

Upper Guadalupe River Authority

Self-Evaluation Report

UGRA



Submitted to the Sunset Advisory Commission
September 1, 2021

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UPPER GUADALUPE RIVER AUTHORITY

Self-Evaluation Report

I. Agency Contact Information

A. Please fill in the following chart.

UPPER GUADALUPE RIVER AUTHORITY

Exhibit 1: Agency Contacts

	Name	Address	Telephone & Fax Numbers	Email Address
Agency Head	Mr. Raymond L. Buck, Jr. General Manager	125 Lehmann Dr., Ste 100	(830) 896-5445	rbuck@ugra.org
Agency's Sunset Liaison	same	same	same	same

Table 1 Exhibit 1 Agency Contacts

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.

The mission, objectives and key functions of the Upper Guadalupe River Authority (UGRA) may best be summarized as the control, storage and preservation of the Guadalupe River and its tributaries within the boundaries of the river authority (Kerr County). All of UGRA's programs have been related to these objectives and programs since its creation by the Texas Legislature in 1939 with the passage of SB 303, Forty-Sixth Legislature, Regular Session, the Upper Guadalupe River Authority (UGRA). UGRA has been committed to enhancing the quality of life for all who visit and for all who call Kerr County home through the protection, control and preservation of the Guadalupe River and its tributaries. Although UGRA's specific programs have changed over time, one principle remains constant-- UGRA is dedicated to serving as the steward of the Guadalupe River and its tributaries in Kerr County. It has been rightly stated that the Guadalupe River is the "Crown Jewel" of Kerr County. UGRA's goals are summarized in its mission statement:

"The mission of the Upper Guadalupe River Authority is to protect, develop and manage the water quantity, quality, and sustainability in the Guadalupe River Watershed in Kerr County."

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

Yes, our key functions continue to serve a clear and on-going objective as outlined in our enabling legislation, the most significant of which is controlling, preserving, and protecting the Guadalupe River and its tributaries in Kerr County.

UGRA is a small but crucial organization serving as the steward for the headwaters of the Guadalupe River. Effective management and board oversight enables UGRA to operate with minimal staff while accomplishing as much or more than many other agencies with larger staff size. A combination of a small, local ad valorem tax levy, rental income, revenue from environmental lab operations, and grants fund the complete operation of UGRA. No state appropriations are required.

UGRA's functions are essential because, by legislation, it is the sole entity responsible for the protection and preservation of the Guadalupe River for the benefit of Kerr County residents and those downstream. The degradation of water quality in Kerr County would directly, and adversely, impact all downstream property owners who rely upon the Guadalupe River.

C. What, if any, functions does your agency perform that are no longer serving a clear and ongoing purpose? Which agency functions could be eliminated?

UGRA performs no functions that do not serve a clear and on-going purpose. All are directly related to UGRA's fundamental purpose of controlling, preserving and protecting the Guadalupe River, as well as protecting persons and property from damage from the river. Therefore, no functions are candidates for elimination.

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

Yes, UGRA's current mission, objectives and programs are based on its enabling legislation, which directly authorizes UGRA to control, protect and preserve the Guadalupe River and its tributaries in Kerr County.

E. 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.

Yes, UGRA sought the Texas Legislature's assistance in modifying Surface Water Permit 5394A during the 2007 legislative session. This Permit granted to UGRA certain run-of-the-river surface water rights in and to the Guadalupe River. UGRA requested the Legislature to eliminate a special condition in the permit that threatened the loss of surface water rights if not in use by a certain deadline. The Legislature passed HB 891, Eightieth Texas Legislature, Regular Session, in response to UGRA's request, thereby allowing UGRA to hold the water rights permit for future beneficial uses in Kerr County.

F. 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?

No, UGRA's functions do not overlap or duplicate other local, state, or federal agencies. There is no other agency that has the authority to control, preserve and protect the waters of the Guadalupe River and its tributaries in Kerr County. There are other entities with limited jurisdiction that complement UGRA's authority. For instance, the Texas Commission on Environmental Quality (TCEQ) regulates water quality in limited contexts (e.g., discharge permits and point source pollution). UGRA's functions enhance and provide synergy to other agencies' activities, especially in regard to protecting and preserving water quantity and quality.

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

UGRA's mission is specific to the Guadalupe River watershed in Kerr County. Staff are aware that some other states carry out similar functions through legislatively created agencies although they are not necessarily called river authorities.

H. What key obstacles impair your agency's ability to achieve its objectives?

To date, UGRA has not encountered any obstacles that impair our ability to achieve our objectives. Although not an obstacle, it is worth noting that the requirement that the environmental laboratory operations be considered a for-profit business poses significant challenges. Governmental Accounting Standards Board (GASB) Statement 34 provides guidance on the use of proprietary funds for services such as UGRA's environmental laboratory. Paragraph 67 of that statement states that UGRA must use an enterprise fund if there is a pricing policy that fees and charges are set to cover cost. UGRA's laboratory is a service offered to external customers and we utilize for our internal programs. One could argue that rather than a for-profit business, it's the only service that UGRA offers that assists in paying for itself.

I. 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).

UGRA is not aware of any proposed changes in federal law or pending court cases that would materially impact its operations or functions. Currently, federal law changes and outstanding court cases are less of an imposition than unfunded state mandates. UGRA is primarily funded from ad valorem taxes. We receive no state appropriations but are required to conduct an annual independent financial audit at our own expense. We are required to conduct a management audit every 5 years at our own expense. This current sunset review exercise is conducted at our own expense. Although UGRA recognizes the need and value of oversight, perhaps a more consolidated process could be implemented with increased consideration given to limiting cost.

J. 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?

UGRA's biggest opportunity for improvement is to continue utilizing its two greatest assets, board directors and staff, to innovate and evaluate mission-centric programming. UGRA fully engages nine directors and seven full-time staff in agency programming. This hands-on approach utilizes the vast

diversity and experience of highly successful local individuals along with the expertise of staff. Evaluating current programs and innovating new programs is a continuous process.

Another opportunity for improvement is regional water supply development. UGRA's jurisdiction and authority relates to the Guadalupe River and its tributaries in the entirety of Kerr County. However, most of the population growth has occurred within the City of Kerrville, which has implemented its own water supply development projects. As population growth occurs outside the City and water demands increase in such areas, UGRA anticipates that it will have the opportunity to participate with other jurisdictions in water development projects. This participation will serve a future critical need and do so in a way that preserves and protects the Guadalupe River.

