



June 5, 2020

Dear Port Aransas Property Owner,

As we're sure you're aware there are a number of industrial projects being planned for Harbor Island that would have a dramatic environmental and economic impact on Port Aransas. All of them are in the early stages of the permitting process, which means there is time for you to express your opinion to the appropriate authorities and help influence the outcome of their deliberations.

Tracking several projects with different agencies and timelines is difficult and confusing at best. The purpose of this letter is to bring you up to speed on these timelines and let you know who to contact to express your opinion on these projects.

It's no secret that the Port Aransas Conservancy, while supporting environmentally friendly businesses, is strongly opposed to major industrial development on Harbor Island. Under the current economic circumstances we feel the Port needs to stop moving forward with these expensive projects and conserve their cash for rebuilding after the coming recession is over. If the Port then still considers these projects to be viable we'll still be around to oppose them.

Please read the short writeup about the following projects and let your legislators know how you feel. As a local property owner you have a lot on the line. Please speak up.

## Projects

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### [PCCA Desalination Plant \(TCEQ Permit No. WQ0005253000\)](#)

- **Project:** A desalination plant that would discharge up to 93 million gallons of brine into the waters near Port Aransas directly into the migration path of red drum and shrimp who spawn in the nearby estuary
- **Impacts:** Highly saline discharge endangers fish and shrimp larvae, and with it both of those industries. Entrapment and entrainment at input.
- **Objections:** "TPWD continues to have significant concerns about the project's location...TPWD is also concerned with the potential toxicity to larval and juvenile aquatic life form from the effluent in the mixing zone."
- **Status:** PAC is working with co-counsel and counsel for the city in preparing for the preliminary hearing.
- **Timeline:** *The preliminary hearing will be held via Zoom at 10:00 AM on July 9.*
- **Suggested Action:** Be sure to register in advance to be able to attend. Named parties and/or their attorneys definitely need to attend, but the more interested parties who attend the more it should focus the judges on just how important this issue is to the community. To register go to [www.soah.texas.gov](http://www.soah.texas.gov). The registration form can be found under the heading "E-Services."

### Channel Deepening (SWG-2019-00067)

- **Project:** Deepening a portion of the Corpus Christi Ship Channel (CCSC) from the currently authorized depth of –54 to –56 MLLW to final constructed depths ranging from –79 to –81 feet MLLW. Extending the existing terminus of the authorized channel an additional 29,000 feet into the Gulf of Mexico. The existing Inner Basin at Harbor Island would be expanded as necessary to allow VLCC turning there.
- **Impacts:** Dredged materials includes 56.7 million cubic yards of dredge spoil. In addition 1,764.3 acres of open waters would be dredged for a proposed channel and turning basin.
- **Objections:** USFWS: “The Service agrees with the USACE that threatened and/or endangered species or their critical habitat may be affected by the proposed work” TPWD: “The proposed placement area M4 is located within the RBSSA and contains vast acres of pristine seagrass beds”
- **Status:** On May 27, 2020, the USACE issued a notice advising that it will **hold four virtual public meetings in June (on June 9, 11, 16, and 18)** to take public comments on the scoping process for the Environmental Impact Statement (EIS).
- **Timeline:** *First session is June 9 at 4:00 PM.*
- **Suggested Action:** Get more information and to register for the scoping sessions at <https://publicinput.com/PCCA-Channel-EIS>. Then make your comments known.

### Harbor Island Terminal Facility (SWG-2019-00245)

- **Project:** Lone Star Ports proposes a deepwater oil export terminal designed to handle very large crude carriers (VLCCs), each of which is larger than the aircraft carrier USS Lexington.
- **Impacts:** This would cause serious wake damage and congestion in an already crowded waterway as well as the threat of an oil spill that would endanger the Harbor Island estuary.
- **Objections:** Railroad Commission: “Technical Permitting has determined that permit issuance may cause or allow pollution to surface or subsurface waters of the state.”
- **Status:** On May 28, 2020, the USACE issued a public notice in regard to this permit application. The USACE has made a preliminary determination that an EIS is not necessary for this application. They also have yet to group this project with the other two pending USACE permit applications to consider them as a single project, despite previously having indicated that all three matters should be considered together. We previously submitted a letter to USACE and EPA addressing this.
- **Timeline:** Under the newly issued public notice *written comments to this permit application are due by June 29, 2020.*
- **Suggested Action:** Make your comments known soon. You can send them by email to [SWG201900245@usace.army.mil](mailto:SWG201900245@usace.army.mil). Please request a public hearing.

## Lone Star Ports TCEQ Air Quality Permit Application (SOAH Docket No. 582-20-3438)

- **Project:** In order to build an oil export terminal Lone Star Ports first needs an air quality discharge permit from TCEQ. This case had been pending at TCEQ with no observable action in recent months. However in April the applicant asked the matter to be referred to the State Office of Administrative Hearings (SOAH) for a hearing. A telephone conference was held by the judge on May 15, 2020, at which time she directed that ***the preliminary hearing will occur on June 30, 2020, by ZOOM Conference.*** To register go to [www.soah.texas.gov](http://www.soah.texas.gov). The registration form can be found under the heading "E-Services."
- **Timeline:** This case will be under a 180-day deadline from the preliminary hearing, so it will be on a similar track as the desalination case.
- **Suggested Action:** This is TCEQ Air Quality Permit application No. 157150. TCEQ has issued a draft permit but you can still register your comments at [www.tceq.texas.gov/agency/decisions/cc/comments.html](http://www.tceq.texas.gov/agency/decisions/cc/comments.html). Your input is extremely important.

## Axis Midstream Terminal (SWG-2018-00789)

- **Project:** A second oil export terminal that would require extensive oil pipelines that cross the Redfish Bay State Scientific Area
- **Impacts:** Endangering wildlife and seagrass beds that are critical habitat for juvenile fish. The VLCC terminal is within the RBSSA.
- **Objections:** USFWS: "As proposed the Axis Midstream [project] would have adverse and potentially permanent impacts to resources of regional scarcity and national significance."
- **Status:** No additional notices have been issued on this application, and no immediate work is required at this time.
- **Timeline:** TBD, but apparently hanging back to see how it goes with the Lone Star Ports applications
- **Suggested Action:** Wait and watch, but don't get complacent. These folks are serious.

## Updates

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These projects are rapidly moving targets. The information in this letter was up to date as of this writing but it's almost guaranteed to change soon.

To stay up to date please go to [www.portaransasconservancy.com](http://www.portaransasconservancy.com) and scroll down to Join Us. That won't put you on a membership list but it does put you on our mailing list. We put out newsletters frequently to try to keep everyone as up to date as we can.

## Contacts to Call or Write

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Senator Ted Cruz  
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Congressman Michael Cloud  
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Representative Geanie W. Morrison  
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Representative Todd A. Hunter  
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