

GALVESTON BAY ESTUARY PROGRAM

FINAL - Galveston Bay Council (GBC) Meeting Minutes – January 16, 2019

Attendees:

Galveston Bay Council Chair: Helen Paige (Marinas)

Galveston Bay Council Vice-Chair: Glenn Clingenpeel (Trinity River Authority)

Estuary Program Staff Lead: Lisa M. Marshall, Galveston Bay Estuary Program (GBEP)

The January 16, 2019 quarterly GBC meeting was held at Harris-Galveston Subsidence District, 1660 West Bay Area Blvd., Houston, Texas, from 9:30 AM to 11:30 AM.

Members Present: Scott Alford, Glenn Clingenpeel, Winfred Colbert, Jeff DallaRosa, Albert Gonzales, Lori Hamilton, Rebecca Hensley, Cruz Hinojosa, Brian Koch, Garry McMahan, Will Nipper, Helen Paige, Nancy Parra, Ana Partin, Taylor Rieck, Caimee Schoenbaechler, Ronnie Schultz, Rusty Senac, Linda Shead, Sharron Stewart, Bob Stokes, Jeff Taebel, Lori Traweek, Kirk Wiles

Members Not Present/Delegates: Christine Bergren*, Andrea Catanzaro*, Patrick Cuty, Jace Houston*, John Huffman, Doug Jacobson, Audrey Kuklenz*, Kristin Lambrecht, Mike Lee, Pamela Plotkin, Russ Poppe*, Hanadi Rifai, Kate Saul*, Mary Beth Stengler, Rusty Swafford, Tracy Woody

(*=Member designated a proxy)

Proxies Present (Council member absent/designated proxy): Christine Bergren/Denetia Robinson, Andrea Catanzaro/Jeff Pinsky, Jace Houston/Kim Wright, Audrey Kuklenz/Gilbert Herrera, Russ Poppe/Glenn Laird, Kate Saul/Mollie Powell

Current Vacancies: None

Other Attendees: Kelly Burks-Copes, Howard Slobodin, Erin Kinney, Shane Bonott, Maia Corbitt, Tony Williams, Kerry Niemann

Additional GBEP Staff present: Cynthia Clevenger, Lindsey Lippert, Kristen McGovern

Call to Order: Introduction of Members and Delegates

Ms. Paige called the meeting to order and requested introductions and confirmed a quorum with Ms. Marshall.

Action Item: Approval of October 16, 2018 Meeting Minutes

Ms. Paige opened the meeting with approval of the minutes. A motion was requested for approval. Mr. Senac moved to approve the minutes, and Mr. Hinojosa seconded the motion. Ms. Shead clarified that the minutes were approved with corrections.

Report of the Program (Lisa Marshall):

There are some staff changes at GBEP. Kristen McGovern is the new Monitoring and Research Coordinator. The GBEP is very happy to have her in that position. Ms.

McGovern was exceptional in the position of Technical Coordinator. The GBEP will be filling the Technical Coordinator position. That listing is open until Friday, January 18th. The GBEP hired a new Water and Sediment Quality Coordinator who will be starting January 28, 2019.

Ms. Marshall welcomed Lori Hamilton to the GBC. She is the new TCEQ Office of Water, Water Quality Planning Division Director.

Ms. Clevenger updated the GBC on the planning for the next State of the Bay Symposium. The proposed date is Wednesday, January 22 through Thursday, January 23, 2020. Alternative dates are January 29-30, 2020 or February 5-6, 2020. Ms. Clevenger is working with the TCEQ in securing the venue space to hold the symposium. A small work group has been formed to assist with review and guidance for the call for presentations/posters process and finalizing the agenda. Any desired field trips will be coordinated through partners. Ms. Clevenger is working with an education group to organize an educator's workshop. The GBEP has \$25,000 in the 2020 fiscal year budget for the symposium.