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

UGRA measures its effectiveness in carrying out its objective through a variety of tools, including financial and management audits, customer feedback, staff feedback, and Board of Directors' review.

UGRA annually selects an independent auditor to conduct a fiscal year audit. The independent auditor then reports to the Board of Directors. If there are recommendations for improvement, those recommendations are implemented by staff. To date, UGRA has received an unqualified opinion from its audit each fiscal year, the best rating available.

The Board of Directors has also adopted an Investment Policy. Staff provide a quarterly investment report to the Board of Directors so that the Board may evaluate its investment returns. The Board of Directors provides input and oversight as well as conducting an annual review of the Investment Policy and investment strategies.

UGRA, at the recommendation of the independent auditor, contracts with an outside bookkeeping service to supplement the efforts of staff in order to provide an additional check and balance. UGRA staff present a balance sheet and income statement to the Board at every board meeting for review and approval.

The Texas Commission on Environmental Quality (TCEQ) in Title 30 Part 1 Chapter 292 Subchapter B Rule §292.13 of the Texas Administration Code requires UGRA to conduct a management audit every 5 years. The audit covers the policies, procedures, manuals, and other records to determine management efficiency. UGRA utilizes a Request for Proposals (RFP) process to select a consultant who reports to the Board of Directors. The most recent audit was conducted in 2017 and the recommendations identified by the consultant were implemented by staff. UGRA uses a committee process to engage Board members and to assist staff with programming.

UGRA's primary evaluation metric is its 5-Year Strategic Plan. Annually, staff prepare an update for the Board which describes the status for all tasks and action steps associated with the goals conducted during the last 12 months. Staff use participant surveys in evaluating several UGRA programs including the Environmental Laboratory operations. Physical evidence such as email feedback, information requests, voluntary replication of UGRA services by individuals and groups, media coverage and public perception all contribute to measuring the effectiveness of our message and programs.

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. Also, please provide information regarding the methodology used to collect and report the data.

UGRA is a conservation and reclamation district, a legislatively created political subdivision of the State. UGRA is not funded through State appropriations and the Legislative Budget Board does not set key and non-key performance measures for UGRA. Therefore, the table as depicted in Exhibit 2 is believed to be non-applicable and deleted to enhance readability of this report.

L. 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.

Exhibit 3 below details the three datasets maintained by UGRA. The Environmental Laboratory water and wastewater test results are maintained in a database and certain test results for regulated drinking water systems are reported monthly to Texas Commission on Environmental Quality (TCEQ). The surface water quality data is maintained to provide summaries of water quality conditions over time to aid in water quality investigations and programming. UGRA submits water quality data collected under a TCEQ approved Quality Assurance Project Plan to TCEQ for inclusion in the Surface Water Quality Monitoring Information System (SWQMIS) database. All records, including datasets, conform to the rules promulgated by the Texas State Library and Archives Commission.

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 3: Key Datasets

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
1	Laboratory Information Management System	Manages information pertaining to environmental samples relinquished to the UGRA Environmental Lab for analysis.	UGRA Environmental Lab	Not publicly available without request	N

Dataset Reference Number	Dataset Name	Description of Data	Data Maintained By	Hyperlink (if publicly available)	Legal Prohibition to Disclosure Y/N
2	UGRA CRP-TMDL-CW-SWIM Data	All surface water quality monitoring data collected by UGRA Natural Resources Staff from 2007 - present	UGRA Natural Resources Department	<p>CRP and TMDL data are publicly available through TCEQ at this link which is also posted on the UGRA CRP web page: https://www80.tceq.texas.gov/SwqmisWeb/public/crpweb.faces</p> <p>Swimability Program data is available on this page: http://www.ugra.org/public-information/swimability</p> <p>All data is available upon request as stated here: http://www.ugra.org/major-initiatives/water-monitoring</p>	N
3	Volunteer Master Data	All surface water quality monitoring data collected by UGRA volunteers through the Volunteer Summer Study Program 2007 – present	UGRA Natural Resources Department	<p>Most recent Volunteer Summer Study data is reported in the annual report for the program posted here: http://www.ugra.org/major-initiatives/volunteer-summer-study</p> <p>All other surface water quality monitoring data associated with this program is available upon request as stated here: http://www.ugra.org/major-initiatives/water-monitoring</p>	N

Table 3 Exhibit 3 Key Datasets

III. History and Major Events

Provide a timeline of your agency’s history and key events, including

- the original purpose and responsibilities of your agency; and
- major changes in responsibilities or statutory authority.

Also consider including the following information if beneficial to understanding your agency

- changes to your policymaking body’s name or composition;
- significant changes in state/federal legislation, mandates, or funding;
- significant state/federal litigation that specifically affects your agency’s operations; and
- key changes in your agency’s organization (e.g., the major reorganization of the Health and Human Services Commission and the Department of State Health Services’ divisions and program areas, or the Legislature moving the Prescription Monitoring Program from the Department of Public Safety to the Texas State Board of Pharmacy).

UPPER GUADALUPE RIVER AUTHORITY

UGRA was originally created in 1939 by the Texas Legislature as a conservation and reclamation district to manage and provide for the protection of the Guadalupe River and its tributaries in Kerr County. Though speculative, the rationale for creation was likely a desire for local control over the surface water resources.

During the years from 1964-1973, UGRA conducted a long-term water needs study and a groundwater supply study, which led the City of Kerrville to request that UGRA develop additional water supplies for the City.

From 1977-1981, UGRA worked with the City of Kerrville to augment the city's water supply with surface water. The City of Kerrville entered into contract with UGRA to buy treated water, and UGRA used the contract as collateral to secure financing for the construction of a dam and surface water treatment project. UGRA subsequently completed the dam and surface water treatment plant project and furnished potable water to the City.

In 1983, UGRA created the Environmental Services Division to serve as the "front line" effort to monitor the river. Other responsibilities were to develop programs to enhance the quality of the river water, to develop public awareness of water quality issues and to rectify those situations that could adversely affect the Guadalupe River.

In 1985, a Christmas flood event on the Guadalupe River caused the original UGRA dam to fail. UGRA sued the engineer and contractor for damages and ultimately recovered damages of approximately \$12 million. A dispute arose between UGRA and the City of Kerrville regarding entitlement to these monies, which ultimately resulted in the 1998 transfer of assets and division of water rights (described below).

After a devastating flood tragedy, in 1989 UGRA ventured into flood warning by contracting with Remote Operating Systems, Inc. to design, install and maintain a system for remotely sensing rainfall and stream flow for flood warning.

