

Texas Water Development Board

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July 22, 2011

RE: Groundwater Management Area Representation on Regional Water Planning Groups

Dear Regional Water Planning Group Members:

Since passage of Senate Bill 660 by the 82nd Texas Legislature, Regional Water Planning Groups (RWPGs) and representatives from Groundwater Conservation Districts (GCDs) have begun inquiring about how the new RWPG membership requirements will be implemented. This communication is to provide the TWDB staff interpretation of this new statutory requirement under Section 16.053(c) of the Water Code.

Among other things, Senate Bill 660 requires that, in addition to the representation of 11 interest groups currently required by statute, each RWPG will have to maintain additional representation for each groundwater management area (GMA) (from a GCD located within both the regional water planning area and GMA) that is at least partially located within a regional water planning area. Senate Bill 660 modifies the Water Code as follows (underlined text was added by SB660):

"(c) No later than 60 days after the designation of the regions under Subsection (b), the board shall designate representatives within each regional water planning area to serve as the initial coordinating body for planning. The initial coordinating body may then designate additional representatives to serve on the regional water planning group. The initial coordinating body shall designate additional representatives if necessary to ensure adequate representation from the interests comprising that region, including the public, counties, municipalities, industries, agricultural interests, environmental interests, small businesses, electric generating utilities, river authorities, water districts, and water utilities. The regional water planning group shall maintain adequate representation from those interests. In addition, the groundwater conservation districts located in each management area, as defined by Section 36.001, located in the regional water planning area shall appoint one representative of a groundwater conservation district located in the management area and in the regional water planning area to serve on the regional water planning group. In addition, representatives of the board, the Parks and Wildlife Department, and the Department of Agriculture shall serve as ex officio members of each regional water planning group."

Senate Bill 660 takes effect on September 1, 2011, at which time GCDs in the GMAs are to appoint these additional RWPG members. RWPGs must accept the individuals appointed by the GCDs in the GMAs without a vote or other confirmation by the other RWPG members. It is the responsibility of the GCDs in the GMAs to appropriately maintain and refill these RWPG membership positions through appointment, for example, in the event that a GMA representative resigns from the RWPG.

| | | | | |
|---|---|---|--------------------------------|-------------------------------|
| Our Mission | : | Board Members | | |
| To provide leadership, planning, financial assistance, information, and education for the conservation and responsible development of water for Texas | : | Edward G. Vaughan, Chairman | Thomas Weir Labatt III, Member | Billy R. Bradford Jr., Member |
| | : | Joe M. Crutcher, Vice Chairman | Lewis H. McMahan, Member | Monte Cluck, Member |
| | : | Melanie Callahan, Interim Executive Administrator | | |

Regional Water Planning Group Members
July 22, 2011

TWDB staff interprets the requirement to mean that a RWPG must add and maintain a single, new RWPG member (that is a GCD representative) representing each GMA that:

- is at least partially located within the regional water planning area, and
- contains at least a portion of one GCD within the portion of that GMA that is located within the regional water planning area.

In addition:

- the individual appointed to the RWPG to represent the GMA is a voting member,
- the individual appointed to the RWPG to represent the GMA has to be a representative of a GCD that is located at least partially within that regional water planning area,
- one individual may not serve to represent two GMAs, and
- one RWPG member may not serve to represent two statutorily required interests.

For example, in a regional water planning area that includes portions of two GMAs but only one of those two portions of GMAs that overlap with the regional planning area includes a portion of a GCD (also within the regional planning area), the associated RWPG must maintain representation from a minimum of 12 interest groups, including one representative of a GMA. Table 1 summarizes the additional GMA representatives that will be required for each RWPG. Table 2 lists the GCDs from which each of those associated GMA representatives could be selected. The attached map shows where regional water planning areas overlap with GMAs and GCDs.

If GCDs in a GMA intend to appoint an individual to a RWPG who is already serving as a member of the RWPG (but representing a different statutorily required interest such as a 'water district'), that RWPG member could resign from the RWPG position to become the appointed representative for the GMA. The RWPG might then have to replace that original RWPG member with someone who represents the same interest that individual originally represented if required by the RWPG bylaws or if that member were the only representative of a statutorily required interest group. Alternate representation for all RWPG members is subject to each RWPG's bylaws.

TWDB anticipates that this new requirement will be incorporated into TWDB planning rules through a future rule revision. If you have any questions, please contact your TWDB Project Manager.

Thank you all for your efforts to implement this new requirement.

