

TCEQ Interoffice Memorandum

TO: Office of the Chief Clerk
Texas Commission on Environmental Quality

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Sarah Henderson, Project Manager
Water Rights Permitting Team

DATE: December 23, 2022

SUBJECT: Principle Industrial Services, LLC
WRTP 13887
CN606078400, RN111607560
Application No. 13887 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Nueces Bay, Nueces-Rio Grande Coastal Basin
Nueces County

The application and fees were received on November 18, 2022. Additional information was received on November 22, 29 and December 2, 4, and 19, 2022. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on December 23, 2022. Mailed notice to the downstream water right holders of record in the Nueces-Rio Grande Coastal Basin is required pursuant to Title 30 Texas Administrative Code § 295.154(a).

All fees have been paid and the application is sufficient for filing.

Sarah Henderson

Sarah Henderson, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

OCC Mailed Notice Required YES X NO

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 23, 2022

Mr. Allan Adami
Principle Industrial Services LLC
715 Wesley Ave.
Tarpon Springs, Fl. 34689

VIA E-MAIL

RE: Principle Industrial Services, LLC
WRTP 13887
CN606078400, RN111607560
Application No. 13887 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Nueces Bay, Nueces-Rio Grande Coastal Basin
Nueces County

Dear Mr. Adami:

This acknowledges receipt, on December 19, 2022, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on December 23, 2022. Staff will continue processing the application for consideration by the Executive Director.

Please be advised that additional information may be requested during the technical review phase of the application process.

If you have any questions concerning this matter, please contact me via email at sarah.henderson@tceq.texas.gov or by telephone at (512) 239-2535.

Sincerely,

Sarah Henderson

Sarah Henderson, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

From: [Allan Adami](#)
To: [Sarah Henderson](#)
Cc: [Luke Pappas](#); [Andy VanVeen](#)
Subject: RFI 13887/13888
Date: Monday, December 19, 2022 2:44:17 PM
Attachments: [RFI 13887.pdf](#)
[RFI 13888.pdf](#)

Sarah,
Please find attached our responses to your RFI's for 13887 and 13888. Please let me know if you have any questions or require any additional information. Thank you and look forward to hearing from you soon.

Respectfully,

Allan

--

Allan Adami
Vice President Gulf Coast
214.934.2027





Ms. Sarah Henderson VIA E-MAIL TCEQ
12100 Park 35 Circle
Austin, TX 78753

RE: Principle Industrial Services LLC
WRTP 13887; CN606078400, RN111607560
Application No. 13887 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Nueces Bay, Nueces-Rio Grande Coastal Basin
Nueces County

Dear Ms. Henderson:

Please accept this letter as a response to the requested RFI.

If you require any additional information, please contact me anytime. Thank you for all of your work on this matter.

RFI Information included below.

1. Please see attachment for information on WorkSheet 5.0
2. Principle Industrial confirms that water will be diverted Nueces Bay, Nueces-Rio Grande Coastal Basin. Lat 27.836060Long 97.391420

Respectfully,

A handwritten signature in blue ink, appearing to read "A. Adami", is written over a faint, large blue watermark of the letter 'P'.

Allan Adami

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 28.**

Principle Industrial will use a screen with 1" mesh spacing to ensure that no marine life is impacted during diverting operations. Principle also has additional personnel on board our working barges and on land to provide observation of all marine life in our working area. These personnel have no other responsibilities.

2. New Appropriations of Water (Canadian, Red, Sulphur, and Cypress Creek Basins only) and Changes in Diversion Point(s)

This section is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins and in all basins for requests to change a diversion point. **Instructions, Page 30.**

Description of the Water Body at each Diversion Point or Dam Location. (Provide an Environmental Information Sheet for each location),

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: _____

Other, specify: _____

b. Flow characteristics

If a stream, was checked above, provide the following. For new diversion locations, check one of the following that best characterize the area downstream of the diversion (check one).

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

Check the method used to characterize the area downstream of the new diversion location.

USGS flow records

Historical observation by adjacent landowners

From: [Sarah Henderson](#)
To: [aadami](#)
Subject: Principle Industrial Services LLC WRTP No. 13887
Date: Friday, December 16, 2022 5:21:00 PM
Attachments: [Principle Industrial Services LLC WRTP No. 13887 RFI_16Dec2022.pdf](#)

Mr. Adami,

Please find the attached Request for Information Letter regarding Temporary Water Use Permit Application No. 13887 (Rincon Location).
A response is requested by January 17, 2023.

Sincerely,
Sarah

Sarah Henderson
Water Rights Permitting Team
Water Availability Division
Texas Commission on Environmental Quality
P.O. Box 13087/MC-160
Austin, TX 78711-3087
(P) 512.239.2535
(F) 512.239.4770

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 16, 2022

Mr. Allan Adami
Principle Industrial Services LLC
715 Wesley Ave.
Tarpon Springs, Fl. 34689

VIA E-MAIL

RE: Principle Industrial Services LLC
WRTP 13887; CN606078400, RN111607560
Application No. 13887 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Nueces Bay, Nueces-Rio Grande Coastal Basin
Nueces County

Dear Mr. Adami:

This acknowledges receipt, on November 18, 2022, of the referenced application and fees in the amount of \$2,751.25 (Receipt No. M304133, copy attached).

A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

Additional information is required before the application can be declared administratively complete.

1. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response.
2. Confirm that water will be diverted from Nueces Bay, Nueces-Rio Grande Coastal Basin.

Please provide the requested information by January 17, 2023 or the application may be returned pursuant to 30 Texas Administrative Code § 281.18.

If you have any questions concerning this matter please contact me via email at sarah.henderson@tceq.texas.gov or by telephone at (512) 239-2535.

Sincerely,

Sarah Henderson

Sarah Henderson, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



21-NOV-22 09:45 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u> <u>Account#</u> <u>Account Name</u>	<u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u>	<u>Check Number</u> <u>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP	M304133	511		BS00098877	21-NOV-22	-\$2,751.25
	WUP	453849069	111822	N	D3800716		
WATER USE PERMITS		KURKI, VIJAY/ASHIK A	RHDAVIS	CK			
	WUP	M304134	512		BS00098877	21-NOV-22	-\$2,751.25
	WUP	453849069	111822	N	D3800716		
WATER USE PERMITS		KURKI, VIJAY/ASHIK A	RHDAVIS	CK			
	WUP	M304135	7320		BS00098877	21-NOV-22	-\$112.50
	WUP	23421	111822	N	D3800716		
WATER USE PERMITS		JARVIS, GLENN (LAW OFFICES)	RHDAVIS	CK			
Total (Fee Code):							-\$5,615.00
Grand Total:							-\$7,225.00

RECEIVED

NOV 22 2022

Water Availability Division

From: [Sarah Henderson](#)
To: [Barry Black](#)
Cc: [aadami](#); [Luke Pappas](#); [Tomas Hernandez](#)
Subject: RE: [External] Diverting Permit at Corpus Christi for Principle Industrial Services
Date: Monday, December 5, 2022 6:57:00 PM
Attachments: [image001.png](#)

Mr. Black,

This acknowledges receipt of your e-mail dated February 2, 2022 containing the PCCA permit attachment.

