

## CEC Roundtable

### Hwy. 99/Grand Parkway Wednesday, December 07, 2011

#### Meeting Notes

David Crossley opened with an introduction about history of Hwy. 99.

- Plan began in 1960's as a ring road plan to open new land for development
- 400' wide right of way (similar to I-10)
- 2 sections complete – Fort Bend County to I-10 area and one on east side
- Became segments a long time ago, each with its own environmental impact statement; became easier to get approvals this way
- Brazoria County segment off the table for now due to strong opposition, parks, etc.
- Other segments were also pretty dead until Obama made stimulus funds available; \$700 million suddenly became available for this project
- Lake Houston segment does not need the road – “to open land for development”

ExxonMobil's new headquarters is planned to be in Harris County at I-45N and the Hardy Toll Road. This would be Segment F1 (290 to 249) and F2 (249 to I-45) and part of Segment G (I-45-U.S.59).

Galveston Baykeeper is looking at environment impact statements and writing letters to the Corps of Engineers re: wetlands and environmental justice, in keeping with their mission. They are addressing cumulative impacts, not just from the road footprint but also the expansion of development coming after the road. They are evaluating floodplains and acreage websites to look at what is affected, including a U.S. Fish and Wildlife database and NOAA databases.

Jay Crossley noted that fears about the TransTexas Corridor took power away from TxDOT temporarily but that was recently undone, opening the way to more public/private partnerships. They are currently looking at a foreign firm to manage this road and trying to seal a deal on the whole Grand Parkway/Hwy. 99. This will probably be a 50-year non-compete agreement, allowing this private company to run it for that time, without allowing new roads that might be in competition with the Grand Parkway. Their plan is also to run it as a full toll road, without free access. There is only one potentially profitable segment that could be covered by taxpayers via a bond program.

The true environmental cost is hard to evaluate when the segments are split up for assessment.

- This area is one of the richest set of environmental ecosystems in the area, with approx. 6 different and distinct ecosystems included
- Most of the impact statements focus only the the swath of the road itself, not on the impact to the surrounding area – paving, runoff, loss of habitat, etc.

- Most of the impact will be from the ensuing sprawl after the road is built -- the development of these open areas

Sierra Club gave an update of their historical issues regarding Hwy. 99.

- Sierra v. FEMA was won by Sierra;
  - Challenged the recently changed flood maps of Upper Cypress Creek
  - FEMA underestimated the extent of the floodplain and the affects on Segment E (crosses watersheds – Cypress Creek and Addicks)
  - Still trying to get correct maps – Mar/Apr 2012 possible
- Sierra v. Fed. Hwy. Admin
  - Sierra lost, but it led to a look at overflow issues, adequacy of final combined impact statement of Segment E
    - Wetlands, traffic, flood plains, secondary impacts, etc.
  - Looking into overflow from Cypress Creek watershed into Addicks watershed and reservoir led to discovery of internal Corps of Engineers memo that described a new operating plan for the Addicks reservoir, based on newly set runoff levels and problems with the structural safety of the dam itself.
  - The Addicks dam is an earthen dam built in the 1940's as a retention device to briefly hold water before it flowed downstream via Buffalo Bayou to the Gulf. Extensive development along the bayou was not in their original plan, so once the area grew, water started being held behind the dam for longer. Results included:
    - Downstream silt build-up
    - Downstream erosion
    - Weakened structure of the dam

With increased development, the choice is to release the water downstream, which could cause flooding, or flood the area above the reservoir. The Corps was originally going to acquire more land above the reservoir to make it bigger, but there was no money, and now that land is covered with houses too.
  - Barker dam is also part of this watershed and was re-evaluated too. Both Addicks and Barker were designated to be a “Level One” risk or “urgent and compelling” in the Corps internal report (July 2010) describing potential dam failure. Such failure would have incredible consequences downstream.
  - This new operating plan for the Addicks reservoir, authored by the Corps, doubles the release rate from the dam, increasing risk to those downstream, but they approved Segment E of the Grand Parkway anyway. The public was not informed, and this report is not easy to find. This led to Sierra filing another lawsuit for temporary injunction:
- Sierra v. Corps of Engineers and TxDOT, et al
  - Sought to stop the building of Segment E until a new impact statement can be done that addresses the added runoff to Addicks and Barker dams; that includes assessment of the risk to public safety as a result of the dam structure weaknesses; that addresses possible dam failure; that ultimately

takes into account their own recent findings on dam integrity and their new operating plan for same; asks them to take into full account the secondary effects of the roadway, not just the immediate footprint of the road.