Sincerely,



Carolyn L. Brittin
Deputy Executive Administrator
Water Resources Planning and Information

Attachment: Map of Groundwater Management Areas, Regional Water Planning Groups, and Groundwater Conservation Districts

c: RWPG Political Subdivisions
GMA Representatives
TWDB Project Managers

Table 1: Additional RWPG members required by Senate Bill 660 to represent GMAs
 (updated July 29, 2011)

| | Groundwater Management Areas | | | | | | | | | | | | | | | | New RWPG members required by SB 660 | Minimum RWPG membership |
|----------|------------------------------|---|---|---|---|---|----|---|---|----|----|----|----|----|----|----|-------------------------------------|-------------------------|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | | |
| A | 1 | | | | | 1 | | | | | | | | | | | 2 | 13 |
| B | | | | | | 1 | | 1 | | | | | | | | | 2 | 13 |
| C | | | | | | 0 | | 1 | | | 1 | 1 | | | | | 3 | 14 |
| D | | | | | | | | 0 | | | 0 | | | | | | 0 | 11 |
| E | | | | 1 | 0 | | 1* | | | | | | | | | | 2* | 13* |
| F | | 1 | 1 | | | | 1 | 0 | | | | | | | | | 3 | 14 |
| G | | | | | | 1 | 1 | 1 | | | | 1 | | 1 | | | 5 | 16 |
| H | | | | | | | | | | | 0 | 1 | | 1 | | | 2 | 13 |
| I | | | | | | | | | | | 1 | | | 1 | | | 2 | 13 |
| J | | | | | | | 1 | | 1 | 1 | | | | | | | 3 | 14 |
| K | | | | | | | 1 | 1 | 1 | 1 | | 1 | | | | 1 | 6 | 17 |
| L | | | | | | | 1 | | 1 | 1 | | | 1 | | 1 | | 5 | 16 |
| M | | | | | | | | | | | | | 0 | | | 1 | 1 | 12 |
| N | | | | | | | | | | | | | 1 | | 1 | 1 | 3 | 14 |
| O | | 1 | | | | 1 | | | | | | | | | | | 2 | 13 |
| P | | | | | | | | | | | | | | | 1 | | 1 | 12 |
| | | | | | | | | | | | | | | | | | 42* | 218* |

Blank = GMA is not located within regional planning area

0 = GMA located within regional planning area, but no GCD overlaps the GMA within the regional planning area

1 = GMA located within the regional planning area, and a GCD overlaps the GMA within the regional planning area (new GMA representative required)

* Subject to confirmation election

Regional Water Planning Group Members

Table 2: GCDs from which each of the GMA representatives could be selected
(updated July 29, 2011)

| Region | GMA | Potential Representative Groundwater Conservation Districts |
|---------------|--|--|
| A | 1 | Hemphill County UWCD |
| | | High Plains UWCD No.1 |
| | | North Plains GCD |
| | | Panhandle GCD |
| | 6 | Gateway GCD |
| | Mesquite GCD | |
| B | 6 | Gateway GCD |
| | | Rolling Plains GCD |
| | 8 | Upper Trinity GCD |
| C | 6 | No GCDs currently overlap Region C and GMA 6 |
| | 8 | North Texas GCD |
| | | Northern Trinity GCD |
| | | Prairielands GCD |
| | | Red River GCD |
| | | Upper Trinity GCD |
| 11 | Neches & Trinity Valleys GCD | |
| | 12 | Mid-East Texas GCD |
| D | 8 | No GCDs currently overlap Region D and GMA 8 |
| | 11 | No GCDs currently overlap Region D and GMA 11 |
| E | 4 | Brewster County GCD |
| | | Culberson County GCD |
| | | Hudspeth County UWCD No. 1 |
| | | Jeff Davis County UWCD |
| | | Presidio County UWCD |
| 5 | No GCDs currently overlap Region E and GMA 5 | |
| | 7 | Terrell County GCD* |
| F | 2 | Permian Basin UWCD |
| | 3 | Middle Pecos GCD |
| | 7 | Coke County UWCD |
| | | Crockett County GCD |
| | | Glasscock GCD |
| | | Hickory UWCD No. 1 |
| | | Irion County WCD |
| | | Kimble County GCD |
| | | Lipan-Kickapoo WCD |
| | | Lone Wolf GCD |
| | | Menard County UWD |
| | | Middle Pecos GCD |
| | | Plateau UWC and Supply District |
| | | Santa Rita UWCD |
| | | Sterling County UWCD |
| | Sutton County UWCD | |
| 8 | No GCDs currently overlap Region F and GMA 8 | |

