
U. S. ARMY CORPS OF ENGINEERS
PUBLIC SCOPING MEETING OF THE
CLEAR CREEK FLOOD CONTROL PROJECT

(Revised June 18, 2001.)

2337 North Galveston
Pearland, Texas

May 9, 2001
7:00 p.m.

REPORTED BY:

HOLLY P. BURNS, CSR, RPR, CRR

CERTIFICATION NO. 4956

Job No. 49188

A P P E A R A N C E S :

PANEL IN ATTENDANCE

U. S. ARMY CORPS OF ENGINEERS

GALVESTON DISTRICT

Mr. Lloyd Saunders

BRAZORIA DRAINAGE DISTRICT NO. 4

COMMISSIONER

Mr. Jeff Brennan

HARRIS COUNTY FLOOD CONTROL DISTRICT

Mr. Steve Fitzgerald

COUNTY ENGINEER

GALVESTON COUNTY

Mr. Mike Fitzgerald

1 P R O C E E D I N G S :
2

3 MR. SAUNDERS: Okay. Let's go ahead
4 and get started. Good evening, ladies and
5 gentlemen. On behalf of Colonel Buechler,
6 I'd like to welcome you to the third of a
7 series of public meetings on the Clear Creek
8 Reevaluation Study. I'm Lloyd Saunders. I'm
9 chief of the Planning, Environment, and
10 Regulatory Division of the Galveston District
11 of the U.S. Army Corps of Engineers.

12 The Corps has been asked to help with
13 Flood Control on Clear Creek. What we're
14 seeking is a solution that will be a
15 community effort among all stakeholders, the
16 local sponsors, and the Corps of Engineers.
17 We're currently conducting a General
18 Reevaluation Study that will consider the
19 economic, engineering, and environmental
20 feasibility of flood damage reduction on
21 Clear Creek. Environmental restoration will
22 also be an integral part of the study.

23 This meeting is about Clear Creek, not
24 its tributaries, not maintenance issues, not
25 complaints that would be more properly

1 addressed to the various Flood Control
2 Districts.

3 I would like to introduce you to our
4 local sponsors seated with me at the table
5 this evening. On my right over here is
6 Commissioner Jeff Brennan, Brazoria Drainage
7 District No. 4; Steve Fitzgerald, Harris
8 County Flood Control District; and Mike
9 Fitzgerald, county engineer of Galveston
10 County.

11 I hope you had an opportunity this
12 evening to take advantage of the open house
13 that was set up out in the foyer. I
14 encourage you to read all the information
15 that's available in that area. Additional
16 copies are available out there. If you'd
17 like to take additional copies with you to
18 share with family and friends, we encourage
19 you to do that. I'm sure there were a lot of
20 people that wanted to be here and couldn't be
21 here tonight.

22 We also encourage you to visit the
23 Clear Creek Web site. For those of you who
24 have access to computers, that address is
25 www.clearcreekproject.com.

1 Everyone attending should have filled
2 out a green attendance card. If you want to
3 speak, it's absolutely essential that you
4 have filled out this card because, unless the
5 ladies bring me a green card indicating you
6 want to speak, I have no indication that you
7 wish to do so.

8 In addition to speaking this evening,
9 we've also provided some white cards, white
10 comment cards. These can either be filled
11 out and left with the ladies in the foyer or
12 they can be mailed to us. They're frank,
13 self-addressed to come back to us. We
14 encourage you to take as many of these as you
15 would like, share them with your friends and
16 neighbors. Let us know how you feel about
17 the project.

18 The purpose of the meeting is to
19 provide an opportunity to present issues,
20 views, opinions, recommendations, and
21 environmental concerns. Your comments will
22 help us meet the requirements of the National
23 Environmental Policy Act and prepare a
24 supplement to the Environmental Impact
25 Statement for the restudy.

1 This is not a voting contest. The
2 people who speak the longest or the loudest
3 or the most often are not the folks that are
4 going to win. Everyone's going to win, we
5 hope; and every -- everyone's comment is
6 important. What we're interested in is the
7 diversity of opinion that's out there, both
8 pro, con. We're interested in your ideas.
9 So, let us hear them; but please don't let us
10 hear the same ideas over and over again.

11 We have also with us this evening a
12 court reporter. The meeting will be recorded
13 verbatim. You'll see the information
14 displayed on the screen as, as people speak.
15 We're also using video to record some of the
16 meeting.

17 The meeting format will be a brief
18 comment by Commissioner Brennan. Then Robert
19 Van Hook will give us a study overview; and
20 then we'll open the floor for public
21 comments.

22 There's an order in which we hear
23 public comments. We generally hear from
24 elected officials first. We hear from
25 federal, state, and local elected officials,

1 in that order. Then we hear statements from
2 resource agencies and then the public.

3 With that, I would like Commissioner
4 Brennan to give us a few comments on behalf
5 of all the sponsors of the project.

6 COMMISSIONER BRENNAN: Thank you,
7 Lloyd. On behalf of Brazoria Drainage
8 District No. 4, the City of Pearland, and
9 Pearland Independent School District, I would
10 like to welcome you to this Corps of
11 Engineers Public Scoping Meeting.

