCEQ for their energy Center located on the town of Ingleside By the Bay, that a thorough in-depth investigation be conducted immediately by the TCEQ in conjunction with EPA and OSHA if deemed necessary, to determine if this facility is operating in compliance with the various most current air permit(s) and its amendments and with the requirements of the OSHA 1910.119 Process Safety Requirements. In addition: neither the Applicant nor the TCEQ have done comprehensive, adequate, and meaningful inspections, studies or modeling of the air in the six-miles stretch where many industrial sites all located within a six-miles stretch) to determine the current condition of the air in this small space which is only six miles long. Therefore, I am also requesting that the TCEQ in conjunction with the EPA conduct such studies and modeling, before granting any more permit or amendments requests. In addition, if during this investigation serious violations are revealed whereby the health and the safety of individuals living on the adjacent communities have been affected or the condition of the air atmosphere in this six-mile space is close or at non-attainment then serious consideration should be given to the revocation of existing air permit and amendments.

My property extends to the shores of Corpus Christi Bay. The MODA TERMINAL is located approximately six (6) miles east of my property.

I have direct access to the Bay from my home, and I can see the gigantic Cheniere flare from my backyard just a couple of thousand feet away. My family and I spend a lot of time throughout the year outside in the back yard and in my portion of the Bay, doing yard work, doing repairs to the property, fishing, kayaking and swimming. In so doing we are exposed daily to breathing High Air Pollutant's (HAP's) from combusted and non-combusted gas plumes constantly and continuously coming directly over our property from the MODA Terminal and from Cheniere's LNG Liquefaction Plant Flares. The Bay waters along with my backyard have been sources of recreation for years and have provided entertainment work and fish for my family. Now I have 10 grandchildren and in-laws and we all recreate in my backyard and the Bay. Two of my children, and one grandchild are chronic asthmatics. My wife and I are 70 years old, retired, and have serious allergy problems.

This facility's emissions (combusted and -non-combusted HAP's), from their tanks, and seven to eight (7-8) flares etc. are a continuous threat and present a constant fear to our health, safety and the environment, that me, my family, and many other neighbors live in daily, and have to put up with it. It is for these concerns and fear for the health and safety of me and my family that I write the following comments, ask the questions below, and make the following requests to both The Applicant and the TCEQ based on my review of various MODA's Deviation Reports for the years 2018, 2019, and 2020:

VCU Temperature deviations/violations

1. For the year 2018 I counted a total of four thousand eight hundred and fifty-nine deviations/violations (4,859) of existing permit and amendments. The break down by VCU is as follows:
   a. VCU 1 = 2,164
   b. VCU 2 = 2,145

c. VCU3 = 550

These deviations/violations consist primarily in MODA not being capable of maintaining the permitted VCU temperature limits of 1499 °F for VCU 1, 1479 °F for VCU 2 and 1500 °F for VCU 3 respectively. MODA states in their deviation reports that this inability or failure to maintain the permit condition temperatures is due to:

a. These being the largest units John Zink ever made and troubles or issues were not anticipated.
b. The units being located in corrosive atmospheres in the Gulf Coast causing degradation and warping of wrong materials being used in these VCU's
c. Problems with the control program logic box.

2. For the year 2019 second half, from 7-17-2019 to 1-16-2020, (first half or semester for 2019 was not found) I counted a total of seven hundred and thirteen (713) deviations/violations of existing permit and amendments. The break down by VCU is as follows:
   d. VCU 1 = 279
   e. VCU 2 = 118
   f. VCU 3 = 233
   g. VCU 4 = 7
   h. VCU 5 = 31
   i. VCU 6 = 21
   j. VCU 7 = 24

These deviations/violations consist primarily in MODA not being capable of maintaining the permitted VCU temperature limits of 1499 °F for VCU 1, 1479 °F for VCU 2, 1500 °F for VCU 3, 1461 °F for VCU 4, and 1500 °F for VCU's 5, 6, and 7. MODA states in their deviation reports that this inability or failure to maintain the permit condition temperatures is due to:

d. These being the largest units John Zink ever made and troubles or issues were not anticipated.
e. The units being located in corrosive atmospheres in the Gulf Coast causing degradation and warping of wrong materials being used in these VCU's
f. Problems with the control program logic box.

