



October 1, 2024

Sent via FedEx and Email

Colonel Rhett A. Blackmon  
District Engineer  
U.S. Corps of Engineers Galveston District  
P.O. Box 1229  
Galveston, TX 77553-1229

Dear Colonel Blackmon,

We greatly appreciate you and your staff meeting with us three<sup>1</sup> times to discuss Project 11. As you know, the Healthy Ports Community Coalition and many area residents have serious health and safety concerns about the plans to deposit dredge spoils from Segments 4, 5, and 6 of the Houston Ship Channel (HSC) into placement areas located adjacent to residential homes in Pleasantville, Clinton Park, Galena Park, and the Port Houston neighborhood. We recognize the unprecedented nature of these meetings and are grateful for the attention you have given to our concerns.

However, several fundamental questions remain unanswered, particularly regarding the toxicity of the dredge spoils in the HSC and the dredge material placement areas (Filter Bed, Glendale, House-Stimson, and Clinton). Hydraulic and mechanical dredging creates the potential for releasing toxic chemicals,

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<sup>1</sup> Public meeting on June 22, 2023, Technicalpalooza 1 on December 4, 2023, and Technicalpalooza 2 on April 5, 2024.

including dioxins and PCBs, directly into the water column. There is also the potential for a catastrophic failure of the placement area berms during extreme weather events, such as Hurricane Harvey-type rainfall events and related floods, and the ongoing stormwater management challenges that have historically impacted these communities due to the placement areas. Given the age and structure of the dredge placement areas and new urban flooding and rainfall intensity data, an independent structural engineering study of the berms would be appropriate.

During our recent meeting on April 5, 2024, with you, your staff, EPA Regional Administrator Dr. Nance, the City of Houston, Harris County Flood Control, and Port of Houston officials, we gathered valuable information over our six hours together. However, we were unable to obtain answers to some of the most pressing questions about the impact these placement areas might have on the health and safety of residents in the communities of Pleasantville, Clinton Park, Galena Park, and the Port Houston neighborhood. According to the White House's Climate and Economic Justice Screen Tool and EPA's EIScreen, these are disadvantaged and heavily overburdened environmental justice communities.

Given the seriousness of these issues and the lack of clear guidance on a path forward during our meetings, the Healthy Ports Community Coalition (HPCC) held a press conference on June 11, 2024, to express our concerns. This event received coverage from multiple media outlets, including the *Houston Chronicle*, *Houston Landing*, *Houston Public Media*, *Fox 26*, *Univision*, and *ABC 13*. Following this, on July 12, 2024, the *Houston Chronicle* published an opinion piece titled *Hurricanes plus toxic Ship Channel sludge. What could go wrong?* which further highlighted the urgency of our situation.

To better understand the health and safety implications of the proposed dredge spoil placement areas, we are assembling a panel of three engineers from the American Society of Civil Engineers to conduct an independent review of the engineering plans for the new dredge spoil placement areas. We would greatly appreciate your cooperation in this review process and welcome your staff's participation and suggestions for one of the panel members.

Additionally, we hope to receive answers to our outstanding questions within a reasonable period of six weeks. We submitted the questions for the published agenda before the meetings for your review and approval. Despite these efforts, many of these questions still need to be addressed. Your answers to our questions would greatly assist us in moving forward constructively.

For your reference, we have summarized the documented health and safety risks associated with the toxicants in the Houston Ship Channel sediments and the current and planned dredge spoil placement areas (PAs) below:

- **Sediment Toxicity:**

USACE and Port of Houston sampling from 2018, 2019, 2020, and 2023 at varying sites in the Houston Ship Channel indicate that multiple chemicals, including dioxins, PCBs, and arsenic, consistently exceed EPA Residential Screening Levels by up to 39 times EPA's acceptable cancer risk levels. Testing has shown potentially dangerous concentrations of dioxins, PCBs, arsenic, and benzo(a)pyrene in the sediment where USACE plans to dredge and in the maintenance dredging material currently deposited in the Clinton Park and Galena Park PAs. Furthermore, Community testing in the right-of-way adjacent to the PAs shows elevated concentrations of many of the same toxic chemicals.

- **Risk of Toxic Flood from Berm Collapse.** HPCC’s technical experts are concerned that a Category 4 or 5 hurricane, combined with a 100-year flooding event, could cause the berms or weirs to fail, flooding adjacent neighborhoods with toxic dredge spoils. Dumping the dredge spoils in Filterbed and Glendale was approved before Hurricane Harvey hit Houston. Since then, we’ve learned from NOAA Atlas 14 that the 100-year rainfall event has increased from 12” to 17”. Furthermore, Houston’s Department of Public Works has completed a rainfall-on-grid analysis showing the potential for over three feet of flooding around the berms.<sup>2</sup>

We understand the Final Environmental Impact Statement for this project has been completed and that the EPA signed off on it in 2020. Nevertheless, as new flooding, rainfall intensity, and sediment toxicity data have become available, the FEIS needs to be updated. This new data should be thoroughly analyzed and incorporated into a Supplemental Environmental Impact Statement, and the public should have a chance to comment on those components in the public record.

