

# Talking Points to the Board

## Members:

Tell them you support TPWD & TGLO in the fight against S.T.O.R.M. and urge Them to support TPWD and TGLO if any notification of any changes to existing current laws or new law introduced in this 2014-2015 Legislative session Urge TPWD & TGLO to continue the defense of the rights of all commercial fishermen's, recreational and sports fishermen, Oyster leaseholders, and the state of Texas to own, maintain, and control the state's water bottoms and natural resource.



**Steven Bearden, Port Director**

**Chairman Victoria Barrera**

**Sectary M.R. Garcia**

**The Second S Council Member Robert Ostos**

**Port Isabel/San Benito Navigation District - - - Steve Bearden, Port  
Director 250 Industrial Drive • Port Isabel, Texas 78578 • 956.943.7826  
Turning Basin • Port Road in Port Isabel, Texas**

**Email [sbearden@rgv.rr.com](mailto:sbearden@rgv.rr.com)**

**[http://www.portofportisabel.com/form/contact\\_info.html](http://www.portofportisabel.com/form/contact_info.html)**

**TPWD RESOLUTION  
GALVESTON COUNTY  
JUDGE MARK HENRY**

**COMMISSIONER RYAN DENNARD, PCT. #1  
COMMISSIONER KEVIN O'BRIEN, PCT. #2  
COMMISSIONER STEPHEN HOLMES, PCT. #3  
COMMISSIONER KENNETH CLARK, PCT. #4**

**UNANIMOUSLY PASSED NOVEMBER 10<sup>TH</sup>, 2014**

*In passage of Consideration of a Resolution  
Concerning the State of Texas and Texas  
Parks and Wildlife Department for  
Waterways and Natural Resources.*

**We are requesting on behalf of The Seafood Industry and Concerned Citizens of Texas Gulf Coast throughout the Texas coastal counties to please adopt this Galveston County TPWD Resolution into your County. We are facing a critical situation. Our livelihood is in jeopardy. Please support the State, TPWD, ALL the Citizens, Seafood Industry, Commercial and recreational fisheries.**

**SAY "NO" TO "PRIVATIZING" STATE WATER  
BOTTOMS IN TEXAS.**

**SAY "YES" BY SUPPORTING THE TPWD RESOLUTION  
KEEPING "THE STATE WATER BOTTOMS  
PUBLIC".**

**Concerned Citizens of Texas Gulf Coasts link to petition:**

[http://chn.ge/1xHtJA4?share\\_id=PWuILPURoj](http://chn.ge/1xHtJA4?share_id=PWuILPURoj)



# COUNTY OF GALVESTON

On this the 10th day of November, 2014, the Commissioners' Court of Galveston County, Texas convened in a regularly scheduled meeting with the following members thereof present:

Mark Henry, County Judge  
Ryan Dennard, Commissioner, Precinct No. 1  
Kevin O'Brien, Commissioner, Precinct No. 2  
Stephen Holmes, Commissioner, Precinct No. 3  
Kenneth Clark, Commissioner, Precinct No. 4; and  
Dwight Sullivan, County Clerk

when the following proceedings, among others, were had, to-wit:

Whereas, the State of Texas controls all of its waterways, water bottoms and natural resources located on those water bottoms for the purposes of commercial and recreational fishing. The natural resources controlled by the State of Texas include but are not limited to oysters, shrimp, and fish of any kind; and

Whereas, the State of Texas has authorized the Texas Parks and Wildlife Department to oversee, manage, and control the use of the state's waterways, water bottoms, and natural resources with relation to any commercial or recreation harvesting and fishing activities. Texas law dictates that individuals are allowed commercially, recreationally and privately to fish the state's natural resources with the exclusive permission and under the exclusive supervision of the State of Texas through the Texas Parks and Wildlife Department; and

Whereas, commercial fishermen include oystermen, shrimpers, and fishermen of any other kind who are properly licensed under the laws of the State of Texas and who operate under the supervision and control of the Texas Parks and Wildlife Department. Oysterman and entities that are properly licensed to harvest and to do business in the State of Texas have the right to privately lease, manage, control water bottoms properly leased to them by the Texas Parks and Wildlife Department under the laws of the State of Texas; and

Whereas, the Texas Parks and Wildlife Department has the exclusive right to issue, manage and control private oyster leases for the use of public water bottoms in the State of Texas. The State of Texas and the Texas Parks and Wildlife Department have sole discretion and authority to oversee, manage, and control public safety upon Texas waterways; and

Whereas, the State of Texas and the Texas Parks and Wildlife Department have sole discretion and authority to oversee, manage, and control the Texas water bottoms and natural resources described herein in relation to commercial or recreational harvesting or fishing of any kind; and

Whereas, Navigational Districts empowered by the State of Texas were created solely for the navigational purposes described in the statutes governing said bodies. The purposes for which Navigational Districts were created do not pertain in any way to commercial, recreational or private harvesting and fishing on Texas water bottoms that are legally controlled by the Texas Parks and Wildlife Department as authorized by the State of Texas; and

Whereas, Navigation Districts do not hold any authority to govern, manage, or control the natural resources of the State of Texas. Navigational Districts do not hold any authority to convey to a third party any authority with respect to commercial, recreational or private harvesting and fishing on Texas water bottoms that are legally controlled by the Texas Parks and Wildlife Department as authorized by the State of Texas; and

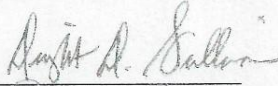
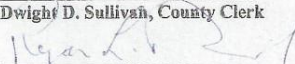
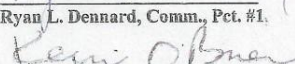
Whereas, Navigational Districts do not hold any authority to authorize the use of Texas water bottoms for the purpose of fishing or harvesting the state's natural resources; and

Whereas, the current laws of the state of Texas grant the authorities cited herein clearly, concisely, and without room for interpretation to the contrary; and

Now, Therefore, Be it Resolved, Commissioners Court of Galveston County agrees that any laws seeking to amend or to alter the existing laws of the State of Texas as they relate to the use of waterways, water bottoms, or natural resources for commercial, recreational or private harvesting and fishing are hereby rejected in full. Any laws seeking to amend or to alter the existing laws of the State of Texas for the purposes of negating or diminishing the authority of the Texas Parks and Wildlife Department to oversee all commercial, recreational and private harvesting and fishing of the natural resources of the State of Texas are hereby rejected in full.

Upon Motion Duly Made and Seconded, the above Resolution was unanimously passed on this the 10th day of November, 2014.

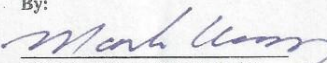

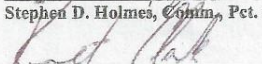
Attest:

  
Dwight D. Sullivan, County Clerk  
  
Ryan L. Dennard, Comm., Pct. #1  
  
Kevin D. O'Brien, Comm., Pct. #2



County of Galveston, Texas

By:

  
Mark A. Henry, County Judge  
  
Stephen D. Holmes, Comm., Pct. #3  
  
Kenneth Clark, Comm., Pct. #4