3. For the year 2020 first half, from 1-17-2020 to 7-16-2020, (second half or semester for 2020 was not found) I counted a total of four hundred and twenty (420) deviations violations of existing permit and amendments. The break down by VCU is as follows:
   k. VCU 1 = 39
   l. VCU 2 = 15
   m. VCU 3 = 21
   n. VCU 5 = 81
   o. VCU 6 = 106
   p. VCU 7 = 1584

These deviations/violations consist primarily in MODA not being capable of maintaining the permitted VCU temperature limits of 1499 °F for VCU 1, 1479 °F for VCU 2, 1500 °F for VCU 3, 1461 °F for VCU 4, and 1500 °F for VCU's 5, 6, and 7. MODA states in their deviation reports that this inability or failure to maintain the permit condition temperatures is due to:

g. These being the largest units John Zink ever made and troubles or issues were not anticipated.
h. The units being located in corrosive atmospheres in the Gulf Coast causing degradation and warping of wrong materials being used in these VCU's
i. Problems with the control program logic box.

It should be noted that in the year 2019 MODA changed the reportable span from 5 minutes to 6 minutes thus artificially creating lower numbers of deviations per semester for the years 2019 and 2020. Also, in the year 2018 MODA based the number of deviations using incorrectly a temperature permit limit of 1409 °F instead of 1479 °F thus artificially creating lower deviation/violation numbers for VCU 2.

In addition, in a segment of one of the 2018 reports MODA states that in their **second year** of operating the VCU's they discovered the issues with the VCU's, and 3 years latter 2020, they still have the same issues. So where are the deviation reports for 2017, first half/semester 2019, and second half/semester of 2020?

Of extreme significance it should also be mentioned that the operating temperature values/levels in a lot of these deviations/violations for all VCU's are orders of magnitude below the TCEQ permitted values. **In many, many, too many to count instances,** they operated orders of magnitude below the permitted limits, there are extended periods where they operated as low as in the 200's and 300's, 600's 800's etc. degrees Fahrenheit and even at ambient temperatures in the 100's and below (zero combustion VCU shut down just emitting to atmosphere VOC's H2S and who knows what else)

Questions to the TCEQ and to MODA:

1. ***Are my deviation/violation counts, correct? if not what are the correct counts?***
2. ***Where are the 2017, the 2019 and the 2020 missing reports? How many temperature/deviations occurred in these years?***
3. ***What are the combustion efficiencies for all VCU's for every 100 °F operating temperature interval starting at 200 °F and ending at 1500 °F for H2S and every VOC Components?***
4. ***Quantify-How much short-term limit (lbs./hr.) how many times, and long term (tons/yr) were emitted to the air when temperatures were below the permitted limits for?***
   a. ***VOC components***
   b. ***H2S***
   c. ***CO***
   d. ***SO2***
   e. ***Particulate matter***
5. ***Can the TCEQ evaluate the impact these deviations had/have on the citizens of the Coastal Bend especially the citizens of Ingleside and Ingleside on the Bay?***

Other Non-Temperature deviations/violations

The 2018 to 2020 deviations/violations associated with parameters other than VCU temperatures are too many and too varied to be listed here, however the following are worth mentioning:

a. Title V violations due to reporting frequency (semiannual vs. annual) failures
b. Failures to maintain minimum pressures of 0.2 psig in marine loading equipment during marine loading activities.

c. MODA using lower k factors (liquid mounted seals with foam) on internal roof tanks to calculate emissions rather than using k factors which are higher (primary seals on tanks with mechanical shoes) Cheating on calculations!!!
d. Fugitive emissions caused by equipment failures and malfunctions.
e. Failure to obtain opacity readings on VCU's
f. Failures to contact TCEQ Regional Office prior to conducting marine loading pertaining to VOC collection efficiency.
g. Etc. etc.

Overall conclusion. MODA **is not a good neighbor. MODA is a nefarious neighbor. MODA does not care about the schools and neighborhoods that exist around them. MODA does not care about the health and safety of the people around them, MODA does not have adequate equipment to do what they want to do and they still do it anyway, MODA does not know how to operate their plant in an environmentally safe manner and they still do it anyway etc. etc.**

Major question to the TCEQ. ***Has the TCEQ, EPA, or OSHA carried out any enforcement action(s) on MODAS Energy Terminal located in Ingleside on the Bay If so, what are they? If not why not?***

Major requests to the TCEQ. In conjunction with EPA and OSHA, if OSHA is needed, start an investigation on this plant immediately. Do not grant this or any other amendment to this nefarious site, but instead revoke existing permits and amendments if the investigation confirms major problems and dangers to the communities around this site.

