

FROM: South Central Texas Regional Water Planning Group

DATE: November 22, 2021

SUBJECT: Solicitation of Nominations to Fill Vacancies of the South Central Texas Regional Water Planning Group Voting Membership

NOTICE TO PUBLIC
SOUTH CENTRAL TEXAS REGIONAL WATER PLANNING GROUP (REGION L)

The South Central Texas Regional Water Planning Group (SCTRWPG), as established by the Texas Water Development Board in accordance with 31 TAC 357, is soliciting nominations to fill a voting member vacancy on the SCTRWPG in the following interest area: **Electric Generating Utilities and Water Utilities**.

For your convenience, the nomination form may be found on the SCTRWPG website at regionltexas.org.

Article V. Section 3 of the adopted SCTRWPG Bylaws states that in order to be eligible for voting membership, a person must be capable of adequately representing the interest for which a member is sought, willing to participate in the regional flood planning process, attend meetings, and abide by the adopted Bylaws.

Nomination forms may be submitted through email to khayes@sariverauthority.org, or by printing the nomination form, completing it, and mailing. A nomination form must be completed and submitted for each nominee to be considered. For specific definitions and eligibility requirements in each of the areas of interest, and to obtain a nomination form, please contact Kendall Hayes (210) 302-3641 or khayes@sariverauthority.org.

The South Central Texas Regional Water Planning Area consists of Atascosa, Bexar, Caldwell, Calhoun, Comal, DeWitt, Dimmit, Frio, Goliad, Gonzales, Guadalupe, Karnes, Kendall, LaSalle, Medina, Refugio, Uvalde, Victoria, Wilson, Zavala and part of Hays Counties.

Nominations must be received by 5:00 pm, Friday, January 7, 2022, addressed to Tim Andruss, Chair, South Central Texas Regional Water Planning Group, c/o San Antonio River Authority, Attn: Kendall Hayes, 201 W. Sheridan Street, San Antonio, Texas 78204, or emailed to khayes@sariverauthority.org

Regional Water Planning Group Voting Membership

**SOUTH CENTRAL TEXAS REGIONAL WATER PLANNING
GROUP Nomination for Interest Group (check one):**

- Water Utilities** **Electric Generating Utilities**

Pursuant to official Bylaws and Guiding Principles adopted by the South Central Texas Regional Water Planning Group (SCTRWPG), nominators shall provide information regarding the nominee's current employer, and provide a description of the nominee's experience that qualifies him/her for the position in the interest group being sought to represent. Please refer to section 357.11 (e) (see *addendum*) of the Texas Administrative Code for the definitions of the interest categories represented on the SCTRWPG.

NOMINATOR

NAME: _____

ADDRESS: _____

PHONE: _____ **FAX:** _____ **EMAIL:** _____

OCCUPATION: _____

NOMINEE

NAME: _____

ADDRESS: _____

PHONE: _____ **FAX:** _____ **EMAIL:** _____

INTEREST AREA: _____

COUNTY: _____

OCCUPATION: _____

PLEASE GIVE A BRIEF DESCRIPTION OF THE NOMINEE'S EXPERIENCE THAT WOULD QUALIFY HIM/HER FOR THE POSITION (please use additional pages if needed):

PLEASE LIST ANY PERTINENT AFFILIATIONS (please use additional pages if needed):

DATE SUBMITTED: _____

PLEASE ATTACH ADDITIONAL INFORMATION IF DESIRED

Nominations must be received by **5:00 p.m., Friday, January 7, 2022** addressed to Tim Andruss, Chair, South Central Texas RWPG, c/o San Antonio River Authority, Attn: Kendall Hayes, 201 W. Sheridan St., San Antonio, Texas 78204 or email to khayes@sariverauthority.org

Addendum

§ 357.11. Designations, 31 TX ADC § 357.11

31 TAC § 357.11

§ 357.11. Designations

(a) The Board shall review and update the designations of RWPAs as necessary but at least every five years, on its own initiative or upon recommendation of the EA. The Board shall provide 30 days notice of its intent to amend the designations of RWPAs by publication of the proposed change in the Texas Register and by mailing the notice to each mayor of a municipality with a population of 1,000 or more or which is a county seat that is located in whole or in part in the RWPAs proposed to be impacted, to each water district or river authority located in whole or in part in the RWPA based upon lists of such water districts and river authorities obtained from the Commission, and to each county judge of a county located in whole or in part in the RWPAs proposed to be impacted. After the 30 day notice period, the Board shall hold a public hearing at a location to be determined by the Board before making any changes to the designation of an RWPA.

(b) If upon boundary review the Board determines that revisions to the boundaries are necessary, the Board shall designate areas for which RWPs shall be developed, taking into consideration factors such as:

- (1) River basin and aquifer delineations;
- (2) Water utility development patterns;
- (3) Socioeconomic characteristics;
- (4) Existing RWPAs;
- (5) Political Subdivision boundaries;
- (6) Public comment; and
- (7) Other factors the Board deems relevant.

(c) After an initial coordinating body for a RWPG is named by the Board, the RWPGs shall adopt, by two-thirds vote, bylaws that are consistent with provisions of this chapter. Within 30 days after the Board names members of the initial coordinating body, the EA shall provide to each member of the initial coordinating body a set of model bylaws which the RWPG shall consider. The RWPG shall provide copies of its bylaws and any revisions thereto to the EA. The bylaws adopted by the RWPG shall at a minimum address the following elements:

- (1) definition of a quorum necessary to conduct business;
- (2) method to be used to approve items of business including adoption of RWPs or amendments thereto;
- (3) methods to be used to name additional members;
- (4) terms and conditions of membership;
- (5) methods to record minutes and where minutes will be archived as part of the public record; and
- (6) methods to resolve disputes between RWPG members on matters coming before the RWPG.