Regional Water Planning Group Members

Table 2: GCDs from which each of the GMA representatives could be selected
 (updated July 29, 2011)

| Region | GMA | Potential Representative Groundwater Conservation Districts |
|---------------------|------------|--|
| G | 6 | Clear Fork GCD |
| | | Rolling Plains GCD |
| | 7 | Wes-Tex GCD |
| | 8 | Clearwater UWCD |
| | | Middle Trinity GCD |
| | | Post Oak Savannah GCD |
| | | Prairielands GCD |
| | | Saratoga UWCD |
| | | Southern Trinity GCD |
| | | Upper Trinity GCD |
| | 12 | Brazos Valley GCD |
| | | Lost Pines GCD |
| | | Post Oak Savannah GCD |
| | 14 | Bluebonnet GCD |
| Brazos Valley GCD | | |
| H | 11 | No GCDs currently overlap Region H and GMA 11 |
| | 12 | Mid-East Texas GCD |
| | 14 | Bluebonnet GCD |
| | | Brazoria County GCD |
| | | Lone Star GCD |
| Lower Trinity GCD | | |
| I | 11 | Anderson County UWCD |
| | | Neches & Trinity Valleys GCD |
| | | Panola County GCD |
| | | Pineywoods GCD |
| | | Rusk County GCD |
| | 14 | Lower Trinity GCD |
| Southeast Texas GCD | | |
| J | 7 | Kinney County GCD |
| | | Real-Edwards C and R District |
| | 9 | Bandera County River Authority & Groundwater District |
| | | Headwaters GCD |
| | 10 | Kinney County GCD |

Regional Water Planning Group Members

Table 2: GCDs from which each of the GMA representatives could be selected
(updated July 29, 2011)

| Region | GMA | Potential Representative Groundwater Conservation Districts |
|---------------------|------------------|---|
| K | 7 | Hickory UWCD No. 1 |
| | | Hill Country UWCD |
| | 8 | Central Texas GCD |
| | | Fox Crossing Water District |
| | 9 | Barton Springs/Edwards Aquifer CD |
| | | Blanco-Pedernales GCD |
| | | Hays Trinity GCD |
| | 10 | Barton Springs/Edwards Aquifer CD |
| | | Edwards Aquifer Authority |
| | | Hays Trinity GCD |
| | 12 | Fayette County GCD |
| | | Lost Pines GCD |
| | 15 | Coastal Bend GCD |
| | | Coastal Plains GCD |
| | | Colorado County GCD |
| Fayette County GCD | | |
| L | 7 | Edwards Aquifer Authority |
| | | Uvalde County UWCD |
| | 9 | Cow Creek GCD |
| | | Edwards Aquifer Authority |
| | | Hays Trinity GCD |
| | | Medina County GCD |
| | | Trinity Glen Rose GCD |
| | 10 | Barton Springs/Edwards Aquifer CD |
| | | Edwards Aquifer Authority |
| | | Guadalupe County GCD |
| | | Hays Trinity GCD |
| | | Medina County GCD |
| | | Plum Creek CD |
| | | Trinity Glen Rose GCD |
| | | Uvalde County UWCD |
| | 13 | Edwards Aquifer Authority |
| | | Evergreen UWCD |
| | | Gonzales County UWCD |
| | | Guadalupe County GCD |
| | | Medina County GCD |
| | | Plum Creek CD |
| | | Uvalde County UWCD |
| | Wintergarden GCD | |
| | 15 | Evergreen UWCD |
| | | Calhoun County GCD* |
| | | Goliad County GCD |
| | | Pecan Valley GCD |
| Refugio GCD | | |
| Victoria County GCD | | |

