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TEXAS STATE SOIL AND WATER CONSERVATION BOARD

Protecting and Enhancing Natural Resources for Tomorrow

PROGRESS REPORT FOR FISCAL YEARS 2020-2021 TSSWCB FLOOD CONTROL PROGRAM TEN-YEAR DAM REPAIR, REHABILITATION, AND MAINTENANCE PLAN June 8, 2022

Introduction

The TEN-YEAR DAM REPAIR, REHABILITATION, AND MAINTENANCE PLAN (the “PLAN”) was prepared to address the needs of flood control dams designed and built by the USDA-Natural Resources Conservation Service (NRCS), as required by Senate Bill 8 enacted by the Texas Legislature during the 86th Legislative Session. According to this bill, the “state board” (TSSWCB) “shall prepare and adopt a plan describing the repair and maintenance needs of flood control dams described by Subsection (c) and prepare and adopt a new plan before the end of the 10th year following the adoption of a plan.” SB 8 also required that “Each year, the state board shall deliver to the water development board a report regarding progress made on items listed in the plan. If an update to the report or plan is necessary before the yearly report or before the end of the 10-year cycle, the state board must deliver to the water development board an amended report or plan.”

The PLAN was developed, adopted by the TSSWCB board on May 21, 2020, and provided to the Texas Water Development Board on June 11, 2020. This Progress Report is the first report to TWDB. Since the PLAN was provided near the end of FY 2020, and there were limited accomplishments other than contracts for engineering services, a progress report was not provided for FY 2020. This report describes accomplishments through the end of fiscal year 2021. Neither an update nor an amendment to the PLAN is needed at this time. Future progress reports will be provided shortly after the end of each fiscal year.

As expected, the number of high hazard dams in Texas has increased because of urban development. The current count is 659 high hazard dams, with 536 needing upgrade or rehabilitation to meet current safety criteria. However, funding has been provided and agreements have been signed for upgrade or rehab of 21 dams. Assuming all of these projects are completed, the remaining number of high hazard dams needing upgrade/rehab is 515.

State Funding

During the 86th Legislative Session, \$150 million was provided to TSSWCB through Senate Bill 500 for repair, rehabilitation, and upgrade of the USDA-NRCS flood control dams throughout the state. These funds were Economic Stabilization Funds (ESF) with a 2-year obligation period, and 4 years to expend. About \$8 million of general revenue was also provided in both FY 2020 and 2021, of which about \$5 million per year was used for dam maintenance activities and the remainder for dam repair and operating costs. Funding was obligated for design and construction inspection contracts with private

engineering firms in fiscal years 2020 and 2021. When designs were completed and projects were ready for construction, TSSWCB executed agreements with local dam sponsors for construction, land rights, and administrative costs.

Dam repairs are cost-shared at 95% state and 5% local sponsor. High hazard dam upgrades are cost-shared 98.25% state and 1.75% sponsor.

Federal Funding

At the end of FY 2021, agreements were in place for USDA-NRCS to provide over \$58 million of federal funds to TSSWCB for engineering services and construction costs for rehabilitation of high hazard dams. TSSWCB is using these funds to contract with private engineers for planning, design, and construction inspection, and to sign agreements with sponsors for construction costs. Engineering services costs for federal rehabilitation projects are 100% federal, and construction costs are shared 65% federal, 33.25% state, and 1.75% sponsor.

Staffing and Resource Needs

TSSWCB employed one additional full-time engineer in October 2019 to assist with program implementation.

The current 5-year IDIQ contract with five engineering firms will expire in fiscal year 2023. TSSWCB will begin the process of setting up a new 5-year IDIQ contract at the beginning of FY 2023.

Obligation of Funds

State ESF funds obligated by the deadline of May 31, 2021:

1. Engineering Services: \$30,547,862
2. Dam Repair, Rehabilitation, Upgrade Construction: \$119,357,106
3. Unobligated: \$95,032

State General Revenue Funds Obligated for FY 2020 and 2021:

1. Dam Operation and Maintenance: \$9,377,118
2. Dam Repair: \$3,942,465
3. Dam Rehabilitation (state matching funds): \$1,375,000

Federal Funds obligated as of August 31, 2021:

1. Engineering Services: \$9,126,410
2. Rehabilitation Construction Cost in Sponsor Agreements: \$41,273,750

The remainder of unobligated federal funds are being held in TSSWCB accounts for projects that are not yet ready for construction.

Accomplishment of Plan Projects

During fiscal years 2020 and 2021, the following projects were completed:

- 32 Dam Repairs
- 2 Federal Dam Rehabilitation Projects

As of August 31, 2021, there were 42 additional projects ready to bid or under construction.

The following tables list the projects completed as of August 31, 2021 (FY 2020 and 2021), and the amount and source (state or federal) of funding expended.

