



**Interim Charge: Managing the Impacts of 765-kV
Transmission Lines on Private Property Rights**

Testimony by Stephen Bauer – State Director District 10

Chairman King, members of the committee, thank you for the opportunity to testify today and for calling this hearing to examine the impacts of proposed 765-kilovolt transmission projects.

My name is Stephen Bauer, Texas Farm Bureau State Director for District 10 and a rancher from Kerr County. I'm here testifying on behalf of Texas Farm Bureau.

Texas Farm Bureau understands the importance of a reliable electric grid. Our members depend on electricity every day, and we recognize that Texas will need infrastructure investments to support continued growth. However, projects of this size can have permanent impacts on private property, agricultural operations, and rural communities. Because of those impacts, we believe there must be a rigorous demonstration of need and stronger protections for affected landowners before these projects are approved.

Landowners across Texas continue to express concerns that these projects are being advanced based on long-term forecasts and planning assumptions rather than demonstrated, immediate needs. While planning studies play an important role, they should not replace the Public Utility Commission's responsibility to independently determine whether a project is reasonable and necessary.

We also believe all reasonable alternatives should be thoroughly evaluated before approving these projects. Existing infrastructure upgrades, advanced technologies, generating energy closer to where it is needed, and other alternatives deserve meaningful consideration before permanently affecting Texas farms, ranches, and rural communities.

For producers, these impacts are significant. A 765-kV transmission line requires a substantial right-of-way and can affect irrigation systems, aerial application, pasture management, future improvements, and the overall productivity of agricultural land. Landowners are also concerned about the

loss of productive acreage, fragmentation of farms and ranches, and restrictions on future land use.

We appreciate the growing recognition from state leaders that these concerns deserve additional attention. We are encouraged members of the legislature are calling on the Public Utility Commission to deny the pending applications until many of these issues can be addressed.

As the Legislature considers potential reforms, we believe it's important to remember that this is not the first time landowners have expressed concerns about the construction of transmission lines.

Beginning in 2017, we spent six years fighting for eminent domain reforms along with our colleagues at the Texas and Southwestern Cattle Raisers and the Texas Wildlife Association. During that effort we advocated for advanced notice to landowners, meaningful public meetings ALL ALONG THE PROPOSED ROUTE, and adequate time for landowners and adjacent landowners to participate in the process.

Unfortunately, those provisions were not in the legislation passed in 2021.

It seems based on the current situation that those concerns remain just as relevant today.

And, given the size of these structures and the width of the right of way, it also calls into question how the court will determine damages to the remaining property in an eminent domain procedure. This is an important issue for landowners.

This type of project also calls into question something long discussed among our members with regards to transmission lines. Whether or not there should be some mechanism that allows the landowner to receive on-going payments to share in the economic value created by the transmission line. Our members believe this is justified to compensate them for the long-term inconvenience created by the transmission line.

This concept of adequate and fair compensation seems to be particularly appropriate considering the enormity of these transmission lines.

The current process simply does not match the size and complexity of these massive transmission projects. When routes can cross multiple counties and affect thousands of acres, landowners need more than a notice in the mail. They need early notice, meaningful opportunities to engage, access to

information, and sufficient time to understand how a project may affect their property, their operation, and their future.

Ultimately, Texas can meet its reliability needs while respecting private property rights. Texas Farm Bureau encourages the Legislature to strengthen requirements for demonstrating need, ensure meaningful evaluation of alternatives, improve notice and public participation throughout the transmission planning and siting process, and consider whether these projects merit another look at the eminent domain process for these type of projects.

Thank you for your time and consideration, and I'd be happy to answer any questions.