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Board members worried about language used in possible agreement Drainage district negotiating cost-share for federal storm defense project

By ELIZABETH PARRISH elizabeth.parrish@thefacts.com Dec 9, 2018 Updated 28 min ago



Tim Fischer, a representative from Olin, points out on a map the location of a pipeline the company needs to assess for potential repairs. The district approved to allow the company to dig around the pipeline to complete the assessment.

ELIZABETH PARRISH/The Facts

Editor's note: This story has been modified from its original post to correct the explanation of the gearbox's function.

CLUTE — The Velasco drainage district is still debating whether to partner with the Army Corps of Engineers for a federal project aimed at amping up the coastal levee system.

Discomfort over some of the legal language in the proposed agreement for the project has drainage board members concerned, they said during a meeting Tuesday.

According to the proposed agreement, the Corps would cover 65 percent of the Sabine to Galveston Bay Project cost while the drainage district would cover 35 percent for the portion within Brazoria County. Additional language states the district would take responsibility for any “environmental consequences” of the project, even if it were caused by work done by the Corps.

“That should be a state project,” said Louie Jones, vice chairman for the district. “And individual drainage district shouldn’t have to bear the brunt of that. This affects the whole state. It affects the whole country but it affects Texas especially.”

The goal of the federal project is to improve levee systems along the Texas coast to better protect those areas from flood, storm and hurricane damage in the future. Once completed, the project is projected to save millions worth of potential damage to cities and towns and prevent the loss of life in future natural disasters.

The proposed agreement also isn’t clear about how expensive the project could be. Bonds totaling \$80 million were approved in 2013 for the drainage district to use for a project of this nature but if the district had to pay additional costs, they would need to hold bond elections for approval. Right now, the Corps is estimating the total cost at around \$700 million, meaning the district would pay \$245 million. Normally, these projects have a cap for their estimated cost but an exception was allowed for this project.

“We are not going to sign a Partner Project Agreement for the full supplemental amount. We will not sign that,” district superintendent George Kidwell said at the meeting.

The district is trying to negotiate with the Corps to add clarifying language in the agreement that guarantees the district will only take responsibility for any environmental harm caused by their work on the project and not that of the Corps’ and that the district will

not be obligated to pay the full supplemental cost of the project for any reason. Still, Kidwell said he worries what would happen if the Corps denies the request and the district turns down the contract.

“The problem then is everybody at the Corps will have a stinger out for us,” he said. “Getting permits, etcetera. All that will be difficult. The other thing is, once you turn it down, you can’t go back and ask for it. They’ll say, ‘You turned us down in 2018, so no.’ But I’m trying to do what’s right for the people living behind the levees.”

A dig to assess whether or not a pipeline needs to be repaired for Olin was approved at the meeting. The project is expected to take place the first full week of January and should take around three to four days, according to Tim Fischer, a representative from Olin.

“From what we’re seeing, we’re most likely not going to replace it but we do need to do confirmation digs,” Fischer said.

Two years ago, the district and the county made a tax abatement agreement with Freeport LNG for a 2018 construction project. Since construction still hasn’t begun, the district approved an amendment to the agreement to push it back by one year.

The district approved a purchase of a new gearbox at the meeting. The box contains three water pumps which pump water away from low points in the ground where it might collect and potentially flood neighborhoods and homes. A new pump is estimated to cost around \$80,000.

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