Encarnacion Serna (Chon) 361-903-5774

My name is Encarnacion Serna. My wife Rosa and I reside at 105 Lost Creek Drive in Portland, Texas. We have lived in this home since July 1991. My telephone number is 361- 903-5774.

I request here that Instead of granting/approving the MODA amendment request to Permit No 122362, and after reading some of MDAS deviation reports submitted to the TCEQ for their energy Center located on the town of Ingleside By the Bay, that a thorough in-depth investigation be conducted immediately by the TCEQ in conjunction with EPA and OSHA if deemed necessary, to determine if this facility is operating in compliance with the various most current air permit(s) and its amendments and with the requirements of the OSHA 1910.119 Process Safety Requirements. In addition: neither the Applicant nor the TCEQ have done comprehensive, adequate, and meaningful inspections, studies or modeling of the air in the six-miles stretch where many industrial sites all located within a six-miles stretch) to determine the current condition of the air in this small space which is only six miles long. Therefore, I am also requesting that the TCEQ in conjunction with the EPA conduct such studies and modeling, before granting any more permit or amendments requests. In addition, if during this investigation serious violations are revealed whereby the health and the safety of individuals living on the adjacent communities have been affected or the condition of the air atmosphere in this six-mile space is close or at non-attainment then serious consideration should be given to the revocation of existing air permit and amendments.

My property extends to the shores of Corpus Christi Bay. The MODA TERMINAL is located approximately six (6) miles east of my property.

I have direct access to the Bay from my home, and I can see the gigantic Cheniere flare from my backyard just a couple of thousand feet away. My family and I spend a lot of time throughout the year outside in the back yard and in my portion of the Bay, doing yard work, doing repairs to the property, fishing, kayaking and swimming. In so doing we are exposed daily to breathing High Air Pollutant's (HAP's) from combusted and non-combusted gas plumes constantly and continuously coming directly over our property from the MODA Terminal and from Cheniere's LNG Liquefaction Plant Flares. The Bay waters along with my backyard have been sources of recreation for years and have provided entertainment work and fish for my family. Now I have 10 grandchildren and in-laws and we all recreate in my backyard and the Bay. Two of my children, and one grandchild are chronic asthmatics. My wife and I are 70 years old, retired, and have serious allergy problems.

This facility's emissions (combusted and -non-combusted HAP's), from their tanks, and seven to eight (7-8) flares etc. are a continuous threat and present a constant fear to our health, safety and the environment, that me, my family, and many other neighbors live in daily, and have to put up with it. It is for these concerns and fear for the health and safety of me and my family that I write the following comments, ask the questions below, and make the following requests to both The Applicant and the TCEQ based on my review of various MODA's Deviation Reports for the years 2018, 2019, and 2020:

VCU Temperature deviations/violations

1. For the year 2018 I counted a total of four thousand eight hundred and fifty-nine deviations/violations (4,859) of existing permit and amendments. The break down by VCU is as follows:
   a. VCU 1 = 2,164
   b. VCU 2 = 2,145

c. VCU3 = 550

These deviations/violations consist primarily in MODA not being capable of maintaining the permitted VCU temperature limits of 1499 °F for VCU 1, 1479 °F for VCU 2 and 1500 °F for VCU 3 respectively. MODA states in their deviation reports that this inability or failure to maintain the permit condition temperatures is due to:

a. These being the largest units John Zink ever made and troubles or issues were not anticipated.
b. The units being located in corrosive atmospheres in the Gulf Coast causing degradation and warping of wrong materials being used in these VCU's
c. Problems with the control program logic box.

2. For the year 2019 second half, from 7-17-2019 to 1-16-2020, (first half or semester for 2019 was not found) I counted a total of seven hundred and thirteen (713) deviations/violations of existing permit and amendments. The break down by VCU is as follows:
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These deviations/violations consist primarily in MODA not being capable of maintaining the permitted VCU temperature limits of 1499 °F for VCU 1, 1479 °F for VCU 2, 1500 °F for VCU 3, 1461 °F for VCU 4, and 1500 °F for VCU's 5, 6, and 7. MODA states in their deviation reports that this inability or failure to maintain the permit condition temperatures is due to:

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These deviations/violations consist primarily in MODA not being capable of maintaining the permitted VCU temperature limits of 1499 °F for VCU 1, 1479 °F for VCU 2, 1500 °F for VCU 3, 1461 °F for VCU 4, and 1500 °F for VCU's 5, 6, and 7. MODA states in their deviation reports that this inability or failure to maintain the permit condition temperatures is due to:

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In addition, in a segment of one of the 2018 reports MODA states that in their **second year** of operating the VCU's they discovered the issues with the VCU's, and 3 years latter 2020, they still have the same issues. So where are the deviation reports for 2017, first half/semester 2019, and second half/semester of 2020?

