

## **GALVESTON BAY ESTUARY PROGRAM (GBEP)**

### **DRAFT - Galveston Bay Council (GBC) Meeting Minutes – October 18, 2023**

#### **Attendees:**

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

**Galveston Bay Council Vice-Chair:** Albert Gonzales (Low-Income Communities)

**Galveston Bay Estuary Program (GBEP) Staff Lead:** Lisa Marshall (GBEP)

*The October 18, 2023, quarterly GBC meeting was held in a hybrid format with an in-person meeting at the Harris-Galveston Subsidence District and virtually on Microsoft Teams from 9:30 a.m. – 12:30 p.m.*

**Members Present:** Glenn Clingenpeel (In-person), Scott Alford, Shane Bonnot (v), Winfred Colbert (v), Jeff Dallarosa (v), Elizabeth Fazio Hale\*, Jonathan Holley, Brian Koch, Audrey Kuklenz (v), Kristin Lambrecht, Grace Martinez, Julie Masters, Garry McMahan (v), Kelly Mills, Ana Partin (v), Pamela Plotkin (v), Dianna Ramirez, Hanadi Rifai (v), Todd Running, Lindsey Savage, Caimee Schoenbaechler, Ronnie Schultz, Rusty Senac, Linda Shead, Shane Simpson, Bob Stokes, Sue Theiss, Matt Tilimon, Huy Vu (v), Kirk Wiles (v), Scott Williams (v)

**(v=Member present online; not counted in the quorum)**

**Members Not Present/Delegates:** Andrea Catanzaro, Vance Darr, Juan Flores, Michael Lee\*, Helen Paige, Charrish Stevens, Sharron Stewart, Maria Valdez, Tracy Woody

**(\*=Member designated a proxy)**

**Proxies Present (GBC member absent/designated proxy):** Andrea Catanzaro/Raven Blakeway (v), Elizabeth Fazio Hale/Jo Wilson, Michael Lee/Zulimar Lucena,

**Current Vacancies:** None

**Other Attendees:** Tom Douglas, Diane O. Guzman, Rileigh Hawk, Christine Jensen, Jim Kachtick, Gene Mueller, Jack Newton, Kelli Ondracek, Jo Wilson, Katie Wilson

**Additional GBEP Staff Present:** Matthew Abernathy, Ellen Creecy, Kari Howard (v), Lindsey Lippert, Christian Rines, Casey Taylor (v), Alejandra Trevino (v)

#### **Call to Order and Confirm Quorum**

Glenn Clingenpeel brought the meeting to order at 9:32 a.m.

A quorum was met for this meeting.

Albert Gonzales introduced Jim Kachtick, who was the first chair of the GBC. Mr. Kachtick spoke briefly about being involved in the original management committee that helped to establish GBEP.

#### **Action Item: Approval of April 19, 2023 Meeting Minutes**

Mr. Clingenpeel asked if there were any questions or edits proposed for the July 19, 2023 minutes. Caimee Schoenbaechler mentioned that in her comments from the previous meeting, the Meadows Center was hosting the presentation mentioned and not Clean Coast Texas. Ms. Schoenbaechler requested the correction be made.

Mr. Clingenpeel then called for a motion to approve the minutes as corrected. Rusty Senac motioned for the approval as corrected and Brian Koch seconded the motion.

Mr. Clingenpeel then addressed the topic of whether a GBC chair can also be affiliated with an organization that is the recipient of GBEP funding. It was discussed that this has been done in the past and that with the conflict-of-interest policy in place this is not an issue.

Bob Stokes also spoke to address the subject. He stated as the nominee for the GBC chair, he understands that he would be abstaining from voting on projects that the Galveston Bay Foundation is involved in, and that full disclosure would be made regarding his involvement with proposed projects.

### **Report of the Program**

Lisa Marshall began the report of the program by addressing conflict of interest with the GBC. To maintain transparency, all members are required to sign the conflict of interest form and disclose any projects they are involved in when participating in the project discussion.

Ms. Marshall then announced the State of the Bay Symposium is being postponed until 2025. Additional information will be provided to the GBC as soon as a date and venue are secured.

Lastly, Ms. Marshall announced that Ronnie Schultz Galveston County Health District (GCHD) will be retiring and no longer serving on the GBC. She thanked him for his service and support. Mr. Schulz said he was honored to be a part of the GBC.

### **Report of the Chair**

Mr. Clingenpeel called for the nominations of the new Chair and Vice Chair of the GBC. The term for the Chair and Vice Chair is two years, beginning November 1, 2023.

