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Lone Star Chapter

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March 12, 2019

TO: Chairman John Cyrier and Members of the Committee

RE: House Bill 1422 - Comments to the Culture Recreation, and Tourism House Committee

Summary

While there are elements of HB 1422 that the Lone Star Chapter of the Sierra Club supports, such as the Texas Heritage Trails program, we strongly disagree with the proposed transfer of four of the state park properties from management by the Texas Parks and Wildlife Department to the Texas Historical Commission. We recognize that the Sunset Review of the Texas Historical Commission concluded with the recommendation that eight state park properties be transferred. **The Lone Star Chapter opposes four of the transfers because it would not be in the best interests of the natural resources or public security.** The **San Jacinto Battleground**, at 1,200 acres, has significant coastal prairie and tidal marsh that requires natural resource expertise in restoration and management. **Monument Hill and Kreische Brewery State Historical Park**, at 40 acres, contains riparian and pocket prairie habitat requiring appropriate management. **Washington-on-the-Brazos**, at 295 acres, contains 80 acres suitable for prairie restoration. The **Battleship Texas**, which is berthed at the San Jacinto Battleground, has benefited from the strong staff knowledge base in ship maintenance and restoration from both the local and Austin staff of TPWD.

Then there is the issue of public security, as it particularly applies to San Jacinto Battleground and Monument Hill. Both parks are patrolled by Texas State Park police and their number increases on major event days at the parks. In particular, about 5,000 people go to San Jacinto Battleground at Easter and thousands more attend the battle re-enactment in April. Park police play a major role in ensuring public order and safety.

Mission of the Texas Historical Commission Does Not Include Natural Resource Management and Restoration

The mission of the THC is stated: "**Mission:** The **mission** of the **Texas Historical Commission** is to protect and preserve the state's **historic** and prehistoric resources for the use, education, enjoyment, and economic benefit of present and future generations." (June 6, 2016)

This mission is important, but it is noteworthy that its mission does not include the protection and preservation of the state's **natural resources**.

Compare the mission of the THC to that of the Texas Parks and Wildlife Department (TPWD): "To manage and conserve the natural and cultural resources of **Texas** and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations"

TPWD's mission **does** include the management and conservation of the natural resources, as well as the cultural resources. This distinction in mission is particularly acute when applied to state properties that embody a substantial natural resource element. For example, the staff expertise and experience to manage the Fulton Mansion (a THC property) is vastly different from that required to restore and manage the 1200-acre San Jacinto Battleground.

On Page 10 of the THC's Agency Strategic Plan (FY 2017-21), the main **Functions** of the THC are enumerated as encompassing Architectural assistance, Archaeological heritage protection,

Courthouse preservation, Historic site interpretation, Development assistance to public, private, and non-profit entities, Evaluate and interpret historic resources, and Indirect administration.

None of the main functions of the THC relate to natural resources.

On Pages 23 and 24 of the THC's Strategic Plan, the **Objectives** of the agency are "to encourage the preservation and protection of historic and archaeological properties" and "to encourage economic development, tourism, and heritage education through historic places" **While the objectives are in perfect alignment with the mission of the THC, again there is no attention to the preservation or protection (or restoration) of natural resources.**

On Page 24 of the THC's Strategic Plan, the **Outcome Measures** are listed as: Number of properties designate annually, Number of Section 106 and Antiquities Code reviews, Number of individuals provided training and assistance in historic and archaeological preservation, Percent of courthouses fully restored or rehabilitated, Private dollars invested through the Federal Tax Incentives Program, Private dollars reinvested in buildings by the Texas Historic Tax Credit program, and Number of archaeological publications distributed. **There is no mention of natural resource restoration and preservation or people trained in invasive species management or miles of nature trails interpreted.**

An agency will ensure that its employees are hired and trained with appropriate skillsets to accomplish the mission of the agency. When an agency lists those skills, it essentially announces the kind of work that the agency thinks is important. On Page 47 of the THC's Strategic Plan, the **Workforce Skills** for THC staff are listed as having knowledge of the following: Texas history, Historic architecture, Preservation techniques, Archaeology practices, Economic development principles and tools, Historic site maintenance and operations, Interior design, Heritage tourism, travel trends and behaviors, and trail region development, Zoning, preservation ordinances, and incentives, Graphic design and production, Communications and public relations, Web and mobile development and maintenance, State and federal environmental review processes and standards, Agency budget, state accounting, purchasing, and financial reporting, and Human resource procedures and applications. All of these skills are vital and some are uniquely appropriate to carrying out the stated mission of the THC. **But none of these skills would enable staff to manage coastal prairie, wetlands, forest, or riparian ecosystems – or to interpret the natural resource for the public.**

On Page 48 of the THC's Strategic Plan, the **Future Workforce Skills Needed** list is presented. **Yet the only science listed is "computer science".**

Proposed Transfer of San Jacinto Battleground Would Have Negative Impacts

The site of the San Jacinto Battleground is approximately 1,200 acres, containing restored coastal prairie and tidal marsh and forested bottomlands. The San Jacinto Monument, which is essentially a museum, and the Battleship Texas are within the historic park site.