(d) RWPGs shall maintain at least one representative of each of the following interest categories as voting members of the RWPG. However, if an RWPA does not have an interest category below, then the RWPG shall so advise the EA and no membership designation is required.

(1) Public, defined as those persons or entities having no economic interest in the interests represented by paragraphs (2) - (12) of this subsection other than as a normal consumer;

(2) Counties, defined as the county governments for the 254 counties in Texas;

(3) Municipalities, defined as governments of cities created or organized under the general, home-rule, or special laws of the state;

(4) Industries, defined as corporations, partnerships, sole proprietorships, or other legal entities that are formed for the purpose of making a profit and which produce or manufacture goods or services and which are not small businesses;

(5) Agricultural interests, defined as those persons or entities associated with production or processing of plant or animal products;

(6) Environmental interests, defined as those persons or groups advocating the conservation of the state's natural resources, including but not limited to soil, water, air, and living resources;

(7) Small businesses, defined as corporations, partnerships, sole proprietorships, or other legal entities that are formed for the purpose of making a profit, are independently owned and operated, and have fewer than 500 employees or less than \$10 million in gross annual receipts;

(8) Electric generating utilities, defined as any persons, corporations, cooperative corporations, or any combination thereof, meeting each of the following three criteria: own or operate for compensation equipment or facilities which produce or generate electricity; produce or generate electricity for either wholesale or retail sale to others; and are neither a municipal corporation nor a river authority;

§ 361.11. Designations and Governance of Flood Planning Regions, 31 TX ADC § 361.11

(9) River authorities, defined as any districts or authorities created by the legislature which contain areas within their boundaries of one or more counties and which are governed by boards of directors appointed or designated in whole or part by the governor or board, including, without limitation, San Antonio River Authority;

(10) Water districts, defined as any districts or authorities, created under authority of either Texas Constitution, Article III, §52(b)(1) and (2), or Article XVI, §59 including districts having the authority to regulate the spacing of or production from water wells, but not including river authorities;

(11) Water utilities, defined as any persons, corporations, cooperative corporations, or any combination thereof that provide water supplies for compensation except for municipalities, river authorities, or water districts; and

(12) Groundwater management areas, defined as a single representative for each groundwater management area that is at least partially located within an RWPA. Defined as a representative from a groundwater conservation district that is appointed by the groundwater conservation districts within the associated groundwater management area.

(e) The RWPGs shall add the following non-voting members, who shall receive meeting notifications and information in the same manner as voting members:

(1) Staff member of the Board to be designated by the EA;

(2) Staff member of the Texas Parks and Wildlife Department designated by its executive director;

(3) Member designated by each adjacent RWPG to serve as a liaison;

(4) One or more persons to represent those entities with headquarters located in another RWPA and which holds surface water rights authorizing a diversion of 1,000 acre-feet a year or more in the RWPA, which supplies water under contract in the amount of 1,000 acre-feet a year or more to entities in the RWPA, or which receives water under contract in the amount of 1,000 acre-feet a year or more from the RWPA;

(5) Staff member of the Texas Department of Agriculture designated by its commissioner; and

(6) Staff member of the State Soil and Water Conservation Board designated by its executive director.

(f) Each RWPG shall provide a current list of its members to the EA; the list shall identify the interest represented by each member including interests required in subsection (d) of this section.

(g) Each RWPG, at its discretion, may at any time add additional voting and non-voting representatives to serve on the RWPG for any new interest category, including additional representatives of those interests already listed in subsection (d) of this section that the RWPG considers appropriate for water planning.

(h) Each RWPG, at its discretion, may remove individual voting or non-voting members or eliminate RWPG representative positions in accordance with the RWPG bylaws as long as minimum requirements of RWPG membership are maintained in accordance with subsection (d) of this section.

(i) RWPGs may enter into formal and informal agreements to coordinate, avoid conflicts, and share information with other RWPGs or any other interests within any RWPA for any purpose the RWPGs consider appropriate including expediting or making more efficient water planning efforts. These efforts may involve any portion of the RWPG membership. Any plans or information developed through these efforts by RWPGs or by committees may be included in an RWP only upon approval of the RWPG.

(j) Upon request, the EA will provide technical assistance to RWPGs, including on water supply and demand analysis, methods to evaluate the social and economic impacts of not meeting needs, and regarding Drought Management Measures and water conservation practices.

(k) The Board shall appoint an Interregional Planning Council during each state water planning cycle. The Interregional Planning Council will be subject to the following provisions:

(1) The Interregional Planning Council consists of one voting member from each RWPG, as appointed by the Board.

(2) Upon request by the EA, each RWPG shall submit at least one nomination for appointment, including a designated alternate for each nomination.

(3) Interregional Planning Council members will serve until adoption of the State Water Plan.

(4) The Interregional Planning Council, during each planning cycle to develop the State Water Plan, shall hold at least one public meeting and deliver a report to the Board. The report format may be determined by the Council. The report at a minimum shall include a summary of the dates the Council convened, the actions taken, minutes of the meetings, and any recommendations for the Board's consideration, based on the Council's work. Meeting frequency, location, and additional report content shall be determined by the Council.

(5) For the planning cycle of the 2022 State Water Plan, the Council's report shall be delivered to the Board by a date established by the EA, which will be no later than adoption of the 2022 State Water Plan. Beginning with the planning cycle for the 2027 State Water Plan and each planning cycle thereafter, the report shall be delivered to the Board no later than one year prior to the IPP deliverable date for the corresponding State Water Plan cycle, as set in regional water planning contracts.

Credits

Source: The provisions of this §361.11 adopted to be effective June 10, 2020, 45 TexReg 3792

31 TAC § 361.11, 31 TX ADC § 361.11

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