AGENDA

MEETING OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE AND/OR OF THE BOARD OF DIRECTORS

SAN ANTONIO RIVER AUTHORITY

November 12, 2014, 2:30 p.m.
*Estimated Presentation Time: 1.5 hours

1. CALL TO ORDER BY THE CHAIR, MS. SALLY BUCHANAN

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL BY THE SECRETARY, MR. HECTOR R. MORALES

☐ Sally Buchanan, Chair
☐ Terry E. Baiamonte, Vice-Chair
☐ Hector R. Morales, Secretary
☐ Gaylon J. Oehlke, Treasurer
☐ Darrell T. Brownlow, Ph.D.
☐ Thomas G. Weaver

4. CERTIFICATION OF A QUORUM BY THE SECRETARY

5. INTRODUCTION OF VISITORS

6. CITIZENS TO BE HEARD

*Represents the time staff anticipate that it will take to make presentations or give briefings; does not include an estimate of the time required for discussions generated by Board members.
7. APPROVAL OF THE MINUTES OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE MEETING HELD ON OCTOBER 8, 2014

8. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING FEDERAL ISSUES AND THE SAN ANTONIO RIVER AUTHORITY’S LEGISLATIVE AGENDA AND OTHER POTENTIAL ACTIVITIES ASSOCIATED WITH THE 84TH SESSION OF THE STATE LEGISLATURE

9. EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 FOR CONSULTATION WITH ATTORNEY REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 13-40317 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT; AND GUADALUPE-BLANCO RIVER AUTHORITY V. TEXAS ATTORNEY GENERAL, ET. AL., NO. 03-14-00393-CV IN THE THIRD COURT OF APPEALS, AUSTIN, TEXAS

10. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 13-40317 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT; AND GUADALUPE-BLANCO RIVER AUTHORITY V. TEXAS ATTORNEY GENERAL, ET. AL. NO. 03-14-00393-CV IN THE THIRD COURT OF APPEALS, AUSTIN, TEXAS

11. GENERAL MANAGER'S REPORT CONCERNING THE FOLLOWING:
   - UPCOMING EVENTS CALENDAR;
   - FUTURE BOARD AND/OR COMMITTEE MEETINGS, AND
   - MEETINGS INVOLVING THE ATTENDANCE OF ONE OR MORE BOARD MEMBERS

12. ITEMS FOR FUTURE CONSIDERATION

13. NEXT MEETING DATE

14. ADJOURN

 underestimated Presentation Time: 1.5 Hours
CAPTION

APPROVAL OF THE MINUTES OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE MEETING HELD ON OCTOBER 8, 2014

Presenter
Ms. Buchanan, Committee Chair

Estimated Presentation Time: 5 minutes

Recommendation
Motion that the minutes of the Executive Committee meeting held on October 8, 2014, be passed and approved, as presented.

Discussion

Vote

Attachments

October 8, 2014, Executive Committee Meeting Minutes
MINUTES
MEETING OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE
SAN ANTONIO RIVER AUTHORITY
October 8, 2014, 2:00 p.m.

1. CALL TO ORDER WAS MADE BY THE VICE-CHAIR, MS. TERRY E. BAIAMONTE AT 2:04 P.M.

2. PLEDGE OF ALLEGIANCE WAS RECITED

3. ROLL WAS CALLED BY DIRECTOR THOMAS G. WEAVER
   Present: Terry E. Baiamonte, Vice-Chair
   Gaylon J. Oehlke, Treasurer
   Darrell T. Brownlow, Ph.D.
   Thomas G. Weaver
   Absent: Sally Buchanan, Chair
   Hector R. Morales, Secretary

4. CERTIFICATION OF A QUORUM WAS ANNOUNCED BY MR. WEAVER

5. INTRODUCTION OF VISITORS
   Ms. Hernandez announced the visitors in the audience.

6. CITIZENS TO BE HEARD
   Ms. Hernandez reported that there were no citizens to be heard.
7. APPROVAL OF THE MINUTES OF THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE MEETING HELD ON AUGUST 13, 2014

Staff recommended a motion that the minutes of the Executive Committee meeting held on August 13, 2014, be passed and approved, as presented.

   Motion made by Treasurer Gaylon J. Oehlke
   Seconded by Darrell T. Brownlow, Ph.D.

   Vote: 4 - 0 Passed - Unanimously

8. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE SAN ANTONIO RIVER AUTHORITY’S LEGISLATIVE AGENDA AND OTHER POTENTIAL ACTIVITIES ASSOCIATED WITH THE 84TH SESSION OF THE STATE LEGISLATURE

   Attachments:
   State Legislative Agenda

   Shortly after Brian Mast began his presentation on this item, Mr. Robert Puente from the San Antonio Water System arrived for his presentation on Agenda Item 9. Ms. Baiamonte requested that this item be tabled in order to allow Mr. Puente to begin his presentation.

9. BRIEFING REGARDING THE SAN ANTONIO WATER SYSTEM VISTA RIDGE PROJECT

   Mr. Robert Puente, President/CEO of the San Antonio Water System presented a briefing on the proposed Vista Ridge Project to the Executive Committee. No action was required.

   There being no action to take under items 10 - 14, Ms. Baiamonte passed on those items and called for Agenda Item 15.

10. EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 FOR CONSULTATION WITH ATTORNEY REGARDING THE ARANAS PROJECT V. SHAW, ET. AL., CASE NO. 13-40317 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT; AND GUADALUPE-BLANCO RIVER AUTHORITY V. TEXAS ATTORNEY GENERAL, ET. AL., NO. 03-14-00393-CV IN THE THIRD COURT OF APPEALS, AUSTIN, TEXAS

11. PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE ARANAS PROJECT V. SHAW, ET. AL., CASE NO. 13-40317 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT; AND GUADALUPE-BLANCO RIVER AUTHORITY V. TEXAS ATTORNEY GENERAL, ET. AL. NO. 03-14-00393-CV IN THE THIRD COURT OF APPEALS, AUSTIN, TEXAS
12. **GENERAL MANAGER'S REPORT CONCERNING THE FOLLOWING:**
   - UPCOMING EVENTS CALENDAR;
   - URBAN WATERS FEDERAL PARTNERSHIP;
   - FUTURE BOARD AND/OR COMMITTEE MEETINGS; AND
   - MEETINGS INVOLVING THE ATTENDANCE OF ONE OR MORE BOARD MEMBERS

13. **ITEMS FOR FUTURE CONSIDERATION**

14. **NEXT MEETING DATE**

15. **ADJOURN**

   Ms. Biaimonte called the meeting adjourned at 3:00 p.m.

---

**PREPARED AND RECOMMENDED FOR COMMITTEE APPROVAL BY THE MANAGER.**

---

**SUZANNE B. SCOTT, General Manager**

**APPROVED BY THE BOARD OF DIRECTORS' EXECUTIVE COMMITTEE AT THE MEETING HELD ON NOVEMBER 12, 2014.**

---

**SALLY BUCHANAN, Board Chairman**

---

**HECTOR R. MORALES, Board Secretary**
OVERVIEW OF 84th LEGISLATIVE AGENDA

In preparation for the 84th Texas Legislative Session, the San Antonio River Authority (River Authority) identified thirty-three major legislative initiatives for the staff to track and support or oppose over the next regular session. In addition to the specific items listed, staff will monitor and track any legislation that may impact the River Authority’s elections, taxing authority and general operations. The River Authority staff will also monitor water-related legislation pertaining to our four-county district and, as these issues arise, positions will be developed and presented.

The River Authority’s Legislative Agenda for the 84th Texas Legislative Session includes thirty-three issues, placing them in the following categories: Items to Initiate, Items to Support, Items to Monitor and Items to Oppose. Staff will present the issues and position statements to the River Authority Board of Director’s Executive Committee on October 8, 2014. The Committee will review the issues, identify the priorities and revise the statements to better reflect the position of the River Authority.

The River Authority’s Intergovernmental and Community Relations Department (IGCR) coordinates the legislative agenda. During the session, IGCR staff will work with members of the Legislature, committee staff, professional organizations and the River Authority’s lobby team to convey and obtain feedback regarding the River Authority’s legislative positions and on individual bills under consideration. Reports tracking the status and progress of priority issues and legislation will be presented regularly at the River Authority’s monthly Board of Directors Executive Committee meetings.

This report contains a summary of the staff legislative recommendations followed by a more detailed explanation of each recommendation. For more information on the River Authority’s Legislative Agenda, please contact Brian Mast, Intergovernmental Relations Specialist, at (210) 302-3287 or Julia Velez at (210) 302-3641.
**SUMMARY OF STAFF LEGISLATIVE RECOMMENDATIONS**

The legislative recommendations are divided into four categories: items to initiate; items to support; items to monitor; and items to oppose. The following items have been identified.

