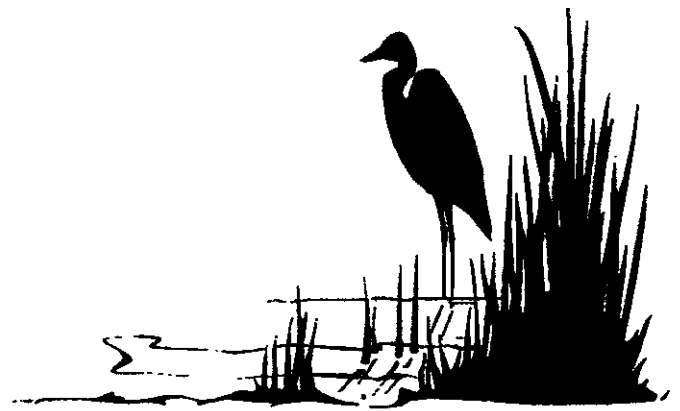


# The Heron

## Bay Harbor Newsletter

*Bay Harbor -  
The Friendly Subdivision*

www.bhiatx.org



Cathy Francis, Editor

*Winter Edition* DECEMBER 2007

### **Bay Harbor Awarded \$100,000. CEPR Grant For Restoration Project**

Bay Harbor submitted an application to the Coastal Erosion Planning and Response Act (CEPRA) cycle 5 for \$100,000 on June 28, 2007. I sent in an amendment on September 18, 2007 advising them of our receiving the \$25,000 grant from the US Fish and Wildlife Services and Coastal Beach & Bay Foundation.

I presented Bay Harbor's Habitat Restoration Project update at a joint meeting with NOAA, Texas Parks & Wildlife, US Fish & Wildlife, Gahagan & Bryant Engineering and other communities on October 30th. Jerry Mohn (WGIPOA) and Kris Benson (NOAA) hosted the meeting. Terramar, Tiki Island and Pirates Cove were also there.

This is really big news and a great boost to our project. We really need private funding NOW to match the \$100,000.

Please encourage all readers to donate now if they have not and to give more if they have already donated.

My thanks to all the support of Bay Harbor residents and especially to the Board of Directors.

The West End Galveston CEPRA awards are:  
West Galveston Island Beach Nourishment Hurricane Rita Repairs - \$868,000  
San Luis Pass Inlet Management Study - \$100,000  
Bay Harbor Habitat Restoration Project - \$100,000  
Structure relocation – Bermuda Beach - \$50,000  
Galveston Island Beach Stabilization Demonstration Project - \$100,000

West Galveston Island End of Seawall Beach Nourishment - \$5,000,000 (part of the \$13.5 million sand nourishment project from the end of the Seawall)

There was also a \$150,000 grant for the ongoing erosion US Army Corp Feasibility Study from the San Luis Pass to Sabine Pass.

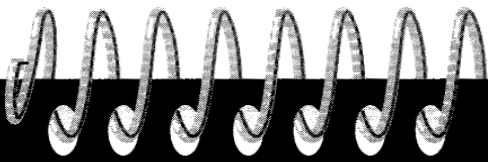
Congratulations to the award winners. The west end is a happy camper!

### *Christmas Progressive Party*

The Annual Bay Harbor Christmas Party sponsored by the Garden Club will be Dec. 8 6-9:00 pm at 2 homes. Begin at 3901 5th St. at the home of William & Cathy Francis for Drinks and Sea Food appetizers, and a look at the stars from the 3rd floor viewing deck. At 7:30 go to 3810 Spanish Wells at the home of Don & Judy Redding for great grilled dinner & fun games. Bring a gag gift (under \$10.00) & have a blast playing this. It is always fun to go your neighbors homes when they are decorated for the holidays.

Don't miss this annual event. You do not have to be a member of any group or association to come to this. We hope to see you!!!!!!!!!!!!!!





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**July 2007 - June 2008**

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Dear Neighbors:

On Thursday Nov. 1, 2007 the Galveston City Council voted unanimously to reject our appeal of the issuance of a General Land Use Plan for Rush Development next to Bay Harbor. Additionally, they also voted unanimously to issue a Specific Use Permit for Rush to excavate his boat canal. I want to thank all those who attended the meeting, those who spoke at the meeting, and also those of you who supported us but could not get there.