After previously exploring the concept of Aquifer Storage and Recovery (ASR), in 1991, UGRA applied for a permit to construct an ASR well and a permit to capture and divert "run of the river water" during the high flows. The permit allowed UGRA to treat it and then inject the water into the aquifer for recovery during the peak water demand periods. The UGRA ASR well was the first to be permitted by the State of Texas. Several groups protested the permit, but in 1996, UGRA prevailed in the Texas Supreme Court after expending over \$800,000.

From 1992- 1997, UGRA began conducting the TCEQ Clean Rivers Program, contracting with the Headwaters Groundwater Conservation District to administer their well permitting program. UGRA also contracted with Kerr County to operate the Kerr County On-Site Septic Facility (OSSF) Program and the Kerr County floodplain management.

In 1998, UGRA and the City of Kerrville settled the litigation as filed by the City against UGRA relating to the dam failure lawsuit funds. In the settlement, the UGRA transferred to the City of Kerrville those

assets associated with the dam, lake and water treatment plant that served Kerrville, and the outstanding debt of about \$5 million. The City, in turn, released any claim to the remaining \$1.3 million balance out of the \$12 million dam failure lawsuit funds and a 2,000 acre feet run-of-the river water rights permit for the benefit of Kerr County residents.

From 1998-2002, UGRA introduced and pursued the “24/48 month water and wastewater utility development plan.” The idea of the plan was to further implement UGRA's commitment to water quality and quantity issues. It was to remove septic tanks from the concentrated developments in rural areas that potentially threatened the purity of the Guadalupe River. Further, by treating and distributing surface water to many of the 40-plus privately owned water systems, UGRA planned to lessen the draw-down of the overburdened Trinity Aquifer and conserve that supply for critical and peak periods, as well as preserving spring flow to the Guadalupe River. The plan in its entirety did not come to fruition and a change in management placed the plan on hold.

From 2002-2005, under new management, UGRA transferred the administration of the On-Site Sewage Facility Program back to Kerr County, and initiated programs directed more at protecting and preserving water quality such as UGRA's Trash-Free River Initiative, the Bald Cypress bank stabilization program, and UGRA's Spill Containment Initiative. Additionally Phase 1 of the Kerrville – Schreiner Park Pilot Brush Control Project was implemented and in cooperation with Kerr County, UGRA initiated the Kerrville South Wastewater program. UGRA also entered into an MOU with the Guadalupe-Blanco River Authority to participate in the Guadalupe-Blanco River Trust.

From 2005-present, also under new management, UGRA focused on the utilization of surface water permit 5394A (now 5394D) with the intent of using it for water supply in Kerr County. UGRA has served, since its inception, as the political entity for the Region J water planning group and remains active in ensuring adequate water supplies for future use. UGRA conveyed its interest in the Kerrville South wastewater collection system to the City of Kerrville and continued to support Kerr County and the City of Ingram with the installation of wastewater collection systems. During this time, several previous programs directed at river water quality and quantity protection were continued and many other programs with the same goals were initiated.

IV. Policymaking Structure

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

UPPER GUADALUPE RIVER AUTHORITY

Exhibit 4: Policymaking Body

Member Name	Term / Appointment Dates / Appointed by <i>(e.g., Governor, Lt. Governor, Speaker)</i>	Qualification <i>(e.g., public member, industry representative)</i>	City
Blake W. Smith	6-year term to expire 02-01-27, Governor	qualified district resident	Hunt
Diane McMahon	6-year term to expire 02-01-27, Governor	qualified district resident	Kerrville
Aaron Bulkley	6-year term to expire 02-01-25, Governor	qualified district resident	Ingram
William R. Rector	6-year term to expire 02-01-23, Governor	qualified district resident	Kerrville
Lynda Ables	6-year term to expire 02-01-25, Governor	qualified district resident	Kerrville
Gene Allen	6-year term to expire 02-01-25, Governor	qualified district resident	Kerrville
Austin Dickson	6-year term to expire 02-01-27, Governor	qualified district resident	Kerrville
David M. "Mike" Hughes	6-year term to expire 02-01-23, Governor	qualified district resident	Ingram
Maggie Snow	6-year term to expire 02-01-23, Governor	qualified district resident	Kerrville

Table 4 Exhibit 4 Policymaking Body

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

The primary role and responsibility of the UGRA Board of Directors (Board) as a policymaking body is to develop policies for implementation of UGRA’s functions. The Board also provides oversight and guidance to staff to ensure such policies are implemented and UGRA objectives are achieved. The Board of Directors also provides fiduciary oversight of UGRA through the adoption of an annual fiscal year budget and the levy of taxes each year to fund UGRA programming.

As noted in Section II. Item J, the Board is fully engaged in agency programming. The Board hires the general manager who in turn hires staff and prepares an annual budget to be approved by the Board. Regular Board meetings are held every other month or more often if a special called meeting is appropriate. Staff prepare financial and investment reports for Board review and approval. Staff report activities to the Board and the Board takes action on any pertinent agenda items. UGRA bylaws establish standing committees, and the Board president has the prerogative to establish other working

committees. UGRA utilizes committees to brainstorm, innovate ideas, and to make recommendations for full Board discussion and consideration.

C. How is the chair selected?

The UGRA Board elects a President to preside over the Board of Directors. The President and other officers are elected per UGRA bylaws (see excerpt below):

“...ARTICLE III.

Officers

Section 1. Officers. The Board of Directors shall elect a President, a Vice-President, a Secretary, and a Treasurer of the Board of Directors, and such other officers as in the judgment of the Board are necessary. The President of the Board of Directors shall appoint a Nominating Committee in August of each year, which committee shall present its recommendations to the Board of Directors for consideration and action in September of each year. To coincide with the Authority’s fiscal year, each officer’s term shall extend from October 1 through September 30 of the succeeding calendar year or until their successors have been appointed. No Director shall serve as President for more than two (2) consecutive terms (two years); however, after an interval of at least one (1) year, a Director shall be eligible for re-election as President...”