<table>
<thead>
<tr>
<th><strong>Items to Initiate</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue</td>
<td>Notes</td>
</tr>
<tr>
<td>No items to recommend at this time</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Items to Support</strong> (in alphabetical order)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Issue</strong></td>
<td><strong>Notes</strong></td>
</tr>
<tr>
<td>Clean Rivers Program</td>
<td>Staff recommends supporting funding efforts that return the Clean Rivers Program funding to its historical level.</td>
</tr>
<tr>
<td>Elimination of Sporting Goods Sales Tax Diversions</td>
<td>Staff recommends supporting legislation that will eliminate the diversions of dedicated taxes, particularly the Sporting Goods sales tax which is dedicated to supporting Texas State and local parks.</td>
</tr>
<tr>
<td>Environmental Flows Adaptive Management Funding</td>
<td>Staff recommends supporting efforts to fund the adaptive management phase of the SB 3 Environmental Flows Program including supporting TWDB’s budget request for funding environmental flows studies.</td>
</tr>
<tr>
<td>Illegal Dumping Mitigation Programs</td>
<td>Staff recommends supporting legislation that will improve state and local officials’ ability to combat illegal dumping.</td>
</tr>
<tr>
<td>State Environmental Water Policy</td>
<td>Staff recommends supporting legislation that would initiate State agency discussions regarding a unified environmental water policy.</td>
</tr>
<tr>
<td>State Feral Hog Program</td>
<td>Staff recommends supporting legislation that would create an effective feral hog population control program.</td>
</tr>
<tr>
<td>State Implementation of the National Flood Insurance Program (NFIP)</td>
<td>Staff recommends supporting legislation related to funding Texas Water Development Board implementation of this program.</td>
</tr>
<tr>
<td>State Pharmaceutical Take-Back Program</td>
<td>Staff recommends supporting legislation that would create a state-wide pharmaceutical take-back program to curtail unused and unwanted pharmaceuticals from entering waste water streams.</td>
</tr>
<tr>
<td>Stormwater Runoff Reduction</td>
<td>Staff recommends supporting legislation that would adopt a strategy to reduce stormwater runoff from new developments.</td>
</tr>
<tr>
<td>Tire Recycling Program (State or County led)</td>
<td>Staff recommends supporting legislation that would implement a tire recycling program.</td>
</tr>
<tr>
<td>Issue</td>
<td>Notes</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Constituents of Emerging Concern</td>
<td>Staff will monitor any legislation related to SB 1757 passed in the 81st session and/or other water monitoring issues and may move this item to “support” category, particularly if legislation is filed to fund further water monitoring programs.</td>
</tr>
<tr>
<td>County Zoning Authority</td>
<td>Staff will monitor any legislation related to this issue and may move this item to “support” or “oppose” category depending on the scope and nature of the legislation. Urban counties have sought zoning authority in the last several sessions.</td>
</tr>
<tr>
<td>Dam Safety Issues</td>
<td>Staff will monitor any legislation related to this issue and may move this item to either the “support” or “oppose” category depending upon the impact of any new proposed fees on the River Authority and how any new fees specifically support the Dam Safety Program. HB 2694 in the 82nd Legislature exempted certain dams from TCEQ’s dam safety requirements and HB 677 extended that exemption to more facilities.</td>
</tr>
<tr>
<td>Desalination Issues</td>
<td>Staff will monitor any legislation related to this interim charge and may move this item to “support” category, particularly if legislation is filed to fund desalination.</td>
</tr>
<tr>
<td>Issue</td>
<td>Notes</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Oil, Gas and Mineral Exploration</td>
<td>Staff will monitor any legislation related to these issues particularly with regards to sustaining economic development and preserving our watershed’s natural resources.</td>
</tr>
<tr>
<td>Procurement Process</td>
<td>Staff will monitor any legislation related to this issue and may move this item to “support” or “oppose” category depending on the scope and nature of the legislation.</td>
</tr>
<tr>
<td>Property Appraisals and Revenue Caps</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Regional Water Quality Standards</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Reuse and Wastewater Return Flows</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Review of State-Created River Authorities</td>
<td>Staff will monitor any legislation related to this issue and will move this item to “oppose” category if the River Authority is negatively impacted.</td>
</tr>
<tr>
<td>State Agency Rule Making</td>
<td>Staff will monitor any legislation related to this issue and may move this item to “support” or “oppose” category depending on the scope and nature of the legislation.</td>
</tr>
<tr>
<td>State Water Planning / Funding</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Tax Increment Financing (TIF)</td>
<td>Staff will monitor any legislation related to this issue particularly with regards to formation of a TIF oversight board.</td>
</tr>
<tr>
<td>Texas Bottle Bill – Beverage container deposit bill.</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Texas Parks and Wildlife Department (TPWD) Matching Grants</td>
<td>Staff will monitor any legislation related to this issue and the budget process to ensure these programs remain funded.</td>
</tr>
<tr>
<td><strong>Items to Oppose</strong></td>
<td>Notes</td>
</tr>
<tr>
<td>Issue</td>
<td>Notes</td>
</tr>
<tr>
<td>Unfunded Mandates</td>
<td>Staff will recommend opposing legislation that would result in additional unfunded state mandates.</td>
</tr>
</tbody>
</table>
Items to Initiate

At present there are no items to recommend; however, as issues develop staff may shift items into this category.

Items to Support

Clean Rivers Program (CRP)

In the 82nd Legislature, the Texas Commission on Environmental Quality (TCEQ) and other state agencies were asked to identify how they would implement a ten percent reduction in funding. Based upon the 82nd Legislature budget negotiations and TCEQ management decisions, the Clean Rivers Program realized a ten percent funding reduction in FY 2012 and FY 2013.

In recent meetings with TCEQ, the River Authority learned how the TCEQ will distribute the ten percent funding cut realized in the last budget. The CRP historic budget was $10,000,000 per biennium. From the CRP legislation, TCEQ utilized ten percent ($1,000,000) of those funds for administering the program, which left $9,000,000 for partner contracts.

For the FY 2014-2015 biennium, the CRP is to operate with a ten percent ($1,000,000) budget reduction, which leaves $9,000,000 for the entire program. For the FY 2014-2015 biennium, the TCEQ is proposing to reduce the operating budget for administering the program by 50 percent. This would require $250,000/FY with a total budget of $500,000. This left $8,500,000 budget for the CRP partner contracts. TCEQ also implemented, per the request of program partners, including SARA, the same percent budget reduction apply to all project partners.

For the FY 2016-17 biennium, the CRP cooperating partners are seeking to bring the CRP program funding back to historical levels and push to account for inflation over the past twenty-three years. The labor and equipment costs for supporting the CRP have risen since the program’s inception but there has never been a budget increase to mitigate these real costs of conducting the monitoring program.

Staff recommends supporting funding efforts that, at a minimum, increase the CRP funding to its historical levels.

Elimination of Sporting Goods Sales Tax Diversions

When the Sporting Goods Sales Tax was implemented the generated revenue was to be dedicated to operating and maintaining Texas’ State, regional and local parks. Since the revenue was not constitutionally dedicated to the maintenance of Texas’ parks the legislature has utilized the majority of this revenue to balance other areas of the State budget. Over the past couple of sessions the legislature has sought to curtail or eliminate the diversion of legislatively dedicated revenue.

Staff recommends supporting legislation that will eliminate the diversion of the Sporting Goods Sales Tax for purposes other than the original legislative intent.
Environmental Flows Adaptive Management Funding

The Texas Legislature passed environmental flow provisions in the Texas Water Code with Senate Bill 3, Article 1 80(R). In recognition of the importance that the ecological soundness of our riverine, bay, and estuary systems and riparian lands has on the economy, health and well-being of our state, the 80th Texas Legislature created the Environmental Flows Advisory Group. Senate Bill 3 provides for adaptive management strategies as better science is developed, acknowledges the uniqueness of each river basin, and establishes regional bay and basin stakeholder groups and expert science teams to recommend environmental flow levels needed for the bay and basins to maintain the essential balance between human needs and environmental needs. The River Authority firmly believes the state needs to develop statewide consistency and coordination to environmental flow studies and methodologies for our rivers, streams, bays and estuaries as laid out in Senate Bill 3, Article 1.

The Science Advisory Committee serves as an objective scientific body to advise and make recommendations to the Environmental Flows Advisory Group on issues relating to the science of environmental flows and the development of environmental flows standards. The Science Advisory Committee developed recommendations on clarifying the adaptive management phase of the program and funding the scientific studies identified in the Work Plans for Adaptive Management adopted by the stakeholder groups engaged in the SB 3 environmental flows program.

Staff recommends supporting the Texas Water Development Board’s Legislative Appropriations Request (LAR) for $2M for environmental flows studies. Staff also recommends supporting legislation that would further clarify the adaptive management phase of the SB 3 Environmental Flows Program.

Illegal Dumping

Illegal dumping continues to be an issue in the San Antonio River Watershed. In the first half of 2014 alone the River Authority’s Watershed Park Operations Department has collected and disposed of over forty-four tons of trash following rain events. The River Authority continues to sponsor household hazardous waste collection events in the southern basin which aids in removing paints, acids, tires, electronic waste and unused or unwanted pharmaceuticals from the environment.

Staff recommends supporting legislation that would assist local communities in fighting illegal dumping.

State Environmental Water Policy

The River Authority believes the State of Texas would benefit from the creation of a unified State Environmental Water Policy that would provide clear direction to the State’s natural resource agencies. Presently, there is not a unified approach to water issues amongst the state agencies which occasionally leads to policy decisions pitting agencies on different sides of an issue. Having a State Environmental Water Policy would also provide local project sponsors some assurances that when requesting federal support for a project the state agencies will be more likely to communicate a unified coherent message of support or otherwise.