**SUMMARY OF PROGRESS**

As disappointing as this second defeat has been, looking back to the early June first set of plans by Rush, I feel that we have made some progress and the current plan is better than when we started. Specifically:

1. Roads and traffic: As a result of our collective pressures, all construction truck traffic for the Rush infrastructure (canal excavation, road construction, and utility installation) must access this area via a temporary road on Rush land. A verbal statement was also made that this temporary road would be kept open for another year for house construction traffic. This temporary road is to be converted into a "low impact greenway trail".
2. Surface water drainage: Brandon Wade of the City Engineers office said on Nov. 1 that the City will require Rush to change his surface water drainage plan to not put any flows into the existing drainage ditch that serves the western edge of Bay Harbor. Rather they will have to channel these waters directly into the wetland to the north. Wade said he also recognizes that the existing ditch needs a lot of maintenance by the City.
3. Other: The existing gate to Rush property must be removed and a small wooded bird viewing platform built at the southern end of the new Rush Canal so that the public can view the 51 acre reserved area. The mayor specifically asked the City Manager to make sure existing pot holes within Bay Harbor are fixed as soon as possible.

**NEXT STEPS**

Every time the existing drainage ditch next to Bay Harbor overflows, as many of us as possible should call and e-mail complaints to Brandon Wade at the City of Galveston so that they will do maintenance.

When the Final Plat application comes up to the Planning Commission we must double check that the final plans actually include compliance with the changes noted in items 1 through 3, above. There will be another public hearing and another opportunity to express your opinions.

Rush has filed applications for permits from the U. S. Army Corps. of Engineers. Keep an eye on the Regulatory Notice Board at [www.swg.usace.army.mil/reg/pn.asp](http://www.swg.usace.army.mil/reg/pn.asp) for a notice that public comments are solicited on the plan. Then send in your comments on canal dredging, wetlands, etc. and strongly urge that they have a Public Hearing as well. Assuming we get a Public Hearing, attend and express your opinions. This is the primary place that issues of canals, wetlands, wildlife and environmental impact can be addressed (not roads, however).

The City is revising their "Comprehensive Plan"; if possible, participate in this process. Contact the Dept. of Planning at 409-797-3660 for notices of public meetings on this subject.

I strongly urge all of you to support the organization called Galveston Beach to Bay Preserve. They are a 501(c)(3) organization that has an ultimate goal of raising enough money to buy back land from developers in order preserve the natural habitat. This group is highly organized, very professional and they need your support-financially and with your time. Contacts are: [beachtobaypreserve@gmail.com](mailto:beachtobaypreserve@gmail.com) [www.savegalvestonisland](http://www.savegalvestonisland) [janjones1@sbcglobal.net](mailto:janjones1@sbcglobal.net)

Mailing address is: Galveston Beach to Bay Preserve; Pat Broussard, Treasurer; 3310 Eckert Drive; Galveston, TX 77554

Thanks again,  
Ron Landers  
4018 Seventh Street

**Stop by Gail Choate for a new directory!  
Send Gail your email address!**

## Bay Harbor Fishing Report

Fishing this summer has been nothing short of fantastic. I had mentioned in an earlier report that all the rain we got this spring should make for some really good summer time fishing. Well it looks like the rain and the cooler weather we had for the first part of summer made it happen.

The bay is full of Menhaden, Mullet and Shrimp with schools of Specks, Sand Trout, Reds and Gafftop out chasing them. It has been many years since I have seen action under the birds during the summer like we had in June and July. There is another tackle buster out there with them, and that is large Ladyfish (Horse Mackerel). They are always out there tearing up tackle, but not in the numbers I have seen recently. There have been several occasions when I have run up on a school of nothing but Ladyfish. In Florida, people pay guides to catch Ladyfish. They put on quite a show when hooked and typically make long fast runs and jump several times before you can land one. Some people call them a "Poor Man's Tarpon" because of the aerial show they put on. If you want to have some fun, get some gold spoons and wire leader and find a school attacking menhaden (pogies) under some birds. If you don't have a way or the cash for a Tarpon fishing trip in Florida, this is the next best thing. Kids really have a good time with the jumping Ladyfish. The Ladyfish is for sport and are of no food value other than to a hungry shark who will occasionally take advantage of one that is hooked and cut them off just behind the gills and your hook. The line goes limp and you reel in nothing but the head.