Of extreme significance it should also be mentioned that the operating temperature values/levels in a lot of these deviations/violations for all VCU's are orders of magnitude below the TCEQ permitted values. **In many, many, too many to count instances,** they operated orders of magnitude below the permitted limits, there are extended periods where they operated as low as in the 200's and 300's, 600's 800's etc. degrees Fahrenheit and even at ambient temperatures in the 100's and below (zero combustion VCU shut down just emitting to atmosphere VOC's H2S and who knows what else)

Questions to the TCEQ and to MODA:

1. ***Are my deviation/violation counts, correct? if not what are the correct counts?***
2. ***Where are the 2017, the 2019 and the 2020 missing reports? How many temperature/deviations occurred in these years?***
3. ***What are the combustion efficiencies for all VCU's for every 100 °F operating temperature interval starting at 200 °F and ending at 1500 °F for H2S and every VOC Components?***
4. ***Quantify-How much short-term limit (lbs./hr.) how many times, and long term (tons/yr) were emitted to the air when temperatures were below the permitted limits for?***
   a. ***VOC components***
   b. ***H2S***
   c. ***CO***
   d. ***SO2***
   e. ***Particulate matter***
5. ***Can the TCEQ evaluate the impact these deviations had/have on the citizens of the Coastal Bend especially the citizens of Ingleside and Ingleside on the Bay?***

Other Non-Temperature deviations/violations

The 2018 to 2020 deviations/violations associated with parameters other than VCU temperatures are too many and too varied to be listed here, however the following are worth mentioning:

a. Title V violations due to reporting frequency (semiannual vs. annual) failures
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c. MODA using lower k factors (liquid mounted seals with foam) on internal roof tanks to calculate emissions rather than using k factors which are higher (primary seals on tanks with mechanical shoes) Cheating on calculations!!!
d. Fugitive emissions caused by equipment failures and malfunctions.
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Overall conclusion. MODA **is not a good neighbor. MODA is a nefarious neighbor. MODA does not care about the schools and neighborhoods that exist around them. MODA does not care about the health and safety of the people around them, MODA does not have adequate equipment to do what they want to do and they still do it anyway, MODA does not know how to operate their plant in an environmentally safe manner and they still do it anyway etc. etc.**

Major question to the TCEQ. *Has the TCEQ, EPA, or OSHA carried out any enforcement action(s) on MODAS Energy Terminal located in Ingleside on the Bay If so, what are they? If not why not?*

Major requests to the TCEQ. In conjunction with EPA and OSHA, if OSHA is needed, start an investigation on this plant immediately. Do not grant this or any other amendment to this nefarious site, but instead revoke existing permits and amendments if the investigation confirms major problems and dangers to the communities around this site.

Encarnacion Serna (Chon) 361-903-5774

Ellie Guerra

From:	PUBCOMMENT-OCC
Sent:	Monday, March 13, 2023 10:25 AM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject:	FW: Public comment on Permit Number WRPERM 13775
Attachments:	Comments and Requests Enbridge Water Rights.docx

From: cacheton1@twc.com <cacheton1@twc.com>
Sent: Saturday, March 11, 2023 3:56 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: MR Encarnacion Serna

EMAIL: cacheton1@twc.com

COMPANY: self

ADDRESS: 105 LOST CREEK DR
PORTLAND TX 78374-1449

PHONE: 3619035774

FAX:

COMMENTS: This Water rights permit must not be granted. Please read the attached document.

My name is Encarnacion Serna. My wife Rosa and I reside at 105 Lost Creek Drive in Portland, Texas. We have lived in this home since July 1991. My telephone number is 361- 903-5774. My property extends to the shores of Corpus Christi Bay. The MODA TERMINAL is located approximately six (6) miles east of my property.