Thank you for confirming the primary point of contact for the referenced temporary water use permit applications.

Sincerely,

Sarah

Sarah Henderson
Water Rights Permitting Team
Water Availability Division
Texas Commission on Environmental Quality
P.O. Box 13087/MC-160
Austin, TX 78711-3087
(P) 512.239.2535
(F) 512.239.4770

From: Barry Black [REDACTED]
Sent: Sunday, December 4, 2022 5:07 PM
To: Sarah Henderson <sarah.henderson@tceq.texas.gov>
Cc: [aadami](#) [REDACTED]; [Luke Pappas](#) [REDACTED]; [Tomas Hernandez](#) [REDACTED]
Subject: RE: [External] Diverting Permit at Corpus Christi for Principle Industrial Services

Sarah,

Per you below email from 1 December 2022, please establish the primary point of contact for matters concerning the Diverting Permits at Corpus Christi for Principle Industrial Services as:

Allan Adami
(214) 934-2027
[aadami](#) <[REDACTED]>

All entities copied on this email are working together to watch for TCEQ communications about these permits because of the urgency of the matter. If you would copy all, it will help us to be as proactive as possible to any inquiries that you may have.

Also, if you could acknowledge receipt of the PCCA permit to divert forwarded this past Friday, it would be greatly appreciated.

Regards,

Barry D. Black, PE

Senior Project Manager

Office: 210.888.6100 | Cell: 210.913.9092

17215 Jones Maltsberger Rd. #101, San Antonio, TX 78247

TBPE Registration: F-12622

TBPG Registration: 50456

www.ttlusa.com



From: Sarah Henderson <sarah.henderson@tceq.texas.gov>

Sent: Thursday, December 1, 2022 6:25 PM

To: Barry Black <[REDACTED]>

Subject: RE: [External] Diverting Permit at Corpus Christi for Principle Industrial Services

Mr. Black,

Two temporary water use permit applications for Principle Industrial Services LLC have been received.

1. WRTP No. 13887 (Rincon); and
2. WRTP No. 13888 (Suntide)

Both applications are currently being reviewed for administrative completeness.

If additional information is required, I will send a request for information (RFI) letter.

Please confirm you are the primary contact for any correspondence and communications regarding both applications.

If not, please provide the name, phone number and e-mail address for the preferred primary contact.

Sincerely,

Sarah

Sarah Henderson
Water Rights Permitting Team
Water Availability Division
Texas Commission on Environmental Quality
P.O. Box 13087/MC-160
Austin, TX 78711-3087
(P) 512.239.2535
(F) 512.239.4770

From: Barry Black <[REDACTED]>
Sent: Thursday, December 1, 2022 11:42 AM
To: Sarah Henderson <sarah.henderson@tceq.texas.gov>
Cc: Tomas Hernandez <[REDACTED]>; Luke Pappas <[REDACTED]>
Subject: Diverting Permit at Corpus Christi for Principle Industrial Services

Sarah,

Pleased to meet you.

This is to inquire about the potential of executing a quick call with you to obtain an update about the subject Permit.

If you have availability, please identify such and I and those copied with conduct a quick call with you.

Thanks for the consideration.

Barry D. Black, PE

Senior Project Manager

Office: 210.888.6100 | Cell: 210.913.9092

17215 Jones Maltzberger Rd. #101, San Antonio, TX 78247

TBPE Registration: F-12622

TBPG Registration: 50456

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Private and confidential as detailed here (<https://www.ttlusa.com/privacy-policy>). The disclaimer contains important limitations on use and reliance. If you cannot access hyperlink, please e-mail sender.

From: [Barry Black](#)
To: [Sarah Henderson](#)
Cc: [Tomas Hernandez](#); [aadami](#); [Luke Pappas](#); [Chris Kozlowski](#)
Subject: Water Right Access to POCCA Property
Date: Friday, December 2, 2022 5:51:42 PM
Attachments: [image001.png](#)
[TTL Access for TCEQ Temp Water Right Permit v1-Revised 12_02_22 Signed.pdf](#)

Sarah,

Please find attached consent from the POCCA to divert water from the locations identified in respective permits submitted by Principle Industrial Services.

Contact me as needed with questions or clarifications.

Barry D. Black, PE

Senior Project Manager

Office: 210.888.6100 | Cell: 210.913.9092

17215 Jones Maltsberger Rd. #101, San Antonio, TX 78247

TBPE Registration: F-12622

TBPG Registration: 50456

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December 2, 2022

TTL

Tomas Hernandez, Jr., P.G.
Vice President/Regional Manager
17215 Jones Maltzberger Rd. #101
San Antonio, TX 78247

Subject: Access to PCCA Property for Dredging Operations at Avery Point and Bulk Terminal

This correspondence is being provided to you as requested related to the request by Texas Commission on Environmental Quality (TCEQ) for access to the diversion points identified in the attached exhibit. Access to the Port of Corpus Christi Authority's (PCCA) property at the two (2) locations, as shown in Exhibit A-1, is conditioned upon the following:

1. Temporary access of vehicles, equipment and materials on the PCCA Properties is limited to that reasonably necessary to conduct the work. PCCA Properties may not be used for general storage of vehicles, equipment, and materials unless approved by PCCA prior to storage.
2. The Work will not interrupt or significantly alter existing or future drainage, traffic flow, or site operations on the PCCA Properties.
3. Any permits required for the Work are the responsibility of TTL. TTL will provide copies of all such permits to PCCA Director of Environmental Planning & Compliance within five (5) business days after receipt by TTL.
4. Prior to commencement of any Work, TTL will provide PCCA a current copy of the Health and Safety Plan for the Work and will provide PCCA any subsequent updates to such Plan.
5. In connection with the Work under this Agreement, TTL will comply with all applicable federal, state and local statutes, laws, ordinances, regulations, codes, permits, licenses, authorizations and rules, and other provisions having the force and effect of law, in each case as amended, and including any judicial or administrative orders, determinations, writs, injunctions, judgments and decrees relating to human health or safety, Hazardous Substances or the Environment, including PCCA's Tariff 100-A.
6. TTL shall promptly, at TTL's sole cost and expense, restore and repair (as nearly as practical) any damage to the PCCA Properties caused by the Work to the condition immediately preceding the Work, normal wear and tear excepted, and shall keep Authority free and clear of any mechanic's liens and materialmen's liens in connection with access to the PCCA Properties.



7. TTL agrees to carry and maintain, at its sole expense, the policies of insurance described in Exhibit A attached hereto.
8. Upon execution of a formal agreement between PCCA and TTL, the terms of the formal agreement shall control.

If you have any questions, please contact me at (361) 885-6140.

