

February 2003

**Galveston Bay Conservation & Preservation
Association**

Making Waves

Where Are We Now?

BAYPORT

The most recent information from the U.S. Army Corps of Engineers: The Final EIS will be published in early April, with the Record of Decision to follow in mid-June. If the Corps issues the permit, GBCPA, six environmental groups, and several area cities, will launch one of the largest litigation coalitions in the history of the Texas coast to stop this ill-advised project.

WHAT CAN YOU DO NOW?

A Texas Commission on Environmental Quality (TCEQ) hearing on mitigation measures, consistency with the Coastal Management Plan, and cumulative impact to wetlands has been requested. TCEQ's decision on this hearing will be posted on our website shortly so check gbcpa@gbcpa.org for more details. Plan to attend if the hearing is held.

SAN JACINTO RAIL (SJR)

In January, the Surface Transportation Board (STB) held public hearings on the San Jacinto Rail DEIS. Jan. 14's meeting in Pasadena brought over 300 people; Jan 15's meeting at Cesar Chavez High School was attended by over 500. Most speakers, aside from SJR representatives, spoke in opposition to the proposed rail line. Numerous public officials joined in the opposition (see inside story). No date for the Final EIS has been published.

WHAT CAN YOU DO NOW?

Deadline for comments to the Surface Transportation Board (STB) is February 21. STB's address and FAX number, along with GBCPA's suggested comments, are posted on the our website. Given the short turnaround, we strongly suggest that your comments be FAXED.

Cumulative Impacts of Bayport and the Rail

The Port of Houston Authority has proposed the Bayport container facility. BNSF and local industries have proposed the San Jacinto Rail project. A separate Draft Environmental Impact Statement (DEIS) has been prepared and published for each of the proposals, one by the U.S. Army Corps of Engineers and one by the Surface Transportation Board (STB). Under the rules of the Council on Environmental Quality, where there are multiple pending proposals with cumulatively significant impacts, they should be discussed in the same EIS.

SJR and Bayport will both significantly impact southeast Harris County in a variety of ways and if both projects were completed, the cumulative effects would be much greater than that of either project

on its own. A container port at Bayport would alter existing land use patterns in the Shoreacres, Seabrook and eastern Pasadena, while SJR would induce commercial and industrial development along the large undeveloped corridor between these cities and northern Clear Lake City.

Transportation impacts to the area would be multiplied if both projects were permitted. The proposed SJR line is adjacent to Port Road, which is to be used as the primary exit for the Bayport facility. The SJR DEIS assumes no significant increase in traffic at this location, clearly an erroneous assumption since the container facility would add 5,000 trucks per day to Port Road and SH 146.

Additionally, there are cumulative

environmental justice issues associated with the impact of rail transportation on the Hispanic community. Bayport would send eight 8,000 foot long trains alongside SH 225 and then north through the East End, adding to the trains which will move through the East End via the proposed San Jacinto Rail project.

Clearly, given these cumulative impacts, the test for a combined EIS is met. Yet, both the Corps of Engineers and STB refuse to acknowledge the imperative of a combined assessment of the projects. GBCPA will continue to make this case to both agencies and we urge individuals to reference these impacts in comments to the STB. Your support for GBCPA in this endeavor is greatly appreciated.

Another Look at Spilman's Island

Special requirements would produce significantly higher costs for taxpayers if the Port of Houston Authority undertook container port development at Bayport rather than at Spilman's Island, according to a newly released analysis of the two sites. This conflicts directly with Port claims that the Spilman's Island alternative site is not an economic proposition.

Transportation analyst Nancy Edmonson recently compared the cost factors unique to Bayport and to Spilman's Island. Using projections supplied by the Port of Houston Authority itself, she identified more than \$209 million in extra costs to taxpayers if a container port were developed at Bayport. Costs unique to Spilman's Island were much lower.

The acreage required is also open to question. As proposed, the Bayport facility would occupy about 1000 acres. But a container port for Texas City covers 500 acres, and Seattle has recently opened a major container terminal on 200 acres. Both projects are designed for almost the same throughput of cargo containers as Bayport. In addition, Edmonson questions the necessity of co-locating the container and cruise terminals. An efficiently designed container port with no cruise terminal could be built on a maximum of 500 acres and reduce the stabilization costs for Spilman's Island dramatically.

Edmonson's full report can be viewed on the GBCPA website at www.gbcpa.org.

Fonteno Bayshore Park

A large bay front park is a very obvious and much more desirable use for the 1000 acre natural site at Bayport where the Port of Houston Authority proposes to build a major new container port, according to a crescendo of voices from the bay area. Elected officials are pressing to create such a park and name it in honor of long-serving County Commissioner Jim Fonteno, who retired on January 1, 2003.

In August, GBCPA made a formal submission to the Texas Parks and Wildlife Department regarding the park potential of the Bayport site. In response to the Department's draft Land and Water Re-

sources Conservation Plan, GBCPA noted that creating a bay front park at Bayport would simultaneously address several of the conservation and recreation objectives in the plan.

GBCPA's submission states, in part, "It is our belief that this parcel of land would be of far greater service to Texas as a park than as an expansion of the Port of Houston. Here we have a parcel of Native Prairie and Grassland habitat, which your plan singles out as high priority; located in the Gulf Coast Prairies and Marshes ecoregion, which your plan identifies as the highest priority for conservation." A park at this location would

also meet recreational goals in the plan, being well within the desired 90 miles from a major metropolitan center.

