



March 18, 2025

RE: HB 1089 (Paul) – HB 1089

Chair Harris, Vice-Chair Martinez and House Natural Resources Committee members,

Bayou City Waterkeeper submits these comments to HB1089, which proposes the establishment of a gulf coast protection account. This account is intended to support the Gulf Coast Protection District's role in funding Texas' 35% cost-share obligation toward projects outlined in the Coastal Texas Study.

We have concerns that HB 1089 could divert critical funding away from proven coastal protection projects, and the bill lacks sufficient safeguards to ensure equitable distribution of funds to vulnerable coastal communities.

First, these funds are intended to support Texas in fulfilling its 35% cost share of the Coastal Texas Study. To date, however, Congress has only contributed a nominal amount at only \$500,000 (out of more than \$30 billion) and also rejected opportunities to further fund the project. See Adam Zuvanich, "Ike Dike project secures initial federal funding, albeit fraction of needed amount," Houston Public Media (May 22, 2024) (explaining Congress' 2024 appropriation of \$500,000 and 2023 refusal to appropriate \$100 million toward the Coastal Texas Study),

<https://www.houstonpublicmedia.org/articles/news/energy-environment/2024/05/22/488366/ike-dike-project-secures-initial-federal-funding-albeit-fraction-of-needed-amount/>. Meanwhile Texas has disproportionately appropriated \$950 million for the Coastal Texas Study/Project. Adam Zuvanich, "Ike Dike work closer to starting after \$550 million appropriation from Texas Legislature," Houston Public Media (explaining Texas' appropriation of \$400 million and \$550 million in 2023 toward the Coastal Texas Study projects)

<https://www.houstonpublicmedia.org/articles/news/energy-environment/2023/06/22/455014/ike-dike-texas-legislature-550-million-appropriation/>. Texas should not contribute anything further toward its 35% cost-share, while Congress' commitment to funding its 65% cost-share is uncertain. This discrepancy underlines the need to proceed with caution and not overcommit resources to a project that depends on federal support that shows no signs of coming.

Second, the proposed structure of the account may lead to bureaucratic delays and hinder timely response to coastal threats. We believe creating this account would ultimately undermine the intent and use of various funding sources administered by GLO for ongoing coastal restoration priorities. These coastal restoration funding programs currently administered by Texas General Land Office ensure that urgently needed projects identified by coastal stakeholders and included in the Texas Coastal Resiliency Master Plan can move forward in a timely manner. Many of these projects are nature-based, meaning that they shore up coastal environments by incorporating natural features or mimicking natural systems to not only provide protection and storm defense, but also result in co-benefits like enhanced water quality and fish and wildlife habitat.

More specifically, we are concerned about the potential interpretation of the term "grants" in the bill - Section 31.070 (b)(1). Without clear exclusions, vital funding sources currently

administered by the GLO could be diverted to this account, potentially delaying or halting important projects that protect communities, restore ecosystems, and provide habitat for wildlife. These funding sources include: Gulf of Mexico Energy Security Act (GOMESA) funds; Coastal Erosion Planning and Response Act (CEPRA) funds; Deepwater Horizon oil spill settlement funds; and Coastal Management Program (CMP) grants. These funds play a critical role in addressing coastal erosion, enhancing resilience, and supporting sustainable development along Texas' treasured Gulf Coast. Diverting these funds to sit idle in the gulf coast protection account would undermine ongoing efforts to protect our coast and communities.

Absent further amendments to the bill's language, this bill should not move forward. We urge the committee to amend HB1089 to include stronger provisions for community input, scientific oversight, and long-term coastal protection and further recommend the following changes, at a minimum:

- Adjust deposits to the account to match federal funds received. No money should be deposited to this account until further federal funding is appropriated.
- Clarification on the types of grants that can be accepted into the gulf coast protection account.
- Exclusion of GOMESA, CEPRA, Deepwater Horizon oil spill settlement funds, and CMP grants from being diverted to this account.
- Establishment of legislative intent to ensure these existing funding sources continue to be deployed for their intended purposes.

Last, we support GLO's effort to implement the eight ecosystem restoration projects as part of the Coastal Texas Study/Project and would support any additional state funding made available for these projects.

Sincerely,

Kristen Schlemmer, Sr. Legal Director & Waterkeeper
Guadalupe Fernandez, Policy & Partnerships Manager
Bayou City Waterkeeper
4900 Travis Street
Houston Texas 77002
713-364-6323
kristen@bayoucitywaterkeeper.org
guadalupe@bayoucitywaterkeeper.org