Sam
Esquivel

Digitally signed by
Sam Esquivel
Date: 2022.12.02
16:01:23 -06'00'

Sam Esquivel
Director of Real Estate Services

cc: Sarah Garza
Dan Koesema

EXHIBIT A
INSURANCE REQUIREMENTS

Without limiting the indemnity obligations or liabilities of Grantee or its insurers, provided herein, Grantee agrees to procure and maintain at its sole expense during the term of the Contract the following policies of insurance (sometimes collectively referred to in this exhibit as the "*Policies*") and in at least the minimum amounts specified below:

	<u>TYPE OF INSURANCE</u>	<u>MINIMUM LIMITS</u>
A.	Workers' Compensation	Statutory
	In the event that the work of Grantee's employees fall within the purview of the United States Longshore and Harbor Workers' Compensation Act, the Jones Act or the Federal Employers' Liability Act, Grantee shall extend its insurance coverage to provide insurance against the liabilities imposed under the applicable Act or Acts.	
B.	Employer's Liability	\$1,000,000 per Occurrence \$1,000,000 Aggregate
C.	Commercial General Liability	\$3,000,000 per Occurrence \$5,000,000 Aggregate
	The Commercial General Liability shall cover or be endorsed to cover bodily injury, personal injury, broad form property damage, operations hazard, owner's protective coverage, contractual liability, products and completed operations liability, railroad protective liability, marine liability, and time element pollution coverage.	
D.	Business Automobile Liability	\$1,000,000 per Occurrence
	Automobile liability insurance coverage will include all owned, non-owned, and hired vehicles.	
E.	Umbrella Liability	\$5,000,000 per Occurrence
	Umbrella liability coverage will apply to Employer's Liability, Commercial General Liability, and Business Automobile Liability.	
F.	Pollution Liability	\$2,000,000 per Occurrence

Sudden and Accidental Pollution liability insurance covering bodily injury, property damage, environmental cleanup, remediation, disposal, and other losses caused by pollution conditions occurring during the term of this Contract. If Grantee's Commercial General Liability and Umbrella policies contain a deletion of the pollution coverage exclusion, then this policy is not required.

G. Protection & Indemnity (P&I) \$3,000,000 per Occurrence

Should any of the work require marine operations, the Grantee shall provide Protection & Indemnity insurance with respect to bodily injury and/or property damage arising from marine operations.

Grantee's liability shall not be limited to the specified amounts of insurance required herein. Each policy must contain an endorsement to the effect that the issuer waives any claim or right of subrogation to recover against the Authority, its Port Commissioners, officers and employees ("Authority Parties"). Grantee agrees to immediately provide to each of its insurers written notice of the terms of the waiver set forth in this Exhibit A, and to have said insurance policies properly endorsed, if necessary, to prevent the invalidation of said insurance coverage by reason of said waiver. Grantee will provide to Authority a copy of said endorsement or endorsement or evidence that such endorsement is not necessary to prevent the invalidation of the insurance coverage by reason of such waiver. Additionally, the Authority Parties shall be designated as an Additional Insured either by a blanket additional insured or a specific endorsement on all policies, except for Workers' Compensation and Employer's Liability. Each policy, except Workers' Compensation must contain an endorsement that the policy is primary to any other insurance available to the Additional Insureds with respect to claims arising under this Contract.

Prior to the execution of this Contract and prior to the expiration date of each of the Policies, Grantee or its insurance producer/broker, shall provide Certificates of Insurance (COI) of the minimum insurance required in this Exhibit. The minimum insurance required may be increased periodically upon request by Authority to commercially reasonable limits. The company writing each of the Policies must possess a current rating with A.M. Best Company of at least "A-, VII".

If Grantee elects to self-insure or to maintain insurance required herein subject to deductibles and/or retentions, Authority and Grantee shall maintain all rights and obligations between themselves as if Grantee maintained the insurance with a commercial insurer including any additional insured status, primary liability, waivers of rights of recovery/subrogation, other insurance clauses, and any other extensions of coverage required herein. Prior to the execution of this Contract, and annually thereafter, Grantee shall provide evidence of self-insured status by issuing a self-insured letter on company letterhead and endorsed by an executive officer of the company. Grantee shall pay from its assets the costs, expenses, damages, claims, losses and

liabilities, including reasonable attorney's fees and necessary litigation expenses at least to the extent that an insurance company would have been obligated to pay those amounts if Grantee had maintained the insurance pursuant to this **Exhibit A**.

Without limiting any of the other obligations or liabilities of Grantee, Grantee shall require each of its contractors performing work on Authority's property pursuant to this Contract, at the contractor's own expense, to maintain during the term of the Contract, the same stipulated minimum insurance as shown herein. As an alternative, Grantee may include its contractors as additional insureds on its own coverage as prescribed under this **Exhibit A**. Grantee's certificate of insurance shall note in such event that its contractors are included as additional insureds and that Grantee agrees to provide workers' compensation for its contractors and the contractor's employees. Grantee shall obtain and monitor the certificates of insurance from each contractor in order to assure compliance with the insurance requirements. Grantee must retain the certificates of insurance for the duration of the Contract plus five (5) years and shall have the responsibility of enforcing these insurance requirements among its contractors. Authority shall be entitled, upon request and without expense, to receive copies of these certificates.



12727 Josten Malmberg Road, Ste 101 | San Antonio, TX 78247
 210.888.6100 | www.ttl.com
 TPLS Registration: F-1222 | TPLS Registration: 50456

REMOVAL OF BULK TERMINAL AND GILA 2 PIPELINE CROSSINGS
 CORPUS CHRISTI AND SHIP CHANNEL
 PORT OF CORPUS CHRISTI - AVERY POINT
 NUECES COUNTY, TEXAS

DREDGE MATERIAL ROUTING PLAN	
NO.:	1
DATE:	11/17/22
PROJECT:	REMOVAL OF BULK TERMINAL AND GILA 2 PIPELINE CROSSINGS
SCALE:	AS SHOWN
DESIGNED BY:	BB
CHECKED BY:	BB
DATE:	09/07/22
PROJECT NO.:	21158923X-REMIT DREDGE MATERIAL ROUTING PLAN.DWG

