

TRINITY RIVER AUTHORITY OF TEXAS



SELF-EVALUATION REPORT

Submitted to the Sunset Advisory Commission

September 2023

Trinity River Authority of Texas



General Office

August 31, 2023

Mr. Eric Beverly, Director
Texas Sunset Advisory Commission
P.O. Box 13066
Austin, TX 78711

Dear Mr. Beverly:

I am pleased to submit the Self-Evaluation Report of the Trinity River Authority of Texas (Authority) to the Texas Sunset Advisory Commission. The Authority's Board and management look forward to working with your staff to identify areas where the Authority can improve its operations.

As has been recognized during the Commission's review of river authorities, no two are alike. River authorities do, however, share the characteristic that each has evolved over time to meet the needs of its particular basin. The Authority, for instance, treats more wastewater than any other river authority in Texas. The Authority is both a purchaser and seller of untreated water. The Authority owns and operates one reservoir (Lake Livingston), but also contracts with the United States Army Corps of Engineers for the operation of another three reservoirs (Joe Pool, Navarro Mills and Bardwell). It also has the largest board of any Texas river authority, having 25 members from 17 Texas counties.

Throughout its history, the Authority has relied on regional partnerships as a vehicle for success. The Authority pioneered those large-scale cooperative arrangements when it commissioned its Central Regional Wastewater System in 1959, only four years after its creation. The Authority's regional systems provide economies of scale that have also significantly improved water quality in the Trinity River.

The Authority's mostly municipal customers actively participate in both operating project budget development and capital improvement planning. By doing so, the Authority's Board and management are constantly accountable to the Authority's customers.


Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'J. Kevin Ward', is written over the typed name.

J. KEVIN WARD
General Manager

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Trinity River Authority of Texas
Self-Evaluation Report

I. Agency Contact Information

A. Please fill in the following chart.

Exhibit 1: Agency Contacts

	Name	Address	Telephone	Email Address
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II. Key Functions and Performance

Provide the following information about the overall operations of your agency. More detailed information about individual programs will be requested in Section VII.

A. Provide an overview of your agency's mission, objectives, and key functions.

Mission

The Trinity River Authority of Texas (Authority) was created by the Texas legislature in 1955 to effectuate the conservation and use for all beneficial purposes of the unappropriated surface water in the Trinity River watershed. Used in this sense, "conservation" refers not to reducing water use, but instead to efforts to store and secure the yield of the Trinity River for beneficial use.

With respect to its mission, the Authority has developed water supplies that are critical not only to the Trinity River Basin. Over half of the population of the State of Texas depends in some respect on the Trinity River as a source of water supply, and the river provides the largest source of surface water supply to both the Dallas-Fort Worth Metroplex and the City of Houston, the latter of which is in the San Jacinto River Basin.

The Authority provides treated and untreated water supplies depended upon by its wholesale customers for decades. The Trinity River is also critical to meeting the basin's future water needs. In addition, for over 60 years, the Authority has provided wholesale wastewater treatment services that have drastically improved water quality in the Trinity River. Those services also generate clean water that is currently being reused within the basin.

Consistent with its enabling legislation, the Authority's mission as defined by its Board of Directors is to promote conservation, reclamation, protection and the development of the natural resources of the river basin for the benefit of the public. The Authority's Board-adopted vision is to be an innovative, adaptive leader, enriching the Trinity basin as a resource for Texans.

The Authority's five core values are: integrity, excellence, accountability, teamwork and professionalism.

Authority Objectives

The Authority's objectives are defined by its enabling legislation. The legislature was direct in

this regard, providing that “[i]t shall be the duty of the Authority . . . [t]o store and conserve to the greatest beneficial use such waters [of the Trinity River], so as to prevent escape of any water without maximum beneficial use either within or outside of Authority.” Tex. Rev. Civ. Stat. Ann. art. 8280-188, §§ 5, 5(a) (emphasis added).

The Authority has met and continues to meet this duty. The Authority developed or cooperated in the development of four reservoirs in the Trinity River Basin that provide water supply. That supply is used primarily for municipal, industrial and agricultural purposes. The Authority also pioneered regional wastewater gathering and treatment in Texas. The Authority’s wastewater treatment plants also create water supplies. In 2006, the Authority secured the right to divert nearly 250,000 acre-feet (AF) of treated wastewater effluent discharged by four of its wastewater treatment plants. That effluent provides a key source of new supply in the basin.

Summary of Key Functions

The Authority’s major operations are undertaken through enterprise funds. Each Authority operating project is its own enterprise fund. Each stands alone as an operational and financial unit. Operating projects do not subsidize one another. Each is operated on a cost-of-service basis, meaning that each project’s customers pay only what it costs the Authority to deliver the service provided to that project’s customers.

Operating project budgets are based on wholesale customers’ projections of their demand for service. For wastewater projects, the customers provide their anticipated flow volume to be delivered in an Authority fiscal year, and each project’s budget is developed around those estimates. For treated water, budgets are based on fiscal-year water demand projections provided by customers. In either case (water or wastewater), if a customer overestimates its demands, it may be entitled to a refund based upon its actual use. If a customer underestimates its actual use, it may be required to pay an additional amount at fiscal yearend. This “settle-up” process ensures that customers pay only the Authority’s cost of service.

The Authority’s Northern Region operations (five regional wastewater systems and one regional drinking water treatment system) serve an area encompassed by the Texas Water Development Board’s Region C Regional Water Planning Area. As part of its water planning efforts, Region C looks to population projections to determine future demands. As reflected in the 2021 Region C Regional Water Plan, “[t]he population of Region C is projected to grow from 7,233,415 in the year 2016 to 10,150,077 in 2040 and 14,684,790 in 2070.” As the Authority’s service area experiences this explosive population growth, the needs for the Authority’s wastewater and water treatment services will increase. Likewise, the Authority’s ability to meet new demands for raw water in North Texas will be essential to meet the area’s projected growth.

The Authority’s Southern Region projects provide treated water to the Cities of Huntsville, Livingston and Trinity, Texas, with raw water diverted from the Authority-owned Lake Livingston Reservoir. The Authority’s treatment plants also provide water supply to the Texas Department of Criminal Justice’s Ellis, Estelle and Polunsky Units, and to the Tenaska Frontier Power Plant in Shiro, Texas.

Each of the Authority’s key functions remains required as set forth below.

Key Functions by Business Line

Wastewater Treatment

The Authority operates five regional wastewater gathering and treatment systems in North Texas. Those plants treat wastewater flows from 41 wholesale municipal and district customers, and a total population of over two million Texans. The Authority pioneered regional wastewater treatment in Texas, beginning with the commissioning of its Central Regional Wastewater

System treatment plant in December 1959. Since that time, the Authority has constructed four additional regional wastewater gathering and treatment systems in North Texas. The Authority's regional systems discharge effluent that is relied upon as a source of raw water supply. Regional systems provide economies of scale that provide service at the lowest possible cost to the Authority's wholesale customers.

Water Treatment

The Authority operates four potable-water treatment plants across its jurisdiction. In its Northern Region, the Authority's Tarrant County Water Supply Project provides potable water to the Cities of Bedford, Colleyville, Euless, Grapevine and North Richland Hills. In its Southern Region, the Authority operates three potable water treatment plants that respectively serve the Cities of Huntsville, Livingston and Trinity, Texas.

Raw Water Supply

The Authority is the owner and operator of Lake Livingston Reservoir. The reservoir was developed as a cooperative effort between the Authority and the City of Houston. Completed in 1969, Lake Livingston impounds 1.75 million acre-feet of water, and provides a firm yield of 1.25 million acre-feet annually. The Authority owns 30 percent of that yield, and Houston owns 70 percent. Lake Livingston provides water to meet demands in its immediate vicinity, and also downstream. The lake occupies 83,000 surface acres in four Texas counties when at its normal pool elevation of 131 feet above mean sea level (MSL).

In addition, the Authority is the local sponsor of three United States Army Corps of Engineers (USACE) owned and operated reservoirs: Bardwell Lake, Joe Pool Lake and Navarro Mills Lake. As the local sponsor, the Authority is responsible for funding the costs of operating and maintaining those lakes for water supply purposes. Each of those lakes also provides downstream flood mitigation, which is furnished at federal cost. The Authority has contracted with area municipalities and districts to provide water supply from these three lakes.

The Authority is also one of three local sponsors for the Wallisville Saltwater Barrier, together with the City of Houston and the Chambers-Liberty Counties Navigation District. The barrier became operational in 1999. It controls river salinity by mechanically blocking saltwater intrusion from Trinity Bay during low flows in the river. Without this barrier, saltwater historically traveled upstream. To permit freshwater diversions before the barrier was complete, the Authority routinely released water from storage in Lake Livingston.

B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed?

All the Authority's key functions are critical to meeting the needs of its existing customers. With respect to drinking water supply, the Cities of Bedford, Colleyville, Euless, Grapevine, Huntsville, Livingston and North Richland Hills depend on the Authority for supply. The Authority's contracts with all the foregoing cities are effectively perpetual in nature. Accordingly, the Authority's treated water operations serve a clear and ongoing objective.

Regarding wastewater treatment, the Authority provides services to 41 cities in the Dallas-Fort Worth Metroplex. Like its treated water contracts, the Authority's obligations to its wastewater customers are perpetual.

Finally, the Authority's raw water supply operations guarantee its customers access to in excess of 250,000 acre-feet of firm water on an annual basis. While that volume is not presently being diverted, raw water supplies are committed and form the backbone of the Authority's customers' long-term water supply plans. Raw water made available by the Authority meets needs identified in both the 2021 Region C and H Regional Water Plans.

C. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions?

Yes. The Authority's enabling act, together with its general law authorities, correctly reflects the Authority's mission, objectives and approach to performing its functions.

D. Have you previously recommended changes to the Legislature to improve your agency's operations? If so, briefly explain the recommended changes, whether or not they were adopted, and if adopted, when.

No. The Authority has not recommended changes to the Legislature to improve its operations.

E. Do any of your agency's functions overlap or duplicate those of another local, state, or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?

The Authority's political jurisdiction includes all or part of 17 Texas counties, from Tarrant County to Chambers County, Texas, following the course of the Trinity River. Given that geographic breadth, there is undoubtedly overlap in some areas with certain municipalities and other special districts. For instance, the Authority's political jurisdiction includes part of the Cities of Dallas and Fort Worth. Each of those municipalities treat drinking water and wastewater. However, both are also wholesale customers of Authority regional wastewater systems. That is the case because it is more economical for the Authority to serve portions of those cities than for those cities to do so for themselves. The Authority works closely and cooperatively with municipalities and other districts to provide services that they either cannot provide for themselves, or which may be more economically provided by the Authority.

The Authority has a long history of collaboration with other entities in the water and wastewater industry. In the 1960s, the Trinity River was burdened with extremely poor water quality. That situation was common across the United States in urbanized watersheds. In 1970, to improve the Trinity River's water quality, several major wastewater facility operators in North Texas formed a cooperative to address water quality and wastewater treatment. This was the beginning of what would become, half a decade later, the Upper Trinity Basin Water Quality Compact (Compact). Its inaugural members included the Trinity River Authority, and the Cities of Dallas, Fort Worth and Garland. Together, these four parties were responsible for the majority of wastewater effluent that was being discharged into the Trinity River in North Texas.

In 1975, the Compact was formally created by an agreement between Compact members, with the North Texas Municipal Water District (NTMWD) replacing the City of Garland as a member. That agreement, and each one thereafter, has appointed the Authority to serve as the administrator of the Compact. In that role, the Authority handles the budgeting, contracting and other administrative duties associated with Compact business. Since its inception, the Compact has operated for the benefit of the participating entities and the region as a whole.

The Compact is only one example of the coordination undertaken by the Authority to avoid overlap or duplication of services. Regarding water rights, the Authority routinely engages with other Trinity River Basin water rights holders, including Tarrant Regional Water District, the City of Dallas, NTMWD and the City of Houston. Tarrant Regional Water District provides the Authority raw water for the Authority's Tarrant County Water Supply Project. In turn, the Authority sells NTMWD treated wastewater effluent that the latter diverts from the main stem of the Trinity River (below the confluence of the East Fork) to serve the District's customers. The Authority has also committed raw water from its available supply in Lake Livingston to the City of Houston for its future use. These partnerships prevent duplication of services and reduce costs for all parties.

F. In general, how do other states carry out similar functions?

Other states have used special and regional districts to manage surface water resources. One example is the Colorado River District in the State of Colorado. That district was created in 1937, the same year as the San Antonio River Canal and Conservancy District, now the San Antonio River Authority. Washington state has also employed local conservation districts to address multi-resource conservation, such as the Okanogan Conservation District. In 1972, Florida created five water management districts to manage groundwater and surface water resources conjunctively.

Other states have created special districts specifically to regionalize wastewater treatment. One such example is the Clark County Water Reclamation District of Nevada.

G. Discuss any changes that could impact your agency's key functions in the near future (e.g., changes in federal law or outstanding court cases).

The Authority closely observes developments in the regulatory regimes that govern its operations. A prime example is the repeated redefinition of the phrase "waters of the United States," by the USACE and the Environmental Protection Agency (EPA). Defining "waters of the United States" has involved a 50-year cat-and-mouse game between the forgoing agencies and the federal judiciary. The breadth of the term "waters of the United States" primarily affects the Authority's construction of pipelines in proximity to creeks and rivers. The broader the term, the more often the Authority's construction projects will require time-consuming Clean Water Act Section 404 authorizations.

The definition of "waters of the United States" determines the geographic and hydrologic extent of USACE and EPA jurisdiction under the Clean Water Act. For instance, whether a water body is "waters of the United States" determines whether a discharger is required to secure a National Pollutant Discharge Elimination System permit to discharge to it. It is also the test that determines whether dredge and fill activities require a Clean Water Act Section 404 permit, and whether federal surface water quality standards must be attained.

The United States Supreme Court's recent decision in *Sackett v. Environmental Protection Agency* has prompted USACE and EPA to again revisit the definition of "waters of the United States." While *Sackett* appears to constrain the agencies' Clean Water Act jurisdiction, any new definition the agencies offer will likely result in continued litigation.

The Authority also closely monitors the actions of the U.S. Fish and Wildlife Service (USFWS) relating to the listing of threatened and endangered species under the Endangered Species Act (ESA). USFWS is currently considering listing as endangered six aquatic species in Texas, two turtles and four freshwater mussels under the ESA. The Authority has been proactive regarding this risk, and its Board has authorized management to enter into a Candidate Conservation Agreement with Assurances (CCAA) with USFWS. The CCAA describes a 10-year Workplan that will provide the potentially-listed species a net conservation benefit. The Workplan will be funded by contributions from the Upper Trinity River Water Quality Compact and Tarrant Regional Water District. The total 10-year cost is \$750,000, funded equally by each entity at an annual rate of \$15,000 for 10 years. These funds will be used directly to implement the conservation measures outlined in the Workplan, or as matching funds for federal, state and local grants.

H. Overall, how does the agency measure its effectiveness in carrying out its objectives?

The two primary measures of performance are: 1) by reference to the Authority's success in meeting the objectives of its strategic plan (project performance measures); and, 2) customer

interactions and input.

Strategic Plan

The Authority is presently concluding activities under its 2019-2024 Strategic Plan. [Attachment 24](#) (2019-2024 Strategic Plan). The Authority’s 2025-2029 Strategic Plan will be considered by its Board of Directors on October 25, 2023, and if approved will enter into force on December 1, 2024 (the first day of Authority Fiscal Year 2025).

The four priorities of the Authority’s 2019-2024 Strategic Plan include: 1) fostering talent; 2) exercising the powers delegated to it by the legislature; 3) engagement of management, staff and the Board of Directors with basin constituents; and, 4) promoting a culture of excellence, which requires transparency with the Authority’s customers, the public and internal and external accountability.

The Authority’s 2019-2024 Strategic Plan was the result of an inclusive planning process that sought insights and support from employees, leadership, community stakeholders and partner organizations throughout the basin. The Authority gathered input from nearly 250 stakeholders through interviews, focus groups and surveys to develop its 2019-2024 Strategic Plan.

The 2019-2024 Strategic Plan includes an Action Plan, which provides a detailed explanation of each key priority and its related goals, strategies and initiatives. Finally, for each key priority, the Action Plan also identifies metrics that can be used to track progress and partner organizations that will be integral to implementing the recommended initiatives.

The Authority’s operations are also subject to comprehensive state and federal regulatory regimes. The Authority’s operating projects are primarily regulated by the Texas Commission on Environmental Quality (TCEQ), the EPA and USACE. A key measure of the Authority’s performance is its compliance with those regimes (*i.e.*, permit compliance). The Authority prides itself on an outstanding performance history and strives to achieve compliance even in the most challenging conditions, such as the Great Texas Freeze of February 2021. During that storm, the Authority continuously provided both compliant treated water deliveries and wastewater treatment.

In the following chart, provide information regarding your agency’s key performance measures, including outcome, input, efficiency, and explanatory measures. See *Exhibit 2 Example*. Please provide both key and non-key performance measures set by the Legislative Budget Board as well as any other performance measures or indicators tracked by the agency. (Numbers are for reference in Section VII)

Exhibit 2: Performance Measures — Fiscal Year 2022

Performance Measures	FY 2022 Target	FY 2022 Actual Performance	FY 2022 % of Annual Target
CENTRAL REGIONAL WASTEWATER SYSTEM			
Maintain 100% regulatory compliance with Texas Pollutant Discharge Elimination System.	100%	100%	100%
Operate within target annual average of kilowatt hours of electrical usage per million gallons of treatment at the System plant.	1,600 kwh	1,505 kwh	106%
Produce a yearly average percentage weight in tons of dry solids versus wet that meets the 10-year average of 32%.	29%	29%	100%
Maintain 75% of eligible Operations staff group with	75%	100%	133%

certifications or licenses.			
TEN MILE REGIONAL WASTEWATER SYSTEM			
Maintain 100% regulatory compliance with Texas Pollutant Discharge Elimination System.	100%	100%	100%
Operate within target annual average of kilowatt hours of electrical usage per million gallons of treatment at the System plant.	3,200 kwh	2,919 kwh	110%
Produce a yearly average percentage weight in tons of dry solids versus wet that meets the 10-year average of 27%.	27%	27%	100%
Maintain 75% of eligible Operations staff group with certifications or licenses.	75%	63%	84%
DENTON CREEK REGIONAL WASTEWATER SYSTEM			
Maintain 100% regulatory compliance with Texas Pollutant Discharge Elimination System.	100%	75%	75%
Operate within target annual average of kilowatt hours of electrical usage per million gallons of treatment at the System plant.	3,387 kwh	3,251 kwh	104%
Produce a yearly average percentage weight in tons of dry solids versus wet that meets the 10-year average of 25%.	25%	21%	84%
Maintain 75% of eligible Operations staff group with certifications or licenses.	75%	64%	85%
RED OAK CREEK REGIONAL WASTEWATER SYSTEM			
Maintain 100% regulatory compliance with Texas Pollutant Discharge Elimination System.	100%	100%	100%
Operate within target annual average of kilowatt hours of electrical usage per million gallons of treatment at the System plant.	3,500 kwh	2,893 kwh	121%
Produce a yearly average percentage weight in tons of dry solids versus wet that meets the 10-year average of 21%.	21%	20%	95%
Maintain 75% of eligible Operations staff group with certifications or licenses.	75%	100%	133%
MOUNTAIN CREEK REGIONAL WASTEWATER SYSTEM			
Maintain 100% regulatory compliance with Texas Pollutant Discharge Elimination System.	100%	100%	100%
Operate within target annual average of kilowatt hours of electrical usage per million gallons of treatment at the System plant.	5,000 kwh	4,115 kwh	122%
Produce a yearly average percentage weight in tons of dry solids versus wet that meets the 10-year average of 19%.	19%	19%	100%
Maintain 75% of eligible Operations staff group with certifications or licenses.	75%	81%	108%
TARRANT COUNTY WATER SUPPLY PROJECT			
Maintain 100% regulatory compliance with Texas Rules and Regulations for Public Water System.	100%	100%	100%

Operate within target annual average of kilowatt hours of electrical usage per million gallons of treatment at the System plant.	2,400 kwh	1,953 kwh	123%
Maintain 75% of eligible Operations staff group with certifications or licenses.	75%	100%	133%
HUNTSVILLE REGIONAL WATER SUPPLY SYSTEM			
Maintain at least 95% of yearly average turbidity readings at 0.101 NTU.	95%	96%	104%
Maintain 100% of chlorine residual readings between 3.0 and 4.0 mg/L to provide the required disinfection levels.	100%	99%	99%
Utilize an average of 2,574 kilowatt hours of power per million gallons of treated water.	2,574 kwh	2,559 kwh	99%
Work with Operations staff to obtain or upgrade water licenses.	1 New 2 Upgrades	1 New 1 Upgrade	100% 50%
LIVINGSTON REGIONAL WATER SUPPLY SYSTEM			
Maintain at least 95% of yearly average turbidity readings at 0.037 NTU.	95%	99%	104%
Maintain 90% of chlorine residual readings between 3.0 and 4.0 mg/L to provide the required disinfection levels.	100%	94%	94%
Utilize an average of 1,857 kilowatt hours of power per million gallons of treated water.	1,857 kwh	1,925 kwh	96%
Work with Operations staff to upgrade water license.	2 Upgrades	1 Upgrade	50%
TRINITY COUNTY REGIONAL WATER SUPPLY SYSTEM			
Maintain at least 95% of yearly average turbidity readings at 0.070 NTU.	95%	93%	98%
Maintain 100% of chlorine residual readings between 3.0 and 4.0 mg/L to provide the required disinfection levels.	100%	98%	98%
Work with Operations staff to upgrade water license.	1 Upgrade	2 Upgrades	200%
LIVINGSTON –WALLISVILLE PROJECT			
Increase % of active monitoring man hours for items specified in DSSMP such as piezometers, toe drains, and relief well flows to reduce number of issues found during inspection.	15%	15%	100%
Increase the % of water quality surveillance samples with recreational limit of less than 126 MPN/100ml.	25%	20%	80%
Reduce # of citations issued and incident reports related to project security through active monitoring efforts.	30	23	130%
Work with Operations staff to upgrade water license.	1 Upgrade	1 Upgrade	100%
LIVINGSTON RECREATION FACILITIES			
Measure whether park maintenance and improvements increase first time and returning visitors utilizing FY20 as base.	17,000 60% Returning Visitor	18,725 60% Returning Visitor	110% 100%

Measure effectiveness of treatment of invasive aquatic vegetation in lake areas through man hours spent and reduction in the areas needing treatment.	288 hours 175 acres treated	124 hours 53 acres treated	43% 30%
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***See Exhibit 3**

- I. **Please list all key datasets your agency maintains and briefly explain why the agency collects them and what the data is used for. Is the agency required by any other state or federal law to collect or maintain these datasets? Please note any “high-value data” the agency collects as defined by Texas Government Code, Section 2054.1265. In addition, please note whether your agency posts those high-value datasets on publicly available websites as required by statute, and in what format.**

Texas Government Code Section 2054.1265 does not apply to the Authority, because the Authority is not a “state agency” as defined by Section 2054.1265(a)(2). However, the Authority maintains numerous datasets, which are described in Exhibit 3 below. All datasets reflected in Exhibit 3 are maintained by the Authority.

Exhibit 3: Key Datasets

Dataset Name	Description of Data	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
RS&C Laboratory Services Labware Laboratory Information Management System	The Laboratory Information Management System is used to document and track results for samples submitted to the laboratory for a variety of process, environmental monitoring, permit compliance and other regulatory compliance requirements	N/A	N
RS&C Environmental Services LINKO Database	Used to track Northern Region’s pretreatment program compliance by RS&C Environmental Services	N/A	N
Northern Region Hach WIMS	Used to track POTW process control and permit reporting information	N/A	N
Northern Region Odor Reporting (ArcGIS)	Used to track and document investigations related to odor complaints received by the public	N/A	N
Lucity Management System	Database used for work orders and asset management for the Collection System Group of Northern Region (ArcGIS)	N/A	Y

Dataset Name	Description of Data	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
Maximo	Work order management, asset management and operator inspection rounds database	N/A	Y
Telog Enterprise System	Captures flow data from within the collection and distribution systems and allows for report generating	N/A	N
SCADA Historian	Utilized to capture ICS network sensory data at Northern Region operating projects for daily operations	N/A	Y
Asset Management Database	Internally developed database used by Northern Region Engineering	N/A	Y
IT Pipes	Used to store and catalog CCTV footage and NASCO ratings	N/A	N
POE Permitting Manager (ArcGIS)	Dataset includes points of entry into the Authority's wastewater pipeline systems	N/A	Y
Central Regional Wastewater System Wastewater Treatment Plant Geodatabase	Geodatabase inventory of utility assets within the perimeter of the Central Regional Wastewater System's wastewater treatment plant, to inform staff on the location and descriptive information of critical assets	N/A	Y
Denton Creek Regional Wastewater System Wastewater Treatment Plant Geodatabase	Geodatabase inventory of utility assets within the Denton Creek Regional Wastewater System's Wastewater Treatment Plant. Used to inform staff on the location and descriptive information of critical assets.	N/A	Y

Dataset Name	Description of Data	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
Mountain Creek Regional Wastewater System Wastewater Treatment Plant Geodatabase	Geodatabase inventory of utility assets within the Mountain Creek Regional Wastewater System's wastewater treatment plant to inform staff on the location and descriptive information of critical assets	N/A	Y
Northern Region Capital Improvement Projects (NR CIP) - Geodatabase	Geodatabase used to identify the location and other information pertaining to capital improvement projects within the Authority's Northern Region	N/A	Y
Northern Region Collection System Geodatabase	Geodatabase inventory of utility assets that comprise the Authority's Northern Region wastewater collection system to inform staff on the location of critical assets, asset connectivity and relationships among them, perform hydraulic analysis, and perform preventive maintenance	N/A	Y
Planning and Environmental Service Clean Rivers Program (PES CRP) - Geodatabase	Geodatabase that houses all Authority water quality data for the Clean Rivers Program and other water quality monitoring projects. The majority of this data is submitted to TCEQ and is made available to the public through TCEQ's Surface Water Quality Viewer platform. However, some Authority-specific water quality data is not sent to TCEQ and not offered to the public.	N/A	N

Dataset Name	Description of Data	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
Red Oak Creek Regional Wastewater System Wastewater Treatment Plant Geodatabase	A geodatabase inventory of utility assets within the perimeter of the Red Oak Creek Regional Wastewater System's Wastewater Treatment Plant to inform staff on the location and descriptive information of critical assets.	N/A	Y
Southern Region Lake Livingston Project Geodatabase	A geodatabase inventory of assets in the Authority's Lake Livingston Project, associated with permitted septic systems and shoreline structures used as reference data for performing septic inspections	N/A	N
Tarrant County Water Supply Project Distribution - Geodatabase	A geodatabase inventory of utility assets that comprise the raw water and water transmission systems for the Tarrant County Water Supply Project. Used to inform staff on the location of assets, hydraulic modeling, and preventive maintenance in the service area.	N/A	Y
Water Reuse Accounting Plan	A database that stores discharge data from several Authority SCADA systems, stream gauge data from USGS gauges, and water use data from multiple Authority customers; used in near real-time to determine the amount of water discharged from Authority projects and the amount made available for diversion by customers.	N/A	N

Dataset Name	Description of Data	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
Lucity Asset Management Database	The source database for Lucity, an enterprise asset management system used for managing utility asset work orders, and tracking warehouse inventory items. Also used to perform asset preventive maintenance activities such as inspections. Use is currently confined to assets associated with Authority's Northern Region wastewater collection system and raw water system.	N/A	Y
Ten Mile Creek Wastewater System Wastewater Treatment Plant Geodatabase	Geodatabase inventory of utility assets within the perimeter of the Ten Mile Creek Wastewater System's wastewater treatment plant to inform staff on the location and descriptive information of critical assets.	N/A	Y
AdministrativeDB Geodatabase	Geodatabase of Authority specific features used in maps for reference. Examples include Authority plants represented as points, plant perimeters represented as areas and lines, the Authority drainage area boundary, and the Authority jurisdiction boundary.	N/A	N
ReferenceDB Geodatabase	Geodatabase of features from other agencies used in Authority maps as reference layers. Examples include roads, land parcels, city boundaries and airports.	N/A	N
WIMS	Monthly Operating Report (MOR - submitted to TCEQ). Used by Huntsville Regional Water Supply System	N/A	N

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Dataset Name	Description of Data	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
Excel	Monthly Operating Reporting (MOR – submitted to TCEQ). Used by Livingston and Trinity County Regional Water Supply Systems	N/A	N
TRA/Onerain	Rainfall Data within Lake Livingston watershed	https://lakedata.traweb.net/	N
TRA/Onerain	Lake Livingston water level and discharge	https://lakedata.traweb.net/	N
SWQMIS	Surface Water Quality Monitoring Information System	N/A	N
TRA/My Government Online	Permitted OSSFs within Lake Livingston Water Quality Zone	N/A	N
TRA/My Government Online	Shoreline Structures Permitted	N/A	N
GeoAMPS Software	Software to manage Land Rights and Infrastructure Assets. Provides a centralized repository for managing all land rights information. Integrates with the Authority’s document management software Perceptive and ESRI GIS.	N/A	Partial

III. History and Major Events

The purpose motivating the creation of the Authority has a long history. For over 100 years, the dream of making the Trinity River navigable from Trinity Bay to Fort Worth captivated North Texans. Their desire to make the Dallas-Fort Worth Metroplex an inland port ultimately died on March 13, 1973, when voters failed to approve a tax and bond initiative that would have provided the local match to enable USACE to construct a federal navigation project. The history of the navigation project is described in detail in “The Movement for Trinity River Development,” Edwin S. Davis (1964), included herewith as [Attachment A](#).

