

TEXAS ASSN OF WATERSHED SPONSORS

Sponsor Land Rights Workshop – Part 2

March 6 and 7, 2024

Meeting Minutes

- 30 TAWS members met on March 6th and 7th at the Sponsor Land Rights Workshop Part-2 to discuss issues and solutions to the challenges sponsors are seeing around their flood control structures.
- Jim Clarno explained our goals, processes and objectives to the group and split the group up into 4 teams to list out the challenges from their points of view.

Issues listed by the four teams:

- Developers not communicating.
- Solar farms/energy/pipelines
- Easement refresh/title searches
 - Obtain funding from the state board for refiling costs and funding for administrative help.
- Authorization of easement modification
- Easement release direction; standards for release
- Blanket easement vs metes and bounds
- Standardize interpretation of the various terms as related to easements.
- 911 Addressing- review for watershed conflicts/emerging situations
- Map Labeling
 - Direct TNRIS to store all mapping data
 - Update Google/Apple locations and labels
 - 811 Utility locator notification list
- Dam inspections
- Funding- rehab costs, technical assistance
- Districts and county relationships
- Sponsors do not have control over downstream development- changes the classification of the dam
- Policing restrictions
- Additional signage is needed- template for all dams
- Need state to re-fund state/county trappers OR TSSWCB offer to sponsor these services
- Will TSSWCB, TCEQ, NRCS produce the manual
- Education- title companies and banks about old easements
- How to get sponsors to stay up on O&M?
- Should sponsors control ES+2 vs higher
- Obtain a performance bond before the work starts
- Technical and legal assistance for developer plans
- Breach analysis by developers
- Landowner objections to repair/rehabs
- The workload that comes with revising EAPs, reviewing plans and general technical assistance.
- Land exemption status- unique category for reduced tax rates

Possible Solutions listed:

- Easements:
 - Support of additional funding and manpower to refile easements.
 - Reach out to TLTA to make them aware of the reasoning behind refreshing.
 - Statewide encroachment manual is needed
 - TCEQ/TSSWCD concurrence of easement management and direction
- Support funding/grants for EAP and breach analyses
- Support funding for additional FTE's for tech support, plan reviews on developer proposals
- Create dam districts
 - Taxing authority conveyed
 - Assist in simplifying bureaucracy
- Develop a signage template for SWCDs and assist with cost for development

Thursday, the teams worked on “low hanging fruit” opportunities, what the legislation may be able assist TSSWCB with providing assistance to sponsors using current rule and what money or changes are needed. We broke up into the 3 groups again on the 2nd day. The suggestions included:

- Provide the templates and links associated with easement discussion on the TAWS website.
- Also on the website the following will be posted.
 - Attorney General opinion regarding release of easements
 - An easement refiling template
 - A number of documents developed by Counties to share their standards.
- 811 list- TSSWCB will look into the process and what infrastructure would be included. Possible cost share with state board.
- Legal representation for SWCDs from AG. (Currently AG cannot represent political subdivision such as SWCDs). Seek legislative change to this.
- Get ruling from AG on whether a sponsor such as a County can just “opt out” or say they are not responsible for O&M. (Issue in Collin Co.).
- State Board seek line-item funding for legal representation for SWCDs
- SWCDs and Sponsors need to start in July/August (as soon as “ask” for next legislative session is final) meeting with senators and state reps.
- TAWS needs to develop talking points and 1-pagers for leave-behind for SWCS and sponsors for meetings
- TAWS - ID other senators and reps to help “carry water” on these issues.
- TAWS develop legislative committee unless they already have one. Participate in Legislative Day with ATSWCD
- State board and Wildlife service meet to discuss. Statewide contract for beaver removal etc. for all SWCDs and address fees and waivers needed by county trappers.