SHEET NO. **SUNTIDE**

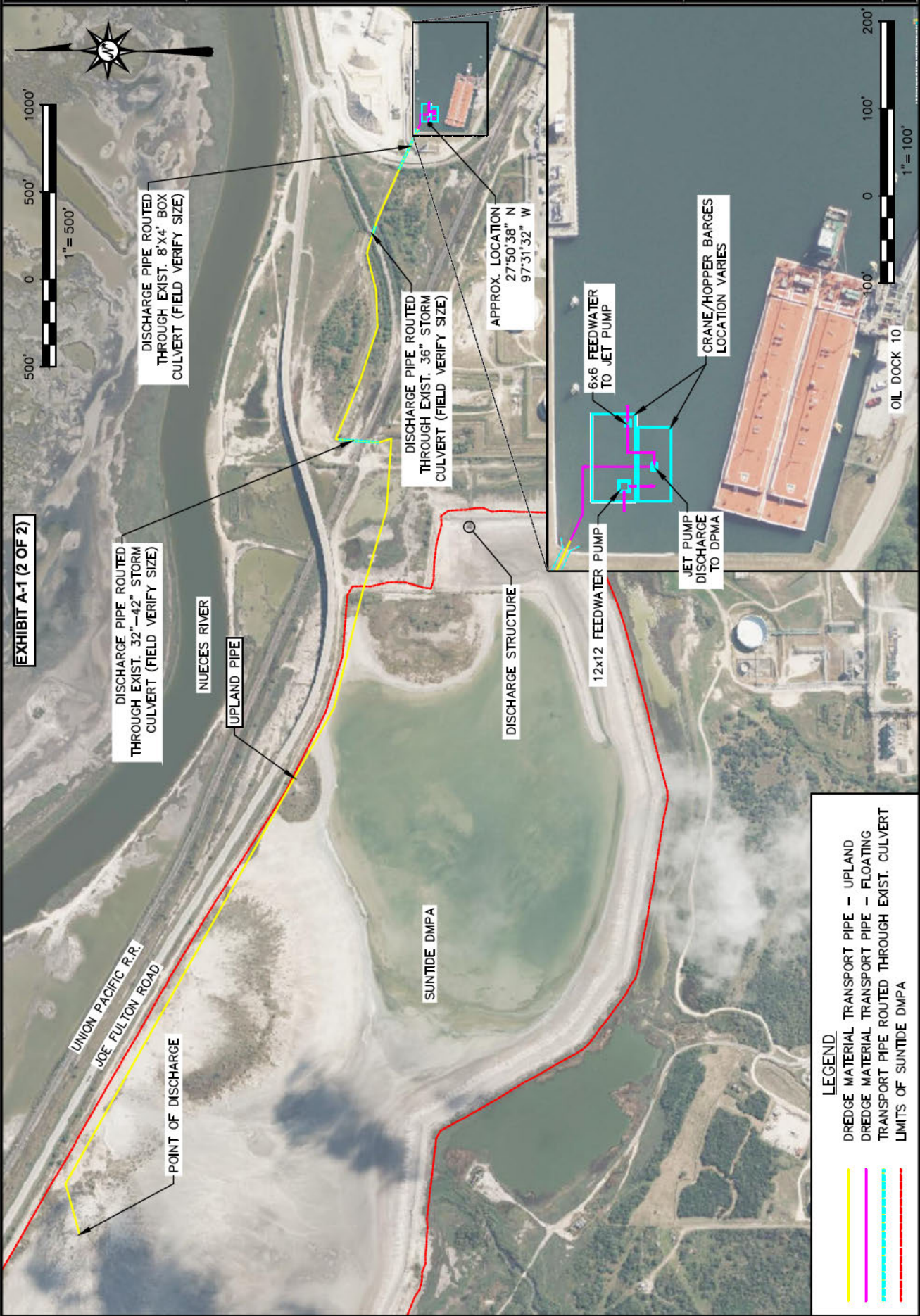
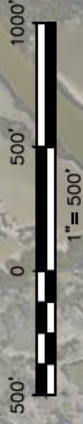


EXHIBIT A-1 (2 OF 2)



- LEGEND**
- DREDGE MATERIAL TRANSPORT PIPE -- UPLAND
 - DREDGE MATERIAL TRANSPORT PIPE -- FLOATING
 - TRANSPORT PIPE ROUTED THROUGH EXIST. CULVERT
 - - - LIMITS OF SUNTIDE DMPA

From: [Chris Kozlowski](#)
To: [Barry Black](#); [Sarah Henderson](#)
Cc: [Tomas Hernandez](#); [aadami](#); [Luke Pappas](#); [Dean McClure](#); [Chester Drash](#); [Scott Guinn](#)
Subject: Re: Letter of Consent
Date: Tuesday, November 29, 2022 1:09:35 PM
Attachments: [image001.png](#)

The consent letter is to provide consent to use the property where the diversion point is located.

From: Barry Black [REDACTED]
Sent: Tuesday, November 29, 2022 12:59 PM
To: Sarah Henderson <sarah.henderson@tceq.texas.gov>; Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Cc: Tomas Hernandez <[REDACTED]>; [aadami](#) <[REDACTED]>; Luke Pappas <[REDACTED]>; Dean McClure <[REDACTED]>; Chester Drash <[REDACTED]>; Scott Guinn <[REDACTED]>
Subject: Letter of Consent

[Sarah/Chris,](#)

[On behalf of Principle Industrial Services, TTL forwards this information learned a few moments ago from the PCCA.](#)

[The PCCA has informed the interested parties that PCCA does not have the authority to issue a consent to divert water from the Corpus Christi Ship Channel. They acknowledge ownership of the submerged land but identify TCEQ as the owner of the water. As such, it is their position that TCEQ is the entity responsible for determining if water can be diverted from the channel.](#)

[Please acknowledge receipt of this email and provide additional guidance or information that will allow Principle/TTL to maintain progress forward with this very important issue.](#)

[Thank you,](#)

Barry D. Black, PE
Senior Project Manager
Office: 210.888.6100 | Cell: 210.913.9092
17215 Jones Maltsberger Rd. #101, San Antonio, TX 78247
TBPE Registration: F-12622
TBPG Registration: 50456
www.ttlusa.com

TTL

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From: [Chris Kozlowski](#)
To: [Sarah Henderson](#)
Cc: [Barry Black](#)
Subject: Re: Deed Information from the PCCA and Letter of Delegation from Principle Industrial Services
Date: Tuesday, November 22, 2022 3:40:13 PM
Attachments: [image001.png](#)

From: Barry Black <[REDACTED]>
Sent: Tuesday, November 22, 2022 3:04 PM
To: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Cc: Tomas Hernandez <[REDACTED]>; Kinder, Laura <[REDACTED]>; dan <[REDACTED]>; aadami <[REDACTED]>; Luke Pappas <[REDACTED]>
Subject: Deed Information from the PCCA and Letter of Delegation from Principle Industrial Services

Chris,

Per our earlier conversation, find attached two pieces of information forwarded by me on behalf of the PCCA and Principle Industrial Services (Principle).

From the PCCA, attached are the deed information relevant to the two respective areas TTL intends to divert from the channel and bay. From Principle, the Delegation of Authority.

The PCCA is preparing the needed Letter of Consent.

TTL is assisting the efforts for both entities with the intention of streamlining the process if possible.

For your information, those copied in addition to Tomas Hernandez are as follows:

1. Dan Koesema, Director of Channel and DMPA for the PCCA
2. Laura Kinder, Project Manager for the PCCA
3. Luke Pappas, Owner, Principle
4. Allan Adami, Vice President, Principle

I also understand that a Project Manager has been assigned and that you will forward her information.

Finally, if you could acknowledge receipt of this email, I'd appreciate it.

