

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS

Asked During La Porte and Shoreacres Community and City Meetings

BAYPORT CHANNEL NORTH SHORE QUESTIONS

- 1. What are the long-range plans of the port authority for the north shore of Bayport?**
 - The port authority does not have any plans for terminal improvements on the north shore of Bayport. The port authority may develop a landscape plan in consultation with the cities of La Porte and Shoreacres to add trees and shrubs to the north shore.

- 2. Are there plans for a container ship operation on the north shore?**
 - The port authority does not have any plans for a container ship operation on the north shore of Bayport. The Bayport Channel is not wide enough to allow ships to safely operate on both shores.

- 3. Does the port authority need to buy out homes on the north shore of Bayport to meet Homeland Security requirements?**
 - The Department of Homeland Security and the U.S. Coast Guard do not currently require security measures for the north shore of Bayport. The port authority does maintain a fence for its property on the north shore, but that is not a Homeland Security requirement.

- 4. Some barge tows parked on the north shore of the Bayport Channel. Has this stopped?**
 - The port authority has contacted the proper officials with the barge/tow industry, and as a result, a communication was sent to the members of the Gulf Intracoastal Canal Association by the executive director of the GICA asking member companies to stop the practice of pushing into the north shore bank of Bayport. The GICA's membership makes up a majority of the barge/tow industry in the Gulf of Mexico. The port authority will continue to work with the GICA to monitor the situation. Additionally, the port authority will place signs onshore from the eastern portion of the north shore to Old State Highway 146, discouraging parking or pushing into shore.

- 5. Could the port authority construct a jetty from the north shore of the Bayport Channel out into Galveston Bay to assist with erosion control?**
 - This project would need to be built in conjunction with the U.S. Army Corps of Engineers. The port authority can provide assistance during the process, which is a lengthy one before we can provide a response.

- 6. How can the port authority help ensure that its new facility does not affect the value of my home when I go to sell it?**
 - The idea of the direct support of property values has been presented to the cities of La Porte and Shoreacres by some citizens for potential consideration. The port authority is taking other steps to minimize the potential effect of Bayport development on north shore residents and will continue to do so.

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS

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7. What are the plans for the maintenance and mowing of the Exxon Pipeline easement and the port authority property on the north shore?

- Exxon mows its pipeline easement twice per year. This year, the summer mowing was delayed due to the inclement weather. The easement has now been mowed. For the port authority property, the major issue is what to do with the existing stands of tallow trees, which are an invasive species that is not native to the area. Some residents seek removal of the trees; others are against it. In addition to the future landscaping plan that the port authority may develop with the cities of La Porte and Shoreacres, in 2001, the port authority spent hundreds of thousands of dollars planting indigenous trees and plants on the north shore as part of the shoreline stabilization effort. Although these trees and plants make it difficult to mow the north shore, the growth will serve as an aesthetically pleasing buffer between the terminal and the community.

8. What is the port authority planning to do to be a good neighbor?

- Among many other community initiatives, the port authority actively participates in the Seashore Community Advisory Panel (SEACAP), which includes representatives from Shoreacres and La Porte. The port authority actively participated with advisory groups before the terminal was permitted, years before it was built. The port authority continues to address matters through SEACAP. The port authority's immediate plan is to work with elected officials of the cities, listen to community concerns and gather information so the port authority can contemplate actions based on an understanding of all considerations. The port authority strives to be a good neighbor by working with the cities to look for opportunities for community and industry solutions that are mutually beneficial. If the port authority were to act unilaterally and not take input from the stakeholders who are involved, then it would not be very effective nor would it be a good neighbor.

SECURITY QUESTIONS

9. Currently, the Bayport Channel has two zones: the southern half of the channel is a security-restricted zone and the northern portion of the channel is open for public access. Are there plans to make the entire channel a security-restricted zone?

- The U.S. Coast Guard is the lead agency in determining security-restricted zones for all navigation channels. For instance, the Barbours Cut Channel is a security-restricted zone with no public access. Several of the companies that use the Bayport Channel have made informal requests for the channel to be classified as a security-restricted zone for both homeland security reasons and for the safety of the public. The port authority has not taken a formal position on the request.

10. Who has jurisdiction for complaints in the Bayport Channel?

- The U.S. Coast Guard is the lead agency for federal navigation channels, including the Bayport Channel.

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS

Asked During La Porte and Shoreacres Community and City Meetings

11. Is there a danger of a Texas City-style explosion on a ship at the Bayport Channel that could threaten the La Porte/Shoreacres neighborhoods?

