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TEXAS STATE SOIL AND WATER CONSERVATION BOARD

Protecting and Enhancing Natural Resources for Tomorrow

PROGRESS REPORT FOR FISCAL YEAR 2024 TSSWCB FLOOD CONTROL PROGRAM TEN-YEAR DAM REPAIR, REHABILITATION, AND MAINTENANCE PLAN April 30, 2024

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. The first Progress Report for FY 2020 and FY 2021 was provided to the TWDB in June 2022. The progress report for FY 2022 was provided to TWDB on March 9, 2023, and the progress report for FY 2023 was provided on August 4, 2023. This report describes accomplishments for fiscal year 2024. Neither an update nor an amendment to the PLAN is needed at this time. However, after structural repair applications are received for the FY 2024 and FY 2025 funding cycles, TSSWCB will update and revise the PLAN.

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 fiscal years 2020, 2021, 2022 and 2023. About \$5 million per year of the general revenue was used for dam operation and maintenance (O&M) activities in 2020 and 2021.

In FY 2022 and 2023 the amount provided for O&M was reduced to \$2 million each year. The remainder of GR was used to match federal rehabilitation funds and to cover high bids caused by inflation on previously obligated projects which had inadequate funding.

In FY 2024, TSSWCB received an increase in general revenue to about \$25 million, with about \$4 million of this amount going to O&M projects. The remainder is being used to fund five new dam repair projects and one new dam upgrade project, as well as engineering services for design and construction inspection.

Prior to this year, dam repairs were cost-shared at 95% state and 5% local sponsor, and high hazard dam upgrades were cost-shared 98.25% state and 1.75% sponsor. Federal rehabilitation projects were cost-shared 65% federal, 33.25% state, and 1.75% sponsor.

Based on recommendations by the Sunset Commission, TSSWCB changed program rules in 2023 so that the sponsor would have no required matching cost for state funded repair, upgrade, and rehabilitation. TSSWCB will pay 100% on state funded dam repair and upgrade and will pay the full 35% required local match for federal rehabilitation projects.

Federal Funding

Agreements are currently in place for USDA-NRCS to provide about \$76 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. Construction is underway on seven federal rehabilitation projects. One federal rehabilitation project was completed in FY 2024. Engineering services costs for federal rehabilitation projects are 100% federal.

Staffing and Resource Needs

TSSWCB has employed two additional Flood Control Program staff during FY 2024 to replace staff losses that occurred in 2023.

New 5-year Indefinite Delivery Indefinite Quantity (IDIQ) contracts have been executed with six engineering firms to provide engineering services on state and federally funded dam projects.

Obligation of Funds

State General Revenue and Federal Funds Obligated in FY 2024:

1. Dam Operation and Maintenance: \$4,000,000
2. Federal Dam Rehabilitation:
 - a. Additional federal funds on one construction project: \$1,500,000.
 - b. State matching funds for 1 dam: \$900,000

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

Construction Projects in Progress (all anticipated to be completed by June 2025)

Federal Rehabilitation Projects

1. Lower East Fork Laterals 10 (Kaufman County)
2. Chambers Creek 10 (Ellis County)
3. Chambers Creek 11 (Ellis County)

4. Cedar Creek 87A (Kaufman County)
5. Lower Plum Creek 28 (Caldwell County)
6. Lower Running Water Draw 4 (Hale County)
7. Plum Creek 21 (Hays County)

State Funded High Hazard Dam Upgrade

1. Big Sandy Creek 44 (Wise County)
2. Big Sandy Creek 43 (Wise County)
3. Chambers Creek 1 (Ellis County)
4. Chambers Creek 7 (Ellis County)
5. Chambers Creek 129 (Navarro County)
6. Elm Creek (Centex) 39 (Falls County)
7. Upper Cibolo Creek 4 (Kendall County)
8. Williams Creek 1 (Gillespie County)