### **Action Item: Approval of the Chair and Vice Chair**

Mr. Clingenpeel nominated Mr. Stokes and read his biography to the GBC. The nomination of Mr. Stokes as Chair of the GBC was seconded by Grace Martinez.

Brian Koch then provided the nomination of Vance Darr for the Vice Chair of the GBC and read Mr. Darr's biography for the GBC. Mr. Darr's nomination was seconded by Dianna Ramirez.

Both nominations were approved unanimously.

Ms. Marshall noted that regrettably Mr. Darr was unable to attend today because his wife was "ringing the bell" as she is now cancer free!

### **Presentation: *City of Houston Park and Recreation Department's Habitat Restoration Projects* - Kelli Ondracek, Houston Parks and Recreation Department**

Kelli Ondracek is the Natural Resources Manager for the City of Houston Parks and Recreation Department (HPARD). Ms. Ondracek manages the Natural Resources Division and she and her team oversee the management of the natural resources throughout City of Houston Parks, which totals over 17,000 acres. They also manage the water features and wildlife within the parks.

The presentation provided an overview of the restoration projects that are currently or have previously been funded by GBEP. HPARD's first project with GBEP funding was in

2017 at White Oak Park that was a combination of habitat restoration and community engagement. Since then, HPARD has received funding from GBEP for projects at Blackhawk, Sylvan Rodriguez, and Townwood parks. These projects have included prairie and riparian restoration, community engagement, and green infrastructure improvements.

The most recent project is the planning and development of a water management plan for HPARD. This plan will help establish water management standards for the parks department.

Ms. Ondracek also highlighted other program successes including the implementation of prescribed fire at Sylvan Rodriguez Park and the passing of the Nature Preserve Ordinance which designated over 7,000 acres of park land as nature preserves and protects them from development.

Ms. Martinez asked if the work they are doing is restricted to the City of Houston parks and Ms. Ondracek responded that as a city department, they are restricted to work within city parks, certain rights-of-way areas, and certain extraterritorial jurisdictional properties.

A copy of the presentation is available on the GBEP website and an audio recording is available upon request.

**Presentation:** *The Status of the Oyster Fishery in Galveston Bay* – Christine Jensen, Texas Parks and Wildlife Department

Christine Jensen is the Galveston Bay Ecosystem Leader for the Texas Parks and Wildlife Department (TPWD) and specializes in helping manage the oyster fishery.

Ms. Jensen's presentation provided an overview of the oyster fishery in Texas, with comparisons between Galveston Bay and the lower Texas Bays and correlating the Texas oyster harvest with the national harvest.

Additional information was provided on the Certificate of Location (lease) program and the new leases available for sanctuary reef, which are protected from harvest.

During the second part of the presentation, Ms. Jensen covered the monitoring and restoration programs that are conducted by TPWD. She covered how monitoring evaluates populations and guides what reefs are open to harvest. This information also guides restoration efforts and historically around 1,900 acres of reef have been restored, with much of that done since Hurricane Ike.

Lastly, Ms. Jensen covered some of the other issues impacting the Galveston Bay oyster fishery. These include closures and pressure on smaller areas, harvesting in sensitive areas, policies and penalties related to violations, and the growing mariculture industry.

Bob Stokes asked for more details about the restoration leases and Ms. Jensen stated that TPWD still needs to determine the regulations around them.

Ms. Ramirez added that the Texas General Land Office (TXGLO) is working with TPWD to determine how the permitting and jurisdictions will work together between agencies.

Mr. Clingenpeel asked how quickly the industry can react if one fishery is doing better than another. Ms. Jensen stated that the fishery is very mobile, but they rely on TPWD sampling to direct which areas are open for harvest.

Mr. Gonzales asked about the use of concrete structures for reef structures and Ms. Jensen responded that there have been some larger materials used for reefs. Materials of opportunities are used, but there are criteria to ensure the reused materials are safe for oyster placement.

Ms. Martinez asked about the effects of dredging on the oyster populations. Ms. Jensen responded that dredging could impact oyster populations near the channel, but it is being mitigated with new reef creation. There is little evidence of sediment from dredging smothering the reefs.

Mr. Stokes stated his understanding was that Hurricane Ike decimated much of the oyster population, but he didn't see that reflected in the data showing the number of oysters coming from the bay. Ms. Jensen replied that the oyster decline began prior to Hurricane Ike. Some efforts were made to resuspend smothered reefs, but that much of the reef in East Bay is restored reef.