12 In 1999 Brazoria Drainage District
13 No. 4, in conjunction with the City of
14 Pearland and Brazoria County, requested from
15 the cosponsors, Harris County and Galveston
16 County, along with the Corps of Engineers, to
17 extend the project limits to the Brazoria
18 County/Fort Bend County line and also include
19 the district as a cosponsor to this Clear
20 Creek project. They grace -- gratefully
21 accepted.

22 The drainage district, the drainage
23 district realized that with the growth that
24 the -- northern Brazoria County has
25 experienced, that this -- that being a part

1 of this General Reevaluation of Clear Creek
2 would greatly benefit the area. I would like
3 to thank the Corps of Engineers and the
4 cosponsors, Harris and Galveston Counties,
5 for having the district be a part of this
6 ongoing study and greatly, greatly look
7 forward to a completed project and plan.

8 I welcome everybody to make their input
9 known, whether on the cards or here to the
10 public. So, thank you again for coming.

11 MR. SAUNDERS: Thank you, Commissioner.
12 Right now I'm going to call on Mr. Robert Van
13 Hook, who is the planning lead for the Clear
14 Creek Reevaluation Study. Robert.

15 MR. VAN HOOK: Good evening. As I have
16 been introduced, my name is Robert Van Hook
17 and I'm the planning lead on the Clear Creek
18 General Reevaluation Study and I would also
19 like to welcome you to this Public Scoping
20 Meeting.

21 The General Reevaluation Study, or
22 which you may hear referred to as the GRR, is
23 an evaluation of the main stem of Clear Creek
24 from the Fort Bend County line downstream
25 through Clear Lake.

1 As earlier mentioned, the study team is
2 made up of the Harris County Flood Control
3 District, Brazoria Drainage District 4, and
4 Galveston County. As many of you are aware,
5 in 1997 the local sponsors of the Clear Creek
6 project, which was Harris County, acting
7 through the Flood Control District, and
8 Galveston County, requested that a six-month
9 project construction suspension and review be
10 performed on the channelization project that
11 had been authorized for Clear Creek. This
12 request was made to allow the local sponsors
13 time to identify proposed enhancements and
14 updates to the long-authorized project.

15 Local sponsors held a series of
16 meetings in 1997 to get public input, and
17 some of you may have been at those meetings.
18 The sponsors developed an alternative plan
19 and asked us, the Corps, to determine if the
20 plan was within the discretionary authority
21 of our division engineer in Dallas to approve
22 under the existing authorization.

23 We reviewed the plan and determined
24 that there was too many uncertainties about
25 cost and various effects of the proposed

1 alternative project to recommend approval by
2 the division engineer; therefore, our
3 recommendation was to make -- to conduct a
4 General Reevaluation of the project,
5 considering the concerns and inputs of the
6 public. The Commissioners' Courts of Harris
7 and Galveston Counties passed a resolution in
8 April of 1999 requesting that the Corps
9 undertake this reevaluation of the Clear
10 Creek project.

11 As some of you probably saw outside in
12 the foyer, there's a planning process that
13 the Corps is required to follow. This slide
14 depicts that planning process. We have
15 essentially performed the first two steps and
16 will be performing Step 3, formulation of
17 alternative plans, following this series of
18 public scoping meetings.

19 As we began the study in June of 1999,
20 we had many coordination meetings with the
21 local sponsors; and in June of 1999, as Jeff
22 mentioned, Brazoria Drainage District 4
23 joined the Harris County Flood Control
24 District and Galveston County as a sponsor
25 for the Reevaluation Study. The current

1 Clear Creek study, therefore, includes
2 Brazoria County and the overall study area.

3 We then began the process of defining
4 the study parameters, the activities
5 required, setting up a schedule and cost for
6 the study. We established an
7 interdisciplinary study team for the
8 reevaluation. The study team developed
9 preliminary goals and objectives, which you
10 may have seen out in the foyer and also as
11 depicted on these two slides.

12 It was determined that the study would
13 be a totally new effort and that we would
14 wipe the slate clean and begin all over
15 again; therefore, the whole study is wide
16 open with no preconceived plans based on old
17 data or ideas.

18 We will use all of the various flood
19 reduction tools that are in our toolbox. We
20 will also consider any new tools and
21 approaches that come to our attention as a
22 result of these scoping meetings. The tools
23 which we currently have on the list are
24 depicted on this slide.

25 Then we began to look for brand-new

1 information using the latest technology. A
2 new computer model developed and used for the
3 April 1999 Clear Lake study will be used in
4 the evaluation of additional flood reduction
5 alternatives and to assess any potential
6 downstream impacts on the Clear Lake area.

7 In February of last year, the watershed
8 was flown; and we knew -- now have new
9 orthophotography for the whole watershed.
10 New topographic information has been
11 collected, which will help us account for
12 aerial subsidence. New cross-sections were
13 taken along Clear Creek and through the lake
14 and the second outlet channel, and we have
15 new updated bridge data.