Ms. Lippert announced the Invasive Species Work Group (ISWG), in partnership with the Houston Advanced Research Center, would be hosting a webinar by Cheryl Millet of The Nature Conservancy covering Cooperative Invasive Species Management Areas (CISMAs) on January 21, 2019. This will lead into the full ISWG meeting January 30, 2019 featuring Dr. Hans Landel from the Ladybird Johnson Wildflower Center in Austin speaking on his experiences with establishing CISMA's/CWMA's on the Texas Lower and Mid Coast. In addition, the Natural Resource Uses subcommittee will hold its quarterly meeting January 30, 2019 featuring Kevin Frenzel speaking about the Rollover Pass Closure Project. There will also be a discussion of potential beneficial use (BU) of dredge material projects with the Texas Trustee Implementation Group and the contracted project team.

Report of the Chair (Helen Paige):

Ms. Paige reminded the GBC that GBEP/TCEQ will be going to the Commissioners' Agenda on Wednesday, February 27, 2019. At Agenda Commissioners will approve the new GBC members' terms, and The Galveston Bay Plan, 2nd Edition. If some of the GBC members would like to show their support for the GBEP and attend Agenda, Ms. Marshall can help coordinate and help plan carpooling. Ms. Paige reported that the Commissioners' Agenda usually starts at 9:30am and reminded the GBC that no one is required to speak on their behalf but are welcome to if they would like to speak. Ms. Shead stated that it is important for the GBC to have a presence at Agenda.

Ms. Paige reported that Kate Saul retired as the General Land Office (GLO) GBC representative and her replacement is Melissa Porter.

Ms. Paige announced lunch would take place at Barcenas Mexican Restaurant after the meeting, and everyone is welcome to join.

Presentation: Howard Slobodin, General Council, Trinity River Authority - "A Look at the 86th Legislative Session"

Mr. Howard Slobodin reported to the GBC dates and status updates for the State of Texas 86th Regular Legislative Session. Prefiling bills began November 12, 2018. The session officially began on January 8, 2019. The deadline for bill filing is March 8, 2019. The final day of the session, or Sine Die, is May 27, 2019. The interim reports

prior to the session had school finance reform as the highest priority, followed by property tax reform and issues regarding the flooding aftermath of Harvey. There are two interim reports that the GBC will be interested in for this session. The Senate Committee on Agriculture, Water & Rural Affairs addresses jurisdictions and Hurricane Harvey charges. The other committee report is from the House Committee on Natural Resources which addresses flooding in detail.

Voter turnout this past November was twice what was experienced in the 2014 general election, which indicated more voter engagement. This also caused change in the Senate with two incumbent Republican Senators being defeated by Democratic opponents in Tarrant County and Dallas County. San Antonio had a vacant seat which was taken by a Republican. So far, with the low number of bills filed, it has been a slow session. So far this session, 300 bills have been filed compared to the last regular session. The last session had a total of 6,600 bills filed. But it is early in the session, and by the filing deadline on March 8th, there could be at least 1,000 to 2,000 bills filed. Expect 50% change in this session by the Governor Dan Patrick and the new speaker Dennis Bonnen.

Bills of interest for the GBC include updating Water Availability Models by the TCEQ. These models were created by the Senate Bill 1 process in 1997. Another bill this session also includes data updates to receive accurate water reliability information. This update is to be completed by December 1, 2022. Another point of interest for the GBC is the modification bill, HB 100, that requires agencies to consider expected changes in services due to changes in weather, water availability, and climate variability which are determined by the Texas State Climatologist. Mr. Slobodin will continue to report on other bills as they develop.

Ms. Corbitt presented for the Texans for Clean Water (TCW). TCW will be focusing on litter this legislative session and have created language for a bill that will address single-use plastics. The bill will be a statewide approach targeting plastic shopping bags, takeout bags, and beverage containers.

Ms. Corbitt reported they are seeking a non-cost recovery, with a one-cent fee on beverage containers at the point of sale. This will provide incentives to community groups for litter cleanups. There is a revenue of about \$100,000 for the state to put back into producing new materials made from recycled materials.