Mr. Schultz asked if the mapping project would be made public. Ms. Jensen said the habitat viewer is available on the TPWD website. Mr. Schultz inquired about data for GPS on boats, and that there are navigation requirements which must be met, but their equipment also needs at least one meter of water to read, so intertidal reefs are not captured.

Lindsey Savage commented that new scans are in the works and updated maps will be available in the future.

Rusty Senac asked about the two major dips on market oyster abundance and whether that was just Galveston Bay or other areas. Ms. Jensen clarified that it depicts both Galveston Bay and the southern Texas bays and compares the harvest between the two areas.

A copy of the presentation is available on the GBEP website and an audio recording is available upon request.

**Presentation:** *Revised Fiscal 2024 Work Plan Budget* - Ellen Creecy, GBEP

Ms. Marshall provided background on the additional funds available for fiscal 2024 projects. These funds were received from a state legislative rider.

Ms. Marshall also stated that approval was not needed for this since the fiscal 2024 budget had already been approved and the funding was being added to already approved projects.

Ms. Creecy provided a synopsis of the allocation of additional funds and how they are distributed through the current budget.

A copy of the updated fiscal 2024 budget is available upon request.

**Presentations & Discussion of Fiscal 2025 GBEP Work Plan:** GBEP staff gave a series of short presentations covering the projects and programmatic costs being proposed.

Linda Shead asked why the packet that was emailed to the GBC had additional alternative projects listed and Lindsey Lippert responded that in the interest of time, unless the project was proposed to be funded at the largest projected budget, it was not included in the presentation.

Ms. Ramirez asked if the capacity of staff at the University of Houston Clear Lake - Environmental Institute of Houston (UHCL-EIH) is sufficient to handle the proposed

project load. GBEP staff commented that there are multiple project managers that will be managing the projects.

**Action Item:** Approval of each item in the proposed work plan

<b>Program Area</b>	<b>Motion</b>	<b>Second</b>	<b>Abstain</b>
Programmatic	Bob Stokes	Brian Koch	Kelly Mills
WSQ	Rusty Senac	Dianna Ramirez	Todd Running, Zulimar Lucena, Kelly Mills, Jonathan Holley
NRU	Brian Koch	Todd Running	Dianna Ramirez, Linda Shead, Bob Stokes, Lindsey Savage, Zulimar Lucena, Kelly Mills
PPE	Rusty Senac	Ronnie Schultz	Todd Running, Bob Stokes, Zulimar Lucena, Kelly Mills
M&R	Todd Running	Brian Koch	Dianna Ramirez, Bob Stokes, Lindsey Savage, Zulimar Lucena, Kelly Mills

**Presentations & Discussion of Fiscal 2024 Bipartisan Infrastructure Law (BIL) GBEP Work Plan:** GBEP staff gave a series of short presentations covering the projects and budget being proposed.

Ms. Schoenbaechler stated that while she did not have a conflict of interest with any of the projects, she did provide a letter of support for the “Evaluating Galveston Bay’s Resilience to Ocean and Coastal Acidification” project and hopes to work with the project team to leverage their existing coastal monitoring activities in the bay.

**Action Item:** Approval of each item in the proposed work plan

Mr. Clingenpeel called for a motion to approve the fiscal 2024 BIL budget as proposed. Mr. Koch provided the motion to approve the proposed budget and Mr. Senac seconded that motion.

Mr. Stokes, Zulimar Lucena, and Kelly Mills abstained from voting.

Mr. Clingenpeel thanked the staff for their hard work.

Mr. Koch recognized and thanked the staff for all their work, not just on the budget, but all aspects of the program.

**GBC Members Roundtable: News and Announcements**

**Ronnie Schultz (GCHD):** Mr. Schultz stated it was an honor and pleasure to serve on the GBC and he also thanked Ms. Marshall and the GBEP staff for their hard work.

**Grace Martinez (League of Women Voters):** Ms. Martinez is interested in finding a project with GBEP and the GBC that she can work on or assist with. She also implored

everyone to vote on the 12 amendments to the Texas Constitution in the upcoming fall election.

**Todd Running (HGAC):** Bayou Preservation Association has finished their last round of targeted monitoring. Reports are forthcoming and they have found several issues that they are working with the proper jurisdictions to address.

The Natural Resources Advisory Council meeting is November 2, 2023 at 1:30 p.m.

The Chocolate Bayou total maximum daily load (TMDL) public meeting is November 13, 2023.

The Cotton Bayou TMDL public meeting is November 14, 2023.

