



SIERRA CLUB

LONE STAR CHAPTER

To: House Committee on Appropriations, The Honorable Armando Walle, Chair, Articles VI, VII and VIII

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Comments from the Sierra Club Lone Star Chapter on TPWD base budget and EIRs: Our Burgeoning and Diverse Population Needs Parks and Wildlife more than ever!

The Texas park system turned 100 years old this year. We need to give them and ourselves a big birthday present by investing in current and future park space and wildlife protection.

With some 25,000 members, the state chapter of the Sierra Club has long had members who enjoy the natural beauty and recreational opportunities offered by state parks, wilderness areas, as well as local parks supported through local park grants. The local volunteer-led groups of the Sierra Club frequently volunteer at local and state parks and wilderness areas, and lead activities there working closely with TPWD staff. Finally, as an organization, we have long advocated for the need to increase access to parks and the amount of parkland available for recreational activities, from camping, to hiking, to hunting, fishing, birding, rock climbing and kayaking. We were supporters of the constitutional measures that assured that sporting goods taxes flowed to the Parks and Wildlife Department. We were happy to do so as we recognize not only the recreational opportunities that our members enjoy, but also the fact that the TPWD also plays a key role in ensuring clean water and rivers, wildlife habitat and managing important populations of endangered and threatened habitats and species, as well as game species.

The Sierra Club is very supportive of the LAR submitted by the TPWD, and associated Exceptional Item Requests. In particular, we would agree that inflationary pressures and low wages present a unique challenge to the agency. Success in recruitment and retention of qualified staff is often further complicated by factors such as the remote location of many TPWD sites, which present a limited labor pool, and/or the availability of higher paying private sector jobs. Simply put, the state must pay more to maintain qualified TPWD staff. While TPWD has not asked for additional funding for state employee retention, we would suggest additional money will be needed to retain and attract staff, as turnover has been a major issue.

Deferred Maintenance

While significant improvements have been made in recent years to increase funding to address a backlog of maintenance and capital issues facing dozens of parks and wilderness areas, much more is needed. Climate extremes and our changing climate have also impacted parks, from fires in East Texas, to hurricanes, to droughts and even freezes. ***Thus, we are very supportive of Exceptional Item No. 1 to provide \$32.1 million over the biennium to address priority capital construction and a backlog of repair needs.***

Local Park Grants continue to be important

We are appreciative of the proposed \$26.8 million in FY 2024 and the \$19.9 million in FY 2025 for local park grants, which is a slight increase from the current year budget but maintains important support to both rural and urban Texas for local park projects. We would note that \$7 million of the local park grant in FY 2024 would be earmarked for a specific project (Veterans Memorial Park and Flag Park). *While we do not have an opinion on this particular project, in general we believe it is better for the legislature to allocate monies to the TPWD and let them pick the projects that best meet the criteria under the local parks grants.*

Land acquisition still underfunded

The Sierra Club is a proud member of a coalition of groups calling for investment in parks and private lands for water and land conservation.

Last legislative session, the Legislature finally allowed more latitude for the Department to respond to narrow “windows of opportunity” to acquire inholdings/strategic tracts adjacent to state parks. This state funding has enabled the department to be more proactive about identifying land acquisition priorities & identifying willing sellers. Indeed, several new acquisitions have already occurred this fiscal year. However, greater authority for use of Sporting Goods Sales Tax revenue for park-related acquisitions would help address other pressing & strategic state recreational needs as they emerge. However, in this base budget only \$25.0 million is being allocated for land acquisition, a tiny amount for a state the size of Texas.

In addition, the sunset legislation that continued the agency requires the agency to update its Land and Water Conservation Plan, which was last fully updated in 2015. However, the public is still waiting for a final version which should set out the agency’s long-term goal for land acquisition, but clearly with a state that is 95 percent in private lands, much more funding is needed to keep up with our population growth. A 2001 Texas Tech study said we need to add 1.4 million acres by 2030, which would cost some \$6 billion dollars.. A Texas 2036 poll found 68% of Texans support spending one billion over the next two years to help move toward such a goal.

