

River Authorities

 Texas' extensive river systems supply water for the state's inhabitants and ecosystems. To protect and monitor this precious resource, the Texas Legislature (following passage of an amendment to the Texas Constitution) created river authorities. River authorities now control rights to more than 70% of the state's surface water. Therefore, they play a crucial role in determining the future of Texas water.

There are more than 20 river authorities in Texas and, their primary function is to distribute and conserve the state's surface water. In addition, some river authorities, depending upon the laws creating and empowering them (known as their "enabling legislation") may perform one or more of the following specific functions:

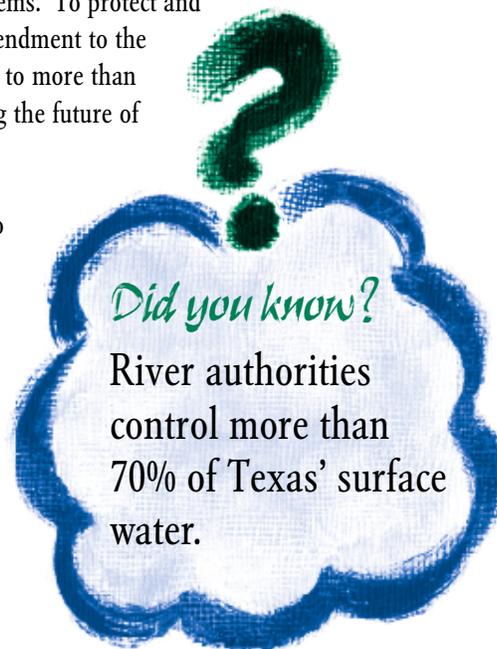
- ◆ Monitor and enforce surface water quality throughout an entire watershed
- ◆ Finance and conduct water projects
- ◆ Manage waste water systems
- ◆ Oversee permit application processes

 The water to which river authorities have rights is either sold to consumers (i.e., households and businesses) or sold to other suppliers of water (i.e., municipal and county water suppliers, private water companies). Many parts of the state receive water, either directly or indirectly, from a river authority. As a citizen and consumer, you have the right and the opportunity to monitor the actions of your river authority.

River authorities are subject to several requirements that may result in information that would be useful to you in monitoring their activities. Specifically, river authorities must:

- ◆ Monitor water quality in their respective basins and prepare an assessment of that water quality on a periodic basis
- ◆ Meet the obligations of the state's open records and open meetings laws
- ◆ Submit annual independent audit reports
- ◆ Get approval from the state Attorney General to issue bonds.

Moreover, the Texas Commission on Environmental Quality (TCEQ) monitors river authorities, and the river authorities are accountable to the Texas Legislature, the customers of the river authority, and the officials who select the members of the governing board of the river authority.



River authorities tend to vary significantly in structure and function, ranging from modest to massive in their magnitude of operations. In this regard, the largest river authority in Texas is the Lower Colorado River Authority, and the smallest is the Nueces River Authority. In addition to distributing and conserving surface water, some river authorities generate and sell electric power, regulate navigation, construct and operate reservoirs, and/or operate parks. Since river authorities do not receive direct legislative appropriations, the selling of water or by-products of water constitute the majority of their revenues. River authorities may also receive grants or loans from state agencies for specific programs or projects.

 Streams, rivers, evaporation, and precipitation interconnect Texas waters, allowing water management in one region to affect water quality and water supply in another. Therefore, the success and collaboration of river authorities is crucial to the future availability of water across Texas. To help ensure the quality and quantity of your water supply, familiarize yourself with your regional river authority and monitor the actions of these important water decision-makers.

River Authorities

For more information contact the TCEQ's water supply division at 512/239-4691

Refer to the River Authorities Contact Sheet at the end of this publication.

