

SUGGESTED BAYPORT COMMENTS

It is EXTREMELY IMPORTANT that everyone writes a comment letter about the Bayport FEIS to the Corps of Engineers, with copies to the EPA, Congressmen Lampson and DeLay, and Harris Co. Commissioner Sylvia Garcia (the addresses are on the back). The deadline is July 16, 2003.

- 1. The issuance of the Shoal Point permit has not been considered in the FEIS.** That is a huge issue. The analysis of alternatives as presented is false. The need for the proposed action is false. At the least, the false statements must be corrected. The Corps issued the Shoal Point permit. They knew that the information in the FEIS was false. We have a right to a full and fair analysis of alternatives.
- 2. The container and cruise terminals do not have to be located together.** The Corps admits in the FEIS that there is no functional relationship between the two. They do not have to be at the same location. However, the FEIS does not evaluate placing the cruise terminal in Galveston or Pelican Island, for example, and the Port of Houston's container facility at Spilmans Island. The alternative analysis must be redone.
- 3. Harris County just released a report on the cost of developing Spilmans Island that concludes that the cost is much lower than indicated by the Port of Houston Authority.** This report must be considered in evaluating whether or not Spilmans is a viable alternative to Bayport.
- 4. In December 2002, new topographic information was released for Harris County by Harris County and FEMA as part of a LIDAR study. This data must be used to reanalyze the acreage of jurisdictional wetlands at the Bayport site.** The U.S. Fish and Wildlife Service has stated that the wetlands on this site are unique and of national importance, yet only 19.7 of the 140 acres are regulated. If the Corps used the new topo data, the full 140 acres would likely be jurisdictional. If the Corps uses this information, then alternative sites will certainly have less environmental impact and denial of the Bayport permit may be mandated.
- 5. In mid-2002, a study was released by EPA, stating that diesel emissions caused cancer.** This study was delivered to the Corps. **The Corps has failed to undertake any analysis of the increased risk of cancer associated with the extensive diesel air pollution coming from Bayport.** There is no safe exposure level for carcinogens. There is only varying degrees of risk. The people living near the Bayport site need to be told the truth about this issue.
- 6. We are just now seeing the results of air quality, noise and vibration studies, all of which show violation of standards, health effects and/or significant disruption of homes. These studies are not complete.**
- 7. We need an analysis of the impact of widening and deepening the Houston and Bayport Ship Channels that is likely to occur if this Bayport permit is issued.** The Port of Houston Authority is seeking approval to construct a 56 deep

dock with wharf cranes sized for Post-Panamax vessels requiring 45 to 53 feet of depth. The Corps has stated that the Ship Channel will likely need to be widened and deepened to 50-foot depth or more. The Corps stated in the DEIS and FEIS that they were analyzing the impacts to this widening and deepening on Galveston Bay. They did not. This widening and deepening will bring more salt water into Galveston Bay. This increase in salinity is threat to the continuing productivity of Galveston Bay, and will harm oysters, shrimp and juvenile finfish.

- 8. All commenters should request that a Supplemental Draft Environmental Impact Statement (SDEIS) be prepared by the Corps to address these issues.**
- 9. We have a right to have a truthful analysis of the Bayport permit application, its alternative sites and its impacts. That did not occur in the FEIS. That is what we demand.**

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