16 The latest computer technology has been
17 used in the study. We've developed a new
18 digital terrain model which displays map
19 topography in digital form for the watershed.
20 We performed a new survey of some 3300
21 structures that reside within the projected
22 25-year floodplain up and down the creek and
23 the 100-year floodplain around the lake. We
24 have obtained first-floor elevations for all
25 of these structures.

1 We have developed a state-of-the-art
2 Geographic Information System, or GIS, for
3 the watershed to record and store information
4 about the study area; and we will use this
5 information in the analysis of all new
6 alternative plans that are developed. We're
7 using the latest, newest, up-to-date
8 population and land use information. We --
9 the latest technology and methods will be
10 used to project population growth and
11 long-term effects.

12 The project is projected to be complete
13 in July of 2003. Then if an acceptable
14 project can be found, it will be implemented
15 as soon as possible thereafter.

16 We have hired Dannenbaum Engineering
17 Corporation to develop our new hydrology and
18 hydraulics information. Their work on this
19 baseline hydrology and hydraulics will be
20 completed at the end of July. New baseline
21 economics will then be developed.

22 New baseline environmental data is
23 being developed through a contract with
24 PBS&J, and they will develop environmental
25 database layers for our GIS.

1 Following this public meeting and your
2 input, we will develop the first set of new
3 alternatives for further evaluation.

4 An Environmental Restoration Workshop
5 was held in January of this year at the
6 Galveston District. As Lloyd mentioned, the
7 environment -- ecosystem restoration is a new
8 project mission, or a Corps mission. We
9 invited some of our headquarters folks to
10 come and give us an overview of ecosystem
11 restoration and how we could incorporate
12 eco-friendly flood damage reduction solutions
13 into the Clear Creek project. They talked to
14 us about the new ecosystem restoration
15 mission, the new policies and methodologies.
16 The study team, engineering, and
17 environmental personnel, our local sponsors,
18 and some public resource agents attended this
19 workshop.

20 In 2002 we will perform economic
21 analysis on the alternative plans and
22 determine the benefit-to-cost ratios for the
23 alternatives. We will meet with our division
24 and headquarters to discuss our formulation
25 of alternatives and get their buy-in on our

1 process. We will determine recommended
2 project plan or plans. We will complete
3 coordination with the Fish and Wildlife
4 Service, evaluate the environmental impacts
5 of the proposed plan or plans, and complete a
6 draft General Reevaluation Report and
7 Supplemental Environmental Impact Statement.

8 In '03 we will finalize the GRR and
9 Supplemental Environmental Impact Statement,
10 perform our Washington-level project review,
11 and obtain the Assistant Secretary of Army
12 for Civil Works' approval.

13 We want your comments. We're very
14 serious about wanting your input into this
15 study process. We sent out some 3100
16 postcards to those folks who are on the
17 mailing list compiled by the Harris County
18 Flood Control District announcing this
19 meeting. The current list includes attendees
20 of the three public meetings held in 1997,
21 public officials in the watershed, and those
22 that are interested in the project and
23 citizens who have called or written to us
24 about the project. If you filled out an
25 attendance card tonight, you will be included

1 in sub -- subsequent direct mailings.

2 We invite you to visit our Web site.
3 This Web site was launched in February -- on
4 February the 22nd. It was developed as a
5 source for the public to obtain the latest
6 information about the Clear Creek study and
7 to create an additional opportunity for
8 citizens to submit questions and comments.
9 The site will be updated as new information
10 becomes available. I hope you also picked up
11 a pen outside on which the address is
12 written. Everyone is encouraged to visit
13 this Web site frequently to keep up with the
14 status of the Clear Creek study. The study
15 team will consider all comments and ideas
16 presented in any forum.

17 There's been a Citizens Advisory
18 Committee formed in 1997 by the Harris County
19 Flood Control District. This group is made
20 up of private citizens, elected officials,
21 engineers, business people, environmental
22 interests, so forth. We will keep this
23 committee advised of the study efforts.
24 Please make them aware of any of your
25 concerns.

1 Please pick up comment cards in the
2 foyer for yourself and some to take to your
3 friends and neighbors. These cards solicit
4 input about flooding experience, ask for
5 written comments on alternative ideas, areas
6 of environmental concern. They are
7 self-addressed and postage paid, as
8 Mr. Saunders said. Fill them out at your
9 leisure; but in order to be part of the
10 record of this public meeting, they must be
11 returned to us by June the 8th.

12 As mentioned earlier, we're interested
13 in eco-friendly flood damage reduction
14 solutions. Ecosystem restoration is a new
15 Corps mission. Although ecosystem
16 restoration is not an authorized purpose for
17 the Clear Creek project, we are looking at
18 flood damage reduction tools and measures
19 that are eco-friendly.

20 We would like information on special
21 habitats, such as places that you would go to
22 bird-watch, look at wildflowers or other
23 interesting plants, and enjoy the natural
24 beauty of the creek. Maps are available in
25 the foyer on which to mark special locations

1 that you are familiar with. In addition, if
2 you have specific natural resources or issues
3 you are concerned about, we would appreciate
4 your comments.