Links for sites related to river authorities:
www.txwin.net/Monitoring/SW/RA's.htm
www.texaswater.org/network/default.htm



Edwards Aquifer Authority

Website: <http://www.edwardsaquifer.org>

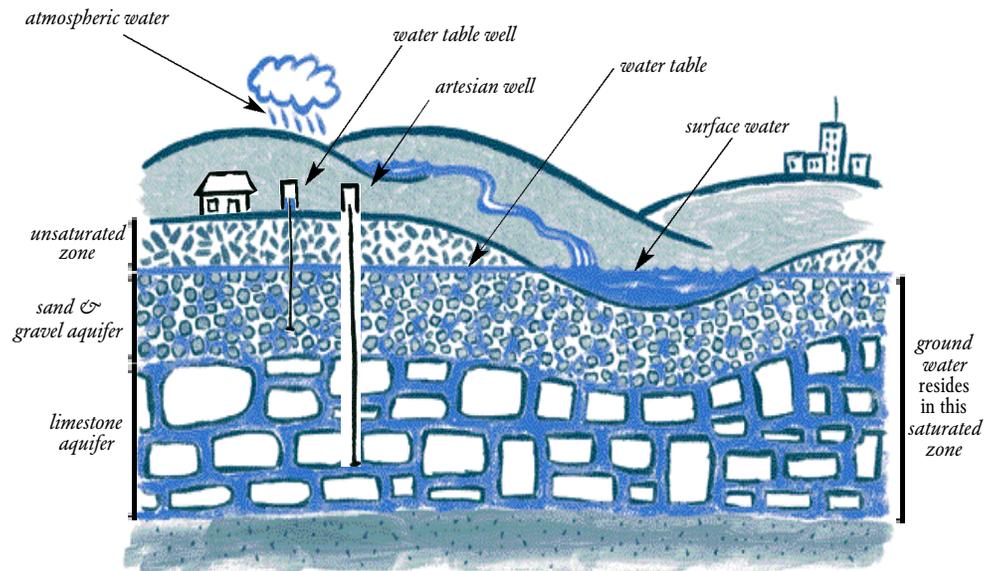
The Edwards Aquifer Authority (EAA) is a regulatory agency created by the Texas Legislature – the Edwards Aquifer Authority Act of 1993 (also known as SB 1477) – to (1) manage, conserve, preserve and protect the aquifer, (2) increase the recharge to the aquifer, and (3) prevent waste or pollution in the aquifer. The number of water users within the EAA’s jurisdiction of eight counties is currently 1.7 million and expected to nearly double by 2030. However, the water supply within the aquifer is limited and unpredictable due to annual variations in rainfall and therefore recharge of the aquifer as well as variations in pumping from the aquifer -- making the EAA an important entity to monitor and manage the aquifer.

The goals of the EAA are to guide the organization in achieving its objectives and influence its actions. According to the EAA, its objectives are to do the following:

- ◆ Fully implement the requirements of the Edwards Aquifer Authority Act
- ◆ Develop an effective, comprehensive management plan base on sound, consensus-based scientific research and technical data
- ◆ Maintain continuous spring flow at Comal and San Marcos Springs
- ◆ Protect and ensure the quality of ground water in the Authority’s jurisdiction
- ◆ Forge solutions that ensure public trust
- ◆ Promote healthy economies in all parts of the region
- ◆ Research and develop additional sources of water.

To meet some of the above performance goals, the EAA issues permits specifying amounts of water that may be withdrawn from the aquifer by various users (in keeping with provisions in its enabling legislation), and it imposes and enforces regulations, within the area of its jurisdiction (which covers Bexar County – the San Antonio area – and several counties to the west and east that overlie the Edwards Aquifer).

The EAA is also required to have and implement a critical period management plan to further restrict water use during times of low aquifer levels. The Board of Directors hold public meetings and public hearings where members of the public and representatives of organizations can give written and/or oral feedback on the Authority’s rules and regulations (the EAA only responds to written feedback).



Water Table

The Edwards Aquifer, an underground water reserve created from porous limestone, is the source of water for millions of people. It is the EAA’s responsibility to maintain this invaluable water resource, through rules and permits as well as research and development, in order to ensure the aquifer’s productivity in the future.