State Funded Dam Repair

1. Chambers Creek 100 (Ellis County)
2. Chambers Creek 113 (Ellis County)
3. Chambers Creek 115 (Ellis County)
4. Cedar Creek 126 (Van Zandt County)
5. Cedar Creek 135B (Van Zandt County)
6. Pine Creek 14 (Lamar County)
7. Cedar Creek 3 (Rockwall County)
8. Cedar Creek 13 (Rockwall County)

Accomplishment of Plan Projects

During fiscal year 2024, the following projects were completed:

- 2 Dam Repairs
- 1 High Hazard Dam Rehabilitation
- 5 High Hazard Dam Upgrades

The following tables list the projects completed in FY 2024, projects anticipated to be completed in FY 2025, and funding needed for FY 2026 and 2027. The amount and source (state or federal) of funding expended or expected to be expended is shown in each table.

TSSWCB FLOOD CONTROL PROGRAM COMPLETED PROJECTS - FY 2024						
BUDGET ITEM	COUNTY	STATE FUNDING	SPONSOR'S COST	FEDERAL FUNDING	TOTAL PROJECT COST	STATUS OR COMPLETION DATE
Salary and Overhead		892,250			892,250	
Dam Operation & Maintenance		4,050,000	428,571		4,478,571	
Dam Repair						
Chiltipin-San Fernando Creek 2	Duval	1,361,749	68,914		1,430,663	11/9/2023
Upper Lake Fork 2	Hunt	1,508,235	75,601		1,583,835	1/3/2024
Subtotal - Dam Repair		2,869,984	144,515		3,014,499	
Federal High Hazard Dam Rehabilitation						
Plum Creek 10	Hays	1,760,092	92,636	3,440,781	5,293,509	1/9/2024
Subtotal - Federal Rehab		1,760,092	92,636	3,440,781	5,293,509	
State High Hazard Dam Upgrade						
Chambers Creek 15	Ellis	3,694,067	64,193		3,758,260	8/17/2023
Chambers Creek 9	Ellis	3,839,915	66,727		3,906,642	9/15/2023
Elm Creek (Centex) 23	Bell	4,567,960	78,993		4,646,953	9/25/2023
Lower East Fork Laterals 3	Kaufman	2,059,206	35,438		2,094,644	12/7/2023
Plum Creek 2	Hays	8,539,153	148,750		8,687,903	3/31/2024
Subtotal - State Upgrade		22,700,301	394,101		23,094,402	
TOTAL FUNDING		32,272,626	1,059,824	3,440,781	36,773,230	

