

**Border Interagency Work Group
Austin, Texas
September 7, 2005**

Minutes

Present:

GLO, Soll Sussman
GOV-EDT, Robert Andrade
LT. GOV, Aaron Kocian
OAG, David Preister
OAG, Lauri Soathoff
ORCA, Steve Mendoza
REP, Chavez's Ofc., Ali Enrique Razavi
SOS, Alfonso Casso
SOS, Buddy Garcia
SOS, Helena Colyandro
SOS, Yvette Sanchez
TCEQ, Jennifer Allis Ahrens
TCEQ, Rachel Krause
TCEQ, Steve Niemeyer
TDHCA, Raul Gonzales
TDI, Gloria Leal
TEA, Sonia Castaneda
THECB, Helena Stangle
TPWD, Maria Araujo
TWC, Cameron Bell
TWDB, Amanda Lavin
TXDOT, Esther Hitzfelder
TXDOT, Patrick Marott

Welcoming Remarks

Deputy Secretary of State Buddy Garcia (DSOS Garcia) opened the meeting at 2:00 p.m. He welcomed everyone to the meeting and all members introduced themselves.

DSOS Garcia highlighted some issues, including the fact that the Governor cannot circumvent the Model Subdivision Rules by declaring a state of emergency in order to provide electric hookups to colonia residents, as requested by Webb County.

The September 1, 2005, letter from Texas Department of Transportation (TXDOT) regarding the Border Colonia Access Program-Second Call was also discussed. TXDOT informed border county officials that due to unanticipated financial issues, the state will

not be able to issue bonds used to reimburse counties for road projects. TXDOT is therefore requesting that all work on second call projects stop immediately until further notice. DSOS Garcia will be working with TXDOT to resolve the issue if possible.

The meeting was opened up for discussion.

Office of Rural and Community Affairs (ORCA)

Steve Mendoza advised the roundtable members that HB 467 (Bailey), relating to the financing of water and sewer programs in disadvantaged areas may affect funding for colonia programs since this bill allows any county to be Economically Distressed Area Program (EDAP) eligible.

Mendoza also discussed HB 775 (Gonzales), relating to the allocation of certain community development block grant program money for the installation of street lights in colonias. He raised the issue of unintended consequences, such as the cost of the electricity for these street lights and the fact that no one is designated in the legislation to pay for the electricity. Mendoza mentioned that Hidalgo and Cameron County were upset about the passage of this bill. DSOS Garcia noted that no one testified in opposition to this legislation during the regular legislative session.

The following bills would also affect ORCA:

HB 925 (Chavez), relating to border issues.

SB 827 (Zaffirini), relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

SB 1202 (Lucio), relating to the coordination of colonia initiatives and services to colonia residents.

Texas Commission on Environmental Quality (TCEQ)

Steve Niemeyer distributed a list of TCEQ border-related legislation. New legislation affecting the border:

HB 2510 (Bonnen), relating to the regulation of on-site sewage disposal systems and the maintenance of those systems; imposing administrative and criminal penalties.

HB 3029 (Strama), relating to eligibility of certain rural areas for certain state assistance.

Niemeyer also mentioned that TCEQ's report on legislation affecting their agency can be found at

http://www.tceq.state.tx.us/comm_exec/igr/leg79_660523.pdf

DSOS Garcia mentioned that the Gulf Summit (originally scheduled to take place in November of 2005 in Corpus Christi, Texas) had been cancelled due to Hurricane Katrina.

Robert Andrade (Governor's Office, Division of Economic Development) mentioned that the International Boundary and Water Commission (IBWC) will host the Rio Grande Binational Summit on November 17-18, 2005 at the Holiday Inn in Reynosa, Tamaulipas, and at the McAllen Convention Center in McAllen, Texas.

Texas Water Development Board (TWDB)

Amanda Lavin summarized the following bills that would affect the border:

HB 467 (Bailey), relating to the financing of water and sewer programs in disadvantaged areas. The bill expands the number of political subdivisions that are eligible for EDAP funding.

SB 425 (Hinojosa), relating to subdivision platting requirements and assistance for certain counties near an international border.

Lavin mentioned that the TWDB would seek an Attorney General opinion to resolve the conflicting language between SB 425 and HB 467 in the Water Code.

HB 3029 (Strama), relating to eligibility of certain rural areas for certain state assistance.

HB 925 (Chavez), relating to border issues.

SB 827 (Zaffirini), relating to systems for identifying colonias and for tracking the progress of state-funded projects that benefit colonias and the submission of a related report to the legislature.

General Land Office (GLO)

Sol Sussman mentioned that the General Land Office is hosting the Border Energy Forum with the New Mexico State Land Commissioner in Santa Fe, NM.

The GLO will also be hosting the Burgos Basin delegation for an information sharing seminar regarding right-of-way, remediation, etc.

Office of the Attorney General (OAG)

Per SB 425 (Hinojosa), David Preister discussed the Nueces County enforcement of environmental law. He also referred the group to the Attorney General's colonia prevention website at

<http://www.oag.state.tx.us/border/index.shtml>

The last Model Subdivision Rules workshop was held in Cameron County on August 31, 2005 and Starr County on September 1, 2005. Discussion on whether to conduct a workshop in Nueces County was discussed. Amanda Lavin suggested video conferencing as a possible alternative to travel costs.