- The Texas City explosion in 1947 was caused by fertilizer aboard a bulk freighter. The port authority's Bayport Container Terminal and Cruise Complex is not envisioned to be a bulk materials or general cargo docking facility that could handle such commodities. Additionally, improvements in shipping safety since the 1947 disaster have been required internationally by the International Maritime Organization and nationally through the U.S. Coast Guard and other federal agencies. These improvements minimize the risk of ship explosion or other accidents.

12. Who has police jurisdiction for sound complaints at the Bayport Container Terminal?

- The Bayport Container Terminal is in the corporate boundaries of the city of Pasadena. Both the port authority Police Department and the Pasadena Police Departments have jurisdiction at the Bayport Container Terminal.

13. What is the best way to register a concern about sound?

- The port authority operates a 24/7 Good Neighbor Hotline for registering all concerns, especially regarding sound. If a person registers a concern and includes the time and a description of the sound and its source, the port authority can respond and address the matter. The port authority will include the relevant information, including the jurisdictional matters, on the next postcard communication to the neighborhoods.

14. What are the Bayport hurricane plans and procedures? Especially at buildout, what happens if there's a category four hurricane that comes into Galveston Bay?

- Our hurricane preparedness plan for the Bayport terminal is published on our Web site at <http://www.portofhouston.com/pdf/maritime/bayport/STRMPREP.pdf>. We have a plan for Barbours Cut Terminal as well. This plan addresses procedures under all circumstances.
- In general, we begin before hurricane season by reviewing lessons learned from previous seasons and experiences from other ports and adjust our plan as necessary. We also learn from drills and exercises on how to improve our plan and its implementation. We work with partner agencies, including the Houston Pilots, federal, state and local governments, the U.S. Coast Guard, industry, our customers, the community and other groups, to prepare for a storm and execute the plan in the event a storm threatens the region. As things change and new opportunities or new issues are presented, the plan adjusts to it. The port authority is concerned about the well-being of its employees, customers and the community near the port and our hurricane plan is designed to minimize risk.

15. Were containers stacked five high prior to Hurricane Katrina, and if so, what were the results?

- At the time, all containers were block stacked or stacked down where possible. There were some empty containers that were stacked five high in private empty yards at Barbours Cut and four high at the public terminal. Our container stacks were not affected by Hurricane Rita.

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS Asked During La Porte and Shoreacres Community and City Meetings

16. Does the Port control incoming ships, trucks and rail traffic prior to potential hurricanes?

- The status of the storm is constantly monitored. If and when the circumstances dictate, cargo operations are suspended and vessels are directed away from Houston. This procedure is controlled by the U.S. Coast Guard, and regulated under strict, predetermined timelines. The port authority's hurricane plans tie into regional efforts by federal, state and local governments, local industry, the rail preparedness plan and other plans, to make a unified and comprehensive plan to address the port industry.

17. Were trucks and containers pushed into residential neighborhoods during Hurricanes Katrina or Rita?

- The port authority and the region were fortunate to avoid the devastating impact of Rita in 2005. Our plan orderly shut down the port on a scheduled timeline.

18. Did container storage lots prepare adequately for Rita?

- Our area was fortunate not to be hit directly by the storm in 2005. To our knowledge, the private storage yards prepared for both Hurricanes Katrina and Rita by following their hurricane plans.

19. Did containers and/or trucks cause problems for rescue vehicles?

- Not that we are aware of, since the Port of Houston had ceased operations in advance of the landfall of Hurricane Rita.

20. Were railcars a problem in either rescue attempts or evacuation?

- We are not aware of any circumstances where railcars inhibited rescue attempts or evacuations. However, on a related topic, the port authority has taken an active role with the Texas Department of Transportation, various cities, the regional counties and the new Gulf Coast Freight Rail District to improve freight rail transportation.