Staff recommends supporting legislation that would initiate the discussion on the creation of a State Environmental Water Policy.
State Feral Hog Program

Feral hogs are unprotected, exotic, non-game animals. Therefore, they may be taken by any means or methods at any time of year. There are no seasons or bag limits, however a hunting license and landowner permission are required to hunt them.

Feral hogs are distributed throughout much of Texas, generally inhabiting the white-tailed deer range, with the highest population densities occurring in East, South and Central Texas. North and West Texas have very low or no populations. However, reports indicate that populations are beginning to expand and increase in these areas. There is currently an estimated population in excess of 1.5 million feral hogs in Texas.\(^1\) It is estimated to keep the population at its current level a locality would have to remove 70% of the population annually to maintain the current population and distribution. In the San Antonio River Basin feral hogs are contributing to stream and river bank erosion and bacteria issues along the main stem and tributaries of the San Antonio River.

In the 81\(^{st}\) Legislature HB 716 was passed which permitted hunting by helicopter to remove feral hogs from lands. Staff recommends supporting any legislation that seeks to create and fund a feral hog population control program.

State Implementation of the National Flood Insurance Program (NFIP)

SB 1436 80(R) transferred the National Flood Insurance Program (NFIP) from the TCEQ to the TWDB. The River Authority supported the Texas Floodplain Management Association (TFMA) by drafting and submitting a letter supporting additional funding for the TWDB’s administration of the NFIP. In particular, the Regional Coordinating Staff recommends supporting legislation which identifies further funding, efficiencies and effectiveness of the State’s NFIP program.

State Pharmaceutical Take-Back Program

The River Authority conducts pharmaceutical take back events 5 times a year in the southern basin and partners with SAWS to promote MedDrop events in San Antonio. Outside of these planned one-day events there are very limited avenues for residents to appropriately discard unused or unwanted medications. A statewide pharmaceutical take-back program can be developed based on the television take-back program developed by SB 329 in the 82\(^{nd}\) Legislature that established “a comprehensive, convenient, and environmentally sound program for the collection and recycling of television equipment,” that is “based on individual television manufacturer responsibility and shared responsibility among consumers, retailers and the government of this state.”\(^2\)

Staff recommends supporting legislation which creates a statewide pharmaceutical take-back program to protect the waters of the state and drinking water resources.

---

\(^1\) [http://www.tpwd.state.tx.us/huntwild/wild/nuisance/feral_hogs/](http://www.tpwd.state.tx.us/huntwild/wild/nuisance/feral_hogs/)

\(^2\) TAC Title 30, Part I, Ch. 328, Subchapter J, Rule §328.161
Stormwater Runoff Reduction

The River Authority recommends legislation that would require zero stormwater runoff for the first half inch of rain for new development construction. Legislation could phase in the stormwater reduction over time (ex. quarter inch by 2015 and half inch by 2018).

Tire Recycling

The River Authority has witnessed more used tires being illegally dumped within our basin. This issue has been previously discussed with the Bexar Regional Watershed Management Committee of Seven (BRWM C7). Senator Uresti introduced a tire recycling bill for Maverick County in the 81st Legislature which may serve as a model for a local bill should the River Authority and/or Bexar County are interested in a local solution. If the River Authority and/or Bexar County are interested in pursuing a local bill that implements a tire recycling fee or tire recycling program, the Senator would be a potential bill sponsor.

Staff recommends supporting legislation that would address tire recycling through either a statewide or local initiative.

Items to Monitor

Constituents of Emerging Concern: Mercury, Arsenic and Pharmaceuticals

During the 81st Legislature’s interim the Senate Natural Resources Committee assessed issues concerning mercury and arsenic emissions to identify the sources of mercury and arsenic pollution in water. The Committee also investigated the status of drinking water, reservoir, river, estuary, and fish and wildlife mercury and arsenic monitoring programs in Texas.

“Constituents of Emerging Concern” can be broadly defined as any synthetic or naturally occurring chemical or any microorganism that is not commonly monitored in the environment but has the potential to enter the environment and cause known or suspected adverse ecological and/or human health effects.

A study of 139 streams throughout the country detected 82 chemicals in 80 percent of the waterways tested in 1999-2000, according to the U.S. Geological Survey’s (USGS) Toxic Substances Hydrology Program. The most common chemicals were steroids (anti-inflammatory drugs), antibiotics, nonprescription drugs, caffeine and insect repellent.

Potential water quality contaminants are flushed into ground and surface water from a variety of sources. The most common are wastewater from sewage treatment plants; run-off from agricultural land uses, particularly from industrial scale livestock facilities; and discharge from individual septic systems. Conventional sewage treatment varies greatly in its ability to eliminate drug or personal care product residues.

Staff will monitor any legislation related to the interim charge and/or other water monitoring issues and may move this item to the “support” category, particularly if legislation is filed to fund further water monitoring programs.

*Emerging Contaminant information comes from USGS and the Water Systems Council.
County Zoning Authority

Bexar and other urban counties have sought the authority to regulate land development in the unincorporated areas of their jurisdiction over the course of the last several sessions. The bills typically require a local option election that would allow the registered voters of the county to approve or deny the county the zoning authority.

Staff will monitor any legislation related to this issue and may move this item to the “support” or “oppose” category depending on the nature and scope of the legislation.

Dam Safety Issues

During the 82nd Legislature House Bill 2694 exempted certain dams located on private property from meeting dam safety requirements. This exemption was due to expire on August 31, 2015, however the 83rd Legislature passed HB 677 which repealed the exemption expiration thereby eliminating the TCEQ’s dam safety inspections of certain privately owned dams. Additionally, HB 677 further extended the dam safety exemption for dams on private property in counties with populations less than 350,000. Previously the exemption was only extended to dams on private property in counties with populations less than 215,000. For this reason dam safety issues may be addressed again in the 84th Legislature.

TCEQ has considered implementing new fees to fund the Dam Safety Program. Two fees have been discussed: a Dam Inspection Fee and an Annual Dam Registration Fee. The funds raised by the proposed fees would support the Dam Safety Program; however, the fee amounts and how they would support the program have yet to be disclosed.

Staff will monitor any legislation related to these issues and may move this item to either the “support” or “oppose” category depending upon the scope of additional safety inspection exemptions, the impact of any newly proposed fees on the River Authority and how the newly generated funds will specifically support the Dam Safety Program.

Desalination Issues

During the interim session, the Senate Natural Resources Committee evaluated the progress of the state's goal of promoting desalination projects across the state (brackish and seawater), including their future expansion to assist in meeting the state's water needs. Similarly the House Natural Resources Committee evaluated the status of desalination projects in Texas, including an evaluation of the regulation of brackish groundwater and whether opportunities exist to facilitate better utilization of this groundwater to meet future needs.

Staff will monitor any legislation related to these interim charges and may move this item to the “support” category, particularly if legislation is filed to fund desalination research and projects.

Edwards Aquifer Issues

Staff recommends monitoring any legislation that may impact the management of the Edwards Aquifer including, but not limited to, the reuse of Edwards Aquifer derived effluent.
Eminent Domain

As a result of the U.S. Supreme Court decision in *Kelo vs. City of New London*, which affirmed the right of some governments to exercise the power of eminent domain for economic development purposes, many state Legislatures such as Texas passed new laws to clarify how some governments can exercise the power of eminent domain for economic development purposes. In the 82nd session Senate Bill (SB) 18 was passed as a comprehensive eminent domain reform bill. It is possible that the Legislature may revisit this issue.

Staff will monitor any legislation related to this issue and may move this item to the “oppose” category, particularly if additional legislation limits or prohibits the use of eminent domain for the types of infrastructure that the River Authority and other water agencies implement.

Endangered Species Issues

The whooping crane litigation remains under appeal and could be appealed to the Supreme Court. The legislature could choose to identify a state solution to this endangered species issue however it is unlikely to act with litigation pending. Staff is presently unaware of any draft legislation regarding the whooping crane issue or any other legislation pertaining to endangered species in general.

The Texas Comptroller’s office has been charged with tracking the economic impact of federal action on endangered species through the Interagency Task Force on Economic Growth and Endangered Species. The task force provides policy and technical assistance to local and regional governmental entities and communities engaged in economic development activities. Presently, SARA staff monitors the activities of the task force and will continue to do so in through the session.

Staff will monitor this issue closely and may move this item to the “support” or “oppose” category depending on the legislation.

Environmental Flows Adaptive Management Clarification

The Texas Legislature passed environmental flow provisions in the Texas Water Code with Senate Bill 3, Article I 80(R). In recognition of the importance that the ecological soundness of our riverine, bay, and estuary systems and riparian lands has on the economy, health and well-being of our state, the 80th Texas Legislature created the Environmental Flows Advisory Group. Senate Bill 3 provides for adaptive management strategies as better science is developed, acknowledges the uniqueness of each river basin, and establishes regional bay and basin stakeholder groups and expert science teams to recommend environmental flow levels needed for the bay and basins to maintain the essential balance between human needs and environmental needs. The River Authority firmly believes the state needs to develop statewide consistency and coordination to environmental flow studies and methodologies for our rivers, streams, bays and estuaries as laid out in Senate Bill 3, Article 1.

The Science Advisory Committee serves as an objective scientific body to advise and make recommendations to the Environmental Flows Advisory Group on issues relating to the science of environmental flows and the development of environmental flows standards. The Science Advisory Committee developed recommendations on clarifying the adaptive management phase of the program and funding the scientific studies identified in the Work Plans for Adaptive
Management adopted by the stakeholder groups engaged in the SB 3 environmental flows program.

