

State of Texas
House of Representatives

JAN 04 2011



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December 29, 2010

Chloe Lieberknecht
Project Manager
Sunset Advisory Commission
PO Box 13066
Austin TX 78711

Re: TCEQ Sunset Report - Dam Safety Regulatory Program

Ms. Lieberknecht:

I am writing you regarding Section 4.3 of the November 2010 TCEQ Sunset Staff Report. Section 4.3 recommends statutory changes authorizing the TCEQ to assess administrative penalties for violations of the Agency's dam safety regulations. I am requesting that the Commission also recommend an additional statutory change that would "grandfather" the owners of pre-existing small dams. This would protect owners of small dams who have adequately maintained their dams according to the hydrologic and hydraulic criteria applied when the dams were engineered and constructed from having to incur substantial costs associated with these retroactively imposed criteria.

Please carefully consider this statutory change.

Respectfully,

A handwritten signature in black ink, appearing to read "Mark Shelton".

Rep. Mark Shelton