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

UGRA is a small river authority located in Kerr County in which the headwaters of the Guadalupe River are located. As such, this unique geographical location coupled with the small footprint allows UGRA to focus on the excellent water quality and the water quantity of the Guadalupe River where it emanates from springs in western Kerr County. The protection mechanisms and activities at UGRA set the foundation for water quantity and quality locally as well as downstream throughout the river basin. Additionally, UGRA directors are all required to be landowners in Kerr County giving them a vested interest in preserving and protecting the surface water resources in their own community. Finally, UGRA’s uniqueness as a small river authority provides an added element of transparency. News and information travels fast in small communities. Nothing any organization does is done in a vacuum. Board members and staff all live in the local area and are involved with the community. Word of mouth information coupled with local media can be an asset to organizations such as UGRA by raising awareness of what we do and what we hope to accomplish.

E. In general, how often does your policymaking body meet? How many times did it meet in FY 2019? In FY 2020? Explain if the policymaking body met in-person or virtually during this time.

UGRA bylaws state that the “The Board shall adopt an annual regular meeting schedule for each year. The Board of Directors shall meet on the day and time approved by the Board. The Board may meet in special session when called by the President or by a majority of its members.” At the last meeting of the calendar year, the UGRA Board adopts a meeting schedule for the following year. In FY19 and FY20, the

Board met six times each year for a total of 12 times. Some of the meetings were in person and some were virtual due to the COVID restrictions.

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

Upon confirmation, Board members are required to complete on-line training for the Open Meetings Act and the Public Information Act. Additionally, Board member are required to read and sign UGRA ‘s Administrative Policy which includes the following policies: Code of Ethics Policy; Travel Expenditures Policy; Professional Services Policy; Investment Policy; Management Information Policy; Director Indemnification and Defense Policy; Records Retention Policy; and, Recycling Policy. The Board reviews and approves the Administrative Policy annually. Upon confirmation, UGRA staff provide an orientation meeting and notebook containing pertinent materials to the new Board member.

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

At each regularly scheduled Board meeting, staff provide to the Board draft minutes, a balance sheet and, an income statement for review and approval. The income statement compares current period and year-to-date income and expenditures to the budget. On a quarterly basis, staff provide an investment report to the Board for review and approval. Committee Chairs also make reports to the Board on their respective committee activities. At Board meetings, staff provide a General Manager’s Report which includes a summary of presentations, activities, water quality investigations, staff training, and meetings as well as updates on issues or initiatives. In addition, a Natural Resources Report is provided to summarize current river and rainfall conditions and a Laboratory Report is provided to summarize lab operations. Staff prepare the agenda for the Board meeting detailing all the above referenced items along with action items and appropriate presentations. These materials are submitted to the President for review and presented to the Executive Committee prior to posting.

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?

Public input is solicited several different ways. All Board agendas are posted in two locations; one at the Kerr County Courthouse and one at UGRA’s offices. Additionally, the agendas are posted on the UGRA website. The Board agendas include soliciting public comment and the public is invited to speak to any agenda item at the appropriate time. Input specific to a UGRA program is often solicited through surveys. As noted in IV. D. above, our small footprint with local Board members, and local media coverage provide transparency and word of mouth input. UGRA has programming on several local radio stations to provide information to, and solicit feedback from, constituents. The adoption of a tax rate requires a public hearing which is conducted annually. All public input is considered in decision-making by the Board.

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.

UPPER GUADALUPE RIVER AUTHORITY
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)	Creation and Abolishment Dates
Executive Committee	Four members, Board officers	Provides advisory recommendations to the General Manager regarding the financial and operational affairs of the Authority	Standing Committee per UGRA Bylaws, Section 3.(a)	n/a
Human Resources Committee	Four members appointed by President	Implements the annual performance evaluation of the General Manager on behalf of the Board, and provides advisory recommendations to the General Manager and Board of Directors regarding employee salaries and benefits in connection with the annual budgeting process.	Standing Committee per UGRA Bylaws, Section 3.(b)	n/a
Public Outreach Committee	Four members appointed by President	Provides oversight on public outreach programs and makes recommendations to the Board	Created at President's prerogative per Section 3 of the UGRA Bylaws	n/a
Education Committee	Four members appointed by President	Provides oversight on educational programs and makes recommendations to the Board	Created at President's prerogative per Section 3 of the UGRA Bylaws	n/a
Water Quality Committee	Four members appointed by President	Provides oversight on water quality programs and makes recommendations to the Board	Created at President's prerogative per Section 3 of the UGRA Bylaws	n/a
Watershed Stewardship Committee	Four members appointed by President	Provides oversight on programs for watershed management and makes recommendations to the Board	Created at President's prerogative per Section 3 of the UGRA Bylaws	n/a

Table 5 Exhibit 5 Subcommittees and Advisory Committees

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.

n/a

V. Funding

A. Provide a brief description of your agency’s funding, including information about the most recent five percent budget reduction and any funding related to disaster relief or COVID-19, if applicable.

UGRA’s primary source of funding is revenue garnered through ad valorem tax on taxable property in Kerr County. Fees from laboratory operations and building use and rental, investment income, grant revenue, and some donations for the Annual River Clean Up event serve to supplement operational costs. UGRA receives no appropriations from the state; therefore, it was not subject to the state budget requirement for five percent reduction. UGRA remained operational throughout the COVID-19 pandemic and did not apply for any disaster relief funding.

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

UGRA is not aware of any riders that significantly impact our budget.

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

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 6: Expenditures by Strategy — Fiscal Year 2020 (Actual)

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
General Fund	\$1,223,225	77.13%	\$646,532
Proprietary Fund - Laboratory	\$362,644	22.87%	\$53,063
GRAND TOTAL:	\$1,585,869	100%	\$699,595

Table 6 Exhibit 6 Expenditures by Strategy

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.

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 7: Sources of Revenue — Fiscal Year 2020 (Actual)

Source	Amount
Laboratory Fees	\$371,821
Building Rental	\$52,130
River Gauge Revenues (City of Kerrville payment)	\$10,910
GBRA SB 818 TCEQ grant funds	\$18,175
Ad Valorem taxes	\$1,112,591
Ad Valorem Tax Penalties and Interest	\$10,677
Investment Income	\$50,979

