

## Meeting Minutes

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Subject	Battleship Texas Section 106 Consultation Meeting		
Location	AECOM Houston Office		
Date	June 6, 2012		

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PARTICIPANTS: See attached Sign-in Sheet

### List of Acronyms

ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effects
BTF	Battleship Texas Foundation
CP	Consulting Party
CWA	Coastal Water Authority
LBB	Legislative Budget Board
NAVSEA	Naval Sea Systems Command
NHL	National Historic Landmark
NPS	National Park Service
PA	Programmatic Agreement
SJBC	San Jacinto Battleground Conservancy
SJHAB	San Jacinto Historical Advisory Board
SJMHA	San Jacinto Museum of History Association
THC	Texas Historical Commission
TNA	Texas Navy Association
TPWD	Texas Parks and Wildlife Department

### PROJECT UPDATE

- ACHP, NPS American Battlefields Program, and NPS National Historic Landmarks Program are new participants in the Section 106 process.
- ACHP participated in this meeting by phone.
- Minutes from 3/6/12 CP meeting finalized and posted to the project website

## FIELDWORK REPORT

- AECOM discussed the fieldwork undertaken on May 9th and 10th to assess the visibility of the USS TEXAS from key points within the APE.
- Included points both within and outside park boundary.
- Focused on views from historically significant locations.
- Shared series of photos illustrating views from these locations:
  - Battleship prominent in views from the Kirby Corporation property across Buffalo Bayou (photo 1).
  - Battleship generally obscured from SJBC property directly east of the park boundary due to vegetation (photo 2).
  - From Lynchburg Ferry, the Battleship is prominent above the trees, but is part of the larger industrial landscape (photo 3).
  - Battleship is barely visible from the Baytown Nature Center due to distance (photo 4).
  - From Tidal Road on the CWA property, the top of the battleship is visible above the trees (photo 5).
  - In views from the Peggy Lake area, battleship obscured by trees (photo 6).
  - Battleship not visible from the Oxy Chemicals property to the southwest of the park (photo 7).
  - Small portion of the battleship is visible from the CWA property southwest of the battleship (photo 8).
  - Battleship not visible from the edge of the De Zavala Cemetery within park (photo 9).
  - Portions of battleship are visible below tree canopy in views northeast from Brigham Monument (photo 10).
  - Battleship largely obscured by trees in views from the northwest corner of the Habermehl Cemetery (photo 11).
  - Battleship visible at the edge of the view along the axis of the Reflecting Pool (photo 12).
  - Battleship prominent in views from the top of the San Jacinto Monument (photo 13).
  - Battleship not visible from marker 16 (Santa Anna's Camp) due to topography and vegetation (photo 14).
- SJBC asked whether views would change if prairie is restored.
- TPWD indicated that certain views, particularly from points closer to the monument, would be altered if the battleground were restored to 1836 conditions.
- SJBC stated that they intend to restore their property directly east of the battleship to prairie; this would alter views.

- AECOM said that the San Jacinto Battlefield NHL boundary on the photo points exhibit had been changed to reflect the San Jacinto Battlefield NHL boundary as it was in 1975 (as documented in the 1974 Master Plan).

## DRY BERTH OPTION 5 STATUS REPORT

### Overview of Costs

- TPWD stated that studies have indicated ship repairs would cost approximately \$23 million.
- TPWD indicated that the dry berth under Option 5 would cost \$33 million.
- TPWD stated that they currently have approximately \$23 million available for the dry berth project.
- SJBC asked how much money had been spent to date.
- TPWD indicated that approximately \$2.5 million had been spent, and that they've spent all they can of the bond funding for this year; can't utilize additional bond funding until September 1.
- BTF commented that information on expenditures is provided each quarter to SJBC.

### Overview of 5/31/12 AECOM letter to TPWD regarding Option 5

- Letter from AECOM was provided by TPWD via email to CPs, and copies were available at the meeting. Full technical report on Option 5 will be delivered by AECOM, provided to CPs and posted on website.
- TNA asked when stress tests were done and why they weren't done before the other studies.
- TPWD said that Proceanic report said further studies were needed.
- TPWD stated that they had to model the sand before they could see how the ship interacts with it (for Option 5 only).
- BTF said the studies show the ship can be dry berthed; issue is cost.
- TNA stated that no report has been produced that shows that the battleship could be maintained in a dry berth --- potential issues with hydrostatic pressure; Admiral Seigenthaler had indicated that dry berthing was not possible.
- TNA asked how much money it would have cost to find out whether ship could handle a dry berth.
- NAVSEA stated that the group needs to focus on the fact that a permanent dry berth can't be pursued at this time due to funding; need to focus on what will be done going forward, to preserve the ship.
- SJBC referenced their letter dated 6/3/12 – tow to Galveston for dry-dock repairs and study options for a new permanent location or returning ship to existing site.