The AG's office lost two investigators due to lack of funding. Joe Riddell, formerly of the AG's office is retired and seeking a part-time job.

Texas Department of Transportation (TXDOT)

Esther Hitzfelder informed the group that there are a number of bills relating to the border that affect TXDOT, several of which had already been mentioned. Two meetings with DSOS had been held to discuss implementation of SB 569 and other border related bills. As TXDOT implements the new legislation, they continue with the other meetings that TXDOT routinely has with their Mexican counterparts. Two recent meetings include a long-range infrastructure planning meeting and participation in the Border Innovative Finance Conference in San Antonio.

DSOS Garcia discussed the declaration of a state of emergency in Arizona and New Mexico and border security in general. DSOS Garcia alluded to the Border Governor's Conference (BGC) declaration and desire by US/Mexico border governors to focus on border security at next summer's BGC to be held in Texas.

DSOS mentioned Governor Perry is scheduled to have a meeting with Tamaulipas Governor Eugenio Hernández Flores at the end of September.

It was further discussed that devastation due to Hurricane Katrina might require the use of other trade routes in Texas, since Mississippi River access is temporarily closed. He also discussed possible alternatives such as the use of ports from Mexico through Texas.

Texas Higher Education Coordinating Board (THECB)

Helena Stangle informed the group of the following legislative bills affecting the border:

HB 925 (Chavez), relating to border issues.

SB 1528 (Zaffirini), relating to the payment of tuition and fees at public institutions of higher education and the determination of Texas residency for that purpose. This bill is basically a residency cleanup bill.

Stangle also mentioned that there have been some changes with Texas Grants.

She also referred the group to THECB's website regarding Hurricane Katrina related educational assistance to evacuees. There was approximately 172,000 college students displaced due to Hurricane Katrina.

www.katrinacollegestudents.org

Texas Department of Housing and Community Affairs (TDHCA)

Raul Gonzales summarized the following bills that would affect the border:

SB 425 (Hinojosa), relating to subdivision platting requirements and assistance for certain counties near an international border.

HB 467 (Bailey), relating to the financing of water and sewer programs in disadvantaged areas. The bill expands the number of political subdivisions that are eligible for EDAP funding.

HB 1823 (Dutton), relating to the rights of a purchaser under an executory contract for conveyance of real property.

HB 1099 (Chavez), relating to migrant labor housing facilities. The bill transfers the responsibility for the licensing and inspection of migrant labor housing facilities from the Department of State Health Services (DSHS) to the TDHCA.

SB 1202 (Lucio), relating to the coordination of colonia initiatives and services to colonia residents.

Raul also mentioned that TDHCA is working with the Federal Emergency Management Agency (FEMA) on the housing of displaced residents.

Texas Department of Insurance (TDI)

Gloria Leal mentioned that TDI with TXDOT, the Department of Public Safety (DPS) and the Department of Information Resources (DIR) are currently working on developing an insurance verification database to establish verification of whether owners of motor vehicles have established financial responsibility (SB 1670, Staples).

She also informed the group that the U.S., Mexico, and Canada formed the Security and Prosperity Partnership to increase the security, prosperity, and quality of life of its citizens. One of the components is financial services and how to enhance technological assistance to Mexico.

TDI is working on cross border insurance to allow more competition in Mexico. However, it does not include cross border health insurance or workman's compensation claims.

There will be a North American Free Trade Agreement (NAFTA) Financial Services Committee meeting on Oct 4th in Ottawa, Canada. The next Tri-Lateral Meeting will be held in California.

The commissioner has also set up insurance claim sites for the Hurricane Katrina disaster.

Office of the Governor – Economic Development & Tourism

Robert Andrade informed the group that Texas will be hosting the Border Governor's Conference.

The Economic Development & Tourism office is hosting more companies in Texas and during their recent trade mission in Mexico they represented over 90 companies. Sixty companies are interested in doing business with Texas.

Andrade discussed HB 1765 (Morrison), which created the \$200 million Texas Emerging Technology Fund. Seven regional centers will be established throughout Texas.

He also mentioned that a bio-technology lab from Louisiana was looking at Texas as a possible site.

Texas Parks and Wildlife Department (TPWD)

Maria Araujo said that there were no specific border bills, but felt that HB 925 (Chavez), which created the Border Interagency Work Group would provide the necessary mechanism for better coordination. In terms of work with Mexico, TPWD has been collaborating with Tamaulipas, Nuevo Leon and Coahuila as a result of the recent decentralization of wildlife management functions to the border states and is coordinating with the U.S. Fish and Wildlife Service to avoid duplication in the standardization of wildlife surveys and related cooperative projects that the group identified in February.

She also mentioned that the Texas Parks & Wildlife Expo will take place in Austin on Oct 1-2, 2005.

Soll Sussman mentioned that the World Energy Engineering Congress (WEEC) will take place in Austin on September 14-16, 2005.