Source	Amount
River Clean Up Sponsorships (donations)	\$1,500
TOTAL	1,628,783

Table 7 Exhibit 7 Sources of Revenue

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

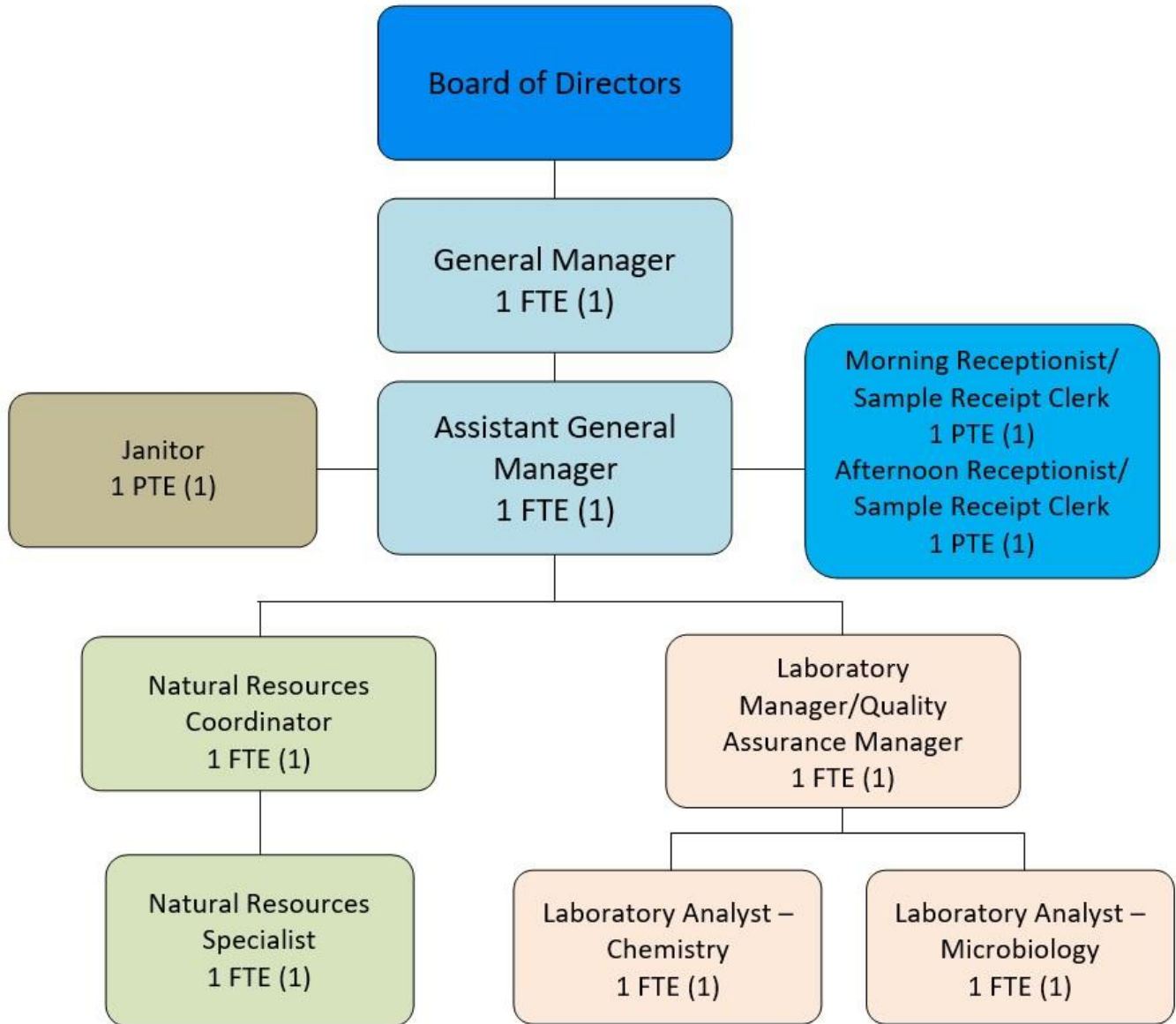
UGRA does not currently receive funds from Federal programs. Therefore, the table as depicted in Exhibit 8 is non-applicable and deleted to enhance readability of this report.

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.

As indicated previously, most operating funding by UGRA is derived from ad valorem taxes. UGRA does collect fees for laboratory sampling. In 2020, the total laboratory fees collected by UGRA were \$371,821. However, the laboratory is established as a proprietary fund and no fees are deposited/returned to the General Revenue Fund. Instead, laboratory fees are utilized to fund laboratory operations only. Therefore, the table as depicted in Exhibit 9 is believed to be non-applicable and deleted to enhance readability of this report.

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, department heads with subordinates, and actual FTEs with budgeted FTEs in parenthesis.



B. If applicable, fill in the chart below listing field or regional offices. See Exhibit 10 Example.

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 10: FTEs by Location — Fiscal Year 2021

Headquarters, Region, or Field Office	Location	Number of Budgeted FTEs FY 2021	Number of Actual FTEs (as of SER submission)
Guadalupe Basin Natural Resources Center; UGRA Headquarters	125 Lehmann Dr., Ste 100, Kerrville, Tx 78028	7	7
		TOTAL: 7	TOTAL: 7

Table 10 Exhibit 10 FTEs by Location

C. What are your agency’s FTE caps for fiscal years 2019–22?

Currently seven FTEs, but UGRA evaluates staffing needs every budget cycle.

D. How many temporary or contract employees did your agency have in fiscal year 2020? 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.

During FY20, UGRA employed one Data Entry Clerk as a temporary part time employee.

- Purpose: assist with data entry for the Environmental Laboratory during busy summer season
- Expenditures: \$2,400
- Procurement method: applicant interviews

E. List each of your agency’s key programs or functions, along with expenditures and FTEs by program. See Exhibit 11 Example.

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 11: List of Program FTEs and Expenditures — Fiscal Year 2020

Program	Actual FTEs FY 2020	Budgeted FTEs FY 2021	Actual Expenditures FY 2020	Budgeted Expenditures FY 2021
General Operations	2	2	\$579,870	\$655,462
Environmental Laboratory	3	3	\$362,644	\$380,647
Watershed Protection Programs	.67	.67	\$532,632	\$534,707
Water Supply Development Programs	1	1	\$1,165	\$52,000
Water Quality Monitoring Programs	.67	.67	\$50,724	\$52,634
Outreach and Education Programs	.67	.67	\$74,669	\$80,200

Program	Actual FTEs FY 2020	Budgeted FTEs FY 2021	Actual Expenditures FY 2020	Budgeted Expenditures FY 2021
TOTAL	7	7	\$1,601,704	\$1,755,650

Table 11 Exhibit 11 List of Program FTEs and Expenditures

VII. Guide to Agency Program

Complete this section for **each** agency program (or each agency function, activity, or service if more appropriate). Copy and paste questions A through P as many times as needed to discuss each program, activity, or function. Contact Sunset staff with any questions about applying this section to your agency.