TSSWCB FLOOD CONTROL PROGRAM PLANNED COMPLETION - 2025						
BUDGET ITEM	COUNTY	STATE FUNDING	SPONSOR'S COST	FEDERAL FUNDING	TOTAL PROJECT COST	STATUS OR COMPLETION DATE
Salary and Overhead		892,250			892,250	
Dam Operation & Maintenance		4,000,000	423,280		4,423,280	
Dam Repair						
Chambers Creek 100	Ellis	660,918	33,129		694,046	CONSTRUCTION
Chambers Creek 113	Ellis	543,091	27,223		570,314	CONSTRUCTION
Chambers Creek 115	Ellis	900,743	45,150		945,893	CONSTRUCTION
Cedar Creek 126	Van Zandt	573,510	0		573,510	CONSTRUCTION
Cedar Creek 135B	Van Zandt	670,530	0		670,530	CONSTRUCTION
Pine Creek 14	Lamar	619,815	0		619,815	CONSTRUCTION
Cedar Creek 3	Rockwall	871,395	0		871,395	CONSTRUCTION
Cedar Creek 13	Rockwall	1,643,890	0		1,643,890	CONSTRUCTION
Subtotal - Dam Repair		6,483,891	105,501	0	6,589,392	
Federal High Hazard Dam Rehabilitation						
Cedar Creek 87A	Kaufman	5,765,447	303,445	11,303,300	17,372,192	CONSTRUCTION
Chambers Creek 10	Ellis	3,450,000	181,579	7,701,000	11,332,579	CONSTRUCTION
Chambers Creek 11	Ellis	3,260,000	171,579	7,314,000	10,745,579	CONSTRUCTION
Lower East Fork Laterals 10	Kaufman	5,000,000	0	9,586,200	14,586,200	CONSTRUCTION
Lower Plum Creek 28	Caldwell	3,558,188	0	6,684,836	10,243,024	CONSTRUCTION
Lower Running Water Draw 4	Hale	2,772,000	145,895	5,382,900	8,300,795	CONSTRUCTION
Plum Creek 21	Caldwell	4,224,000	213,419	8,264,000	12,701,055	CONSTRUCTION
Subtotal - Federal Rehab		28,029,635	1,015,916	56,236,236	85,281,423	
State High Hazard Dam Upgrade						
Big Sandy 43	Wise	12,541,635	4,499		12,546,134	CONSTRUCTION
Big Sandy 44	Wise	10,221,930	178,500		10,400,430	CONSTRUCTION
Chambers Creek 1	Ellis	8,919,135	155,750		9,074,885	CONSTRUCTION
Chambers Creek 129	Navarro	9,129,587	159,425		9,289,012	CONSTRUCTION
Chambers Creek 7	Ellis	7,275,609	127,050		7,402,659	CONSTRUCTION
Elm Creek (Centex) 39	Falls	5,405,729	57,750		5,463,479	CONSTRUCTION
Upper Cibolo Creek 4	Kendall	11,023,650	192,500		11,216,150	CONSTRUCTION
Williams Creek 1	Gillespie	6,721,135	116,795		6,837,930	CONSTRUCTION
Subtotal - State Upgrade		71,238,409	182,999	0	22,946,564	
TOTAL FUNDING		110,644,184	1,727,696	56,236,236	120,132,909	