Representative Chavez's Office

Ali Razavi mentioned that the purpose of HB 925 (the creation of the Border Interagency Work Group) was not only to enhance what the roundtable was already doing, but to develop recommendations on improving the border. He also said it could serve as a clearinghouse of what is happening on the border.

Other

The next Border Interagency Work Group meeting is scheduled for November 9, 2005.

Agency Hurricane Katrina Relief Efforts

TxDOT Hurricane Katrina relief efforts through 9-7-2005

Travel information centers

BMT, ATL and 2 TICS

Set up evacuee assistance centers at 2 travel information centers- Beaumont and Waskom. Provided water, snacks, ambulatory care, food in Waskom, etc. to evacuees.

Overflow for TICs at Canton and Columbus

TYL and YKM

Set up overflow evacuee assistance centers at 2 rest areas: one on IH 10, one on IH 20

Message boards- permanent

Flashed evacuee messages on message boards statewide, including El Paso, San Antonio, Houston, Dallas, Beaumont, Tyler and Yoakum districts

Portable message boards delivered to Baton Rouge LA

Delivered, through an EMAC request, 25 changeable message boards to LaDOTD.

Cot distribution

Distributed 8188 cots to 11 different locations over 3 days: handled primarily by General Services Division, San Antonio, Bryan and Austin Districts

Water distribution

Delivered 44 pallets (72 cases to a pallet) of water from Athens TxDOT warehouse to a water distribution center in Corsicana

GIS mapping by TP&P for Bridge Division

Preparation for mapping efforts only

Oversize overweight permit- lift restrictions

Lifted the restrictions on oversize overweight permits in Texas

Exemption for interstate registration requirements in emergency relief

Worked with Federal Motor carrier division to enable exemptions to the Motor Carrier laws

Provided evacuee processing center at Astrodome

HOU- 157 BBIs and 1 portable message board

Handicap placards for LA evacuees

Developed new procedures for evacuees to get handicap parking placards

Flying Lidar flights in preparation for mapping

Working with UT to supply them with a state aircraft for mapping of Lidar.

Texas General Land Office

PRESS RELEASE

FOR IMMEDIATE RELEASE

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New Orleans bound: Land Office oil spill teams on the way

Skilled personnel, airboats and bird rehabilitation trailer to aid in recovery effort

AUSTIN — The United States Coast Guard today called on Texas General Land Office Oil Spill Prevention and Response teams to assist in the recovery of New Orleans.

The Texas oil spill experts will travel to Zephyr Field in Kenner, La., and will receive a specific mission upon arrival, said Jerry Patterson, Commissioner of the Texas General Land Office. Kenner is about 15 miles west of downtown New Orleans.

“We’re just happy to help,” Patterson said. “We know that Louisiana would do the same thing for us if we were in similar circumstances.”

The Land Office team is mobilizing a whole array of oil spill response equipment and staff, including:

- Seven boats, including three airboats, three 18-foot boats and one 24-foot boat
- One bird rehabilitation trailer that will be used to provide air conditioned-sleeping quarters for team members
- One mobile command post
- 10 trucks
- One equipment storage trailer
- 16 personnel from all five Land Office oil spill field offices, located in Nederland, La Porte, Corpus Christi, Brownsville and Port Lavaca

Seven personnel from the La Porte and Nederland offices will arrive in Kenner early this evening. **Crews will muster in the parking lot of the Nederland field office (2300 Highway 365 in Nederland) at 2 p.m. and will leave later this afternoon.** The remainder will stay in the Beaumont area overnight and will arrive in Kenner on Friday morning.

The teams are self-sufficient, carrying their own food and water. They also will be carrying many extra gallons of gasoline and diesel fuel. Satellite communications capability has been arranged because telephone and cellular phone services have been disrupted in the New Orleans area. J.T. Ewing, the Region 1 Regional Director for the Oil Spill Prevention and Response Division, will be the task force leader, and is directing the operation.

ATTENTION BROADCASTERS: B-roll of the GLO airboats in action will be available today.

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Katrina Activities by the Texas Parks and Wildlife Department (TPWD)

TPWD headquarters employees donated, as an agency, \$2,300 to the Red Cross.

Texas Game Wardens:

- Rescued approximately 5,000 people mostly from east New Orleans, including low-income neighborhoods, apartments and hospitals.
- Worked 10 days in two shifts of five days, which involved a total of 111 game wardens.
- Used 50 boats and followed orders from the Baton Rouge command and operated from the Methodist Church in Gonzales, LA.

The Parks Division:

- Contacted people with park reservations for the Labor Day weekend, and most people gave up the reservation voluntarily or agreed to move to other parks. (At Daingerfield State Park, a large group with weekend reservations could not be rescheduled, so park staff sought help from local leaders to house about 30 evacuees. As a result local residents put evacuees up in their homes and a church collected \$750 on the spot and donated it to the evacuees.)
- Sheltered 847 evacuees at the 48 state parks at a facility cost of \$20,650.
- As of October 18, 2005, the Parks Division did not know whether this revenue loss qualified for FEMA reimbursement.
- Holiday weekends such a Labor Day are critical to generate revenue for the Parks Division.