Speaking of sharks, I saw a six foot Bull Shark free jump completely clearing the water down near the pass a few weeks ago. He was likely attacking a school of Menhaden.

Most of the sharks you catch in West Bay are small Black Tips, but remember that San Luis Pass is a big "Fish Highway" and anything that swims in the Gulf can swim in the bay.

The key to catching a limit of Specks has been being there at the right time on the right tide, which is one of the good things about living in Bay Harbor. You can watch the weather and the tide tables and get on the water when the conditions are right. Most of my successful trips this summer and fall have been early in the morning when the wind is fairly calm and the tide is moving. It has not made much difference as to if the tide was rising or falling, the key is that you must have water movement.

The fall fishing is great. As many of you know, October thru December is the best and most comfortable time to fish West Bay. As the water gets cooler I would head East towards the Old Intracoastal and the Meacom's Cut area.

Hope to see you on the water, stay safe out there and call any of the B.O.A.T. members if you need any assistance when you are out on the bay. Fresh clean gasoline is a key factor in preventing break downs with your outboard engine.

Tight Lines.....Capt. Bill



We had a great turn out for the Halloween Costume Party! Everyone was decked out in costume, and Gail Choate, as Cousin ITT, won the contest as BEST COSTUME She had the character down great--even down to the shuffle walk! Gerry Hillendahl & Bill Aylor were runners up in their great costumes. Thanks to Annette & Theron for hosting the event. Thanks to Randy Choate for making the fantastic Chili. There were "brownies" for desert. There were a lot of new people at this event and we hope more of you Bay Harborites will begin to come to some of YOUR community functions. It is really great to know your neighbors. Thanks to all who helped make this such a success!



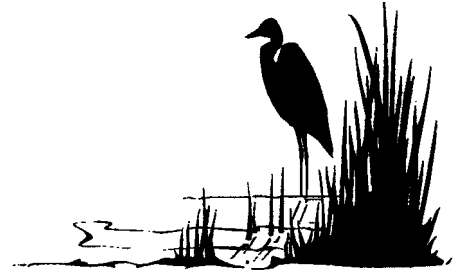
Top row from left: Cathy, Cousin ITT Gail, Jessie; William, Randy, Pat, Terry; Burnelle. On the Bottom Row from left: Annette; Jill & Bob; Nancy



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## Bay Harbor Habitat Restoration Project

The Bay Harbor Habitat Restoration Project began as a typical maintenance dredging to improve boat access to the bay from the Bay Harbor residential subdivision. In looking for an appropriate dredge material disposal site, local residents examined the feasibility of upland disposal. However, locating an appropriate upland site would require a substantial expenditure of funds and would not provide any future public benefit beyond the immediate need to provide continued boat access. The President of the Bay Harbor Improvement Association and Board of Directors contacted other communities and reached a local fishery biologist with the US Fish and Wildlife Services. Debbie DeVore made a presentation to the residents at the annual meeting in 2005. The idea and plan was developed to beneficially utilize the sandy maintenance dredge material as a resource, consistent with the Texas Coastal Zone Management Plan to restore vital bayside marsh and bird nesting habitat areas. The most likely deposit area was to restore the eroding island near the Bay Harbor Marina to a bird, fish, and wildlife habitat. By shoring up and enlarging the remainder of the island, it would reduce further erosion and provide a beneficial use of the dredge materials.



Next was the need for funding such an elaborate undertaking. The President of Coastal Beach & Bay Foundation (CBBF) offered our community support in applying for funding from various county, state and federal agencies. Through CBBF (a 501 c-3 organization) donations, possibly tax deductible, could be made in the name of Bay Harbor Habitat Restoration (BHHR) and set aside for matching funds.

In August 2006 Bay Harbor submitted an application to the Coastal Impact Assistance Program (CIAP) requesting a \$100,000 (matching grant) to cover permitting and construction of the access channel and disposition of the beneficial material.

Bay Harbor made a presentation before the US CORPS OF ENGINEERS at a Joint Evaluation Meeting on April 18, 2006, outlining the project.