I request here that Instead of granting/approving the Enbridge/MODA request to Water Rights Permit, Permit No. WRPERM 13775, that the permit be denied because of Enbridge/MODA's terrible performance when it comes to compliance with TCEQ permits. As I wrote on my letter to the TCEQ dated July 14, 2021, I expressed in detail, (listing the thousands of violations/deviations committed on this site on their air permit) my objection to their air permit amendment request being granted. This objection was to Air Permit N0. 122362, in which I also requested that a thorough in-depth investigation be conducted immediately by the TCEQ in conjunction with EPA and OSHA to determine if this facility is operating in compliance with the various most current air permit(s) and its amendments and with the requirements of the OSHA 1910.119 Process Safety Requirements.

Other reasons why WRPERM 13775 must not be granted are:

1. Currently there are no rules or laws to protect eggs and larvae for the different spices that populate the Corpus Christi Bay. No screen or velocity requirement or any other of the proposed gadgets will protect the microscopic life that dwells in these Corpus Christi Bay segments.
2. No hydrodynamic/hydraulic studies have been conducted on the Bay to determine the impact of lifting/sucking 100,000 gallons per minute i.e., a velocity of 222.8 cfs.
3. No cumulative impacts on hydrodynamic/hydraulic have been determined due to the aggregates of other gargantuan water withdrawals being proposed by the following desalination plants.
   a. Port of Corpus Christi La Quinta Desalination Intake = 90.4 MGD (WRPERM 13630)
   b. City of Corpus Christi La Quinta Desalination Intake = 166.2 MGD (WRPERM 13675)
   c. Port of Corpus Christi Harbor Island (Intake undetermined as of now)
   d. City of Corpus Christi Inner Harbor Intake = 83.09 MGD (WRPERM 13676)
   e. Corpus Christi Polymers Inner Harbor Intake = 23.04 MGD (WRPERM 12986)
4. Why is a maximum pumping rate of 100,000 gallons per minute (144 MGD if pumping occurs for a whole day) being requested simultaneously on this request, when the plant only needs 500 acre foot per year which is only 0.45 MGD on the average? What does Enbridge/MODA really need all these Bay water for?
5. The Applicant is not transparent, because it does not detail and provide a break down of the different uses for these large quantities of water.
6. This is a major gargantuan demand on water that needs to be studied by The Army Corps of Engineers and by the Coast Guard. Its impact on the Bat will be great.

Encarnacion Serna (Chon) 361-903-5774

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 11:02 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: Amandashort316@gmail.com <Amandashort316@gmail.com>
Sent: Friday, April 7, 2023 12:17 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Amanda Short

EMAIL: Amandashort316@gmail.com

COMPANY:

ADDRESS: 582 ADOLFO RD
ARANSAS PASS TX 78336-3067

PHONE: 3617743332

FAX:

COMMENTS: In the interest of complete transparency, this amount of natural resources (marine water), is extravagant, and not needed for fire purposes. If so, every other industry would need the same requested amount. Something dishonest is going in here. The implications for marine life, our tourism industry, and the people living near these waters would be devastating. Even microorganisms transported in this water would have cataclysmic effects on the ecosystem.

Many local breadwinners depend on these waterways for their livelihoods. This permit threatens the health of communities by devastating an ecosystem that sustains us.

Ellie Guerra

From:	PUBCOMMENT-OCC
Sent:	Monday, April 17, 2023 12:57 PM
To:	PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject:	FW: Public comment on Permit Number WRPERM 13775
Attachments:	1 - my written comments to TCEQ.pdf

PM

From: summerline@verizon.net <summerline@verizon.net>
Sent: Monday, April 17, 2023 9:28 AM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Errol Alvie Summerlin

EMAIL: summerline@verizon.net

COMPANY: Coastal Alliance to Protect our Environment

ADDRESS: 1017 DIOMEDE ST
PORTLAND TX 78374-1914

PHONE: 3619605313

FAX:

COMMENTS: Please see the attached comments on the proposed Permit.

Errol A. Summerlin
1017 Diomede
Portland, Tx. 78374
(361) 960-5313

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

April 17, 2023

Re: COMMENTS
Proposed Water Rights Permit Number WRPERM 13775
Applicant: Enbridge Ingleside Oil Terminal, LLC

Dear Sir/Madam:

I have lived in Portland for 39 years. I have fished and crabbed for many years along the northern shorelines of Corpus Christi Bay. I am an avid birder and enjoy the abundance of wildlife in the area. I am a member of Portland Citizens United, the Coastal Alliance to Protect our Environment (CAPE) and Ingleside on the Bay Coastal Watch Association. This letter is written to provide Comments regarding the above-referenced permit application, and I specifically Request a Public Meeting on this Permit.