Thanks for your attention to this matter.

Barry D. Black, PE

Senior Project Manager

Office: 210.888.6100 | Cell: 210.913.9092

17215 Jones Maltzberger Rd. #101, San Antonio, TX 78247

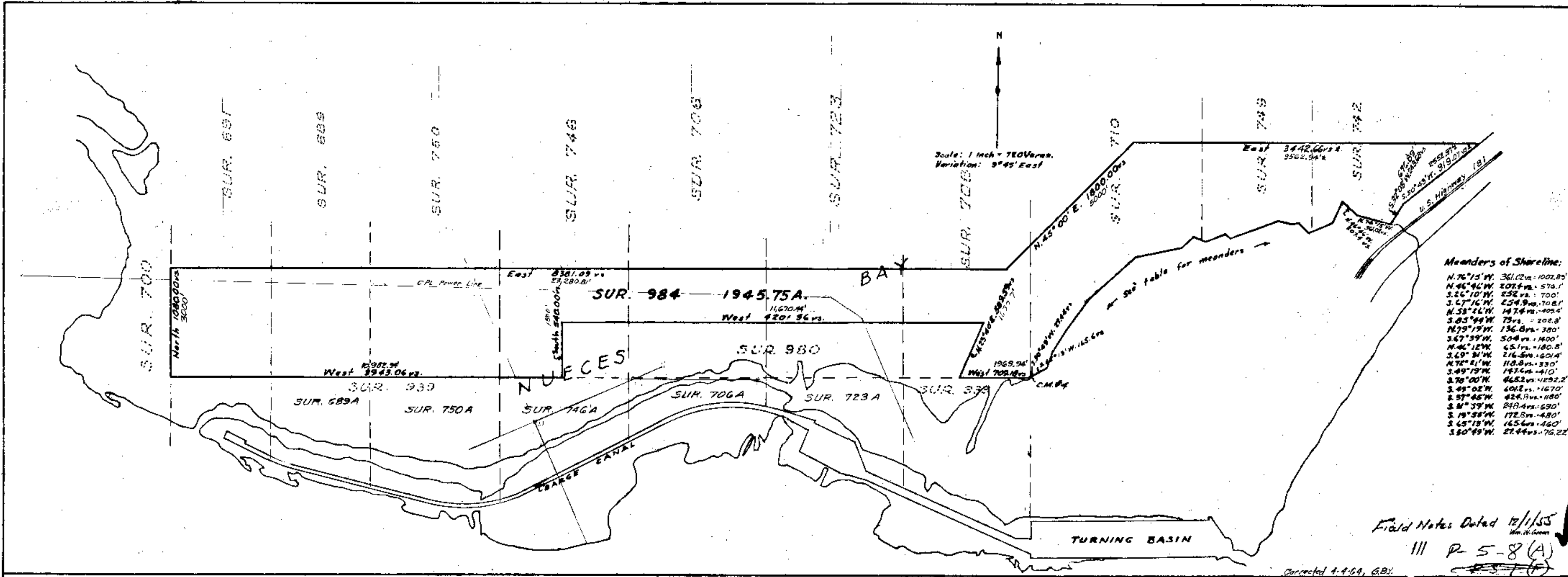
TBPE Registration: F-12622

TBPG Registration: 50456

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Delegation of Authority

Attach this letter to relevant documentation or add a note identifying previously submitted material.

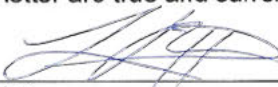


From: Principle Industrial Services, LLC
Legal Business Name of company whose officer is signing this letter
715 Wesley Avenue
Business Address
Tarpon Springs, FL 34689
City, State, Zip Code

To: TCEQ
12100 Park 35 Circle
Austin, TX 78753

Dear Sir or Madam:

Allan Adami, VP of Gulf Coast, is an
Name of Designee Title
authorized signatory of Principle Industrial Services, LLC
Legal Name of Owner or Operator (the Permittee/Applicant)
(hereinafter the Owner or Operator) with authority to execute and deliver all documents and
instruments required in connection with environmental matters for the State of Texas
State of incorporation of the Owner or Operator
limited liability company including and without limitation permit
Owner or Operator Legal Entity Type (e.g., corporation or limited liability company)
applications and financial assurance documents for the Owner or Operator. Any attachments to
this letter are true and current.


Signature
Lucas Pappas
Typed Name
Owner
Title

11/21/2022
Date
727.940.5395
Phone
[REDACTED]
E-mail

(Corporate Seal)


Specimen Signature of the Designee

THE STATE OF TEXAS |
 |
 COUNTY OF NUECES |

KNOW ALL MEN BY THESE PRESENTS:

That SOUTHERN MINERALS CORPORATION, a Delaware corporation, with a permit to do business in the State of Texas, and with its principal office and place of business in Corpus Christi, Nueces County, Texas, hereinafter called "Grantor," for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to it in hand paid by NUECES COUNTY NAVIGATION DISTRICT NO. 1, with its principal office and place of business in Corpus Christi, Texas, hereinafter called "Grantee," has BARGAINED, GRANTED, SOLD and CONVEYED, and by these presents does BARGAIN, GRANT, SELL and CONVEY unto the said NUECES COUNTY NAVIGATION DISTRICT NO. 1, subject to the easements, exceptions and reservations shown of record, the following described land lying and being situated in the County of Nueces, State of Texas, and being more particularly described as follows, to-wit:

Being 67.37 acres, more or less, out of Survey 582 patented by the State of Texas to W. S. McGregor by Patent No. 128, Volume 35, and being all that part of the Third Tract North of the S.A.U.&G. Railroad right-of-way described in that certain warranty deed from Houston Oil Company of Texas to Grantor, dated December 18, 1950, and recorded in Volume 499, pages 195-98 of the Deed Records of Nueces County, Texas, said 67.37 acres, more or less, being more particularly described by metes and bounds according to a survey made thereof by Jones & Van Pelt, Inc., in January, 1951, as follows:

Beginning at a point on the North line of the S.A.U.&G. Railroad right-of-way and on the West line of said 67.37 acres for the Southwest corner of said 67.37 acres; Thence North 0° 18' 30" West 1121.83 feet to a point for the Northwest corner of the 67.37 acres; Thence South 87° 12' 30" East 387.05 feet to a point; Thence North 81° 04' 30" East 850 feet to a point; Thence North 84° 47' 30" East 200 feet to a point; Thence South 86° 28' 30" East 405.15 feet to a point for the Northeast corner of this 67.37 acre tract; Thence South 0° 18' 30" East 2142.7 feet to a point in the North line of the S.A.U.&G. Railroad right-of-way for the Southeast corner of said 67.37 acres; Thence in a Northwesterly direction along the North line of the S.A.U.&G. Railroad right-of-way a distance of 2050.75 feet, more or less, to the place of beginning, containing 67.37 acres, more or less.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging unto the said Grantee, its successors and assigns, forever; and Grantor does hereby bind itself, its successors and assigns, to warrant and

