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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 9, 2021

The Honorable Dan Patrick
Lieutenant Governor of Texas
Capitol Station
PO Box 12068
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution.

Senate Bill (SB) 1986, as Filed by Senator Brandon Creighton and Senator Robert Nichols-relating to adding a special purpose territory to the Port of Port Arthur Navigation District of Jefferson County, Texas.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

Senate Bill 1986 provides changes to the Port of Port Arthur Navigation District (District) of Jefferson County, Texas, by amending Chapter 197, Acts of the 58th Legislature, Regular Session, 1963. The bill designates a special purpose area that is added to the existing District territory, defined by metes and bounds, and does not affect any powers and duties of the Sabine-Neches Navigation District or the Port of Beaumont Navigation District of Jefferson County, Texas. The special purpose area is not subject to District taxation. The waterborne commercial cargo and vessel movements within the special purpose area may be reported to the United States Corps of Engineers the same as waterborne commercial cargo and vessel movements within the District.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kim Nygren".

Kim Nygren, Deputy Director
Water Availability Division

cc: The Honorable Brandon Creighton, Chairman, Senate Committee on Ports, Select
Senator Brandon Creighton, Texas Senate
Senator Robert Nichols, Texas Senate

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 1986

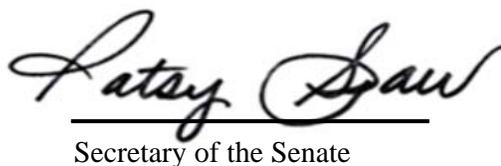
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

3/16/2021

Date transmitted to
Governor's Office



Secretary of the Senate

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 19, 2021

Date transmitted to
Texas Commission on Environmental Quality



Governor

TO: The Honorable President of the Senate
The Honorable Speaker of the House of Representatives
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality

By: Creighton, Nichols

S.B. No. 1986

A BILL TO BE ENTITLED

AN ACT

1
2 relating to adding a special purpose territory to the Port of Port
3 Arthur Navigation District of Jefferson County, Texas.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Chapter 197, Acts of the 58th Legislature,
6 Regular Session, 1963, is amended by adding Section 1A to read as
7 follows:

8 Sec. 1A. (a) In this section, "special purpose area" means
9 the territory described by Subsection (e) of this section.

10 (b) Waterborne commercial cargo and vessel movements
11 originating in or departing from the special purpose area may be
12 attributed as waterborne commercial cargo or vessel movements
13 originating in or departing from the district for the purpose of
14 reporting to the United States Army Corps of Engineers under
15 applicable federal law.

16 (c) The inclusion in the district of the special purpose
17 area does not affect any powers or duties exercised in the special
18 purpose area by the Sabine-Neches Navigation District or the Port
19 of Beaumont Navigation District of Jefferson County, Texas.

20 (d) The district may not impose a tax in the special purpose
21 area.

22 (e) In addition to the territory described by Section 1 of
23 this Act, the Port of Port Arthur Navigation District of Jefferson
24 County, Texas, includes the following tract as a special purpose

1 area:

2 BEING 133.8 ± acres of land and water, part of the Neches
3 River in the City of Port Arthur, Jefferson County, Texas; said
4 133.8 ± acre tract being more fully described by metes and bounds as
5 follows, to wit:

6 BEGINNING at a point on the intersection of the thread of the
7 Neches River with the current city limits of the City of Port
8 Arthur, as described in Annexation Ordinance No. 2540, for the most
9 northerly comer of the herein described tract;

10 THENCE, in a southeasterly direction, with the thread of the
11 Neches River, a distance of 7885'± to its intersection with the
12 current boundary of the Port of Port Arthur Navigation District on
13 the centerline of State Highway 87, for the most easterly comer of
14 the herein described tract;

15 THENCE, in a southwesterly direction, on the centerline of
16 State Highway 87, being the current boundary of the Port of Port
17 Arthur Navigation District, a distance of 690'± to a point on the
18 projected southwesterly bank of the Neches River, for the most
19 southerly comer of the herein described tract;

20 THENCE, in a northwesterly direction, on the Southwest bank
21 of the Neches River, a distance of 9000'± to its intersection with
22 the Northwest line of City of Port Arthur Annexation Ordinance
23 No. 2540, same being the southeasterly line of a (Called 16.130)
24 acre tract of land, known as Tract Five, Parcel SE, recorded in File
25 No. 2020000404, Official Public Records, Jefferson County, Texas,
26 for the most westerly comer of the herein described tract;

27 THENCE, in a northeasterly direction, on the Northwest line

1 of City of Port Arthur Annexation Ordinance No. 2540, a distance of
2 1045'± to the POINT OF BEGINNING, and containing 133.8 ± acres of
3 land, more or less.

4 SECTION 2. (a) The legal notice of the intention to
5 introduce this Act, setting forth the general substance of this
6 Act, has been published as provided by law, and the notice and a
7 copy of this Act have been furnished to all persons, agencies,
8 officials, or entities to which they are required to be furnished
9 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10 Government Code.

11 (b) The governor, one of the required recipients, has
12 submitted the notice and Act to the Texas Commission on
13 Environmental Quality.

14 (c) The Texas Commission on Environmental Quality has filed
15 its recommendations relating to this Act with the governor, the
16 lieutenant governor, and the speaker of the house of
17 representatives within the required time.

18 (d) All requirements of the constitution and laws of this
19 state and the rules and procedures of the legislature with respect
20 to the notice, introduction, and passage of this Act are fulfilled
21 and accomplished.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2021.

