



AGENDA MEMORANDUM

Action Item for the City Council Meeting August 24, 2021

DATE: June 29, 2021
TO: Peter Zaroni, City Manager
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Resolution to support submission of proposal under Section 7001 of the Water Resources Reform and Development Act of 2014 (WRDA 2014)" to US Army Corps of Engineers (USACE) to modify the North Padre Island Storm Damage Reduction and Ecosystem Restoration project (Packery Channel) to remove Flood Risk Management as an authorized project purpose

CAPTION:

Resolution to support submission of proposal under Section 7001 of the Water Resources Reform and Development Act of 2014 (WRDA 2014)" to US Army Corps of Engineers (USACE) to modify the North Padre Island Storm Damage Reduction and Ecosystem Restoration project (Packery Channel) to remove Flood Risk Management as an authorized project purpose

SUMMARY:

The Packery Channel project has been a major success for the region since project construction was completed in 2006. We have realized significant recreational and safety benefits as the maintained opened waterway provides easy access to the Gulf of Mexico for recreational boating interests. We have also realized significant fish and wildlife benefits from the project as it also provides a constant tidal exchange that has improved fishing in the Upper Laguna Madre. The jetties and associated structures were primarily built for channel alignment, protection against shoreline erosion, and for the benefit of fish and wildlife. Flood Risk Management (FRM) benefits are incidental to the project resulting from placement of maintenance dredge material along the beach. Maintenance dredging was originally estimated to be required every year. However, since the project was completed, maintenance dredging has only been required twice. The Galveston District has informed the City the project is not eligible for assistance for rehabilitation under the USACE P.L. 84-99 Rehabilitation and Inspection Program (RIP) since the project features do not produce primary FRM benefits.

BACKGROUND AND FINDINGS:

The North Padre Island Storm Damage Reduction and Ecosystem Restoration Project (Packery Channel) was authorized by Section 556 of the Water Resources Development Act of 1999 (WRDA 99) (P.L. 106-53). The project consists of dredging a 12-foot deep by 116-foot wide channel to connect the existing Packery Channel to the Gulf of Mexico. The total length of the proposed channel from the Gulf end of the jetties to the Gulf Intracoastal Waterway (GIWW) is approximately 18,500 feet (3.5 miles). Approximately 15,000 cubic yards of estimated maintenance dredging was estimated to be required every year to keep the channel open. The maintenance dredged material is to be placed in an upland site for beach nourishment.

Packery Channel experienced major damages from Hurricane Harvey in 2017. The channel had also been damaged in Hurricane Ike. The City reached out to USACE in 2008 after Hurricane Ike caused damage to the channel revetment. The City of Corpus Christi (City) reached out to USACE to see if they were eligible for assistance under the USACE P.L. 84- 99 Rehabilitation and Inspection Program (RIP). For a project to be eligible for assistance, the authorized project is required to provide certain flood risk management benefits and have a benefit to cost ratio (BCR) greater than 1.0. The analysis of the project determined the BCR was less than 1.0. As such, USACE informed the City that the project could not compete for funding after Hurricane Ike.

Because of the USACE determination following Hurricane Ike, the City reached out to the Federal Emergency Management Agency (FEMA) for funding to repair the damages from Hurricane Harvey. However, since Packery Channel was thought to be eligible under the USACE RIP, FEMA informed the City that the project was not eligible for assistance from FEMA due to duplicative authority with the USACE.

On May 25, 2021, USACE issued a final determination that the jetties and associated structures were primarily built for channel alignment, protection against shoreline erosion, and for the benefit of fish and wildlife, which are not project purposes eligible for funding under the P.L. 84-99 (RIP). USACE further determined the Flood Risk Management (FRM) benefits are incidental to the project since the benefits result from placement of maintenance dredge material along the beach. As such, the proposed repairs to Packery Channel were determined not to be eligible for rehabilitation assistance under P.L. 84-99 (RIP).

The City is now working with FEMA to obtain funding to restore Packery Channel from the damages received four years ago from Hurricane Harvey. It took more than 3 years to resolve the confusion between USACE and FEMA. Staff recommends that The City seek to codify the USACE determination by modifying the WRDA 99 authorization for Packery Channel to remove Flood Risk Management as a project purpose. This application is the first step to be included in the 2022 Report to Congress on Future Water Resources Development.

ALTERNATIVES:

The council can pass the resolution supporting the Section 7001 application, or Council can choose to take no action at this time.

FINANCIAL IMPACT: There is no financial impact to the city

RECOMMENDATION:

Staff recommends passage of this resolution to begin the process of removing Flood Risk Management as a project purpose. This would help eliminate confusion in the future and hopefully prevent the delay in funding for repairs that the City has experienced after Hurricane Harvey.

LIST OF SUPPORTING DOCUMENTS:

1. Council Resolution Supporting Packery Channel Purpose Change.
2. Packery Channel Section 7001 Application
3. Draft Congressional Support Letter – sent to Federal delegation
4. Section 7001 Proposal CC Mayor Supporting letter 8 26 2021