Program 1: General Operations

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

Name of Program or Function: General Operations

Location/Division: 125 Lehmann Dr. Kerrville, TX 78028

Contact Name: Ray Buck & Tammy Thompson

Statutory Citation for Program: Article XVI, Section 59, of the Texas Constitution, Texas Water Code, Sec. 49

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

The general operations are conducted by the UGRA General Manager and Assistant General Manager for the purpose of oversight and management of the agency. This executive team works in tandem to complete multiple tasks for the authority. The duties required for general operations are as follows:

General Operations Duties

- Reports directly to the Board of Directors
- Represents UGRA and serves as liaison to other organizations, local and state agencies and political subdivisions
- Oversees all agency staff for all programs
- Participates in staff-led programs
- Works with local media to keep them informed of UGRA activities
- Manages the day to day administrative and financial administration of the agency
- Compiles and keeps all agency records pertaining to general business, board correspondence and board meetings
- Ensures that the agency is in compliance with the most current open meetings and records

- laws
- Manages all contractual and legal matters for UGRA.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

In addition to Board approval of the general operations, three other metrics are used to ensure the effectiveness and efficiency of UGRA's general operations. Annually, staff provide a status update to the 5-Year Strategic Plan detailing activities of UGRA for the previous year. Comments and recommendations are incorporated as appropriate. Additionally, UGRA annually engages an independent consultant to audit the past years financial operations. For the past fifteen years, the consultant has issued an unmodified opinion stating that UGRA followed all accounting rules appropriately and that the financial reports are an accurate representation of UGRA's financial condition. Finally, UGRA has an independent management audit performed every five years. The most recent management audit, in 2017, made the following findings:

- There were no reportable conditions related to internal controls.
- The Upper Guadalupe River Authority (UGRA) is aware of its mission and is meeting the goals as set out in the mission statement and enabling legislation.
- The goals are well documented and in compliance with the mission of UGRA.
- The organizational chart effectively and correctly presents the organizational structure of UGRA, and supports UGRA's mission. The staff are logically organized with appropriate levels of authority and responsibility.
- UGRA has translated its statutory mandates and enabling legislation into reasonable and attainable goals. There are no inherent barriers in this act or outside factors that could adversely affect UGRA's ability to achieve its mission.
- UGRA has a well-organized Management Information System in place that is integrated into the annual goals and strategic planning document, and users appear to be satisfied with the information.
- UGRA has policies and procedures in place that are communicated in writing.
- UGRA has services and programs in place that are consistent with and in support of the authority's mission.

The table as depicted in Exhibit 12 is believed to be non-applicable and deleted to enhance readability of this report.

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.

See Section III

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.

UGRA serves all residents and visitors to Kerr County. Additionally, the gains provided to water quality and quantity by UGRA programs benefit all local and downstream users.

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.

UGRA is a legislatively created conservation and reclamation district with a Governor-appointed board of nine directors. The UGRA Board hires a general manager to administer general operations under their oversight. Day to day affairs are conducted by the general manager and staff. Funding is derived from an annual ad valorem tax levy. The tax rate and annual budget are approved by the Board in September of each year for an October 1 through September 30 fiscal 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. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

See Section V.D. Funding

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.

There are no other conservation and reclamation districts within UGRA's jurisdiction, so UGRA uniquely serves the customer base. However, there are other agencies working locally to administer programs that benefit water quality and water quantity. For example, programs administered by the U.S. Department of Agriculture Natural Resources Conservation Service and the Texas State Soil and Water Conservation Board, administered locally by the Kerr County Soil and Water Conservation District (Kerr County SWCD) benefit water quality through brush management. Additionally, Kerr County offers a feral hog bounty and trapping equipment to local residents in an effort to manage the feral hog population. Feral hogs are a known detriment to riparian areas and negatively impact water quality. These agencies primarily work with rural landowners and focus on range, livestock, and wildlife management. Rather than duplicate activities that enhance water quality and quantity, UGRA works synergistically with these agencies to maximize benefit to Kerr County citizens.

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.

UGRA partners, through an MOU, with the Kerr County SWCD to incentivize brush management as a means to enhance recharge and to prevent sediment pollution in surface water. Additionally, UGRA, through an interlocal agreement, assists with Kerr County’s feral hog management program as a water quality protection measure.

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.

See Section I. 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 2020;
- the number of contracts accounting for those expenditures;
- the method used to procure 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.

Note that UGRA uses MOUs, ILAs, and signed agreements as well as contracts where appropriate. These tools serve as a record of commitments for both parties, enhance collaboration and communication, prevent conflicts, and help keep focus on the mission. Where contracts are required, UGRA follows procurement requirements detailed in 49.273 of the Texas Water Code. UGRA has no current contracting issues.

Top Five FY 2020 Contracts:

Employee Health Insurance	\$39,031.08
Grounds & Landscaping	\$29,340.00
Kerr Central Appraisal District fees	\$13,837.00
Bookkeeping Services	\$10,200.00
Legal Services	\$10,087.50

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

There were no grants awarded by this program in 2020.

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

Although controversial, the state right to use surface water without a permit, a Riparian Surface Water Right, does cause some seasonal issues for UGRA. UGRA has responded to a number of complaints of neighbors concerned with other neighbors using water from the river to water non-essential turf grass during time of low flow in the river. The TCEQ program, the South Texas Water Master, regulates all permitted surface water permits and pumping. The Riparian Surface Water Right is exempt from regulation, so an individual may exercise his/her right to pump surface water to water their grass while their adjacent neighbor with a TCEQ-issued surface water permit may be limited or restricted from pumping for their specified purpose. UGRA has responded to complaints in the past where adjacent neighbors were in conflict over which one could pump from the low river flow using their Riparian Surface Water Right to water their grass.

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

n/a

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe

n/a; UGRA has no regulatory programs

P. For each regulatory program, if applicable, provide detailed information on complaint investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure. See Exhibit 13 Example.

UGRA has no regulatory programs. Therefore, the table as depicted in Exhibit 13 is believed to be non-applicable and deleted to enhance readability of this report.