From the outset, I urge the TCEQ to Deny the Issuance of this Permit and submit the following in support of this Request:

The designated uses of Segment 2481 include recreational contact, oyster waters and exceptional aquatic life. 2481 is also designated as an Essential Fish Habitat that includes a number of EFH species. Species in the Segment include Lightning Whelk, Blue Crab, Stone Crab, Fiddler Crab, American Alligator, oysters, red drum, spotted seatrout, black drum, striped mullet, southern flounder, hardhead catfish, bottlenose dolphins, pinfish, pigfish, silver perch, smooth puffer, sand seatrout, and numerous others. In addition, the Green Sea Turtle, a threatened species is known to be present in the segment.

The Diversion will expose the aforementioned aquatic life to impingement of marine organisms when trapped on the intake screen. Marine organisms are further exposed to entrainment when organisms small enough to pass through the intake screens, such as plankton, fish eggs, and larvae are killed. Entrainment organisms are killed by pressure and velocity changes caused by pumps. If this diverted water is to be used for fire-fighting, what other chemicals may be added to prevent corrosion of equipment at the facility? How will the intake structure avoid fouling and predation by filter feeders like mussels and barnacles that line intake pipes and themselves are considered a fouling nuisance?

The proposed intake structure is to be located along the La Quinta Channel and the intended use of the diverted water is for fire-fighting, which makes absolutely no sense at all.

Further, it does not appear there is any consideration of potential drainage of stormwater from the facility into the Channel after the water has been applied to the facility equipment.

The TCEQ cannot ignore the cumulative impacts to aquatic life this diversion will have when combined with other current and proposed Diversions from the La Quinta Channel. Aquatic life that spawns in the Gulf of Mexico travel through the Port Aransas Ship Channel in search of the rich nurseries provided throughout Segment 2481. They travel up the La Quinta Channel and will immediately encounter this Diversion, the first of many diversions that will threaten their existence. Segment 2481 is regarded as one body of water; aquatic life moves freely throughout the bay system. Water Rights for the Diversion will impact marine life throughout Segment 2481 through entrainment and impingement. Therefore, the cumulative Water Rights for Diversion must be considered by the TCEQ; and they should not be ignored by the Applicant.

While this list may not be exhaustive, a few Water Rights Permits for Diversion impacting Segment 2481 and specifically the La Quinta Channel include:

- the Diversions granted to Corpus Christi Liquefaction, authorized under WR Permit #13610;
- the Diversions granted to Cheniere Land Holdings, LLC, authorized in WR Permit #13605;
- the Diversions granted to Voestalpine Texas, LLC, authorized in WR Permit #13077;
- the Diversions proposed to Corpus Christi Alumina in WR Permit # 13640;
- the Diversions proposed for South Texas Gateway Terminal, LLC in WR Permit #13637;
- the Diversions proposed in the Port of Corpus Christi's WR Permit #13630;
- the Diversions proposed in the City of Corpus Christi's WR Permit #13676;

The combined dangers of these diversions to aquatic life in Segment 2481 cannot be ignored. The rate of diversion in this Application is dangerous; multiple diversions are incomprehensible.

In addition, there are several dredging projects in the La Quinta Channel that must be considered when determining the feasibility of the intake structure's location.

Before granting the Permit, the TCEQ must review the application in accordance with applicable federal law, including

- **Endangered Species Act:** The ESA prohibits any actions that harm or kill threatened or endangered species
- **Marine Mammal Protection Act:** The MMPA generally prohibits harming or killing marine mammals – 16 U.S.C. § 1372
- **Rivers and Harbors Act and Clean Water Act § 404:** The project must comply with federal requirements for Army Corps approval of the construction of any structure in or over a navigable water, 33 U.S.C. § 403, or the addition of fill to any navigable water, 33 U.S.C. § 1344

- **National Environmental Policy Act, ESA, and Essential Fish Habitat:** Any federal involvement in the project, whether through financing, permitting, or otherwise, requires compliance with NEPA and the preparation of an Environmental Impact Statement. 42 U.S.C. § 4331 *et seq.* Similarly, federal involvement requires compliance with the ESA's consultation requirement. 16 U.S.C. § 1536. And federal involvement requires compliance with the Magnuson-Stevens Act's Essential Fish Habitat consultation requirement. 16 U.S.C. § 1855(b)

For all of the aforementioned reasons, the Applicant's Permit should be denied.