5 As I said, this is an entirely new
6 study; and we want and need citizen input.
7 We are soliciting input for the development
8 of alternative plans for flood damage
9 reduction for Clear Creek. This is a new
10 study to evaluate all options available for
11 flood damage reduction. Alternatives under
12 study involve a wide range of ideas. When
13 the study is complete, the team will decide
14 if a plan exists that provides sufficient
15 benefits to warrant continued participation.

16 If no acceptable beneficial plan can be
17 developed, the study team may recommend that
18 the Corps take no action. The "no action"
19 alternative is required to be examined by the
20 Corps.

21 We have received a number of comments
22 from citizens regarding a new initiative
23 commonly called Challenge 21, which was
24 authorized under Section 212 of the Water
25 Resources Development Act of 1999. That

1 section states that the secretary of the Army
2 may undertake a program for the purpose of
3 conducting projects to reduce flood hazards
4 and restore the natural function and values
5 of rivers throughout the United States. The
6 current study does not follow under the
7 Challenge 21 program, and I'd like to explain
8 why by comparing the current study with
9 Challenge 21 for you.

10 Both Challenge 21 and the Clear Creek
11 study emphasize nonstructural flood damage
12 reduction options. Both Challenge 21 and the
13 Clear Creek study consider structural flood
14 damage reduction options. Both Challenge 21
15 and the Clear Creek study include
16 environmental restoration measures. Both
17 emphasize projects and minimize adverse
18 environmental flooding and social impacts.
19 Both give priority to projects that have
20 community support. Both emphasize projects
21 that complement other projects and programs.
22 Both must be justified, considering all costs
23 and considering benefits of the project.

24 Challenge 21 -- but Challenge 21 has a
25 single project federal funding cap of \$30

1 million. The Clear Creek project does not
2 have a federal funding limit.

3 Challenge 21 does not currently have a
4 federal funding appropriation. The Clear
5 Creek study does have this federal funding
6 appropriation.

7 Therefore, at this time it is better to
8 pursue the very same project -- same type of
9 project that we would consider under
10 Challenge 21, consider it under the current
11 Clear Creek study authority. It's funded,
12 and there is no upper limit or cap on the
13 funding for the project like there is under
14 Challenge 21.

15 (Brief interruption.)

16 MR. SAUNDERS: Befuddled by technology.

17 MR. VAN HOOK: Yeah. I'm sorry about
18 that.

19 (Brief interruption.)

20 MR. VAN HOOK: I'll let you read the
21 slides.

22 The Harris County Flood Control
23 District on October 2nd last year sent a
24 letter to the Galveston District proposing
25 Clear Creek as a potential Challenge 21

1 project. In their letter, they stated, "The
2 Harris County Flood Control District does not
3 want to jeopardize the completion of the
4 General Reevaluation Report or the chance of
5 federal participation in the project under
6 the existing authority."

7 There's a handout in the, in the foyer
8 on Challenge 21. I hope you can pick it up.

9 I would like to thank you for your
10 input and that concludes my overview of the
11 General Reevaluation Study and I'll turn the
12 meeting back over to Mr. Lloyd Saunders for
13 public comments. Thank you.

14 MR. SAUNDERS: Thank you, Robert.

15 At this time I would like to recognize
16 some public officials who might care to
17 speak. Drainage Commissioner Roger Davis.
18 Okay. Fine.

19 How about Ben Lenamon, drainage
20 commissioner? Yes, sir. Please step up,
21 step up to the microphone, if you would.

22 COMMISSIONER LENAMON: My name is Ben
23 Lenamon. I'm chairman of Brazoria Drainage
24 District 4. On your panel there sits one of
25 our other commissioners, Commissioner

1 Brennan, who has read a resolution of our
2 support for the GRR and the reasons we have
3 signed up as sponsor to this study.

4 Gentlemen, I'm going to be rather
5 brief, if I possibly can, referring to some
6 points that you might have heard before. I
7 was present at the March 15th meeting, and I
8 heard some very eloquent speakers there point
9 out to you that this study has continued for
10 33 years and that we have studied the problem
11 and done nothing.

12 I'd like to make three points regarding
13 this area; and as they say in real estate,
14 it's location, location, location. We are
15 residents of the Gulf Coast area. We are in
16 a low-lying area which does not have good
17 drainage under the best conditions, and
18 Drainage District 4 expends thousands of
19 dollars annually to provide the very best we
20 can for our citizens. Clear Creek is very,
21 very important to us as our primary drainage
22 artery into the Gulf of Mexico. The area
23 that we are studying is located next to the
24 fourth largest city in this United States,
25 and I think that's a factor that needs to be

1 very seriously considered in the GRR.

2 The habitat is such that we do not have
3 as many alligators and deer in this area as
4 we used to have as they do in other areas,
5 New York City and Los Angeles, to mention a
6 couple, because they've become habitats for
7 people; and we have tried to modify and
8 revise the habitat so that we can adapt to
9 the circumstances in the environment with --
10 that we're given.

11 I ask that you look at these things
12 carefully and think of it in terms of an
13 analogy, that, if we had children in a
14 community and we were crowded and we didn't
15 have a place to build a school, would we let
16 our children grow up in ignorance because we
17 didn't want to destroy a wildflower? We'd
18 find a way; and that's what we're asking you
19 to do, to find a way to help us in our flood
20 control problems. We ask that you conclude
21 your study with people as the primary
22 consideration.