- Increased development as a result of the Grand Parkway construction would of course increase runoff, and subsequently add strain to these weakened dam structures and add serious risk to the communities downstream.
- Sierra lost the bid for temporary injunction but did get the judge's promise of prompt scheduling to hear the merits on the details of the road plans; Mary Carter and Jim Blackburn represented Sierra Club and felt very positive about the outcome of this hearing.
- If a new impact statement is required, they should have to invite the public to have input on same.
- Mitigation for this impact so far was to only include an area in a completely different watershed (Greens Bayou on the northeast side of town)

Questions also arose about the City of Houston's position regarding the Grand Parkway and that of Harris County and Steve Radak in particular.

- Radak is radically for Segment E in the interest of further developing the unincorporated areas of the county, with the intention of bringing in more people, businesses, homes and tax dollars
- The City of Houston has also been supportive of this road. City may now be getting more concerned about its impacts and potential detriment to the City in favor of the County in terms of development and tax dollars, but the City has remained largely silent on the issue. It is indeed a politically charged issue.
- Another question was raised about identifying the economic benefit of such a road – but an actual cost/benefit analysis is not required of County projects as they are with federal ones.
- The cost of the road is estimated at \$6 billion.
- Opinions were stated that this road will not add monies to our region, but will *shift* development – moving business and housing and taxes out of the City and into the County with no net gains.
- The road will cause the County to grow, but the City will lose.
- Harris County's population report shows growth in its unincorporated areas; politically, the suburbs have more voice and are more Republican, more favorable to these road projects
- Growth over the last 10 years has been 1.8 million – but only 144,000 in the City of Houston, and 70-80,000 were transplanted from New Orleans after Hurricane Katrina. This equates to almost zero growth overall, and the middle class is leaving Houston as well.

Other related points were made:

- Port traffic – we can't handle the volume we have now, and are not ready for growth; terminal facility was built based on where the City owned land instead of with full consideration for transit in and out.
- Hwy. 99 does not address mass transit – TxDOT just builds road, it does not create an overall transportation plan or sustainability of same
- Mayor's office has been made aware of these issues, but the road is controversial and political in nature.
- The threat to public safety, overall traffic flow and flooding are urgent issues that the City needs to address, as well as an overall plan for development

In Houston we are still into sprawl development. Other cities are moving into town/urban development. We need broad strategies to make Houston more livable, even while the County is trying to develop out in the suburbs at cross-purposes with this idea. As far as corporations go, ExxonMobil is one of the few big corporations moving its headquarters out to the suburbs.

We need to work on the dams, press the City for urban development plans, and address/fix/control the high transportation costs in the City.

A positive focus on a new urbanism may be our best goal.

- One view is that we cannot stop the road itself, although the Sierra Club objections and demands for a new impact statement give some hope to creating a better plan for the road.
- But we can, as a group, try to set a more progressive agenda with the City toward a new urbanism
- We should energize grassroots advocacy groups like Cedar Bayou and those in the refinery areas to help and strengthen measures in ways that big regional groups cannot.
- We should go to the City and look at the Grand Parkway and show that it is not good for the City overall.
  - See Houston Complete Streets ([houstoncompletestreets.org](http://houstoncompletestreets.org)) for more information on ideas – this group includes AARP, United Way and Neighborhood Centers
    - Growing senior population need to live closer in, nearer amenities, with walkability and accessible mass transit in high density corridors for example

Peter Brown described a recent trip to Washington D.C. where he spoke to a delegation including HUD, DOT, EPA, Federal Highway Assn, and Houston area legislators.

- They were very concerned about Houston not following EPA's Partnership for Sustainable Communities 6 "livability principles" used to coordinate policy
- Sheila Jackson Lee was clear that she was very concerned about Houston area flooding in particular
- They said Houston needs a good sustainable plan or we will end up at the bottom of the list for funding
- They said that H-GAC needs public input

- They said they wanted to see investment in the center of the city
- They said they want to see some containment of sprawl

We need to show federal agencies that we have a plan for smart growth; increase our “opportunity index” of proximity v. sprawl

We need to make Houston a more attractive place to work and live. There is competition between the City and Harris County, and although the City does not seem to want to get into that fight now, we need a coalition to push to qualify Houston for future federal funding.

At issue also: How to have a regional plan for sustainable development with the most unsustainable transportation system around?

The group resolved to stay in touch and try to work together to find ways to help the City tackle these issues.

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