

# UCRA

Upper Colorado River Authority . 512 Orient . San Angelo, Texas 76903

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May 12, 2016

Ken Levine  
Director  
Sunset Advisory Commission  
P.O. Box 13066  
Austin, Texas 78711-3066

Dear Mr. Levine:

The Board of Directors of the Upper Colorado River Authority (UCRA) has reviewed the Sunset Advisory Commission Staff Report. We want to thank the Sunset staff for the time and consideration that has gone into this process to date. We would also like to express our appreciation for the effort in assisting the UCRA in fulfilling its mission with proactive suggestions for the agency. We have already incorporated some of the suggestions and are working towards integrating others.

While the board is mostly satisfied with the recommendations in the report, we are submitting the following comments regarding two issues:

1. The Board takes issue with the recommendation in Section 5.2 (b.), page 47 that the governor; *“designate the presiding officer of the UCRA Board to serve in that capacity at the pleasure of the governor.”*

The Board believes that as all board members are appointees who serve at the pleasure of the governor, the responsibility for the selection of all officers, including the presiding officer, should reside with the board members themselves. Furthermore, it is considered likely that the adoption of this proposed requirement could foster an appearance of political cronyism to the local population.

A final note that militates against this requirement consists of the practical matter of historic delays from the governor’s appointments office regarding appointments. Three members of the UCRA’s Board of Directors are currently holdovers that have been waiting a year or more to receive re-appointment. It would be impractical for the Board to have to deal with similar delays in appointing its presiding officer from year to year.

2. While the Board agrees with some of the findings and recommendations regarding mission relevance presented in the report, it takes issue with the statement on page 32 that the UCRA’s conductance of a groundwater exploration project for the City of Robert Lee introduced risk of UCRA straying from its mission, and that the project was *“at best, only tangentially related to UCRA’s statutory duties...”*

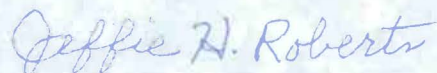
The Board and staff of the UCRA hold the scientifically accurate position that groundwa-

ter and surface are essentially one resource connected by natural processes of interaction and that UCRA's statutory duties integrally include groundwater. If a strict interpretation of the statutory duties of the UCRA excludes groundwater, or at best, renders it as only tangentially related, the Board recommends legislative changes be enacted to remedy this misconception.

We are aware that other river authorities in the state deal with groundwater in a like manner, therefore it should not prove difficult to change the statutory interpretation or enact the necessary legislative amendment to include groundwater in the definition of waters of the upper Colorado River.

We respectfully request that the commission consider the authority's position on these two issues in moving forward. Please feel free to contact our office if you have any questions regarding these matters.

Sincerely,

A handwritten signature in blue ink that reads "Jeffie H. Roberts". The signature is written in a cursive style with a large initial "J".

Jeffie H. Roberts  
Chairperson  
Upper Colorado River Authority