Staff will monitor this issue closely and may move this item to the “support” or “oppose” category depending on the legislation.

**Groundwater Management Issues**

The House and Senate Natural Resources Committees had interim charges to make recommendations on the management of groundwater resources. The Committees’ interim report should include an assessment of the following:

- Evaluate the availability, management, and development of groundwater in the state. Consider the economic, environmental, and social impacts of groundwater usage and production in the agricultural, municipal, and energy sectors. In particular, examine methods to facilitate further development of brackish groundwater resources and to improve the consistency and certainty of permitting by groundwater districts without undercutting reasonable regional and local regulation of groundwater; and
- Study and make recommendations to encourage the use of brackish water including but not limited to Aquifer Storage and Recovery and Desalination.

Staff will monitor any legislation related to this interim charge.

**Litter and Trash Reduction Programs**

General litter and trash issues impact the health and quality of life in the San Antonio River Watershed as well as impact the River Authority’s annual budget. The River Authority encourages basin residents to use reusable shopping bags whenever they shop through education outreach activities and through reusable bag give-aways. In each of the last three Legislatures, several bills have been filed that aimed at reducing the use of single use plastic bags. While these bills aimed at reducing pollution they only targeted one item of a much larger general waste stream that includes plastic bottles, Styrofoam, glass and paper containers.

Staff monitor any legislation related to these issues and may move this item to the “support” or “oppose” category, depending on the nature and scope of the legislation.

**Municipal Tree Ordinances**

Staff will monitor any legislation related to this issue particularly with regards to bills seeking to strike existing tree ordinances. Staff may move this to the “oppose” category particularly if the City of San Antonio’s tree ordinance is targeted.

**Oil, Gas and Mineral Exploration**

SARA supports the continued economic growth brought by the Eagle Ford Shale, yet we recognize that sustainable practices can balance cost without compromising the health of the rivers and creeks within the San Antonio River Watershed. SARA seeks to focus on practices that preserve and enhance water quality, land use practices that preserve natural watershed functions to manage the quantity and quality of stormwater runoff, road infrastructure and floodplain land use and development issues that frequently accompany rapid growth associated with successful oil and gas exploration.
Staff will monitor legislation that pertains to oil, gas and mineral exploration to determine if such bills will assist the communities in the San Antonio River Watershed with the rapid growth, transportation, economic development and natural resource issues they are experiencing.

**Procurement Process**

House Bill (HB) 1886 80(R), Design Build and Alternative Project Delivery, made a number of positive changes in construction project delivery procedures. The bill expanded the use of competitive sealed proposals and construction management at risk into infrastructure markets. Included in the bill are design-build for roads, water facilities and other civil works projects. The River Authority supported this bill in the 80th session and its passage provides the River Authority with greater flexibility with regards to procurement activities. Senate Bill (SB) 229 81(R), further expanded the use of Design Build and Alternative Project Delivery to governmental bodies serving populations of 100,000 or more people.

The House Committee on Government Efficiency and Reform has also studied the utilization of alternative project delivery methods, such as design-build and construction-manager-at-risk, by municipalities, water districts, and authorities, and other local governmental entities since the passage of HB 1886, 80th Legislature during the interim.

Staff will monitor any legislation related to these interim charges and may move this item to the “support” or “oppose” category, depending on the scope and nature of the legislation.

**Property Appraisals and Revenue Caps**

In past interim sessions the House Committee on Land and Resource Management has examined the body of law to determine the amount of compensation property owners receive when their land is condemned, in whole or in part, and studied the appropriateness of Texas’ compensation scheme as compared to others.

Staff will monitor any legislation related to this issue and may shift this issue to the “oppose” category, particularly if legislation would imbalance the compensation equation disproportionately towards property owners.

**Regional Water Quality Standards**

In the 80th interim session the Senate Natural Resources Committee studied the need for regional water quality standards, particularly in the Edwards and Barton Springs recharge zones.

Staff will monitor any legislation related to this issue.

**Reuse and Wastewater Return Flows**

Reuse (treated wastewater return flows) is an important conservation and water management strategy. It is a key component to meeting the needs of manufacturing, irrigation, municipal and potentially environmental flow demands. The State Water Plan identifies an increase in the usage of reuse over the 50-year planning horizon from three percent in 2000 to seven percent in 2050. Reuse reduces the need for costly investment in the development of new surface or groundwater supplies. Reuse water is also critical to supporting environmental needs,
particularly base instream flows and freshwater inflows to bays and estuaries. Many years ago the San Antonio River relied on the spring flows from San Antonio and San Pedro Springs; however, increased pumping from the Edwards Aquifer resulted in minimal or intermittent spring flow. In spite of this, the river still flows, but relies on a spring flow surrogate—treated wastewater return flows. Downstream water needs on the San Antonio River are also currently being met by treated wastewater return flows. Wastewater return flows are critical for managing our river's environmental ecosystem and supporting the health of San Antonio Bay.

Staff supports a state policy that links environmental flows and the use of wastewater return flows (reuse) that will provide adequate protections for downstream flows for the environment. An ideal state policy will allow for a basin by basin or regional approach to the reuse issue rather than a one size fits all statewide solution.

Staff will monitor any legislation related to this issue.

**Review of State-Created River Authorities**

In the 81st Legislature the Senate Natural Resources Committee reviewed the advisability of subjecting river authorities to Sunset Committee review. The Committee considered options for ensuring adequate protection of public assets, improving transparency of operations, enhancing appropriate access to financial and management records, and authorizing audits by the State Auditor’s office.

House Bill 2362 from the 83rd Legislature required the Lower Colorado River Authority and Brazos River Authority to be subject to an efficiency review by the Legislative Budget Board. The Board may “review and analyze the effectiveness and efficiency of the policies, management, fiscal affairs, and operations of a river authority,” and present the findings to the governor and legislature.

Additionally, the Senate Natural Resources Committee was given an interim charge to study “the current accountability of river authorities to the legislature and the customers served by the authorities along with their transparency to members of the public. Make recommendations for improvements if necessary. Investigate the role of river authorities in the regional water planning process and the implementation of projects in the state water plan. Receive an update on any ongoing audits of river authorities from the State Auditor’s Office and the Legislative Budget Board as well as any future planned audits and schedules.”

The River Authority is one of two river authorities in Texas that has an elected Board. Since the River Authority has an elected board there is built in electorate oversight that allows for public oversight and ensures agency transparency.

Staff will monitor any legislation related to this issue and will move this item to the “oppose” category if the River Authority is negatively impacted.

**State Water Planning / Funding**

The development of the State Water Plan has made the State of Texas a national leader in the area of water planning. However, until the 83rd Legislature Texas had not identified a method for funding the plan’s implementation. The 83rd Legislature passed S.J.R. 1, together with H.B. 4 and H.B. 1025, which sought to fund the implementation of the State Water Plan by creating the State Water Implementation Fund for Texas and the State Water Implementation Revenue Fund.
for Texas to provide support for financial assistance provided by the Texas Water Development Board for projects included in the state water plan and by capitalizing the State Water Implementation Fund for Texas with constitutionally dedicated money appropriated out of the economic stabilization fund. On November 5, 2013, Texas voters elected to amend the Texas Constitution and dedicate $2 billion from the economic stabilization fund for the implementation of the State Water Plan.

Amendments to State Water Planning and Funding mechanisms have occurred in each of the last two sessions and now that State funding has been made available there could be additional changes to the planning process.

Staff will monitor any legislation related to the State Water Planning process.

**Tax Increment Financing (TIF)**

In the past the River Authority encountered opposition when appointing a staff member to serve on a Tax Increment Financing (TIF) Board of Directors. § 311.0091 of the Tax Code stipulates that to be eligible for appointment to a TIF Board of a reinvestment zone, a person must be a qualified voter of the municipality that designated the zone; or be at least 18 years of age and own real property in the zone or be an employee or agent of a person that owns real property in the zone. House Bill (HB) 2853 82 (R) amended the tax code to provide:

Except as provided by Subsection (i), to [To] be eligible for appointment to the board, an individual must:

(1) be a qualified voter of the municipality; or

(2) be at least 18 years of age and own real property in the zone or be an employee or agent of a person that owns real property in the zone.

(i) The eligibility criteria for appointment to the board specified by Subsection (f) do not apply to an individual appointed by a conservation and reclamation district:

(1) created under Section 59, Article XVI, Texas Constitution; and

(2) the jurisdiction of which covers four counties.

It has been the River Authority’s policy to name an experienced and knowledgeable staff member to TIF Boards in order to best represent the River Authority’s interests on said Boards.

Staff will monitor TIF legislation to ensure the flexibility provided to SARA by HB 2853 does not get impaired.

**Texas Bottle Bill – Beverage Container Deposit Bill**

In each of the last several sessions a bottle bill has been introduced seeking to implement a deposit program for glass and plastic bottles.

Staff will monitor any legislation related to this issue and may move this item to the “support” or “oppose” category, depending on the scope and nature of the legislation.

**Texas Parks and Wildlife Department Matching Grant Programs**

With the continued and perhaps expanded reductions in state agency budgets, the defense needs to be strong to preserve the funding for the matching grant programs administered by TPWD. Parks are proven to be solid and sound investments that return monies to communities through
offsetting or preventing health and wellness issues, economic development, increased property values, and lower crime rates. The matching grant programs stimulate local governments to take on the responsibility for park improvements and expansions. As the population of Texas grows, the State should continue to help stimulate local governments to meet the needs of existing and future Texans.