23 Thank you, gentlemen.

24 (Audience applause.)

25 MR. SAUNDERS: Thank you very much.

1 Commissioner Jeff Brennan.

2 COMMISSIONER BRENNAN: Yes, sir. I'd
3 like to read Resolution No. 2001-006, "The
4 resolution of the Board of Commissioners of
5 Brazoria Drainage District No. 4 supporting
6 the Galveston District of the U.S. Army Corps
7 of Engineers in conducting its General
8 Reevaluation Project along Clear Creek.

9 "Whereas, the District is a
10 conservation and reclamation district located
11 in northern Brazoria County and whereas,
12 Clear Creek is a major drainage artery that
13 carries flood waters through Brazoria County
14 to Galveston Bay and whereas, the District,
15 the City of Pearland, and other parts of
16 northern Brazoria County have been severely
17 affected by structural and nonstructural
18 flooding along Clear Creek for over 20 years
19 and whereas, the population explosion that
20 has occurred in recent years in northern
21 Brazoria County has greatly impacted the
22 effectiveness of waterways and drainage
23 facilities in this area and whereas, the
24 District on behalf of Brazoria County and the
25 City of Pearland has joined the Counties of

1 Harris and Galveston as sponsors of the
2 project because it recognizes the critical
3 need for improvements along Clear Creek to
4 reduce and alleviate existing and future
5 flooding problems in these jurisdictions, be
6 it hereby resolved by the Board of
7 Commissioners of Brazoria Drainage District
8 No. 4 that the District hereby supports the
9 Corps of -- Corps in conducting its project
10 along Clear Creek and encourages it to
11 proceed expeditiously with completion of the
12 project plan and report in an effort to
13 protect the health, safety, and welfare of
14 the citizenry of Counties of Brazoria,
15 Galveston, and Harris; the Dis -- that the
16 District encourages support of Challenge 21
17 by the Corps as a project which complements
18 and strengthens current efforts to reduce and
19 alleviate existing and future flooding
20 problems along Clear Creek and its
21 tributaries. Passed and approved and adopted
22 this 14th day of March, 2001," signed by the
23 Chairman, Ben Lenamon; Secretary, Jeffrey
24 Brennan; and, member, Roger Davis.

25 I'd also like to point out that there

1 has been a number of things said at other
2 meetings in regards to not getting along with
3 other communities; and I'd like to point out
4 that, between Drainage District 4 and the
5 City of Pearland, that we required attention
6 for developments and that we would encourage
7 other communities to do the same thing.

8 Thank you very much.

9 (Audience applause.)

10 MR. SAUNDERS: Thank you very much.

11 Mr. Larry Marcott, the City of
12 Pearland.

13 MAYOR PRO TEM MARCOTT: Thank you. I
14 apologize for being late; but I was at
15 another City meeting this, this evening. I'm
16 Larry Marcott, Mayor pro tem of the City of
17 Pearland; and I have a resolution that the
18 Council passed that I'd like to read,
19 Resolution No. R2001-36, "A resolution of the
20 City -- council of the City of Pearland,
21 Texas, supporting the Galveston District of
22 the U.S. Army Corps of Engineers in
23 conducting its General Reevaluation Project
24 along Clear Creek.

25 "Whereas, the City of Pearland is a

1 home rule municipality located in northern
2 Brazoria County, Texas, and whereas, Clear
3 Creek is a major drainage artery that carries
4 floodwater through Brazoria County to
5 Galveston Bay and whereas, the City has been
6 severely affected by structural and
7 nonstructural flooding along Clear Creek for
8 over 20 years and whereas, the population
9 explosion that has occurred in recent years
10 in northern Brazoria County has greatly
11 impacted the effectiveness of waterways and
12 drainage facilities in this area and whereas,
13 the City on behalf of Brazoria Drainage
14 District No. 4 in Brazoria County has joined
15 the Counties of Harris and Galveston as
16 sponsors of the project because it recognizes
17 the critical need for improvements along
18 Clear Creek to reduce and alleviate existing
19 and future flooding problems in these
20 jurisdictions; now, therefore, be it resolved
21 by the City Council of the City of Pearland,
22 Texas, that the City hereby supports the
23 Corps in conducting its project along Clear
24 Creek and encourage it to proceed
25 expeditiously with completion of the plan --

1 project plan and report in an effort to
2 protect the health, safety, and welfare of
3 the citizenry in the Counties of Brazoria,
4 Galveston, and Houston. Passed, approved,
5 and adopted this 12th day of March, 2001,"
6 signed by Mayor Tom Reid, Mayor, City of
7 Pearland.

