Comments of the Lone Star Chapter of the Sierra Club on SB 8 by Senator Perry, et al - State and Regional Flood Planning - Prepared by Ken Kramer, Water Resources Chair, and Submitted by Cyrus Reed, Conservation Director, to the Senate Committee on Water & Rural Affairs on Monday, March 11, 2019

The Sierra Club appreciates the opportunity to comment on SB 8, which would establish a new state and regional flood planning process. The flood events of recent years - part of the ongoing history of Texas and especially many regions of the state - have demonstrated the need for a more comprehensive approach to preparing for and reducing the risk to people and property from floods. We applaud the foresight of Chairman Perry in prompting the State Flood Assessment prepared by the Texas Water Development Board during the previous interim and for long championing the cause of better flood planning.

As in the case of flood project funding, this session there are several, somewhat competing, legislative proposals for flood planning. SB 8 lays out a very specific flood planning process, similar to that for state and regional water planning for water supply and other purposes, which is one but not the only approach that could be taken to flood planning. Therefore, s, the Sierra Club is testifying ON SB 8, rather than taking a position for or against it at this time.

If the planning approach taken in SB 8 is to be the one enacted by the Legislature, we make the following recommended changes/additions to the legislation:

1. In the case of the state flood plan where there is reference to the contribution to water development [proposed Section 16.061(a)(3)], we believe that the qualification should be “where appropriate and possible” (not just “where possible”) - in many instances, flood projects are not going to be the most appropriate water supply mechanisms, even if physically possible to have that function.

2. Also, in the case of both the state flood plan and the regional plans on which the state plan would be based, there should be a demonstration that the plans include not only structural but also nonstructural flood measures, as appropriate.
Nonstructural flood measures may be not only the most effective but also the most cost-effective ways of addressing flooding issues. However, the historical tendency has usually been for mainly structural approaches, and specific language to counter that bias is needed for any truly balanced and comprehensive flood planning process.

(3) In the work of the proposed State Flood Plan Implementation Advisory Committee, the Sierra Club recommends that the Committee be directed (not just authorized) to hold a public hearing semi-annually to gather public input on the state flood plan before the Committee provides comments or recommendations to the Texas Water Development Board on implementation of the plan.

As a final specific comment, the Sierra Club appreciates the attention given in SB 8 to the need to assess and address the needs for repair and maintenance of dams under the purview of the Texas State Soil and Water Conservation Board.

In conclusion, the Sierra Club wants to emphasize that establishing a new flood project planning mechanism is only one part of what needs to be a truly comprehensive and effective approach to addressing flooding issues in Texas. In addition to more scientific research on floods and the funding mechanism proposed in other legislation, a comprehensive approach requires reasonable but effective regulation of development in floodplains, prohibitions on development in areas where appropriate, and much greater attention to how nature-based solutions may provide cost-effective and successful ways of managing or preventing floods.