Staff will monitor any legislation and budgetary issues related to this issue.

**Items to Oppose**

**Unfunded Mandates**

Staff will recommend opposing legislation that would result in additional unfunded state mandates.
Individual   Item #:  8.

Executive Committee

Meeting Date:  11/12/2014

State Legislative Agenda

Submitted By:  Linda Whitaker

Division:  Executive Offices

CAPTION

PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING FEDERAL ISSUES AND THE SAN ANTONIO RIVER AUTHORITY’S LEGISLATIVE AGENDA AND OTHER POTENTIAL ACTIVITIES ASSOCIATED WITH THE 84TH SESSION OF THE STATE LEGISLATURE

Presenter

Brian Mast and Julia Carrillo

Estimated Presentation Time:  25 minutes

In preparation for the 84th Texas Legislative Session, the San Antonio River Authority (SARA) identified thirty-three major legislative initiatives for staff to track and support or oppose over the next regular session. In addition to the specific items listed, staff will monitor and track any legislation that may impact SARA’s elections, taxing authority and general operations. SARA staff will also monitor water-related legislation pertaining to our four-county district and, as these issues should arise, positions will be developed and presented.

SARA’s Legislative Agenda for the 84th Texas Legislative Session includes thirty-three issues in the following categories: Items to Initiate, Items to Support, Items to Monitor and Items to Oppose. Staff will present the issues and position statements to SARA’s Board of Directors' Executive Committee on November 12, 2014. The Committee will review the issues, identify the priorities and revise the statements to better reflect the position of SARA.

SARA’s Intergovernmental and Community Relations Department (IGCR) coordinates the legislative agenda. During the session, IGCR staff will work with members of the Legislature, committee staff, professional organizations and SARA’s lobby team to convey and obtain feedback regarding SARA’s legislative positions and on individual bills under consideration. Reports tracking the status and progress of priority issues and legislation will be presented regularly at SARA’s monthly Board of Directors' Executive Committee meetings.

Funding to accomplish these tasks was incorporated in the current year's budget.

Recommendation

Motion indicating Executive Committee support for presenting to the San Antonio River Authority Board of Directors a recommendation to adopt the San Antonio River Authority's Legislative Agenda for the 84th Session of the State Legislature.

Discussion

Vote
84th Texas Legislative Session
In preparation for the 84th Texas Legislative Session, the San Antonio River Authority (River Authority) identified thirty-three major legislative initiatives for the staff to track and support or oppose over the next regular session. In addition to the specific items listed, staff will monitor and track any legislation that may impact the River Authority’s elections, taxing authority and general operations. The River Authority staff will also monitor water-related legislation pertaining to our four-county district and, as these issues arise, positions will be developed and presented.

The River Authority’s Legislative Agenda for the 84th Texas Legislative Session includes thirty-three issues, placing them in the following categories; Items to Initiate, Items to Support, Items to Monitor and Items to Oppose. Staff will present the issues and position statements to the River Authority Board of Director’s Executive Committee on October 8, 2014. The Committee will review the issues, identify the priorities and revise the statements to better reflect the position of the River Authority.

The River Authority’s Intergovernmental and Community Relations Department (IGCR) coordinates the legislative agenda. During the session, IGCR staff will work with members of the Legislature, committee staff, professional organizations and the River Authority’s lobby team to convey and obtain feedback regarding the River Authority’s legislative positions and on individual bills under consideration. Reports tracking the status and progress of priority issues and legislation will be presented regularly at the River Authority’s monthly Board of Directors Executive Committee meetings.

This report contains a summary of the staff legislative recommendations followed by a more detailed explanation of each recommendation. For more information on the River Authority’s Legislative Agenda, please contact Brian Mast, Intergovernmental Relations Specialist, at (210) 302-3287 or Julia Velez at (210) 302-3641.
SUMMARY OF STAFF LEGISLATIVE RECOMMENDATIONS

The legislative recommendations are divided into four categories: items to initiate; items to support; items to monitor; and items to oppose. The following items have been identified.

### Items to Initiate

<table>
<thead>
<tr>
<th>Issue</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>No items to recommend at this time</td>
<td></td>
</tr>
</tbody>
</table>

### Items to Support (in alphabetical order)

<table>
<thead>
<tr>
<th>Issue</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clean Rivers Program</td>
<td>Staff recommends supporting funding efforts that return the Clean Rivers Program funding to its historical level.</td>
</tr>
<tr>
<td>Elimination of Sporting Goods Sales Tax Diversions</td>
<td>Staff recommends supporting legislation that will eliminate the diversions of dedicated taxes, particularly the Sporting Goods sales tax which is dedicated to supporting Texas State and local parks.</td>
</tr>
<tr>
<td>Environmental Flows Adaptive Management Funding</td>
<td>Staff recommends supporting efforts to fund the adaptive management phase of the SB 3 Environmental Flows Program including supporting TWDB’s budget request for funding environmental flows studies.</td>
</tr>
<tr>
<td>Illegal Dumping Mitigation Programs</td>
<td>Staff recommends supporting legislation that will improve state and local officials’ ability to combat illegal dumping.</td>
</tr>
<tr>
<td>State Environmental Water Policy</td>
<td>Staff recommends supporting legislation that would initiate State agency discussions regarding a unified environmental water policy.</td>
</tr>
<tr>
<td>State Feral Hog Program</td>
<td>Staff recommends supporting legislation that would create an effective feral hog population control program.</td>
</tr>
<tr>
<td>State Implementation of the National Flood Insurance Program (NFIP)</td>
<td>Staff recommends supporting legislation related to funding Texas Water Development Board implementation of this program.</td>
</tr>
<tr>
<td>State Pharmaceutical Take-Back Program</td>
<td>Staff recommends supporting legislation that would create a state-wide pharmaceutical take-back program to curtail unused and unwanted pharmaceuticals from entering waste water streams.</td>
</tr>
<tr>
<td>Stormwater Runoff Reduction</td>
<td>Staff recommends supporting legislation that would adopt a strategy to reduce stormwater runoff from new developments.</td>
</tr>
<tr>
<td>Tire Recycling Program (State or County led)</td>
<td>Staff recommends supporting legislation that would implement a tire recycling program.</td>
</tr>
<tr>
<td>Issue</td>
<td>Notes</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Constituents of Emerging Concern</td>
<td>Staff will monitor any legislation related to SB 1757 passed in the 81st session and/or other water monitoring issues and may move this item to “support” category, particularly if legislation is filed to fund further water monitoring programs.</td>
</tr>
<tr>
<td>County Zoning Authority</td>
<td>Staff will monitor any legislation related to this issue and may move this item to “support” or “oppose” category depending on the scope and nature of the legislation. Urban counties have sought zoning authority in the last several sessions.</td>
</tr>
<tr>
<td>Dam Safety Issues</td>
<td>Staff will monitor any legislation related to this issue and may move this item to either the “support” or “oppose” category depending upon the impact of any new proposed fees on the River Authority and how any new fees specifically support the Dam Safety Program. HB 2694 in the 82nd Legislature exempted certain dams from TCEQ’s dam safety requirements and HB 677 extended that exemption to more facilities.</td>
</tr>
<tr>
<td>Desalination Issues</td>
<td>Staff will monitor any legislation related to this interim charge and may move this item to “support” category, particularly if legislation is filed to fund desalination.</td>
</tr>
<tr>
<td>Edwards Aquifer Issues</td>
<td>Staff will monitor any legislation related to this issue and may move this item to “support” or “oppose” category depending on the scope and nature of the legislation.</td>
</tr>
<tr>
<td>Eminent Domain Issues</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Endangered Species Issues</td>
<td>Staff will monitor any legislation related to this issue and may move this item to “support” or “oppose” category depending on the scope and nature of the legislation.</td>
</tr>
<tr>
<td>Environmental Flows Adaptive</td>
<td>Staff will monitor any legislation related to clarifying the adaptive management phase of the environmental flows program and may move this item to either the “support” or “oppose” category depending upon the impact to the State’s original intent in developing the environmental flows program.</td>
</tr>
<tr>
<td>Management Clarification</td>
<td></td>
</tr>
<tr>
<td>Groundwater Management Issues</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Litter and Trash Reduction Programs</td>
<td>Staff will monitor any legislation related to this issue and may move this item to the “support” category depending on how specific legislation is drafted.</td>
</tr>
<tr>
<td>Municipal Tree Ordinances</td>
<td>Staff will monitor any legislation related to this issue particularly with regards to legislation seeking to strike existing tree ordinances. Staff may move this to the “oppose” category particularly if the City of San Antonio’s tree ordinance is targeted.</td>
</tr>
<tr>
<td>Issue</td>
<td>Notes</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Oil, Gas and Mineral Exploration</td>
<td>Staff will monitor any legislation related to these issues particularly with regards to sustaining economic development and preserving our watershed’s natural resources.</td>
</tr>
<tr>
<td>Procurement Process</td>
<td>Staff will monitor any legislation related to this issue and may move this item to “support” or “oppose” category depending on the scope and nature of the legislation.</td>
</tr>
<tr>
<td>Property Appraisals and Revenue Caps</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Regional Water Quality Standards</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Reuse and Wastewater Return Flows</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Review of State-Created River Authorities</td>
<td>Staff will monitor any legislation related to this issue and will move this item to “oppose” category if the River Authority is negatively impacted.</td>
</tr>
<tr>
<td>State Agency Rule Making</td>
<td>Staff will monitor any legislation related to this issue and may move this item to “support” or “oppose” category depending on the scope and nature of the legislation.</td>
</tr>
<tr>
<td>State Water Planning / Funding</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Tax Increment Financing (TIF)</td>
<td>Staff will monitor any legislation related to this issue particularly with regards to formation of a TIF oversight board.</td>
</tr>
<tr>
<td>Texas Bottle Bill – Beverage container deposit bill.</td>
<td>Staff will monitor any legislation related to this issue.</td>
</tr>
<tr>
<td>Texas Parks and Wildlife Department (TPWD) Matching Grants</td>
<td>Staff will monitor any legislation related to this issue and the budget process to ensure these programs remain funded.</td>
</tr>
<tr>
<td><strong>Items to Oppose</strong></td>
<td><strong>Notes</strong></td>
</tr>
<tr>
<td>Unfunded Mandates</td>
<td>Staff will recommend opposing legislation that would result in additional unfunded state mandates.</td>
</tr>
</tbody>
</table>
**Items to Initiate**