8 Pearland is at the headwaters of Clear
9 Creek; and we, as a City, have been forced to
10 maintain and dig drainage retention ponds.
11 It is expensive for the City of Pearland
12 to -- for us to protect ourself as to protect
13 the people downstream. It costs the City of
14 Pearland approximately 15 to \$17,000 per acre
15 foot, and an acre foot is one acre of 43,000
16 square feet, a little more than that, one
17 foot deep. So, that's going and clearing the
18 ground one foot -- one foot deep over an acre
19 of ground, 43,000 square feet, and that's 15
20 to \$17,000 and the City of Pearland cannot
21 continue doing this to protect our neighbors
22 downstream. We ask the support of the people
23 downstream to help us.

24 It was at your meeting last week in
25 League City I learned that the people down

1 there are not required to do retention. We
2 require it. We work diligently with the
3 drainage district. We've come up with a set
4 of plans and specifications that we mutually
5 agree on for our community. We need help
6 clearing the creek, making it so that it can
7 drain; and we need the support of the cities
8 downstream to do their part in opening and
9 let the water flow.

10 The meeting last week talked about no
11 action being a possible decision. A "no
12 action" will not keep your property
13 downstream or our property upstream here
14 safe. You must make a decision that the
15 creek has got to be opened up. We've got to
16 have the safety of being able to prevent
17 flooding in our homes as well as the people
18 down -- downstream, and this is not a
19 situation of Brazoria County against
20 Galveston County. It's all of us working
21 together to improve the drainage of this
22 area.

23 Thank you.

24 (Audience applause.)

25 MR. SAUNDERS: Thank you very much,

1 Mr. Marcott.

2 Are there any more elected officials
3 who would like to make a statement?

4 Then, we'll move on to, to the public
5 comment part of the, the meeting. I'd like
6 to ask you, as you speak, to try and limit
7 your comments to three minutes. That will
8 give the folks who also want to speak an
9 opportunity to be heard.

10 Please come down to the podium, to the
11 microphones, to make your statement. Please
12 give us your name for the record as you open
13 your statement.

14 Remember that written statements can
15 still be turned in in the foyer. If you're
16 not making an oral statement, we'd love to
17 have your written statements. They have the
18 same weight as oral comments.

19 Now call on Mr. Scott Jones.

20 MR. JONES: Thank you. My name is
21 Scott Jones. I thank you for the opportunity
22 to speak tonight.

23 I'm a resident of League City and I
24 enjoy Clear Creek with my wife and
25 two-and-a-half-year-old daughter and I have

1 concerns about the future of Clear Creek. I
2 was at the comment period back in 1997 and I
3 commented then and I still have some of the
4 same concerns.

5 I would submit to you that we don't
6 have a flooding problem per se, but we have a
7 people problem, not that the folks that have
8 endured water in their homes have done
9 anything wrong, but, rather, there's been a
10 lack of planning and management in the
11 watershed that has led to this current
12 problem we have.

13 I do feel sympathy for the folks that
14 have suffered from water in their homes.
15 That being said, I do not believe that
16 channelization of the creek should be
17 undertaken. The general public and the
18 environment should not pay the price for the
19 benefit of a relative few.

20 What kind of legacy would we leave our
21 children and their children? I don't believe
22 that channelizing the creek would be worth it
23 in the long run, and I do believe that even
24 an earthen channel -- I'm not talking about
25 concrete -- but even an earthen channel, a

1 lined channel, can be extremely detrimental
2 to habitat, wildlife, fisheries, and water
3 and sediment quality of the creek, be it a
4 creek that -- be it the creek that's lined,
5 deepened, or widened. I think all those can
6 be detrimental. I think we would speed up
7 stream flows, lose habitats that occur with
8 natural sinusoidal patterns, and lose the
9 ability to filter pollutants in both Clear
10 Creek, Clear Lake, and Galveston Bay.

11 Just look at other waterways, other
12 earthen channelized waterways in the area.
13 They're really ditches. They're not creeks
14 or bayous anymore.

15 I encourage nonstructural solutions,
16 notably buy-outs, flood-proofing, and
17 floodplain management; and I hope we can
18 preserve riparian zones that will help dampen
19 flood impacts. I also support some
20 structural solutions, mainly detention ponds
21 and bid -- and bridge replacement, but if we
22 have to do -- bypass channels, I hope that
23 can be a minimum of the solution and I hope
24 it's a last resort.

25 I think we can utilize the detention

1 ponds to mitigate for a lot of the lost
2 habitat we have in the watershed. We don't
3 have that many of our nice wetlands left.

4 I just hope we don't repeat the same
5 mistakes that we see in our other area
6 waterways. Just look as Sims Bayou, Brays
7 Bayou, and some of the other bayous.

8 I do trust that the study team will do
9 the best possible job for all people in the
10 watershed. Thank you.

11 MR. SAUNDERS: Thank you, Mr. Jones.

12 Now calling Ms. Barbara Hopper, I
13 think.

14 MS. HOPPER: I'm Barbara Hopper. I
15 live in Friendswood. I have been flooded. I
16 am very interested in not having -- in
17 having -- living in a community, Friendswood,
18 that is not a big retention pond. Now, we
19 have had our share of the flooding and it
20 will happen again and you-all know that and,
21 I think, everyone here, but tonight I just
22 really wanted to address a question that has
23 risen -- arisen recently.