Program 2: Environmental Laboratory Services

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

Name of Program or Function: Environmental Laboratory

Location/Division: 125 Lehmann Dr. Kerrville, TX 78028

Contact Name: Nicole Shepherd

Statutory Citation for Program: Creation and Enabling Legislation; Article XVI, Section 59, of the Texas Constitution, Texas Water Code, Sec. 49.232

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

The objective of the environmental laboratory is to conduct certified water quality testing on drinking water, wastewater, and surface water for UGRA’s internal programs. Analyses are also provided for outside customers who require/desire certified water quality test performed by a NELAP (National Environmental Laboratory Accreditation Program) accredited laboratory. The laboratory testing ultimately ensures the protection of water quality for the Guadalupe River and its tributaries. Primarily, the laboratory serves entities who provide water and wastewater services to the public and require routine certified testing to maintain compliance with state law and protect public health. Other customers include private well owners, ranch owners with stock ponds, and citizens with rainwater collection systems. Internal programs include routine surface water quality monitoring and investigations. Surface water quality monitoring for the Texas Clean Rivers Program can be conducted at the UGRA lab because it maintains NELAP accreditation.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

UPPER GUADALUPE RIVER AUTHORITY ENVIRONMENTAL LABORATORY
Exhibit 12: Program Statistics and Performance Measures — Fiscal Year 2020

Program Statistics or Performance Measures	Dataset Reference Number* (if applicable)	Calculation (if applicable)	FY 2020 Target	FY 2020 Actual Performance	FY 2020 % of Annual Target
Certification	n/a	n/a	30 tests	30 tests	100%
Profitability	n/a	n/a	\$336,235	\$371,821	110%

Table 12 Exhibit 12 Program Statistics and Performance Measures *See Exhibit 3

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.

In 1998, when assets associated with the dam, lake and water treatment plant were transferred to the City of Kerrville, UGRA retained the laboratory facilities to provide general laboratory testing services to enhance the protection and purity of the Guadalupe River. Since that time, UGRA has annually evaluated laboratory operations and may add or delete tests for customer service. Additionally, the UGRA Lab serves as a hub for disseminating water quality information to the public by fielding questions from the public regarding their concerns for drinking water and surface water. UGRA has established a reputation for reliability and responsiveness in the community and is regularly contacted by the public when they have water quality concerns. UGRA investigates and provides responses to all inquiries. UGRA also assists customers with third-party laboratory analyses. These are tests that UGRA does not perform but subcontracts to other laboratories for analysis.

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.

Because the UGRA Lab is NELAP accredited, customers required to comply with state-regulated testing choose to use our services. Surface water testing for the Clean Rivers Program also requires testing be conducted by a NELAP accredited lab. We also test drinking water quality for well owners and other private citizens.

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 UGRA Environmental Laboratory is accredited by the Texas Commission on Environmental Quality (TCEQ) under the National Environmental Laboratory Accreditation Program (NELAP) developed by The NELAC Institute (TNI). The UGRA Lab implements a quality assurance system that meets the requirements of the 2016 TNI Standard. The UGRA Lab is directed by the Laboratory Manager who works with two lab analysts. The General Manager and Assistant General Manager provide oversight to the lab operations.

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. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Funding is primarily from fees charges for testing. In the event of a budget shortfall, funds from UGRA's general fund are transferred to the laboratory budget.

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.

There is one other local laboratory in Kerr County operated by the City of Kerrville. The primary function of this laboratory is to provide compliance testing for the City of Kerrville water and wastewater utilities; however, it does serve external customers as well. The City of Kerrville Laboratory is also NELAP accredited, but it offers only five certified tests compared to 30 certified tests offered by the UGRA Lab. Additionally, the UGRA Lab has expanded sample acceptance hours compared to the City of Kerrville Lab, so many regulatory compliance customers choose UGRA.

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.

As noted in Section H, the City of Kerrville Laboratory operates primarily to fulfill the testing needs of its utilities. Rather than compete, the City of Kerrville Lab and the UGRA Lab provide their respective needed

services. As noted, UGRA’s laboratory provides much broader testing than available at the City of Kerrville laboratory. Further, it would not be prudent to limit testing services to one facility. For example, if the City or UGRA is unable to perform a certain basic test due to testing equipment failure, the other laboratory can fulfill that need.

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 amount of those expenditures in fiscal year 2020;
- the number of contracts accounting for those expenditures;
- the method used to procure 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.

Top Five FY 2020 Contracts:

Employee Health Insurance	\$28,731.84
Rent	\$14,025.00
Copy Machine Rental	\$4,005.44
Postage Meter Rental	\$3,249.36
Workers Compensation	\$1,251.66

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

n/a

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

There are no barriers or challenges that impede the program’s performance, which is excellent.

The UGRA Lab provides excellent service to customers by providing certified test results within the advertised turnaround time. The challenge as noted previously in Section II.H. is the requirement that the environmental laboratory operations be considered a for-profit business. This poses significant challenges, not in performance, rather in operations. Governmental Accounting Standards Board (GASB) Statement 34 provides guidance on the use of proprietary funds for services such as UGRA’s

Environmental Laboratory. Paragraph 67 of that statement states that UGRA must use an enterprise fund if there is a pricing policy that fees and charges are set to cover cost. UGRA's laboratory is a service we offer to external customers and utilize for our internal programs. One could argue that rather than a for-profit business, it's the only service that UGRA offers that assists in paying for itself.

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

The NELAP-accredited UGRA Environmental Laboratory is a small commercial water and wastewater laboratory. It is accredited to conduct 30 certified tests. The testing is done by three laboratory staff who are all designated technical directors for either chemistry, microbiology or both.

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. 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;
- sanctions 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 investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure. See Exhibit 13 Example.

The table as depicted in Exhibit 13 is believed to be non-applicable and deleted to enhance readability of this report.

Program 3: Watershed Protection Programs

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

Name of Program or Function: Watershed Protection Programs

Location/Division: 125 Lehmann Dr. Kerrville, TX 78028

Contact Name: Tara Bushnoe

Statutory Citation for Program: Creation and Enabling Legislation; Article XVI, Section 59, of the Texas Constitution; Texas Water Code, Chapters 49 and 54

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

The objectives of the Watershed Protection Programs are to control, preserve and protect the waters of the Guadalupe River in Kerr County.

River Corridor Video: To document changes in the watershed over time, UGRA contracts for aerial filming of the North Fork, South Fork, Johnson Creek, and mainstem Guadalupe River in Kerr County.

- Annual footage from 2011-2021 is currently available for viewing through the UGRA webpage and multiple videos can be launched simultaneously at a selected location.
- The footage has been used to document land use changes over time and to aid with water quality investigations.