The Sierra Club believes that the Legislature should consider a long-term investment strategy for land acquisition. While \$25 million in the base budget, plus an additional \$18 million in exceptional items is better than nothing, it falls well short of the kind of strategic investment to

meet our needs as a state. ***Instead, the Legislature should consider a multi-year investment of hundreds of millions or even billions of dollars. With estimates of a balance of more than \$27 billion in the Rainy Day Fund, and some \$40 billion in surplus, now may be the perfect time to put a down payment of between \$200 million to \$500 million per fiscal year (\$500 million to \$1 billion) toward land acquisition and development over the next several years.***

Money needed for Fairfield Lake State Park

In addition, we would note the current need for financing the purchase of Fairfield Lake, the site of a former coal plant that closed in 2018. We call on the Vistra Corporation and the Private Developer with an option to purchase the property to instead sell the land to Texas for future generations, rather than use it for private development. We understand that funding may be made available in the supplemental appropriations to help complete this sale. Otherwise, the park will close for good to the public. The TPWD should be directed to review all current leases with private entities and work on a plan to permanently purchase the land for future generations.

We support Exceptional Items Related to Land Conservation

Thus, we are extremely supportive of Exceptional Item No. 4, which would provide \$10 million over the biennium for acquisition of migratory game bird habitat from willing sellers for expansion of/ addition to Wildlife Management Areas (WMAs).

Similarly, the Sierra Club also supports Exceptional Item Request No. 5, which seeks an additional appropriation of \$8.0 million in FY2024 to increase grants awarded for the purchase of long-term conservation easements through the Texas Farms and Ranchland Conservation Program.

Oysters and their Fisherman need attention

We are similarly supportive of efforts to work toward a balance of the need to protect oyster fishing areas, while allowing some harvesting and are supporting the exceptional item of \$3 million for the buyback of the oyster harvest rights.

Texas oyster populations continue to suffer from the pressures of unsustainable harvest. As TPWD works to preserve oyster populations through bay closures, workers will undoubtedly be displaced. While license buybacks coupled with the moratorium on new licenses are important to solving this to some extent, it is unclear that non-license-holder workers will see any benefit after the license buybacks. To this end, we would support additional support to help TPWD in understanding how to best aid displaced workers beyond license-holders.

Mountain Lions need protection

Recently, an effort to petition the agency to require mountain lions to be managed as a game species was led by a wide coalition of groups and individuals. While the agency declined to move forward with the rule, they have begun a stakeholder process. The Sierra Club has been an advocate for better protections for mountain lions since at least the late 1980s, and it is well past time for the TPWD to be directed to better manage this unique, but threatened predator. Recently, TWPD began creating a stakeholder group to assess how to move forward, after rejecting a petition for rulemaking. As part of this effort, we would support additional funding to conduct a rigorous analysis of the mountain lion population and geographic location. This could help determine the appropriate regulations needed to manage this unique species's population.

Texas should take advantage of federal funding to help bridge the gap

There are several opportunities to take advantage of federal funding which could help address these needs. First, if there is passage of the Recovering America's Wilderness Act, Texas could be eligible for more than \$50 million per year for programs focused on Species of Greatest Conservation Need (SGCN) listed in the Texas Conservation Action Plan. If passed, additional state matching funds would need to be identified in order to most effectively utilize Texas' anticipated sha

Second, there are hundreds of miles of roads and bridges in need of repair, but present budgetary limits only allow \$20 million per biennium from TXDOT to assist. With the passage of the IIJA in 2021, there are billions of extra dollars flowing to Texas, and some of these could be used to address transportation infrastructure.

Similarly, Texas could utilize funding from the IIJA and potentially the IRA to make state parks and recreational facilities friendly to electric vehicles, while also providing funds for the department to purchase their own electric vehicles.

Finally, we believe there may be opportunities in the IIJA and IRA to actually put money into land acquisition and development of recreational areas.

The Sierra Club appreciates the opportunity to make these brief comments in support of the TPWD's base budget and exceptional item requests for 24-25. However, we believe even more investment is needed to protect and expand our state's natural heritage and resources.