

CHAPTER 3 PUBLIC INVOLVEMENT

IDENTIFICATION OF PARTICIPANTS

The study team worked with the two MPOs to develop a list of potential stakeholders for the development of the NRHM route including local and county jurisdictions, state agencies, county agencies, federal agencies, shippers, brokers, trucking companies, truck drivers, port authorities, and emergency response agencies. All of the potential stakeholders from this initial identification process were invited to participate in the Stakeholder Advisory Committee for the study. In addition, those persons who responded to the initial invitation and those persons who attended the first Stakeholder Advisory Committee meeting were asked to recommend additional stakeholders. Anyone identified as a potential stakeholder throughout the study, was invited to participate in the Advisory Committee. When key stakeholders did not participate in the Advisory Committee hearings, members of the study team scheduled consultation hearings to gather their input into the process (See public involvement section for further details).

In addition, once a preliminary recommended route was identified, the study team used available Geographic Information System (GIS) resources to develop a 25-mile buffer around the route, and invited all jurisdictions within the buffer zone to subsequent Stakeholder Advisory Committee hearings.

ESTABLISHMENT OF OBJECTIVES

The initial objectives of the study were established by the sponsoring MPOs, however the final objectives used in determining the recommended NRHM route were developed and approved by the Stakeholder Advisory Committee. The roles and responsibilities of the various jurisdictions and public agencies were agreed upon, and a collaborative process was used to establish the objectives of the project. These objectives were:

- Develop and designate Truck and Non-radioactive Hazardous Cargo (NRHC) routes for Cameron County
- Reduce risks by selecting routes that minimize potential for incidents
- Minimize consequences to the residents of Cameron County should an incident occur

In addition to the route related objectives listed above, the following locally significant objectives were added:

- Focus on through movements rather than all of the hazardous materials movements in the area
- Provide access to the port of Harlingen and Port of Brownsville and the associated brokerage facilities
- Provide access to the international ports of entry at the Veterans International Bridge at Los Tomates and the Los Indios Bridge

CONSULTATION WITH AFFECTED JURISDICTIONS

In the State of Texas, the ordinances to implement the final recommended NRHM route must be adopted by the cities through which the route passes. Therefore, it was important that all of the cities that would potentially be affected by the NRHM route designation be involved in the planning and decision-making process. Therefore, the study team ensured that all of the cities within Cameron County as well as the cities within the 25-mile buffer zone of the route were involved in the study.

STAKEHOLDER ADVISORY COMMITTEE

The formation of a Stakeholder Advisory Committee to oversee the planning and decision-making process of the study was critical to the success of the project. The Stakeholder Advisory Committee was formed through an iterative process in which each successive invitee was asked to identify additional stakeholders for invitation to participate in the committee's work. Participating members of the committee consisted of 73 representatives of:

- The MPO staff
- Cameron County's local jurisdictions
- Emergency response providers
- Truckers
- Brokerage firms
- Shippers
- Trucking companies
- Port authorities
- US Customs Bureau
- US Border Patrol
- TxDOT Pharr District
- Tx Department of Public Safety

A complete list of participants and additional stakeholders invited to participate is contained in an appendix to this report. Substantial effort was made to invite all identifiable stakeholders to participate in the Advisory Committee. The purpose of the Committee was to provide feedback and comment to the study team during the entire planning process and to endorse the final recommended NRHM route.

The following process was used to solicit feedback and information from the Stakeholder Advisory Committee throughout the study process.

First Stakeholder Advisory Committee Meeting - August 26, 2009

- Project purpose and scope presented to committee
- Baseline of alternative routes presented to committee
- Feedback solicited on areas of concern and other issues related to routes from committee (feedback in the form of verbal comments as well as written comments on maps of routes)
- Request made to committee for names and contact information of other stakeholders not present at the meeting
- Next steps in the process explained to the committee

Second Stakeholder Advisory Committee Meeting - November 18, 2009

- Results of initial rounds of risk analysis presented to committee
- Possible NRHM routes determined by study team as a result of risk analysis presented to committee
- Feedback solicited from committee on risk analysis results and possible NRHM including suitability of roadways based on type and characteristics
- Request made to committee for names and contact information for other stakeholder not present at the meeting
- Next steps in the process explained to committee

Third Stakeholder Advisory Committee Meeting - February 16, 2010

- A revised route based on the feedback received from the committee at the November meeting presented to the committee
- Feedback solicited from committee on risk analysis results and possible NRHM including qualitative input on route suitability and other factors such as response issues and impacts on commerce
- Request made to committee for names and contact information for other stakeholder not present at the meeting
- Next steps in the process explained to committee