24 I saw in the Houston paper and also in
25 the Galveston paper that League City, which

1 has been the most vocal in its protection of
2 the environment argument for -- against
3 channelization, is planning to build a
4 riverfront market that is going to go along
5 Clear Creek. It will, of necessity, destroy
6 the riparian forest that we have been told
7 was so valuable; and it's also going to be
8 hard-sided.

9 Now, I don't know where this fits into
10 this whole plan, but, believe you me, if
11 Clear Creek come -- I mean, if League City
12 comes up with that plan, we are caught down
13 there at one end and then you're not allowing
14 channelization or a proper way of bringing
15 the floodwaters out of our homes in Pearland,
16 Brazoria County, and in Friendswood. So, I
17 just really wanted to pose that question; and
18 I'm hoping that I can get an answer about the
19 League City marketplace along Clear Creek.

20 And, also, Mr. Marcott, in answering
21 his question, it brings up a question to me.
22 I've been talking to Don Allen about this
23 project for a long, long time; and it seems
24 to me from what I've heard out in the foyer
25 today that the Corps has taken -- has done an

1 entire flip-flop as far as flood control is
2 concerned. When I first spoke to Don Allen,
3 it was a question of moving the water as
4 quickly as possible out from these -- from
5 Chigger Creek, Coward Creek, Marys Creek, you
6 know, through Clear Creek and out into the
7 lake and then to the bay. Now I'm being told
8 that that is not the case at all, that we
9 must leave the weeds out there so that they
10 can absorb some of this terrible drenching
11 rain that we get now and then and that we
12 don't, we don't touch this riparian forest.

13 So, I'm a little unclear about that. I
14 didn't realize that the U.S. Corps of
15 Engineers had undertaken this complete
16 flip-flop since 1990 in flood control
17 management.

18 Thank you.

19 (Audience applause.)

20 MR. SAUNDERS: Thank you very much,
21 Ms. Hopper.

22 Mr. Chuck Newmister.

23 MR. NEWMISTER: I'm Chuck Newmister
24 with Polly Ranch in Friendswood and I really
25 just got involved in this a week ago at the

1 League City meeting and now I've found myself
2 volunteered to show up for all my neighbors
3 that couldn't be here, but what I've been
4 asked to do is to speak for some of our, some
5 of our other concerned neighbors in Polly
6 Ranch that couldn't be here tonight mainly
7 just to reiterate our view that a minimalist
8 approach, nonstructural, is by far
9 preferable. You know, I realize we will have
10 to compromise, but we live along one of the
11 prettiest stretches of the creek and I'm
12 starting to see more and more interest in
13 some of my neighbors in what's going on.

14 A lot of us had no idea these meetings
15 were going on. I don't know if there's a
16 better way to get the word out; but if you
17 don't take the local paper, if you don't
18 listen to the Chronicle -- or read the
19 Chronicle, I had no idea this was even going
20 on right now. So, one thing we need to do
21 is -- we're going to try and do among
22 ourselves is improve, improve communication.

23 Our biggest thing -- I'm going to keep
24 this real brief. Our biggest thing is we've
25 got the chance to do this right now, and

1 hopefully we've learned from the past. We
2 can use new techniques, new procedures, new
3 policies to try and get everybody satisfied;
4 but, again, it makes no sense to me -- I --
5 this is what I thought last month -- or last
6 week after listening to everything: It makes
7 no sense to continue development in areas
8 where we're going to have a flooding problem.
9 Especially if, if League City and some of
10 these bigger developments are coming along,
11 that makes no sense. We'll end up spending
12 more money in the long run than if we just
13 try to control it a little better.

14 So, again, I'm really just here to
15 reiterate that there is an interest in Polly
16 Ranch. Not everybody's here, being very
17 vocal. I got elected to do that in this
18 case, and I appreciate your time.

19 (Audience applause.)

20 MR. SAUNDERS: Thank you very much.

21 Mr. Gene Cook.

22 MR. COOK: My name is Gene Cook. Good
23 evening. A study of this project was
24 conducted also by an environmental group
25 claiming that their highly respected experts

1 had concluded that the project significantly
2 worsens downstream flooding. Computers have
3 made it very easy to perform an extensive
4 search for technical articles written by
5 experts in a particular field, and a search
6 for technical articles written by these
7 so-called highly respected experts only
8 revealed restaurant reviews.

9 I do not think that the residents of
10 this watershed want the flood control
11 measures protecting their homes designed by
12 food experts. Would you want to go to the
13 moon in a spaceship designed by Julia Childs?

14 Three separate engineering analyses
15 have been conducted by the Corps in Harris
16 County and concluded that this project
17 reduces downstream flooding risk. A Bay Area
18 city councilman cautioned in the last public
19 meeting that we should be mindful that
20 measures taken upstream affect those living
21 downstream. I agree; however, I would also
22 point out that scare tactics spread by those
23 living downstream can affect those living
24 upstream.

25 Opponents of this project have tried to

1 portray the same technology that protects
2 their homes as a mistake and old and **claim**
3 that homeowners, including those in Polly
4 Ranch Estates, even though they are not aware
5 of it, should be bought out. Destroying the
6 homes and taking the property of innocent
7 people while saying it is voluntary is not
8 new technology, either. The Nazis were doing
9 that 60 years ago.