There is a Parks and Natural Areas field trip to visit parks on Galveston Island on November 17, 2023 and more information is available on the HGAC website.

The BIG annual fall meeting is on December 5, 2023.

**Brian Koch (TSSWCB):** The call for Section 319 proposals closed on September 22, 2023, and the proposals are in the process of being ranked and sorted. Twenty-two applications were received including several for the implementation of existing watershed protection plans along with some new proposals.

**Rusty Senac (Nature Tourism):** Mr. Senac provided information on the proposed project to create a channel from the Houston Ship Channel to the mouth of Cedar Bayou. This is the project of the Cedar Port Industrial and Navigation District, located in west Chambers County. An environmental impact assessment and feasibility study are currently being conducted for the proposed channel. There are three proposed routes for the channel. Two in-person public meetings and one virtual public meeting have been conducted and public comment is open until October 23, 2023. The website for the project is [cedarportchannelproject.com](http://cedarportchannelproject.com) and Mr. Senac stated that he is available if there are additional questions.

Mr. Clingenpeel requested clarification on the project name and Mr. Senac clarified that the name was changed from the Chambers County Improvement District No. 1. It encompassed 15,000 acres and there is about 9,500 acres left to be developed. The project is being driven by the 30-35% of the containers leaving Port Houston are being generated in west Chambers County, so this could help reduce truck traffic and congestion.

Ms. Shead commented that it was shocking that she had not heard about this before. She also clarified that Panamax shipping size is a channel 50 feet deep and 450 feet wide. Ms. Shead also asked about the length of the channel and Mr. Senac replied that it depends on the route taken.

Mr. Clingenpeel asked where they were in the U.S. Army Corps of Engineering approval process and there was discussion from Mr. Senac and Ms. Ramirez that it is still in the feasibility study.

**Bob Stokes (GBF):** Mr. Stokes reiterated that the previously discussed ship channel expansion in Chambers County is a large expansion of the Houston Ship Channel and worth paying attention to.

Bike Around the Bay is October 21 - 22, 2023 and there will be over 1,000 cyclists at the event.

**Glenn Clingenpeel (TRA):** The DFW region is at a 42% rainfall deficit for this year, which is creating a large impact to freshwater flows heading into Galveston Bay.

**Kelly Mills (TCEQ):** Cotton Bayou TMDL and Chocolate Bayou TMDL are both out for public comment and posted on the TCEQ TMDL webpage.

Chocolate Bayou TMDL public meeting is November 13, 2023, at Alvin Public Library at 6:30 p.m.

Cotton Bayou TMDL public meeting is November 14, 2023, at Sam and Carmina Goss Memorial Branch Library in Mont Belvieu at 6:00 p.m.

TCEQ is working to implement compliance with Title VI of the Civil Rights Act of 1964. TCEQ must ensure that recipients of funding must also comply with Title VI. Internal discussions are in progress as to how best to implement Title VI in the contract process. Compliance is not retroactive and information on the process and requirements will be provided to recipients of FY25 projects for reference. Implementation will be required beginning with FY26 projects. For more information, contact Nicole Hall with TCEQ.

**Caimee Schoenbaechler (TWDB):** The Houston Advanced Research Center (HARC) and U. S. Geological Survey recently completed a TWDB project on the assimilative capacity of Lake Livingston. This is an analysis of nutrients, sediments, and high flow events. The final report will be available on the TWDB website and there will be a virtual presentation on the final report in November.

TWDB is hosting a career fair on November 2, 2023, from 10:00 a.m. - 2:00 p.m. in the Stephen F. Austin Building in Austin, TX.

Ms. Martinez added the reminder for everyone to vote on November 7, 2023 and noted that several of the Texas constitutional amendments are of interest to the GBC.

Mr. Senac added that the League of Women Voters is a great, nonpartisan resource for the pros and cons of items on the ballot.

Mr. Stokes thanked Mr. Clingenpeel for this time and dedication as Chair of the GBC.

Ms. Marshall additionally thanked Mr. Clingenpeel and Mr. Gonzalez for their time with the GBC, taking on an additional term, and guiding the GBC through COVID-19.

**Public Comment: None**

**Other Business: N/A**

**Adjourn:** The meeting was adjourned at 12:11 p.m.

**Upcoming Galveston Bay Council Meeting Dates:** January 17, 2024, April 17, 2024, July 17, 2024, and October 16, 2024. Meetings are held on the third Wednesday of the quarter from 9:30 a.m. - 12:30 p.m. If there are known conflicts, Council members are welcome to propose alternate dates to the Council.