Since 1994, TPWD's goal has been to fulfill a landscape level vision for the park whereby a visitor could experience the Battleground setting as it would have appeared to the soldiers on April 21, 1836. This effort requires both active restoration and appropriate management of diverse coastal prairie, tidal marsh, and bottomland forest over the park's 1,200 acres. Here are some notable events in the restoration timeline:

1998 – Work begins to restore marsh in a divided 236-acre site using dredged fill. Slurry is pumped within containment levees. The area is seeded with smooth cordgrass. The area is monitored over time for compaction and re-vegetation. By 2004, Cell #1 (one-half the site) covers 102 acres. The "open water to emergent tidal marsh ratio is now at 36/64 rather than the optimal 50/50 ratio, however, this is still in the desired range of values according to recent research on juvenile fish and shellfish use of tidal marshes" [Source: San Jacinto Marsh Project: Project Success Assessment and Final Report, 2006]

2007 – TPWD partners with Shell/Motiva to plant 3,000 native trees along the marsh shoreline and on Goat Island on dredged sand and clay that was used to restore land lost to subsidence and erosion. A marsh viewing platform allows visitors to appreciate the restoration.

2012 and 2013 – With the help of multiple partners, specially modified combines harvest native prairie seed, both grasses and forbs (flowers) from Benoit Prairie Park in League City to restore 110 acres of coastal tallgrass prairie. Seeding of the Battleground is along Vista Road, where the public can view the process. Chinese tallow trees and other invasive species are cleared from the planting site prior to the planting.

2014 – TPWD partners with Shell Oil Co. and Apache Corporation to plant about 300 trees on four acres to serve as a screen between the Battleground and adjacent industrial complexes. Subsequent planting expands the acreage to seven acres.

2016 – TPWD recreates 101 acres of marsh that was present during the 1836 battle, but which was lost due to about 10 feet of subsidence. The marsh that was present in 1836 had transformed to open water, obliterating what were previously Santa Anna Bayou and its tributary Boggy Bayou. TPWD partnered with private industry to pump dredged material from a site five miles away to the Battleground restoration site within containment levees. The restored Boggy Bayou is surrounded by marsh, which allows visitors to understand the conditions experienced by the two armies on the day of the 1836 battle. There are significant wildlife and habitat advantages from the bayou and marsh restoration.

2017 – A prescribed burn is conducted by trained TPWD Wildlife Division and Parks Division staff at the San Jacinto Battleground, per a prescription burn plan created by TPWD staff and coordinated with local officials.

2019 – TPWD adds 23 acres to the Battleground through a donation from the San Jacinto Battleground Conservancy. The “new acres currently overlap with land targeted for a restoration project aimed at reclaiming about 20 acres of battleground lost to erosion. The new acquisition and the restored property will connect ...to Juan Seguin Park, a Harris County park at the northern tip of the peninsula.” [Source: January 31, 2019 Sealy News]

TPWD’s cooperative restoration work has been recognized from beyond the State of Texas. Atkins Global notified TPWD that the *Barbours Cut Expansion and San Jacinto Marsh Restoration* project was nominated for recognition at the 2018 Dredging and Port Construction awards, which have a global reach. At the November 2018 awards banquet in Amsterdam, the Battleground restoration project received top honors in the categories of **Environmental Port Project of the Year and Inland Dredging Project of the Year: Majors.**

As part of the stewardship of the natural resources of the Battleground, TPWD contracted with Dr. David J. Rosen to conduct a survey of vascular plants at the Battleground site during 2013-2014. His survey of the natural areas of the site “resulted in a checklist of 200 species of vascular plants representing 56 families and 145 genera. The four families with the most species were Asteraceae (28), Cyperaceae (19), Fabaceae (10), and Poaceae (37). Non native species accounted for only 9%.” [Source: Floristic Studies of San Jacinto Battleground State Historic Site, Harris County, Brazos Bend State Park, Fort Bend County, and the Follets Island Conservation Initiative, Brazoria County by D.J. Rosen] *Note that the family Poaceae with the greatest number of species is the family that encompasses the native grasses, which is linked to the extensive coastal prairie restoration work carried out by TPWD.*

As part of the continuing work by TPWD to inventory the natural resource assets at each of the sites it manages, another study was conducted by Eric L. Keith in 2014, the “Plant Community, Fuel Model, and Rare Species Assessment at San Jacinto Battleground State Historic Site in Harris County, Texas.” Per the report, the “study was conducted by the Texas Parks and Wildlife Department (TPWD) State Parks Natural Resources Program as part of a multi-year research project to acquire baseline data and conduct long-term monitoring of the natural

vegetation communities in all of the state parks. Data and information obtained from the studies are used to develop resource management plans that guide park staff in managing and restoring natural habitats.”

The science-based studies form the basis for TPWD biologists, prescription burn specialists, and site managers to restore and manage the natural assets of the San Jacinto Battleground. The Texas Historical Commission does not have the mission-driven interest or expertise to continue the work implemented by TPWD since 1994.

