



Testify Against Approval of TCEQ Permit WQ0005502000

(EPCOR/Bayshore Desalination Facility: Bacliff, TX)

Protect Galveston Bay and Coastal Ecosystems

Background

The proposed Bayshore Desalination Facility is a major infrastructure project spearheaded by EPCOR Utilities Inc. to treat brackish seawater and deliver approximately 26.5 million gallons of clean drinking water per day to communities across Galveston and Harris counties.

Geographically, the project is situated along the western shore of Galveston Bay on the San Leon Peninsula near Bacliff and San Leon in unincorporated Galveston County, Texas. The specific site choice leverages the industrial footprint of the former Houston Lighting & Power P.H. Robinson Power Plant, a decommissioned facility originally built in 1966 that already contains existing water intake and outfall channels along the bayfront. The plant relies on reverse osmosis filtration to extract fresh water from Galveston Bay.

Why This Matters

Under the permit application submitted to the Texas Commission on Environmental Quality (TCEQ), the proposed Bayshore Desalination Facility is slated to discharge a total volume of approximately 56.5 million gallons per day (MGD) of wastewater back into Galveston Bay.

The primary environmental concern stems from the discharge of hyper-saline brine into Galveston Bay. Because Galveston Bay is a relatively shallow, enclosed estuarine system rather than an open ocean, returning millions of gallons of dense brine byproduct could alter the bay's natural salinity balance, lower dissolved oxygen levels, and create localized hypoxic, or dead, zones. Such changes threaten sensitive marine species, particularly juvenile blue crabs, shrimp, and eastern oysters, which rely on stable estuarine conditions for larval recruitment and growth. BCWK, along with environmental organizations like the Galveston Bay Foundation and Sierra Club, have advocated for offshore intake and discharge locations in the open Gulf of Mexico instead of discharging directly into delicate bay waters.

Another major concern centers on the potential mortality of aquatic life caused by the facility's massive intake system. Drawing tens of millions of gallons of raw seawater per day poses a risk of larger marine organisms being trapped against intake screens, and smaller organism species, fish eggs, and planktonic larvae being pulled directly into the reverse osmosis filtration equipment. Local commercial fishermen and crabbers express concern that even minor declines in larval survival rates could ripple through the food web and reduce commercial catch yields over time.



Take Action: Testify or Submit a Comment to the TCEQ

Submit Written Comments

Deadline: November 10th, 2026

- Submit a comment online [here](#) by 11:59pm on 11/10/26
- Or by mailing your written comments to:
Chief Clerk, TCEQ, Mail Code MC-105,
P.O. Box 13087
Austin, TX 78711-3087

Testify In-Person at the Public Meeting (3 Minutes)

Tuesday, November 10 at 7:00pm

Nessler Civic Center - Wings of Heritage Room
2010 5th Avenue N.
Texas City, TX 77590

Key Talking Points

Personalized comments and testimony are most effective. Connect the information below to your own experience, and clearly state your position on the EPCOR/Bayshore Desalination Facility.

How to Structure Your Own Testimony (3 min)

- Introduce yourself and your connection to Galveston Bay.
- Clearly state your position on the EPCOR/Bayshore Desalination Facility permit.
- Share 1-2 personal concerns that matter to you.
- Close by asking the TCEQ to carefully reconsider approval of the permit.

Choose 1-2 Concerns That Matter to You

Water Quality and Wildlife Protection

- Do you fish, kayak, birdwatch, or spend time outdoors in Galveston Bay?
- Are you concerned about the impact of the brine discharge on the existing sealife?
- Do you have concerns about the impact the intake pipe will have on surrounding aquatic life?
- Are you concerned about how dead zones could impact surrounding aquatic life?

Permit Concerns

- Are you concerned about the permit approval with minimal realistic modeling of the potential impacts of the brine discharge?
- Would you rather see the discharge and intake of water happen off-shore?

Local Community and Property Impacts



- Are you concerned about the potential land-use impacts, including increased industrial truck traffic, operational noise, and visual impacts along the coastline.
- Are you concerned about the potential direct impact on nearby residential real estate values due to proximity to an industrial facility?
- Are you a local fisher (commercial or recreational) with concerns about the impacts on local aquatic life populations?

Storm Safety and Flooding

- Have hurricanes or flooding affected you personally?
- Does the vulnerability of onshore storage tanks and discharge infrastructure to coastal storm surges, extreme weather, and hurricane flooding worry you?

Example Testimony

"Good Afternoon. My name is _____, and I live in [neighborhood or area]. I have lived in Galveston for [X years] and I have spent years fishing and kayaking with my family in Galveston Bay, and it is a place my community deeply loves and relies on. I am here tonight to state my clear and firm opposition to the permit for the EPCOR Bayshore Desalination Facility.

Our bay is shallow and calm, not the open ocean. Dumping tens of millions of gallons of heavy, salty wastewater straight into it every day will sink right to the bottom and kill our oysters, crabs, and young fish. On top of that, sucking up all that water will pull in and kill new aquatic life before it even has a chance to grow.

We also know what major storms and hurricanes do to this area. Putting heavy industrial tanks and equipment right on the water where severe storm surges hit is just asking for a disaster and toxic spills in our backyard.

For these reasons, I respectfully ask the TCEQ to deny approval of EPCOR's Bayshore Desalination Facility permit. Thank you for your time."

Bayou City Waterkeeper submitted co-authored comments in opposition of this facility with the Galveston Bay Foundation on August 21, 2026. Our comments are [linked](#). In these comments, we reserved our right to a contested case hearing on the proposed permit.

A contested case hearing is a formal, legal trial used by government agencies to decide if a permit should be granted or denied.



How a Contested Case Hearing Works:

Participants present official evidence, bring in technical experts, and cross-examine witnesses under oath. Unlike an open public meeting where anyone can speak, only official parties such as the company, state engineers, and ***neighboring residents who legally qualify as directly impacted*** (better known as affected persons) can present arguments. The main goal is to prove whether the applicant's plan follows every technical and environmental law required for the permit.

What Is an "Affected Person"?

Establishing your status as an affected person provides you with formal standing to submit official comments, request a contested case hearing, or appeal regulatory permitting decisions.

Under state and environmental regulations, an "affected person" (or affected party) is an individual or group with a personal, legal, or economic interest that could be directly impacted by a proposed facility or permit decision in a way distinct from the general public.

Factors that may determine whether you qualify as an affected person include:

- Proximity: Living or owning property within the immediate vicinity or discharge zone of the proposed facility.
- Resource Use: Relying on local groundwater, coastal waters, or surface water sources that may be altered or impacted by facility construction or operations (e.g., brine discharge or intake structures).
- Specific Health & Property Impacts: Experiencing direct impacts related to noise, traffic, water quality, or local property values.

Why It Matters:

If you are fighting a permit, a contested case hearing is your strongest legal tool. It forces the company to prove their design is safe under strict legal examination, giving nearby residents a direct chance to block the permit or force major changes to the project.

Please share this with your friends, networks, and neighbors and help us protect Galveston Bay.

Questions? Contact Rachel Jordan at rachel@bayoucitywaterkeeper.org.