Fourth Stakeholder Advisory Committee Meeting - April 6, 2010

- A revised routes based on the feedback received from the committee at the February meeting presented to the committee
- Feedback solicited to ensure that the routes presented adequately reflected the best available route based on all identified factors, criteria and priorities
- Endorsement made by committee on recommended routes for presentation at the public hearings to be held on April 28 and 29, 2010
- Request made to committee members to help advertise the public hearings and to attend the public hearings
- Next steps in the process explained to committee

In addition to the four meetings held over the course of the study, committee members also received information and updates through email. Their input was also solicited through questionnaires and direct interviews to follow up on issues or questions raised in the advisory committee meetings.

Biweekly 60 - 90 minute conference calls with the study team and MPO staff were held to ensure that the study was addressing identified objectives and that study outcomes were in line with the recommendations of the Advisory Committee as understood by the local planning authorities.

Figure 2 Questions for Advisory Committee Members




**Cameron County Non-radioactive Hazardous Cargo Routing Project
Questions for Advisory Committee Members**

The following questions were formulated in order to measure the participation and efforts of the Cameron County Non-radioactive Hazardous Cargo Routing Project thus far. Advisory Committee Members are asked to answer the questions by replying via email to CameronHazRoute@emailatg.com or fax your reply to (512) 821-2085 before **November 4, 2009**. The next Advisory Committee Meeting is on November 18, 2009.

1. Based on what agencies you have seen represented so far in the discussions, what other representatives do you believe should be consulted at this point in the study of a non-radioactive hazardous cargo route in Cameron County? In particular, what agencies or groups do you think need to be included in the process, which already haven't been included? (Please see attached stakeholder list.)
2. What specific industrial sites or other sites do you think are particularly important when planning a non-radioactive hazardous cargo route in Cameron County? For instance, what sites do you think require or supply significant quantities of non-radioactive hazardous cargo in the county?
3. What site-specific issues come to mind as you think of planning a non-radioactive hazardous cargo route for Cameron County? Please specify sensitive or dangerous locations or areas which exist that should be considered during the planning process.
4. Currently non-radioactive hazardous cargo routing exists only within the City of Harlingen. Should this route be used as a starting point or should the new routes be developed from a clean slate?

PUBLIC HEARINGS

The Brownsville and Harlingen-San Benito Planning Organizations conducted two public hearings for the purpose of receiving public comment on the proposed designation of a NRHM Route in Cameron County. The hearings were held on consecutive days, and all comments were recorded.

The study team extensively advertised the public hearings to the public by placing ads in the local newspapers and releasing notices of the hearings to the press. Table 1 is a list of all of the press outlets that were notified of the public hears and shows the media release that the study team sent to all of Cameron County's media outlets.

Table 1 Media Outlets

• THE FALFURRIAS FACTS	• THE VALLEY MORNING STAR
• THE SAN BENITO NEWS	• THE BROWNSVILLE HERALD
• THE PROGRESS TIMES	• THE MONITOR
• VALLEY TOWN CRIER	• ASSOCIATED PRESS
• MID VALLEY TOWN CRIER	• LOS FRESNOS NEWS
• THE ADVANCE NEWS	• LA FRONTERA
• THE STARR COUNTY TOWN CRIER	• KRGV NEWS CHANNEL 5 (ABC)
• PORT ISABEL - SOUTH PADRE ISLAND PRESS	• KRGV NEWS CHANNEL 5 (ABC)
• MERCEDES ENTERPRISE	• UNIVISION 48
• EL PERIODICO	• KGBT ACTION 4 NEWS
• THE HEBBRONVILLE VIEW	• KTLM-TV TELEMUNDO 40
• THE HEBBRONVILLE ENTERPRISE	• XHAB CANAL 7 (MATAMOROS)
• RIO GRANDE HERALD	• McALLEN CABLE NETWORK
• RAYMONDVILLE CHRONICLE & WILLACY COUNTY NEWS	• BROWNSVILLE CABLE CHANNEL
• EL PAISANO	• EDINBURG/UTPA CABLE CHANNEL
• LA FERIA NEWS	• WESLACO ISD
• SOUTH TEXAS REPORTER	• PHARR CABLE NETWORK
• WILLACY COUNTY NEWS	• ROMA CABLE
• ZAPATA COUNTY NEWS	• RIO GRANDE CITY CABLE
• DELTA CHRONICLE	• KMBH TV 60
• THE EDINBURG REVIEW	• CLEAR CHANNEL RADIO
• LAREDO MORNING TIMES	• THE CORPUS CHRISTI CALLER TIMES
• ENTRAVISION COMMUNICATIONS	• KGBT/KIWW
• KURV	• RADIO ESPERANZA
• WWW.COB.US/INDEX.ASP?CONID=87	