Respectfully,

Errol A Summerlin

Errol A. Summerlin

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Chloe Torres

Mailing Address: 3302 Casa Bonita Dr

Physical Address (if different): _____

City/State: Corpus Christi, TX **Zip:** 78411

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: kooks2210@gmail.com

Phone Number: (361) 480-8572

- Are you here today representing a municipality, legislator, agency, or group? ☒ Yes ☐ No

  If yes, which one? Texas Campaign for the Environment

☒ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

17

TCEQ Registration Form

February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Lou Valdes

Mailing Address: 809 Bayshore

Physical Address (if different): _____

City/State: Ingleside TX **Zip:** 78362

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: LVALDES100@verizon.net

Phone Number: (972) 849 7976

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☒ No

  If yes, which one? _____

☒ **Please add me to the mailing list.**

☒ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

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(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

TCEQ Registration Form
February 29, 2024

Enbridge Ingleside Oil Terminal, LLC
Proposed Water Use Permit Application No. 13775

PLEASE PRINT

Name: Dennis Wade

Mailing Address: 1102 Ocean Breeze

Physical Address (if different): _____

City/State: Portland **Zip:** 78374

*****This information is subject to public disclosure under the Texas Public Information Act*****

Email: dennis dwade@stexasnews.com

Phone Number: (512) 745 9148

- Are you here today representing a municipality, legislator, agency, or group? ☐ Yes ☑ No

  If yes, which one? _____

☑ **Please add me to the mailing list.**

☐ **I wish to provide formal *ORAL COMMENTS* at tonight's public meeting.**

☐ **I wish to provide formal *WRITTEN COMMENTS* at tonight's public meeting.**

(Written comments may be submitted at any time during the meeting)

Please give this form to the person at the information table. Thank you.

Ellie Guerra

From: PUBCOMMENT-OCC
Sent: Monday, March 27, 2023 1:24 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-ELD; PUBCOMMENT-OPIC; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: Wildersuzi@gmail.com <Wildersuzi@gmail.com>
Sent: Monday, March 27, 2023 12:36 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: Susan Wilder

EMAIL: Wildersuzi@gmail.com

COMPANY:

ADDRESS: 1215 BAYSHORE DR
INGLESIDE TX 78362-4701

PHONE: 3615373418

FAX:

COMMENTS: Please deny this permit!!!! To take the water out of our Bay would be highly detrimental to the environment and to the ecosystem as we have already seen a huge decline meaning not a crab caught this year and the fish caught off our pier (which is the 3rd one over from Embridge) are far and few between. The reason we bought here

in Ingleside on the Bay was to enjoy the things the water brought us and that has declined immensely in the last few years now that the industry has amped up all around us. Please please deny this permit!!

Christina Bourque

From: PUBCOMMENT-OCC
Sent: Monday, April 10, 2023 10:56 AM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Subject: FW: Public comment on Permit Number WRPERM 13775

From: willishv@gmail.com <willishv@gmail.com>
Sent: Thursday, April 6, 2023 2:16 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 13775

REGULATED ENTY NAME WRPERM 13775

RN NUMBER: RN111303897

PERMIT NUMBER: WRPERM 13775

DOCKET NUMBER:

COUNTY: SAN PATRICIO

PRINCIPAL NAME: ENBRIDGE INGLESIDE OIL TERMINAL LLC

CN NUMBER: CN605636521

FROM

NAME: MR Harold E Willis

EMAIL: willishv@gmail.com

COMPANY: na

ADDRESS: 1122 ORION DR
PORTLAND TX 78374-1923

PHONE: 3616589847

FAX:

COMMENTS: I'm objecting to the issuing of any permit that will be a determent to the water quality that will directly impact the water quality to the plant and marine life to this area. After seeing the damage done already to removing trees and clearing the land with out proper requests to start a project that tells me there is going to be a lot of skipped or missed requirements to keep us, the public, informed of developments with a very unfavorable projected projects

that will have a negative impact on our fragile environment. It looks like the water removal is just the start of underhanded dealings.