For information on proposed rules, final rules, and public meetings/hearings, visit http://www.edwardsaquifer.org/Pages/frames_regulations.html

Harris-Galveston Coastal Subsidence District

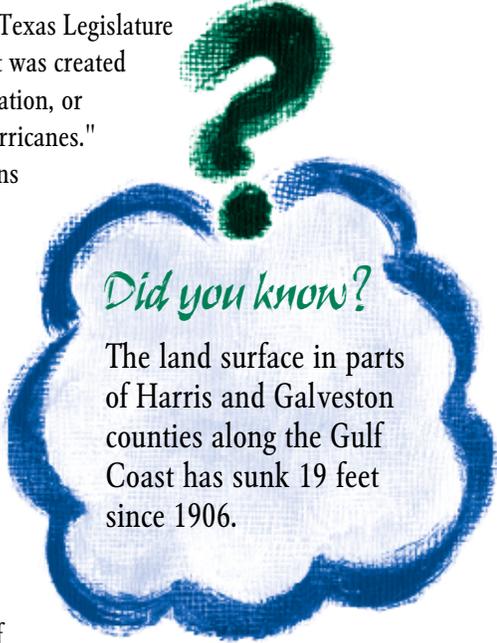
Website: <http://www.hgsubsidence.org/>

The Harris-Galveston Coastal Subsidence District (HGCS D) was created in 1975 by the 64th Texas Legislature to regulate the withdrawal of groundwater within Harris and Galveston Counties. The District was created "...for the purpose of ending subsidence, which contributes to or precipitates flooding, inundation, or overflow of the district, including without limitation rising waters resulting from storms or hurricanes." A board of directors consisting of 19 members, who serve for two-year staggered terms, governs the District.

Harris and Galveston Counties have experienced significant subsidence as a result of the withdrawal of groundwater. Subsidence in this region of the Gulf Coast is most notable in the critical areas along Galveston Bay, where the land surface has sunk as much as 19 feet since 1906, causing serious flooding and inundation. The subsidence problem in the region, due to groundwater withdrawals, was recognized and studied by private entities as early as 1954. The relationship between groundwater withdrawal and subsidence was determined by studies conducted in the mid- 1950s and 1960s. At that time, area leaders began consideration of measures to control further subsidence. Local area governments questioned the continued impact of subsidence on the economic growth and quality of life of the region. The HGCS D was created to address these problems. The jurisdiction of the District includes all of Harris and Galveston Counties. The district works to minimize the potential impacts of subsidence within the region through implementation of its district plan.

The district performs the following duties and functions:

- ◆ Technical research, measurements, and studies to determine and project the extent of subsidence and available groundwater supplies
- ◆ Preparation of regulatory and management plans based on current technically sound information
- ◆ Issuance of permits to withdraw groundwater for beneficial uses in amounts that are not detrimental to the aquifer system
- ◆ Regulation of well spacing and production in order to control and prevent subsidence
- ◆ Enforcement actions, when needed, to achieve the objectives of the District
- ◆ Assessment of permit fees as a regulatory tool to encourage conservation and conversion to surface water
- ◆ Cooperation with surface water suppliers to assure that adequate water supplies are available for beneficial uses
- ◆ Participation with other districts, regions, and state and local governments to achieve the District's goals
- ◆ Encouragement of water conservation through education and incentives
- ◆ Provision of public access to information about subsidence, groundwater withdrawal, and actions of the District
- ◆ Development of information and determination of the District's role in groundwater quality management.



Did you know?

The land surface in parts of Harris and Galveston counties along the Gulf Coast has sunk 19 feet since 1906.