A display ad was placed in the two journals of record, the Valley Morning Star (Harlingen-San Benito MPO) and the Brownsville Herald (Brownsville MPO), and a legal notice was placed in a journal of statewide distribution, the *San Antonio Express News*, on March 28, 2010 to provide a full 30 day notification period. The comment period also remained open until May 10, 2010. In addition, the hearings were advertised through a press release distributed to the 76 media outlets listed in Table 1 above. The following news articles were generated as a result of that press release:

- KRGV Rio Grande Valley News ran a story titled “Public Hearing for Cameron County Hazardous Cargo Route Designation” on April 21, 2010. This article remained on their website through the public hearing dates.
- Rio Hondo News ran a story titled “Public Hearing for Cameron County Hazardous Cargo Route Designation” on April 28, 2010.

Given the quantity of publications and broadcasters contacted, there may have been other media outlets not identified by the study team who ran stories on the hearings as well.

In addition to the free media, the study team placed advertisements in the *San Antonio Express-News* (a journal with statewide circulation), *Brownsville Herald*, and the *Valley Morning Star* (*The MPO local journal of record*). Figure 4 displays a graphic representation of the ad that was publicized in the *Valley Morning Star* and the *Brownsville Herald*. A copy of the legal ad that was placed in the *San Antonio Express-News* is viewable in Appendix F.

Figure 3: Public Meeting Publicity

MEDIA RELEASE

Contact: Linda Vela
RJ RIVERA Associates, Inc.
210-785-0888
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FOR IMMEDIATE RELEASE
Friday, April 20, 2010

**Public Hearing for
Cameron County Hazardous Cargo Route Designation**

BROWNSVILLE/SAN BENITO – On Wednesday, April 28th and Thursday, April 29th, the Brownsville and Harlingen-San Benito Metropolitan Planning Organizations (MPOs) will be conducting two (2) public hearings to receive comments on the proposed designation of a Non-Radioactive Hazardous Cargo Route in Cameron County.

“Our goal is to work with the various communities in Cameron County to effectively implement and enforce a hazardous cargo route,” said Mark Lund, Director of the Brownsville MPO. “This can only take shape through cooperation and coordination.”

<p>The meetings will be held:</p> <p>Wednesday, April 28, 2010 7:00 pm Brownsville Public Library 2600 Central Boulevard Brownsville, TX 78520</p>	<p>Thursday, April 29, 2010 6:00 pm San Benito City Hall 401 N Sam Houston San Benito, TX 78586</p>
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The primary objective of designating a hazardous cargo route is to minimize the potential for incidents and risk of harm to the public should a truck/vehicle carrying hazardous materials are involved in an incident, and the hazardous materials are released. The designation of a Hazardous Cargo Route will not remove all trucks/vehicles carrying hazardous materials from Cameron County roadways and is designed for trucks/vehicles that are traveling through the cities in the county.

“Our goal is not to impede commerce, but rather make the flow of commerce safer for our residents and the drivers carrying the loads,” said Rebeca Castillo, Director of the Harlingen-San Benito MPO. “We have met with a variety of stakeholders to ensure the route we are recommending does just that.”

The proposed route contains both travel directions on the following roadways:

- US Hwy 77/Bus. Hwy 77 from Harlingen’s northwestern city limits to the southeastern city limits of San Benito;
- SL 499 from US Hwy 77 to FM 106;
- FM 106 from SL 499 to the central-east city limits of Harlingen;
- US Hwy 83 from Harlingen’s central-west city limits to US Hwy 77;
- FM 509 from the southwestern city limits of Harlingen to FM 106;
- Bus. Hwy 77 from FM 509 to the southeastern city limits of San Benito (at US Hwy 77/83);
- US Hwy 77/83 from the Brownsville northwest city limits to the Veterans International Bridge at Los Tomates; and
- SH 550 (FM 511) from US Hwy 77/83 to the Port of Brownsville.