At present there are no items to recommend; however, as issues develop staff may shift items into this category.

**Items to Support**

**Clean Rivers Program (CRP)**

In the 82nd Legislature, the Texas Commission on Environmental Quality (TCEQ) and other state agencies were asked to identify how they would implement a ten percent reduction in funding. Based upon the 82nd Legislature budget negotiations and TCEQ management decisions, the Clean Rivers Program realized a ten percent funding reduction in FY 2012 and FY 2013.

In recent meetings with TCEQ, the River Authority learned how the TCEQ will distribute the ten percent funding cut realized in the last budget. The CRP historic budget was $10,000,000 per biennium. From the CRP legislation, TCEQ utilized ten percent ($1,000,000) of those funds for administering the program, which left $9,000,000 for partner contracts.

For the FY 2014-2015 biennium, the CRP is to operate with a ten percent ($1,000,000) budget reduction, which leaves $9,000,000 for the entire program. For the FY 2014-2015 biennium, the TCEQ is proposing to reduce the operating budget for administering the program by 50 percent. This would require $250,000/FY with a total budget of $500,000. This left $8,500,000 budget for the CRP partner contracts. TCEQ also implemented, per the request of program partners, including SARA, the same percent budget reduction apply to all project partners.

For the FY 2016-17 biennium, the CRP cooperating partners are seeking to bring the CRP program funding back to historical levels and push to account for inflation over the past twenty-three years. The labor and equipment costs for supporting the CRP have risen since the program’s inception but there has never been a budget increase to mitigate these real costs of conducting the monitoring program.

Staff recommends supporting funding efforts that, at a minimum, increase the CRP funding to its historical levels.

**Elimination of Sporting Goods Sales Tax Diversions**

When the Sporting Goods Sales Tax was implemented the generated revenue was to be dedicated to operating and maintaining Texas’ State, regional and local parks. Since the revenue was not constitutionally dedicated to the maintenance of Texas’ parks the legislature has utilized the majority of this revenue to balance other areas of the State budget. Over the past couple of sessions the legislature has sought to curtail or eliminate the diversion of legislatively dedicated revenue.

Staff recommends supporting legislation that will eliminate the diversion of the Sporting Goods Sales Tax for purposes other than the original legislative intent.
Environmental Flows Adaptive Management Funding

The Texas Legislature passed environmental flow provisions in the Texas Water Code with Senate Bill 3, Article I 80(R). In recognition of the importance that the ecological soundness of our riverine, bay, and estuary systems and riparian lands has on the economy, health and well-being of our state, the 80th Texas Legislature created the Environmental Flows Advisory Group. Senate Bill 3 provides for adaptive management strategies as better science is developed, acknowledges the uniqueness of each river basin, and establishes regional bay and basin stakeholder groups and expert science teams to recommend environmental flow levels needed for the bay and basins to maintain the essential balance between human needs and environmental needs. The River Authority firmly believes the state needs to develop statewide consistency and coordination to environmental flow studies and methodologies for our rivers, streams, bays and estuaries as laid out in Senate Bill 3, Article 1.

The Science Advisory Committee serves as an objective scientific body to advise and make recommendations to the Environmental Flows Advisory Group on issues relating to the science of environmental flows and the development of environmental flows standards. The Science Advisory Committee developed recommendations on clarifying the adaptive management phase of the program and funding the scientific studies identified in the Work Plans for Adaptive Management adopted by the stakeholder groups engaged in the SB 3 environmental flows program.

Staff recommends supporting the Texas Water Development Board’s Legislative Appropriations Request (LAR) for $2M for environmental flows studies. Staff also recommends supporting legislation that would further clarify the adaptive management phase of the SB 3 Environmental Flows Program.

Illegal Dumping

Illegal dumping continues to be an issue in the San Antonio River Watershed. In the first half of 2014 alone the River Authority’s Watershed Park Operations Department has collected and disposed of over forty-four tons of trash following rain events. The River Authority continues to sponsor household hazardous waste collection events in the southern basin which aids in removing paints, acids, tires, electronic waste and unused or unwanted pharmaceuticals from the environment.

Staff recommends supporting legislation that would assist local communities in fighting illegal dumping.

State Environmental Water Policy

The River Authority believes the State of Texas would benefit from the creation of a unified State Environmental Water Policy that would provide clear direction to the State’s natural resource agencies. Presently, there is not a unified approach to water issues amongst the state agencies which occasionally leads to policy decisions pitting agencies on different sides of an issue. Having a State Environmental Water Policy would also provide local project sponsors some assurances that when requesting federal support for a project the state agencies will be more likely to communicate a unified coherent message of support or otherwise.

Staff recommends supporting legislation that would initiate the discussion on the creation of a State Environmental Water Policy.
**State Feral Hog Program**

Feral hogs are unprotected, exotic, non-game animals. Therefore, they may be taken by any means or methods at any time of year. There are no seasons or bag limits, however a hunting license and landowner permission are required to hunt them.

Feral hogs are distributed throughout much of Texas, generally inhabiting the white-tailed deer range, with the highest population densities occurring in East, South and Central Texas. North and West Texas have very low or no populations. However, reports indicate that populations are beginning to expand and increase in these areas. There is currently an estimated population in excess of 1.5 million feral hogs in Texas.\(^1\) It is estimated to keep the population at its current level a locality would have to remove 70% of the population annually to maintain the current population and distribution. In the San Antonio River Basin feral hogs are contributing to stream and river bank erosion and bacteria issues along the main stem and tributaries of the San Antonio River.

In the 81\(^{st}\) Legislature HB 716 was passed which permitted hunting by helicopter to remove feral hogs from lands. Staff recommends supporting any legislation that seeks to create and fund a feral hog population control program.

**State Implementation of the National Flood Insurance Program (NFIP)**

SB 1436 80(R) transferred the National Flood Insurance Program (NFIP) from the TCEQ to the TWDB. The River Authority supported the Texas Floodplain Management Association (TFMA) by drafting and submitting a letter supporting additional funding for the TWDB’s administration of the NFIP. In particular, the Regional Coordinating

Staff recommends supporting legislation which identifies further funding, efficiencies and effectiveness of the State’s NFIP program.

**State Pharmaceutical Take-Back Program**

The River Authority conducts pharmaceutical take back events 5 times a year in the southern basin and partners with SAWS to promote MedDrop events in San Antonio. Outside of these planned one-day events there are very limited avenues for residents to appropriately discard unused or unwanted medications. A statewide pharmaceutical take-back program can be developed based on the television take-back program developed by SB 329 in the 82\(^{nd}\) Legislature that established “a comprehensive, convenient, and environmentally sound program for the collection and recycling of television equipment,” that is “based on individual television manufacturer responsibility and shared responsibility among consumers, retailers and the government of this state.”\(^2\)

Staff recommends supporting legislation which creates a statewide pharmaceutical take-back program to protect the waters of the state and drinking water resources.

---

2. TAC Title 30, Part I, Ch. 328, Subchapter J, Rule §328.161
Stormwater Runoff Reduction

The River Authority recommends legislation that would require zero stormwater runoff for the first half inch of rain for new development construction. Legislation could phase in the stormwater reduction over time (ex. quarter inch by 2015 and half inch by 2018).

Tire Recycling

The River Authority has witnessed more used tires being illegally dumped within our basin. This issue has been previously discussed with the Bexar Regional Watershed Management Committee of Seven (BRWM C7). Senator Uresti introduced a tire recycling bill for Maverick County in the 81st Legislature which may serve as a model for a local bill should the River Authority and/or Bexar County are interested in a local solution. If the River Authority and/or Bexar County are interested in pursuing a local bill that implements a tire recycling fee or tire recycling program, the Senator would be a potential bill sponsor.

Staff recommends supporting legislation that would address tire recycling through either a statewide or local initiative.

Items to Monitor

Constituents of Emerging Concern: Mercury, Arsenic and Pharmaceuticals

During the 81st Legislature’s interim the Senate Natural Resources Committee assessed issues concerning mercury and arsenic emissions to identify the sources of mercury and arsenic pollution in water. The Committee also investigated the status of drinking water, reservoir, river, estuary, and fish and wildlife mercury and arsenic monitoring programs in Texas.