Regional Water Planning Group Members

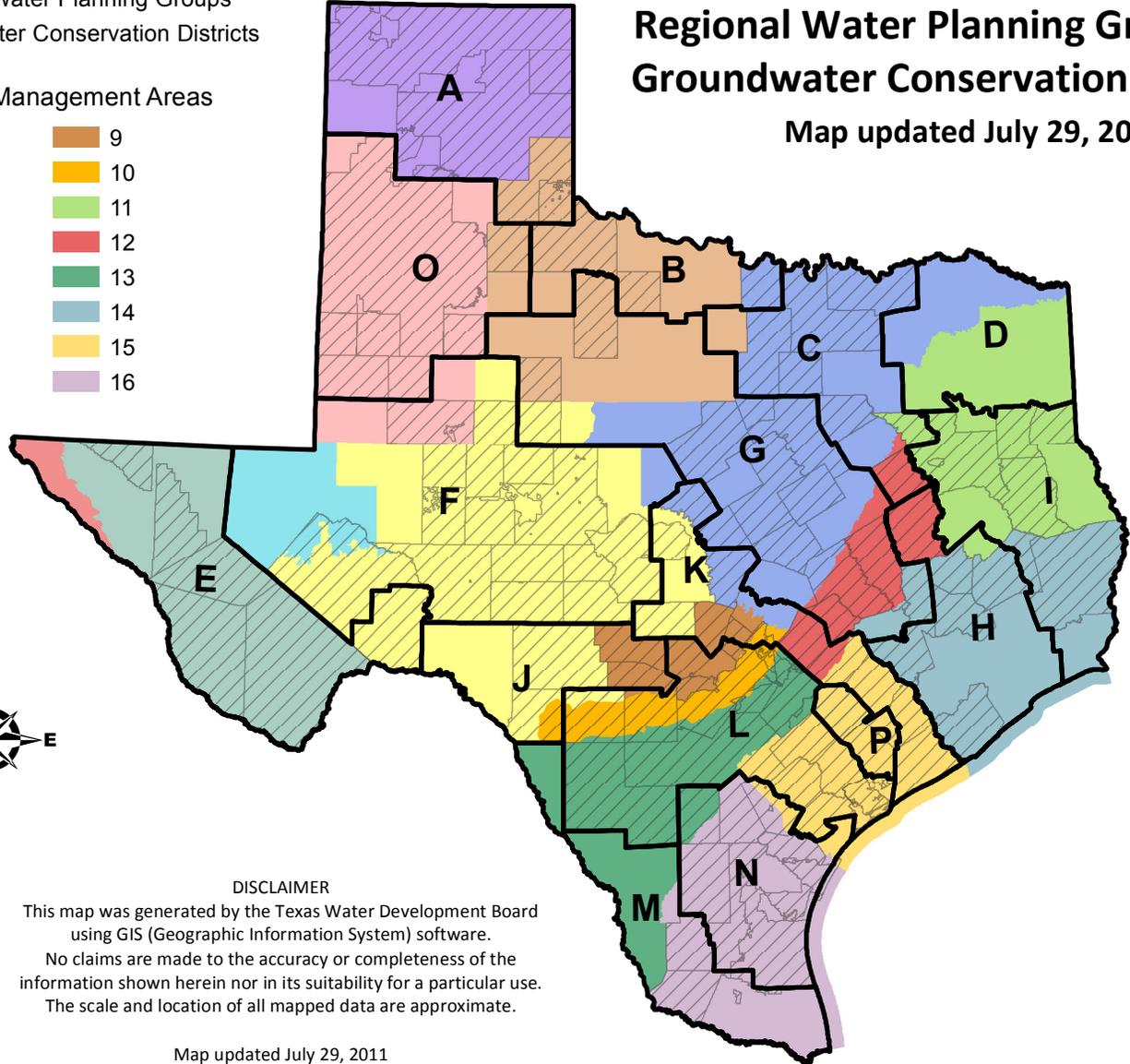
Table 2: GCDs from which each of the GMA representatives could be selected
(updated July 29, 2011)

| Region | GMA | Potential Representative Groundwater Conservation Districts | |
|---------------------|-----------------------|--|----------|
| M | 13 | No GCDs currently overlap Region M and GMA 13 | |
| | 16 | Brush Country GCD | |
| | | Kenedy County GCD | |
| | | Red Sands GCD | |
| | | Starr County GCD | |
| N | 13 | McMullen GCD | |
| | 15 | Bee GCD | |
| | | Corpus Christi ASR CD | |
| | 16 | Bee GCD | |
| | | Brush Country GCD | |
| | | Corpus Christi ASR CD | |
| | | Duval County GCD | |
| | | Kenedy County GCD | |
| | | Live Oak UWCD | |
| | | McMullen GCD | |
| | | San Patricio County GCD | |
| | | O | 2 |
| | High Plains UWCD No.1 | | |
| Llano Estacado UWCD | | | |
| Mesa UWCD | | | |
| Sandy Land UWCD | | | |
| South Plains UWCD | | | |
| 6 | Gateway GCD | | |
| P | 15 | Coastal Bend GCD | |
| | | Lavaca County GCD* | |
| | | Texana GCD | |

* *Subject to confirmation election.*

Groundwater Management Areas, Regional Water Planning Groups, and Groundwater Conservation Districts*

Map updated July 29, 2011



- Legend**
- Regional Water Planning Groups
 - Groundwater Conservation Districts

Groundwater Management Areas

- | | |
|---|----|
| 1 | 9 |
| 2 | 10 |
| 3 | 11 |
| 4 | 12 |
| 5 | 13 |
| 6 | 14 |
| 7 | 15 |
| 8 | 16 |



DISCLAIMER

This map was generated by the Texas Water Development Board using GIS (Geographic Information System) software. No claims are made to the accuracy or completeness of the information shown herein nor in its suitability for a particular use. The scale and location of all mapped data are approximate.

Map updated July 29, 2011

*Includes Lavaca County, Terrell County and Calhoun County GCDs which remain subject to confirmation elections