



A PROGRAM OF THE TCEQ



**Bird Island Cove Estuarine Habitat
Restoration Project,
West Galveston Bay, Texas**

Final Report



**Lower Galveston bay Wetland Protection and Restoration
Bird Island Cove Estuarine Habitat Restoration Project, West Galveston Bay, Texas**

In January of 2012 Texas Parks and Wildlife Department (TPWD) received notification that the Bird Island Cove Estuarine Habitat Restoration Project was approved for the requested one million dollars in funding under the U.S. Fish and Wildlife Service's (USFWS) Coastal Wetlands Conservation Program (CWCP). Already executed in August 2011 was a cooperative agreement between the Galveston Bay Estuary Program (GBEP) a program of the Texas Commission on Environmental Quality (TCEQ) and TPWD providing \$150,000 in funding to the project. In July 2012 a cooperative agreement between the USFWS Coastal Program-Texas and TPWD was executed providing \$60,000 in funding to the project. In November 2012 a project agreement between the Coastal Conservation Association (CCA) Texas and TPWD was executed providing \$50,000 in funding to the project. And finally, in March 2013 a project cooperation agreement (PCA) between the Texas General Land Office (GLO) and TPWD was executed providing \$350,000 in funding to the project under the Coastal Erosion and Planning and Response Act. The GLO is providing another \$10,000 of in-kind funding. Additional project funding is the contribution of \$40,000 of in-kind funding from NRG. NRG will donate a minimum of 32,000 *Spartina alterniflora* sprigs, a sprig consist of a minimum of three live stems. TPWD is also providing \$10,000 of in-kind funding.

While receiving the conditional approval letter from the USFWS in May 2012 no work on the project could proceed until all of the funding agreements were executed, in particular the PCA with the GLO. As presented in the proposal, the GLO and TPWD are cooperating in the planning and implementation of this project. The partnership is established thru PCA as has been done between TPWD and GLO previous projects funded by the National Coastal Wetlands Conservation Grant Program. Not executing the PCA until March of 2013 did cause delays to the project. However, once the PCA was executed the project began progressing immediately.

In March 2013 the GLO finalized and executed the work order between them and HDR Engineering, Inc. (HDR) which allowed HDR to begin work on the project design. Two weeks after executing the work order with HDR there was a kick-off meeting between the project partners and HDR followed with a site visit to the project area. In April 2013 the bathymetric surveying, a coastal boundary survey (a survey which establishes the line between privately owned land from state owned submerged land), and the geotechnical data collection were performed. In May 2013 there was a conference call between HDR, GLO and TPWD to discuss the results of the data collection and potential design layouts. After exchanging design interims, in June 2013 HDR completed and provided the 70% preliminary submittal project manual for review and comment. After HDR received GLO and TPWD questions/comments on the 70% preliminary submittal there was a conference call to discuss the potential implementation of the questions/comments.

Thru June and July of 2013 HDR provided drawings and requested information to TPWD to support the submittal of the project's U.S. Army Corps of Engineers (the Corps) Section 404 and Section 10 permit application. Submitted on July 19, 2013, the permit application requested that the Corps consider this project for a Nationwide Permit 27. A Nationwide Permit 27 was issued for the project on September 5, 2013. On December 5, the Corps provided an email to USFWS verifying that during the review and issuance of the project's Section 404 and Section 10 permit the Corps did act as the Lead Federal Agency for those portions of the project which were under

**Lower Galveston bay Wetland Protection and Restoration
Bird Island Cove Estuarine Habitat Restoration Project, West Galveston Bay, Texas**

the jurisdiction of the Corps and per the Corps regulations, they determined this project was compliant with Section 106 of the National Historic Preservation Act of 1966. TPWD subsequently received a letter from the USFWS lifting condition b. allowing on-the-ground work to begin.

The coastal boundary survey, required to be approved by the Professional Service/Surveying Division of the GLO, was reviewed and accepted; upon completion of the public notice requirements, the survey was filed by the GLO, Archives and Records in accordance with *Texas National Resources Code*, Chapter 33.136 after being filed with Galveston County in August 2013. A letter from the GLO signed September 16, 2013 documented the acceptance of the coastal boundary survey.

In July 2013 HDR completed and provided the 100% preliminary submittal project manual for review and final comments. A final conference call to discuss the 100% preliminary submittal was held in August 2013. The 100% preliminary submittal was accepted becoming the project manual. The Request for Proposals (RFP) for construction services was posted on the Electronic State Daily Business (ESBD) (a web site where all state agencies post solicitations for goods and services valued in excess of \$25K) as a 30-day notice on October 8, 2013. A mandatory Pre-proposal Conference (held on October 21, 2014) was attended by 14 companies.

Four bid proposals ranging from \$1,756,474 to \$2,483,195 to construct the base bid and additive alternatives were received however two contractors were not deemed qualified. Due to the closeness of the overall score (based on qualifications and cost proposal) between the two qualified respondents both contractors were requested to submit Best and Final Offers (BAFO). The results of the BAFO determined the project's qualified low bidder contractor, Apollo Environmental Strategies, INC (Apollo). With a construction budget of \$1,498,000, Apollo's BAFO (\$1,465,400) will construct the Base Bid and Additive Alternate No. 2. The Notice of Award was issued to Apollo on January 29, 2014. A letter (attached) dated February 4, 2014 describing the changes to the project's footprint was provided to the USFWS. A Pre-construction Conference was with TPWD, the GLO, HRD, and Apollo was held on March 20, 2014. During the Pre-construction Conference Apollo presented a construction start date in mid-June to avoid bad weather associated with winter frontal events. The Notice to Proceed was issued on April 8, 2014 and allowed 180 days for project completion, on or before October 5, 2014.

On May 27, 2014 surveying activities began at the project site, the surveyor conducted the magnetometer and bathymetric surveys of the borrow area and conducted the geo-textile tube alignment and bathymetric surveys. As of June 24, 2014 Apollo had not mobilized to the project site. In communications between Apollo and HDR, Apollo conveyed that they anticipate the geotextile tubes to arrive in the last week of June and to mobilize to project area (from another location in West Bay) the first week of July. According to Apollo's construction schedule (updated 5-14-14) beginning construction in mid-July puts Apollo two weeks behind schedule. A project progress meeting was held June 24th between the GLO, TPWD, HDR, and Apollo to discuss the project's schedule and its potential effect on completing the project by October 5th. The construction delay was due to delays in manufacturing the geo-textile tubes for the project. Apollo believes that the October 5th completion deadline will still be met.

**Lower Galveston bay Wetland Protection and Restoration
Bird Island Cove Estuarine Habitat Restoration Project, West Galveston Bay, Texas**

A portion of the geo-textile tube began arriving at Ryan Marine, one of Apollo's staging areas, on July 10th; the remainder of the geo-textile tube arrived at Ryan Marine on July 14th. Also on July 14, 2014 and continuing over the next several days Apollo began mobilizing equipment to the project site. Installation of the first segment of geo-textile tube July 21st and began to fill the tube the next days. Installation of the geo-textile tube continued thru August 23rd. On August 23th Apollo began constructing the first mound, N5. As of September 3rd Apollo has constructed six mounds and is constructing the seventh mound. In Appendix A of this report is a compilation (4-7-2014 thru 8-31-2014) of the daily activity reports provided by the Apollo, the reports are submitted weekly. Also provided in Appendix A are site visit reports and construction progress meeting notes provided by the engineer, HDR.