FYI

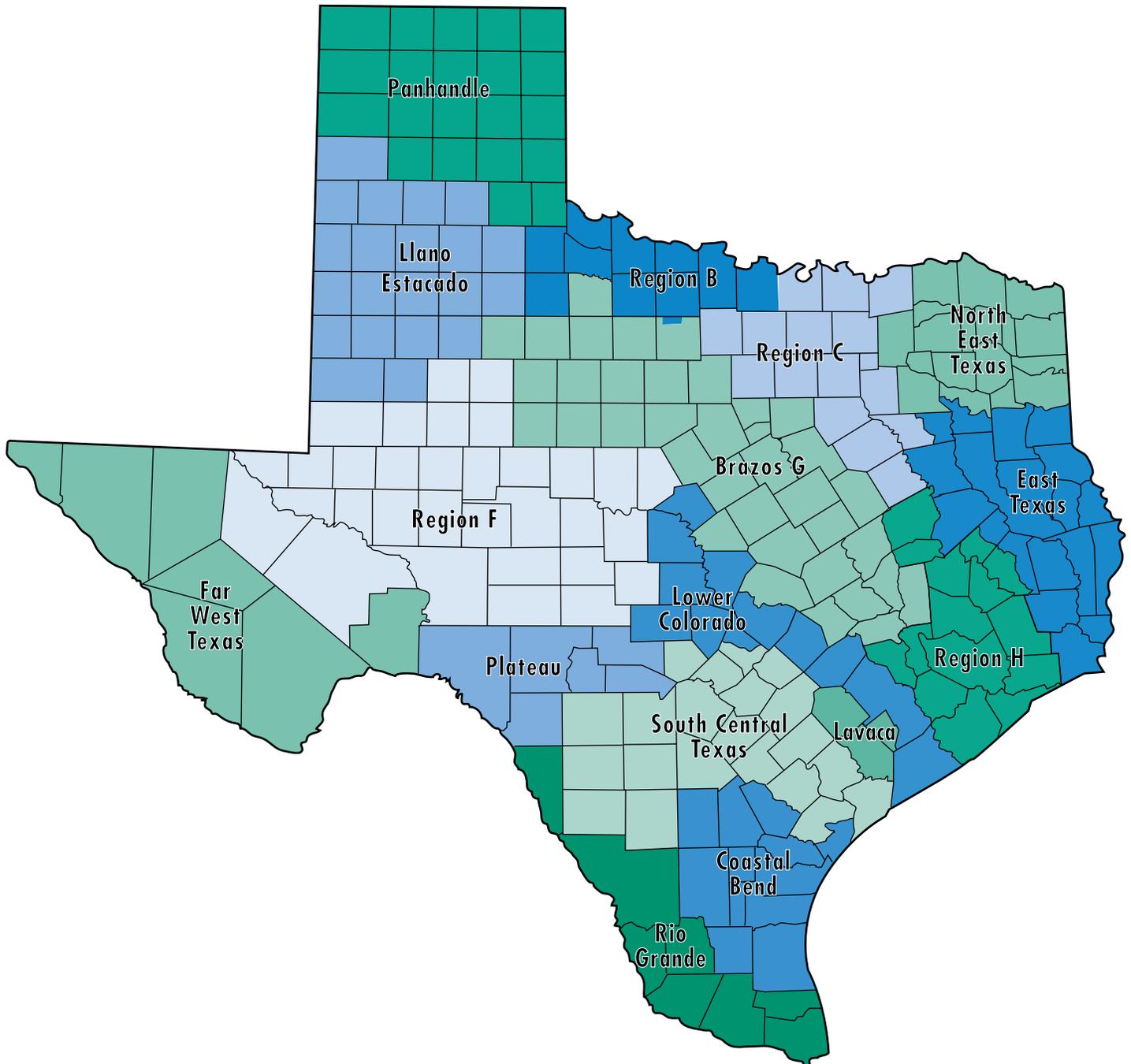
For more information about the District, look at Chapter 151 of the Texas Water Code. It can be viewed online at the following address:

<http://www.capitol.state.tx.us/statutes/wa/wa0015100toc.html>

 The District must comply with the state open meetings law (all meeting are open to the public). The governing board of the district meets for a regular meeting once a month and may hold special meetings at the call of the chairman.