Public comments on the proposed routes will be accepted until Monday, May 10, 2010. Members of the community interested in receiving information about this study are encouraged to call Mark Lund at 956-548-6150 or Rebeca Castillo at 956-216-5242.

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Additionally, the study team advertised the hearings through listservs, and by email to all of the identified stakeholders with the request that each stakeholder share the information about the public meeting with others. Specifically, emails were sent through the following organizations/groups:

- Brownsville Customs Brokers' Association
- Los Fresnos Chamber of Commerce
- Brownsville Chamber of Commerce
- Texas Motor Transportation Association Members
- Brownsville MPO Email List
- Harlingen-San Benito Email List
- Port of Brownsville
- Chemical Response & Remediation Contractors, Inc.

In order to make the hearings accessible, they were held in the evenings at two diverse locations in the community and in public facilities that were Americans with Disabilities Act (1990) accessible. Both of the public hearings, which were held in Brownsville and San Benito, were accessible via public transportation services.

Outreach efforts were successful, and a total of 45 participants attended the two public hearings. (See sign-in sheets in appendices). Also in attendance were members of the policy boards of both MPOs, elected officials from multiple cities and the county, as well as representatives of both ports.

Figure 4: Advertisement for Public Hearings

Public Hearing for Hazardous Cargo Route Designation



The Brownsville and Harlingen-San Benito Planning Organizations (MPOs) will be conducting (2) Public Hearings on the following dates and locations for the purpose of receiving public comment on the proposed designation of a "Non-Radioactive Hazardous Material Route (Hazardous Cargo Route)" in Cameron County:

<p>Weds., April 28, 2010 7:00 pm Brownsville Public Library 2600 Central Boulevard Brownsville, TX 78520</p>	<p>Thurs., April 29, 2010 6:00 pm San Benito City Hall 401 N Sam Houston San Benito, TX 78586</p>
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The primary objective of designating a Haz-Mat Route is to minimize the potential for incidents and risk of harm to the public should a truck/vehicle carrying hazardous materials be involved in an incident, and the material be released. The designation of a Hazardous Material Route will not remove all trucks/vehicles carrying hazardous materials from Cameron County roadways and is designed for trucks/vehicles that are traveling through the cities in the county.

Proposed Route Description: The proposed route contains both travel directions of the following roadways: US Hwy 77/Bus. Hwy 77 from Harlingen's northwestern city limits to the southeastern city limits of San Benito; SL 499 from US Hwy 77 to FM 106; FM 106 from SL 499 to the central-east city limits of Harlingen; US Hwy 83 from Harlingen's central-west city limits to US Hwy 77; FM 509 from the southwestern city limits of Harlingen to FM 106; Bus. Hwy 77 from FM 509 to the southeastern city limits of San Benito (at US Hwy 77/83); US Hwy 77/83 from the Brownsville northwest city limits to the Veterans International Bridge at Los Tomates; and SH 550 (FM 511) from US Hwy 77/83 to the Port of Brownsville.

Public comments on the proposed routes will be accepted until Monday, May 10, 2010.



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At the public meeting, the participants viewed exhibits on the proposed NRHM routes and the risk analysis conducted in the process of evaluating NRHM routes. The participants also listened to a PowerPoint presentation that explained:

- The purpose of the study
- The project objectives
- The process for analyzing and evaluating NRHM route alternatives
- The federal highway administration standards and guidelines for NRHM route determinations
- The alternative NRHM routes being considered
- The recommended NRHM routes
- Previous feedback received regarding the recommended routes
- A list of next steps in the process

The participants were then given an opportunity to ask questions of the study team, and to provide comments regarding the study and the recommended routes. Comments received from the public consistently expressed that the recommended routes were the best strategy to support safety and mitigate risk. Participants were generally supportive of the recommended routes. Questions were generally about the impact of the routes. (See appendices for complete list of comments from the public meeting.)

CONSULTATION MEETINGS WITH ADDITIONAL STAKEHOLDER GROUPS

In order to make contact and receive feedback from some of the surrounding communities that did not actively participate on the Advisory Committee for the Cameron County Non-Radioactive Hazardous Cargo Route Study, the study team scheduled a second series of stakeholder interviews with various city officials and other community stakeholders. Each interview began with a brief overview of the study, and ended with a request the person being interviewed make recommendations for others who should be consulted. The study team members then requested feedback from each consultee on the study and its proposed NRHM routes. The following is a list of those with whom consultation meetings were held.