ENVIRONMENTAL/AIR QUALITY/STORM WATER QUESTIONS

21. What can the port authority do about air quality and reducing emissions from Bayport?

- Since January 2007, the port authority's Clean Fleet Policy Program has been in place at the Bayport Container Terminal and Cruise Complex. This program promotes accelerated fleet turnover in cargo-handling equipment. The program allows for each user/tenant to replace or retrofit older equipment to meet cleaner standards in a phased-in approach over five years. At Bayport, the user made an operational commitment to operate with new, clean equipment, meeting EPA Tier 2 standards from the start. This program is still in its infancy; however, positive results have encouraged this program's implementation to begin at Barbours Cut Container Terminal in 2008 and other PHA facilities shortly after. This program mandates a faster, cleaner result than federal standards currently in place.
- The port authority has a Clean Contractor Program at Bayport, which is recognized by the EPA and included as part of its outreach efforts to contractors nationally. The

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS Asked During La Porte and Shoreacres Community and City Meetings

- port authority's procurement process favorably evaluates contractors proposing clean air measures.
- The port authority is implementing a new clean equipment requirement at Bayport to reduce NOx and PM emissions through the use of cleaner engines and fuels.
 - The Bayport Container Terminal and Cruise Complex has been designed and is being constructed with conduits in place for future shore power capabilities, and enough power capacity to allow shore power alternatives when ship designs permit alternative shore power.
 - Since mid-2004, the port authority has had air quality monitors on both sides of the Bayport terminal, to meet our permit requirements for construction. These air quality monitors measure particulate matter 2.5 microns in size and smaller, which generally includes fine dust and diesel particles generated from construction activities. To date, the upwind and the downwind monitors read well below the National Ambient Air Quality Standard for PM 2.5. There is also a nearby TCEQ collection monitor at Friendship Park, and these data do not show a noticeable difference from the monitoring data collected at the terminal.
 - An update on the monitoring data and other permit matters is being provided to the community through the cities in a report that the port authority prepares and submits periodically. Those reports are available at the respective City Halls.

22. The Port of Los Angeles has something it calls, "No new increase in air emissions." Has the port authority looked into such programs?

- Air quality is probably one of the most important matters for the Houston region over the next decade. In preparing its programs for improving air quality, the port authority has looked to many other ports in the country, including Los Angeles. The port authority has concluded that we already have one of the most aggressive programs to reduce air emissions in the country. The port authority's award-winning performance has been recognized by its peers, the EPA and the TCEQ. The port authority, in most areas, is far ahead of the plans and promises of other ports in reducing air emission impacts, and the port authority will continue to be a leader in this regard.
- The port authority has significantly reduced its direct emissions by installing new, cleaner engines in our cranes and yard tractors, experimenting with new technology such as diesel emulsion fuels and selective catalytic converters, buying ultra-low and low-emission vehicles for our on-road fleet, and assisting our tenants with applying for TERP grants to reduce their emissions.
- The port authority was the first port to implement an Environmental Management System that meets the rigorous international ISO 14001 EMS standard, and we have continued our commitment to cleaner air by again enrolling in the EPA's Environmental Performance Track Program. The port authority, which is considered a leader in reducing emissions, is constantly working with the EPA, TCEQ, local governments, industry and international organizations and ports on new strategies to reduce emissions of port operations.

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS

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- The port authority was the first port in the United States to conduct a vessel emissions inventory, to establish a baseline for comparison, and is presently updating its inventory. Many of our programs have been copied by ports around the world.
- Ports often share their information and data on emission strategies; however, some items do not translate well from one port to another. For instance, the California plan touts a provision to ask ships to slow to 12 knots as they enter the port. The Port of Houston has over 7,000 vessel calls each year and all of them already travel at 12 knots or less to navigate the Houston Ship Channel.

23. Has the port authority considered shore power for the ships docked at Bayport like the Port of Los Angeles?

- As mentioned above, the Bayport Container Terminal and Cruise Complex has been designed and is being constructed with conduits in place for future shore power capabilities and enough power capacity to its docks to allow shore power alternatives in the future if the steamship lines begin deploying ships that allow alternative shore power.
- The port authority has closely followed the air quality programs in California and around the world to look for opportunities to reduce our emission impacts. The Port of Los Angeles has paid for a shore power mitigation measure as part of a lawsuit settlement. In 2005, this shore power project saved 37 tons of NO_x, but at a cost of \$216,000 per ton, even when figuring in only the landside costs. This is not a feasible cost-benefit ratio for reducing air emissions: The TCEQ's Texas Emission Reduction Program (TERP), for example, generally requires that the cost per ton be below \$5,000 before it awards a grant. Additionally, this approach requires retrofitting container vessels, which is another expensive proposition; for example, the China Shipping vessels involved in the Los Angeles program were retrofitted for upwards of \$320,000 per vessel. Finally, ships being constructed worldwide are using cleaner burning engines, which means shore power will reduce fewer tons -- further increasing the cost per ton.
- Another issue is the lack of a standard connection paradigm for shore power. Connecting a large container vessel is more complicated than just plugging it into the dock. An international standard is needed to ensure all future shore power facilities are compatible. The port authority is supporting the work that has been done with the International Standards Organization (ISO) to develop a standard connection protocol.