The San Jacinto Battleground site is close to Houston and perched on the rim of an industrial complex. It is a heavily visited park. State Park police are regularly assigned to the Battleground. At Easter, when about 5,000 people visit the park, TPWD assigns an additional four to six State Park police officers from the district. Their duties include crowd control, parking, and enforcing alcohol restrictions. On San Jacinto Day, there can be 10,000 people in the park. For that event, TPWD adds an additional seven officers and the City of Houston sends officers.

Since the Battleground is on the edge of a major petrochemical complex, there are TPWD safety officers who participate in regularly scheduled meetings with petrochemical industry representatives to prepare/review emergency safety and evacuation plans for the entire San Jacinto Battleground complex.

Transfer of Monument Hill and Kreishe Brewery State Historic Site Not Recommended

The Monument Hill site in Fayette County near La Grange, Texas is much smaller than the expansive San Jacinto Battleground, yet there is considerable ecological diversity within its 40.4-acre footprint. The 1990 “Summary of Representative Plant Communities” stated that, “The plant communities of Monument Hill/Kreishe Brewery State Historic Sites are a fascinating mix of the vegetation of the Post Oak Woodlands, the Edwards Plateau, and the Fayette Prairie and are of high regional significance. Plant species diversity is very high...”

The site overlooks the Colorado River and occupies a biological crossroads. “...Along the bluff, eastern plant and animal communities of the woodlands and prairie coexist with an isolated colony of western species ” [Source: <https://tpwd.texas.gov/state-parks/monument-hill-kreishe-brewery/nature>] Many places contain some species normally associated with limestone soils of the Edwards Plateau. Pocket prairies dominated by little bluestem are interspersed throughout the oak/cedar forest. A vascular plant checklist lists 319 species plus 30 species of grasses. TPWD manages the invasive plants on the site, such as Eastern red cedar and nandina, through manual cutting.

TPWD maintains a network of short walking trails on the site that explore the historic, scenic, and natural resources of the park. In 2007, TPWD opened 1.5 mile trail opened highlighting natural and historic resources and prepared an accompanying trail guide. The trail shows how the natural resources contributed to the human history of the site. One of the challenges of the park is managing water erosion, which is accentuated by the topography of the trails. Trails built on steep slopes require erosion control and stabilization. TPWD monitors park hydrology to protect the historic resources. It maintains the berms to direct water away from the Kreishe Brewery and down the road to the river. The process requires maintaining the culverts and cleaning settlement tanks of sediment.

The wildlife survey for the park references sightings for Fayette County. The County List for Rare Species, with respect to state-listed species, lists four species of threatened and two species of endangered birds, one species of threatened fish, four species of threatened mollusks, two species of threatened reptiles, and one species of East Texas orchid.

A State Parks peace officer patrols the park.

Washington-on-the-Brazos Best Managed by TPWD

Washington-on-the-Brazos has both significant historical education and natural resource elements. It is well-known for the Barrington Living History Farm within the highly developed portion of the park. However, the total park size is about 295 acres, much of it within the Brazos River floodplain and consequently containing bottomland forests. But there is also upland habitat in the northwest portion of the park containing native species and coastal live oak resembling the Gulf Coast Prairies and Marshes Ecoregion.

A March 2017 study by Eric L. Keith entitled “Plant Community, Fuel Model, and Rare Species Assessment at Washington-on-the-Brazos State Historic Site in Washington County, Texas” concluded: “While much of the park is located in the floodplain of the Brazos River, the northern and western sections possess deep sandy upland habitats with secondary successional coastal live oak woodlands and old fields. With introduction of prescribed fire, these upland areas primarily north of the man-made pond and associated drainage could present an interesting opportunity for coastal live oak savanna restoration.”

Two species of state-listed threatened mollusks have been identified within or close to the park.

Decision Point for The Battleship Texas

The Lone Star Chapter had commented in favor of the \$100 million exceptional item request by TPWD to dry berth the Battleship Texas, recognizing that the sum would be spent over about seven years. Piecemeal repairs, although costly, have not solved the ship’s issues and have only been stopgap measures. The ship represents a big slice of 20th century history and we urge the Legislature to fund its preservation.

We understand that the Legislature will be looking at the issue carefully. However, the present situation is that the Battleship Texas is in fragile condition and in need of constant monitoring. TPWD personnel have the greatest understanding and expertise in dealing with this marine “patient”, especially an awareness of the potential problems with the ship. Whatever the ultimate decision may be for the future of the Battleship Texas, it would be safest for the welfare of the ship for TPWD to maintain its vigilance over the ship at this time.

Conclusion

The Lone Star Chapter Sierra Club respectfully urges that HB 1422 as introduced be amended to exclude the transfer of the San Jacinto Battleground, Monument Hill and Kreische Brewery, Washington-on-the-Brazos, and the Battleship Texas from Texas Parks and Wildlife Department to the Texas Historical Commission. Our recommendation is based upon a comparison of agency capabilities and dedication with respect to natural resource restoration and management, as well as the capacity to ensure security at two of the sites. The Battleship Texas is a special case and its condition would be more safely monitored by TPWD, which has been its long-term caretaker.

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