Please see below for a summary of the questions from the two meetings that remain unanswered and our requests for how to move forward:

1. **Structural Integrity of the Berms** How will USACE assess the potential impact of a Category 4 or 5 hurricane, a 100-year 17.3” rainfall event, and a three-foot urban flooding event on the structural integrity of the placement areas: 1) during the construction of the PAs, 2) while the PAs are being filled and, 3) after the PAs have been capped? Furthermore, would the placement of the berms meet FEMA’s minimum design, operation, and maintenance requirements described in Title 44, Chapter 1, Section 65.10 of the Code of Federal Regulations?
  - a. **Request:** USACE must ensure that a major Hurricane Harvey-type flood event would not impact the structural integrity of the Project 11 new work placement areas (Filterbed, Glendale, Beltway 8, and East Clinton) or the maintenance placement areas (House-Stimson, East and West Clinton).
  - b. **Request:** The USACE’s manuals and the research underlying the engineering guidelines have not been updated for climatic changes to reflect increased rainfall intensity, urban flooding, or storm surges that can occur during Hurricane Harvey-type events. We would like your cooperation in conducting an independent review of the engineering plans for the placement areas by the three American Society of Civil Engineers.
2. **Health Risk of Dredge Spoils** Before dredging begins, ensure that the health and safety of communities are not impacted by the toxic dredge materials in existing PAs or from new or maintenance dredging in the Houston Ship Channel.
  - a. **Request:** The following tests will be conducted using guidance and methodologies agreed upon by USACE, EPA, and community scientists. All test results will be compared with EPA’s Regional Screening Levels (RSLs) for residential carcinogenic levels and chronic and acute aquatic toxicity standards. The sampling and analysis results will be available to the public in easily accessible formats (such as a database or spreadsheet).
    - i. Collect additional sediment samples to conduct a statistically significant test for toxic chemicals in Segments 4, 5, and 6 of the Houston Ship Channel.

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<sup>2</sup> Half Associates, Inc. *Pleasantville Drainage Improvement Analysis*. Technical Memorandum Prepared for City of Houston. Work Order No. 8. June 2024.

- ii. Test the existing placement area dredge spoils for toxic chemicals. The toxicity of these sediments is currently unknown.
  - iii. Test the stormwater effluent for toxic chemicals from the PAs before, during, and after dredging operations commence—the PAs discharge into open channels and natural streams, creating a risk for residents and aquatic organisms.
3. **Mitigation of Stormwater Flooding:** The construction of the USACE placement areas and Highway 610 has exacerbated stormwater flooding in Pleasantville, Clinton Park, Galena Park, and the Port Houston neighborhood. According to the City’s rain-on-grid analysis, a 25-year rainfall event is enough to generate 3.0 feet of flooding; however, Highway 610 and the placement areas have blocked historic drainage paths. This flooding severely impacts the welfare of area residents and could also jeopardize the structural integrity of the placement areas. What plans does USACE have to mitigate stormwater flooding in these communities?
- a. **Request:** USACE and Port officials must ensure a funded stormwater management plan for all neighborhoods surrounding DMPAs and that the placement areas do not further contribute to flood risk in surrounding communities.

Thank you for your time and cooperation; we look forward to hearing from you. Please follow up with Bridgette Murray (blmacts4@gmail.com) and Adrian Shelley ([ashelley@citizen.org](mailto:ashelley@citizen.org)).



Bridgette Murray  
Healthy Port Community Coalition representing:

Air Alliance Houston  
Bayou City Waterkeeper  
East Harris County Empowerment  
Council  
Healthy Gulf

Achieving Community Tasks Successfully  
Coalition of Community Organizations  
Public Citizen  
Texas Health & Environment Alliance  
Environmental Community Advocates of Galena  
Park



Paige Varner  
Environmental Defense Fund

cc:

Charlie Jenkins, Port of Houston  
Administrator Dr. Earthea Nance, U.S. EPA, Region 6  
Rep. Sylvia Garcia, Texas Congressional District 29

Rep. Dan Crenshaw, Texas Congressional District 2  
Rep. Brian Babin, Texas Congressional District 36  
Lina Hidalgo, Harris County Judge  
Rodney Ellis, Harris County Commissioner Precinct 1  
Adrian Garcia, Harris County Commissioner Precinct 2  
Tom Ramsey, Harris County Commissioner Precinct 3  
Gary Bezemek, Harris County Flood Control  
John Whitmire, Mayor, City of Houston  
Julian Ramirez, At-Large 1, Houston City Council  
Willie Davis, At-Large 2, Houston City Council  
Twila Carter, At-Large 3, Houston City Council  
Letitia Plummer, At-Large 4, Houston City Council  
Sallie Alcorn, At-Large 5, Houston City Council  
Mario Castillo, District H, Houston City Council  
Tarsha Jackson, District B, Houston City Council  
Joaquin Martinez, District I, Houston City Council  
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