Regional Water Planning Groups

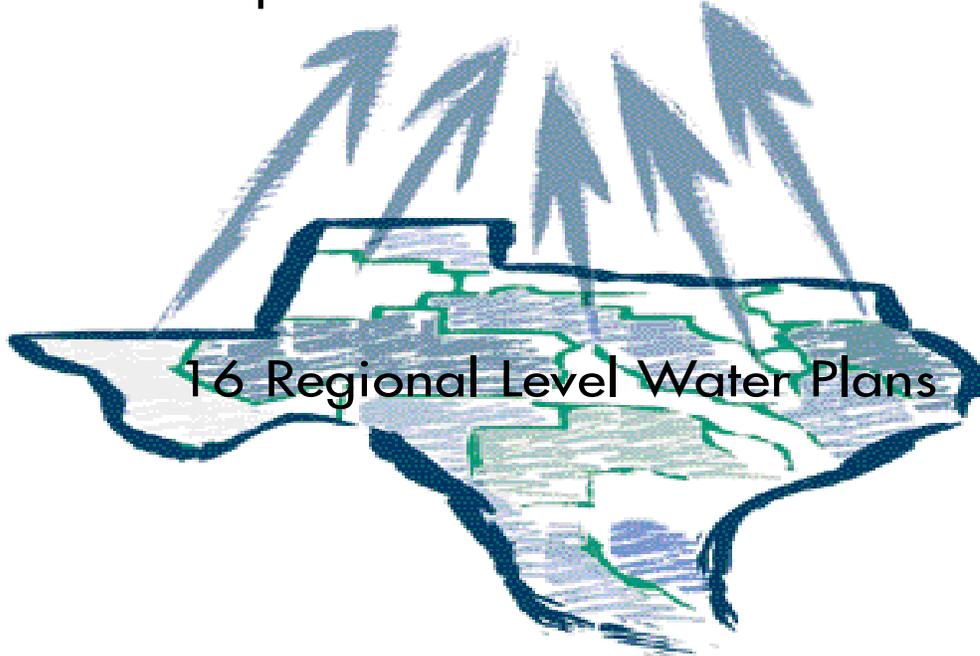
Website: http://www.twdb.state.tx.us/RWPG/group_info.htm



Regional Water Planning Groups (RWPGs) were established throughout Texas in 1998 as part of the implementation of Senate Bill 1 (SB 1), comprehensive water legislation enacted by the 75th Texas Legislature a year earlier. The passage of SB 1 followed a period of drought in the state in the mid-1990s that motivated state government leaders to reexamine the way in which state water planning had been done since the 1960s.

SB 1 created what has been termed a "bottom up" water planning process in which planning begins at the regional level and results in regional water plans that are submitted to state government officials and incorporated into a state water plan. Under the provisions of SB 1, the Texas Water Development Board (TWDB) divided the state into 16 regions. Individuals representing 11 interest groups were initially chosen by TWDB to serve as members of a RWPG in each of the 16 regions. The RWPGs in some instances added other individuals to membership on their respective groups.

Comprehensive State Water Plan



RWPGs prepare regional water plans for their respective areas. These plans estimate water demands from various water use groups in the region over the next 50 years and propose water management strategies to meet those demands. The original regional water plans prepared by the RWPGs had to be submitted to TWDB by January 5, 2001 and folded into the latest version of the state water plan by January 5, 2002. The regional and state water plans will be updated every five years. As of this writing, the RWPGs are in the process of updating the first round of regional plans with the second round of plans due for completion by January 2006.

The plans themselves do not compel any water decision-makers to take specific actions to implement the water management strategies recommended in the plans. SB 1, however, did set two new requirements in state water law tied to the regional plans. First, TWDB financial assistance for water supply projects may be provided only to projects that meet identified needs in a manner that is consistent with the approved regional water plans. In addition, the Texas Commission on Environmental Quality may not issue a water right permit for municipal water use unless it is consistent with an approved regional water plan.

 SB 1 requires that the Regional Water Planning Groups and TWDB provide for public participation opportunities in the development and updating of the regional water plans, including open meetings of the RWPGs and public hearings at the appropriate time in the planning process. To determine which water planning region of the state you reside in and how to be informed about and participate in the regional water planning process in your area, check the website for the Texas Water Development Board at www.twdb.state.tx.us.

Local Entities

Municipal Water Suppliers service a large percentage of the state’s population and like other local water entities can have profound impact on you and your family with the water decisions they make. They may set rates, determine the amount of water to which you have access, and even the extent and location of development projects in your area. These local entities provide our final piece of the water supply pie. As similar to other sections within this publication, we have also provided discussions on how you can participate in this process and influence the outcome of the decisions. You can make a difference.