In January 2007, the US Fish and Wildlife Service worked with Bay Harbor and Terramar, filing a joint application to FishAmerica Foundation. With the FishAmerica award less likely at that time, a joint application, between Bay Harbor and Terramar was filed in May 2007 for a Cooperative Agreement with the Coastal Beach & Bay Foundation. This award of \$25,000 to each subdivision was presented in August 2007. Also, filed in May 2007 was an application to the Coastal Erosion Planning & Response Assistance program for matching funds of \$150,000.

In June 2007, the coastal engineering firm of Gahagan & Bryant were contracted by Bay Harbor to do the project, including surveys, analysis, design, planning, permitting and the selection and management of a construction firm to completion. Following completion, the island will be planted with wetland vegetation for a natural habitat environment.

With assistance from biologists at the National Oceanic and Atmospheric Administration (NOAA) an application for funding was submitted to the Gulf of Mexico Foundation in September 2007.

The overall project is expected to cost \$400,000. Residents are targeting donations of \$150,000 and hope to receive grants to reach the estimated goal. Fund raising includes socials, sale of merchandise and calendars, a Block Captain program for communicating the project information to the residents and the printing of a Bay Harbor Habitat Restoration brochure for mailing. A project bulletin board is on site at the marina reflecting the project's progress and funds being raised.

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### Letter from Rachel Villareal, our Sewer Project Coordinator

I would like to take this opportunity to introduce myself to the Homeowners of Bay Harbor. My name is Rachel Villarreal, and Assistant City Manager Brandon Wade has assigned me to be your Project Coordinator for the City of Galveston on the upcoming Bay Harbor Sewer Project. I will be working with your Homeowners' Association and with you during this upcoming project. We have assembled a team of professionals, all of which have a considerable amount of experience in working on projects in Galveston.

As the project progresses, I will be here to assist you in addressing your needs to the extent that the City can. My job is to answer any questions that you might have and to assist you in addressing your concerns. If you have any questions, please do not hesitate to call me at 409-797-3837.

I look forward to working with you in the construction of the long awaited sewer project for Bay Harbor. The time is almost here! It is expected the Council will sell the bonds for this \$6.0 M (estimated) project in the first two to three months of 2008, while at the same time we will be advertising the projects for bids. With that schedule, you could see construction activity as early as April or May of 2008, and it will take about 1 year to build.



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## Bay Harbor Quick Takes

\$100,000 grant for Restoration/Dredging project - A tip of the hat to Betsy Redfield for her hard work in keeping the Restoration/Dredging project moving forward. We recently were awarded a \$100,000 CEPRRA grant (Coastal Erosion Protection and Restoration Act). Betsy is in the process of verifying how much of this grant will have to be matched. We're not sure if it's 60% or 100%.

It won't be long before the annual membership renewal letter goes out. With it will be another plea for contributions to this project. We are now over half way to achieving our goal. To those of you who have been waiting on the sideline to see if this project would get off the ground, don't you think it is time to pitch in your fair share? For those who have been contributing all along, thanks and please consider another donation.

Visit Bay Harbor Improvement Association website [www.bhiatx.org](http://www.bhiatx.org) - Bill Aylor has put together a great website for Bay Harbor. Have a look at it. If you have some community news, send it on to Bill. His email is listed on the Board of Directors Page. We are also publishing the entire Heron newsletter on the website. Let us know if you are satisfied with viewing the Heron online instead of getting it in the mail. That will save the association in postage.

Sewers - The City of Galveston approved \$6 million dollars in its 2008 capital improvements budget specifically for Bay Harbor sewers. The money will be funded by a bond issue which will be voted on next spring. Rachel Villareal of the public works department has been appointed to be the project coordinator. She is currently working with BHIA board member, Eugene Arp, to put together a list of qualified plumbing contractors and to define exactly what we will need to do to tie in to the new system. Early in 2008 Bay Harbor property owners who are on streets with rights of way that are too narrow for the project will be contacted by the city to see about obtaining additional rights of way. One other potential pitfall for this project is the location of the lift station. The city is trying to finalize where it will be placed.