- TPWD stated that their Executive Office has concluded that they can't dry berth the battleship at this time, due to insufficient funding, and that they want to spend the remaining money on ship repair.
- TNA said that TPWD should undertake study to assess how long the repairs will last before taxpayer money is spent.
- TPWD said that they estimated that 95% of the repairs identified during as necessary for Option 5 would need to be done even if the ship is kept in the wet; Other repairs would need to be done if the ship were dry berthed, but those repairs had not yet been identified because the plan to date has been to dry berth the ship.
- SJBC asked whether repairs to the hull could be done in a wet berth.
- TPWD said that the ship is designed to be able to have water pumped out when there's a hole in the hull, and that repairs could be done in a wet berth.
- TPWD indicated that the point of the dry berth was that it would be less costly in the long term and allow repairs on TPWD's cycle.
- TNA asked whether there had been a safety analysis undertaken, and what would happen if one of the turbines fell through the deck.
- AECOM stated that a naval architect looked at flooding of various areas in Phase I study; they concluded that the draft of the ship would only increase by 4-5 feet based on the scenarios considered.
- TPWD indicated that the ship already sits on the bottom and thus that it can't sink; and monopiles would keep the ship from tipping over.
- TNA asked whether there is a plan for the repairs.
- TPWD stated that they don't have a firm plan in place, but they want to proceed with repairs in the most cost effective fashion; need to determine how to proceed contractually, and need to coordinate with the LBB regarding use of funding.
- Rep. Wayne Smith asked whether any of the \$23 million would be part of Option 5.
- TPWD said the repairs are separate from the dry berthing and that they have to be done before the ship could be put in a dry berth.
- SJBC asked whether \$23 million in repairs would be sufficient to satisfy NAVSEA.
- NAVSEA stated that that is a question for the owner and that if the ship wasn't safe it would have been closed.
- ACHP asked whether coffer dams would be needed to undertake the repairs.
- AECOM indicated that coffer dams may be needed.
- State Rep. Wayne Smith said that TPWD should spend the money on repairs and then raise money for the dry berth.

- SJBC asked whether the repairs would put the ship in towable condition; TPWD said not necessarily.
- SJBC said that TPWD only looked at dry berth, then only looked at Option 5, and now is only looking at repairs; should look at all options.
- NAVSEA pointed out that TPWD looked at reasonable solutions, including other locations – which were cost prohibitive, and alternatives were requested from CPS – none were provided.
- SJBC stated that the organizations in Galveston couldn't do a dry berth and that this was required by the criteria; as a result, they did not make a submission.
- NAVSEA stated that ship would not have to be moved to dry dock, that the repair of the USS Midway being was accomplished in place.
- TNA said that for \$200-300K, could do a towability analysis; this should be done in order to preserve the ship for another 100 years.

## Section 106 process and agreement document

- NAVSEA and TPWD indicated that the Section 106 process would continue in order to determine a long-term plan for the repairs.
- ACHP stated that the undertaking can't be authorized until the Section 106 process is complete – need PA.
- NAVSEA indicated that, based on the recent findings, the goal is to complete the Section 106 process with repairs alone; if additional funds are made available in the future, such as for dry berth, then there would be a new undertaking.
- ACHP stated that if the decision is to change the undertaking, then the Section 106 process should be restarted.
- NAVSEA stated that there needs to be a comment period, but that the process does not need to be restarted.
- THC stated that NAVSEA shouldn't start one agreement document now and then do another later; instead, they should prepare a PA.
- THC said that NAVSEA may be able to state that the repairs would not result in an adverse effect, and an agreement document wouldn't be necessary.
- BTF said they don't want to be precluded from fundraising for a dry berth in the future.
- THC clarified that there hasn't been an effects determination yet – stated that there is the "potential" for an adverse effect.
- THC stated that if the repairs are in keeping with the Secretary of the Interior's Standards, then the repairs would not result in an adverse effect, but that it is possible that the repairs

