

## SIERRA CLUB SUES TO HALT GRAND PARKWAY CONSTRUCTION

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The **Sierra Club** has filed a lawsuit against a group of federal agencies, including the **U.S. Army Corps of Engineers** and the Texas Transportation Commission, to stop construction on a segment of Houston's Grand Parkway.

The Sierra Club, represented by Houston attorney **James Blackburn**, filed the suit Aug. 22 in the U.S. District Court for the Southern District of Texas, Houston Division.

The Grand Parkway, known as State Highway 99, is a proposed 170-mile loop tollway around Houston. The highway was divided into 11 sections for construction purposes. Two of the sections are complete.

At the forefront of the lawsuit is "Segment E," a 15.2-mile stretch between Highway 290 and Interstate 10 in west Harris County.

The environmental activist organization claims the Army Corps of Engineers has not addressed the "potential devastation of downtown Houston, the Memorial Villages and the Energy Corridor" that could occur should flooding result from the failure of both the Addicks and Barker dams due to changes to the land during the development, the lawsuit said.

"The U.S. Army Corps of Engineers violated federal law by failing to correctly discharge their legal duties after discovering and making a written determination that Addicks Dam, and nearby Barker Dam, currently face significant risks of 'catastrophic failure,'" the lawsuit states.

The Sierra Club is claiming the Corps of Engineers did not disclose a July 2010 internal memo stating the possible failure. The Sierra Club did not learn of this determination until March after filing a Freedom of Information Act request concerning the corps' evaluation of "Segment E."

According to the memo, the corps had concluded "the dam is almost certain to fail under normal operations within a time frame from immediately to within a few years without intervention," the lawsuit said.

The Sierra Club seeks an injunction to vacate the corps' permit for Segment E and to require a proper Supplemental Environmental Impact Statement by the U.S. Federal Highway Administration and Texas Department of Transportation.