1950s

The Trinity River Authority of Texas was created by House Bill 20 of the 54th Texas Legislature, Regular Session, 1955, effective September 5, 1955. The original bill file (tracing amendments from introduction to passage) for House Bill 20 is included herewith as [Attachment B](#).

House Bill 20 underwent substantive amendments during the 54th regular legislative session prior to its passage. Those amendments excluded all or parts of certain counties from the Authority’s jurisdiction and removed navigation authority to North Texas from the Authority’s powers.

Nonetheless, the dream of navigation to North Texas lived on, and the power to undertake a full-basin navigation project was granted to the Authority by the passage of Senate Bill 579, 60th Legislature, Regular Session (1967). [Attachment C](#). A full history of amendments to the Authority’s enabling legislation since 1955 is included herewith as [Attachment D](#).

The original purposes and responsibilities of the Authority in House Bill 20 included the power to store, conserve and use the unappropriated flow of the Trinity River subject to the limitations set forth in the bill. It also conferred the power to sell water to cities, persons and corporations for municipal and agricultural supply, and also to engage in public recreational endeavors. Notably, House Bill 20 (as finally passed) restricted the Authority’s power to support navigation by allowing it only to “cooperate with the Chambers-Liberty Counties Navigation District in the development of and construction of navigation canals and facilities or harbor and terminal facilities within the boundaries of the Chambers-Liberty Counties Navigation District.” [Attachment B](#) (Bill File at 259, Lines 16-19).

Central Regional Wastewater System

No two river authorities are the same, or necessarily even similar. Like other river authorities, the Authority evolved to meet the needs of its customers and the public. House Bill 20 provided that the Authority had “the power to construct, own and operate sewage gathering, transmission and disposal services,” and that it “could charge for such services, and to make contracts in reference thereto with municipalities and others.” It did not, however, clearly authorize municipalities to contract with the Authority for those services.

The absence of a clear municipal power to contract with the Authority for wastewater services was addressed by House Bill 221, 55th Legislature, Regular Session (1957). [Attachment E](#). Section 2 of House Bill 221 authorized “eligible cities” to make contracts with the Authority under which the Authority would provide sewage transportation and treatment services to those cities. Notably, the same section provided that the Authority “shall become the owner of sewage accepted by it,” and that no customer “shall be entitled to a credit of any type either in exchange of water, money or other consideration” for treated wastewater effluent subsequently sold by the Authority. This latter provision reflects the great insight of both the legislature and early Authority leadership with regard to the value of treated wastewater effluent, which is now a major source of supply in the Trinity River Basin.

With the passage of House Bill 221 imminent in May 1957, the Authority executed contracts with the Cities of Dallas, Farmers Branch, Grand Prairie and Irving in April 1957. Pursuant to those contracts, the Authority would construct and operate the Central Regional Wastewater System. That system began service to those customers in December 1959. From those four customers, the Central Regional Wastewater System has grown to now serve 20 municipal customers and the Dallas-Fort Worth International Airport.

The need for regional wastewater treatment in the Ten Mile Creek Watershed was also recognized very early in the Authority's history. The minutes of the Authority's fourth Board meeting on April 20, 1956 reflect that "cities in the Ten Mile Creek area had expressed preliminary interest in the possibilities of a [project similar to the Central Regional Wastewater System] for their area." [Attachment F](#) at 2. The Ten Mile Creek Regional Wastewater System would not, however, come on line until 1970.

Lake Livingston

The Authority was not solely focused on wastewater treatment in its first half-decade of existence. By January of 1956, the Authority's Board was actively investigating the construction of a water supply reservoir on the main stem of the Trinity River in Southeast Texas. In fact, the minutes of Authority's first Board meeting on November 3, 1955 include discussions regarding "Lake Liberty," later renamed Lake Livingston because of its final location. Construction of Lake Liberty was considered by other entities before the Authority was created. [Attachment G](#) at 11 (comments of House Bill 20 author, Barefoot Sanders, regarding the "possible needs of the City of Houston for securing supplemental water supplies from the Trinity River through the entity of the Trinity River Authority); and at 12 (statement by Jack Smyth that "[w]e are not going to stop when Lake Liberty is built.").

At its second Board meeting in 1956, the Board authorized the submission of an application to the Texas Board of Water Engineers to construct both Lake Livingston and a saltwater barrier at the mouth of the river at Trinity Bay. [Attachment H](#) at 2-3 (stating that "the Chairman presented to the Board the question of filing a presentation with the State Board of Water Engineers in respect to a proposed dam site in Liberty County," and that "the resolution passed unanimously."). At the same time, the City of Houston was examining the possibility of a lake for water supply on the Trinity River. Competing applications made by the Authority and Houston were set for a hearing before the Board of Water Engineers on September 15, 1959. [Attachment I](#) at 1.

One day before that hearing was to convene, on September 14, 1959, the Authority and City of Houston executed their first contract to jointly construct and operate Lake Livingston. [Attachment I](#). Thus, by 1960, the Authority had already undertaken to construct and operate two of its most significant projects of the present day, the Central Regional Wastewater System and the Lake Livingston Project.

Bardwell Lake

The potential for additional reservoirs in the Trinity River Basin was well known at the time the Authority was created in 1955. Proposals to construct Bardwell Lake as a federal project predate the Authority's existence, as referenced in early Board minutes. [Attachment F](#) at 2 and attached Resolutions "A" through "D". The Authority made an application for water rights in Bardwell Lake on July 26, 1956, which was not granted until the 1960s.

Navarro Mills Lake

The federal Flood Control Act of September 3, 1954, 83rd Congress, second session, authorized the construction of Navarro Mills Lake by the USACE. Construction of the lake would

not commence, however, until December 1959. The minutes of the Authority's second Board meeting reflect the creation of the Authority's "Navarro Mills Reservoir Committee." [Attachment H](#) at 5.

On March 31, 1959, the Authority executed a contract with the federal government to finance the construction and operation of the water supply capacity Navarro Mills Lake. [Attachment J](#). The Authority made an application for water rights in Navarro Mills Lake on August 10, 1959. That application was granted by the Board of Water Engineers on January 13, 1960.

1960s

The 1960s saw three Authority projects completed (Livingston, Bardwell and Navarro Mills), and two more initiated (Wallisville Saltwater Barrier and Ten Mile Creek Regional Wastewater System). As described above, in 1967, Senate Bill 579 granted the Authority full-basin navigation powers, reviving the navigation project to North Texas. Even prior to that authorization, the navigation project saw major developments in the 1960s. In 1963, the USACE released a favorable report on the "Trinity River Project." Two years later, on October 26, 1965, President Johnson signed the Omnibus Rivers and Harbors Act, which authorized construction of the Trinity River Project. That act provided for \$83,000,000 in federal funding for the "initiation and partial accomplishment" of the project.

During the majority of the 1960s, the Authority's Board exercised direct managerial control of Authority functions. The Authority hired its first General Manager, David Brune, in 1968.

Lake Livingston

In the 1960s, and pursuant to the 1964 Agreement with the City of Houston (which superseded the 1959 agreement), the Authority constructed Lake Livingston Dam. The 1964 Agreement between the Authority and Houston remains in place unamended today, a testament to the foresight of its drafters. [Attachment K](#).

Construction of the Lake Livingston Dam began on May 28, 1966, and was completed on August 29, 1969. Deliberate impoundment of water began in October 1968. Lake Livingston reached its normal pool elevation of 131' above mean sea level in 1971.

Wallisville Saltwater Barrier

Congress authorized the construction of the Wallisville Lake Project (now the Wallisville Saltwater Barrier) in the Rivers and Harbors Act of October 23, 1962. As originally conceived, the project would have included a 19,700-acre reservoir with surface elevation of four feet above mean sea level, with lock structures to permit vessel passage to and from Trinity Bay. The federal government (USACE) purchased the property necessary for the project and commenced construction in 1966. The parties executed a local sponsor contract including the Authority, Chambers-Liberty Counties Navigation District and the City of Houston, which provided for those three parties' local cost-share contributions, on June 20, 1967. [Attachment L](#). At that time, it was not anticipated that the Wallisville Saltwater Barrier would not be operational until 1999.

The primary function of the Wallisville Saltwater Barrier is salinity control. During low river flows (typically a summertime phenomenon), in the absence of a barrier, saltwater intrudes upriver. Before closing the gates at Wallisville, the Authority routinely released water from storage in Livingston to permit freshwater diversions by the Chambers-Liberty Counties Navigation District and the Coastal Water Authority. The Wallisville Saltwater Barrier has made those releases from storage unnecessary, which keeps water in Lake Livingston for supply.

Bardwell Lake

Federal authorization was granted for USACE construction of Bardwell Lake by the Act approved March 31, 1960 (Public Law 86-399, 86th Congress, 2d Session). The Authority secured its rights to impound and divert water from Bardwell Lake on November 18, 1963. Some months earlier, on May 13, 1963, the Authority and the federal government executed a contract for water storage space in Bardwell Reservoir. [Attachment M](#). Construction of the Bardwell Lake Dam took place between 1963 and 1966, with impoundment of water beginning in 1965.

Navarro Mills Lake

Navarro Mills Lake was also completed by USACE during the 1960s. On January 13, 1960, the Board of Water Engineers granted the Authority a permit to appropriate water from the proposed Navarro Mills Lake. Construction of Navarro Mills Lake was completed on May 10, 1963. The Authority serves as the lake's local sponsor and administers water supply contracts with surrounding municipalities.

Joe Pool Lake (Lakeview Lake)

The construction of Lakeview Lake (subsequently renamed Joe Pool Lake in 1982) was authorized by the Rivers and Harbors Acts of 1965. Earnest development of Joe Pool Lake would be delayed until the 1970s.

Ten Mile Creek Regional Wastewater System

The potential need for a regional wastewater system to serve the Ten Mile Creek watershed was recognized by the Authority in the mid-1950s. It was not, however, until April 1967 that the Authority executed contracts with the Cities of Cedar Hill, Duncanville, DeSoto, Lancaster and Ferris under which the Authority would construct and operate the Ten Mile Creek Regional Wastewater System. As completed in 1970, the Ten Mile Creek Regional Wastewater System Treatment Plant had a capacity of 6.78 million gallons per day.

Devers Canal System

The Authority purchased the Devers Canal Company in 1969. The Authority would operate the Devers Canal System until December 1986.

Walker-Calloway System

In the late 1960s, the Cities of Hurst and North Richland Hills approached the Authority about a stand-alone pipeline transportation project that would gather those cities' wastewater and convey it to the City of Fort Worth's Village Creek Wastewater Treatment Plant. In 1969, the Authority executed separate contracts with the Cities of Hurst and North Richland Hills to issue revenue bonds to construct the Walker-Calloway Branch Outfall Trunk Sewer System for the transportation of wastewater to the City of Fort Worth for treatment. [Attachment N](#).

The Walker-Calloway System was under active construction in 1969 and commenced operating in 1970. The system was funded by Environmental Protection Agency grants, Authority revenue bonds and contributions from Hurst and North Richland Hills.

1970s

The most notable event of the 1970s, and perhaps the most consequential in all of the Authority's history, relates to the federal navigation project to Fort Worth. With a favorable 1963 report from USACE and congressional approval in 1965, what remained required to make the navigation project a reality was the local match dollars for federal appropriations. For the overall \$1 billion dollar project, the local match was \$150,000,000. The Authority announced a stand-

alone tax and bond election to be held on March 13, 1973, to raise the required local matching funds.

The dream of navigation from Trinity Bay to downtown Fort Worth ended on March 13, 1973. While lower basin counties supported the navigation project, Dallas-Fort Worth area voters rejected it by a margin of two to one. The Authority's first General Manager, David Brune, was succeeded by Danny Vance in September 1979.

Additional project-specific details for the 1970s follow.

Central Regional Wastewater System

The Cities of Arlington, Bedford, Carrollton, Dallas, Euless, Farmers Branch, Grand Prairie, Irving and the DFW International Airport joined the Central Regional Wastewater System in 1973. Later in the decade, those customers were followed by the Cities of Colleyville, Coppell, Fort Worth, Grapevine, Hurst, Mansfield and North Richland Hills. To meet growing demands, the Central Regional Wastewater System Treatment Plant located in Grand Prairie expanded from 30 million gallons per day (MGD) in 1959 to 55 MGD in treatment capacity between 1975 and 1976. Thereafter, two simultaneous expansion projects took the plant's capacity to 100 MGD by 1979.

Tarrant County Water Supply Project

In 1972, the Authority's Board of Directors authorized the entry into contracts with the Cities of Bedford and Euless for the construction of the Tarrant County Water Supply Project. The "Bedford/Euless Water Treatment Plant," as it was known at the time, commenced service to those two cities in 1974. At launch, the Tarrant County Water Supply Project plant was capable of treating and delivering up to 6 MGD per day. By 1978, plant capacity was doubled to 12 MGD.

Raw water for the Tarrant County Water Supply Project was and is purchased from the Tarrant County Water Control and Improvement District Number One (later renamed Tarrant Regional Water District). Raw water is withdrawn from Lake Arlington and delivered to the plant for treatment. Like the Central Regional Wastewater System, the 1970s saw other customers join the Tarrant County Water Supply Project. In 1979, the Cities of Colleyville, Grapevine and North Richland Hills all joined that system.

Red Oak Creek Regional Wastewater System

In 1977, the Cities of Cedar Hill, Palmer, Red Oak, Glenn Heights and Ovilla asked the Authority to participate in a feasibility study of a regional wastewater system in the Red Oak Creek watershed. That study was completed in 1978. The cities abandoned their efforts to regionalize treatment until the 1980s, due to low population density in the study area and the associated high cost of service.

Huntsville Regional Water Supply System

In the mid-1970s, the City of Huntsville approached the Authority with the request that the Authority investigate providing water and wastewater treatment services to the city. Ultimately, these discussions and investigations led to the design of the Huntsville Regional Water Supply System. Construction of that water treatment plant commenced in 1978 and was completed in 1980.

Livingston Regional Water Supply System

In 1977, the City of Livingston asked the Authority to construct a water supply plant for the city. At the time, Livingston faced a critical water supply shortage. For the remainder of the decade,

the Authority worked to design that system to meet Livingston's needs. Construction of the Livingston Regional Water Supply System began in 1979, and the system came online in 1981.

Trinity County Regional Water Supply System

By the late 1970s, some communities in southwest Trinity County and northeast Walker County began to experience shortages and quality issues with their groundwater supply. Area communities and the Authority convened the Trinity County Water Resources Advisory Committee to determine the best strategy for a long-term supply for the area. On March 1, 1978, the Advisory Committee formally requested that the Authority implement a regional water supply system. In October 1978, the Authority's Board authorized management to apply for grant and loan assistance from the Farmers Home Administration to construct a regional water supply system for the area in question.

Wallisville Saltwater Barrier

The 1970s were not kind to the Wallisville Saltwater Barrier project. In September 1971, the Sierra Club initiated a lawsuit against USACE seeking to prevent the project from proceeding with construction, which had begun in 1966. At approximately 72 percent complete, the construction of the dam that would impound Lake Wallisville was halted in 1973 by the entry of a permanent injunction. Between 1973 and 1987 the project was repeatedly revised and reevaluated.

The need for salinity control in the lower Trinity River Basin became evident in 1978. That year, drought conditions reduced river flows below Lake Livingston. Between May 15 and September 15, 1978, the Authority released 285,000 acre-feet of water from storage to control saltwater intrusion. By October 31, 1978, Lake Livingston had fallen four-and-a-half feet, to elevation 126.5, the lowest elevation since the reservoir reached pool elevation in 1971.

Joe Pool Lake

In 1974, the Authority requested that it be identified as the sole cooperating local sponsor for Joe Pool Lake. In that role, the Authority assumed full financial responsibility for all costs associated with the water supply function of Joe Pool Lake. That same year, the Authority applied for the water supply rights associated with the lake. On March 31, 1976, the Authority was granted a permit to divert 17,000 acre-feet of water per year from Joe Pool Lake for municipal and domestic use. The Authority, as local sponsor, executed its contract with USACE in March 1975. At the same time, the Authority contracted with the Cities of Cedar Hill, Duncanville, Grand Prairie and Midlothian as customers entitled to divert water from Joe Pool Lake. USACE began construction of Joe Pool Lake (at the time still named Lakeview Lake) in 1977.

Wolf Creek Park

The Authority's enabling legislation charges the Authority with the "power and duty to acquire sufficient additional land adjoining any lakes constructed on the Trinity River for the purpose of developing recreational facilities and for the purpose of acquiring roads for ingress and egress of the public to said lakes." Tex. Rev. Civ. Stat. Ann. Art. 8280-188, Section 5(h). During the construction of Lake Livingston, the Authority acquired 22 sites totaling 2,685 acres to hold for recreational development. Among those sites was a 247-acre lakeside tract in San Jacinto County. In April 1971, the Authority's Board authorized the sale of recreation revenue bonds to develop that site. Construction on Wolf Creek Park commenced that same month, and the park opened to the public on Labor Day 1972. Wolf Creek Park continues to be popular and is frequently at capacity during the summer months.

Tennessee Colony Reservoir

During the 1970s, the Authority convened local interests interested in the possible construction of the Tennessee Colony Reservoir. That reservoir was authorized by Section 112, Rivers and Harbors Act approved July 3, 1958. In January 1975, the Authority's Board approved a partnership agreement with the four counties the reservoir would occupy (Freestone, Navarro, Anderson and Henderson Counties) and the Cities of Fairfield and Corsicana, to develop a master plan for land use should the reservoir be built. Tennessee Colony, if built, would have been a federal project, much like Joe Pool, Bardwell and Navarro Mills lakes.

The Tennessee Colony Reservoir was an ambitious project. Sized at 145,000 surface acres (at top of flood pool), the reservoir would have been the largest lake contained entirely within the State of Texas. The Tennessee Colony Reservoir was, however, not to be. By June 1980, the Authority's Board acknowledged and concurred in USACE's conclusion that development of Tennessee Colony Reservoir should be deferred until lignite deposits in the footprint of the reservoir could be mined. While the Authority provided USACE assurances that it would serve as that reservoir's local sponsor in the future, the project was not meaningfully revisited after 1980.

1980s

With the Trinity River Project a memory, the 1980s saw the Authority's customer base expand further in response to population growth. As described above, the Authority completed and brought the Huntsville and Livingston Regional Water Supply Systems online in 1980 and 1981, respectively. 1980 was a special year in Authority history. On December 2, 1980, the Authority dedicated its first permanent administrative headquarters, the General Office, which it still occupies today.

In the 1980s, the Authority also undertook the first large-scale water reuse project in Texas in partnership with the Dallas County Utility and Reclamation District (DCURD). Finally, nearing the end of the decade, plans for two new regional wastewater systems began to take shape.

Additional project-specific details for the 1980s follow.

Tarrant County Water Supply Project

While it added no customers in the 1980s, the Tarrant County Water Supply Project plant was forced to expand by increasing demands from its existing five customers. The first plant expansion, which increased the plant's capacity from 6 MGD to 12 MGD was dedicated on October 24, 1980. The Board authorized a second expansion on December 5, 1984. That expansion increased the plant's capacity from 12 to 27 MGD, at a price of approximately \$5.1 million dollars. A third expansion contract was awarded by the Authority's Board in February 1988, which enlarged the plant from 27 MGD to 42 MGD at a cost of approximately \$3.4 million dollars.

Huntsville Regional Water Supply System

The Huntsville Regional Water Supply System commenced treated water deliveries to the City of Huntsville on August 31, 1980.

Trinity County Regional Water Supply System

In June 1980, the Authority executed the Trinity County Regional Water Supply System Services Contract with the Cities of Trinity and Groveton; the Westwood Shores Municipal Utility District; and the Trinity Rural, Glendale and Riverside Water Supply Corporations. The Trinity County Regional Water Supply System plant commenced service in 1983.

Central Regional Wastewater System

Between 1984 and 1987, the Cities of Cedar Hill, Duncanville, Keller and Southlake all became customers of the Central Regional Wastewater System. By August 1987, the plant received average daily flows of 93 MGD. In early 1986, the Authority received an engineering report entitled the “Five-Year Action Plan” for the Central Regional Wastewater System. It identified improvements needed to meet a 1991 projected system demand of 135 MGD. In October 1989, the Authority awarded a construction contract for the Central Regional Wastewater System Phase III Expansion, the largest project undertaken by the Authority up to that time. The project was completed in 1994.

Dallas County Utility and Reclamation District Reuse Project

In 1982, the Authority began discussions with the DCURD. DCURD was created for the sole purpose of providing utility services to the Las Colinas development in northwest Irving, Texas. In October 1984, the Authority’s Board of Directors entered a contract to furnish DCURD up to 6,000 acre-feet per year of treated effluent, delivered to DCURD in an Authority-financed pipeline. [Attachment O](#). The Authority continues to deliver effluent to DCURD, which DCURD depends upon to maintain water levels in DCURD’s system of amenity lakes and to provide irrigation supply to Las Colinas.

Ten Mile Creek Regional Wastewater System

The Ten Mile Creek Regional Wastewater System plant grew rapidly in the 1980s to keep pace with development in its watershed. The Ten Mile Creek Treatment Plant Expansion, Phase I was authorized by the Authority’s Board on February 27, 1985 at a cost of \$5,591,775. That project enlarged the plant from its original 6.78 MGD capacity to 11.5 MGD. Only two years later, with the Phase I Expansion 98 percent complete, the Authority awarded a contract in March 1987 to construct the Phase II expansion. That second expansion increased the plant’s capacity to 20 MGD.

Red Oak Creek Regional Wastewater System

By 1985, sufficient need developed in the Red Oak Creek watershed to investigate the construction of a new regional wastewater system, the Authority’s third after the Central and Ten Mile Creek Regional Wastewater Systems. This was in part because three Ten Mile Creek customer cities had annexed southward, into the Red Oak Creek watershed. Wastewater flows from those newly-annexed areas would have to be pumped from the Red Oak Creek watershed into the Ten Mile Creek system for treatment. Lifting wastewater across the watershed divide would have been costly and would require significant redundancies to prevent overflows.

In February 1985, the Authority’s Board authorized a feasibility study of a new regional system that would ultimately come online in 1991. In June 1986, the Authority’s Board approved entry into contracts with the customers of the Red Oak Creek Regional System, the Cities of Cedar Hill, DeSoto, Lancaster, Glenn Heights, Ovilla and Red Oak. [Attachment P](#). Construction of the Red Oak Creek Regional Wastewater System Treatment Plant was authorized by the Authority’s Board in August 1989.

Denton Creek Regional Wastewater System

At the same February 1985 Board meeting noted above, the Authority’s Board approved a feasibility study to identify wastewater service options in the Big Bear Creek and Denton Creek watersheds. The Big Bear Creek watershed drains by gravity to the Central Regional Wastewater System Treatment Plant. The Denton Creek watershed does not, draining instead to Grapevine Lake. As part of its feasibility study, the Authority examined pumping wastewater from the Denton Creek watershed into the Big Bear Creek watershed and thence to the Central

Regional Wastewater System. An identified alternative called for the construction of a plant in the Denton Creek watershed to treat wastewater originating within it.

By 1987, the Denton Creek Regional Wastewater System launch customers, the Cities of Fort Worth, Haslet and Roanoke, had determined that an Authority-owned regional wastewater system dedicated to serve the Denton Creek watershed was feasible and desirable. Those customers executed the Denton Creek Regional Wastewater System Contract in October 1987. [Attachment Q](#). The City of Southlake and the Lake Turner Municipal Utility District No. 1 joined that system in April 1988. [Attachment R](#). The Authority's Board awarded a construction contract for the Denton Creek Regional Wastewater System Treatment Plant in December 1988.

Joe Pool Lake

USACE completed construction of the Joe Pool Lake Dam in December 1985. Impoundment commenced in January 1986, and Joe Pool Lake's conservation storage pool (522' MSL) was full in June 1989.

Wallisville Saltwater Barrier

The 1980s saw hopes revived that the long-stalled Wallisville Saltwater Barrier project would be completed by USACE. In 1985, USACE filed a motion in United States District Court to dissolve the injunction that had halted construction at Wallisville. In May 1987, the United States Court of Appeals for the Fifth Circuit vacated the injunction, finding that USACE had "fully complied with the procedural requisites of [the National Environmental Policy Act], and Congress has approved construction of the Wallisville project." *Sierra Club v. Froehlke*, 816 F.2d 205, 215 (5th Cir. 1987). The court dismissed Sierra Club's case.

This respite and opportunity to build the Wallisville Saltwater Barrier would prove short-lived. Two years after the Fifth Circuit dismissed Sierra Club's case, a pair of nesting bald eagles was discovered near Miller Lake in 1989. That discovery again called the project's viability into question.

Devers Canal System

During its ownership of the Devers Canal System, the Authority struggled to operate the system, in part due to declining irrigated acreage and loss of industrial customers. In 1986, the system rate for water was predicated on the assumptions that 9,500 acres would be irrigated with an average use of 2.6 acre-feet per acre. Those assumptions proved incorrect, and that year only 8,833 acres were irrigated with an average use of 1.95 acre-feet per acre. Those events resulted in a system net operating loss of \$125,000 for the 1986 irrigation season.

In jeopardy of not being able to make debt service payments to bondholders, the Authority sold the Devers Canal System on December 1, 1986.

Walker-Calloway System

In December 1987, the Authority and the Cities of Fort Worth, Hurst and North Richland Hills executed a new 30-year, four-party contract for the Walker-Calloway System.

1990s

The 1990s saw the Authority complete two new regional wastewater systems. The Denton Creek Regional Wastewater System Treatment Plant began operations in 1990, and the Red Oak Creek Regional Wastewater System Treatment Plant received first flows the following year.

Additional project-specific details for the 1990s follow.

Wallisville Saltwater Barrier

Perhaps the most notable development of the 1990s was the completion of the Wallisville Saltwater Barrier by USACE in 1999. The completion of the barrier occurred 32 years after the local sponsors executed their contract with USCAE in 1967.

The need for Wallisville was again emphasized shortly before it became operational. In 1996, drought struck Texas and the Trinity basin. That summer, the Authority released nearly 338,000 acre-feet from storage for salinity control. By August 21, 1996, Lake Livingston had fallen 4.3 feet from those releases. Once Wallisville commenced operation, the Authority has released water for salinity control only once, when the barrier was inadvertently left open during low-flow conditions.

Lake Livingston Project

By the middle 1990s, Lake Livingston had been in operation for approximately 20 years. Up to that time, the dam had not required a major rehabilitation project. Its control was not automated, and gates were opened and closed at each gate, including during inclement weather and flooding conditions. In October 1995, the Authority executed an engineering services agreement with Turner Collie & Braden, Inc., for a preliminary engineering evaluation of painting and electrical rehabilitation of Livingston Dam. Two years later, the Authority entered into a final design contract with Turner Collie & Braden in June 1997.

Closing out the 1990s, the Authority awarded a contract to Boyer, Inc. in October 1999, to undertake the first major rehabilitation of the Lake Livingston Dam since it commenced operation. Boyer's bid price for the scope of work totaled \$7,161,305. Earlier that same year, the Authority entered into an agreement with Deloitte & Touche, LLP for performance of a Lake Livingston Raw Water Rate Study. That study ultimately led to a major revision of raw water pricing for water withdrawn from Lake Livingston.