Thinking about becoming a board member? - We are very fortunate to have a number of interested and very capable board members. As it happens there are a number of projects and issues today that are very important to this community. We are always looking for new people to get involved with making this community a better place for all of us to live. New people bring new ideas and new perspectives which keeps the board from getting too set in its ways. If you think you might want to be a board member let us know. Each spring we go through the process of identifying candidates to be voted on at the annual meeting. Typically as a board member, you would participate in a board meeting on the second Saturday of each month. Each board member normally elects one area or project that they want to pursue.

Annual Meeting 2008 - It is never too early to start planning for the annual meeting. Jesse Bradshaw, who is in charge of the Silent Auction, is already sending appeal letters out to major vendors so we can get them to include a donation to us in their budget for 2008. If you think of anything that you might want to give to the Silent Auction, give Jesse a call. If you want to help out with the food, give Patsy Gatlin or Carl Finney a call. They are co-chairs of this year's meeting.

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## Bay Harbor Classifieds

**Rates: For a 2" wide, \$2.00 per line (minimum of 3 lines).  
Runs one time for these rates, and on the website for 1 month.**

[www.bhiatx.org](http://www.bhiatx.org)

**WANTED:** new members to join fun, friendly Bay Harbor Improvement Association. Parties, fishing pier use, boat ramp access, annual golf cart parade, annual dinner meeting included. Bargain at only \$100.00 per year. 409-737-1707 Gail Choate, Secretary BHIA

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.....  
Check out our Bay Harbor Website at [www.bhiatx.org](http://www.bhiatx.org) You can read the newsletter here and see pictures residents have sent in. (Send in YOUR pictures!) Bill Aylor, Vice-President of BHIA has done all the hard work to get this up & running for us. Thanks, Bill!!!! Your classified ads that you put in the Heron will now also be on the website for all the world to see!  
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## City Council Update

City staff will have a golf cart ordinance ready in early 2008 for Council to review. One difficulty has been the feedback from the GLO stating that since golf carts are considered motor vehicles under the State Traffic Code, they can only be driven on the beach were motor vehicles are allowed. This continues to be a point of contention but an ordinance will forthcoming for next years season. In the meantime you may drive your golf carts to the beach in areas where vehicles are allowed and if you have a disability and need the cart to access the beach you may also take it on the beach. Remember that your cart should be licensed, it should have the triangle safety sign on the back, it must be operated by a licensed and insured driver.

I know that many people had questions concerning what happened when the appeal of the General Land Use Plan for The Reserve at Bay Harbor was held. The Council had limited choices in the case of the appeal because they were sitting as a quasi judicial body vs the regular role of the Council. Pursuant to the Zoning Standards, City Council was only able to consider the following action in this matter:

1. Uphold the Planning Commission's decision;
2. Reverse the Planning Commission's decision; or
3. Remand the GLUP back to the Planning Commission with specific instructions to consider new information.

The issue for the Council was whether the Planning Commission acted in an arbitrary and capricious manner by approving the GLUP. During the appeal process, and in reviewing the verbatim transcript of the Planning Commission meeting when the case was originally heard, there was no evidence to support sending it back with new information. The only action left was to uphold the commission's action. The Council voted unanimously.

I know some times things can get confusing, but that was the reason for the action that was taken. I know that many of the Bay Harbor residents were disappointed with the outcome. I hope this helps in understanding the options that were before the Council and what occurred.

Happy Thanksgiving and may your holiday be filled with the warmth of family and friends and the many blessings that we enjoy.

Council Member Dianna D. Puccetti

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## Market turning house sellers into landlords

By Laura Elder  
The Daily News

Published October 14, 2007

GALVESTON - Karen Smith and husband Gerald Cleveland had no ambitions to become landlords.

But their custom-built West End home has been on the market for more than a year. Even a \$100,000 price cut didn't budge it. And the longer it sat, the warmer they got to the idea of tenants. This week, they hammered a second sign into their yard, this one heralding the home's debut in the rental market.

Smith and Cleveland are asking \$595,000 for the three-bedroom, 2.5-bath resort home. They're willing to rent it for \$2,700 a month until the housing market rebounds.

Statistics about stymied sellers-turned-landlord don't exist. But all across the island, and the nation, yards that long had "For Sale" signs are sprouting "For Rent" signs.