Presentation: Tony Williams, GLO and Kelly Burkes-Copes, United States Army Corps of Engineers (USACE) – “Coastal Texas Study Update – Presentation and Discussion on Draft Feasibility Report and Environmental Impact Statement”

Mr. Williams and Ms. Burkes-Copes provided a status update on the study. They described the National Environmental Policy Act (NEPA) and USACE study process. They also identified the Tentatively Selected Plan (TSP) and described the potential impacts and the cost and benefits of the TSP. There is a 105-day review period that started on October 26, 2018 and was extended to February 8, 2019. Public comments

are required by the NEPA process. All comments are welcome. They encouraged specific feedback as it will be easier for the reviewers to understand and address the issue(s). All comments are fully evaluated prior to any decision making.

Mr. Williams and Ms. Burkes-Copes went over some of the issues that have been identified at this juncture in the process that include:

- Economic damage from coastal storm surge;
- Inland shoreline erosion;
- Gulf shoreline erosion;
- Loss of threatened and endangered critical habitats;
- Loss of natural delta processes; and
- Disrupted hydrology.

The project goals are coastal storm risk management and ecosystem restoration. The objectives include:

- Reducing economic damage;
- Reduce risk to critical infrastructure;
- Reduce risk to public health and safety;
- Enhance and restore coastal landforms;
- Improve hydrologic connectivity; and
- Improve and sustain coastal marshes and bay shorelines.

Some of the action/features/measures to address the goals and objectives are levees, marshes, gates, restoration construction, nourishments, and plantings.

Data for this project was produced by several state and federal agencies. The actions/treatments/measures were developed based on existing and past studies from:

- The Gulf Coast Community Protection and Recovery District (GCCPRD)
- Texas A&M
- SSPEED Center
- USACE
- GLO

Mr. Williams and Ms. Burkes-Copes discussed the Environmental Feasibility Study, which evaluated the project for being engineeringly sound, environmentally acceptable, and economically justified. Alternatives to the coastal barrier were presented as well as the identified environmental impacts. The estimated total cost for the TSP is between \$23 and \$32 billion. Mr. Williams and Ms. Burkes-Copes encouraged members to submit public comments and provided information on how to submit any comments.

Ms. Traweek suggested that a comment be submitted on behalf of the GBC. Bob Stokes, Lori Traweek, Linda Shead, and Glenn Clingenpeel volunteered to be part of an Ad Hoc Committee to develop the comment to submit to USACE/GLO. The state and federal agencies abstained from participating.

Council Members Roundtable: News and Announcements

Brian Koch: There will be a Double Bayou Watershed Protection Stakeholder meeting on February 19, 2019 in Anahuac. HARC received funding for Double Bayou for

facilitation of watershed protection plan workshops. There will be a Soil Health Short Course offered in Palestine, February 26 - 27, 2019, and in Victoria, April 23 - 24, 2019.

Kirk Wiles: Weather conditions are causing problems with oyster harvesting. Currently bays closed include Trinity Bay, East Bay, and West Bay. There is little or no oyster production since December 14. Closures are expected to continue due to bacteria.

Rusty Senac: A permit was issued to the USACE for dredging four acres of the San Jacinto waste pits. The waste material will be moved to Beach City to a three-acre bank site. The Beach City location is an area of concern as it will be located next to the pit called the "Sand Pit." There was only a 15-day comment period because the permit was initially thought to be noncontroversial. The notice was pulled and reissued on January 15th with a 30-day comment period.

Linda Shead: Trash Bash is March 30th. The Art Car Parade takes place on April 13th. The Bayou Preservation Association (BPA) will participate with their own art car. Bayou Green Days is April 14th. BPA is seeking nominations for the Terry Hershey Bayou Stewardship Award.

Caimee Schoenbachler: Two vacancies are open at the Austin office in coastal hydrology and monitoring. Water for Texas Conference will be held at the AT&T Center.