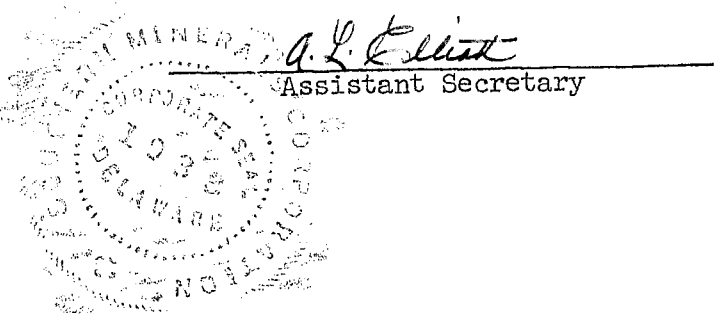
forever defend, subject to the easements, reservations and exceptions now of record in Nueces County, Texas, all and singular, the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, Grantor has executed this instrument by and through its duly authorized officers and has affixed its corporate seal hereto on this the 30th day of September, A. D. 1959.

SOUTHERN MINERALS CORPORATION

ATTEST:

By Maston Nixon
Maston Nixon, President

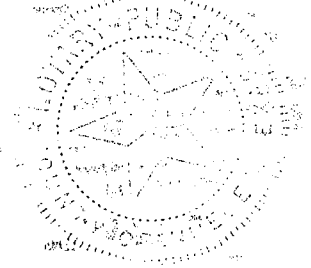


APPROVED
C.H.B.
9-30-59

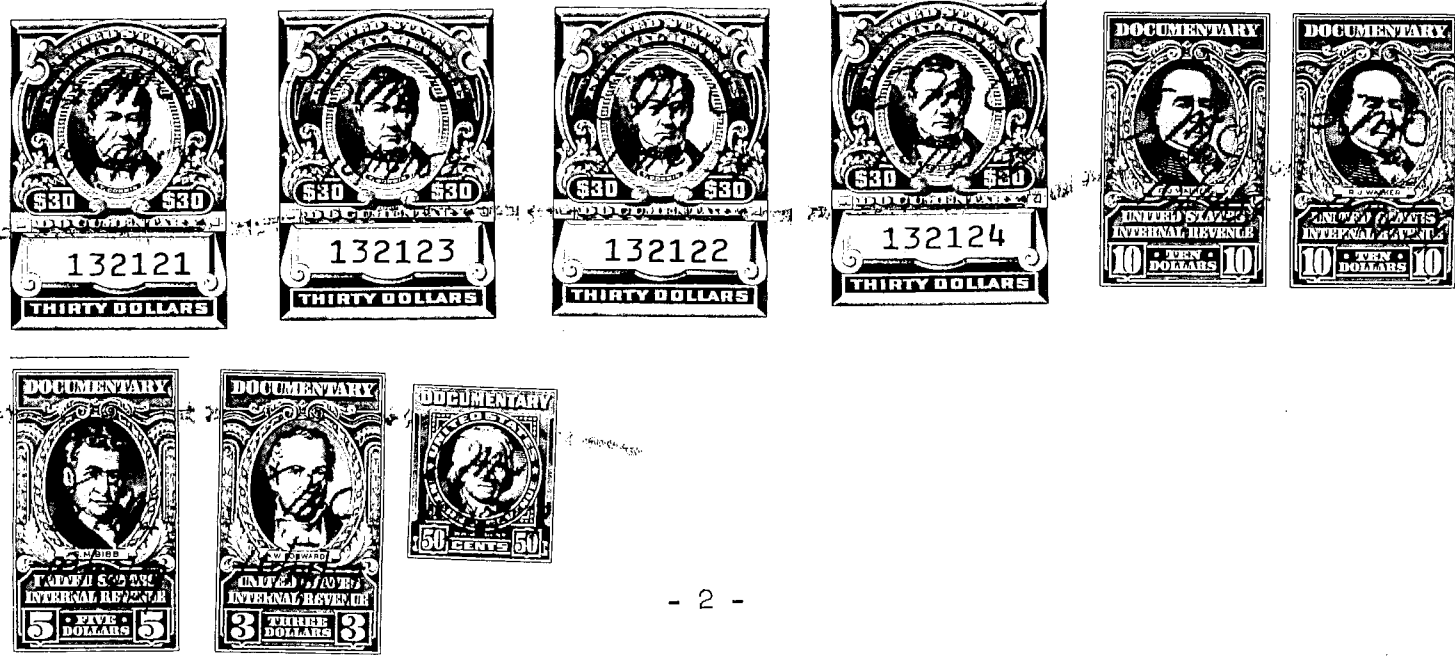
THE STATE OF TEXAS
COUNTY OF NUECES

BEFORE ME, the undersigned authority, on this day personally appeared MASTON NIXON, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and known to me to be the President of SOUTHERN MINERALS CORPORATION, a corporation, and acknowledged to me that he executed said instrument for the purposes and consideration therein expressed, and as the act of said corporation, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 30th day of September, A. D. 1959.



Violet Morgan VIOLET MORGAN
Notary Public in and for
Nueces County, Texas.



THE STATE OF TEXAS }
COUNTY OF NUECES. }

I, Mrs. Henry E. Gouger, Clerk of the County Court in and for said County, do hereby certify that the foregoing instrument

Dated this 30 day of Sept., 1959, with its certificate of authentication, was filed for record in my office the 14 day of Oct., 1959, at 2:05 o'clock P. M., and duly recorded the 16 day of Oct., 1959, at 9:15 o'clock A. M., in Book Record of said County, in Vol. 869, on Pages 114-116

Witness my hand and seal of the County Court of said County at office in Corpus Christi, Texas, the day and year last above written.

By Louisa Ward, Deputy

Mrs. Henry E. Gouger,
County Clerk, Nueces County.

**APPLICATION FOR A TEMPORARY WATER USE PERMIT
GREATER THAN 10 ACRE-FEET OF WATER**

Rincon Location
Nueces Bay, Corpus Christi
Nueces County, Texas

TCEQ Water Rights Permitting
Mail Code 160
12100 Park 35 Circle, Austin, TX 78753

e-mail: WRPT@tceq.texas.gov

Prepared for:
Principle Industrial Services LLC



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087 MC-160, Austin, Texas 78711-3087

Telephone (512) 239-4600, FAX (512) 239-4770

APPLICATION FOR A TEMPORARY WATER USE PERMIT FOR MORE THAN 10 ACRE-FEET OF WATER, AND/OR FOR A DIVERSION PERIOD LONGER THAN ONE CALENDAR YEAR

This form is for an application for a temporary permit to divert water under Section 11.138, Texas Water Code. Any permit granted from this application may be suspended at any time by the applicable TCEQ Office if it is determined that surplus water is no longer available.