Also noteworthy during the decade was an application made by the Authority to the then Texas Natural Resource Conservation Commission for an amendment to its Lake Livingston water rights. The amendment sought was to include the return flows from its Metroplex wastewater treatment plants as a part of the Authority's Lake Livingston water rights. Applications to permitting return flows to capture their value and to enable their downstream diversion were common at that time. Competing applications by water suppliers and wastewater treaters created disputes that would ultimately require negotiated resolutions, including with the City of Houston.

Central Regional Wastewater System

The Central Regional Wastewater System has two primary outputs. It returns clean, treated effluent to the West Fork of the Trinity River. Its other output is biosolids. Biosolids are nutrient-rich organic material that results from modern wastewater treatment. The value of biosolids was previously overlooked. That thinking began to change in the 1990s.

In 1995, the Authority contracted with the City of Arlington with respect to Arlington's use of biosolids as cover at Arlington's landfill. For many years prior, the Authority had disposed of biosolids in a plant-site "monofill," a landfill permitted to accept only one waste material. Pursuant to the 1995 agreement, Arlington agreed to accept biosolids at its landfill at a cost to the Authority of \$3.05 per wet ton of biosolids. Arlington agreed to accept 60 wet tons of biosolids daily for a period of five years (a total of approximately 110,000 wet tons). Arlington's use of biosolids as landfill cover allowed it to forego imports of fill material on a daily basis.

While the foregoing use by Arlington was a beneficial one, it did not realize the agronomic value of biosolids. Biosolids contain essential plant nutrients and organic matter that can be recycled

as fertilizer. In this way, biosolids can replace traditional chemical fertilizers at a lower cost.

In 1996, the Authority selected two biosolids hauling contractors to land apply 100 percent of the biosolids produced by the Central Regional Wastewater System plant. The contractors hauled biosolids and applied them to agricultural land. At the time, the biosolids produced by the plant were authorized for use on crops used for animal feed, primarily perennial crops like Coastal Bermuda grass.

By 1998, the Central Regional Wastewater Treatment Plant generated 100 dry tons of biosolids daily, 100 percent of which were being land applied. The Authority has land applied biosolids since that time, with a roughly 18-month hiatus between September 2014 and February 2016. During that period, heavy rains rendered land application impractical. Since February 2016, the Authority has returned to 100 percent land application of biosolids. All told, since 1996, the plant has generated and beneficially land applied approximately 1,666,000 dry tons of biosolids in support of agricultural operations.

In 1994, the Authority completed the Central Regional Wastewater System Phase III Expansion, which increased the plant's treatment capacity from 115 MGD to 135 MGD.

Tarrant County Water Supply Project

While it again added no new customers in the 1990s, the Tarrant County Water Supply Project continued expanding to meet the needs of its existing five customers. In October 1993, the Authority's Board approved a construction contract to expand the plant from 42 MGD to 57 MGD at a cost of approximately \$4.3 million. Six years later in June 1999, the Authority's Board approved an expansion of the Tarrant County Water Supply Project from 57 MGD to 72 MGD.

Denton Creek Regional Wastewater System

The Denton Creek Regional Wastewater System Treatment Plant began operations in 1990. At launch, that plant had a capacity of 0.84 MGD with launch customers the Cities of Fort Worth, Haslet, Roanoke and Southlake, and the Lake Turner Municipal District No. 1. In 1992, the City of Keller became a customer of the system, and the following year it was joined by the Lake Turner Municipal Utility District No. 3. Minor improvements increased the plant's capacity to 1.1 MGD by 1996. That year, the Authority's Board let a construction contract to expand the Denton Creek Regional Wastewater System Treatment Plant's capacity to 2.5 MGD.

2000s

On September 24, 2005, Hurricane Rita damaged approximately 11,000 linear feet of riprap on the upstream side of Livingston Dam. Authority staff recorded peak winds of 117 miles per hour at the dam. Lake Livingston was lowered to 127' MSL to reduce additional damage and to surveille the area in need of repair. Following Rita, in late 2005, drought gripped the Trinity River Basin, and the Authority called for voluntary water conservation from Tarrant County Water Supply Project customers Bedford, Colleyville, Euless, Grapevine and North Richland Hills.

Wallisville Saltwater Barrier

In January 2004, the Authority made its first of 50 annual payments for the construction and operation of the Wallisville Saltwater Barrier, in the amount of \$495,537. The total project cost of the barrier was \$81,340,000. The Authority and the City of Houston were responsible for the capital cost of the salinity control and recreational functions of the project, which were completed at a federal cost of \$10,580,000.

Central Regional Wastewater System

By the year 2000, the Central Regional Wastewater System had all its current 21 customers and was operating approximately 170 miles of pipelines in the Metroplex. That year, it employed 159

people, and treated an average daily flow of 119 MGD.

The year 2000 saw flows to the plant increase 20 MGD practically overnight, as western Arlington began sending flows to the plant. Previously, that area had been served by Fort Worth's Village Creek wastewater system. A long-running dispute between Arlington and Fort Worth over rates resulted in the redirection of 100 percent of Arlington's flows to the Central System. The Authority had previously only served eastern portions of Arlington.

The following year, 2001, the Central Regional Wastewater System won the second-place award for operations and maintenance excellence in the large-advanced wastewater treatment facility category from EPA. Two years later, in 2003, the TCEQ rewarded the Central System with a "high" compliance history, reflecting its above-average compliance record.

In October 2004, the Authority's Board awarded a \$6,905,800 contract to Archer Western Contractors to construct improvements to the Central Regional Wastewater System plant to improve biosolids processing. The project's goal was to produce "Class A" biosolids, by a process of pasteurization. That process would result in complete disinfection, rendering biosolids biologically inert and appropriate for widespread agricultural use.

By 2007, the Central Regional Wastewater System pipeline system had grown to 211 miles in total. That same year, the Authority completed conversion of the first two sand filters to diamond cloth filter systems, which technology would ultimately replace all of the sand filters. In 2008, the Central System laboratory received accreditation from the National Environmental Laboratory Accreditation Program, which it has retained to the present.

Closing out the decade, the Central plant employed 175 people, and had treated 739,836,020,000 gallons of wastewater without a permit violation since 1994.

Mountain Creek Regional Wastewater System

The Mountain Creek Regional Wastewater System was created in February 2002 with the approval of the contract between the Authority and the Cities of Grand Prairie and Midlothian. Construction on the Mountain Creek Regional Wastewater System Treatment Plant, initially rated at 3.0 MGD began in February 2003 and was completed on July 20, 2005. At that time, the system treated approximately 1 MGD. The City of Venus became a customer of the Mountain Creek Regional Wastewater System in October 2009.

Red Oak Creek Regional Wastewater System

By 2006, the Red Oak Creek Regional Wastewater System was in need of expansion from 3.5 MGD to 6.0 MGD. In December 2006, the Authority engaged the firm of Chiang, Patel & Yerby, Inc. to design that expansion. The Board took bids and awarded a contract for the expansion in April 2008 at a cost of \$18,385,000.00.

Denton Creek Regional Wastewater System

The Denton Creek Regional Wastewater System plant also required expansion in the 2010s. The first expansion of that plant from 2.5 MGD to 5 MGD was in service in the summer of 2004. Only two and a half years later, the Authority began design on plans to enlarge the plant from 5 MGD to 11.5 MGD in December 2006. Construction on that latter expansion would commence in April 2008.

Ten Mile Creek Regional Wastewater System

In March 2003, the Authority secured a preliminary design report for a number of Ten Mile Creek Regional Wastewater System plant and collection system improvements. In order to better manage the work, the improvements were separated into three parts: Parts A, B and C. Part A involved improvements to eight effluent sand filters at the plant; Part B involved mainly

the plant's bar screens, influent pump station, and related plant site piping; and Part C involves the remaining rehabilitation improvements, including grit removal units, meter stations, addressing two erosion control sites along the interceptor pipeline route, and Supervisory Control and Data Acquisition (SCADA) system. All of that project scope was completed during the 2000s.

Tarrant County Water Supply Project

Design for the expansion of the Tarrant County Water Supply Project plant from 72 MGD to 87 MGD commenced in December 2002. That expansion was complete in 2007. At the time, the 87 MGD expansion was the third-largest Authority construction effort at \$30,770,000. In late 2005, it was thought that an additional expansion to 102 MGD would be necessary by the summer of 2008. Conservation in the form of lower demand appliances and other conservation measures obviated the need for that expansion until the present day.

Huntsville Regional Water Supply Plant

In 2004, the Authority's Huntsville Regional Water Supply Plant added granular activated carbon to its filter units, replacing anthracite. The addition of granular activated carbon allowed more organic compound absorption, and improved treated water quality.

2010s

The decade from 2010 to 2019 was a time of change for the Authority. In 2011, the Authority's second General Manager, Danny F. Vance retired. Mr. Vance served as the Authority's General Manager from September 14, 1979 to February 28, 2011, over 31 years. He was succeeded by J. Kevin Ward as General Manager on March 1, 2011. Mr. Ward's immediately preceding role was as Executive Administrator of the Texas Water Development Board.

In late 2014, the Authority assumed administrative responsibilities for the Region C Water Planning Group from the NTMWD. The NTMWD had served in that capacity since the Region C Water Planning Group's establishment in April 1998. The Authority continues to act in that role.

The decade also saw the Authority execute several significant raw water supply contracts with the San Jacinto River Authority, the NTMWD and the City of Houston. The Authority also executed new Raw Water Supply Contracts with existing customers, the Cities of Huntsville and Livingston in 2019.

While becoming a major raw water supplier in the basin, the Authority was simultaneously improving both pipeline and plant infrastructure in its Northern Region at a brisk pace. Under new leadership, the Authority ventured into new areas, including flood risk mitigation. As always, the Authority's growth and additional priorities were driven by the needs of the basin it serves.

Raw Water Supply Contracting

As a consequence of the Senate Bill 1 (1997) regional water planning process, major water providers are obligated to identify strategies to meet future water needs. In 2010, the Authority had a large volume of raw water (in excess of 200,000 acre-feet per year) that had not been committed to purchasers. At the same time, the drought of 2011 to 2015 added to the urgency of securing firm raw water supplies both at that time and for the future.

San Jacinto River Authority Option for a Raw Water Supply Contract

In April 2013, the Authority executed an Option for a Raw Water Supply Contract with the San Jacinto River Authority (SJRA). [Attachment S](#). Pursuant to that Option, the Authority agreed to contract for SJRA's purchase of 50,000 acre-feet per year from the Authority's Lake Livingston water rights (which include the Authority's reuse authorization). The Option was in keeping with SJRA's identification of the Authority's supply as a primary water management strategy to meet

SJRA's future demands in the Region H Regional Water Plan. The water sale contemplated by the Option would have required the Authority to secure an interbasin transfer authorization from the TCEQ to permit moving water from the Trinity to the San Jacinto River Basin. SJRA failed to exercise its Option, which expired in April 2023.

City of Houston Raw Water Supply Contract

Five years after executing the Option with SJRA, the Authority executed a Raw Water Supply Contract with the City of Houston. [Attachment T](#). Pursuant to that December 2016 contract, the Authority has obliged itself to furnish up to 200,000 AF/year from the Authority's Lake Livingston water rights to the City of Houston. The full contract volume has been reserved by the City of Houston until 2040, and thereafter, increasing amounts will be furnished to Houston on a take-or-pay basis to meet anticipated demands. [Attachment T](#) at 2, Article 1. In the event Houston needs to divert water under the contract prior to 2040, Houston has the option to accelerate the schedule of water furnished on a take-or-pay basis by notice to the Authority. *Id.*

North Texas Municipal Water District

Finally, the Authority executed a Raw Water Supply Contract with the NTMWD effective December 1, 2018. [Attachment U](#). That contract provides for the ultimate supply of up to 56,050 acre-feet per year of return flows to the NTMWD for up to a 100-year term. The contract provides for a certain portion of the water to be reserved, transitioning to the full take-or-pay volume over time. [Attachment U](#) at 2, Article 1. At present, the Authority is supplying 16,000 AF/year to NTMWD on a take-or-pay basis, and is reserving 40,050 AF/year for NTMWD's future use. Effective 2035, the full contract volume of 56,050, will be furnished to NTMWD on a take-or-pay basis.

City of Huntsville Raw Water Supply Contract

The Huntsville Regional Water Supply System commenced deliveries to Huntsville on August 31, 1980. Service to Huntsville was originally provided under two separate contracts. On September 28, 1976, the Authority's Board approved both a Raw Water Contract and a Water Treatment Facilities, Water Transmission and Clear Well Storage Facilities Contract with Huntsville. The city's Raw Water Contract was amended in 2010 to extend its termination date to December 31, 2020.

At the time of its expiration on December 31, 2020, Huntsville's Raw Water Contract provided for a contract price of approximately \$9.50 per acre-foot. That price was not consistent with the Authority's prevailing rates at that time. Huntsville's new Raw Water Supply Contract with Huntsville, effective January 1, 2021, provided for incorporation by reference of the Authority's then prevailing rate. [Attachment V](#). It also provided for an expiration date of November 30, 2070.

City of Livingston

Much like Huntsville, the City of Livingston's raw water contract with the Authority provided for an expiration date, in its case being February 22, 2020. The original Raw Water Supply Contract between the Authority and the City of Livingston provided for an ultimate capacity of 5 MGD, or approximately 5600 acre-feet per year. In connection with the negotiation of a new contract, the City requested that the new contract provide for a future capacity of 7.5 MGD for a term of 50 years. [Attachment W](#). The new Raw Water Supply Contract was approved by the Board in December 2019, and incorporated the rate structure provided in the Board-approved rate resolution.

Central Regional Wastewater System

2015 saw the start of the construction of the Phase III Solids Management Improvements project at the Central Regional Wastewater System Treatment Plant. The initial scope of work

for that project was awarded by the Authority using the construction manager at risk alternative procurement method. The Board awarded that contract to a McCarthy/Black & Veatch Joint Venture in August 2015. It subsequently awarded the balance of that project work to MWH Constructors, Inc., in the amount of \$195,550,100 for construction based on a competitive sealed proposal solicitation in June 2017.

2020s

For the past three years, the Authority has continued to execute capital improvements at a brisk pace. All of the Authority's systems require significant investment to meet current and future demands. For instance, the Mountain Creek Regional Wastewater System treatment plant is currently undergoing an expansion from 4.5 MGD to 6 MGD, with design work started on a further expansion to 9 MGD. Likewise, the Authority anticipates commencing the expansion of the Denton Creek Regional Wastewater System plant from 11.5 MGD to 16.5 MGD in the near future.

Additionally, the Authority has actively participated in the development of the first regional flood plan by the Region 3 Regional Flood Planning Group. The Authority has served as the administrative agent of that group, contracting on its behalf with the Texas Water Development Board.

IV. Policymaking Structure

A. Complete the following chart providing information on your policymaking body members.

Exhibit 4: Policymaking Body

Member Name	Term / Appointment Dates / Appointed by	Qualification	City
Tommy G. Fordyce President and Chairman of the Executive Committee	2019-2025 2013-2019 2012-2013 Governor	See Attachment 8.	Huntsville
C. Dwayne Somerville Vice-President	2019-2025 2013-2019 Governor	See Attachment 8.	Mexia
Henry Borbolla III Chairman, Legal and Public Policy Committee	2019-2025 2013-2019 2012-2013 Governor	See Attachment 8.	Fort Worth
Megan W. Deen Chairwoman, Utility Services Committee	2018-2023 Governor	See Attachment 8.	Fort Worth
Lewis H. McMahan, Chairman, Administration and Audit Committee	2019-2025 Governor	See Attachment 8.	Dallas
Amir A. Rupani Chairman, Resources Development Committee	2019-2025 2013-2019 2008-2013 Governor	See Attachment 8.	Dallas
Cathy Altman	2018-2023 Governor	See Attachment 8.	Midlothian
C. Cole Camp	2019-2025 Governor	See Attachment 8.	Arlington
Benny L. Fogleman	1997-2007 2022-2027 Governor	See Attachment 8.	Livingston
John W. Jenkins	2023-2027 2017-2021 2009-2015 2007-2009 1997-2007 Governor	See Attachment 8.	Hankamer
Lisa A. Hembry	2018-2023 Governor	See Attachment 8.	Dallas

Member Name	Term / Appointment Dates / Appointed by	Qualification	City
Jerry F. House, D. Min	2018-2023 2000-2008 Governor	See Attachment 8.	Leona
Margaret S. C. Keliher	2022-2027 Governor	See Attachment 8.	Dallas
David B. Leonard	2019-2025 2013-2019 2008-2013 Governor	See Attachment 8.	Liberty
Victoria K. Lucas	2018-2023 2017 Governor	See Attachment 8.	Terrell
Dennis Joe McCleskey	2018-2023 2011-2017 Governor	See Attachment 8.	Apple Springs
Robert F. McFarlane, M.D.	2023-2027 2017-2021 Governor	See Attachment 8.	Palestine
Steven L. Roberts	2018-2023 Governor	See Attachment 8.	Coldspring
William O. Rodgers	2023-2027 2017-2021 Governor	See Attachment 8.	Fort Worth
Kathryn L. Sanders	2021-2025 Governor	See Attachment 8.	Athens
Frank H. Steed, Jr.	2023-2027 2017-2021 Governor	See Attachment 8.	Kerens
Frederick C. Tate	2023-2027 Governor	See Attachment 8.	Colleyville
Brenda K. Walker	2019-2025 Governor	See Attachment 8.	Palestine
David G. Ward	2018-2023 Governor	See Attachment 8.	Madisonville
Gregory S. Wassberg	2023-2027 Governor	See Attachment 8.	Grapeland

B. Describe the primary role and responsibilities of your policymaking body.

The Authority's Board of Directors is its policymaking body. The Board routinely approves changes in policy, for instance, in response to legislative changes. Management executes the directives of the Board through the Board-approved budget and strategic plan, while operating

within the bounds of Board-approved policy.

The division of policymaking from policy execution is clearly defined in the Authority's Bylaws. They provide that the Authority's General Manager "is vested with full authority to discharge the responsibilities of the office under the direction of the President and subject to the policies established by the Board of Directors." Bylaws, Article IV, Section 1. The Bylaws further provide that the General Manager is to execute the "policies approved by the Board of Directors and of directives of the President." Bylaws, Article IV, Section 3(b).

In addition to Board-approved policies, the Authority's Board directs the activities of its General Manager through the Authority's annual budget. The Bylaws charge the General Manager with the duty to prepare a proposed budget, and the Board approves the annual budget "at its regularly scheduled meeting in October each year." Bylaws, Article IV, Section 3(d). The General Manager is then responsible for "the execution of the policies and programs contained in the annual budget as finally approved by the Board of Directors." *Id.*

Though seldom convened, the Authority's enabling act and Bylaws also provide for the Authority to have an Executive Committee.

C. How is the chair selected?

The Authority's Board elects its chairperson (President), and its vice-chair (Vice President), and the chairperson of its Executive Committee. The Board also elects the remaining four members of the Authority's Executive Committee, which members serve as the chairpersons of the Board's four functional committees. The Authority's Bylaws are included as [Attachment X](#).

Article I of the Authority's Bylaws concerns the election of the Board's officers. Article I, Section 1 of the Authority's Bylaws provide that the Board "shall elect from its number a President, Vice President, and a Chairman of the Executive Committee who shall constitute the elective [o]fficers of the Authority." Those officers serve "a term of two years beginning on the first day of December of each odd-numbered year and terminating the 13th day of November of the next odd-numbered year." Bylaws Article I, Section 4(a).

Elections of officers and the four other members of the Authority's Executive Committee are "held at the regular meeting of the Board to be held in October in the odd-numbered years." Bylaws, Article I, Section 6. In August of odd-numbered years, the Authority's President "appoint[s] three or more members of the Board to act as a Nominating Committee," that present to the Board a proposed slate of officers "for the offices of President, Vice President, Chairman of the Executive Committee, and the four other members of the Executive Committee." *Id.*

As a matter of practice, the Board has routinely elected tenured and experienced directors to serve as its President, Vice President and Chair of its Executive Committee. This convention has served the Authority well. The complexity and sophistication of the Authority's operations is well served by having elective officers who have served as functional committee chairs. As described further below, the across-the-board recommendation that the Governor appoint river authority chairpersons is not compatible with the Authority's long-standing practice.

D. List any special circumstances or unique features about your policymaking body or its responsibilities.

The Authority's Board is composed of 25 members appointed by the Governor. Though the Board is large, its size ensures adequate geographic representation from the 17 Texas counties of the Authority's political jurisdiction.

The Authority's Bylaws provide for the creation of four functional committees. Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 3; Bylaws, Article V. The Authority's enabling legislation empowers

the Board “to appoint an executive committee [to] perform the functions of the Board between meetings, except as its powers may be restricted in the action setting up the committee.” Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 3. The Bylaws do so, and also provide that the Executive Committee “will perform the functions of the Board between meetings,” consistent with the enabling act.

E. In general, how often does your policymaking body meet? How many times did it meet in fiscal year 2021? In fiscal year 2022? Explain if the policymaking body met in-person or virtually during this time.

The Board of Directors meet every other month on the fourth Wednesday of the month at 10:30 AM at the General Office located in Arlington. The December Board meeting is held the first or second week of the month and is called on a date selected by the Board President.

In fiscal year 2021, the Board of Directors met on the following dates:

December 3, 2020 1:00 PM – Virtual meeting via Webex;
February 24, 2021 10:30 AM – Virtual meeting via Webex;
April 28, 2021 10:30 AM – Virtual meeting via Webex;
June 23, 2021 10:30 AM – In-person meeting;
August 25, 2021 10:30 AM – In-person meeting; and
October 27, 2021 10:30 AM – In-person meeting.

In fiscal year 2022, the Board of Directors met on the following dates:

December 2, 2021 1:00 PM – In-person meeting;
February 23, 2022 10:30 AM – In-person meeting;
April 27, 2022 10:30 AM – In-person meeting;
June 22, 2022 10:30 AM – In-person meeting;
August 24, 2022 10:30 AM – In-person meeting; and
October 26, 2022 10:30 AM – In-person meeting.

F. Please list and describe all the training and training materials the members of the agency’s policymaking body receive. How often do members receive this training or updated materials?

Public Information Act Training (as required by Govt. Code § 552.012)

Open Meetings Act Training (as required by Govt. Code § 551.005)

TRA Enabling Legislation (upon appointment)

Bylaws of the Trinity River Authority of Texas (upon appointment and when amended)

TRA Annual Comprehensive Financial Report (annually)

TRA Code of Ethics (upon appointment and when amended)

Board member orientation and project tours (upon appointment)

G. What information is regularly presented to your policymaking body to keep them informed about the agency’s operations and performance?

In each Authority Board packet, the following standing reports appear:

Summary Report of Budget Amendments (upon occurrence);
Summary Report of Trinity River Authority Debt;
Summary Report of Capital Contracts;
Summary Report of General Manager-Approved Agreements;
Summary Report of Change Orders;
Summary Report of General Manager-Approved Emergency Repairs (upon occurrence);
Condemnation Status Report; and
Report on Selected Matters pending with the Texas Commission on Environmental Quality and Public Utility Commission of Texas.

H. How does your policymaking body obtain input from the public regarding issues under the agency's jurisdiction? How is this input incorporated into the operations of your agency?

The public has the opportunity to attend and provide public testimony at all Board and Committee meetings. Agendas for each meeting have a specific item dedicated to public testimony.

Additionally, the Authority hosts town hall meetings throughout the basin to receive input from the public. The public may also contact a Board member or staff member and express their concerns. The Authority accepts public input as a key to effective operations and strives to incorporate policies that allow for full transparency and resolution of public concerns.

Management alerts Board members when an issue arises in their county to keep them informed and provides status reports until the matter is resolved.

I. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart. See Exhibit 5 Example. For advisory committees, please note the date of creation for the committee, as well as the abolishment date as required by Texas Government Code, Section 2110.008.

In addition, please attach a copy of any reports filed by your agency under Texas Government Code, Section 2110.007 regarding an assessment of your advisory committees as Attachment 28.

Exhibit 5: Subcommittees and Advisory Committees

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee (statute or rule citation)
Executive Committee	7 members/Directors/ The board president, vice president, chairman of the executive committee and four other directors are elected by the board to serve as officers and executive committee members. The four non-officer directors elected by the board are then assigned by the president to chair one of the four functional committees.	These members are empowered to act in between the six regular meetings of the full board, and as long as the action they take has not been specifically restricted.	Authority Bylaws, Article V, Section 1
Administration and Audit Committee	6 members/Directors	This committee oversees Authority's internal business and management activities, including the annual budget, annual audit and administrative activities.	Authority Bylaws, Article V, Section 2
Legal and Public Policy Committee	5 members/Directors	This committee manages Authority's legal activities, including litigation and legislation.	Authority Bylaws, Article V, Section 2
Resources Development Committee	6 members/Directors	This committee is concerned with the planning, design and construction of Authority's revenue-oriented projects; Authority's provision of financing services to others; master planning responsibilities; and federal water project activities.	Authority Bylaws, Article V, Section 2

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee (statute or rule citation)
Utility Services Committee	6 members/Directors	This committee addresses issues related to Authority's existing revenue-oriented projects; and the expansion or enlargement of Authority's existing projects.	Authority Bylaws, Article V, Section 2
Central Regional Wastewater System Right-of-Way Committee	5 members/Directors	This committee oversees land rights acquisition for the Central Regional Wastewater System service area.	Authority Bylaws, Article V, Section 3
Denton Creek Regional Wastewater System Right-of-Way Committee	5 members/Directors	This committee oversees land rights acquisition for the Denton Creek Regional Wastewater System service area.	Authority Bylaws, Article V, Section 3
Livingston Regional Water Supply System Right-of-Way Committee	5 members/Directors	This committee oversees land rights acquisition for the Livingston Regional Water Supply System service area.	Authority Bylaws, Article V, Section 3
Mountain Creek Regional Wastewater System Right-of-Way Committee	6 members/Directors	This committee oversees land rights acquisition for the Mountain Creek Regional Wastewater System service area.	Authority Bylaws, Article V, Section 3
Red Oak Regional Wastewater System Right-of-Way Committee	6 members/Directors	This committee oversees land rights acquisition for the Red Oak Regional Wastewater System service area.	Authority Bylaws, Article V, Section 3
Tarrant County Water Supply Project Right-of-Way Committee	5 members/Directors	This committee oversees land rights acquisition for the Tarrant County Water Supply Project service area.	Authority Bylaws, Article V, Section 3

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee (statute or rule citation)
Ten Mile Creek Regional Wastewater System Right-of-Way Committee	6 members/Directors	This committee oversees land rights acquisition for the Ten Mile Creek Regional Wastewater System service area.	Authority Bylaws, Article V, Section 3
Walker-Callaway Branch Outfall Trunk Sewer System Right-of-Way Committee	5 members/Directors	This committee oversees land rights acquisition for the Walker-Callaway Branch service area.	Authority Bylaws, Article V, Section 3
Central Regional Wastewater System Advisory Committee	2 members/Directors	This committee of system customers reviews annual budgets and capital improvement plans.	System Contracts

V. Funding

A. Provide a brief description of your agency's funding.

The Authority's revenues are derived from charges to contracting parties, primarily for the sale of water and treatment of wastewater. The contracting parties of an operating project generally contract to pay amounts equal to that operating project's operating and maintenance expenses, debt service requirements and any other obligations payable from the revenues of the customer's utility system. Each operating project's contract revenue requirement is allocated between its contracting parties based on each contracting party's flow contribution percentage in a fiscal year. The contract revenues are adjusted at the end of each year on a cost reimbursement or "break-even" basis based on the actual expenses incurred and actual contracting party flow percentage allocation. Any excess or shortage of contract revenue is rebated or invoiced to the contracting parties after adjustments to operating reserves.

Wholesale Wastewater Treatment

- Central Regional Wastewater System (CRWS) – Capacity 189.0 MGD
- Ten Mile Creek Regional Wastewater System (TMCRWS) – Capacity 24.0 MGD
- Denton Creek Regional Wastewater System (DCRWS) – Capacity 11.5 MGD
- Red Oak Creek Regional Wastewater System (ROCRWS) – Capacity 6.0 MGD
- Mountain Creek Regional Wastewater System (MCRWS) – Capacity 4.5 MGD

Wholesale Water Treatment

- Tarrant County Water Supply Project (TCWSP) – Capacity 87.0 MGD
- Huntsville Regional Water Supply System (HRWSS) – Capacity 12.0 MGD
- Livingston Regional Water Supply System (LRWSS) – Capacity 5.0 MGD
- Trinity County Regional Water Supply System (TCRWSS) – Capacity 1.0 MGD

Water Storage

The Authority manages water storage space and the sale of water from four reservoirs: Lake Livingston, Navarro Mills, Bardwell and Joe Pool Lake.