LOCAL ENTITIES

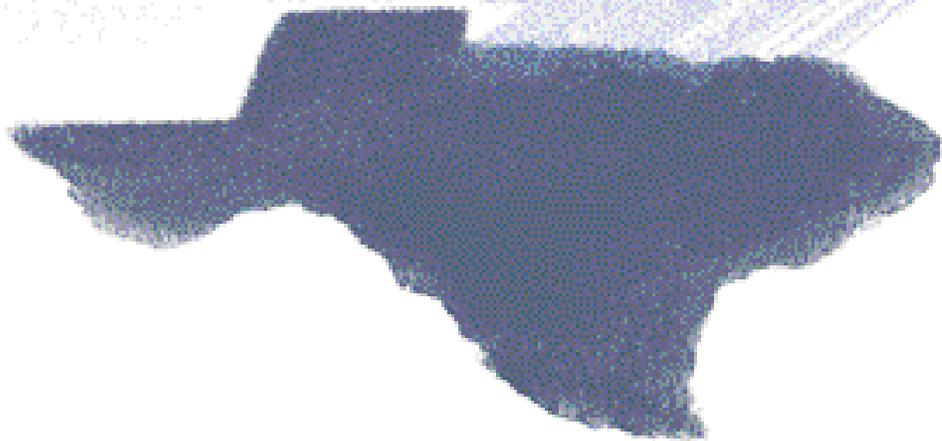
Municipal Water Suppliers	Municipal Utility Districts	Water Supply Corporations	Private Water Suppliers	Water Control and Improvement Districts	Special Utility Districts	Freshwater Supply Districts
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REGIONAL ENTITIES

Groundwater Conservation Districts	River Authorities	Edwards Aquifer Authority	Harris-Galveston Coastal Subsidence District	Regional Water Planning Groups
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STATE ENTITIES

Texas Commission on Environmental Quality	Texas Parks and Wildlife Department	Texas State Soil & Water Conservation Board	Texas Water Development Board
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Reader Note:

Throughout this publication, readers will encounter two symbols  and  appearing in the margins to help guide you to material that is particularly important and to alert you to opportunities to participate in the water decision-making process.

Municipal Water Suppliers

Municipal water suppliers (operated or established by “city” government) provide water to city residents and often to suburban communities surrounding cities. These suppliers set the water rates for their customers.

Municipal water suppliers provide more water than any other entity. Therefore, many opportunities exist to conserve water by refining the means and methods of water distribution by a municipal water utility. Urbanization has brought the majority of Texas’ residents to the city, which is where municipal water utilities provide their services. Sometimes, however, municipal water suppliers may deliver water outside city boundaries. In other instances, they subcontract with other water companies to help meet water demands inside city boundaries.