24. What happened to the wildlife at the Bayport site before construction began?

- The port authority has worked with the Texas Department of Parks and Wildlife on wildlife questions. The port authority hired professional trappers to remove as many of the feral hogs as possible from the property before construction began. Additionally, deer have migrated to undeveloped areas in the vicinity of Bayport.

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS

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25. What can the port authority do to reduce emission impacts from trucks and ships at the Bayport Terminal?

- Strategies involving ships or trucks are difficult because these mobile source transportation modes are preempted from regulation by local or state governments. However, aside from its efforts mentioned above, the port authority has worked with international and American ports through the International Association of Ports and Harbors and the American Association of Port Authorities to support the International Maritime Organization Annex VI to reduce emissions from ships internationally. The U.S. Senate has already ratified Annex VI. For the trucking industry, the port authority has been working with the Texas Commission on Environmental Quality on some innovative practices and solutions that could reduce diesel emissions from trucks at Bayport.

26. What has the port authority done about light pollution from the Bayport Terminal?

- The port authority challenged lighting manufacturers to design lighting systems that would reduce light exposure outside of the terminal. The port authority used its Barbour's Cut Container Terminal as a test facility for these systems. After several systems were tested, the port authority chose a lighting system with black light poles and specially designed fixtures to limit night-time impacts from terminal operations. Additionally, the port authority had its ship-to-shore cranes painted black to reduce reflected light from the cranes at night. The port authority received comments on its Good Neighbor Hotline that residents saw the ship-to-shore cranes with the boom up and the lights on when there was not a ship at the dock. The port authority responded by implementing a procedure to simply turn the lights off when the cranes are not in use at night. The port authority will continue to seek opportunities to improve light mitigation.

DREDGING

27. What can be done about the sound of dredging at the Bayport Channel?

- Recently, the U.S. Army Corps of Engineers completed a maintenance cycle on the Bayport federal navigation channel. This periodic dredging is necessary to maintain the authorized depth of the channel, which was first dredged in 1964. The equipment has unusual sound characteristics, which have now ended.
- The port authority will ask the Corps and our dredging contractors to see if technology or alternative work methods and practices can be used to reduce the sounds produced by the dredges on the Bayport Channel.

28. When will the U.S. Army Corps of Engineers return to the Bayport Channel for another maintenance cycle?

- The U.S. Army Corps of Engineers will dredge the Bayport Channel as it is needed to maintain the authorized depth of the channel. Many factors can impact the dredging schedule, such as storms, drought and other unforeseen events. The Corps has historically dredged the channel every two to three years.

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS

Asked During La Porte and Shoreacres Community and City Meetings

SOUNDS/VIBRATIONS

29. Can the hours of operation of the container terminal be limited to exclude night hours? Is the port authority in compliance with its U.S. Army Corps of Engineers Permit on operational hours?

- The port authority does meet all FEIS permit requirements. Major container terminals around the world operate on a 24-hour/seven-day-a-week schedule because this is a capital-intensive business with small margins on shipments. If the Bayport Terminal were limited to certain hours of operations for ship unloading and loading, it would make the terminal noncompetitive and nonviable.
- The port authority's Bayport Container Terminal and Cruise Complex construction project complies with all conditions of the U.S. Army permit. The permit does not include Bayport operations.

30. What has the port authority done to dampen or reduce the sounds associated with the unloading and loading of containers?

- The port authority has been working with the International Longshoremen's Association on training and education for the crane operators, to reduce the sound of operations. The ship-to-shore cranes already have numerous features to reduce sound, including innovative backup safety alarms with air-pressured alerts that "swish," instead of whistling or beeping. The all-electric dockside cranes have been engineered to meet OSHA sound limits for operators. They are among the quietest cranes made, because of the special configuration ordered by the port authority to minimize sound impacts to the community. All of the dockside cranes will be electric, which considerably reduces operational sounds.

31. Has the port authority investigated reports of vibrations?

- The port authority has hired acoustical engineers to study ground-borne vibrations. That study has been completed; experts found no significant ground-borne vibrations. The acoustical engineers used both operating room and residential ANSI standards for ground-borne vibrations in their work. The port authority will continue monitoring and will work with the acoustical engineers and the cities to identify other potential bases for vibration reports.