Raw Water

The Authority manages three non-operating raw water supply projects: Freestone, Ennis and Ellis. The Authority acts as an intermediary between the Tarrant Regional Water District and the customers of those projects.

Other Activities

The Authority participates in activities related to assessing and improving water quality; investigating and evaluating flood risk and hydropower operations at Lake Livingston through cooperative agreements. The Authority generates revenue related to park recreational activities at the Livingston Recreation Facilities. The Authority receives federal and state grant funding for various projects.

B. List all riders that significantly impact your agency's budget

N/A

C. Show your agency’s expenditures by strategy. See Exhibit 6 Example.

Exhibit 6: Expenditures by Strategy — Fiscal Year 2022 (Actual)

Goal/Strategy	Amount Spent	Percent of Total
Wastewater		
Central Regional Wastewater System	\$156,181,525	44.57
Ten Mile Creek Regional Wastewater System	21,208,245	6.05
Denton Creek Regional Wastewater System	20,890,742	5.96
Red Oak Creek Regional Wastewater System	12,831,851	3.66
Mountain Creek Regional Wastewater System	8,142,728	2.32
Denton Creek Graham Branch	276,869	0.08
Northeast Lakeview Wastewater Transportation Project	1,083,231	0.31
Walker Calloway Branches	5,161,338	1.47
Collection System Group	5,086,168	1.44
Water Supply		
Tarrant County Water Supply Project	40,387,111	11.53
Huntsville Regional Water Supply System	5,988,610	1.71
Livingston Regional Water Supply System	3,660,869	1.04
Trinity County Regional Water Supply System	665,652	0.19
Lakeview Regional Water Supply System	18,083	0.01
Water Storage		
Lake Livingston (Wallisville) Project	9,389,264	2.68
Navarro Mills Reservoir	364,284	0.10
Bardwell Reservoir	998,309	0.28
Joe Pool Lake Reservoir	229,207	0.07
Raw Water		
Ellis Raw Water Supply Project	338,788	0.10
Ennis Raw Water Supply Project	109,837	0.03
Freestone Raw Water Supply Project	2,551,973	0.73
Recreational Facilities		
Livingston Recreational Facility	1,184,798	0.34
Direct Financing		
Sendera	786,375	0.22

Goal/Strategy	Amount Spent	Percent of Total
Special Revenue Funds		
Water Sales Special Revenue	6,018,901	1.72
Grant Expenses		
Federal	62,339	0.02
State	1,022,322	0.29
Management & Administration		
General Government	10,459,240	2.98
Information Technology Support Services	4,740,480	1.35
Planning, Design and Construction Administration	10,325,303	2.95
Staywell Health Insurance	15,678,390	4.47
Southern Region Support Services	735,380	0.21
Technical Services and Basin Planning	2,261,545	0.65
Risk Retention Insurance	1,587,054	0.45
GRAND TOTAL:	\$350,401,811	100

- D. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines. See Exhibit 7 Example.**

Exhibit 7: Sources of Revenue — Fiscal Year 2022 (Actual)

Source	Amount
Wastewater	
Central Regional Wastewater System	\$152,244,546
Ten Mile Creek Regional Wastewater System	20,574,278
Denton Creek Regional Wastewater System	19,554,377
Red Oak Creek Regional Wastewater System	12,743,204
Mountain Creek Regional Wastewater System	7,809,015
Denton Creek Graham Branch	280,392
Northeast Lakeview Wastewater Transportation Project	1,103,996
Walker Calloway Branches	5,028,815
Collection System Group	4,886,615
Water Supply	
Tarrant County Water Supply Project	39,672,978
Huntsville Regional Water Supply System	6,110,084

Source	Amount
Livingston Regional Water Supply System	3,702,721
Trinity County Regional Water Supply System	680,845
Lakeview Regional Water Supply System	18,625
Water Storage	
Lake Livingston (Wallisville) Project	13,013,612
Navarro Mills Reservoir	717,594
Bardwell Reservoir	692,992
Joe Pool Lake Reservoir	223,235
Raw Water	
Ellis Raw Water Supply Project	338,971
Ennis Raw Water Supply Project	111,282
Freestone Raw Water Supply Project	2,585,272
Recreational Facilities	
Livingston Recreation Facility	1,256,394
Direct Financing	
Sendera	13,777
Special Revenue Funds	
Water Sales Special Revenue	10,568,783
Hydroelectric Revenue	450,000
Grant Revenue	
Federal	62,339
State	1,022,322
Other Sources of Revenue	
Overstrength Surcharges	2,047,076
Reclaimed Wastewater (DCURD)	768,332
Professional Services (External)	821,600
Investment Income (Loss)	(2,004,267)
Capital Contributions	3,357,821
Other Miscellaneous Revenue (e.g., Rental Income, Sale of Controllable Assets, Mileage Reimbursements)	107,617
Management & Administration	
Professional Services	12,930,788
Management Fees	7,584,367

Source	Amount
Insurance Premiums	10,156,002
Indirect Overhead Allocation	9,021,474
Other	1,338,017
TOTAL	\$351,595,891

E. If you receive funds from multiple federal programs, show the types of federal funding sources. See Exhibit 8 Example.

Exhibit 8: Federal Funds — Fiscal Year 2022 (Actual)

Type of Fund	State / Federal Match Ratio	State Share	Federal Share	Total Funding
TCEQ – Joe Pool Lake Watershed Protection Plan (WPP) Development Phase II	60%	0%	60%	\$62,339
TOTAL				\$62,339

F. If applicable, provide detailed information on fees collected by your agency. Please explain how much fee revenue is deposited/returned to the General Revenue Fund and why, if applicable. See Exhibit 9 Example.

Exhibit 9: Fee Revenue — Fiscal Year 2022

Fee Description/ Program/ Statutory Citation	Current Fee	Fees Set by Statute or Rule?	Statutory Maximum or Minimum, if applicable	Number of Persons or Entities Paying Fee	Fee Revenue
Lake Livingston Fees					
Shoreline Structure Fee	\$0.15/Sq Ft	Resolution	N/A	4,350	\$629,170
Concessions (% sales)	6%	Resolution	N/A	2	71,395
Marina Lease	\$0.15/Sq Ft	Resolution	N/A	23	35,185
Marina License	\$350/Year	Resolution	N/A	34	11,900
Wolf Creek Park Fees					
Full Hookup Campsite	\$25	Resolution	N/A	27,000	\$508,743
Full Hookup Waterfront	35	Resolution	N/A		
Tent Campsite	20	Resolution	N/A		
Tent Waterfront	20	Resolution	N/A		
Nightly Entrance Fee	5	Resolution	N/A		
Day Use Fee	5	Resolution	N/A		
Boat Ramp Fee	5	Resolution	N/A		

Fee Description/ Program/ Statutory Citation	Current Fee	Fees Set by Statute or Rule?	Statutory Maximum or Minimum, if applicable	Number of Persons or Entities Paying Fee	Fee Revenue
RV Dump Fee (not camping)	7	Resolution	N/A		
Pavillion Fee	75	Resolution	N/A		
Annual Pass	75	Resolution	N/A		

VI. Organization

- A. Provide an organizational chart that includes major programs and divisions and shows the number of FTEs in each program or division. Detail should include, if possible, division heads with subordinates, and actual FTEs with budgeted FTEs in parenthesis.**

See [Attachment Y](#).

- B. Fill in the chart below listing the agency’s headquarters and number of FTEs and, if applicable, field or regional offices. See Exhibit 10 Example.**

Exhibit 10: FTEs by Location — Fiscal Year 2023

Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs FY 2023	Number of Actual FTEs (as of SER submission)
Central Regional Wastewater System	Dallas, Texas	175	163
Collection System Group	Dallas, Texas	31	30
Denton Creek Regional Wastewater System	Roanoke, Texas	16	18
General Office	Arlington, Texas	69	64
Huntsville Regional Water Supply System	Huntsville, Texas	10	9
Information Technology Support Services	Arlington, Texas	18	17
Lake Livingston Project	Livingston, Texas	31	29
Livingston Recreation Facility	Coldspring, Texas	8	8
Livingston Regional Water Supply System	Huntsville, Texas	6	6
Mountain Creek Regional Wastewater System	Midlothian, Texas	11.5	9.5
Planning, Development and Construction Administration	Arlington, Texas	57	57

Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs FY 2023	Number of Actual FTEs (as of SER submission)
Red Oak Creek Regional Wastewater System	Waxahachie, Texas	9.5	9.5
Southern Regional Support Services	Huntsville, Texas	5	4
Trinity County Regional Water Supply	Trinity, Texas	3	3
Tarrant County Water Supply Project	Eules, Texas	32	29
Ten Mile Creek Regional Wastewater System	Ferris, Texas	25	23
Technical Services and Basin Planning	Arlington, Texas	16	13
Water Sales	Arlington, Texas	3	2
		TOTAL: 526	TOTAL: 495

C. What are your agency’s FTE caps for fiscal years 2021-25?

N/A

D. How many temporary or contract employees did your agency have in fiscal year 2022? Please provide a short summary of the purpose of each position, the amount of expenditures per contract employee, and the procurement method of each position.

Maintenance Helper (five positions) - This position performs routine maintenance work primarily focused on grounds maintenance. May provide some assistance to more senior maintenance mechanics to repair buildings, machines and equipment.

Procurement Method – external job posting

Amount of Expenditures - \$68,994

Intern II/ III (six positions) - The position will primarily assist and work in a variety of situations, projects and assignments. Tasks and functions normally assigned to this level are generally routine in nature and any deviations or decisions from routine are generally assisted or approved by upper-level staff.

Procurement Method – external job posting, career fairs, Mickey Leland Internship

Amount of Expenditures - \$26,618

Water Careers Education Intern (one position) - The position will primarily observe and assist in a variety of situations, projects and assignments. An intern will explore a variety of topics, including Authority drinking water and wastewater systems overview, water cycle, public agency governance, state laws and regulatory issues for water-related systems, water supply planning, infrastructure planning and funding, operations overview, customer billing rates, engineering contracts, pipeline and treatment plant design, easements and right-of-way, construction process, and construction inspection.

Procurement Method – Arlington Independent School District (AISD) partnership

Amount of Expenditures - \$1,223

E. List each of your agency’s key programs or functions, along with expenditures and FTEs by program.

Exhibit 11: List of Program FTEs and Expenditures — Fiscal Year 2022

Program	Actual FTEs FY 2022	Budgeted FTEs FY 2023	Actual Expenditures FY 2022	Budgeted Expenditures FY 2023
Wholesale Wastewater Treatment	219	237	19,115,824	21,437,653
Wholesale Water Treatment	47	51	4,184,177	4,652,170
Raw Water Supply	28	31	2,367,067	2,428,242
Collection System	26	31	2,434,818	3,109,669
Recreational Services	6	8	425,880	548,585
Land Rights	4	4	437,708	458,515
Basin Planning	13	16	1,565,162	1,826,468
Planning, Design and Construction	53	53	6,914,122	7,557,618
HR/Talent Acquisition	8	7	816,525	859,112
Legal Services	4	6	703,105	869,617
Communications	5	5	331,103	442,840
Financial Services	15	17	1,838,087	2,015,879
Risk and Safety	4	4	356,597	509,150
Information and Security	3	2	514,034	443,450
Government Procurement	6	8	665,471	776,969
TOTAL	441	480	\$42,669,680	\$47,935,937

VII. Guide to Agency Programs

Wholesale Wastewater Treatment Projects

1. Central Regional Wastewater System

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Central Regional Wastewater System

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 5-B; Tex. Water Code Ch. 30, Subchapter B (Tex. Water Code §§ 30.021-.035; Tex. Loc. Gov't Code § 552.023.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Central Regional Wastewater System provides advanced wastewater collection and treatment for its 21 customers, while meeting discharge permit compliance. The Central Regional Wastewater System has achieved permit compliance for 30 continuous years. The system includes a 189 MGD treatment plant, approximately 211 miles of gravity and force main interceptors, four lift stations and 128 permanent meter stations. Plant operations staff utilize an onsite storage basin to treat peak wet weather events up to 405 MGD two-hour maximum flow as allowed by permit. The system also provides highly treated effluent to the Dallas County Utility and Reclamation District by means of an effluent pipeline. The effluent is used by DCURD for irrigation and to maintain water features.

In FY24 (December 1, 2023 – November 30, 2024), the Central Regional Wastewater System anticipates treating a projected 142.828 MGD of wastewater, discharging in excess of 160,000 acre-feet of treated effluent to the West Fork of the Trinity River.

The Central Regional Wastewater System participates in the ERCOT 4CP electricity curtailment program. During periods of high electricity demand, the plant curtails certain processes and equipment. Participation in 4CP provides the Authority electricity cost savings. Utilizing a plant process model, plant engineering staff has piloted dissolved oxygen control strategies to further reduce energy expenditure. Asset management efforts include infrastructure condition assessments and reviewing work order data on critical assets to optimize operation and maintenance effectiveness.

As regulatory requirements continue to become more stringent, Northern Region management has expanded the expertise of the system's Regulatory, Laboratory and Environmental Services group to represent all Northern Region Projects. Laboratory Services will be testing for per- and polyfluoroalkyl substances (PFAS) beginning in FY24, by means of a new analytical instrument. Testing for PFAS will be conducted on influent, effluent and solids. The Authority will also provide PFAS testing services for Northern Region customers.

A major cost associated with operating the Central Regional Wastewater System plant is associated with biosolids hauling. The Authority undertook the Solids Management Improvements Phase IIIB project to reduce the volume of biosolids generated by the plant. That project began partial operations in FY22, and is anticipated to be fully operable in FY24. The Phase IIIB project will produce Class A biosolids and reduce solids volume by an estimated 60 percent. Chemical costs will be reduced once the project is complete, as lime will no longer be required to stabilize all produced biosolids. Producing Class A biosolids will expand markets for future beneficial reuse.

The Central Regional Wastewater System capital improvement projects scheduled to begin design in FY24 include: 1) Central Regional Wastewater System A Roadway Improvements; 2) Alternate Access and Singleton Road Improvements; 3) Analytical Laboratory Services Complex; 4) Elm Fork Interceptor Relief (CAC-9); 5) Meter Station Rehab Group 4; 6) Meter Station Rehab Group 5; 7) Phase VII Infiltration & Inflow Assessment, Phase 1 & 2; 8) Elm Fork Interceptor Rehab & Replacement, Phase 3A; 9) Elm Fork Interceptor Rehab & Replacement, Phase 3B; and 10) Little Bear Creek Interceptor, Segments BC_10, BC_15, BC_16.

During FY24 the following projects will begin construction: 1) Chlorine and Sulfur Dioxide Containment Building; 2) Nutrient Improvements – Post Aerobic Digestion; 3) On-Site Storage and Equalization Basin Rehab and Replacement; 4) Fuel Utilization Improvements; 5) DCURD 30-inch Reuse Water Line Replacement; 6) Mountain Creek Relief Interceptor (09MC-1 & 30 MC-2); 7) Erosion Site Rehab, Phase 1; 8) Central Regional Wastewater System Meter Station Rehab Group 2; 9) Meter Station Rehab Group 3; 10) Lift Station LS_7M Improvements; and 11) Elm Fork Interceptor Rehab & Replacement, Phase 2A (CAC-8A).

- C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.**

The key performance indicator for the Central Regional Wastewater System is permit compliance. As stated above, the Central Regional Wastewater System has a decades-long history of permit compliance. Fiscally, the Central Regional Wastewater System Advisory Committee, composed of its customers, participates in the development of the system's annual budget and its five-year capital improvement plans.

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**
- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

All Central Regional Wastewater System customers are municipalities, with the exception of the Dallas-Fort Worth International Airport, which is a joint venture of the airport's two namesake cities. The Central Regional Wastewater System provides only wholesale wastewater service. Because of the tax-exempt nature of its outstanding indebtedness, the Central Regional Wastewater System may only serve customers that are political subdivisions.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Operationally, the Central Regional Wastewater System is administered by its plant manager and the manager's subordinate staff, under the supervision of the Authority's Northern Region manager. Financially, Central Regional Wastewater System staff prepares an annual budget and updates to the Central Regional Wastewater System five-year capital improvement program on an annual basis. Authority management convenes the Central Regional Wastewater System

Advisory Committee in January or February each year to engage and seek the input of Central Regional Wastewater System customers on that plan. Draft budgets are also reviewed by the Central Regional Wastewater System Advisory Committee each July, and the Advisory Committee votes on the Central Regional Wastewater System budget each year.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The sole funding source for the Central Regional Wastewater System is rates charged to and revenue collected from its 21 customers. Billing is based on the approved budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system). Each customer pays its proportionate share of the annual revenue requirement based on projected flows given by each customer to the Authority during budget development.

At the conclusion of each fiscal year, the Authority redetermines each customer's percentage of the actual revenue requirement, by dividing each customer's actual metered contributing flow to the system by the total metered flow of all system customers. This calculation results in that customer's adjusted payment obligation, and it is applied as a credit or debit to each customer's account with the Authority. In some cases, credits may be paid to system customers rather than applied as a credit to future obligations.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

The "target population" of the Central Regional Wastewater System is its municipal customers. With respect to the area served by the Central Regional Wastewater System, its customers have covenanted to "discharge all [w]astewater generated in [the designated] area of service" to the Central Regional Wastewater System. Thus, no other service provider may provide identical or similar services in the designated areas of service. This ensures that the Central Regional Wastewater System operates as a regional system to the maximum benefit of all its customers.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

See above.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Central Regional Wastewater System operations are regulated by the TCEQ. The Authority enforces a federally-mandated pretreatment program for the Central Regional Wastewater System. The system's Texas Pollutant Discharge Elimination System (TPDES) permit issued by TCEQ imposes that federal requirement.

The Central Regional Wastewater System is required to have certain programs in place associated with EPA, TCEQ and local government requirements outside the scope of the TPDES permit. These include:

Additional Regulatory Programs			
Program	Permit Required?	Federal/State/Local Agency	Description of Program
Stormwater Pollution Prevention Plan (SWP3)	Yes (MSGP)	TCEQ	Required by the Multi-Sector General Permit (MSGP). Compliance with stormwater related pollution prevention.
Spill Prevention, Control, and Countermeasure (SPCC)	No	EPA	Requires facilities to develop, maintain and implement an oil spill prevention plan.
Air	Yes (PBR)	TCEQ	Required by the Permit by Rule (PBR). Compliance with air quality requirements.
Resource Conservation and Recovery Act (RCRA)	No	EPA	Reduction of hazardous chemicals from release into the environment.
Hazardous Communication	No	State of Texas	Required by the Right to Know Act and administered by the State. Communication to staff regarding hazardous pollutants in their work environment.
Tier II	No	EPA	Requirement to notify local first responders of potential hazardous chemicals at a facility. Administered by the State. TCEQ, and relevant cities and counties are copied.
Sanitary Sewer Overflow Initiative (SSOI)	No	TCEQ	Voluntary 10-year program designed to allow enforcement discretion of sanitary sewer overflows (SSOs) through documented plan for collection system improvements.
Capacity, Management, Operation, and Maintenance (CMOM)	No	TCEQ	Voluntary program designed to support best management practices for collection systems.
Emergency Preparedness System	No	TCEQ	Required updates to the State regarding homeland security compliance.
Reclaimed Water	Yes (Chapter 210 Authorization)	TCEQ	Required by State to allow for beneficial reuse of primary effluent prior to final treatment at the publicly owned treatment works (POTW). This is now a permitted discharge and not applicable to CRWS.

Levee Annual Report	No	Federal Emergency Management Agency (FEMA) and City of Grand Prairie	Voluntary disclosure to floodplain management agencies to update their flood zone maps.
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K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;

The general purpose of contracts is to procure goods and services to support Central Regional Wastewater System operation and maintenance needs. Contracted expenditures include chemicals, fuel and spare parts.

- the amount of those expenditures in fiscal year 2022;

\$21,853,932.05 - This amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation. Central Regional Wastewater System customers are not charged for depreciation.

- the number of contracts accounting for those expenditures;

75

- the award dates and funding source for those contracts

4-1-19	4-28-20	12-1-20	3-1-21	5-1-21	7-1-21	9-1-21
12-1-21	1-1-22	3-1-22	7-1-22	9-1-22	5-1-22	1-1-21

Funding for the foregoing expenditures is from the Central Regional Wastewater System Operations and Maintenance Budget.

- the method used to procure those contracts;

Competitive bidding.

- top five contracts by dollar amount, including contractor and purpose;

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	Renda Environmental, Inc	Biosolids Hauling - Land Application	4/1/19	\$9,906,654.52
2	Texas Lime Company	Lime	12/1/21	\$2,212,006.87
3	Renda Environmental, Inc	Lime Stabilization and Belt Press Services	4/28/20	\$1,972,335.00
4	Water Solutions, A Division of Azure Water Services	Chemicals to Generate Chlorine Dioxide	12/1/21	\$1,551,996.59
5	Brenntag Southwest	Liquid Chlorine (Rail)	12/1/21	\$931,607.20

- the methods used to ensure accountability for funding and performance; and

The Authority actively manages its contract expenditures. The Authority's Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority's Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority's operating projects. In addition, the Authority's internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority's Purchasing and Procurement Policy sets forth

appropriate levels for authorization/approvals based on the total cost of procurements.

- **a short description of any current contracting problems.**

The Authority has experienced difficulty with janitorial services providers failing to perform all tasks included in the bid specification. It has also experienced a lack of engagement from vendors when bids are solicited. Many of the vendors do not have experience with the platform that is used by the Purchasing Department for the submission of bids.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

The greatest challenge faced by the Central Regional Wastewater System is the need for significant capital expenditures to replace aging infrastructure and to add capacity to meet growth in the system's service area.

While less so for the Central Regional Wastewater System, restrictions on municipal annexation threaten regionalization generally. The elimination of municipal annexation power except by landowner consent is creating areas of extraterritorial jurisdiction and unincorporated areas that may never be served by regional wastewater systems. Annexation is how regional systems have grown historically. Limits on annexation will result in the proliferation of small wastewater treatment plants, which are held to less stringent discharge permit limits, and which have a history of mismanagement.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

The Central Regional Wastewater System has a distinguished history of permit compliance. Its unit cost of treatment is comparatively low, because of its vast service area. The system is an outstanding example of the benefits of regionalization, which allows the Authority to provide reasonably priced service to its municipal customers.

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **actions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

The Authority enforces a federally-mandated pretreatment program for the Central Regional Wastewater System. The system's Texas Pollutant Discharge Elimination System (TPDES) permit issued by TCEQ imposes that federal requirement. Pretreatment programs govern wastewater discharges by retail industrial users to publicly operated treatment works like the Central Regional Wastewater System. Pretreatment regulates wastewater discharges by commercial facilities and other non-domestic wastewater sources to prevent harmful pollutants from disrupting the treatment process and/or passing through the treatment process and then being discharged to the receiving stream.

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program’s regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency’s particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

See [Attachment Z](#).

2. Denton Creek Regional Wastewater System

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Denton Creek Regional Wastewater System

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 5-B; Tex. Water Code Ch. 30, Subchapter B (Tex. Water Code §§ 30.021-035); Tex. Loc. Gov't Code § 552.023.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Denton Creek Regional Wastewater System provides wastewater treatment for Argyle, Flower Mound, Fort Worth, Haslet, Justin, Keller, Northlake, Roanoke, Southlake, Westlake and Circle T Municipal Utility District Nos. 1 and 3. The City of Justin is the newest contracting party, joining the System in FY23. The system includes an 11.5 MGD treatment plant, and approximately 52 miles of gravity and force main interceptors, three lift stations and 30 metering stations. In FY24, the Denton Creek Regional Wastewater System anticipates treating a projected 9.619 MGD of wastewater.

The Denton Creek Regional Wastewater System continues to participate in the summer 4CP power reduction program offered by ERCOT. This will occur in the summer months when there is a peak demand on the electrical grid. This allows the Denton Creek Regional Wastewater System to reduce Oncor delivery costs for the next fiscal year. Due to changes in state regulations, the Denton Creek Regional Wastewater System will no longer participate in the fall, winter and spring demand response power programs and will continue to look for power savings opportunities and energy efficiencies throughout the system. The Denton Creek Regional Wastewater System maintenance team continues its focus on updating and maintaining the asset management program. From a preventive maintenance standpoint, staff continue to perform predictive monitoring of equipment to reduce unexpected failures.

The following capital improvement projects began construction in FY23 and will continue through FY24: 1) Peak Flow and Plant Rehabilitation; 2) Denton Creek Pressure System Force Main and Lift Station Improvements; 3) 25HC-4 & 25HC-5 Henrietta Creek Relief Interceptor; and, 4) 25HC-3 Henrietta Creek Relief Interceptor. Construction projects beginning in FY24 include: 1) Plant Expansion to 16.5; 2) 15CB-1 Cade Branch LS, East Leg Interceptor, and Force Main Improvements; 3) MS 8_0HC, MS 8_5HC, MS9_0HC Rehabilitation, Phase 1; and, 4) ARV Replacement, Phase 2. In FY24 design will continue for the Biosolids and Dewatering Improvements. Design projects beginning in FY24 include the Utility Protection Services Upgrades.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

The key performance indicator for the Denton Creek Regional Wastewater System is permit compliance. The system has a positive history of permit compliance. Fiscally, the Denton Creek Regional Wastewater System Advisory Committee, composed of its customers, participates in the development of the system's annual budget and its five-year capital improvement plans.

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**
- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

All Denton Creek Regional Wastewater System customers are municipalities, with the exception of the Circle T Municipal Utility District Nos. 1 and 3. Denton Creek Regional Wastewater System provides only wholesale wastewater service. Because of the tax-exempt nature of its outstanding indebtedness, the Denton Creek Regional Wastewater System may only serve customers that are political subdivisions.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Operationally, the Denton Creek Regional Wastewater System is administered by its plant manager and the manager's subordinate staff, under the supervision of the Authority's Northern Region manager. Financially, Denton Creek Regional Wastewater System staff prepare an annual budget and updates to the system five-year capital improvement program on an annual basis. Authority management convenes the Denton Creek Regional Wastewater System Advisory Committee in January or February each year to engage and seek the input of customers on the capital improvement plan. Draft budgets are reviewed by the Denton Creek Regional Wastewater System Advisory Committee each July, and the Advisory Committee votes on the system budget each year.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The sole funding source for the Denton Creek Regional Wastewater System is rates charged to and revenue collected from its customers. Billing is based on the approved budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system). Each customer pays its proportionate share of the annual revenue requirement based on projected flows given by each customer to the Authority during budget development.

At the conclusion of each fiscal year, the Authority redetermines each customer's percentage of the actual revenue requirement, by dividing each customer's actual metered contributing flow to the system by the total metered flow of all Denton Creek Regional Wastewater System customers. This calculation results in that customer's adjusted payment obligation, and it is applied as a credit or debit to each customer's account with the Authority. In some cases, credits may be paid to system customers rather than applied as a credit to future obligations.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

The "target population" of the Denton Creek Regional Wastewater System is its municipal

customers. The Authority has covenanted to “accept all of the Wastewater which is generated within [each customer’s] boundaries which are within the watershed or drainage area of Denton Creek.” Thus, no need exists for another service provider in the system service area. This ensures that the Denton Creek Regional Wastewater System operates as a regional system to the maximum benefit of all its customers.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

See above.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Denton Creek Regional Wastewater System operations are regulated by the TCEQ, and the system is required to have certain permit programs in place including:

Additional Regulatory Programs			
Program	Permit Required?	Federal/State/Local Agency	Description of Program
SWP3	Yes (MSGP)	TCEQ	Required by the Multi-Sector General Permit. Compliance with stormwater related pollution prevention.
SPCC	No	EPA	Requires facilities to develop, maintain and implement an oil spill prevention plan.
RCRA	No	EPA	Reduction of hazardous chemicals from release into the environment.
Hazardous Communication	No	State of Texas	Required by the Right to Know Act and administered by the State. Communication to staff regarding hazardous pollutants in their work environment.
Tier II	No	EPA	Requirement to notify local first responders of potential hazardous chemicals at a facility. Administered by the State. TCEQ and relevant cities and counties are copied.
CMOM	No	TCEQ	Voluntary program designed to support best management practices for collection systems.
Emergency Preparedness System	No	TCEQ	Required updates to the State regarding homeland security compliance.

- K. If contracted expenditures are made through this program please provide**
- a short summary of the general purpose of those contracts overall;**

The general purpose of contracts is to procure goods and services to support Denton Creek

Regional Wastewater System operation and maintenance needs. Contracted expenditures include chemicals, fuel and spare parts.