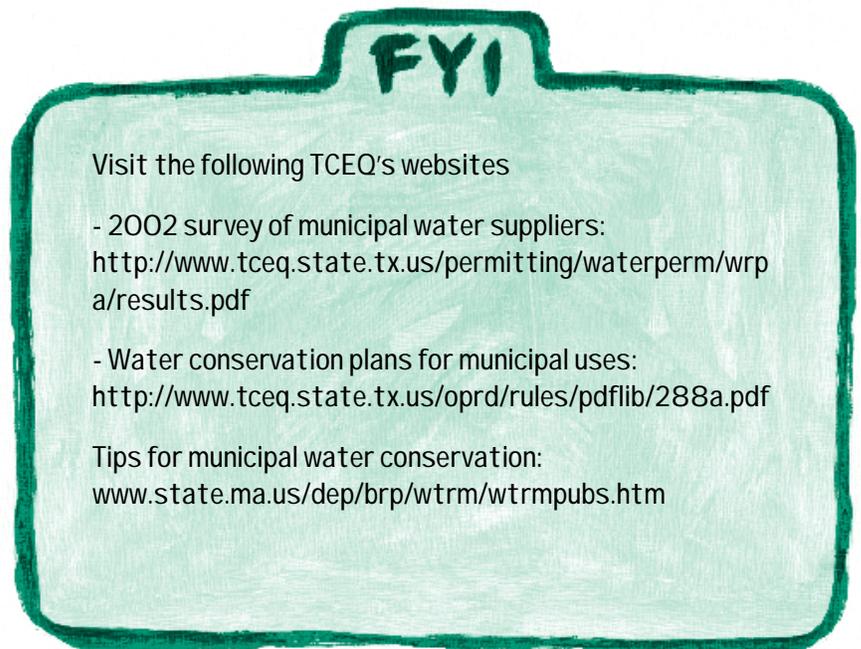
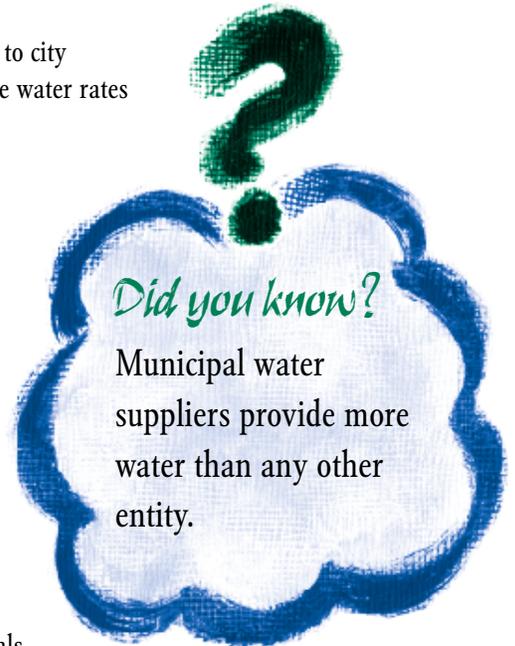
 Inside city limits, the TCEQ has no authority to set municipal water rates. Since city councils oversee municipal water systems, elected officials are responsible for acting in the best interest of their constituents, including the setting of appropriate water rates. The public may affect such decisions by voting in city elections for mayor and city council members and by communicating their views to elected and appointed city officials.

Outside city limits, the TCEQ has the ability to intervene with rate changes. If 10% of municipal customers that receive water services in an adjacent area submit an objection to a rate change, the TCEQ will hold a preliminary and secondary (if necessary) hearing to determine if the rate change is reasonable.

A municipal water supplier may change its rates for a variety of reasons, which include, but are not limited to the following:

- ◆ Drought conditions
- ◆ Conservation incentives
- ◆ Legislative directives
- ◆ Changes in the size of its customer base

 If you receive water from a municipal water supplier, you may express your opinion on water rates and/or voice your stance on water service issues by (1) communicating with your city council member(s) and your city manager and/or (2) attending city council meetings at which water matters are discussed and speaking at those meetings during the public comment period.



Municipal Utility Districts

Many people who live in suburban areas outside the boundaries of a municipality live in areas served by Municipal Utility Districts (MUDs). There are close to 600 MUDs in Texas. MUDs are able, under legislative authority, to affect the amount residents of a district pay for taxes for a number of basic services. If you live within a MUD, you may influence the impact MUDs have on your finances, community, and water supply by participating in public hearings.

A MUD is a non-profit political subdivision of the state of Texas created for the purposes of providing water, wastewater, and other services. They are usually created for areas undergoing residential and commercial development where no local retail water supplier is providing service to the area. MUDs are formed either by a special act of the legislature, or by the TCEQ. The TCEQ may receive petitions to form MUDs from (1) owners of large plots of land that desire development or (2) a majority of a district's property owners. After the TCEQ receives the petition, it assesses the proposal, conducts a public hearing, and grants or denies the request. If approved, five members are temporarily appointed to the board of directors until an election can be held. The board oversees and manages the district's operations, which range from issuing tax-exempt revenue bonds and general obligation bonds to deciding where to build a park within its jurisdiction.

The primary duties of MUDs include the following:

- ◆ Controlling, storing, preserving, and distributing water resources for irrigation, power and all other useful functions for municipal, commercial, and domestic uses
- ◆ Managing any shortage or excess of water
- ◆ Protecting, preserving, and restoring the purity and sanitary condition of Texas water
- ◆ Overseeing the conservation and development of natural resources
- ◆ Providing parks and recreational facilities for inhabitants within the district
- ◆ Collecting, transporting, processing, and disposing of waste.