Smith and Cleveland say too much competition pushed them reluctantly down the path to landlordship.

"With all these condos springing up on the island, homes seem to be going much slower," Smith said. "Why do developers keep building?"

### ... And Building

Since January, developers have either built, begun or announced plans to build more than 4,200 condominium units on the island, according to the Galveston Economic Development Partnership.

Meanwhile, developers are planning hundreds more rooftops on the West End.

The increasing housing inventory everywhere is such an issue that Mark Dotzour, chief economist for the Real Estate Center at Texas A&M University at College Station,

earlier this month warned builders to stop adding new supply until the market improved.

In August, the island had an 18.6-month supply on the market, according to the most recent statistics available from the center. Industry watchers generally are more comfortable with a seven-month supply.

The Galveston Multiple Listing Service offered 1,764 homes for sale in August, up 176 percent from a year ago. Not all homes for sale are listed on the service, which includes parts of Bolivar Peninsula, and all of Galveston, Hitchcock, La Marque, San Leon and Tiki Island.

### Generating Income

Smith and Cleveland built their 2,700 square-foot house at 4223 Sandpiper Lane in Pirates' Beach a decade ago with little thought of moving.

But as their daughter, now 14, was preparing to attend Ball High School, the couple decided to move closer to town so she could be near friends.

"She wanted to be in a traditional neighborhood," Cleveland said.

They moved into their Campeche Cove home about a year ago, despite being unable to quickly sell their Pirates' Beach property.

Smith and Cleveland are in an enviable financial position. There's no mortgage on their Pirates' Beach home. But they had hoped to use proceeds from its sale to reduce the mortgage on their new home. They also want the Pirates' Beach house to generate an income to cover taxes and insurance while they wait out the difficult market, Cleveland said.

Ideally, they'll find a tenant to rent for six to eight months, just until spring when visitors become enamored with the island and home sales typically flourish, up 176% from a year ago.

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**SAFT NICA BATTERIES**  
NICKEL-CADMIUM / LEAD-ACID BATTERIES ♦ UPS SYSTEMS

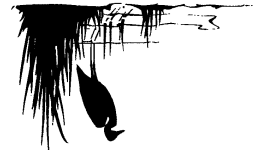
**WEBSTER BURNERS**  
PACKAGE BURNERS ♦ FUEL PACKAGES

**WESTWOOD PRODUCTS**  
BOILER ACCESSORIES ♦ FLAME RODS ♦ IGNITERS

**WILLIAMSON CORP.**  
FLAIR MONITORS ♦ IR TEMPERATURE SENSORS

SALES@INDECO-TX.COM

BAY HARBOR IMPROVEMENT ASSOCIATION  
 ROUTE 4, BOX 190 B2B  
 GALVESTON, TX 77554



# Upcoming Events

## DECEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

## December

- 1-2** Dickens on the Strand
- 7** Pearl Harbor Day
- 8** Bay Harbor Improvement Association Monthly Meeting, 10:00am
- 8** Bay Harbor Garden Club Christmas Party, 6-9pm
- 15** Annual Galveston harbor Parade of Lights, 6pm Pier 21 Free Viewing Area
- 22** Winter begins
- 25** Christmas
- 31** New Year's Eve

## JANUARY

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

## January

- 1** New Year's Day
- 12** Bay Harbor Improvement Association Monthly Meeting, 10:00 am
- 21** MLK Day
- 25-Feb 5** Mardi Gras Galveston

## FEBRUARY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	

## February

- 5** Mardi Gras Ends
- 6** Ash Wednesday
- 7** Lunar New Year
- 9** Bay Harbor Improvement Association Monthly Meeting, 10:00 am
- 14** Valentine's Day
- 18** Presidents Day
- 23** Bay Harbor Garden Club Meeting, 10:00 am at Tom's Thumb Nursery in Town. If you need a ride, we will get you there.

## MARCH

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

## March

- 8** Bay Harbor Improvement Association Monthly Meeting, 10:00 am
- 9** Daylight Savings begins
- 15** St. Patrick's Day 2nd Annual Golf Cart Parade and tailgate party at the Boat Basin
- 16** Palm Sunday
- 17** St. Patrick's Day
- 20** First Day of Spring
- 21** Good Friday
- 23** Easter