- **the amount of those expenditures in fiscal year 2022;**

\$1,171,883.67 - This amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation. System customers are not charged for depreciation.

- **the number of contracts accounting for those expenditures;**

24

- **the award dates and funding source for those contracts**

12-1-20	12-1-20	1-1-21	1-1-22	3-1-22	5-1-22	3-1-21
5-1-21	7-1-21	7-1-22	9-1-22			

Funding for the foregoing expenditures is from the Denton Creek Regional Wastewater System Operations and Maintenance Budget.

- **the method used to procure those contracts;**

Competitive bidding.

- **top five contracts by dollar amount, including contractor and purpose;**

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	Cyclone Services LLC	Bio-Solids Hauling	7/1/21	\$853,012.16
2	Aqua-Aerobics Systems, Inc.	Aqua Aerobics Filter Parts	7/1/22	\$43,629.59
3	Premier Magnesia, LLC	Magnesium Hydroxide Solution	12/1/20	\$40,889.04
4	Hoist & Crane Service Group	Inspection, Maintenance of Cranes/Hoists	3/1/22	\$30,242.03
5	DENALI CS	HVAC Services (NR)	1/1/21	\$23,779.36

- **the methods used to ensure accountability for funding and performance; and**

The Authority actively manages its contract expenditures. The Authority's Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority's Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority's operating projects. In addition, the Authority's internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority's Purchasing and Procurement Policy sets forth appropriate levels for authorization/approvals based on the total cost of procurements.

- **a short description of any current contracting problems.**

None.

L. Provide information on any grants awarded by the program.

None.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The greatest challenge faced by the Denton Creek Regional Wastewater System is the need for

significant capital expenditures to replace aging infrastructure and to add capacity to meet growth in the Denton Creek Regional Wastewater System service area.

In addition, restrictions on municipal annexation threaten regionalization generally. The elimination of municipal annexation power except by landowner consent is creating areas of extraterritorial jurisdiction and unincorporated areas that may never be served by regional wastewater systems. Annexation is how regional systems have grown historically. Limits on annexation will result in the proliferation of small wastewater treatment plants, which are held to less stringent discharge permit limits, and which have a history of mismanagement.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

The Denton Creek Regional Wastewater System has a positive history of permit compliance. Its unit cost of treatment is comparatively low, given its vast service area.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

None.

P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.

N/A

3. Mountain Creek Regional Wastewater System

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Mountain Creek Regional Wastewater System

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 5-B; Tex. Water Code Ch. 30, Subchapter B (Tex. Water Code §§ 30.021-.035); Tex. Loc. Gov't Code § 552.023.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Mountain Creek Regional Wastewater System is an advanced wastewater treatment plant with ultraviolet disinfection that will be uprated to 4.5 MGD near the end of the third quarter of FY23. The system provides wastewater transportation and treatment services to the Cities of Midlothian, Grand Prairie, Venus and Mansfield. The system includes approximately 6.45 miles of gravity interceptors and a force main interceptor, four permanent meter stations and one lift station. The system is anticipated to treat a projected wastewater flow of 3.391 MGD in FY24.

The Mountain Creek Regional Wastewater System continues to experience significant growth in its service area. Projected growth includes anticipated residential, commercial and significant industrial flows. As a result, the system plant is currently undergoing expansion and several additional expansions will be required. Staff continues to focus on the development of an asset management program, automated data aggregation and process reporting to support growth.

Construction of the Mountain Creek Regional Wastewater System Treatment Plant expansion from 4.5 MGD to 6.0 MGD is anticipated to be completed in the spring of FY25. Construction of the Soap Creek Interceptor Extension project will continue through FY24.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

The key performance indicator for the Mountain Creek Regional Wastewater System is permit compliance. As stated above, the Mountain Creek Regional Wastewater System has a positive history of permit compliance. Fiscally, the Mountain Creek Regional Wastewater System Advisory Committee, composed of its customers, participates in the development of the system's annual budget and its five-year capital improvement plans.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

All Mountain Creek Regional Wastewater System customers are municipalities. The Mountain Creek Regional Wastewater System provides service only wholesale wastewater service.

Because of the tax-exempt nature of its outstanding indebtedness, Mountain Creek Regional Wastewater System may only serve customers that are political subdivisions.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Operationally, the Mountain Creek Regional Wastewater System is administered by its plant manager and the manager's subordinate staff, under the supervision of the Authority's Northern Region manager. Financially, system staff prepare an annual budget and updates to the five-year capital improvement program on an annual basis. Authority management convenes the Mountain Creek Regional Wastewater System Advisory Committee in January or February each year to engage and seek customer input on the system's capital improvement plan. Draft budgets are reviewed by the Advisory Committee each July, and the Advisory Committee votes on the Mountain Creek Regional Wastewater System budget each year.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The sole funding source for the Mountain Creek Regional Wastewater System is rates charged to and revenue collected from its four customers. Billing is based on the approved budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system). Each customer pays its proportionate share of the annual revenue requirement based on projected flows given by each customer to the Authority during budget development.

At the conclusion of each fiscal year, the Authority redetermines each customer's percentage of the actual revenue requirement, by dividing each customer's actual metered contributing flow to the system by the total metered flow of all Mountain Creek Regional Wastewater System customers. This calculation results in that customer's adjusted payment obligation, and it is applied as a credit or debit to each customer's account with the Authority. In some cases, credits may be paid to system customers rather than applied as a credit to future obligations.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

The "target population" of the Mountain Creek Regional Wastewater System is its municipal customers. With respect to the area served by the Mountain Creek Regional Wastewater System, its customers have covenanted to "discharge all [w]astewater generated in [the designated] area of service" to the Mountain Creek Regional Wastewater System. Thus, no other service provider may provide identical or similar services in the designated areas of service. This ensures that the Mountain Creek Regional Wastewater System operates as a regional system to the maximum benefit of all its customers.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements or**

interagency contracts.

See above.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

As stated above, the Mountain Creek Regional Wastewater System serves four municipalities as customers. Mountain Creek Regional Wastewater System operations are regulated by the TCEQ. The system is also required to have certain programs in place including:

Additional Regulatory Programs			
Program	Permit Required?	Federal/State/Local Agency	Description of Program
SWP3	Yes (MSGP)	TCEQ	Required by the Multi-Sector General Permit. Compliance with stormwater related pollution prevention.
SPCC	No	EPA	Requires facilities to develop, maintain and implement an oil spill prevention plan.
RCRA	No	EPA	Reduction of hazardous chemicals from release into the environment.
Hazardous Communication	No	State of Texas	Required by the Right to Know Act and administered by the State. Communication to staff regarding hazardous pollutants in their work environment.
Tier II	No	EPA	Requirement to notify local first responders of potential hazardous chemicals at a facility. Administered by the State. TCEQ and relevant cities and counties are copied.
CMOM	No	TCEQ	Voluntary program designed to support best management practices for collection systems.
Emergency Preparedness System	No	TCEQ	Required updates to the State regarding homeland security compliance.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The general purpose of contracts is to procure goods and services to support Mountain Creek Regional Wastewater System operation and maintenance needs. Contracted expenditures include chemicals, fuel and spare parts.

- **the amount of those expenditures in fiscal year 2022;**

\$364,953.63 - This amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation. Mountain Creek Regional Wastewater System customers are not charged for depreciation.

- **the number of contracts accounting for those expenditures;**

13

- **the award dates and funding source for those contracts**

7-1-21 7-1-22 5-1-22 3-1-21 1-1-21 3-1-22 9-1-22

Funding for the foregoing expenditures is from the Mountain Creek Regional Wastewater System Operations and Maintenance Budget.

- **the method used to procure those contracts;**

Competitive bidding.

- **top five contracts by dollar amount, including contractor and purpose;**

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	Cyclone Services, LLC	Bio-Solids Hauling	7/1/21	\$240,054.42
2	Aqua-Aerobics Systems, Inc.	Aqua Aerobics Filter Parts	7/1/22	\$46,698.08
3	Comsec Security Agency	Security Guard Services	7/1/21	\$23,895.40
4	Xylem Water Solutions, Inc.	Flygt Pump Parts & Repair	9/1/22	\$20,134.87
5	Hartwell Environmental Corp.	Gas Feeder Parts	5/1/22	\$9,195.00

- **the methods used to ensure accountability for funding and performance; and**

The Authority actively manages its contract expenditures. The Authority's Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority's Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority's operating projects. In addition, the Authority's internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority's Purchasing and Procurement Policy sets forth appropriate levels for authorization/approvals based on the total cost of procurements.

- **a short description of any current contracting problems.**

None.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

The greatest challenge faced by the Mountain Creek Regional Wastewater System is the need for significant capital expenditures to add capacity to meet unprecedented growth in the Mountain Creek Regional Wastewater System service area.

The growth of the Mountain Creek Regional Wastewater System is constrained by restrictions on municipal annexation. The elimination of municipal annexation power except by landowner consent is creating areas of extraterritorial jurisdiction and unincorporated areas that may never be served by regional wastewater systems. Annexation is how regional systems have grown historically. Limits on annexation will result in the proliferation of small wastewater treatment plants, which are held to less stringent discharge permit limits, and which have a history of mismanagement.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**
- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

None.

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

N/A

4. Red Oak Creek Regional Wastewater System

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Red Oak Creek Regional Wastewater System

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 5-B; Tex. Water Code Ch. 30, Subchapter B (Tex. Water Code §§ 30.021-.035); and Tex. Loc. Gov't Code § 552.023.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Red Oak Creek Regional Wastewater System provides wastewater transportation and treatment services for Cedar Hill, DeSoto, Lancaster, Red Oak, Ovilla and Glenn Heights. The system includes a 6.0 MGD advanced wastewater treatment plant, with ultraviolet disinfection, 14 permanent meter stations, two lift stations and 27.9 miles of gravity and force main interceptors. In FY24, customer cities anticipate a projected wastewater flow of 4.566 MGD.

The Red Oak Creek Regional Wastewater System began participating in the 4CP power reduction program offered by ERCOT in the summer of FY21 and will continue in FY24. System operators undertake power curtailments through equipment shutdowns when there is peak demand on the power grid in the summer months. This allows the Red Oak Creek Regional Wastewater System to reduce Oncor delivery costs for the next fiscal year. Staff will continue to look for power savings opportunities and energy efficiencies throughout the system.

The Red Oak Creek Regional Wastewater System maintenance team is focused on implementing an asset management program. The system will continue to replace or rehabilitate equipment that has reached the end of its useful life. The Red Oak Creek Regional Wastewater System will continue to look for ways to optimize its preventive maintenance program with the objective of extending the useful life of assets. The system maintenance team will continue updating the computerized asset management system, which includes capturing additional assets and implementing preventive maintenance tasks.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

The key performance indicator for the Red Oak Creek Regional Wastewater System is permit compliance. The system has a positive history of permit compliance. Fiscally, the Red Oak Creek Regional Wastewater System Advisory Committee, composed of its customers, participates in the development of the Red Oak Creek Regional Wastewater System annual budget and its five-year capital improvement plans.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for

example. Provide a statistical breakdown of persons or entities affected.

All Red Oak Creek Regional Wastewater System customers are municipalities. The system provides wholesale service only. Because of the tax-exempt nature of its outstanding indebtedness, Red Oak Creek Regional Wastewater System may only serve customers that are political subdivisions.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Operationally, the Red Oak Creek Regional Wastewater System is administered by its plant manager and the manager's subordinate staff, under the supervision of the Authority's Northern Region manager. Financially, system staff prepare an annual budget and updates to the Red Oak Creek Regional Wastewater System five-year capital improvement program on an annual basis. Authority management convenes the Red Oak Creek Regional Wastewater System Advisory Committee in January or February each year to engage and seek the input on the capital improvement program. Draft budgets are reviewed by the Advisory Committee each July, and the Advisory Committee votes on the Red Oak Creek Regional Wastewater System budget each year.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The sole funding source for the Red Oak Creek Regional Wastewater System is rates charged to and revenue collected from its six customers. Billing is based on the approved budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system). Each customer pays its proportionate share of the annual revenue requirement based on projected flows given by each customer to the Authority during budget development.

At the conclusion of each fiscal year, the Authority redetermines each customer's percentage of the actual revenue requirement, by dividing each customer's actual metered contributing flow to the system by the total metered flow of all Red Oak Creek Regional Wastewater System customers. This calculation results in that customer's adjusted payment obligation, and it is applied as a credit or debit to each customer's account with the Authority. In some cases, credits may be paid to system customers rather than applied as a credit to future obligations.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The "target population" of the Red Oak Creek Regional Wastewater System is its municipal customers. System customers have covenanted to "dispose of all eligible Wastewater generated within the boundaries of each [customer] which are within the watershed or drainage basin of Red Oak Creek" to the system. Thus, no other service provider may provide identical or similar services in the designated areas of service. This ensures that the Red Oak Creek Regional Wastewater System operates as a regional system to the maximum benefit of all its customers.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

See above.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

As stated above, the Red Oak Creek Regional Wastewater System serves six municipalities as customers. Red Oak Creek Regional Wastewater System operations are regulated by the TCEQ. Additionally, the system is required to have certain programs in place including:

Additional Regulatory Programs			
Program	Permit Required?	Federal/State/Local Agency	Description of Program
SWP3	Yes (MSGP)	TCEQ	Required by the Multi-Sector General Permit. Compliance with stormwater related pollution prevention.
SPCC	No	EPA	Requires facilities to develop, maintain and implement an oil spill prevention plan.
RCRA	No	EPA	Reduction of hazardous chemicals from release into the environment.
Hazardous Communication	No	State of Texas	Required by the Right to Know Act and administered by the State. Communication to staff regarding hazardous pollutants in their work environment.
Tier II	No	EPA	Requirement to notify local first responders of potential hazardous chemicals at a facility. Administered by the State. TCEQ and relevant cities and counties are copied.
CMOM	No	TCEQ	Voluntary program designed to support best management practices for collection systems.
Emergency Preparedness System	No	TCEQ	Required updates to the State regarding homeland security compliance.

- K. If contracted expenditures are made through this program please provide**

- **a short summary of the general purpose of those contracts overall;**

The general purpose of contracts is to procure goods and services to support Red Oak Creek Regional Wastewater System operation and maintenance needs. Contracted expenditures include chemicals, fuel and spare parts.

- **the amount of those expenditures in fiscal year 2022;**

\$344,676.32 - This amount reflects total expenditures, excluding salaries and benefits, debt

related expenses and depreciation. Red Oak Creek Regional Wastewater System customers are not charged for depreciation.

- **the number of contracts accounting for those expenditures;**

17

- **the award dates and funding source for those contracts**

7-1-21 7-1-2 9-1-22 1-1-21 3-1-22 5-1-22 3-1-21

Funding for the foregoing expenditures is from the Red Oak Creek Regional Wastewater System Operations and Maintenance Budget.

- **the method used to procure those contracts;**

Competitive bidding.

- **top five contracts by dollar amount, including contractor and purpose;**

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	Cyclone Services LLC	Bio-Solids Hauling	7/1/21	\$243,965.60
2	Evans Enterprises, Inc.	Process Controls Maintenance SCADA	7/1/21	\$26,146.01
3	Comsec Security Agency	Security Guard Services	7/1/21	\$22,411.45
4	Prime Controls	Process Controls Maintenance SCADA	12/1/19	\$14,315.00
5	Aqua-Aerobics Systems, Inc.	Aqua Aerobics Filter Parts	7/1/22	\$11,844.27

- **the methods used to ensure accountability for funding and performance; and**

The Authority actively manages its contract expenditures. The Authority's Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority's Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority's operating projects. In addition, the Authority's internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority's Purchasing and Procurement Policy sets forth appropriate levels for authorization/approvals based on the total cost of procurements.

- **a short description of any current contracting problems.**

None.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

The greatest challenge faced by the Red Oak Creek Regional Wastewater System is the need for significant capital expenditures to replace aging infrastructure and to add capacity to meet growth in the Red Oak Creek Regional Wastewater System service area.

Restrictions on municipal annexation threaten regionalization generally. The elimination of municipal annexation power except by landowner consent is creating areas of extraterritorial jurisdiction and unincorporated areas that may never be served by regional wastewater

systems. Annexation is how regional systems have grown historically. Limits on annexation will result in the proliferation of small wastewater treatment plants, which are held to less stringent discharge permit limits, and which have a history of mismanagement.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**
- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

None.

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

N/A

5. Ten Mile Creek Regional Wastewater System

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Ten Mile Creek Regional Wastewater System

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 5-B; Tex. Water Code Ch. 30, Subchapter B (Tex. Water Code §§ 30.021-035); and Tex. Loc. Gov't Code § 552.023.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Ten Mile Creek Regional Wastewater System provides regional wastewater treatment for the customer cities of Cedar Hill, DeSoto, Duncanville, Ferris and Lancaster. The City of Wilmer will become a Ten Mile Creek Regional Wastewater System customer beginning December 1, 2023, increasing the system customer count from five to six. The system consists of a 24.0 MGD wastewater treatment plant, approximately 58 miles of gravity interceptors and one force main, eight permanent meter stations and one lift station. The system also provides treated effluent to the neighboring South Creek Ranch L.L.C. for pecan grove irrigation and maintenance of water features. In FY24 the customer cities' projected flow is 17.177 MGD.

The Ten Mile Creek Regional Wastewater System continues to participate in the summer 4CP power reduction program offered by ERCOT. System operators undertake power curtailments through equipment shutdowns when there is peak demand on the power grid in the summer months. This allows the system to reduce Oncor delivery costs for the next fiscal year. Due to changes in state regulations, the Ten Mile Creek Regional Wastewater System will no longer participate in fall, winter and spring response power programs and will continue to look for power savings opportunities as staff focus on the electrical processes and efficiency improvements.

In FY23, the following projects began construction and will continue through FY24: 1) 11-40TM-2 Relief Interceptor, Phase 1; 2) Meter Station Rehabilitation (MS_FER); and 3) TM-1 Relief Interceptor, Phase 1A. The following capital improvement projects will begin construction in FY24: 1) Course Screens; 2) 11-40TM-2 Relief Interceptor, Phase 2; 3) TM-1 Relief Interceptor, Phase 2A; and, 4) Erosion Site Rehabilitation, Phase 1. Design is also scheduled to begin in FY24 for 11-40TM-3 Relief Interceptor and Utility Protection Services Upgrades.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

The key performance indicator for the Ten Mile Creek Regional Wastewater System is permit compliance. The system has a long history of permit compliance. Fiscally, the Ten Mile Creek Regional Wastewater System Advisory Committee, composed of its customers, participates in the development of the system's annual budget and its five-year capital improvement plans.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this

report is sufficient, please leave this section blank.

- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

All Ten Mile Creek Regional Wastewater System customers are municipalities. Ten Mile Creek Regional Wastewater System provides service only wholesale wastewater service. Because of the tax-exempt nature of its outstanding indebtedness, Ten Mile Creek Regional Wastewater System may only serve customers that are political subdivisions.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Operationally, the Ten Mile Creek Regional Wastewater System is administered by its plant manager and the manager's subordinate staff, under the supervision of the Authority's Northern Region manager. Financially, system staff prepare an annual budget and updates to the Ten Mile Creek Regional Wastewater System five-year capital improvement program on an annual basis. Authority management convenes the Ten Mile Creek Regional Wastewater System Advisory Committee in January or February each year to engage and seek input on the capital improvement program. Draft budgets are reviewed by the Advisory Committee each July, and Advisory Committee votes on the Ten Mile Creek Regional Wastewater System budget each year.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The sole funding source for the Ten Mile Creek Regional Wastewater System is rates charged to and revenue collected from its five customers. Billing is based on the approved budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system). Each customer pays its proportionate share of the annual revenue requirement based on projected flows given by each customer to the Authority during budget development.

At the conclusion of each fiscal year, the Authority redetermines each customer's percentage of the actual revenue requirement, by dividing each customer's actual metered contributing flow to the system by the total metered flow of all Ten Mile Creek Regional Wastewater System customers. This calculation results in that customer's adjusted payment obligation, and it is applied as a credit or debit to each customer's account with the Authority. In some cases, credits may be paid to system customers rather than applied as a credit to future obligations.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

The "target population" of the Ten Mile Creek Regional Wastewater System is its municipal customers. Each system customer is obligated to "discharge into the system . . . all Wastewater generated within [that customer's] boundaries which lies within the watershed of Ten Mile Creek" to the Ten Mile Creek Regional Wastewater System. Thus, no other service provider may provide identical or similar services in the designated areas of service. This ensures that

the Ten Mile Creek Regional Wastewater System operates as a regional system to the maximum benefit of all its customers.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

See above.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

As stated above, Ten Mile Creek Regional Wastewater System serves six municipalities as customers. Ten Mile Creek Regional Wastewater System operations are regulated by the TCEQ. In addition, the system has the following regulatory obligations:

Additional Regulatory Programs			
Program	Permit Required?	Federal/State/Local Agency	Description of Program
SWP3	Yes (MSGP)	TCEQ	Required by the Multi-Sector General Permit. Compliance with stormwater related pollution prevention.
SPCC	No	EPA	Requires facilities to develop, maintain and implement an oil spill prevention plan.
RCRA	No	EPA	Reduction of hazardous chemicals from release into the environment.
Hazardous Communication	No	State of Texas	Required by the Right to Know Act and administered by the State. Communication to staff regarding hazardous pollutants in their work environment.
Tier II	No	EPA	Requirement to notify local first responders of potential hazardous chemicals at a facility. Administered by the State. TCEQ and relevant cities and counties are copied.
CMOM	No	TCEQ	Voluntary program designed to support best management practices for collection systems.
Emergency Preparedness System	No	TCEQ	Required updates to the State regarding homeland security compliance.
Reclaimed Water	Yes (Chapter 210 Authorization)	TCEQ	Required by State to allow for beneficial reuse of primary effluent prior to final treatment at the POTW.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;

The general purpose of contracts is to procure goods and services to support Ten Mile Creek Regional Wastewater System operation and maintenance needs. Contracted expenditures include chemicals, fuel and spare parts.

- the amount of those expenditures in fiscal year 2022;

\$1,370,761.20 - This amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation. Ten Mile Creek Regional Wastewater System customers are not charged for depreciation.

- the number of contracts accounting for those expenditures;

25

- the award dates and funding source for those contracts

1-1-22	12-1-20	12-1-21	7-1-21	3-1-21	5-1-21	7-1-22
12-1-19	9-1-21	7-1-22	9-1-22	5-1-22	1-1-21	3-1-22

Funding for the foregoing expenditures is from the Ten Mile Creek Regional Wastewater System Operations and Maintenance Budget.

- the method used to procure those contracts;

Competitive bidding.

- top five contracts by dollar amount, including contractor and purpose;

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	Affinity Chemical, LLC	Liquid Aluminum Sulfate	12/1/21	\$585,780.00
2	Affinity Chemical, LLC	Internal Pipeline Cleaning & CCTV	7/1/21	\$212,221.16
3	Airgas USA, LLC	Liquid Oxygen	12/1/21	\$169,019.46
4	Airgas USA, LLC	Protective Clothing & Equipment	1/1/22	\$133,475.00
5	Airgas USA, LLC	Specialty Analytical Gases	1/1/22	\$68,069.10

- the methods used to ensure accountability for funding and performance; and

The Authority actively manages its contract expenditures. The Authority’s Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority’s Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority’s operating projects. In addition, the Authority’s internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority’s Purchasing and Procurement Policy sets forth appropriate levels for authorization/approvals based on the total cost of procurements.

- a short description of any current contracting problems.

None.

L. Provide information on any grants awarded by the program.

None.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

The greatest challenge faced by the Ten Mile Creek Regional Wastewater System is the need for significant capital expenditures to replace aging infrastructure and to add capacity to meet growth in the Ten Mile Creek Regional Wastewater System service area.

Restrictions on municipal annexation threaten regionalization generally. The elimination of municipal annexation power except by landowner consent is creating areas of extraterritorial jurisdiction and unincorporated areas that may never be served by regional wastewater systems. Annexation is how regional systems have grown historically. Limits on annexation will result in the proliferation of small wastewater treatment plants, which are held to less stringent discharge permit limits, and which have a history of mismanagement.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Ten Mile Creek Regional Wastewater System has a positive history of permit compliance. Its unit cost of treatment is comparatively low, given its large service area. The system is an outstanding example of the benefits of regionalization, which allows the Authority to provide reasonably priced service to its municipal customers.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

The Authority enforces a federally-mandated pretreatment program for the Ten Mile Creek Regional Wastewater System. The Ten Mile Creek Regional Wastewater System TPDES permit issued by TCEQ imposes that requirement. Pretreatment programs govern wastewater discharges by retail industrial users to publicly operated treatment works like the Ten Mile Creek Regional Wastewater System. Pretreatment regulates wastewater discharges by commercial facilities and other non-domestic wastewater sources to prevent harmful pollutants from disrupting the treatment process and/or passing through the treatment process and then being discharged to the receiving stream.

P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional

scope, etc.

See [Attachment AA](#).

6. Walker-Calloway Branches

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Walker-Calloway Project

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 5-B; Tex. Water Code Ch. 30, Subchapter B (Tex. Water Code §§ 30.021-.035); and Tex. Loc. Gov't Code § 552.023.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Walker-Calloway Project transports wastewater from its project customers, the Cities of Hurst and North Richland Hills, Texas, to Fort Worth's wastewater collection system. Those flows are ultimately treated by Fort Worth's Village Creek Wastewater Treatment Plant. The project is composed of pipelines only.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

The key performance indicator for the Walker-Calloway Project is permit compliance. The Walker-Calloway Project is regulated by TCEQ as a component of the City of Fort Worth's wastewater treatment system, and the operation of the Walker-Calloway Project is subject to the requirements of the City's TPDES permit.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Both Walker-Calloway Project customers are municipalities. The Walker-Calloway Project provides only wholesale wastewater transportation service.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Walker-Calloway Project is administered by the Authority's Northern Region staff. Costs incurred by the Authority pursuant to its contract with the City of Fort Worth are passed on to the two Walker-Calloway Project customers.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources

(e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The sole funding source for the Walker-Calloway Project is the revenue collected from its two customers. Billing is based on charges levied by the City of Fort Worth and project-associated debt service.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The “target population” of the Walker-Calloway Project is its two municipal customers. With respect to the area served by the Walker-Calloway Project, the Authority is the exclusive provider of wholesale wastewater collection.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

See above.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2022;
- the number of contracts accounting for those expenditures;
- the award dates and funding source for those contracts;
- the method used to procure those contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

N/A. The Walker-Calloway Project is a non-operating project.

L. Provide information on any grants awarded by the program.

None.

M. Are there any barriers or challenges that impede the program’s performance, including any outdated or ineffective state laws? Explain.

The greatest challenge faced by the Walker-Calloway Project is the need for significant capital expenditures to replace aging infrastructure and to add capacity to meet growth in the Walker-Calloway Project service area.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:

- why the regulation is needed;

- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.

N/A

Wholesale Water Treatment

7. Tarrant County Water Supply Project

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Tarrant County Water Supply Project

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, §§ 5(b), (f); 17.

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Tarrant County Water Supply Project operates an 87 MGD surface water treatment plant that provides treated water to the Cities of Bedford, Colleyville, Euless, Grapevine and North Richland Hills. Its personnel are dedicated to providing safe drinking water to meet the wholesale demands of those customers. Project staff continue to enhance computerized maintenance programs and asset management activities using enterprise asset management systems, such as geographic information systems (GIS), to track and record assets throughout the plant.

In FY24, the Tarrant County Water Supply Project anticipates treating an average of 32.265 MGD (budgeted customer flow of 31.024 MGD plus four percent for Project use) of potable water, with a summer peak day flow of approximately 72 MGD. The project will distribute that water over an 88.4 square mile service area.

Operations staff work daily to provide essential chlorine residuals, low turbidities and optimized chemical doses to help maintain low treatment costs while providing excellent water quality. The Tarrant County Water Supply Project also reduces pumping during peak electrical grid demands, which results in savings from the ERCOT 4CP program. Maintenance staff provides preventive maintenance on pumps, motors and equipment to reduce electrical costs and shutdowns during peak demands. Additionally, plant engineering, operations and maintenance continue to collaborate on projects such as:

1. Reviewing the condition of and maintaining critical assets;
2. Developing and maintaining a GIS map of vertical and horizontal assets;
3. Completing chemical studies to optimize chemical usage; and,
4. Completing pipeline inspections to evaluate required cathodic protection and ensure the integrity of the transmission system.