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

- 1. Data on Applicant and Project: Social Security or Federal ID No. 45-3849069
A. Name: Principle Industrial Services LLC
B. Mailing Address: 715 Wesley Avenue
C. Telephone Number: (214) 934-2027 Fax Number: E-mail Address:
D. Applicant owes fees or penalties? Yes No
E. Describe Use of Water Transfer/pump dredge materials from Corpus Christi Ship Channel to DM Placement Area
F. Description of Project (TDH Project No. if applicable) Nueces Bay- Rincon B West Placement Area
G. Highway Designation No. near 4230 Rincon Rd, Corpus Christi County Nueces

- 2. Type of Diversion (check one): From Stream From Reservoir
3. Rate of Diversion: A. Maximum 7,000 gpm (capacity of pump)

- 4. Amount and Source of Water: 2,500 acre-feet of water within a period of 10 months (specify term period not to exceed a three year term). The water is to be obtained from Corpus Christi Ship Channel, tributary of CC Bay, tributary of Gulf of Mexico, tributary of Nueces River Basin.

- 5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location. At Latitude 27.836060 N, Longitude 97.391420 W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) Rincon Rd (R-O-W) (Highway), located in Zip Code 78402, located 3 miles in a north direction from Corpus Christi (County Seat), Nueces County, and 1.5 miles in a north direction from USS Lexington (monument), a nearby town shown on County road map. Note: Distance in straight line miles.

Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

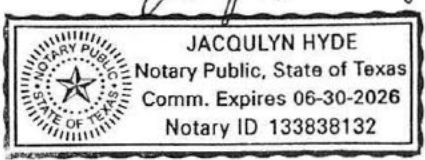
- 6. Access to Diversion Point (check one): Public right-of-way Private property Other (Explain) Area controlled by POCCA
7. Fees Enclosed: Filing Recording Use (\$1.00 per ac-ft or fraction thereof) Total
10 ac-ft or less greater than 10 ac-ft
\$ 100.00 \$ 250.00
\$ 1.25 \$ 1.25
\$ \$ 2500.00
\$ \$ 2751.25
(1 ac-ft = 325,851 gals. Total 1 ac-ft = 7758.35 bbls.)

Upon completion of any project for which a temporary water permit is granted, the Permittee is required by law to report the amount of water used. This document must be properly signed and duly notarized before it can be accepted or considered by the Texas Commission on Environmental Quality.

Name (sign) Name (print) ALLAN ADAMI

Subscribed and sworn to me as being true and correct before me this 17 day of November, 20 22

Jacquelyn Hyde Notary Public, State of Texas





TCEQ Use Only

TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided.)	
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)	
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input type="checkbox"/> Other
2. Customer Reference Number (if issued)	3. Regulated Entity Reference Number (if issued)
CN	RN

[Follow this link to search for CN or RN numbers in Central Registry**](#)

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input checked="" type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)		<input type="checkbox"/> Change in Regulated Entity Ownership	
The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).			
6. Customer Legal Name (If an individual, print last name first: eg. Doe, John)		If new Customer, enter previous Customer below:	
Principle Industrial Services LLC			
7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
11. Type of Customer:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input checked="" type="checkbox"/> Limited
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input checked="" type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following			
<input type="checkbox"/> Owner		<input type="checkbox"/> Operator	
<input type="checkbox"/> Occupational Licensee		<input type="checkbox"/> Responsible Party	
<input checked="" type="checkbox"/> Owner & Operator		<input type="checkbox"/> Voluntary Cleanup Applicant	
<input type="checkbox"/> Other:			
15. Mailing Address:	715 Wesley Avenue		
	City	Tarpon Springs	State
	FL	ZIP	34689
	ZIP + 4		
16. Country Mailing Information (if outside USA)		17. E-Mail Address (if applicable)	
		[REDACTED]	
18. Telephone Number		19. Extension or Code	
(214) 934 - 2027			
		20. Fax Number (if applicable)	
		() -	

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input checked="" type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information	
The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	
Nueces Bay-Rincon B West Placement Area	

23. Street Address of the Regulated Entity: <i>(No PO Boxes)</i>							
	City		State		ZIP	78402	ZIP + 4
24. County	Nueces County						

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	Located approximately 1,500 feet north west of 4230 Rincon Rd, Corpus Christi, TX.						
26. Nearest City	Corpus Christi				State	Texas	
27. Latitude (N) In Decimal:			28. Longitude (W) In Decimal:				
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
27	50	9.8	97	23	29.1		
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)	31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)			
		237120					
33. What is the Primary Business of this entity? <i>(Do not repeat the SIC or NAICS description.)</i>							
715 Wesley Avenue							
34. Mailing Address:		City	Tarpon Springs	State	FL	ZIP	34689
35. E-Mail Address:							
36. Telephone Number		37. Extension or Code		38. Fax Number <i>(if applicable)</i>			
(214) 934 2027				() -			

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.


<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input checked="" type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

SECTION IV: Preparer Information

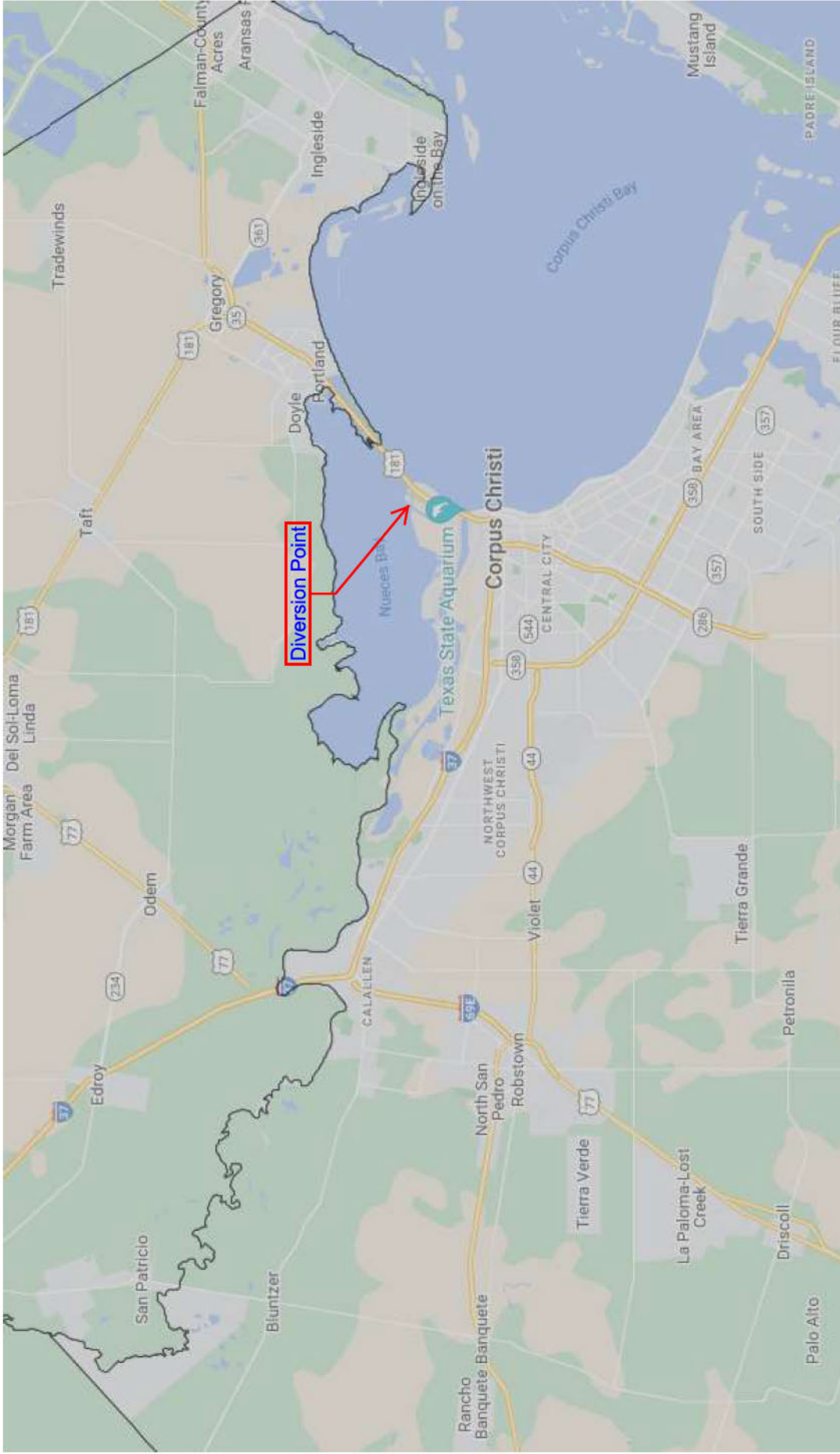
40. Name:	Vijay Kurki	41. Title:	Environmental Engineer
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(713) 408 - 6775		() -	

