

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER concerning the application by Port of Corpus Christi Authority of Nueces County for Water Use Permit No. 13630; TCEQ Docket No. 2021-0421-WR.

On July 20, 2022, the Texas Commission on Environmental Quality (Commission) considered during its open meeting numerous requests for hearing concerning the application by Port of Corpus Christi Authority of Nueces County (Applicant) for Water Use Permit No. 13630. The requests for hearing were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code (TAC) Chapter 55. The Commission also considered the responses to the requests for hearing filed by the Executive Director and the Office of Public Interest Counsel; replies; all timely public comment; and the Executive Director's Response to Comments.

After evaluation of all relevant filings, the Commission determined that Encarnacion Serna and Ingleside on the Bay Coastal Watch Association are affected persons under applicable law and their hearing requests should be granted. The remaining hearing requests were denied. The Commission next determined to refer the application to the State Office of Administrative Hearings (SOAH) for a contested case hearing on the application. Finally, the Commission referred this matter to the Commission's Alternative Dispute Resolution (ADR) Program, to run concurrently with SOAH preliminary hearing scheduling efforts.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

- (1) The hearing requests filed by Encarnacion Serna and Ingleside on the Bay Coastal Watch Association are hereby GRANTED;
- (2) The remaining hearing requests are hereby DENIED;
- (3) The Commission's Chief Clerk shall REFER this matter to SOAH for a contested case hearing on the application;
- (4) This matter is referred to the Commission's Alternative Dispute Resolution Program to run concurrently with the SOAH scheduling process; and
- (5) If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY



For the Commission

7/25/2022

Date Signed