The construction of the filter rehabilitation and disinfection improvements project will continue at the plant in FY24. This project includes various filtering system upgrades and a new chlorine contact chamber to reduce and prevent chloramine formation. In FY24, capital projects will be undertaken at the Murphy Drive Pump Station, and also to rehabilitate Ground Storage Tanks Numbers 2 and 3.

The rehabilitation of Ground Storage Tank Number 4 at the Murphy Drive Pump Station is complete and the Joint Use Lake Arlington Raw Water Pump Station has been in operation for almost a year. That project included three new raw water pumps with variable frequency drives, which have improved the efficiency of raw water pumping. Due to the new intake location, manganese levels in the raw water have decreased. These improvements have enhanced the

Tarrant County Water Supply Project's operation.

There are several capital improvement projects scheduled to begin design in FY24 including: 1) the new raw water transmission pipeline from Lake Arlington to the plant; 2) replacement of the existing High Service Pump Station; 3) upgrades to the process control systems; 4) new switchgear for Transfer Pump Station Number 1; and, 5) Pump Station 1 Fourth Ozone Generator.

There is one construction project scheduled to begin construction in FY24. The Clariflocculator Improvements Project will replace the scraper thrust arm mechanism, install new motors and a new drive assembly in all existing basins to aid in the removal of manganese.

The Tarrant County Water Supply Project also provides maintenance services to the Lakeview Regional Water Supply System (non-operating project) consisting of an intake structure and wet well at Joe Pool Lake that was constructed in 1986 under an agreement with the Cities of Cedar Hill, Duncanville and Grand Prairie. That intake structure is not in active use.

- C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.**

The key performance indicator for the Tarrant County Water Supply Project is permit compliance. Tarrant County Water Supply Project has a long history of positive permit compliance. Fiscally, the Tarrant County Water Supply Project Advisory Committee, composed of project customers, participates in the development of the Tarrant County Water Supply Project annual budget and its five-year capital improvement plans.

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**
- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

All Tarrant County Water Supply Project customers are municipalities. Tarrant County Water Supply Project provides only wholesale water treatment and delivery services. Because of the tax-exempt nature of its outstanding indebtedness, Tarrant County Water Supply Project may only serve customers that are political subdivisions.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Operationally, the Tarrant County Water Supply Project is administered by its plant manager and the manager's subordinate staff, under the supervision of the Authority's Northern Region manager. Financially, project staff prepare an annual budget and updates to the project's five-year capital improvement program on an annual basis. Authority management convenes the Tarrant County Water Supply Project Advisory Committee in January or February each year to engage and seek the input on the project's capital improvement plan. Draft budgets are

reviewed with the project Advisory Committee each July, and that committee votes on the Tarrant County Water Supply Project budget each year.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The sole funding source for Tarrant County Water Supply Project operations and maintenance is revenue collected from its five customers. Billing is based on the customer-approved budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system, including debt service). Each customer pays its proportionate share of the annual revenue requirement based on projected demands given by each customer to the Authority during budget development.

At the conclusion of each fiscal year, the Authority redetermines each customer’s percentage of the actual revenue requirement, by dividing each customer’s actual metered deliveries from the system by the total metered flow delivered to all Tarrant County Water Supply Project customers. This calculation results in that customer’s adjusted payment obligation, and it is applied as a credit or debit to each customer’s account with the Authority. In some cases, credits may be remitted to system customers rather than applied as a credit to future obligations.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The “target population” of the Tarrant County Water Supply Project is its municipal customers. Tarrant County Water Supply Project operates as a regional system to maximize the benefit to its customers.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

See above.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

Tarrant County Water Supply Project serves five municipal customers. Tarrant County Water Supply Project operations are regulated by the TCEQ and EPA. In addition, the project is subject to the following regulatory programs:

Additional Regulatory Programs			
Program	Permit Required?	Federal/State/Local Agency	Description of Program
SPCC	No	EPA	Requires facilities to develop, maintain and implement an oil spill prevention plan.
RCRA	No	EPA	Reduction of hazardous chemicals from release into the environment.
Hazardous	No	State of Texas	Required by the Right to Know Act and

Communication			administered by the State. Communication to staff regarding hazardous pollutants in their work environment.
Tier II	No	EPA	Requirement to notify local first responders of potential hazardous chemicals at a facility. Administered by the State. TCEQ and relevant cities and counties are copied.
Emergency Preparedness System	No	TCEQ	Required updates to the State regarding homeland security compliance.
CCR	No	TCEQ and Customer Cities	Annual report disclosing compliance toward drinking water standards.
SWMOR	No	TCEQ	Monthly operating report for surface water treatment facilities.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;

The general purpose of contracts is to procure goods and services to support Tarrant County Water Supply Project operation and maintenance needs. Contracted expenditures include chemicals, fuel and spare parts.

- the amount of those expenditures in fiscal year 2022;

\$3,393,090.63 - This amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation. Tarrant County Water Supply Project customers do not pay for depreciation.

- the number of contracts accounting for those expenditures;

28

- the award dates and funding source for those contracts

9-1-22	5-1-21	12-1-20	12-1-21	5-1-22	3-1-21	7-1-21
12-1-19	7-1-22	12-1-22	9-1-22	1-1-21		

Funding for the foregoing expenditures is from the Tarrant County Water Supply Project Operations and Maintenance Budget.

- the method used to procure those contracts;

Competitive bidding.

- top five contracts by dollar amount, including contractor and purpose;

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	Brenntag Southwest, Inc.	Liquid Chlorine-Truck	12/1/21	\$1,011,193.05
2	TDC, L.L.C	Sodium Hydroxide Solution – 50%	12/1/21	\$585,328.84
3	Airgas USA, LLC	Liquid Oxygen	12/1/21	\$161,864.41
4	DPC Industries, Inc.	Anhydrous Ammonia	12/1/21	\$133,079.02
5	Hach Company	Hach Brand Misc. Parts	9/1/22	\$80,346.11

- **the methods used to ensure accountability for funding and performance; and**

The Authority actively manages its contract expenditures. The Authority's Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority's Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority's operating projects. In addition, the Authority's internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority's Purchasing and Procurement Policy sets forth appropriate levels for authorization/approvals based on the total cost of procurements.

- **a short description of any current contracting problems.**

None.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

The greatest challenge faced by the Tarrant County Water Supply Project is the need for significant capital expenditures to replace aging infrastructure.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **actions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

N/A

8. Huntsville Regional Water Supply System

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Huntsville Regional Water Supply System

Location/Division: Southern Region

Contact Name: Bill Holder, Executive Manager (acting), Southern Region

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, §§ 5(b), (f); 17.

B. What is the objective of this program or function? Describe the major activities performed under this program.

Huntsville Regional Water Supply System supplies treated water to the City of Huntsville and the wholesale customers of Huntsville, including the Texas Department of Criminal Justice Estelle and Ellis Prison Units and the Tenaska Power Plant. Huntsville Regional Water Supply System staff gather and analyze data on state-of-the-art disinfection and filtration techniques associated with the facility and continue to use poly-aluminum chloride as an alternate coagulant. Discussions are underway with City staff and engineering consultants concerning raw and treated water pipeline redundancy.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

The key performance indicator for the Huntsville Regional Water Supply System is permit compliance. The system has a long history of permit compliance. Fiscally, the City of Huntsville participates in the development of the Huntsville Regional Water Supply System annual budget and its capital improvement plans.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Huntsville Regional Water Supply System serves the City of Huntsville, which in turn provides services to the Texas Department of Criminal Justice, Estelle and Ellis Prison Units and the Tenaska Power Plant. Huntsville Regional Water Supply System provides only wholesale water service. Because of the tax-exempt nature of its capital project financing, Huntsville Regional Water Supply System may only serve customers that are political subdivisions.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Operationally, the Huntsville Regional Water Supply System is administered by the Authority's

Southern Region Support Services staff and project staff, under the supervision of the Authority's Southern Region manager. Financially, Southern Region Support Services prepares an annual budget. Southern Region management engage and seek the input of Huntsville on all capital improvement needs. Draft budgets are reviewed with Huntsville each year.

G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The sole funding source for the Huntsville Regional Water Supply System is rates charged to and revenue collected from Huntsville. Billing is based on the approved budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system). Huntsville pays the annual revenue requirement based on projected demands given by Huntsville to the Authority during budget development. At the conclusion of each fiscal year, the Authority redetermines the Huntsville Regional Water Supply System actual revenue requirement, by reconciling the customer-supplied projected flow with the total metered flow delivered to Huntsville. This calculation results in Huntsville's adjusted payment obligation, which is applied as a credit or debit to its account with the Authority.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The "target population" of Huntsville Regional Water Supply System is its sole customer.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

See above.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

As stated above, Huntsville Regional Water Supply System serves Huntsville, which in turn provides water to both Huntsville's wholesale and retail customers. Huntsville Regional Water Supply System operations are regulated by the TCEQ and EPA.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The general purpose of contracts is to procure goods and services to support Huntsville Regional Water Supply System operation and maintenance needs. Contracted expenditures include chemicals, fuel and spare parts.

- **the amount of those expenditures in fiscal year 2022;**

\$1,415,894 - This amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation. Huntsville does not pay for depreciation.

- **the number of contracts accounting for those expenditures;**

- **the award dates and funding source for those contracts;**

10/25/2022 04/27/2022

Funding for the foregoing expenditures is from the Huntsville Regional Water Supply System Operations and Maintenance Budget.

- **the method used to procure those contracts;**

Competitive bidding.

- **top five contracts by dollar amount, including contractor and purpose;**

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	GEO Specialty Chemicals, Inc.	Water Treatment – Coagulant to reduce turbidity; Liquid Polyaluminum Chloride	10/25/22	\$385,770
2	Evoqua	Water Treatment - Disinfection; Sodium Chlorite 31%	10/25/22	\$273,240
3	Brenntag Southwest, Inc.	Water Treatment – Disinfection; Liquid Chlorine Cylinder	10/25/22	\$194,250
4	Shrieve Chemical	Water Treatment - pH adjustment; Sodium Hydroxide 50%	10/25/22	\$102,600
5	Calgon Carbon Corp	Water Treatment - Filtration; Granulated Activated Carbon	4/27/22	\$96,908

- **the methods used to ensure accountability for funding and performance; and**

The Authority actively manages its contract expenditures. The Authority’s Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority’s Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority’s operating projects. In addition, the Authority’s internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority’s Purchasing and Procurement Policy sets forth appropriate levels for authorization/approvals based on the total cost of procurements.

- **a short description of any current contracting problems.**

None.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program’s performance, including any outdated or ineffective state laws? Explain.**

The greatest challenge faced by the Huntsville Regional Water Supply System is the need for significant capital expenditures to replace aging infrastructure.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **actions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

N/A

9. Livingston Regional Water Supply System

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Livingston Regional Water Supply System

Location/Division: Southern Region

Contact Name: Bill Holder, Executive Manager (acting), Southern Region

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, §§ 5(b), (f); 17.

B. What is the objective of this program or function? Describe the major activities performed under this program.

Livingston Regional Water Supply System supplies treated water to the City of Livingston and Livingston's customers, which include the Texas Department of Criminal Justice Polunsky Unit and the IAH Detention Facility. The system participates in the Texas Commission on Environmental Quality's "Texas Optimization Program," which requires a turbidity of 0.1 Nephelometric Turbidity Units (NTUs) or less at the discharge of each filter. Each time that a plant meets the extremely stringent criteria continuously for six consecutive months, TCEQ presents the water system with a Texas Optimization Program (TOP) Recognition Award. The Livingston Regional Water Supply System has met all the criteria of the TOP since November 2018.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

The key performance indicator for the Livingston Regional Water Supply System is permit compliance. Livingston Regional Water Supply System has a long history of permit compliance. Fiscally, the City of Livingston participates in the development of the Livingston Regional Water Supply System annual budget and any capital improvement plans.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

Livingston Regional Water Supply System provides service only to the City of Livingston. Because any capital improvements needed would be financed by tax-exempt bonds, Livingston Regional Water Supply System may only serve customers that are political subdivisions.

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

Operationally, the Livingston Regional Water Supply System is administered by Southern

Region Support Services and plant staff, under the supervision of the Authority's Southern Region manager. Financially, Southern Region Support Services prepares an annual budget each year. Southern Region management engage and seek input from Livingston with regard to any system capital needs. Draft budgets are reviewed with Livingston each year.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The sole funding source for the Livingston Regional Water Supply System is rates charged to and revenue collected from the City of Livingston. Billing is based on the system budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system). Livingston pays the annual revenue requirement based on projected demands given by each customer to the Authority during budget development.

At the conclusion of each fiscal year, the Authority redetermines the actual revenue requirement, by reconciling projected deliveries from the system with the total metered flow delivered to Livingston. This calculation results in Livingston's adjusted payment obligation, and it is applied as a credit or debit to its account with the Authority.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

The "target population" of Livingston Regional Water Supply System is its sole customer.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

See above.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

As stated above, Livingston Regional Water Supply System serves one municipal customer. Livingston Regional Water Supply System operations are regulated by the TCEQ and EPA.

- K. If contracted expenditures are made through this program please provide**

- **a short summary of the general purpose of those contracts overall;**

The general purpose of contracts is to procure goods and services to support Livingston Regional Water Supply System operation and maintenance needs. Contracted expenditures include chemicals, fuel and spare parts.

- **the amount of those expenditures in fiscal year 2022;**

\$460,686 - this amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation. Livingston Regional Water Supply System customers do not pay for depreciation.

- **the number of contracts accounting for those expenditures;**

- **the award dates and funding source for those contracts;**

10/25/2022 4/27/22

Funding for the foregoing expenditures is from the Livingston Regional Water Supply System Operations and Maintenance Budget.

- **the method used to procure those contracts;**

Competitive bidding.

- **top five contracts by dollar amount, including contractor and purpose;**

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	Brenntag Southwest, Inc.	Water Treatment – Coagulant to reduce turbidity; Liquid Aluminum Sulfate	10/25/22	\$93,102
2	Shrieve Chemical	Water Treatment - pH adjustment; Sodium Hydroxide 50%	10/25/22	\$85,500
3	Romesberg	Sludge Pond Cleanout	4/27/22	\$85,000
4	Brenntag Southwest, Inc.	Water Treatment Coagulation/Algae Control; Liquid Aluminum Sulfate w/Copper	10/25/22	\$61,404
5	Brenntag Southwest, Inc.	Water Treatment – Disinfection; Liquid Chlorine Cylinder	10/25/22	\$46,250

- **the methods used to ensure accountability for funding and performance; and**

The Authority actively manages its contract expenditures. The Authority’s Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority’s Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority’s operating projects. In addition, the Authority’s internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority’s Purchasing and Procurement Policy sets forth appropriate levels for authorization/approvals based on the total cost of procurements.

- **a short description of any current contracting problems.**

The relatively rural location of the Livingston Regional Water Supply System plant may increase costs of delivery.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program’s performance, including any outdated or ineffective state laws? Explain.**

No.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **actions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.

N/A

10. Trinity County Regional Water Supply System

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Trinity County Regional Water Supply System

Location/Division: Southern Region

Contact Name: Bill Holder, Executive Manager (acting), Southern Region

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, §§ 5(b), (f); 17.

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

The Trinity County Regional Water Supply System provides treated water to the City of Trinity with a 1.0 MGD water treatment plant, 18 well intake system and 42 miles of treated water distribution lines. A new long-range raw water supply contract and service contract were finalized with the City of Trinity in February 2021.

- C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.**

The key performance indicator for the Trinity County Regional Water Supply System is permit compliance. Trinity County Regional Water Supply System has a positive history of permit compliance. Fiscally, the City of Trinity participates in the development of the system's annual budget and in the planning of any capital improvements.

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**
- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

The Trinity County Regional Water Supply System serves the City of Trinity, which provides service to Glendale Water Supply Corporation. The system provides service only wholesale water service.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Operationally, the Trinity County Regional Water Supply System is administered by Southern Region Support Services and its plant staff, under the supervision of the Authority's Southern Region manager. Financially, Southern Region Support Services prepares an annual budget. Southern Region Support Services takes input from the City of Trinity during budget preparation.

- G. Identify all funding sources and amounts for the program or function,**

including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The sole funding source for Trinity County Regional Water Supply System is rates charged to and revenue collected from the City of Trinity. Billing is based on the budget, which sets forth the projected annual revenue requirement (the amount necessary to satisfy all costs associated with the system). Trinity pays the annual revenue requirement based on actual use and costs incurred.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The “target population” of Trinity County Regional Water Supply System is its sole municipal customer, the City of Trinity.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

See above.

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

As stated above, Trinity County Regional Water Supply System serves one municipal customer. Trinity County Regional Water Supply System operations are regulated by the TCEQ and EPA.

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The general purpose of contracts is to procure goods and services to support Trinity County Regional Water Supply System operation and maintenance needs. Contracted expenditures include chemicals, fuel, spare parts and engineering services.

- **the amount of those expenditures in fiscal year 2022;**

\$28,720 - This amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation. Trinity County Regional Water Supply System customers do not pay for depreciation.

- **the number of contracts accounting for those expenditures;**

2

- **the award dates and funding source for those contracts**

10/25/2022 4/27/22

Funding for the foregoing expenditures is from the Trinity County Regional Water Supply System Operations and Maintenance Budget.

- **the method used to procure those contracts;**

Management approval. Below threshold for bids.

- **top five contracts by dollar amount, including contractor and purpose;**

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	Purify	Water Treatment - Disinfection; Sodium Hypochlorite 12.5%	10/25/22	\$18,460
2	Chameleon	Water Treatment - Disinfectant; Liquid Ammonium Sulfate	10/25/22	\$3,300

- **the methods used to ensure accountability for funding and performance; and**

These items are below the bidding threshold in Chapter 49, Subchapter I. Performance managed on the basis of timely delivery for use.

- **a short description of any current contracting problems.**

None.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

No.

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**

- **why the regulation is needed;**
- **the scope of, and procedures for, inspections or audits of regulated entities;**
- **follow-up activities conducted when non-compliance is identified;**
- **actions available to the agency to ensure compliance; and**
- **procedures for handling consumer/public complaints against regulated entities.**

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

N/A

Raw Water Supply

11. Lake Livingston-Wallisville Project

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Lake Livingston-Wallisville Project

Location/Division: Southern Region

Contact Name: Bill Holder, Executive Manager, Southern Region (Acting)

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, §§ 5(b), (f); 17.

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

Lake Livingston-Wallisville Project operational activities including monitoring stream flow, gate operations and downstream diversions. In addition, daily activities include laboratory operations, facility maintenance, authorization of construction of shoreline structures and permitting onsite wastewater facilities, water quality monitoring and hydropower release coordination. Releases for both hydropower and reservoir level control are based on run-of-river gate operations. In addition, staff monitor the restricted area below the dam. The Authority works jointly with the East Texas Electric Cooperative (ETEC, owner of hydropower plant) to comply with all aspects of Federal Energy Regulatory Commission (FERC) regulations. Major work continues to recoat and structurally rehabilitate the dam's tainter gates. That work commenced in June 2020, and is presently estimated to be complete by June 2025.

- C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.**

The key performance indicator for the Lake Livingston-Wallisville Project is the safe operation and maintenance of the dam, together with maximization of its conservation yield. Fiscally, the City of Houston, the Authority's sole project partner in the Lake Livingston-Wallisville Project, participates in the development of the Lake Livingston-Wallisville Project annual budget and its capital improvement plans.

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**
- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Lakeside landowners may purchase water from the Authority. Lake Livingston-Wallisville Project provides only raw water supply service. The City of Houston owns 70 percent of the conservation yield of the Livingston/Wallisville System, with the Authority owning 30 percent thereof. Lake Livingston-Wallisville Project's primary customer is the City of Houston. The Authority may furnish water from storage in Lake Livingston-Wallisville Project to other customers provided those sales are consistent with the terms and conditions of the Authority's water rights.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Operationally, the Lake Livingston-Wallisville Project is administered by its Project Manager and subordinate staff, under the supervision of the Authority's Southern Region manager. Financially, Lake Livingston-Wallisville Project staff prepare an annual budget for review by the City of Houston. Authority management meets with City of Houston management each year to engage and seek input on the draft budget.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The sole funding source for the Lake Livingston-Wallisville Project is from payments made to the Authority.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

The "target population" of the Lake Livingston-Wallisville Project are its raw water supply customers, foremost among them the City of Houston. Raw water supply is governed by the issuance of water rights by the TCEQ. Whether raw water is available from other water rights holders is a function of the permits they hold.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

The Authority participates in the Region H regional water planning process. The purpose of regional water planning is the efficient use and allocation of all water supplies.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Lake Livingston-Wallisville Project operations are federally regulated by USACE. ETEC is subject to FERC regulation. Regionally, the Authority works with lakeside counties (Walker, Trinity, Polk and San Jacinto Counties) with regards to matters of public safety, especially during flooding conditions. Lake Livingston-Wallisville Project staff also coordinate with downstream county emergency management coordinators during flood operations.

The Lake Livingston-Wallisville Project is required to comply with the TCEQ Dam Safety Program and is subject to federal regulation under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Additionally, and as described in detail below, the Authority acts as an agent of TCEQ with respect to on-site sewage facilities within the water quality zone surrounding Lake Livingston.

K. If contracted expenditures are made through this program please provide

- a short summary of the general purpose of those contracts overall;

The general purpose of contracts is to procure goods and services to support Lake Livingston-Wallisville Project operation and maintenance needs.

- the amount of those expenditures in fiscal year 2022;

\$35,426 - This amount reflects total expenditures, excluding salaries and benefits, intercompany, debt related expenses, or depreciation.

- the number of contracts accounting for those expenditures;

5

- the award dates and funding source for those contracts;

1/22/19 12/1/22 4/23/19 6/1/23

- the method used to procure those contracts;

Competitive bidding.

- top five contracts by dollar amount, including contractor and purpose;

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	OneRain / AEM	License for contrail base station used to monitor river stage and flow at multiple locations and make gate change calculations	1/1/22	\$10,000
2	SCPDC	MGO/MPN interlocal contract used by Permit Department to record activity and finances related to shoreline structures and septic systems in Lake Livingston water quality zone	1/22/19	\$9,960
3	PerkinElmer, Inc.	Service agreement for atomic absorption spectrophotometer	12/1/22	\$9,073
4	360Payments	Credit card payment processing for Permits Department	4/23/19	\$6,393
5	GEOKON	Cloud hosting for tilt meters used to monitor movement on dam wingwalls	6/1/23	none in 2022

- the methods used to ensure accountability for funding and performance; and

The Authority actively manages its contract expenditures. The Authority's Purchasing and Procurement Policy provides for a centralized and independent procurement process to prevent fraud and waste. The Authority's Purchasing Department, a unit of its Administrative Services division and separate from operating project staff, conducts purchasing on behalf of the Authority's operating projects. In addition, the Authority's internal auditor is vested with full access to scrutinize purchasing.

For all goods and services, the Authority's Purchasing and Procurement Policy sets forth appropriate levels for authorization/approvals based on the total cost of procurements.

- a short description of any current contracting problems.

The rural location of LLP makes competitive bidding difficult, in that competition for qualified

firms may be limited.

L. Provide information on any grants awarded by the program.

None.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

Dual regulation by FERC and the TCEQ presents challenges. However, FERC regulation is a necessary consequence of the operation of the hydropower project by East Texas Electric Cooperative.

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Lake Livingston-Wallisville Project is a large multi-purpose reservoir. Its primary purpose is water supply. When at or below its pool elevation of 131' MSL, lake operations and releases from storage are made only for purposes of downstream supply. In the future, as more of that supply is utilized, lake levels will tend to decrease more each summer. The City of Houston is not presently calling for the release of all stored water to which it is entitled. That is likely to change as its retail demands increase.

The Authority owns and operates Lake Livingston. To construct the reservoir, the Authority acquired, in fee, all land below the 131' MSL contour. In addition, it acquired flowage easements above that 131' MSL contour to account for lake levels experienced during high-flow conditions. Flowage easements are recorded in the deed records of the four counties in which the lake is located.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

The only regulatory program the Authority operates at the Lake Livingston-Wallisville Project is its on-site sewage facilities permit program. It relies on delegated powers devolved by the TCEQ to the Authority. In 1969, the Texas Water Quality Board, exercising powers now delegated to the TCEQ, approved and issued Order No. 69-5. That order established a Water Quality Area around Lake Livingston. This was the first order of its kind to permit local management and regulation of the installation and operation of on-site sewage facilities (OSSFs) around a reservoir in Texas. Order No. 69-5 covered all areas within 2,000 feet of Lake Livingston. The Authority remains authorized to administer its OSSF program around Lake Livingston under a TCEQ Order issued pursuant to Chapter 366 of the Texas Health and Safety Code.

For over 50 years, the Authority has acted as TCEQ's agent with regard to the rules and regulations pertaining to OSSFs in the Water Quality Area around Lake Livingston. The Authority's Board of Directors has adopted revisions to the order in 1977, 1990, 1999, 2000, 2012 and most recently in 2021 as Resolution 1048-3. [Attachment BB](#).

As an authorized agent of TCEQ, the Authority is charged with the responsibility of enforcing minimum standards for the design, construction, installation and operation of OSSFs in the area of jurisdiction defined in the On-Site Waste Disposal Order. Texas Health and Safety Code Chapter 366 also permits the Authority to adopt more stringent requirements than those imposed by TCEQ’s rules. Pursuant to that authorization, the Authority requires that OSSF owners be licensed by the state to maintain their systems or present evidence of a two-year service contract with a licensed maintenance provider at the time of original permit issuance. System owners are required to maintain their license to perform their own maintenance or provide proof of a service agreement every year thereafter for permit renewal.

Every three years the TCEQ conducts a compliance review of the Authority’s OSSF program. It last did so on August 4, 2020, to determine if the Authority’s program complies with the state’s minimum standards. TCEQ also reviews the Authority’s basic administrative procedures and field inspection processes.

The TCEQ’s rules (Title 30, Texas Administrative Code, Section 285.7(c)) require an initial two-year maintenance policy on a new OSSF system as a minimum obligation. The owner or owner’s agent is required to provide the Authority with a copy of the signed initial two-year service policy before the system is approved for use. To maintain Lake Livingston’s water quality, the Authority further requires a one-year maintenance agreement on all aerobic systems (surface, drip and low-pressure dose irrigation) within the water quality zone for each annual permit renewal. During its 2020 review, the TCEQ found that requirement to be more stringent than is required by its rules, and recommended the adoption of a new resolution to allow for the Authority’s enforcement of this requirement. The Authority adopted that new resolution in 2021 as Resolution 1048-3. [Attachment BB](#).

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program’s regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency’s particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

Exhibit 12: Information on Regulated Population; Complaints Against Regulated Persons, Businesses, or other Entities; and Disciplinary Actions

Number within Total Regulated Population	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
Total Number of (License / Certification / Registration / Permit Holder)	6283	6583	7067	7619	7493
Complaints Received by Source	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
Total Complaints Received	40	31	57	85	100

Trinity River Authority
Self-Evaluation Report

Complaints Initiated by Agency (not originating from criminal history check)	40	27	14	19	21
Complaints Originating from Public (including other regulated persons or entities)	0	4	33	57	63
Complaints Originating from Other Agencies	0	0	10	9	16
Disposition of Complaints	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
Total Complaints Received*	40	31	57	85	101
Complaints Found Jurisdictional (within water quality zone)	40	31	56	83	100
Complaints Found Non-Jurisdictional (outside water quality zone)	0	0	1	2	1
Complaints Resolved	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
Total Complaints Resolved After Investigation	40	31	57	85	101
Complaints Dismissed Due to No Violation Found in Investigation	9	7	22	37	29
Total Complaints Resolved Though Informal Action	28	21	32	46	70
Total Complaints Resolved Through Formal Action (judicial action)	3	3	3	2	2
Timelines for Enforcement Actions	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
<i>Final Resolution = complaint dismissed or final order entered; does not include time in appeals to <u>district court</u></i>					
Average Days from Complaint Received to Final Resolution	86	20	71	60	17.5
Maximum Days from Complaint Received to Final Resolution	305	270	307	632	427
Average Days from Complaint Received to Dismissed	-	-	163	84	-
Number of Complaints Open for More than One Year (as of August 31 st of the Fiscal Year)	0	0	4	8	6
Percentage of Complaints Resolved within Six Months	100%	98%	86%	90%	98%

*Since Complaints May Not be Processed within a Single Fiscal Year, Rows Below May Not Equal the Total

12. Livingston Recreational Fund

- A. Provide the following information at the beginning of each program description.**

Name of Program or Function: Livingston Recreational Fund

Location/Division: Southern Region

Contact Name: Bill Holder, Executive Manager (acting), Southern Region

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 5(h).

