

Ingleside on the Bay Coastal Watch Association
Patrick A. Nye, President & Julie A. Nye
1018 Bayshore
Ingleside, Texas 78362

July 1, 2020

Corpus Christi Field Office
Regulatory Division, CESWG-RG-R
U.S. Army Corps of Engineers
5151 Flynn Parkway, Suite 306
Corpus Christi Texas 78411-4318

RE: Port of Corpus Christi Channel Deepening Project Permit
SWG-2019-00067
“Who is monitoring the monitors?’ and other questions for the EIS & TCEQ”

Dear Sir or Madam,

Please accept this email as my formal comments and request to include within the Environmental Impact Study the questions and statements listed below. On Mother’s Day, 1967, my father, Judge Paul W. Nye and wife, Nina bought our bay house property, 1018 Bayshore located in Ingleside on the Bay (IOB) where my wife Julie and I currently live. For the past 53 years I have observed first-hand many changes to our environment and lack of enforcement for the protection of Corpus Christi Bay. Having a zoology degree from Texas Tech University and geology degree from Texas A&M Kingsville I am keenly aware of long-term effects of large-scale marine projects both environmentally and geomorphologically if permitting is approved without oversight, enforcement and commitment to be good stewards of our unique habitat. In addition to being a property owner, as president of Ingleside on the Bay Coastal Watch Association (IOBCWA) [a 501(c)(3) organization] my comments speak for my wife Julie, myself individually, as well as for IOBCWA membership. All of us wish to better understand the environmental ramifications of the subject permit to our estuaries, wetlands, sea grass beds, shoreline’s erosion and flooding due to ship wakes. We also need to include within the EIS study sea level rise, air and water quality as well as to the health and quality of life enjoyed, protected and preserved by local communities along Corpus Christi Bay.

As you may know, I am on the record for comments during the first Virtual Public Meeting back on June 9, 2020 where many audio issues occurred. (*Slide #2*) To reiterate my verbal comments, I have added additional concerns that are shown below with numeric slides attached corresponding to these questions and comments:

- Dredging operations 2020: Personally, I have witnessed three separate diesel and/or oil spills coming from the dredging operations near Ingleside on the Bay (IOB) on April 27, 2020 (*Slide #3*), May 1, 2020 (*Slide #4*) and May 17, 2020 (*Slide #5*) . Who is responsible to monitor the spills and report to the Federal authority as well as relay such pollution to the public for its own safety? What are the affects from these spills to wildlife and the environment during current and future dredging operations?

- Dredging operations 2020: Google Maps dated 1/2/2017 clearly show the dredge line lying on top of sea grass at Ingleside Point Island. Was this allowed by USACE permits and if so, how was this mitigated? (*See Slide #6*). Will this type of conduct observed in 2017 be the same stewardship we can expect with deepening of the Port of Corpus Christi Ship Channel (POCCSC)? Google Maps dated 1/31/2020 show plumes of silt covering Ingleside Point Island all the way into Ingleside Cove as well as leaks around the pump station located adjacent to the breakwater in front of IOB. (*See Slide #7*) Google Maps dated 1/31/2020 documents dredging operations (possible line leaks) creating silt plumes across sea grass beds located in Redfish Bay. (*See Slide #8*) Dated photos from various dredge line leaks in front of IOB are also attached. (*See Slide #9*). Many of these leaks as shown on *Slide #9*, created muddy water conditions along the south shore of IOB. Also observed that the dredge crews typically took 2-4 days to repair. What authority(ies) monitors these leaks and how often? What are the short- and long-term effects to sea grass beds and marine life? What safeguards and monitoring are proposed for environmentally safer operations when deepening POCCSC and La Quinta Ship Channel?
- The surgical removal of many acres of sea grass beds in Redfish Bay and along IOB caused by ship wakes and their displacement along with siltation has been well documented. (*See Slides #10 & #11*). With larger and more frequent vessels this problem is only exacerbated. As multiple ships pass each day, many times crossing each other's path, the cumulative effect of the wakes surge and water movement is environmentally destructive. Deep channels cut into the sea grass beds by this volume of ship wake movements are documented by aerial photos. How will this inevitable problem be remedied with or without the deepening of the POCCSC to prevent loss of the vital sea grass beds? Who is responsible for monitoring presently and in the future? What mitigation programs are proposed in the permit?
- Current dredging operations 2020 – Photos of the construction of containment dikes on the spoil island across from MODA and IOB provide vivid evidence of air borne particulate matter (aka PM_x) by these operations. Prevailing winds from the southeast blow this material on IOB. Will this site be used for the POCCSC deepening and are studies included to understand the effects downwind where IOB is located? Attached are photos (*See Slide #12*) showing blowing sand and dust particulate matter from dredged material on June 23, 2020. What contaminants are in these airborne materials and what safeguards are in place to ensure the safety of workers, residents, and all other affected parties, including boaters and recreational fishermen? Have studies been conducted to determine the health risks due to the size of the particulate material? Does this material, originally dredged from the POCCSC, contain toxic, heavy metals and particulate matter toxic to the respiratory system? Who monitors and approves this work and what data do you have regarding short-term and long-term health affects? Will this type of work be conducted in other areas with potential threats to civilian populations or to IOB that is directly affected now? Will PM_x air monitors be put in place to regulate and enforce compliance?
- Air quality, as mentioned above, is a serious concern. IOBCWA in collaboration with Texas A&M Corpus Christi Environmental Sciences have deployed passive air monitors since December 2019. Results show a distinct increase in nitrogen oxides (NO_x), a pollutant derived from mooring tankers at the MODA terminal as well as from passing vessels and dredging operations. (*See Slides #13 & #14*) How will volatile organic compounds (VOC) discharges coming from vapor flashing from the tanks to the cargo tankers be contained? What about sulfur oxide (SO_x) and particulate matter discharges (PM_x) from ships smokestacks and loading