Date: Tuesday, April 6, 2010 and Wednesday, April 7, 2010 Meetings:

- Stakeholder: Gerry Blott, Safety Kleen Systems
Location: 1311 E. Tamarek, McAllen, Texas

- Stakeholder: Beatriz Weaver, City of Los Indios, City Administrator
Location: City of Los Indios, Texas
- Stakeholder: Javier Mendez, City of Primera, City Administrator
Location: 22893 Stuart Place, Primera, Texas 78552
- Stakeholder: David A. Hanawa, Chemical Response & Remediation Contractors, Inc.
Location: Harlingen, Texas
- Stakeholder: Lonnie Bearden, Town of Combes, Town Manager
Location: Town of Combes, Texas
- Stakeholder: Hector Jalomo, City of San Benito, Assistant City Administrator
Location: City Hall, San Benito, Texas

Date: Wednesday, April 28, 2010 and Thursday, April 29, 2010

- Stakeholder: Arturo Prida, City of Rio Hondo
Location: 121 North Arroyo, Rio Hondo, Texas 78583
- Stakeholder: Orlando Saldivar, Lone Star Distributors, Inc.
Location: 1201 N. Reynolds Street, Rio Hondo, Texas 78583
- Stakeholder: Wilbur-Ellis Company
Location: Rio Hondo, Texas 78583
- Stakeholder: Chief Xavier Martinez and Rey Trevino, City Administrator, City of Santa Rosa
Location: 413 S. Santa Cruz/Hwy 107, Santa Rosa, Texas 78593
- Stakeholder: Chief Carlos Garcia, City of Brownsville
Location: Brownsville, Texas
- Stakeholder: Barbara Collum, Mayor, Town of Indian Lake
Location: 62 S. Aztec Cove Drive, Indian Lake, Texas
- Stakeholder: Eduardo Campirano, Debbie Emyard, Commissioner Sergio Lopez, Antonio "Tony" Rodriguez, Ariel Chavez, II, PE, RPLS, Port of Brownsville
Location: 62 S. Aztec Cove Drive, Indian Lake, Texas

- Stakeholder: Chief Jaime Castillo, US Customs and Border Patrol at Los Tomates
Location: Veteran's International Bridge at Los Tomates
- Stakeholder: Chief M. Cruz, Jr., and Cheryl Kretz, City Administrator, Town of Rancho Viejo
Location: 3301 Carmen Avenue, Rancho Viejo, Texas 78575
- Stakeholder: Michelle R. Leftwich, AICP, Assistant City Manager, City of Mercedes
Location: 400 S. Ohio, Mercedes, Texas 78570
- Stakeholder: David Hanawa, Chemical Response & Remediation Contractors, Inc.
Location: Brownsville Public Library
- Stakeholder: Carlos Berrochoa, Trimac
Location: telephone contact

The study team also consulted with potentially impacted stakeholders in Mexico. To reach Mexican stakeholder such as neighboring municipalities and trucking firms in Mexico the study mailed each indentified stakeholder a letter providing details on the Cameron County NRHM route planning process and a description of the recommended NRHM route; a map of the recommended route; and a consultation form with information on how to contact the study team for more information. Through the study team's outreach efforts, members of the study team were able to speak directly with Rodolfo Arenas and Evangelina Garcia, Mexican Consulate representatives regarding the Cameron County NRHM route planning process and proposed NRHM route. The meeting with Mr. Arenas and Ms. Garcia was mutually beneficial and informative. Both representatives provided positive feedback on the planning process and the proposed NRHM route. Detailed notes from the Mexican Consulate consultation meeting are included in Appendix I.

INCORPORATION OF STAKEHOLDER INPUT INTO THE PLANNING AND DECISION-MAKING PROCESS

A strong effort was made to incorporate all interested stakeholders in the planning and decision-making process for this study. Literally hundreds of people were identified and asked to participate as part of the Stakeholder Advisory Committee. Four separate Stakeholder Advisory Committee Meetings were held to update stakeholders on the progress of the risk analysis and route selection and to gather feedback and information for the evaluation process. Ultimately, the final NRHM route recommendations were endorsed by the Stakeholder Advisory Committee. The

public was then invited to review and comment on the recommended NRHM routes. All of this input was then used to make the final route selection.

The input from the Advisory Committee hearings, public hearings and stakeholder consultation were taken into consideration along with the technical analysis of the routes to formulate a final recommendation for acceptance by the Brownsville MPO and Harlingen-San Benito MPO Transportation Policy Committees.