32. Has the port authority investigated reports of damage to foundations?

- In the opinion of the port authority's consultants, there is no correlation between the Bayport Terminal activity and local foundation conditions. There are other factors at play on foundations – for example, subsidence, alternating drought and rain cycles, age and construction techniques.

33. How has the port authority mitigated the loudspeaker sounds from the terminal?

- Port authority staff has investigated this matter, and attributes much of the loudspeaker sound to tugs boats, construction equipment, ships and other sources. The port authority is taking steps to help control man-made sounds within its control, such as on-site radios. Residents can help us continue our work by calling the Good Neighbor Hotline with an approximate time of day of the sound and a description of the source.

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS

Asked During La Porte and Shoreacres Community and City Meetings

34. Has the port authority investigated a sound-insulation program on the north shore, to reduce the level of outside sounds heard inside a home?

- The port authority has begun work on this as a pilot program. The port authority anticipates that the cities of La Porte and Shoreacres will offer the opportunity to 12 selected homes in their cities to have sound-mitigation measures tested on their homes. The program would be loosely modeled on existing sound-mitigation programs and use pre- and post-mitigation acoustical measurements to test the effectiveness of the mitigation.

35. Can the port authority delay the delivery of additional cranes until a noise solution is implemented?

- The port authority is constantly working to reduce sounds at the terminal. The ship-to-shore cranes are very quiet: all 21 cranes expected at buildout will be electric and will include the latest in sound reducing technology. The next two ship-to-shore cranes arrived on August 3, 2007. The next three cranes are expected to be delivered in 2009. Changing this delivery schedule will not materially affect the sounds at Bayport.

36. Is a sound wall or earthen berm still under consideration for the north shore to reduce sound?

- A wall or berm would have limited effectiveness, due to its distance from the sound sources and from homes and other factors. Because of this, it is expected that the cities will indicate to the port authority that this option is no longer under consideration for sound mitigation. The cities and the port authority will consider other related measures for that area of the north shore, including a landscaping plan.

37. Has the port authority considered changes to its Good Neighbor Hotline program?

- The Good Neighbor Hotline is a way for the community to contact the proper personnel to respond to concerns. The port authority responds as quickly as possible to complaints recorded on the hotline. It is not effective for the port authority to answer the phone in person because it requires some time to investigate and consult with many staff persons to answer questions about the terminal. The port authority will continue reviewing its procedures and methods of answering comments. Citizens can assist by providing detailed information about the complaint, including time and a detail explanation of the issue.

BAYPORT INFRASTRUCTURE QUESTIONS

38. When will the port authority go to the voters for the next bond issue for Bayport?

- The Port Commission has approved a proposal for county consideration for a bond program to assist in funding the capital needs for the port authority, including security, environmental and transportation projects. These bond funds will be used to expand Bayport and can be used for other security, environmental and transportation improvement projects associated with port authority facilities. Harris County Commissioners Court will consider the overall county program in late August 2007, and it would go to the voters in November 2007.

BAYPORT FREQUENTLY ASKED QUESTIONS AND ANSWERS

Asked During La Porte and Shoreacres Community and City Meetings

39. Where will the parking lots for the cruise terminal be located?

- Cruise terminal one parking is being planned to open with 800 parking spaces in a secured parking lot to be expanded later to 1,000 spaces. This area is immediately west of the new Bayport cruise terminal buildings. In addition, drop-off parking for cars and buses will be next to the terminal building. Covered walkways lead from the terminal building to the parking areas.

40. The Bayport master plan calls for 21 cranes to eventually be installed on the Bayport Channel. When will the 21st crane be installed and how close will the cranes be to the cruise ship terminal?

- Bayport will be built in phases as market demand dictates. Installation of the last crane is due to coincide with completion of the final phase of the facility. Right now, Bayport is scheduled for buildout by 2021, but that date could change with changes in market demand. The cranes will be 700 feet away from the cruise terminal.
- Cranes will not sit in close proximity to the Cruise Complex. We have a drawing on our Web site that clearly outlines the container and cruise facilities at: <http://www.portofhouston.com/BayportTerminalProgress/index.html>.

41. Will the port authority build a Seaman's Church Center at Bayport?

- The Seaman's Church Centers provide services to visiting seamen that range from multi-denominational church services, Western Union, video rental, convenience items and a restaurant. While existing centers have been built on port authority-owned property, they are not operated by it. To our knowledge, there are not any current plans to build additional centers at Bayport or anywhere else near the Houston Ship Channel.