- B. What is the objective of this program or function? Describe the major activities performed under this program.**

Lake Livingston Recreational Fund operates several recreational facilities on Lake Livingston, including one full-service camping facility, one day-use facility and four free public boat ramps. Wolf Creek Park, a 110-acre park near Coldspring, Texas, opened in 1972. Wolf Creek Park offers 102 camping sites including 54 campsites with full hookups for RVs, complete with 50-amp service and concrete pads. There are also 48 campsites with water and electricity. Park amenities include restrooms and showers, boat ramps, fishing piers, fish cleaning stations, marina, playground and volleyball and basketball courts. The park is open from March through November. Tigerville Park is a day-use facility located west of Livingston, Texas that includes a free public boat ramp, restroom facilities and day-use picnic amenities. Additionally, the Authority owns and maintains four free public boat ramps around the lake at Blanchard, Patrick's Ferry, Whiterock and Point Blank.

- C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.**

The key performance indicator for the Lake Livingston Recreational Fund is public use of its facilities.

- D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.**
- E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.**

Lake Livingston Recreational Fund facilities are open to the use of the public.

- F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The Lake Livingston Recreational Fund is administered by the Lake Livingston Recreational Fund manager and subordinate staff.

- G. Identify all funding sources and amounts for the program or function,**

including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding sources for the Lake Livingston Recreational Fund include park site user fees, concession leases, commercial licenses and shoreline structure fees.

H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.

The Parks and Wildlife Department provides recreational services on Lake Livingston at its Lake Livingston State Park. Area counties may also provide shoreline recreation.

I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.

N/A

J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.

N/A

K. If contracted expenditures are made through this program please provide

- **a short summary of the general purpose of those contracts overall;**

The general purpose of contracts is to procure goods and services to support Livingston Recreational Fund operation and maintenance needs, primarily park reservation services.

- **the amount of those expenditures in fiscal year 2022;**

\$13,105 - This amount reflects total expenditures, excluding salaries and benefits, debt related expenses and depreciation.

- **the number of contracts accounting for those expenditures;**

1

- **the award dates and funding source for those contracts;**

12/7/20

- **the method used to procure those contracts;**

Direct purchase. Item below threshold for solicitation of quotes or bids.

- **top five contracts by dollar amount, including contractor and purpose;**

	Vendor Name	Purpose	Contract Award Date	Expenditure Amount
1	ASPIRA	Reservation system at Wolf Creek Park	12/7/20	\$13,105

- **the methods used to ensure accountability for funding and performance; and**

N/A

- a short description of any current contracting problems.

N/A

- L. Provide information on any grants awarded by the program.

None.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

N/A

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.

Livingston Recreational Fund provides recreational opportunities to the public. Unlike other units of local government, the Authority cannot levy *ad valorem* taxes to support recreational activities. Unlike the Texas Parks and Wildlife Department, the Authority receives no appropriations to support recreation.

- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.

N/A

13. Lake Navarro Mills

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Lake Navarro Mills

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE, Executive Manager, Northern Region

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 16(b).

B. What is the objective of this program or function? Describe the major activities performed under this program.

Objectives regarding Lake Navarro Mills are to:

1. take a proactive approach in assessing water quality risks particularly associated with non-point source pollution; and
2. monitor the federal government's budgets and maintenance needs at each reservoir.

The Authority entered a contract with the federal government for the right to utilize water storage capacity in the Navarro Mills Reservoir on Richland Creek. The Authority also entered into an agreement with the City of Corsicana, in which the Authority will supply the City with water from 90 percent of the storage in the reservoir and the City will pay the Authority for costs of the project billed by the federal government. The Authority can and has sold water to various users from the remaining 10 percent storage in the reservoir.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

Navarro Mills Reservoir is owned and operated by the federal government. Its day-to-day operations are managed by USACE. The Authority acts as local sponsor and is responsible to USACE to fund the costs associated with the reservoir's water supply operations. The Authority collects amounts due to USACE from the Authority's customers. The costs associated with the reservoirs flood-mitigation function are borne by the federal government.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are

used, if applicable.

The Authority's sole responsibility to USACE is to fund the costs attributable to Navarro Mills Reservoir's conservation storage.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The Authority acts as a financial intermediary between its wholesale customers and USACE. Amounts collected from the Authority's customers are remitted to USACE.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

USACE operates additional reservoirs in North Texas that provide conservation storage to local sponsors other than the Authority. The only meaningful differences would be those reservoirs' location and conservation storage capacity.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

Water supplies in Navarro Mills Reservoir are accounted for as part of the Region C Regional Water Plan. Regional water planning activities seek to maximize and allocate existing supplies in the most efficient manner possible.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

As stated above, Navarro Mills Reservoir serves Corsicana as a customer, and is owned and operated by USACE.

- K. If contracted expenditures are made through this program please provide**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2022;
- the number of contracts accounting for those expenditures;
- the award dates and funding source for those contracts;
- the method used to procure those contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

N/A. Navarro Mills is a non-operating project. The Authority remitted \$361,296 to USACE for water supply operations of the lake in FY22.

L. Provide information on any grants awarded by the program.

None.

M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.

N/A

N. Provide any additional information needed to gain a preliminary understanding of the program or function.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

N/A

P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.

N/A

14. Lake Bardwell

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Lake Bardwell

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE, Executive Manager, Northern Region

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 16(b).

B. What is the objective of this program or function? Describe the major activities performed under this program.

The Authority's objectives regarding Lake Bardwell are to:

1. take a proactive approach in assessing water quality risks particularly associated with non-point source pollution; and
2. monitor the federal government's budgets and maintenance needs at each reservoir.

The Authority entered a contract with the federal government for the right to use conservation storage capacity in the Bardwell Reservoir on Waxahachie Creek. The Authority also entered into agreements with the City of Ennis and Waxahachie, under which the Authority supplies water and the cities will pay the Authority for costs of the project billed by the federal government. The Authority can and has sold water to various users from the remaining storage in the reservoir.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

Bardwell Reservoir is owned and operated by the federal government. Its day-to-day operations are managed by USACE. The Authority acts as local sponsor and is responsible to USACE to fund the costs associated with the reservoir's conservation storage operations. The Authority collects amounts due USACE from its customers. The federal government funds costs associated with the reservoir's flood-mitigation function.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Authority's sole responsibility to USACE is to fund the costs attributable to Bardwell Reservoir's conservation storage.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The Authority acts as a financial intermediary between its wholesale customers and USACE. Amounts collected from the Authority's customers are remitted to USACE.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

USACE operates additional reservoirs in North Texas that provide conservation storage to local sponsors other than the Authority. The only meaningful differences would be those reservoirs' location and conservation storage capacity.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

Water supplies in Bardwell Reservoir are accounted for as part of Region C Regional Water Plan. Regional water planning activities seek to maximize and allocate existing supplies in the most efficient manner possible.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

As stated above, Bardwell Reservoir serves the Cities of Ennis and Waxahachie as a customer, and is owned and operated by the federal government.

- K. If contracted expenditures are made through this program please provide**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2022;
- the number of contracts accounting for those expenditures;
- the award dates and funding source for those contracts;
- the method used to procure those contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

N/A. Bardwell is a non-operating project. The Authority remitted \$942,543 to USACE for water supply operations of the lake in FY22.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

N/A

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**
- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- actions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

N/A

15. Joe Pool Lake

A. Provide the following information at the beginning of each program description.

Name of Program or Function: Joe Pool Lake

Location/Division: Northern Region

Contact Name: Matthew Jalbert, PE, Executive Manager, Northern Region

Statutory Citation for Program: Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 16(b).

B. What is the objective of this program or function? Describe the major activities performed under this program.

Objectives regarding Joe Pool Lake are to:

1. take a proactive approach in assessing water quality risks particularly associated with non-point source pollution; and
2. monitor the federal government's budgets and maintenance needs at each reservoir.

The Authority entered a contract with the federal government for the right to utilize water storage capacity in Joe Pool Lake on Mountain Creek. The Authority also entered into agreements with the cities of Cedar Hill, Duncanville, Grand Prairie and Midlothian, under which the Authority supplies water to those cities, which in turn pay the Authority for costs of the project billed by USACE.

C. What information can you provide that shows the effectiveness and efficiency of this program or function? If applicable, reference but do not repeat any performance measures from Section II, Exhibit 2, and provide any other metrics of program effectiveness and efficiency. Also, please provide the calculation or methodology behind each statistic or performance measure.

Joe Pool Lake is owned and operated by the federal government. Its day-to-day operations are managed by USACE. The Authority acts as local sponsor and is responsible to USACE to fund the costs associated with the reservoir's water supply operations. The Authority collects amounts due USACE from its customers. The federal government funds the flood-mitigation function of the lake.

D. Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent. If the response to Section III of this report is sufficient, please leave this section blank.

E. List any qualifications or eligibility requirements for persons or entities affected by this program, such as licensees, consumers, landowners, for example. Provide a statistical breakdown of persons or entities affected.

N/A

F. Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.

The Authority's sole responsibility to USACE is to fund the costs attributable to Joe Pool Lake's

conservation storage.

- G. Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. Please specify state funding sources (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The Authority acts as a financial intermediary between its wholesale customers and USACE. Amounts collected from the Authority's customers are remitted to USACE.

- H. Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

USACE operates additional reservoirs in North Texas that provide conservation storage to local sponsors other than the Authority. The only meaningful differences would be those reservoirs' location and conservation storage capacity.

- I. Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

Water supplies in Joe Pool Lake are accounted for as part of Region C Regional Water Plan. Regional water planning activities seek to maximize and allocate existing supplies in the most efficient manner possible.

- J. If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

As stated above, Joe Pool Lake serves the Cities of Cedar Hill, Duncanville, Grand Prairie and Midlothian are customers, and the lake is owned and operated by USACE.

- K. If contracted expenditures are made through this program please provide**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2022;
- the number of contracts accounting for those expenditures;
- the award dates and funding source for those contracts;
- the method used to procure those contracts;
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

N/A. Joe Pool is a non-operating project. The Authority remitted \$133,827 to USACE for water supply operations of the lake in FY22.

- L. Provide information on any grants awarded by the program.**

None.

- M. Are there any barriers or challenges that impede the program's**

performance, including any outdated or ineffective state laws? Explain.

N/A

- N. Provide any additional information needed to gain a preliminary understanding of the program or function.**
- O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, piece of equipment, or other entity (e.g., a facility). For each regulatory program, if applicable, describe:**
- why the regulation is needed;
 - the scope of, and procedures for, inspections or audits of regulated entities;
 - follow-up activities conducted when non-compliance is identified;
 - actions available to the agency to ensure compliance; and
 - procedures for handling consumer/public complaints against regulated entities.

N/A

- P. For each regulatory program, if applicable, provide detailed information on complaint and regulatory actions, including investigations and complaint resolutions. The data should cover the last five fiscal years and give a complete picture of the program's regulatory activity, including comprehensive information from initiation of a complaint to resolution of a case. The purpose of the chart is to create uniformity across agencies under review to the extent possible, but you may make small adjustments to the chart headings as needed to better reflect your agency's particular programs. If necessary to understand the data, please include a brief description of the methodology supporting each measure. In addition, please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional scope, etc.**

N/A

VIII. Statutory Authority and Recent Legislation

- A. Fill in the following charts, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from fiscal years 2015-20, or earlier significant Attorney General opinions, that affect your agency’s operations.**

Exhibit 13: Statutes / Attorney General Opinions

Statutes

Citation / Title	Authority / Impact on Agency
Tex. Gov’t Code § 611.001	Travel expenditures
Tex. Gov’t Code Ch. 669	Restrictions on certain actions involving executive heads of state agencies
Tex. Gov’t Code Chs. 791 and 2157	Interlocal agreements and Department of Information resources purchasing program
Tex. Gov’t Code §§ 2206.053, .154	Acquisition through eminent domain
Tex. Gov’t Code Ch. 2254, Subchapters A and C	Professional services and legal services
Tex. Health & Safety Code Ch. 1101	Environmental and/or Occupational Health and Safety Audit
Tex. Health & Safety Code Ch. 366	On-site sewage disposal systems
Tex. Health & Safety Code § 388.05(h)	Energy efficiency program
Tex. Loc. Gov’t Code Ch. 171	Conflicts of interest
Tex. Loc. Gov’t Code Ch. 176	Conflict disclosure statement
Tex. Loc. Gov’t Code § 180.007	Payments in excess of contracts with employees and former employees
Tex. Loc. Gov’t Code Chs. 201-205	Records management
Tex. Local Gov’t Code § 252.001(4); 252.021(A); 252.0215(A), (B) & (C); 252.0415; 252.042, 252.043; 252.0435; 252.047; 252.048(A), (C), (D); 252.049	Statutes applicable to high technology purchases
Tex. Loc. Gov’t Code § 402.0241	Special purpose district reporting
Tex. Local Gov’t Code § 552.023	Contract Between Municipality and the Trinity River Authority for Wholesale Wastewater Treatment Services
Tex. Penal Code Ch. 39	Standards of conduct
Tex. Parks and Wildlife Code § 31.092(c)	Boating regulations
Tex. Water Code Chs. 11, 12	Water rights (substantive and procedural)

Citation / Title	Authority / Impact on Agency
Tex. Water Code Ch. 13	Certain rates and services
Tex. Water Code §§ 16.051, 16.053, 30.101-.106	Provisions generally applicable to water development and area-wide wastewater treatment
Tex. Water Code Ch. 26	Water quality control
Tex. Water Code Ch. 30	Regional waste disposal
Tex. Water Code Ch. 49	General provisions applicable to water districts

Attorney General Opinions

Attorney General Opinion No.	Impact on Agency
KP-0089 (2016)	River authorities not authorized to adopt regulations that prohibit the open carry of handguns on river authority parklands.
GA-0811 (2010)	Employees of a river authority who holds a license under the Texas Public Accountancy Act and otherwise qualifies for the exemption is exempt from the professional fees imposed under Occupations Code sections 901.406 and 901.407.
GA-0650 (2008)	Directors of river authorities are not eligible to participate in authority health plans.
GA-0371 (2005)	Water Code 49.226 authorized private sale of land and does not require public sale as required by Local Government Code 272.001
GA-0079 (2003)	A river authority is a “state agency” for purposes of Government Code Section 572.002.

- B. Provide a summary of significant legislation regarding your agency by filling in the charts below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass but were significant, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation). Place an asterisk next to bills that could have a major impact on the agency.**

Exhibit 14: 88th Legislative Session
Legislation Enacted

Bill Number	Author	Summary of Key Provisions
House Bill 2460	Representative Tracy King & Senator Charles Perry	Relating to a requirement that the Texas Commission on Environmental Quality obtain or update water availability models for certain river basins. Note – this bill did not receive an appropriation.
House Bill 3437	Representative Justin Holland & Senator Robert Nichols	Relating to the authority to approve change orders for certain contracts for the construction, repair and renovation of water district facilities.
House Bill 3507	Representative Justin Holland & Senator Robert Nichols	Relating to contracts for the construction, repair and renovation of certain reclamation and conservation district facilities.

Legislation Not Passed

N/A

IX. Major Issues

This section contains the following components: Major Issues List (Questions A-C) and Obstacles, Unnecessary Functions, and Opportunities (Questions D-F).

Major Issue No. 1 – Board Member Terms

A. Brief Description of Issue

Six-year river authority board terms are both constitutional and appropriate in the case of the Authority. The Sunset Commission staff report regarding the Lavaca-Navidad, Upper Guadalupe and San Antonio River Authorities (Staff Report) called into question the appropriate term length of river authority board members. It concluded that six-year board member terms “do not comply with constitutional requirements.” Staff Report at 14, 27, 42. That conclusion is incorrect, because six-year Board terms are authorized by Article 16, Section 30a, Texas Constitution. The foregoing is true regardless of whether a river authority is authorized to levy an *ad valorem* tax, because such taxes are not a prohibited state tax subject to Article VIII, section 1-e, Texas Constitution.

B. Discussion

Based on its constitutional analysis, the Staff Report recommended that the board terms of all authorities subject to review must be four years. The report correctly notes that the Texas Constitution was amended in 1982 to add Article 16, Section 30(c), which provides:

The Legislature may provide that members of the governing board of a district or authority created by authority of Article III, Section 48-e, Article III, Section 52(b)(1) or (2), or Article XVI, Section 59, of this Constitution serve terms not to exceed four years.

(Emphasis added). While the foregoing provision authorizes four-year terms, it does not require them. Its language is permissive. Six-year terms have historically been enacted by the legislature pursuant to Texas Constitution Article 16, Section 30a, which is similarly permissive and applies to “such boards as have been, or may hereafter be established by [the legislature by] law.” It is therefore false that six-year terms do not comply with the Texas Constitution.

The Staff Report’s conclusion that four-year terms are constitutionally mandated relies on the plain language of Article 16, Section 30(c), which refers directly to districts or authorities created pursuant to Article III, Section 48-e, Article III, Section 52(b)(1) or (2), or Article XVI, Section 59. While appealing, that approach is not consistent with the historical purpose and implementation of Article 16, Section 30(c).

History of Article 16, Section 30(c)

Article 16, Section 30(c) was added to the Texas Constitution in 1982 to define the terms of the directors of general law districts that are created pursuant to the provisions of the Water Code. It is important to recognize that the Water Code authorizes the creation of certain districts without the need for special law, *i.e.*, a specific enabling act. Examples include water control and improvement districts (Chapter 51), municipal utility districts (Chapter 54), water improvement districts (Chapter 55) and others.

Prior to the addition of Article 16, Section 30(c), directors of certain general-law districts served the default two-year term required by Article 16, Section 30(a). The addition of Article 16, Section 30(c) was solely intended to remedy the issues created by two-year director terms for general-law districts.

Statutory Implementation of Article 16, Section 30(c)

Consistent with the foregoing purpose, Water Code Section 49.103 provides that the directors of general law districts serve staggered four-year terms. Critically, Section 49.103(f)(1) provides that the four-year term provision does not apply to “any special law district or authority that is not required by the law creating the district or authority to elect its directors by the public.” (Emphasis added).

Legislative history further indicates that Article 16, Section 30(c) was at least initially understood to apply only to general law districts. Chapter 49 was recodified from Water Code Chapter 50 in 1995 pursuant to Senate Bill 626. Calling it a recodification is not precisely accurate, because Chapter 49 was substantively different from what was then Water Code Chapter 50.

The Chapter 50 statutory predecessor to Texas Water Code Section 49.103 was Section 50.0241. It provided that “the members of the board of directors of any district created under a chapter of this title (i.e., a general-law district) and pursuant to Article III, Section 52(B)(1) or (2), or Article XVI, Section 59, of the Texas Constitution, shall serve four-year terms.” (Emphasis added). Under that provision, it was clear that the four-year term provision governed general-law districts. Current Section 49.103 accomplishes the same exception for special law districts in Section 49.103(f)(1), but in a less direct fashion.

Section 50.0241 was added to Chapter 50 in 1983, the session immediately following the ratification of Article 16, Section 30(c). The bill that enacted Section 50.0241 confirms the intent of both the constitutional amendment and the section itself. Four-year terms were intended for general law districts under House Bill 1858 (1983). Its caption reads “An Act relating to the elections and terms of office of certain general law water districts.”¹ Likewise, the bill analysis of HB 1858 (1983) provides that the bill “Authorizes most general law conservation and reclamation districts to serve four-year staggered terms.”² (Emphasis added).

As implemented in 1983, Article 16, Section 30(c) applied only to general law districts. The adoption of Chapter 49 in 1995 failed to preserve that distinction with clarity.

Ad Valorem Taxing Authority and Four-Year Terms

The struggle to define the term “river authority” bedevils many, including river authorities themselves. What is a “river authority?” Are river authorities agencies of the state (or boards of the state), or are they local governments? The discussion of this question in the Staff Report is relevant to which constitutional provision sets river authority board member terms.

As stated, the constitutional basis for six-year terms is found in Article 16, Section 30a. It provides:

The Legislature may provide by law that the Board of Regents of the State University and boards of trustees or managers of the educational, eleemosynary, and penal institutions of the State, and such boards as have been, or may hereafter be established by law, may be composed of an odd number of three or more members who serve for a term of six (6) years

This provision has been held to validate the six-year board member terms of the Lower

¹ https://lrl.texas.gov/LASDOCS/68R/HB1858/HB1858_68R.pdf#page=62

² *Id.*

Colorado River Authority and the Lower Neches Valley Authority by the Texas Supreme Court.³ Notwithstanding that fact, the Staff Report questions the application of Article 16, Section 30a to river authorities generally, given the language of Article 16, Section 30(c).

The judicial application of Article XVI, Section 30a to river authorities has turned, in part, on whether a river authority is a “state board.”⁴ That question may turn on the extraterritorial powers of a particular authority,⁵ but in reference to the Lower Neches Valley Authority, its status as a “state board” was effectively presumed.⁶

The Staff Report contends that a river authority having the power to levy *ad valorem* taxes cannot be a “state board,” because of the Texas Constitution’s prohibition on state *ad valorem* taxation. TEX. CONST. art. VIII, § 1-e. Under that provision, *ad valorem* taxes may only be local in nature. By extension, the argument is made that a river authority with the power of taxation cannot be a “state board,” and thus cannot have six-year board member terms under Article 16, Section 30a.

This conclusion proceeds from a false premise. In the context of school tax litigation, the Texas Supreme Court has observed that “[a]n *ad valorem* tax is a state tax when it is imposed directly by the State or when the State so completely controls the levy, assessment and disbursement of revenue, either directly or indirectly, that the authority employed is without meaningful discretion.”⁷ In the case of river authority *ad valorem* taxes, the foregoing would not be true. Furthermore, the court in another case stated that “[c]learly, if the State merely authorized a tax but left the decision whether to levy it entirely up to local authorities, to be approved by the voters, if necessary, then the tax would not be a state tax [because the] local authority could freely choose whether to levy the tax or not.”⁸

This, however, does not dispose of the question of whether river authority board members should serve four- or six-year terms. It demonstrates, instead, that the power of taxation is irrelevant to that analysis.

The Texas Sunset Act

Placing river authorities under sunset review has raised the question of whether river authorities are “state board,” for the purpose of determining whether their directors should serve four- or six-year terms. That question, as presented, is perceived to require a “yes” or “no” answer.

Perhaps that question can be answered by looking at the sunset process itself. The Texas Sunset Act defines “state agency” as “any entity made expressly subject to” that act. TEX. GOV’T CODE § 325.002(1). However, when river authorities were placed under sunset review, they were only “subject to a limited review . . . as if [they] were a state agency.” TEX. GOV’T CODE § 325.025(a) (emphasis added). That qualifying language acknowledges that river authorities,

³ *Lower Colorado River Auth. v. McCraw*, 83 S.W.2d 629, 634 (Tex. 1935); *Lower Neches Valley Auth. v. Mann*, 167 S.W.2d 1011, 1015 (Tex. 1943).

⁴ *Lower Colorado River Auth.*, 83 S.W.2d at 634.

⁵ *Id.* at 636 (noting that LCRA’s board was “selected from the state at large,” and that it had “many duties that are coextensive with the limits of the state.”).

⁶ *Lower Neches Valley Auth. v. Mann*, 167 S.W.2d at 1015 (noting that Article 16, Section 30a “authorizes the Legislature to provide by law for such boards as may be provided by law, the members thereof to hold their respective offices for a term of six years.”).

⁷ *W. Orange–Cove Consol. Indep. Sch. Dist. v. Alanis*, 107 S.W.3d 558, 578 (Tex. 2003).

⁸ *Carrollton–Farmers Branch Indep. Sch. Dist. v. Edgewood Indep. Sch. Dist.*, 826 S.W.2d 489, 500 (Tex. 1992).

which possess defined geographic territories, are not state agencies in the sense of possessing statewide jurisdiction.

Enabling Acts

Rather than placing all river authorities into a “state board” or “local government” category, the most logical place to begin is the terms of each authority’s enabling legislation. Each river authority was created by special law, with specific legislative intent. Differences include that:

- Some river authorities were simply created as “a conservation and reclamation district.” TEX. SPEC. DIST. & LOC. LAWS § 8501.051 (Angelina and Neches River Authority).
- Some are “conservation and reclamation district[s] . . . [and] governmental agenc[ies] and bod[ies] politic and corporate” or some variation thereof. TEX. SPEC. DIST. & LOC. LAWS § 8503.001 (Lower Colorado River Authority); TEX. REV. CIV STAT ANN. art. 8280-121, § 1 (San Jacinto River Authority); TEX. REV. CIV STAT ANN. art. 8280-133, § 1 (Sabine River Authority); TEX. REV. CIV STAT ANN. art. 8280-188, § 1 (Trinity River Authority).
- Another is denominated by its enabling legislation as a “river authority, a governmental agency, a municipality, and a body politic and corporate.” TEX. SPEC. DIST. & LOC. LAWS § 8502.001 (emphasis added) (Brazos River Authority).
- One is referred to as “an independent governmental agency.” TEX. SPEC. DIST. & LOC. LAWS § 8504.002 (Lower Neches Valley Authority).
- Another is described as “a conservation and reclamation district and a state agency.” TEX. SPEC. DIST. & LOC. LAWS § 8506.002 (emphasis added) (Upper Colorado River Authority).

Given the unique and local circumstances that motivated the creation of each river authority, it should not be surprising that their enabling legislation shows a variety of descriptions of what each precisely “is.” Subsequent to their creation, river authority enabling acts have been amended to address specific local concerns. However, none of the foregoing provisions preclude the legislature’s choice of six-year terms for river authorities.

Conclusion

The legislature has created many river authorities whose board members serve six-year terms consistent with Texas Constitution Article 16, Section 30a. The Staff Report’s conclusion that six-year board member terms “do not comply with constitutional requirements” is incorrect. Staff Report at 14, 27, 42.

The four-year terms called for by Article 16, Section 30(c) were intended to apply to general-law water districts. Notwithstanding, a reasonable argument could be made that either section could apply, but neither is exclusively required. Hypothetically, were the legislature to create a new river authority, it could provide that its board members could serve either four- or six-year terms. Both Article 16, Section 30(c) and Article 16, Section 30a include permissive language. Whether river authorities are state boards or local instrumentalities remains unclear. What is clear, however, is that Article 16, Section 30(c) was enacted long after the legislature had repeatedly established river authorities with six-year board member terms, and that its decision to do so was not rendered unconstitutional by the ratification of that section in 1982.

C. Possible Solutions and Impact

The question of four- versus six-year board member terms is not an academic exercise. The complexity of the Authority’s operations requires adequate time to understand thoroughly, both

by new staff and importantly by newly-appointed directors. The Authority's existing on-boarding for new directors provides a detailed overview of the Authority's operations, and Authority management makes itself available to answer specific questions from all directors at any time. However, as this Self-Evaluation Report reflects, the Authority's operations are vast in scope, geographically and practically.

Allowing the Authority to retain constitutionally consistent six-year board member terms would preserve the *status quo*, allowing Authority directors adequate time to gain the experience necessary to make fully informed decisions. The existing six-year terms taken together with biennial confirmations provide non-partisan stability in governance, as Board composition changes gradually. Continuation of six-year terms would have no fiscal impact, would not impact any entities or interest groups and would allow the Authority to maintain its current level of Board member engagement.

If implemented with the annual expiration of approximately half of the Authority's Board members, four-year terms would disrupt governance. Moreover, it could cause the Authority to be without sufficient Board members to convene a quorum in the event confirmations are not reached during a legislative session.

Major Issue No. 2 – Selection of Presiding Officer

A. Brief Description of Issue

Since its creation in 1955, the Authority's Board of Directors has elected its President (the presiding officer), its Vice President and the Chairman of its Executive Committee. Doing so has allowed the Board to consider member tenure in that selection process. The Board has, as a matter of routine, selected longer-tenured members to serve as the Board's presiding officer. The practice of the Board selecting its own presiding officer should be allowed to continue unless otherwise desired by the Office of the Governor.

B. Discussion

The Authority's enabling act provides:

The Board shall elect from its number a president and vice-president of the Authority and such other officers as in the judgment of the Board are necessary. The president shall preside at meetings of the Board and shall be the chief officer of the Authority and shall have the same right to vote as any other director. The vice-president shall perform all duties and exercise all powers conferred by this Act upon the president when the president is absent or fails or is unable or declines to act.

Tex. Rev. Civ. Stat. Ann. art. 8280-188, § 4. Consistent with its enabling act, the Authority's Bylaws provide that "[t]he Board of Directors shall elect from its number a President, Vice President, and a Chairman of the Executive Committee who shall constitute the elective officers of the Authority." The foregoing elective officers and the four other members of the Authority's Executive Committee "each serve for a term of two years beginning on the first day of December of each odd-numbered year and terminating the thirtieth day of November of the next odd-numbered year."