 **WHETHER OR NOT YOU RECEIVE SERVICES FROM A MUD, YOU MAY BE AFFECTED BY THEIR ACTIONS.** If you receive services from a MUD, you are entitled to participate in the process by which the MUD makes decisions about the provision of services, the construction of projects or purchase of equipment to provide those services, and the financing of its activities.

 If you do not receive services from a MUD but live in an adjacent municipality, your municipality may choose to annex the area served by a MUD, which will require the municipality to take over the debt of the MUD. Assuming the debt of the MUD could affect your tax payments to your municipality. In this situation, you should share your opinions on such annexations with your city council member(s).

 MUDs are excluded from TCEQ's rate rules. Therefore, it is critical if you receive services from a MUD that you participate in meetings of the directors of the MUD to express your views on water rates and other matters. If you live in a municipality that is likely to be annexing areas with MUDs, and you are concerned about the potential impacts on your tax bill, make your views known to your city officials.

FYI

For any questions:
Contact your local MUD
Call the TCEQ's Water Supply Division
at 512/239-4691 for information
Refer to Ch. 54 of the Texas Water
Code

Water Supply Corporations

The following section should (1) provide members of existing Water Supply Corporations with useful information about their water service provider and (2) inform those considering a Water Supply Corporation as their water provider about the benefits of doing so and the process involved.

Water Supply Corporations (WSCs) are non-profit entities that supply potable water and/or sewer service to their members (who own and control the corporation) in areas not served by a municipality or other governmental water supplier. WSCs have certain advantages over private water suppliers, such as the ability (1) to receive significant tax advantages by applying for certain exemptions, (2) to access government grants, and (3) to obtain government loans at low interest rates.

There are various conditions under which WSCs form including:

- ◆ The transfer of an existing water facility from a co-op, homeowners group, or privately owned system to a community-owned system
- ◆ A decision by an existing community to switch from wells to a more viable water supply
- ◆ A determination that the quality of current water supplies is inadequate and in need of treatment
- ◆ A newly established community that needs water and takes the following actions:
 - 1) files Articles of Incorporation with the Secretary of State
 - 2) creates bylaws
 - 3) recruits members
 - 4) applies for funding.

In order to receive services from a WSC, you must live within the area for which a WSC has received a Certificate of Convenience and Necessity (CCN) to serve, and you must become a member of the WSC. To become a member you will need to (1) complete a membership application form, (2) appear before the board and formally request a membership (if asked to), and (3) pay a membership fee between \$50-\$250. Other charges may apply if installations, such as pipelines, are not already in place. After attaining membership, the corporation is obligated to provide you with water service. Members are entitled to receive the utility's services and to vote on an array of issues.

 The board of directors sets the rates members pay to receive utility services. However, there are two ways members can affect the amount they pay for utilities. First, if a rate is increased and 10% of the members disagree with the increase and petition the TCEQ within 90 days, the board's decision to change the rate will be reviewed. Second, you can voice your financial concerns at the open public meetings that your WSC is required to hold.

Water Supply Corporations are the primary suppliers of water services to residents in the rural areas of Texas who do not obtain their water from their own private well.



Water Supply Corporations



Contact the Texas Rural Water Association for general information on WSCs as well as specific information on how to create a WSC (ask for a copy of Robert Stewart's article Water Supply Corporations -Creation, Operation, Regulation):

Texas Rural Water Association
1616 Rio Grande Street
Austin, Texas 78701-8591
512/472-8591

The TCEQ monitors WSCs and is also a source for additional information:

Texas Commission on Environmental Quality
Water Utilities Division, MC 153
Consumer Assistance Team
P.O. Box 13087
Austin, Texas 78711
512/239-6100

For information on filing Articles of Incorporation, contact:

Secretary of State
Statutory Filings Division
Corporations Section
P.O. Box 13697
Austin, TX 78711-3697
Tel. 512/463-5555