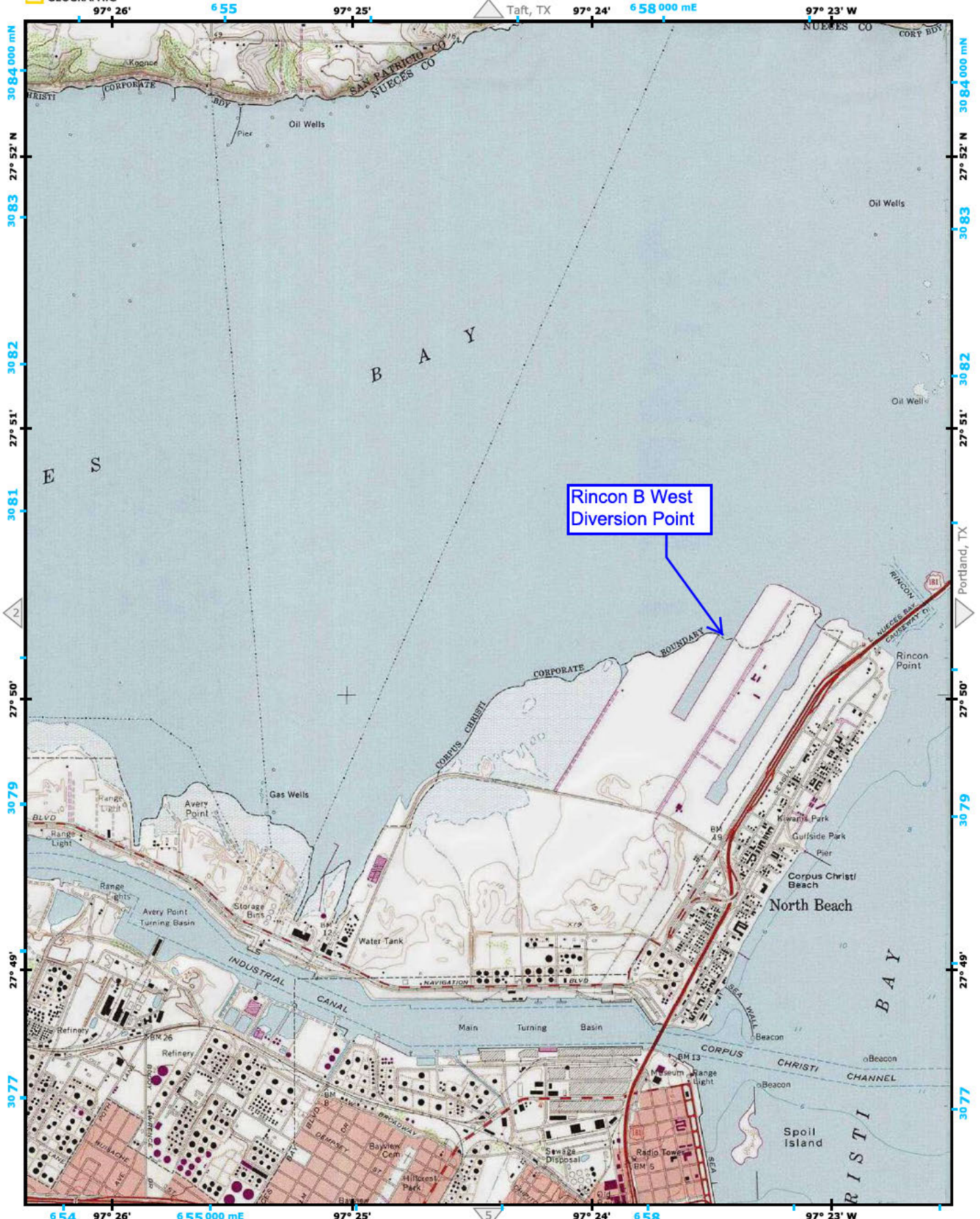
SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Principle Industrial Services LLC	Job Title:	Vice President Gulf Coast
Name <i>(In Print)</i> :	Allan Adami	Phone:	(214) 934 2027
Signature:		Date:	11/10/2022

Map Showing Diversion Point Location- Rincon B West







1725 Jones Millage Road, Ste 101 | San Antonio, TX 78247
 210.888.6100 | www.ttl.com
 TIRE Registration #12222 | TIRE Registration 50456

**REMOVAL OF BULK TERMINAL AND GILA 2 PIPELINE CROSSINGS
 CORPUS CHRISTI SHIP CHANNEL**

PORT OF CORPUS CHRISTI - AVERY POINT
 Proj. No. 00021090109000
 Checked by: DS
 Date: 11/17/22
 ISSUED FOR PERMIT APPLICATION
 11/17/22

**DREDGE MATERIAL ROUTING
 PLAN**

Sheet No. **RINCON B WEST**
 Date: _____
 Revision Description: _____
 No. _____
 Date: _____
 Scale: 1" = 100'



LEGEND

- DREDGE MATERIAL TRANSPORT PIPE — UPLAND
- DREDGE MATERIAL TRANSPORT PIPE — FLOATING
- LIMITS OF RINCON B WEST DMPA