“Constituents of Emerging Concern” can be broadly defined as any synthetic or naturally occurring chemical or any microorganism that is not commonly monitored in the environment but has the potential to enter the environment and cause known or suspected adverse ecological and/or human health effects.

A study of 139 streams throughout the country detected 82 chemicals in 80 percent of the waterways tested in 1999-2000, according to the U.S. Geological Survey’s (USGS) Toxic Substances Hydrology Program. The most common chemicals were steroids (anti-inflammatory drugs), antibiotics, nonprescription drugs, caffeine and insect repellent.

Potential water quality contaminants are flushed into ground and surface water from a variety of sources. The most common are wastewater from sewage treatment plants; run-off from agricultural land uses, particularly from industrial scale livestock facilities; and discharge from individual septic systems. Conventional sewage treatment varies greatly in its ability to eliminate drug or personal care product residues.

Staff will monitor any legislation related to the interim charge and/or other water monitoring issues and may move this item to the “support” category, particularly if legislation is filed to fund further water monitoring programs.

*Emerging Contaminant information comes from USGS and the Water Systems Council.
County Zoning Authority

Bexar and other urban counties have sought the authority to regulate land development in the unincorporated areas of their jurisdiction over the course of the last several sessions. The bills typically require a local option election that would allow the registered voters of the county to approve or deny the county the zoning authority.

Staff will monitor any legislation related to this issue and may move this item to the “support” or “oppose” category depending on the nature and scope of the legislation.

Dam Safety Issues

During the 82nd Legislature House Bill 2694 exempted certain dams located on private property from meeting dam safety requirements. This exemption was due to expire on August 31, 2015, however the 83rd Legislature passed HB 677 which repealed the exemption expiration thereby eliminating the TCEQ’s dam safety inspections of certain privately owned dams. Additionally, HB 677 further extended the dam safety exemption for dams on private property in counties with populations less than 350,000. Previously the exemption was only extended to dams on private property in counties with populations less than 215,000. For this reason dam safety issues may be addressed again in the 84th Legislature.

TCEQ has considered implementing new fees to fund the Dam Safety Program. Two fees have been discussed: a Dam Inspection Fee and an Annual Dam Registration Fee. The funds raised by the proposed fees would support the Dam Safety Program; however, the fee amounts and how they would support the program have yet to be disclosed.

Staff will monitor any legislation related to these issues and may move this item to either the “support” or “oppose” category depending upon the scope of additional safety inspection exemptions, the impact of any newly proposed fees on the River Authority and how the newly generated funds will specifically support the Dam Safety Program.

Desalination Issues

During the interim session, the Senate Natural Resources Committee evaluated the progress of the state's goal of promoting desalination projects across the state (brackish and seawater), including their future expansion to assist in meeting the state's water needs. Similarly the House Natural Resources Committee evaluated the status of desalination projects in Texas, including an evaluation of the regulation of brackish groundwater and whether opportunities exist to facilitate better utilization of this groundwater to meet future needs.

Staff will monitor any legislation related to these interim charges and may move this item to the “support” category, particularly if legislation is filed to fund desalination research and projects.

Edwards Aquifer Issues

Staff recommends monitoring any legislation that may impact the management of the Edwards Aquifer including, but not limited to, the reuse of Edwards Aquifer derived effluent.
Eminent Domain

As a result of the U.S. Supreme Court decision in *Kelo vs. City of New London*, which affirmed the right of some governments to exercise the power of eminent domain for economic development purposes, many state Legislatures such as Texas passed new laws to clarify how some governments can exercise the power of eminent domain for economic development purposes. In the 82nd session Senate Bill (SB) 18 was passed as a comprehensive eminent domain reform bill. It is possible that the Legislature may revisit this issue.

Staff will monitor any legislation related to this issue and may move this item to the “oppose” category, particularly if additional legislation limits or prohibits the use of eminent domain for the types of infrastructure that the River Authority and other water agencies implement.

Endangered Species Issues

The whooping crane litigation remains under appeal and could be appealed to the Supreme Court. The legislature could choose to identify a state solution to this endangered species issue however it is unlikely to act with litigation pending. Staff is presently unaware of any draft legislation regarding the whooping crane issue or any other legislation pertaining to endangered species in general.

The Texas Comptroller’s office has been charged with tracking the economic impact of federal action on endangered species through the Interagency Task Force on Economic Growth and Endangered Species. The task force provides policy and technical assistance to local and regional governmental entities and communities engaged in economic development activities. Presently, SARA staff monitors the activities of the task force and will continue to do so in through the session.

Staff will monitor this issue closely and may move this item to the “support” or “oppose” category depending on the legislation.

Environmental Flows Adaptive Management Clarification

The Texas Legislature passed environmental flow provisions in the Texas Water Code with Senate Bill 3, Article I 80(R). In recognition of the importance that the ecological soundness of our riverine, bay, and estuary systems and riparian lands has on the economy, health and well-being of our state, the 80th Texas Legislature created the Environmental Flows Advisory Group. Senate Bill 3 provides for adaptive management strategies as better science is developed, acknowledges the uniqueness of each river basin, and establishes regional bay and basin stakeholder groups and expert science teams to recommend environmental flow levels needed for the bay and basins to maintain the essential balance between human needs and environmental needs. The River Authority firmly believes the state needs to develop statewide consistency and coordination to environmental flow studies and methodologies for our rivers, streams, bays and estuaries as laid out in Senate Bill 3, Article 1.

The Science Advisory Committee serves as an objective scientific body to advise and make recommendations to the Environmental Flows Advisory Group on issues relating to the science of environmental flows and the development of environmental flows standards. The Science Advisory Committee developed recommendations on clarifying the adaptive management phase of the program and funding the scientific studies identified in the Work Plans for Adaptive
Management adopted by the stakeholder groups engaged in the SB 3 environmental flows program.

Staff will monitor this issue closely and may move this item to the “support” or “oppose” category depending on the legislation.

**Groundwater Management Issues**

The House and Senate Natural Resources Committees had interim charges to make recommendations on the management of groundwater resources. The Committees’ interim report should include an assessment of the following:

- Evaluate the availability, management, and development of groundwater in the state. Consider the economic, environmental, and social impacts of groundwater usage and production in the agricultural, municipal, and energy sectors. In particular, examine methods to facilitate further development of brackish groundwater resources and to improve the consistency and certainty of permitting by groundwater districts without undercutting reasonable regional and local regulation of groundwater; and
- Study and make recommendations to encourage the use of brackish water including but not limited to Aquifer Storage and Recovery and Desalination.

Staff will monitor any legislation related to this interim charge.

**Litter and Trash Reduction Programs**

General litter and trash issues impact the health and quality of life in the San Antonio River Watershed as well as impact the River Authority’s annual budget. The River Authority encourages basin residents to use reusable shopping bags whenever they shop through education outreach activities and through reusable bag give-aways. In each of the last three Legislatures, several bills have been filed that aimed at reducing the use of single use plastic bags. While these bills aimed at reducing pollution they only targeted one item of a much larger general waste stream that includes plastic bottles, Styrofoam, glass and paper containers.

Staff monitor any legislation related to these issues and may move this item to the “support” or “oppose” category, depending on the nature and scope of the legislation.

**Municipal Tree Ordinances**

Staff will monitor any legislation related to this issue particularly with regards to bills seeking to strike existing tree ordinances. Staff may move this to the “oppose” category particularly if the City of San Antonio’s tree ordinance is targeted.

**Oil, Gas and Mineral Exploration**

SARA supports the continued economic growth brought by the Eagle Ford Shale, yet we recognize that sustainable practices can balance cost without compromising the health of the rivers and creeks within the San Antonio River Watershed. SARA seeks to focus on practices that preserve and enhance water quality, land use practices that preserve natural watershed functions to manage the quantity and quality of stormwater runoff, road infrastructure and floodplain land use and development issues that frequently accompany rapid growth associated with successful oil and gas exploration.
Staff will monitor legislation that pertains to oil, gas and mineral exploration to determine if such bills will assist the communities in the San Antonio River Watershed with the rapid growth, transportation, economic development and natural resource issues they are experiencing.

**Procurement Process**

House Bill (HB) 1886 80(R), Design Build and Alternative Project Delivery, made a number of positive changes in construction project delivery procedures. The bill expanded the use of competitive sealed proposals and construction management at risk into infrastructure markets. Included in the bill are design-build for roads, water facilities and other civil works projects. The River Authority supported this bill in the 80th session and its passage provides the River Authority with greater flexibility with regards to procurement activities. Senate Bill (SB) 229 81(R), further expanded the use of Design Build and Alternative Project Delivery to governmental bodies serving populations of 100,000 or more people.

The House Committee on Government Efficiency and Reform has also studied the utilization of alternative project delivery methods, such as design-build and construction-manager-at-risk, by municipalities, water districts, and authorities, and other local governmental entities since the passage of HB 1886, 80th Legislature during the interim.

Staff will monitor any legislation related to these interim charges and may move this item to the “support” or “oppose” category, depending on the scope and nature of the legislation.

**Property Appraisals and Revenue Caps**

In past interim sessions the House Committee on Land and Resource Management has examined the body of law to determine the amount of compensation property owners receive when their land is condemned, in whole or in part, and studied the appropriateness of Texas’ compensation scheme as compared to others.

