



PACKERY CHANNEL FAQ

Who owns Packery Channel and who is responsible for maintaining Packery Channel?

Federal funding for the creation of the “Packery Channel” project at the location of the former Corpus Christi Pass was approved in the Water Resources Development Act (WRDA) authorization of 1999. The construction was funded as a joint effort between federal, state, and local stakeholders. The federal/state/local cost-sharing arrangement was 65%/4%/31% of the \$30M original project cost.

A project cooperation agreement between the USACE and City of Corpus Christi for construction of the project was executed in May 2003. The project name that time was the “North Padre Island Storm Damage Reduction and Environmental Restoration Project”. The project title was indicative of the two main functions of the project as documented in the May 2003 Record of Decision that determined the project to be technically sound and environmentally acceptable. The two main project features were re-opening the historic water exchange between two ecosystems and placement of the excavated sand in an area south of the channel that had experienced significant beach erosion. Per the contract between the City and USACE, the City would be responsible for any subsequent operation, maintenance, repair, or replacement

Where is the City in the process of making repairs to Packery Channel?

After Hurricane Harvey, the City proceeded under the assumption that FEMA would cover the Packery Channel repairs under the Public Assistance Program. The City engaged FEMA regarding Packery Channel in the weeks following Harvey and met regularly with them about the project. The City completed a design and advertised the project for bids in September 2019, no bids were received. Under that design, repairs are estimated to cost \$14-15 million. In January 2020, FEMA notified the City that because the US Army Corps of Engineers (USACE) had constructed the Channel, USACE had the authority to restore Packery Channel under the PL 84-99, FEMA could not fund repairs because the Stafford Act prohibits funding projects where duplicative authority exists with another Federal agency. USACE subsequently informed the City in a follow-up meeting that the project did not meet all of the eligibility requirements for PL 84-99 and they could not proceed under that program authority.

After those meetings, the City has pursued multiple strategies to obtain funding to restore the channel. Tammy Embrey, Director of Intergovernmental relations worked with the federal delegation in the Spring of 2020 to get language in the 2020 Water Resources Development Act to clarify the responsibility for Packery Channel repairs. In late June, USACE HQ told Senator Cruz and Representative Cloud that no additional legislative language was needed.

The City was instructed to work with the Galveston office on a request for assistance to restore the Channel. In July, the City began working with the USACE Galveston office to obtain funding for repairs to the channel itself and the banks that were damaged in Hurricane Harvey through a Request for Assistance. A formal letter was sent from Mayor McComb in early August.

Simultaneously, the City has been working with FEMA to obtain funding for the sidewalk, bollards, cables, parking lots that were outside of the scope of the USACE construction project.

How will the repairs be funded?

The city has pursued multiple tracks for Funding the restoration:

1. FEMA Public Assistance for sidewalks, cables and bollards that fall outside the scope of the US Army Corps of Engineers project scope. This process is going through the late stages of review at FEMA and we hope to have an answer from them soon. We expect FEMA to fund approximately \$4 million for that portion of the process with a cost share to the city of just around \$500,000.
2. We have submitted a request for assistance to the US Army Corps of Engineers (USACE) for repair and restorations to the Channel through the USACE P.L. 84-99 program which allows for repair to USACE built projects with Flood/Storm reduction properties. We expect to have a response to the Request for assistance in the near future. This process was delayed due to USACE lack of data to support flood/storm reduction benefits of the project. USACE acquired new data specific to Hurricane Harvey from TAMU-CC in December and recently completed the modeling to determine a benefit cost ratio. The results of that modeling will now be compiled with they rest of the data to complete the Project Information Report.
3. In addition, for the local match portion of this project funding is available in the Island TIRZ fund.
4. RESTORE Act funding from TCEQ at the state level. In June, Mayor McComb sent a request to TCEQ Executive Director Toby Baker to request funding from RESTORE Bucket three and that request was followed up by a request from our State Legislative Delegation. The feedback we received from TCEQ staff is that the project was too big for Bucket 3. There is additional money that is going to be freed up from Bucket one of RESTORE funding. Once we have a response from the US Army Corp of Engineers and FEMA, we could seek additional funding from RESTORE if FEMA and USACE funding does not cover the project scope. This would likely take a significant amount of additional time to accomplish.