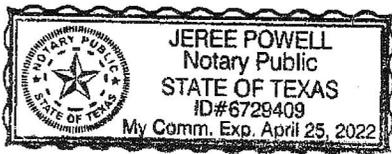
PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §
 §
COUNTY OF JEFFERSON §

Before me, a Notary Public in and for Jefferson County, this day personally appeared Dee Jordan, who, being duly sworn, states that the attached advertisement paid for by Judy Bettis, Director of Finance, Port of Port Arthur Navigation District of Jefferson County, Texas was published in the Port Arthur News on 2-12-21.

Dee Jordan
Affiant Signature

Sworn to and subscribed before me this 23 day of February, 2021.



Jeree Powell
Notary Signature

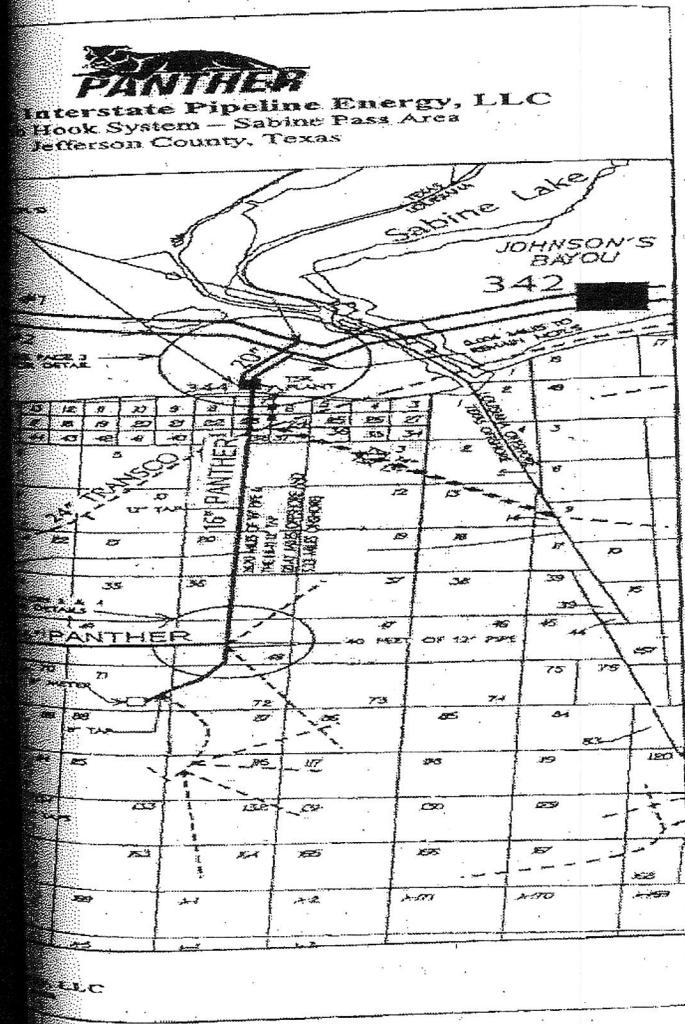
to discontinue FERC jurisdiction subject
required information for final approval by April

participate in the FERC proceeding in
landowner notification rules require Pan-

available on FERC's website (<https://ferc.gov/>)
so posted a pamphlet on its website that
with information that is useful to landowners.
Facility.WhatYouNeedToKnow.pdf)

no. CP18-105-000. This is the docket that
transportation services. Once the plan is
d parties to intervene in the docket or to file
receive a copy of the implementation plan
Mr. Jeff Shipper with Panther at (281) 414-

al issues associated with the plan after it is
writing a letter to the Secretary of FERC, you
be successfully entered into the record on
own as an intervenor in the FERC docket.
s of External Affairs (phone number 1-866-
guides/how-to/intervene.asp).



20 and Mar. 1, 2021
DN188562

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

The Planning and Zoning Commission of the City of Port Neches, Texas deem it to be in the best interest of the citizens of said City to call and hold a Public Hearing for the purpose of considering and receiving protests, if any are to be heard, on the proposition of rezoning the following property from Business-Downtown to Business-Medium:

DESCRIPTION OF PROPERTY

Lot 10 to 12 Tract B, Block 31,
Magnolia Addition
2007 Port Neches Avenue

Such hearing to be held in the City Council Chambers at Port Neches City Hall, 1005 Merriman, Port Neches, Texas at 6:00 p.m. on Monday, March 1, 2021.

Port Arthur News: Feb. 12, 2021
HEARING REZONING

PUBLIC NOTICE

NOTICE

RELATING TO THE DESIGNATION OF SPECIAL PURPOSE BOUNDARIES FOR ATTRIBUTING WATERBORNE COMMERCIAL CARGO TONNAGE VOLUMES OF THE PORT OF PORT ARTHUR NAVIGATION DISTRICT OF JEFFERSON COUNTY, TEXAS

THIS IS TO GIVE NOTICE OF INTENT TO INTRODUCE IN THE 87TH LEGISLATURE, REGULAR SESSION, A BILL TO BE ENTITLED AN ACT RELATING TO THE PORT OF PORT ARTHUR NAVIGATION DISTRICT OF JEFFERSON COUNTY, TEXAS; AMENDING SECTION 1, CHAPTER 197, ACTS OF THE 58TH LEGISLATURE, REGULAR SESSION, 1963, AS AMENDED; CHANGING THE SPECIAL PURPOSE BOUNDARIES OF THE DISTRICT; AND ADDING SECTION 28, CHAPTER 197, ACTS OF THE 58TH LEGISLATURE, REGULAR SESSION, 1963, AS AMENDED; CHANGING THE ATTRIBUTION OF WATERBORNE COMMERCIAL CARGO TONNAGE VOLUMES.

Port Arthur News: Feb. 12, 2021
SPECIAL PURPOSE

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