

James R. Wright
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Via First Class Mail and
Via e-mail: chloe.lieberknecht@sunset.state.tx.us
Chloe Lieberknecht
Project Manager
Sunset Advisory Commission
P. O. Box 13066
Austin, Texas 78711

Re: TCEQ Sunset Report – Dam Safety Regulatory Program

Dear Ms. Lieberknecht:

This letter reflects my interest and concerns toward the Sunset Advisory Commission Staff's report on the TCEQ in November. Section 4.3 contains a recommendation for statutory changes that would authorize the TCEQ to assess administrative penalties against land owners for violations of TCEQ dam safety regulations.

My wife and I currently live on ranch property in Coleman County with several small dams. For the past 18 years my business has consisted of buying, selling and trading properties in Coleman, Runnels, McCullough, Brown, Callahan and Shackelford Counties. Small dams were present on all of these properties due to the fact we have little or no sub surface water in this region and in many areas rely solely on surface water. The dams in question have provided the necessary water to sustain the small population of these Counties.

This Sunset Staff Report and additional TCEQ dam inspections is currently causing ripple effect concerns across the State of Texas.

Property owners are currently reporting a hesitation on the part of some prospective buyers concerning the TCEQ dam inspections.

If the Sunset Commission and Legislature approve and allow financial penalties or cause land owners to address major or significant changes to existing dams, it will result in a major value decrease in declining farm and ranch real estate values across the state.

If changes must be made I would support TCEQ be required to grandfather pre-existing small dams from the retroactive imposition of these new rules. By the very nature of small dam projects it becomes too expensive, much more expensive than to address the problem when the lake or pond is originally constructed.

In Coleman and surrounding counties for the past 15 years we are fighting one of the most significant run off droughts in record keeping history and I am writing letters to our Texas government with concerns about creating bigger government and imposing 10,000 year flood regulations and related cost on Texas land owners.

Best regards,

James Wright