- could constitute an adverse effect; an agreement document would allow the repairs to move forward.
- TPWD stated that there may be some repairs that could be cheaper if done in a way that does not meet the Secretary's Standards; thus, consultation needs to continue.
  - NAVSEA indicated that there is no MOA that states what repairs can be accomplished without consultation; thus, need to ensure that the repairs won't result in an adverse effect.
  - NAVSEA stated that if materials are replaced in kind, there should be no need for consultation; a PA would set up stipulations if the situation changes.
  - THC said that the PA could be drafted over a couple of months to encompass repairs over several years.
  - SJBC said that the first step should be to engage AECOM to do study to determine what repairs should be done.
  - TPWD said that they will not have a complete set of plans at the outset – until they get into repairs they may not know the full extent; will be iterative process.
  - BTF said that TPWD needs to start repairs soon; it will show the people of Texas and donors that they are moving forward to save the ship.
  - NAVSEA stated that the dry berth is no longer an option, per TPWD, and that the ship needs to be repaired; TPWD has made it clear that they want to use designated funds to accomplish repairs.
  - NAVSEA stated that they want to move forward with a PA; required signatories would be THC, NAVSEA and ACHP; others could sign as concurring parties.
  - TPWD stated that they want to make sure that the PA allows them to make repairs as they move through the process.
  - NAVSEA stated that the agreement document would be a "roadmap" for the repairs.
  - TPWD said that legislation states that the allocated state funds should be used for dry berth and repair.
  - TPWD stated that they would like to begin repairs in the new fiscal year (September 1) and thus they want to complete the PA by that date.
  - SJBC indicated that coffer dams, if used, could impact battleground – potential for underwater archaeology.
  - TPWD responded that that is why they will be keeping the Section 106 process open.

## ACTION ITEMS

- TPWD to confirm with LBB use of funding.
- TPWD will discuss with AECOM how to move forward with ship repairs.

- NAVSEA to draft PA – will circulate internal draft in 15 days, and then circulate to CPs in 30 days.
- TPWD will send an email update to CPs on June 27<sup>th</sup>.
- Next CP meeting scheduled for July 18, 2012 – rep. from NAVSEA will be in attendance.
- TPWD will circulate the agenda in advance of the meeting.

**Battleship TEXAS Dry Berth Project**  
**Section 106 Meeting**  
**June 6, 2012**  
**Attendance Record**

Name	Organization	Present (in person: X; by phone: P)		
		6/6/2012	3/6/2012	1/26/2012
CAPT Chris Pietras	Naval Sea Systems Command (NAVSEA)	PIP	P*	X
Tuwana Cummings	NAVSEA	PHONE	P	X
Louise Dunford Brodnitz	Advisory Council on Historic Preservation	P		
Kristen McMasters	National Park Service			
Christine Whitacre	National Park Service			
Elizabeth Butman	Texas Historical Commission (THC)	P	P	X
Kristen Brown	THC			X
Mark Denton	THC	P	P	
Willie McWhorter	THC	P	P	
Amy Borgens	THC		P	
Kelly Little	THC	<del>X</del>		
Neil Thomas	TPWD	X	X	X
Justin Rhodes	TPWD	X	X	X
Michael Strutt	TPWD	X	X	X
Andy Smith	TPWD	X	X	X
Laura Russell	TPWD	X	X	X
Russ Kuykendall	TPWD	X	X	X
Travis Davis	TPWD	X	X	X
Ruth Mathews	TPWD		X	X
Winnie Trippet	TPWD		X	X
Andy Sipocz	TPWD			
Scott Triebes	TPWD	X		X
Brent Leisure	TPWD		X	
Bruce Bramlett	Battleship Texas Foundation	X	X	
Tony Gregory	Battleship Texas Foundation	X	X	X
Steven Howell	Battleship Texas Foundation			X
Chad Burke	Economic Alliance Houston Port Region			
Jeff Nilsson	Historic Naval Ships Association			
Garry McMahan	Port of Houston Authority	P		X
Jan DeVault	San Jacinto Battleground Conservancy	✓	X	X

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Name	Organization	Present (in person: X; by phone: P)		
		6/6/2012	3/6/2012	1/26/2012
Cecil Jones	San Jacinto Battleground Conservancy	✓		X
Casey Borowski	San Jacinto Historical District			X
Larry Spasic	San Jacinto Museum of History Association	P	X	
Nancy Burch	San Jacinto Museum of History Association San Jacinto Chapter DRT	✓	X	X
Ronald Brown	Sons of the Republic of Texas-San Jacinto Chapter/Texas Navy			X
Tammie Nielsen	State Representative-Ken Legler		X	X
Wayne Smith	State Representative	✓	X	X
Will Fisher	Texas Navy Association	✓		X
Jeff Dunn	Individual	✓	P	X
John R. Ward	Individual			
Leslie Barras	Individual			X
Trey Strake	San Jacinto Historical Advisory Board		X	
Jan DeVaet	SJBC	✓		
Stephanie Dyer-Carroll	AECOM	✓	X	X
Patty Matthews	AECOM	✓	X	X
Patricia Parmley	AECOM			X
Lori Baer	AECOM	✓		
Jerry Farhat	AECOM	✓		
Joe Klein	AECOM	P*		
Calvin M... ..	SJ Hist. Adv. Board	✓		
Jimmy Burke	BTF / Historical Advisory	✓		

★• Attended part of meeting