The Authority's elective officers have served two-year terms since 1973. Frequently, the Board has elected officers that have become familiar with the Authority through service as functional committee chairs. For instance, the Authority's current president, Tommy G. Fordyce, served as Chair of the Authority's Administration and Audit Committee before being elected to the position of President.

As applied to the Authority, the across-the-board recommendation of direct gubernatorial

appointment of presiding officers is a solution in search of a problem. The election of the Authority's presiding officer by its Board has served the Authority well for nearly 70 years. In the absence of an identifiable justification in the Authority's case, the practice should be allowed to continue.

C. Possible Solutions and Impact

Allowing for the Board to continue to elect its own presiding officer will not impact any entities or interest groups. A change from the existing practice may negatively impact the Authority, because its presiding officer has generally been selected based on tenure and experience. Allowing existing practice to continue will have no external or internal fiscal impacts.

D. What key obstacles impede your agency's ability to achieve its objectives?

No statutory obstacles impede the Authority's ability to achieve its objectives.

E. What, if any, agency or program functions does your agency perform that are no longer serving a clear and ongoing purpose? Which agency functions could be eliminated?

The Authority has no need for the power to levy *ad valorem* taxes. The repeal of Section 6 of the Authority's enabling act to eliminate that power would be desirable.

F. Aside from additional staff or funding, what are your agency's biggest opportunities for improvement in the future? For example, are there other programs or duties the agency could take on to better carry out its mission?

Opportunities for the Authority's improvement are both substantive and procedural. With regard to exercising its duties under its enabling legislation, the Authority is actively looking to expand recreational opportunities basin wide. At present, the Authority's only recreational facilities are at Lake Livingston. Board direction received by management during a recently conducted strategic planning retreat was clear: the Authority should make basin wide recreational access to the Trinity River a priority.

As part of those recreational-improvement efforts, the Authority is also planning to renovate and reopen an 18-hole golf course it owns in San Jacinto County. While it will require substantial capital investment, the course provides a unique opportunity for economic development in the counties surrounding Lake Livingston.

Additionally, the Authority, together with project partners, is working to restore lower basin navigation from Trinity Bay to Liberty, Texas. The Port of Liberty has not operated in several decades. Reestablishment of navigation would bring significant economic benefits to the lower basin. In 2016, the Board authorized the execution of an agreement with USACE to implement a Long-Term Port of Liberty Navigation Development Plan. The Authority has worked with USACE and its project partners, the Chambers-Liberty Counties Navigation District and the Port of Liberty Board, to bring that plan to fruition.

Procedurally, the Authority has studied the recommendations made in connection with other river authorities' sunset review. The Authority will focus on efforts to be more transparent through the use of technology and social media, and to engage the public more generally. The Authority will also shortly launch a new uniform system for the receipt of complaints and complaint resolution tracking. The Authority will also improve its efforts to engage historically underutilized businesses in connection with its capital program.

X. Other Contacts

- A. Fill in the following charts with updated information on people with an interest in your agency and be sure to include the most recent email address.**

Exhibit 15: Contacts

Interest Groups

Group or Association Name/Contact Person	Address	Telephone	Email Address
Town of Addison, Capital Improvements Project Manager, Wilson Kakembo	16801 Westgate Dr., Addison, TX 75001	972-450-2870	wkakembo@addisontx.gov
Town of Argyle, Public Works Director, Robert White	P.O. Box 609, Argyle, TX 76226	940-350-9429	rwhite@argyletx.com
City of Arlington, Director of Water Utilities, Craig Cummings	101 W. Abrams St., MS # 01-0200 Arlington, TX 76010	817-459-6603	craig.cummings@arlingtontx.gov
City of Bedford, Public Works Director, Cheryl Taylor	1813 Reliance Pkwy., Bedford, TX 76021	817-952-2256	cheryl.taylor@bedfordtx.gov
City of Carrollton, Councilmember, The Honorable Nancy Cline	1945 East Jackson Rd., Carrollton, TX 75006	972-466-3082	nancy.cline@cityofcarrollton.com
City of Cedar Hill, Director of Public Works, Tom Johnson	285 Uptown Blvd., Cedar Hill, TX 75104	972-291-5126, ext 2810	tom.johnson@cedarhilltx.com
City of Colleyville, Director of Public Works, Amber Beard	100 Main St., Colleyville, TX 76034	817-503-1096	abeard@colleyville.com
City of Coppell, Assistant Director of Public Works, Engineering, Kumar Gali	816 Coppell Rd., Coppell, TX 75019	972-304-3680	kgali@coppelltx.gov
Dallas Water Utilities, Interim Director, Sarah Standifer	1500 Marilla St., Dallas, TX 75201	214-670-3188	sarah.standifer@dallas.gov
D/FW International Airport, Assistant Vice President, Utilities, Brian Yancy	P.O. Box 619428, DFW Airport, TX 75261	972-973-3699	byancy@dfwairport.com
City of DeSoto, Public Utilities Director, Brandon Lacy	211 E Pleasant Run Rd., DeSoto, TX 75115	972-230-9640	blacy@desototexas.gov
City of Duncanville, Managing Director of Public Works (Interim), Jacqueline Culton	203 East Wheatland Rd., Duncanville, TX 75116	972-780-5016	jculton@duncanville.com
City of Euless, Director Public Works, Major Jones	201 N. Ector Dr., Euless, TX 76039	817-685-1877	mjones@eulesstx.gov

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Group or Association Name/Contact Person	Address	Telephone	Email Address
City of Farmers Branch, Mayor Pro Tem, The Honorable David Merritt	13000 William Dodson Pkwy., Farmers Branch, TX 75234	214-648-3041	david.merritt@farmersbranchtx.gov
City of Ferris, City Engineer, Quang Nguyen	100 Town Plaza, Ferris, TX 75125	972-544-2110	quangnguyen@ferristexas.gov
Town of Flower Mound, Assistant Director of Engineering, Brian Waltenburg	2121 Cross Timbers Rd., Flower Mound, TX 75028	972-874-6234	brian.waltenburg@flowermound.co
City of Fort Worth, Water Director, Chris Harder	200 Texas St., Fort Worth, TX 76102	817-392-5020	christopher.harder@fortworthtexas.gov
City of Glenn Heights, Deputy City Manager, Clifford Blackwell	1938 S. Hampton Rd., Glenn Heights, TX 75154	972-223-1690	clifford.blackwell@glennheightstx.gov
City of Grand Prairie, Customer Service Manager, Cora Snyder	300 W. Main St., Grand Prairie, TX 75050	972-237-8218	csnyder@gptx.gov
City of Grapevine, Utility Manager, Jimmy Didehbani	501 Shady Brook Dr., Grapevine, TX 76099	817-410-3339	jdidehbani@grapevintexas.gov
City of Haslet, Public Works Director, David Rogers	101 Main St., Haslet, TX 76052	817-439-5931 ext. 104	drogers@haslet.org
Hillwood Properties, Circle T Municipal Utility District Numbers 1 and 3, Vice President, Joe Schneider	9800 Hillwood Pkwy., Ste 300, Fort Worth, TX 76177	817-360-5611	joe.schneider@hillwood.com
City of Houston, Houston Water, Planning Director, Ekaterina Fitos	611 Walker St., 18 th Floor Houston, TX 77002	832-395-2712	ekaterina.fitos@houstontx.gov
City of Huntsville, Public Works Director, Brent Sherrod	448 Highway 75 Huntsville, TX 77320	936-294-5707	bsherrod@huntsvilletx.gov
City of Hurst, Executive Director of Public Works, Gregory Dickens	1505 Precinct Line Rd., Hurst, TX 76054	817-788-7075	gdickens@hursttx.gov
City of Irving, Water Utilities Director, Todd Reck	825 W. Irving Blvd., Irving, TX 75060	972-721-2103	treck@cityofirving.org
City of Justin, Public Works Director, Josh Little	415 N. College St., Justin, TX 76247	940-648-2541 ext. 123	jlittle@cityofjustin.com
City of Keller, Director of Public Works Alonzo Linan	1100 Bear Creek Pkwy., Keller, TX 76248	817-743-4081	alinan@cityofkeller.com

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Group or Association Name/Contact Person	Address	Telephone	Email Address
City of Lancaster, Public Works Director, Andrew Waits	1999 N. Jefferson St., Lancaster, TX 75134	972-218-2326	awaits@lanca ster-tx.com
City of Livingston, City Manager, Bill Wiggins	200 W. Church St., Livingston, TX 77351	936-327-4311	citymanager @livingston.n et
City of Mansfield, Executive Director of Public Works, Jeff Price	1200 East Broad St., Mansfield, TX 76063	817-728-3602	jeff.price@ma nsfield-tx.gov
City of Midlothian, Executive Director of Engineering and Utilities, Mike Adams	104 West Ave. E, Midlothian, TX 76065	972-775-7105	mike.adams@ midlothian.tx. us
City of North Richland Hills, Director of Public Works, Caroline Waggoner	4301 City Point Dr., North Richland Hills, TX 76180	817-427-6406	clwaggoner@ nrhtx.com
Town of Northlake, Town Manager, Drew Corn	1500 Commons Cir., Ste 300, Northlake, TX 76247	940-648-3290	dcorn@town. northlake.tx.u s
City of Ovilla, Public Works Director, James Kuykendall	105 S. Cockrell Hill Rd., Ovilla, TX 75154	972-617-7262	jkuykendall@ cityofovilla.org
City of Red Oak, Director of Public Works, Scott Williams	411 West Red Oak Rd., Red Oak, TX 75154	469-218-7723	swilliams@re doaktx.org
City of Roanoke, Director of Public Works, Shawn Wilkinson	265 Marshall Creek Rd., Roanoke, TX 76262	817-491-6099	swilkinson@r oanoketexas. com
City of Southlake, Wastewater Supervisor, Jason Arellano	1950 E. Continental Blvd., Southlake, TX 76092	817-748-8080	jarellano@ci.s outhlake.tx.us
City of Trinity, City Administrator, Tim King	101 West Madison St., Trinity, TX 75862	936-594-2507	tking@cityoftri nity.com
City of Venus, Mayor, The Honorable Alejandro Galaviz	700 W. US Hwy. 67, Venus, TX 76084	972-648-0444	mayorgalaviz @cityofvenus. org
Town of Westlake, Town Manager, Wade Carroll	1500 Solano Blvd., Bldg. 7, Ste 3200, Westlake, TX 76262	817-490-5735	wcarroll@wes tlaketx.gov
City of Wilmer, City Administrator, Rona Stringfellow	128 N. Dallas Ave., Wilmer, TX 75172	972-441-6373	rstringfellow@ cityofwilmer.n et
Kaufman County Commissioner, Precinct 3, The Honorable Terry Barber	601 E Nash St., Terrell, TX 75160	972-563-5362	tbarber@kauf mancounty.ne t

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Group or Association Name/Contact Person	Address	Telephone	Email Address
Ellis County Commissioner, Precinct 4, The Honorable Kyle Butler	1011 Eastgate Rd., Midlothian, TX 76065	972-825-5305	kyle.butler@co.ellis.tx.us
Walker County Judge, The Honorable Colt Christian	1100 University Ave., Rm 204, Huntsville, TX 77340	936-436-4910	cchristian@co.walker.tx.us
Walker County Commissioner, Precinct 3, The Honorable Bill Daugette	2986 A SH 19 S, Huntsville, TX 77320	936-295-7984	bdaugette@co.walker.tx.us
Walker County Emergency Management Coordinator, Butch Davis	1100 University Ave., Huntsville, TX 77340	936-435-8035	wcoem@co.walker.tx.us
Texas Forest Country Partnership, Executive Director, Tanya Dora	300 E Shepherd Ave., Lufkin, TX 75901	936-632-3552	tanya@texasforestcountry.com
San Jacinto County Emergency Management Coordinator, Emmitt Eldridge	51 E Pine Ave., Coldspring, TX 77331	936-653-3395	eeldridge@san-jac.us
University of Texas at Arlington, Associate Professor, Dr. Nick Fang	791 S Nedderman Dr., Arlington, TX 76019	817-272-5334	nickfang@uta.edu
San Jacinto County Judge, The Honorable Fritz Faulkner	1 State Highway 150 Coldspring, TX 77331	936-653-2199	countyjudge@san-jac.us
Ellis County Commissioner, Precinct 2, The Honorable Lane Grayson	1400 Oak Grove Rd., Ennis, TX 75119	972-825-5333	lane.grayson@co.ellis.tx.us
Liberty County Emergency Management Coordinator, Bill Hergemueller	5345 Highway 146 N, Liberty, TX 77575	936-334-3219	bill.hergemueller@co.liberty.tx.us
Chambers County Emergency Management Coordinator, Ryan Holzaepfel	102 Airport Rd., Anahuac, TX 77514	409-267-2445	oem@chamberstx.gov
Deep East Texas Council of Governments, Executive Director, Lonnie Hunt	1405 Kurth Dr., Lufkin, TX 75904	936-634-2247	lhunt@detcog.org
Walker County, Director of Planning, Andy Isbell	1313 University Ave., Huntsville, TX 77340	936-436-4939	aisbell@co.walker.tx.us
Liberty County Judge, The Honorable Jay Knight	1923 Sam Houston St., Liberty, TX 77525	936-336-4665	jay.knight@co.liberty.tx.us
Trinity County Judge, The Honorable Danny Martin	P.O. Box 457, Groveton, TX 75845	936-642-1746	txj@co.trinity.tx.us

Group or Association Name/Contact Person	Address	Telephone	Email Address
North Central Texas Council of Governments, Director of Environment and Development, Edith Marvin	616 Six Flags Dr., Arlington, TX 76011	817-640-3300	EMarvin@nctcog.org
Polk County Judge, The Honorable Sydney Murphy	101 West Church St., Livingston, TX 77351	936-327-6813	county.judge@co.polk.tx.us
Ellis County Commissioner, Precinct 3, The Honorable Paul Perry	P.O. Box 396, Italy, TX 76651	972-825-5340	paul.perry@co.ellis.tx.us
Chambers County Judge, The Honorable Jimmy Sylvia	P.O. Box 939, Anahuac, TX 77514	409-267-2440	jsylvia@chamberstx.gov
City of Liberty, City Manager Tom Warner	1829 Sam Houston St., Liberty, TX 77575	936-336-3684	twarner@cityofliberty.org
East Texas Electric Cooperative, Vice President of Generation, L.A. Williams	2905 Westward Dr., Nacogdoches, TX 75964	936-560-9532	law@gtpower.com
North Texas Commission, President & CEO, Chris Wallace	8445 Freeport Pkwy., Ste 640 Irving, TX 75063	972-621-0400	chris@ntcdfw.org
Friends of Lake Livingston, Project Director, Scott Ball	2810 Highway 190, Ste 100, Livingston, TX 77351	N/A	friendsoflakelivingston@gmail.com
Texan by Nature, Program Director Taylor Keys	6805 N. Capital of Texas Hwy., Ste 268, Austin, TX 78731	512-284-7482	taylor@texanbynature.org
Port of Liberty, Commissioner, Denise Barkis	1829 Sam Houston St., Liberty, TX 77575	936-336-3684	denisbarkis@gmail.com

Interagency, State, or National Associations

Group or Association Name/Contact Person	Address	Telephone	Email Address
Texas Water Conservation Association, Executive Director, Stacey Steinbach	4401 Westgate Blvd., Ste 320, Austin, TX 78745	512-472-7216	ssteinbach@twca.org
American Water Works Association, CEO, David LaFrance	6666 W. Quincy Ave., Denver, CO 80235	303-794-7711	service@awwa.org
Texas Section, American Water Works Association, Executive Director, Mike Howe	P.O. Box 80150, Austin, TX 78708	512-238-9292	mikehowe@tawwa.org

Group or Association Name/Contact Person	Address	Telephone	Email Address
Texas Water Conservation Association, Executive Director, Stacey Steinbach	4401 Westgate Blvd., Ste 320, Austin, TX 78745	512-472-7216	ssteinbach@twca.org
American Water Works Association, CEO, David LaFrance	6666 W. Quincy Ave., Denver, CO 80235	303-794-7711	service@awwa.org
National Water Resources Association, Executive Vice-President, Dale Nellor	4 E St. SE, Washington, DC 20003	202-698-0693	dnellor@nwra.org
National Waterways Conference, President & CEO, Julie Ufner	1100 N. Glebe Rd., Ste 1010 Arlington, VA 22201	703-224-8007	julie@waterways.org
Water Environment Association of Texas, Executive Director, Julie Nahrgang	1825 Fort View Rd., Ste 102 Austin, TX 78704	512-693-0060	julie@weat.org
American Society of Civil Engineers	1801 Alexander Bell Dr., Reston, VA 20191	800-548-2723	customercare@asce.org
Texas Water Foundation, CEO, Sarah Schlessinger	P.O. Box 13252, Austin, TX 78711	512-318-2128	sarah@texaswater.org
Water Environment Federation	601 Wythe St., Alexandria, VA 22314	703-684-2400	sdye@wef.org
National Association of Clean Water Agencies, Chief Executive Officer, Adam Krantz	1130 Connecticut Ave. NW, Ste 1050, Washington, DC 20036	202-833-4651	info@naswa.org
Inland Rivers, Ports and Terminals, Inc., Executive Director, Aimee Andres	4625 Lindell Blvd., Ste 2179, St. Louis, MO 63108	618-468-3010	aandres@irpt.net
Texas Farm Bureau, Associate Director Government Affairs, Billy Howe	7420 Fish Pond Rd., Waco, TX 76710	254-751-2208	bhowe@txfb.org

Liaisons at Other State Agencies

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Texas Commission on Environmental Quality, Office of Water, Deputy Director, Kim Nygren-Wilson	12100 Park 35 Cir., MC 160 Austin, TX 78753	512-239-4644	kim.wilson@tc.eq.texas.gov

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Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Texas Commission on Environmental Quality, Office of Compliance and Enforcement, Compliance Monitoring Coordinator, Jennifer Talley	12100 Park 35 Cir., MC 224 Austin, TX 78753	512-239-1000	jennifer.talley@tceq.texas.gov
Texas Commission on Environmental Quality, Region 4 DFW, Water Quality Program, Wastewater, Pretreatment Investigator, Carol Moulton	2309 Gravel Dr., Fort Worth, TX 76118	817-588-5894	carol.moulton@tceq.texas.gov
Texas Commission on Environmental Quality, Region 10 Beaumont, Marissa Peltier	3870 Eastex Fwy., Beaumont, TX 77703	409-898-3838	marissa.peltier@tceq.texas.gov
Texas Commission on Environmental Quality Region 12 Houston, Dawn Olivo	5425 Polk St., Suite H Houston, TX 77023	713-767-3691	dawn.olivo@tceq.texas.gov
Texas Water Development Board, Executive Director, Jeff Walker	1700 North Congress Ave., Austin, TX 78701	512-463-7847	jeff.walker@twdb.texas.gov
Texas Parks & Wildlife Department, Chief Operating Officer, Craig Bonds	4200 Smith School Rd., Austin, TX 78744	512-389-4800	craig.bonds@tpwd.gov
Texas Department of Agriculture, Field Representative, Manuel S. Martinez	P.O. Box 12847, Austin, TX 78711	713-677-9814	Manuel.Martinez@TexasAgriculture.gov
The Galveston Bay Council, Manager, Lisa Marshall	17041 El Camino Real, Ste 210 Houston, TX 77058	281-218-6461	gbep@tceq.texas.gov
Lower Neches Valley Authority, General Manager, Scott Hall	7850 Eastex Fwy., Beaumont, TX 77708	409-892-4011	scott.hall@Inva@dst.tx.us
Brazos River Authority, General Manager/CEO, David Collinworth	4600 Cobbs Dr., Waco, TX 76710	254-761-3100	david.collinworth@brazos.org
Lower Colorado River Authority, General Manager, Phil Wilson	3700 Lake Austin Blvd., Austin, TX 78768	512-578-3200	phil.wilson@lcr.org
Sabine River Authority, General Manager, David Montagne	P.O. Box 579, Orange, TX 77631	409-746-2192	dmontagne@sratx.org
Angelina-Neches River Authority, General Manager, Kelley Holcomb	2901 N. John Redditt Dr., Lufkin, TX 75904	936-632-7795	kholcomb@anra.org

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Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
San Jacinto River Authority, Interim General Manager, Ed Shackelford	P.O. Box 329, Conroe, TX 77305	936-588-3111	eshackelford@sjra.net
Texas A&M University, Spatial Sciences Laboratory, Ecosystem Science & Management Lead Scientist, Dr. Raghavan Srinivasan	Mail Stop 2120 534 John Kimbrough Blvd., Rm 305, College Station, TX 77843	254-774-6000	r-srinivasan@tamuedu
United States Army Corps of Engineers, Fort Worth District, Program Manager, Michael Kingston	P.O. Box 17300, Fort Worth, TX 76102	817-886-1438	michael.j.kingston@usace.army.mil
United States Army Corps of Engineers, Galveston District, Deputy District Engineer, Byron D. Williams	2000 Fort Point Rd., Galveston, TX 77550	409-766-3899	byron.d.williams@usace.army.mil
United States Fish and Wildlife Service, Acting Project Lead, Erik Orsak	2005 NE Green Oaks Blvd., Ste 140, Arlington, TX 76006	682-348-7397	erik_orsak@fws.gov
United States Geological Survey, Acting Director, Mid-Continent, Timothy Raines	501 W. Felix St., Fort Worth, TX 76115	682-316-5044	thraines@usgs.gov
National Weather Service, West Gulf Forecast Center, Service Coordinator Hydrologist, Gregory Waller	3401 Northern Cross Blvd., Fort Worth, TX 76137	817-831-3289 x 323	greg.waller@noaa.gov
North Texas Municipal Water District, Executive Director and General Manager, Jenna Covington	501 East Brown St., Wylie, TX 75098	972-442-5405	jcovington@NTMWD.com
Tarrant Regional Water District, General Manager, Dan Buhman	800 E. Northside Dr., Fort Worth, TX 76102	817-335-2491	dan.buhman@trwd.com
Upper Trinity Regional Water District, General Manager, Larry Patterson	900 N. Kealy St., Lewisville, TX 75057	972-219-1228	lpatterson@utrwd.com

XI. Additional Information

- A. Texas Government Code, Section 325.0075 requires agencies under review to submit a report about their reporting requirements to Sunset with the same due date as the SER. Include a list of each agency-specific report that the agency is required by statute to prepare and an evaluation of the need for each report based on whether factors or conditions have changed since the statutory requirement was put in place. Please do not include general reporting requirements applicable to all agencies, reports that have an expiration date, routine notifications or notices, posting requirements, federally mandated reports, or reports required by G.A.A. rider. If the list is longer than one page, please include it as an attachment. See Exhibit 16 Example.**

The Authority has no reporting requirements that are not common to all river authorities.

- B. Does the agency’s statute use “person-first respectful language” as required by Texas Government Code, Section 325.0123? Please explain and include any statutory provisions that prohibit these changes.**

N/A

- C. Please describe how your agency receives and investigates complaints about the agency and its operations.**

The Authority takes complaints seriously and considers them an important part of improving its service. Complaints can be made on the Authority’s website, social media platforms, phone call, email or in-person. Staff directs the complaints to the proper department and action is taken to resolve each complaint as quickly as possible.

The majority of complaints the Authority receives pertain to odors in the vicinity of its five wastewater treatment plants and with regard to biosolids land application. The Authority has and continues to invest in odor control at all its wastewater treatment plants. In some cases, the Authority’s wastewater plants were originally built in semi-rural areas that have developed into suburban areas. In every case, the Authority is responsive to odor complaints, and endeavors to address odors while providing wastewater treatment.

- D. Fill in the following chart detailing information on complaints received about your agency and its operations. Do not include complaints received about people or entities you regulate.**

Exhibit 17: Complaints Against the Agency — Fiscal Years 2018-22

	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
Number of complaints received	4	21	7	9	11
Number of complaints resolved	4	16	4	2	1
Number of complaints dropped / found to be without merit	0	5	2	7	7
Number of complaints pending from prior years	0	0	1	0	0
Average time period for resolution of a complaint	3 days to 8 months	3 days to 3 months	3 days to 3 months	3 days to 2 months	3 days to 6 months

- E. Fill in the following charts detailing your agency’s Historically Underutilized Business (HUB) purchases. See Exhibit 18 Example. Sunset is required by law to review and report this information to the Legislature.**

Exhibit 18: Purchases from HUBs

Fiscal Year 2020

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal*	Statewide Goal
Heavy Construction	\$134,143,524.99	\$5,821,248.75	4.3%	25.0%	11.2%
Professional Services	\$21,198,812.01	\$4,914,696.34	23.2%	25.0%	23.7%
TOTAL	\$155,342,337.00	\$10,735,945.09	13.8%		

* HUB goals are a long-standing Board development incorporated into the Authority’s Procurement Policy.

Fiscal Year 2021

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	\$90,310,366.15	\$7,011,946.87	7.8%	25.0%	11.2%
Professional Services	\$25,621,196.64	\$5,097,936.46	19.9%	25.0%	23.7%
TOTAL	\$115,931,562.79	\$12,109,883.33	13.8%		

Fiscal Year 2022

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	\$67,133,959.55	\$4,180,978.63	6.2%	25.0%	11.2%
Professional Services	\$32,645,076.31	\$6,674,905.92	20.5%	25.0%	23.7%
TOTAL	\$99,779,035.86	\$10,855,884.55	13.3%		

- F. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Section 2161.003; TAC Title 34, Part 1, Rule 20.286c)**

The Authority has adopted a goal of 25 percent HUB participation in the procurement of construction services and professional services. There is no formal policy at this time for addressing shortfalls.

- G. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Texas Government Code, Section 2161.252; TAC Title 34, Part 1, Rule 20.285)**

N/A

H. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.

1. Do you have a HUB coordinator? If yes, provide name and contact information. (Texas Government Code, Section 2161.062; TAC Title 34, Part 1, Rule 20.296)

N/A

2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Section 2161.066; TAC Title 34, Part 1, Rule 20.297)

N/A

3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Section 2161.065; TAC Title 34, Part 1, Rule 20.298)

N/A

I. Fill in the charts below detailing your agency’s Equal Employment Opportunity (EEO) statistics. See Exhibit 19 Examples. Sunset is required by law to review and report this information to the Legislature. Please use only the categories provided below. For example, some agencies use the classification “paraprofessionals,” which is not tracked by the state civilian workforce. Please reclassify all employees within the appropriate categories below.

Exhibit 19: Equal Employment Opportunity Statistics

1. Officials / Administration

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2020	61	8.20%	8.5%	4.92%	24.7%	36.07%	41.7%
2021	59	8.47%	8.5%	3.39%	24.7%	33.90%	41.7%
2022	71	7.04%	8.5%	2.82%	24.7%	35.21%	41.7%

2. Professional

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2020	136	9.56%	10.9%	10.29%	21.8%	40.44%	54.1%
2021	136	11.03%	10.9%	13.97%	21.8%	37.50%	54.1%
2022	142	10.56%	10.9%	18.31%	21.8%	38.73%	54.1%

3. Technical

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2020	70	17.14%	15.1%	11.43%	29.8%	8.57%	56.9%
2021	63	20.63%	15.1%	14.29%	29.8%	7.94%	56.9%
2022	60	20.00%	15.1%	15.00%	29.8%	11.67%	56.9%

4. Administrative Support

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2020	35	5.71%	14.6%	14.29%	36.5%	88.57%	74.7%
2021	46	6.52%	14.6%	13.04%	36.5%	91.30%	74.7%
2022	46	10.87%	14.6%	10.87%	36.5%	89.13%	74.7%

5. Service / Maintenance

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2020	7	0%	13.3%	0%	53.0%	14.29%	54.0%
2021	6	0%	13.3%	0%	53.0%	16.67%	54.0%
2022	5	0%	13.3%	0%	53.0%	0%	54.0%

6. Skilled Craft

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2020	229	8.73%	11.5%	16.16%	52.3%	1.75%	14.0%
2021	229	8.30%	11.5%	14.41%	52.3%	2.18%	14.0%
2022	229	7.86%	11.5%	17.03%	52.3%	2.62%	14.0%

J. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

As stated in the Authority's Employee Handbook, its Equal Employment Opportunity policy is founded on the belief that employment and advancement opportunities should be based on the employee's job performance and qualifications. All personnel activities, including recruitment, selection, placement, training, transfer, promotion, demotion and compensation, shall be

nondiscriminatory.

XII. Agency Comments

The Authority looks forward to working with the Commission and its staff to find areas for improvement in its operations.