TSSWCB FLOOD CONTROL PROGRAM COMPLETED PROJECTS - FY 2020							
BUDGET ITEM	COUNTY	STATE FUNDING	SPONSOR'S COST	FEDERAL FUNDING	TOTAL COST	STATUS OR COMPLETION DATE	COMMENTS
Salary and Overhead		900,000			900,000		
Dam Operation & Maintenance		4,916,599	546,289		5,462,888	8/31/2020	COMPLETED
Engineering Services		15,697,249		689,669	16,386,918		
Dam Repair							
Brady Creek 27	Concho	65,823	3,299		69,123	7/7/2020	COMPLETED
Brady Creek 28	Concho	65,823	3,299		69,123	7/7/2020	COMPLETED
Brady Creek 34	Concho	65,823	3,299		69,123	7/7/2020	COMPLETED
Brady Creek 36	Concho	65,823	3,299		69,123	7/7/2020	COMPLETED
Brady Creek 38	Concho	65,823	3,299		69,123	7/7/2020	COMPLETED
Denton Creek 21	Wise	485,548	24,338		509,887	7/23/2020	COMPLETED
Subtotal - Dam Repair		814,665	40,835	0	855,500		
Federal High Hazard Dam Rehabilitation							
NONE							
Subtotal Federal Rehab		0	0	0	0		
State High Hazard Dam Upgrade							
NONE							
Subtotal - State Upgrade		0	0	0	0		
TOTAL FUNDING EXPENDED		22,328,512	587,124	689,669	23,605,306		

TSSWCB FLOOD CONTROL PROGRAM COMPLETED PROJECTS - FY 2021							
BUDGET ITEM	COUNTY	STATE FUNDING	SPONSOR'S COST	FEDERAL FUNDING	TOTAL COST	STATUS OR COMPLETION DATE	COMMENTS
Salary and Overhead		841,000			841,000		
Dam Operation & Maintenance		4,460,519	495,613		4,956,132	8/31/2021	COMPLETED
Engineering Services		15,040,273		1,565,066	16,605,339		
Dam Repair							
Brady Creek 37	Concho	65,823	3,299		69,123	4/7/2021	COMPLETED
Cedar Creek 135C	Van Zandt	1,009,426	50,598		1,060,023	3/22/2021	COMPLETED
Cedar Creek 136	Van Zandt	401,714	20,136		421,850	7/28/2021	COMPLETED
Cedar Creek 90	Kaufman	987,339	49,491		1,036,829	5/12/2021	COMPLETED
Chambers Creek 107	Ellis	749,188	37,553		786,742	12/31/2020	COMPLETED
Chambers Creek 110	Ellis	905,714	45,399		951,113	12/31/2020	COMPLETED
Chambers Creek 125	Ellis	943,505	47,294		990,799	12/31/2020	COMPLETED
Chambers Creek 23	Ellis	929,692	46,601		976,293	12/31/2020	COMPLETED
Chambers Creek 33	Johnson	361,671	18,129		379,800	8/10/2021	COMPLETED
Chambers Creek 6	Ellis	387,539	19,426		406,965	12/31/2020	COMPLETED
Chambers Creek 79A	Ellis	1,242,496	62,281		1,304,777	12/31/2020	COMPLETED
Clear Fork Trinity River 23	Parker	159,980	8,019		167,999	9/11/2020	COMPLETED
Cow Bayou 10	McLennan	1,086,505	54,461		1,140,966	1/29/2021	COMPLETED
Elm Creek (Centex) 13R	Bell	96,595	4,842		101,436	11/19/2020	COMPLETED
Elm Creek (Centex) 14	Bell	96,595	4,842		101,436	11/19/2020	COMPLETED
Elm Creek (Centex) 15	Bell	96,595	4,842		101,436	11/19/2020	COMPLETED
Elm Creek (Centex) 26	Bell	194,946	9,772		204,717	5/18/2021	COMPLETED
Elm Creek (Centex) 31	Bell	194,946	9,772		204,717	5/18/2021	COMPLETED
Elm Creek (Centex) 32	Milam	194,946	9,772		204,717	5/18/2021	COMPLETED
Lower Plum Creek 23	Caldwell	165,074	8,274		173,349	3/26/2021	COMPLETED
Salt Creek and Laterals 8A	Wise	221,214	11,088		232,302	3/4/2021	COMPLETED
Upper East Fork Lateral 11	Kaufman	1,615,416	81,361		1,696,776	12/29/2020	COMPLETED
Upper Lake Fork 23	Hopkins	278,350	13,952		292,303	8/2/2021	COMPLETED
Subtotal - Dam Repair		12,385,267	621,203	0	13,006,470		
Federal High Hazard Dam Rehabilitation							
East Fork Above Lavon 4	Collin	1,746,773	91,935	3,414,744	5,253,453	6/30/2021	COMPLETED
Lower Brushy Creek 20	Williamson	614,075	0	1,140,426	1,754,501	6/30/2021	COMPLETED
Subtotal - Federal Rehab		2,360,848	91,935	4,555,170	7,007,954		
State High Hazard Dam Upgrade							
NONE							
Subtotal - State Upgrade		0	0	0	0		
TOTAL FUNDING EXPENDED		35,087,907	1,208,752	6,120,236	42,416,895		