operations during dockage levels? What effects will this have on the local communities? Are air monitors required for this permit?

- The Port of Los Angeles restricts docked and moored vessels from releasing toxic byproducts from their smokestacks due to health concerns in their communities. Docked vessels are required to use shore power instead of fuel burning generators. Will shore power be a requirement in the EIS permit? In addition, Reuters reports on new laws for shipping companies requiring reduced emissions of toxic sulfur fuels that cause premature deaths. (*See Slide #15*) Are these new global rules in place for ship traffic in POCCSC and if so, what authority regulates and imposes these new fuels law? With an increase in ship traffic forecasted and an increase in docked vessels along CCSC near the Intracoastal Waterway as well as La Quinta Channel, what studies have been conducted to determine the long-term health effects to populations in communities like Port Aransas, Aransas Pass, Ingleside, Ingleside on the Bay, Portland, and Corpus Christi? Will EIS and TCEQ require strict air monitoring in IOB, Port Aransas, Portland, and North Beach Corpus Christi as it pertains to this permit and the resultant increase in vessel traffic and dockage?
- Ingleside on the Bay Coastal Watch Association (IOBCWA) with 80% financial contributions from the San Patricio County Commissioners, contracted Mott MacDonald, a global engineering firm, to study “Ingleside on the Bay Relative Sea Level Rise Impacts and Adaptation” (Study). (*See Slide #16*) Based upon the Study there is scientific evidence that rising sea levels will dramatically affect our coastlines. Does the Permit consider relative sea level rise and resulting effects, including erosion, bulkhead, and property damage? Saltwater intrusion within McGloin’s Bluff complex? In addition, does it take into account the already pressing effects of ship wakes and water displacement with resulting flooding to coastal communities including IOB? What mitigation plans are in place to resolve these issues?
- We understand that the Port of Corpus Christi has multiple studies regarding La Quinta Channel’s deepening and is knowledgeable as to the many issues including the ship wake effect to IOB. Are the wake effects included in the EIS as well as the resulting economic impact to IOB? Is USACE aware of these studies and what is the scope of further studies to prevent serious loss of property and infrastructure due to ship wakes as it relates to sea level rise? The Mott MacDonald Study for IOBCWA describes the future as having a nuisance flood of 2.9’ every year increasing to 3.9’ return flood period by the year 2040. (*See Slide #17 & #18*) These flooding events do not consider the larger ships displacement that will be added on top of these flood events. Is USACE aware of this data and have plans for IOB’s protection from ship traffic wakes including revetments and breakwater structures? What about the inevitable loss of property and economic loss from overtopping of bulkheads including the loss of property values? (*See Slide #19*) Has an economic study based upon the effects of ship traffic on local communities been conducted with the proposed permit?
- Has an environmental impact study been conducted to determine effects to the wetland’s species along the POCCSC and adjacent Corpus Christi Bay Waters? Ridley turtles and hosts of protected and threatened birds frequenting this stretch of shoreline are well documented. (*See Slides #20, & 21*)

Page 4
July 1, 2020

- Examples of erosion adjacent to current bulkheads along the shoreline of IOB are well documented. What studies have been done to eliminate this deleterious impact to wetlands and potential effects to IOB's shoreline? (See Slide #22)
- The effects from ship displacement cause the IOB drainage systems to be a serious concern. Has this been included in the studies for economic and environmental impacts? (See Slide #23)
- What are the cumulative effects to Corpus Christi Bay's Water Quality as impacted from ballast release, drainage from and runoff from industries and discharge?
- Is there a catastrophic pollution control plan for the potential for tanker collisions and spills that includes IOB and Corpus Christi Bay? Is this issue covered by the permit?
- In the event of an emergency that affects health, safety, and welfare of all concerned residents such as ship collisions, oil spills, and vessel groundings, will there be an emergency alert system in place and required as a condition of the permit?

Thank you for your time in this matter and we look forward to a public hearing to discuss these open issues publicly once more. Please include me in your response list for this and any other permit activity along the Gulf Coast.

Please acknowledge receipt.

Thank you



Patrick A. Nye & Julie A. Nye
President IOBCWA

Attachments: Slide Presentation – 22 slides

CC: Senator Judith Zaffirini
Representative J.M. Lozano
TCEQ – Austin, Texas
Board of Directors IOBCWA
Members IOBCWA