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TCEQ Remands Texas Desal Plant Application

AUSTIN- Today, the Texas Commission on Environmental Quality (TCEQ) remanded the application for the desalination plant proposed by the Port of Corpus Christi for Harbor Island, which is within the city limits of Port Aransas. TCEQ Commissioners voted unanimously to remand the application back to the State Office of Administrative Hearings, concluding that the Port had not shown that its proposed desalination permit was protective of the environment or aquatic life.

“Our job here is to make sure that authorization of this first desal plant in Texas is protective of public health and the marine environment,” said TCEQ Chairman Jon Niermann as he made the motion to remand. “The applicant has not yet met its burden of proof on that.”

The decision directed the Port of Corpus Christi to conduct further evaluation and provide additional evidence on the environmental impact of the project, which would discharge up to 95 million gallons of chemically treated effluent each day into the pristine marine waters surrounding Harbor Island. [Marine scientists say](#) it is the worst possible location for such a plant. On remand, the Port will have to demonstrate that there is no significant lethality to aquatic life in the area of the immediate discharge.

“We certainly would have preferred an outright denial of the permit, but we consider this decision a short-term win,” said James King, President of the Port Aransas Conservancy. “Today’s action confirms there are significant problems with the application that must be addressed before a final decision can be made.”

The desalination project is opposed by the [Port Aransas Conservancy](#), the [Texas Coastal Coalition](#), and a host of other environmental organizations and individuals concerned about the project’s impact on the sensitive fish and wildlife resources, as well as recreational uses, in and around Harbor Island.



“We want to make it clear that we are not opposed to efforts to provide additional water sources for our growing state,” said John Shepperd with the Texas Coastal Coalition. “We believe there is a common-sense solution to the problems associated with this proposed desal plant, and that is discharging the effluent offshore instead of where it is currently proposed.”

TCEQ directed the Port to provide additional evidence on a number of issues including whether the proposed discharge will adversely impact the marine environment, aquatic life, and wildlife. The Port will also have to demonstrate whether the proposed discharge will adversely impact recreational activities, commercial fishing, and the fisheries in the Corpus Christi Bay and the ship channel.

TCEQ Commissioners are expected to issue their written order in the next few days. It will require the Port to compile and prepare new modeling data, including site-specific ambient velocity data for the location of the discharge, and provide it to all parties within 30 days from the Commission order. All parties will then have 30 days to review it before the preliminary hearing in this case before the State Office of Administrative Hearings. Once that hearing takes place, the judges will have to issue their recommendation within 120 days after the preliminary hearing that is expected later this year. Once that happens, TCEQ will consider the matter again, most likely in early 2022.

*The **Texas Coastal Coalition** is a non-partisan education and advocacy organization dedicated to protecting and promoting the economic and environmental prosperity of the Coastal Bend. Our mission is to educate Texans about the potential environmental and economic impacts of industrial development of Harbor Island in Port Aransas, while bringing together the voices of those who treasure the Texas Gulf Coast to advocate for a solution that works for industry, the environment and the Coastal Bend community.*

*The **Port Aransas Conservancy** is dedicated to fostering a balance of conservation and economically sustainable uses for Port Aransas and its surrounding neighborhood and waterways while recognizing that our community and economy is dependent on tourism and fisheries within a healthy barrier island coastal ecosystem. We want to be perfectly clear that we're not anti-business, we're pro-environment. Our goal is to see any development in the Coastal Bend done with as little environmental disruption as possible.*

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