

DEC 17 2010

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December 14, 2010

Ms. 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 is written in response to the Sunset Advisory Commission's Report on the above referenced Safety Program.

I represent numerous landowners in Coleman County, Texas who have small dams on their property, as I do on my own ranch. This is a very difficult time for ranching and farming in this portion of Texas due to drought. I don't know of a single rancher who is not having difficulty just holding on to their land, much less making a profit from farming or ranching.

This county is composed primarily of small ranches and landowners who are barely scratching out a living as it is. These small dams are absolutely essential to take care of livestock, as there is virtually no underground water in this county. Additional costs as proposed in Section 4.3 of the Commission's Staff Report allowing assessment of Administrative Penalties against landowners for violation of dam safety regulations is simply not feasible for the local landowners.

The acquisition of additional inspectors with greatly enhanced regulatory powers is literally an effort to heap coals on the top of heads of existing small ranchers and landowners. Further, imposition of a 10,000 year flood regulation and the required additional cost to Texas landowners is ludicrous. It will rain again, but at the present time it doesn't appear that it will be in the foreseeable future. There are going to be a lot of ranchers in this county that are going to have to sell their livestock because of no water for them. It is prohibitively expensive to buy county water to water livestock due to the increased costs and decreasing cattle prices.

In any event, these rules, if they should be unfortunately approved, should not be made retroactive to existing reservoirs due to the more expensive cost of reconstructing an existing lake or pond.

Sincerely,



Ross L. Jones