10 Opponents have done everything in their
11 power to block this project, voiced no
12 objection until nearly \$39 million was spent
13 completing locks and channels downstream to
14 protect their homes. As you evaluate the
15 in -- inputs from your January meeting with
16 tax-exempt environmental, quote, unquote,
17 experts and not the residents that are paying
18 for this -- and it is our homes -- you should
19 also consider those that oppose it are living
20 in homes that are protected from flooding by
21 structural flood control measures they are
22 trying to block from protecting the rest of
23 us. Thank you.

24 (Audience applause.)

25 MR. SAUNDERS: Thank you, Mr. Cook.

1 That concludes the number of green
2 cards I have from people who want to speak.
3 Is there anyone else in the audience that
4 would like to make a statement?

5 Could I encourage you to fill out a
6 green card, please?

7 MR. McMURRAY: I will fill it out.

8 MR. SAUNDERS: Thank you very much.

9 MR. McMURRAY: Is it okay to say
10 something now I've checked the green card?

11 MR. SAUNDERS: Yes. State your name
12 for the record, please.

13 MR. McMURRAY: Charles McMurray. I
14 live in the Springfield Subdivision here in
15 Pearland; and what I want to reiterate is my
16 concern in your, in your process that you
17 want to limit -- to very strictly limit the
18 changes to the watershed so you don't affect
19 the environment. And what I don't understand
20 is why we have to so strongly limit what
21 we're going to do to the watershed on the
22 environment when every time a new home is
23 built the environment is changing.

24 And I just want to beseech y'all not to
25 turn around and say, "I want to see the whole

1 thing straightened into a straight line like
2 a pencil and lined with concrete from the
3 outflow into the Galveston Bay all the way
4 upstream" but that we're going to have to
5 make some real thoughtful engineering changes
6 into the Clear Creek watershed so to provide
7 effective drainage. We cannot essentially
8 say that it must -- all the water must be
9 retained and that you can't make any changes
10 in the, in the watershed because the number
11 of people moving into the area is not being
12 constricted because we're a free country.

13 And I do not say that I want the
14 environment to be dammed or ignored, but
15 that, with the number of people moving into
16 the area, is -- like the subdivision which I
17 live in, we spent between 90 to \$100,000 to
18 maintain and upgrade our detention pond. Our
19 ability to do that is limited and we need to
20 be able to have proper flow of that water to
21 Clear Lake, Galveston Bay and I'm concerned
22 that I -- that you're being constricted or
23 being limited for whatever reasons in that.

24 And I would hope that those -- that the
25 engineering of it, while being respectful of

1 the environment, remember that the people
2 coming here -- we must be respectful of the
3 environmental changes being brought about by
4 the large number of homeowners coming here;
5 and that's my strong concern, that we not
6 arbitrarily and capriciously restrict what
7 will effectively provide the engineering to
8 give us drainage. And that, that's my reason
9 for coming down here and speaking tonight.

10 And thank you for your time.

11 **MR. SAUNDERS:** Thank you very much for
12 your comments, sir.

13 (Audience applause.)

14 **MR. SAUNDERS:** Anyone else like to
15 speak? You have to make a lot of movement
16 because I can barely see you with all these
17 lights.

18 Okay. Having seen no other indication
19 of speakers, let me say for the record that
20 this Public Scoping Meeting was convened at
21 Pearland, Texas, on the 9th of May, 2001.
22 The official record will remain open for 30
23 days until June 8th. That means until June
24 8th we will still accept written comments
25 **from the public. So, again, I encourage you,**

1 if, if you have friends or neighbors that
2 might be interested in providing a comment,
3 please, please look out for them by providing
4 them with one of these cards.

5 I'd like to thank the local sponsors
6 for joining us tonight, participating in the
7 study. I'd like to thank Kay Crouch and all
8 the staff of both the Corps and the Flood
9 Control Districts and everyone else who
10 helped with the publicity and the logistics
11 of this meeting.

12 Again I encourage you to visit the Web
13 site, www.clearcreekproject.com. That has
14 the announcement of all the meetings that we
15 have on Clear Creek and a lot of other
16 valuable information. People with access to
17 the Internet should be able to know when
18 we're having these meetings.

19 I want to thank everyone who spoke and
20 everyone who attended for joining us this
21 evening. This meeting is adjourned.

22 (Audience applause.)

23 (Meeting concluded at 7:51 p.m.)
24
25

1 STATE OF TEXAS :

2 COUNTY OF HARRIS :

3
4 REPORTER'S CERTIFICATE

5
6 I, HOLLY P. BURNS, Certified Shorthand Reporter
7 in and for the State of Texas, do hereby certify that
8 this transcript is a true record of the public meeting
9 as outlined and captioned above.

10 I further certify that I am neither attorney nor
11 counsel for, related to, nor employed by any of the
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13 public meeting from which this record was made.
14 Further, I am not a relative or employee of any
15 attorney of record in this cause, nor do I have a
16 financial interest in the action.

17 Certified to on this, the _____ day of
18 _____, 2001.

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