TSSWCB FLOOD CONTROL PROGRAM NEEDS - FY 2026 - 2027 BIENNIUM						
BUDGET ITEM	COUNTY	STATE FUNDING	SPONSOR'S COST	FEDERAL FUNDING	TOTAL PROJECT COST	STATUS OR COMPLETION DATE
Salary and Overhead		1,800,000			1,800,000	
Dam Operation & Maintenance		10,000,000	1,058,201		11,058,201	
Engineering Services		53,749,599			53,749,599	
Dam Repair						
Lower East Fork Laterals 2	Kaufman	987,525	0		987,525	DESIGNED
Auds Creek 8a	Lamar	1,600,000	0		1,600,000	DESIGN
Plum Creek 17	Caldwell	852,012	0		852,012	DESIGN
Denton Creek 30	Wise	309,172	0		309,172	DESIGN
Denton Creek 29	Wise	172,185	0		172,185	DESIGN
Salt Creek 6	Wise	226,359	0		226,359	DESIGN
Auds Creek 10	Lamar	800,000	0		800,000	
Pine Creek 16	Lamar	600,000	0		600,000	
Pine Creek 9A	Lamar	600,000	0		600,000	
Logan Slough Creek 3	Lamar	260,000	0		260,000	
Logan Slough Creek 2	Lamar	200,000	0		200,000	
Logan Slough Creek 1	Lamar	240,000	0		240,000	
Upper Lake Fork Creek 18	Hopkins	200,000	0		200,000	
Salt Creek 8B	Wise	230,984	0		230,984	
Salt Creek 8	Wise	136,415	0		136,415	
Upper Lake Fork Creek 15A	Hopkins	500,000	0		500,000	
Caney Creek 8 (late application)	Fannin	75,000	0		75,000	
Cedar Creek 70	Kaufman	669,744	0		669,744	
Cedar Creek 94B	Kaufman	781,368	0		781,368	
Dry Devil and Lowery Draw 4	Sutton	442,142	0		442,142	
Elm Creek (Centex) 19	Bell	433,101	0		433,101	
Elm Creek (Centex) 34	Milam	433,101	0		433,101	
Lower East Fork Laterals 6	Kaufman	1,160,889	0		1,160,889	
Salt Creek and Laterals 6	Wise	371,308	0		371,308	
Salt Creek and Laterals 8B	Wise	379,575	0		379,575	
Upper East Fork Laterals 4	Rockwall	1,495,762	0		1,495,762	
Upper East Fork Laterals 4B	Rockwall	937,642	0		937,642	
Upper East Fork Laterals 6A	Rockwall	904,154	0		904,154	
Upper Pecan Bayou 30	Brown	279,060	0		279,060	
Richland Creek 16A	Limestone	364,500	0		364,500	
Upper Lake Fork 12	Hopkins	135,000	0		135,000	
Subtotal - Dam Repair		16,776,997	0	0	16,776,997	
Federal High Hazard Dam Rehabilitation						
Big Sandy Creek 26	Wise	1,118,250	0	2,076,750	3,195,000	PLANNING
Chambers Creek 4	Ellis	1,127,700	0	2,094,300	3,222,000	DESIGN
Chambers Creek 6	Ellis	1,263,150	0	2,345,850	3,609,000	DESIGN
Clear Fork Trinity 33	Parker	1,957,550	0	3,635,450	5,593,000	PLANNING
Comal River 4	Comal	5,572,000	0	10,348,000	15,920,000	DESIGN
Kickapoo Creek 4	Coke	704,200	0	1,307,800	2,012,000	DESIGN
Lower East Fork Laterals 9	Kaufman	2,098,191	0	3,896,640	5,994,831	DESIGNED
Plum Creek 12	Hays	4,900,000	0	9,100,000	14,000,000	DESIGNED
Upper Cibolo Creek 2	Kendall	2,692,200	0	4,999,800	7,692,000	DESIGN
Williams Creek 2	Gillespie	3,214,365	0	5,969,535	9,183,900	PLANNING
Subtotal - Federal Rehab		24,647,606	0	45,774,125	70,421,731	
State High Hazard Dam Upgrade						
East Fork Above Lavon 15	Collin	3,500,000	0		3,500,000	DESIGNED
East Fork Above Lavon 16	Collin	3,500,000	0		3,500,000	DESIGNED
Elm Creek (Centex) 4	Bell	12,390,000	0		12,390,000	DESIGNED
Plum Creek 14	Caldwell	29,900,000	0		29,900,000	DESIGNED
Upper East Fork Laterals 5B	Rockwall	13,900,000	0		13,900,000	DESIGNED
Upper East Fork Laterals 5C	Rockwall	3,500,000	0		3,500,000	DESIGNED
Kickapoo Creek 5	Coke	500,000	0		500,000	
Brady Creek 1	McCulloch	8,000,000	0		8,000,000	
Elm Creek (Centex) 21	Bell	8,000,000	0		8,000,000	
Elm Creek (Centex) 22	Bell	8,000,000	0		8,000,000	
Elm Creek (Centex) 30	Bell	8,000,000	0		8,000,000	
Elm Creek (Centex) 8	Bell	8,000,000	0		8,000,000	
Rowlett Creek 4	Collin	8,000,000	0		8,000,000	
Upper East Fork Laterals 5A	Rockwall	8,000,000	0		8,000,000	
Williams Creek 4	Gillespie	8,000,000	0		8,000,000	
Sulphur Creek 6	Lampasas	8,000,000	0		8,000,000	
Subtotal - State Upgrade		139,190,000	0	0	139,190,000	
TOTAL FUNDING NEEDED		246,164,202	1,058,201	45,774,125	292,996,528	
TSSWCB EXPECTED APPROPRIATION		50,000,000				
TSSWCB ADDITIONAL FUNDING NEEDED		196,164,202				