Rebecca Hensley: The Texas Parks and Wildlife Department Dickinson office is now operational. The Gulf of Mexico Fish Council is holding a meeting October 17 from 6:00-9:00 p.m. at the Rudy Adolfo Civic Center in League City.

Lori Traweek: A new site has been added for Trash Bash in Lake Jackson along Oyster Creek. Trash Bash has won several awards - Texas Environmental Excellence Award, Keep Houston Beautiful Mayor's Proud Partners Award, and the Gulf Guardian Award.

Bob Stokes: Crab trap removal is February 15-16 at Fort Anahuac Park. And Marsh Mania and Bay Day are coming up. GBF will share those dates when they become available.

Albert Gonzalez: Thanked everyone for being involved with the work that we do to preserve and protect the bay.

Taylor Rieck: CCA will host a crab trap removal at Fat Boys. Shane Bonnott will be taking over as the CCA representative.

Kerry Niemann: On behalf of the Water Quality Planning Division of the TCEQ, Mr. Niemann provided the following updates:

Regarding RESTORE Bucket 1 (Direct Component ~\$97 million - strengthen resiliency, economy, and tourism): TCEQ RESTORE staff have been preparing federal applications for submission to the Treasury to receive grant awards for Bucket 1 funds. TCEQ will submit seven federal applications consisting of 23 of the 26 projects in the accepted Multiyear Implementation. Each project will be included in one of the seven applications associated with the eligible activity that it was listed for under in the MIP. Approximately \$97 million is currently available to Texas through Bucket 1. Projects moving forward to the application phase were selected by then Commissioner Baker in consultation with the Office of the Governor.

Bucket 2 (Restoration Component \$2.1 million – support coordination w/experts and elected officials):

In December Toby Baker, Executive Director of TCEQ and Governor Abbott's appointee to the RESTORE Council, conducted three public meetings to receive input from the public on priority issues along the Texas coast, as well as Gulf-wide. The intent of this initial series of public meetings was to gather information to inform Baker's discussion with the RESTORE Council members as they deliberate on the development of a planning framework document for the Gulf coast. A draft planning framework document is expected to be published by the RESTORE Council for public comment in early spring 2019. The planning framework document will offer guidance for later discussions on the types of projects that could be considered for funding under the Council-Selected component of the RESTORE Act, referred to as Bucket 2.

Bucket 3 (Spill Impact Component ~\$121 million):

The initial State Expenditure Plan will focus on Hurricane Harvey recovery efforts and the distribution of approximately \$31 million. Other plans will be developed in later years as additional Bucket 3 funds become available. Texas is expected to receive a total of \$121 million by the end of 2031. Texas submitted its SEP to the RESTORE Council for approval on January 2, 2019.

Detailed information on the public meetings and other Texas RESTORE Act activities can be found on the <https://www.restorethetexascoast.org/> website.

Regarding the TMDL Program:

The Sycamore Creek TMDL and Lavaca River TMDL and Implementation Plan are scheduled to go to agenda for adoption and release for public comment today.

The Oso Creek TMDL and Navasota River TMDL and Implementation Plan are scheduled to go to agenda for release for public comment on January 30.

Regarding the NPS Program:

The Annual Report is under final review and approval and is on schedule to be submitted to EPA by the January 31 deadline. Copies of the report will be printed and available for circulation shortly after.

Regarding the 2016 Integrated Report: It was submitted to EPA for approval on November 14.

Regarding Water Quality Standards: I have nothing new to report.

Regarding the Clean Rivers Program:

The calendar of Steering Committee Meeting dates may be accessed from the statewide Coordinated Monitoring Schedule. Meetings occur throughout the year and help to establish monitoring priorities

Public Comments: None

Adjourn: Meeting was adjourned at 12:30 PM

Upcoming Galveston Bay Council Meeting Dates: April 17, 2019; July 17, 2019; October 16, 2019. Meetings are held on the third Wednesday of the quarter from 9:30am - 12:30pm. If there are known conflicts, GBC members are encouraged to propose alternate dates to the GBC.