

TEXAS STATE SOIL AND WATER CONSERVATION BOARD

Authorization to Disclose Information Regarding a Specific Water Quality Management Plan

Agriculture Code, Sec. 201.006 states information collected by the Texas State Soil and Water Conservation Board (TSSWCB) relating to a water quality management plan (WQMP) certified under Agriculture Code, Sec. 201.026 may not be disclosed to persons other than a landowner, the landowner's agent, or tenant.

However, in accordance with Agriculture Code, Sec. 201.006(b)(2), the TSSWCB may disclose information regarding a tract of land to a person other than the owner or the owner's agent or tenant if the owner or the agent or tenant consents in writing to full or specified partial disclosure of the information, AND the consent is attached to each plan or report regarding the tract prepared by the TSSWCB. The purpose of this form is to document consent to disclose.

I, _____, being or representing the responsible party whose signature is on the certification page for WQMP No. --, request that * specified portion(s), or all, of this WQMP be provided to the following individual or entity:

RECIPIENT NAME	
REPRESENTING	
ADDRESS	
PHONE NUMBER	
EMAIL ADDRESS	

Please PRINT legibly.

*Specified Portion(s) <i>(Please List)</i>	
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Printed Name: _____

Signature: _____

Date: _____

Texas Agriculture Code, Chapter 201

Sec. 201.006. CONFIDENTIALITY OF CERTAIN INFORMATION. (a) Except as provided by this section, information collected by the state board or a conservation district is not subject to Chapter 552, Government Code, and may not be disclosed if the information is collected in response to a specific request from a landowner or the landowner's agent or tenant for technical assistance relating to a water quality management plan or other conservation plan if the assistance is to be provided:

(1) under this code; and

(2) on private land that:

(A) is part of a conservation plan or water quality management plan developed cooperatively with the state board or conservation district; or

(B) is the subject of a report prepared by the state board or conservation district.

(b) The state board or a conservation district may disclose information regarding a tract of land to:

(1) the owner of the tract or the owner's agent or tenant; and

(2) a person other than the owner or the owner's agent or tenant if:

(A) the owner or the agent or tenant consents in writing to full or specified partial disclosure of the information; and

(B) the consent is attached to each plan or report regarding the tract prepared by the state board or conservation district.

(c) The state board or a conservation district may disclose, in a manner that prevents the identification of a particular tract of land, the owner of the tract, or the owner's agent or tenant, a summary of information collected by the state board or conservation district regarding:

(1) the number of acres of land that are in a particular conservation plan;

(2) the number of acres of land that are subject to a particular conservation practice; or

(3) other conservation program information.

(d) The state board or a conservation district shall provide a person with notice regarding this section at the time the person requests technical assistance from the state board or conservation district.

(e) The state board or a conservation district may disclose information to a law enforcement agency of this state or the United States in compliance with a subpoena for the information.

(f) The state board or a conservation district may disclose information relating to water quality complaints or compliance failures to the Texas Natural Resource Conservation Commission under Section 201.026.

(g) The state board or a conservation district may disclose to the attorney general information relating to a breach of contract.

(h) The state board or a conservation district may not be held liable for damage caused by a violation of this section.

(i) A reference in this section to the state board or a conservation district includes an officer, employee, or agent of the state board or conservation district.

Added by Acts 1997, 75th Leg., ch. 410, Sec. 1, eff. Sept. 1, 1997.