Staff will monitor any legislation related to this issue and may shift this issue to the “oppose” category, particularly if legislation would imbalance the compensation equation disproportionately towards property owners.

**Regional Water Quality Standards**

In the 80th interim session the Senate Natural Resources Committee studied the need for regional water quality standards, particularly in the Edwards and Barton Springs recharge zones.

Staff will monitor any legislation related to this issue.

**Reuse and Wastewater Return Flows**

Reuse (treated wastewater return flows) is an important conservation and water management strategy. It is a key component to meeting the needs of manufacturing, irrigation, municipal and potentially environmental flow demands. The State Water Plan identifies an increase in the usage of reuse over the 50-year planning horizon from three percent in 2000 to seven percent in 2050. Reuse reduces the need for costly investment in the development of new surface or groundwater supplies. Reuse water is also critical to supporting environmental needs,
particularly base instream flows and freshwater inflows to bays and estuaries. Many years ago the San Antonio River relied on the spring flows from San Antonio and San Pedro Springs; however, increased pumping from the Edwards Aquifer resulted in minimal or intermittent spring flow. In spite of this, the river still flows, but relies on a spring flow surrogate—treated wastewater return flows. Downstream water needs on the San Antonio River are also currently being met by treated wastewater return flows. Wastewater return flows are critical for managing our river’s environmental ecosystem and supporting the health of San Antonio Bay.

Staff supports a state policy that links environmental flows and the use of wastewater return flows (reuse) that will provide adequate protections for downstream flows for the environment. An ideal state policy will allow for a basin by basin or regional approach to the reuse issue rather than a one size fits all statewide solution.

Staff will monitor any legislation related to this issue.

**Review of State-Created River Authorities**

In the 81st Legislature the Senate Natural Resources Committee reviewed the advisability of subjecting river authorities to Sunset Committee review. The Committee considered options for ensuring adequate protection of public assets, improving transparency of operations, enhancing appropriate access to financial and management records, and authorizing audits by the State Auditor’s office.

House Bill 2362 from the 83rd Legislature required the Lower Colorado River Authority and Brazos River Authority to be subject to an efficiency review by the Legislative Budget Board. The Board may “review and analyze the effectiveness and efficiency of the policies, management, fiscal affairs, and operations of a river authority,” and present the findings to the governor and legislature.

Additionally, the Senate Natural Resources Committee was given an interim charge to study “the current accountability of river authorities to the legislature and the customers served by the authorities along with their transparency to members of the public. Make recommendations for improvements if necessary. Investigate the role of river authorities in the regional water planning process and the implementation of projects in the state water plan. Receive an update on any ongoing audits of river authorities from the State Auditor's Office and the Legislative Budget Board as well as any future planned audits and schedules.”

The River Authority is one of two river authorities in Texas that has an elected Board. Since the River Authority has an elected board there is built in electorate oversight that allows for public oversight and ensures agency transparency.

Staff will monitor any legislation related to this issue and will move this item to the “oppose” category if the River Authority is negatively impacted.

**State Water Planning / Funding**

The development of the State Water Plan has made the State of Texas a national leader in the area of water planning. However, until the 83rd Legislature Texas had not identified a method for funding the plan’s implementation. The 83rd Legislature passed S.J.R. 1, together with H.B. 4 and H.B. 1025, which sought to fund the implementation of the State Water Plan by creating the State Water Implementation Fund for Texas and the State Water Implementation Revenue Fund
for Texas to provide support for financial assistance provided by the Texas Water Development Board for projects included in the state water plan and by capitalizing the State Water Implementation Fund for Texas with constitutionally dedicated money appropriated out of the economic stabilization fund. On November 5, 2013, Texas voters elected to amend the Texas Constitution and dedicate $2 billion from the economic stabilization fund for the implementation of the State Water Plan.

Amendments to State Water Planning and Funding mechanisms have occurred in each of the last two sessions and now that State funding has been made available there could be additional changes to the planning process.

Staff will monitor any legislation related to the State Water Planning process.

**Tax Increment Financing (TIF)**

In the past the River Authority encountered opposition when appointing a staff member to serve on a Tax Increment Financing (TIF) Board of Directors. § 311.0091 of the Tax Code stipulates that to be eligible for appointment to a TIF Board of a reinvestment zone, a person must be a qualified voter of the municipality that designated the zone; or be at least 18 years of age and own real property in the zone or be an employee or agent of a person that owns real property in the zone. House Bill (HB) 2853 82 (R) amended the tax code to provide:

Except as provided by Subsection (i), to [To] be eligible for appointment to the board, an individual must:

1. be a qualified voter of the municipality; or
2. be at least 18 years of age and own real property in the zone or be an employee or agent of a person that owns real property in the zone.

(i) The eligibility criteria for appointment to the board specified by Subsection (f) do not apply to an individual appointed by a conservation and reclamation district:

1. created under Section 59, Article XVI, Texas Constitution; and
2. the jurisdiction of which covers four counties.

It has been the River Authority’s policy to name an experienced and knowledgeable staff member to TIF Boards in order to best represent the River Authority’s interests on said Boards.

Staff will monitor TIF legislation to ensure the flexibility provided to SARA by HB 2853 does not get impaired.

**Texas Bottle Bill – Beverage Container Deposit Bill**

In each of the last several sessions a bottle bill has been introduced seeking to implement a deposit program for glass and plastic bottles.

Staff will monitor any legislation related to this issue and may move this item to the “support” or “oppose” category, depending on the scope and nature of the legislation.

**Texas Parks and Wildlife Department Matching Grant Programs**

With the continued and perhaps expanded reductions in state agency budgets, the defense needs to be strong to preserve the funding for the matching grant programs administered by TPWD. Parks are proven to be solid and sound investments that return monies to communities through
offsetting or preventing health and wellness issues, economic development, increased property values, and lower crime rates. The matching grant programs stimulate local governments to take on the responsibility for park improvements and expansions. As the population of Texas grows, the State should continue to help stimulate local governments to meet the needs of existing and future Texans.

Staff will monitor any legislation and budgetary issues related to this issue.

**Items to Oppose**

**Unfunded Mandates**

Staff will recommend opposing legislation that would result in additional unfunded state mandates.
Executive Committee

Meeting Date: 11/12/2014

Executive Session: Whooping Crane and GBRA Lawsuits

Submitted For: Steve Raabe  Submitted By: Linda Whitaker
Division: Technical Services

CAPTION

EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 FOR CONSULTATION WITH ATTORNEY REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 13-40317 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT; AND GUADALUPE-BLANCO RIVER AUTHORITY V. TEXAS ATTORNEY GENERAL, ET. AL., NO. 03-14-00393-CV IN THE THIRD COURT OF APPEALS, AUSTIN, TEXAS

Presenter
Steve Raabe and David Ross

Estimated Presentation Time: 20 minutes

Discussion
CAPTION
PRESENTATION, DISCUSSION AND APPROPRIATE ACTION REGARDING THE ARANSAS PROJECT V. SHAW, ET. AL., CASE NO. 13-40317 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT; AND GUADALUPE-BLANCO RIVER AUTHORITY V. TEXAS ATTORNEY GENERAL, ET. AL. NO. 03-14-00393-CV IN THE THIRD COURT OF APPEALS, AUSTIN, TEXAS

Presenter
Steve Raabe and David Ross

Estimated Presentation Time: 5 minutes

Recommendation
Motion to be crafted, if necessary, after Committee discussion.

Discussion

Vote
Executive Committee

Meeting Date: 11/12/2014

GM's Report

Submitted For: Suzanne B. Scott
Submitted By: Linda Whitaker
Division: Executive Offices

CAPTION

GENERAL MANAGER'S REPORT CONCERNING THE FOLLOWING:

- UPCOMING EVENTS CALENDAR;
- FUTURE BOARD AND/OR COMMITTEE MEETINGS, AND
- MEETINGS INVOLVING THE ATTENDANCE OF ONE OR MORE BOARD MEMBERS

Presenter

Suzanne B. Scott

Estimated Presentation Time: 10 minutes

Discussion
Items For Future Consideration   Item #:  12.

Executive Committee

Meeting Date:  11/12/2014

Items for Future Consideration

Submitted For:  Suzanne B.  Submitted By:  Linda Whitaker

Submitted By:  Linda Whitaker

Division:  Executive Offices

CAPTION

ITEMS FOR FUTURE CONSIDERATION

Presenter

Ms. Buchanan, Committee Chair

Estimated Presentation Time:  5 minutes

Discussion
Executive Committee

Meeting Date: 11/12/2014

Next Meeting Date

Submitted For: Suzanne B. Scott
Submitted By: Linda Whitaker

Division: Executive Offices

CAPTION

NEXT MEETING DATE

Presenter

Ms. Buchanan, Committee Chair

Estimated Presentation Time: 5 minutes

Unless otherwise decided by the Committee, the next Executive Committee meeting will be Wednesday, December 10, 2014, at 2:00 p.m.

Discussion
Executive Committee

Meeting Date: 11/12/2014

Adjourn

Submitted For: Suzanne B. Scott  Submitted By: Linda Whitaker
Division: Executive Offices

---

**CAPTION**

**ADJOURN**

**Presenter**

Ms. Buchanan, Committee Chair