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August 25, 2022

Re: REQUEST FOR PUBLIC MEETING
TCEQ 401 Certification
Department of the Army Permit No. SWG-2019-00067
Port of Corpus Christi Authority - Applicant

Dear Senators and Representatives:

We trust you and your staffs are in good health and good spirits. Please accept the following request on behalf of Port Aransas Conservancy (PAC), Ingleside on the Bay Coastal Watch Association (IOBCWA), and Coastal Alliance to Protect our Environment (CAPE).

Individually and collectively, we ask you to submit to the TCEQ a joint request for a Public Meeting regarding the TCEQ's 401 Certification in the above-referenced permit application. CAPE is a grassroots alliance of organizations and individuals who are vehemently opposed to this permit because it is unnecessary and poses extreme hazards to our delicate ecosystem and quality of life. IOBCWA is a Texas non-profit corporation organized to promote the health, safety, and quality of life for residents of the City of Ingleside on the Bay and the Ingleside Cove area through research, education, communication and action. PAC is a Texas non-profit corporation organized to protect the quality of life of residents and businesses in Port Aransas. Each organization is comprised of citizens most affected by the proposed dredging project and who are opposed to its approval.

The PCCA Channel Deepening Project (CDP) is located at Port Aransas, Nueces County, Texas. The approximate distance of the proposed PCCA CDP is 13.8 miles. The proposed CDP would deepen the channel from its current authorized depth of -54 feet to -77 feet with an additional two feet of advanced maintenance and 2 feet of allowable over dredge. The proposed CDP footprint would cover 1,778 acres, generating 46.3 million cubic yards of new work dredged material. The CDP would be at the confluence of the Lydia Ann Channel, the Aransas Channel and the Corpus Christi Ship Channel.

Thousands of comments were submitted opposing the CDP. Recently, the Department of the Army released the Draft Environmental Impact Statement (DEIS) on the CDP and the comment period on the DEIS is now closed. The DEIS consisted of approximately 4,000 pages and, once again, comments were submitted pointing out the deficiencies in the DEIS. We are providing a copy of just one of those comments submitted by attorneys representing PAC and IOBCWA for your review.

The Texas Commission on Environmental Quality (TCEQ) is responsible for conducting Section 401 certification reviews of U.S. Army Corps of Engineers Section 404 permit applications for the discharge of dredged or fill material into waters of the United States, including wetlands. The TCEQ is the lead state agency that administers the Section 401 certification program in Texas except with respect to oil and gas exploration, which is the responsibility of the Railroad Commission of Texas. The purpose of these certification reviews is to determine whether a proposed discharge will comply with state water quality standards.

The 401 Certification review by TCEQ runs concurrently with the Army's review of the Permit. As of this writing, the TCEQ website provides no substantive information regarding its 401 review, save and except a simple statement that reads: *Project under initial review by TCEQ*

Today we request a joint letter from you to the TCEQ requesting a TCEQ Public Meeting on the 401 Certification. We further ask that you request Public Notice of the meeting be issued 45 days in advance of the meeting and that the Public Meeting be held in Port Aransas, Texas. There is significant interest in the application for this permit and the impacts are simply too extensive to list here. You might imagine that a proposal to unearth 46.3 million cubic yards of soil, a substantial amount of which now lies at the bottom of the Ship Channel, and to dispose of the resulting spoils at various places in the Bay area has given rise to all manner of ecological concerns. Our bays and waterways are a main source of recreation, economies, and the quality of life of your constituents. We expect to have many questions directed to the applicant and TCEQ that require answers.

As our elected representatives, you are entitled to request this Public Meeting. The Public Meeting serves as an opportunity for your constituents to obtain more information on the permit sought by the applicant and make formal comments thereon.

We appreciate your assistance in this regard.



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