Seabrook Mayor Robin Riley and El Lago Mayor Pro Tem Natalie Ong joined the chorus of support for the park. "This site at Bayport is the last large tract of natural terrain on the upper west side of Galveston Bay," said Mayor Riley. "A major new bay front park in southern Pasadena would be an enormous asset to the people of Houston and other nearby cities, as well as to Pasadena residents."

Thanks to Elected Officials

Many elected officials throughout Harris County have expressed opposition to the proposed San Jacinto Rail project. Included on this list are U.S. Congressmen **Gene Green** and **Nick Lampson**; State Representatives **Rick Noriega** and **John Davis**; Harris County Commissioner, Pct.2, **Sylvia Garcia**; Mayors **John Manlove** (Pasadena), **Natalie O'Neill** (Taylor Lake Village), **Nancy Edmonson** (Shoreacres) and **Eloise Smith** (City of South Houston); and Houston City Councilmember's **Carol Alvarado**, **Anise Parker**, **Shelley Sekula-Gibbs**, **Carroll Robinson**, **Addie Wiseman**. GBCPA joins area residents in thanking these representatives for their efforts on this issue.

State of the Bay & Water Rights

At the 6th annual State of the Bay symposium organized by the Galveston Bay Estuary Program, five cities near Galveston Bay showcased efforts to conserve wetlands and ensure public access to the natural waterfront. At the same meeting, three cities (Taylor Lake Village, Seabrook, Shoreacres) cried foul regarding the Port of Houston Authority's proposed Bayport container megaport and the negative impacts it would have for the area.

One innovative conservation strategy discussed at the symposium is the

purchase of permits which allow access to water from Texas rivers. Five Texas conservation groups (including GBCPA) are taking advantage of state laws which were designed to regulate the use of aboveground water. The conservation groups, however, are purchasing these water rights with the intent of leaving the water where it is—in an effort to ensure Texas bays and estuaries have sufficient water flow. GBCPA's application specifically asks that 3.8 million acre feet of water from the Trinity River be set aside for replenishment of Galveston Bay freshwater inflows.

According to GBCPA chair, Jim Blackburn, "There is the biggest water grab going on right now in Texas. The permit applications are an attempt to pin down some amount of water. We felt we had to get in the middle before decisions are made, or we'll miss out."

Opposition to this conservation tactic has generated considerable controversy and it is expected it will come up before this session of the Texas legislature. We should all be watching this legislative session closely.

PHA's Bayport Plan Is Out of Date

The Port of Houston Authority's plans for its proposed container port at Bayport would create a sprawling, inefficient facility, outdated before the first container could ever be unloaded from a ship, according to a new study comparing U.S. container cargo terminals.

The new space/efficiency analysis shows that an existing Port of Long Beach terminal of 1,017 acres has a container through-put capacity nearly three times higher than the plans show for the proposed Bayport facility, even though the Bayport footprint is also approximately 1,000 acres.

Averages derived from other ports in the new analysis show that a container terminal handling the 2.2 million TEUs per year projected in the Bayport plans should require only between 330 and 360 acres of land.

Nancy Edmonson, author of this study, noted, "The

huge footprint of the proposed Bayport facility artificially limits the number of feasible alternative sites. The Port has rejected alternative potential sites as being too small. But with modern design and realistic planning, some of the alternative sites are certainly big enough."

One of GBCPA's directors, Larry Tobin, commented, "Notice also that the container facility at the Port of Long Beach is not property tax-supported. It is funded by revenue bonds, which means that commercial users—not taxpayers—are paying the tab."

"It appears that to obtain competitive design and superior operational characteristics, we as Harris County taxpayers should demand a high level of accountability with use of public funds by the Port Authority," Tobin added.

The full report is on [GBCPA's Publication webpage](#).

Changes at GBCPA

- **Staffing:** Charlotte Wells is the latest addition to our office staff. Among her other duties, she is hard at work creating a color brochure about GBCPA and revitalizing our website.
- **Phones, messages and emails:** GBCPA is also working on upgrading our phone system. We hope that very shortly you will no longer receive that annoying busy signal while we're on the Internet.

Please bear with us while we make these improvements to our communications systems.



Galveston Bay Conservation & Preservation Association

P.O. Box 323
Seabrook, TX 77586



www.gbcpa.org

Phone: 281-326-3343
Fax: 281-326-3312
Email: gbcpa@gbcpa.org

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GBCPA Membership Form

GBCPA appreciates the generous financial support of the community. We still have a matching grant which doubles the amount of your donation. Another strategy for leveraging your dollars is to ask your employer if they match contributions to 501 (c) (3) organizations—many do and your payroll department can make this happen easily. Please investigate this opportunity at your workplace and make your dollars work harder for GBCPA.

Send your tax-deductible contributions to GBCPA, P.O. Box 323, Seabrook, TX 77586.

I would like to support GBCPA at the following level:

Benefactor	\$ 1000	Sponsoring	\$500	Supporting	\$250
Sustaining	\$ 100	Contributing	\$50	Regular	\$25

Name _____

Address _____

City _____ TX, Zip _____

Phone _____ Email _____

Our physical address is 2600 NASA Rd. One, Suite 103, Seabrook and our hours are normally 9:00 a.m. to 1:00 p.m.