Water Enhancement Cost Share Program: UGRA has a cost share program to provide additional reimbursement to landowners enrolled in USDA Natural Resources Conservation Service (NRCS) or Texas State Soil and Water Conservation Board (TSSWCB) brush management programs. Landowners in the Guadalupe River watershed in Kerr County can receive 25% of the amount reimbursed by NRCS or TSSWCB once they have completed brush management activities to enhance flows in the Guadalupe River.

Water and Sediment Control Basins: In 2012, UGRA initiated the construction of water and sediment control basins in western Kerr County. The structures function to slow runoff during rain events to reduce flooding and sediment loading into the river. Rainfall and water level sensing equipment has been installed on 8 of the 9 completed facilities. Completed structures include:

- K-1: Texas Parks and Wildlife Department Kerr Wildlife Management Area in Hunt (2012)
- K-2: Hurt Ranch in Mountain Home (2014)
- K-3: Arnold Ranch in Mountain Home (2015)
- K-4: Gilroy Ranch in Mountain Home (2015)
- K-5: Texana Ranch (2017)
- K-6: Clarke Ranch (2018)
- K-7: Martin Ranch (2019)
- K-8: South Fork Ranch (2020)
- K-9: MacDonald Ranch (2021)

Low Water Crossings Clean Up: UGRA contracts with a local company to remove trash from fifteen low water crossings across Kerr County on a routine basis. Over 35,000 pounds of trash were removed from these crossings in 2020.

Litter Patrol: In 2017, UGRA initiated summer patrols for littering at three crossings where large amounts of trash are routinely collected. The program continued during subsequent summers and consisted of

125 hours per summer spent visiting Hunt Crossing, Ingram Dam, and Brinks Crossing. During the visits, the licensed peace officers provide a presence to discourage littering and pass out trash bags.

Pet Waste Stations: UGRA has funded or coordinated funding for 38 pet waste stations that are located in public parks throughout Kerr County. The City of Kerrville and Kerr County maintain the stations and UGRA provides refill pet waste collection bags to Kerr County.

Hazmat Initiative: UGRA partners with local fire departments and other agencies for hazardous material spill containment and clean up. Absorbent hazmat materials are provided to area entities to aid their response to pollutant spills in and around the Guadalupe River and other water bodies.

Feral Hog Management: UGRA partners with Texas AgriLife Extension Service and Kerr County to increase funding of programs to control feral hog populations, which damage riparian areas and thereby degrade the quality of surface waters. These programs may include a bounty, trapping equipment, aerial harvesting, and/or technical assistance for trapping.

Kerr County Flood Warning: UGRA initiated discussion on flood warning with Kerr County. After those discussions, Kerr County, the City of Kerrville and UGRA funded a preliminary flood warning engineering study which formed the basis for a FEMA grant application. Kerr County and UGRA partnered on the FEMA grant application asking for \$731,413 in federal funds with local match from Kerr County and UGRA of \$243,804. This project was not awarded grant funding as most flood mitigation funding went to areas impacted by Hurricane Harvey.

GBRA Rainfall Gauge Maintenance: UGRA funds the operation and maintenance of 22 rain gauges in Kerr County per an MOU with GBRA. A link to recent rainfall totals is posted on the UGRA website.

UGRA EduScape: In 2018, UGRA completed construction of a landscape “EduScape” at its Guadalupe Basin Natural Resources Center. The redesign demonstrates 15 stormwater retention and water conservation techniques. The Hill Country Master Gardeners partnered with UGRA to develop the design and the Hill Country Master Naturalists are assisting with maintenance of the landscape. Riverside Nature Center has been contracted to provide interpretive programs and tours of the landscape. A walking path with interpretative signs also facilitates a self-guided tour with prompts to visit the UGRA EduScape website for additional details. The EduScape was awarded the 2018 Rain Catcher Award by the Texas Water Development Board.

Healthy Creeks Initiative: The Healthy Creeks Initiative is a Texas Parks & Wildlife Department (TPWD) program to work with streamside landowners to manage Giant Cane (*Arundo donax*) along the river and streams in Kerr County. *Arundo* invades riparian areas and displaces the native vegetation which reduces the health of the areas and their ability to improve water quality and quantity. This can lead to decreased bank stabilization, increased flooding, reduced riparian and aquatic species diversity, and increased fire hazard. UGRA began a partnership with TPWD in 2018 to facilitate Kerr County landowner participation in the program. Once landowners have signed up, TPWD will coordinate no cost herbicide treatment of the *Arundo* on their property. In 2020, 79 parcels owned by 44 different landowners were treated in Kerr County.

Stream Flow and Spring Flow Monitoring: UGRA works with the U.S. Geological Survey (USGS) to routinely monitor flow of the Guadalupe River.

- UGRA initially contracted with USGS in 2008 to collect quarterly measurements at locations immediately downstream from known springs or spring groups to assess their contributions over time. UGRA took over the quarterly measurements at 7 locations in 2017 and continues to collect these measurements.
- UGRA funds three continuous real-time stream flow gauging stations in Kerr County. City of Kerrville pays for 50% of the cost of two of the gauges.

Guadalupe-Blanco River Trust: The mission of the Guadalupe-Blanco River Trust (GBRT) is to preserve the unique natural heritage of the Guadalupe watershed for future generations, by protecting open landscapes, working farms and ranches, and wildlife habitat. This is accomplished by conservation easements, education, and outreach that connects people to the water and the land. UGRA per an MOU with GBRT is, on an annual basis, entitled to appoint a Trustee to the Board of Trustees of GBRT. The first appointment was made in December 2004. The position is currently held by UGRA Director Diane McMahon. UGRA and GBRT have executed an MOU formally committing to work together through January 2025.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

While this program is broad in nature, each project has goals specific or unique to that project. UGRA staff regularly report key information to the Board on the projects during the General Manager Report at board meetings and in the annual strategic plan update. The metrics reported are unique to the type of project but, in general, quantifiable amounts are summarized by fiscal year or calendar year (i.e. acres of brush treated, gallons of water impounded, pounds of trash collected, number of bounties redeemed, number of visitors). In addition, many of the projects are reviewed and discussed to evaluate effectiveness and modify for future implementation.

The table as depicted in Exhibit 12 is believed to be non-applicable and deleted to enhance readability of this report.

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.

n/a

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.

By promoting projects that enhance both water quality and quantity, this program impacts all citizens living in Kerr County and downstream in the Guadalupe River basin to the Gulf of Mexico.

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 Board annually approves a fiscal year budget. Many of the projects are assigned to a specific board committee and are discussed by the committee to monitor effectiveness and consider future changes. The budget for the projects is discussed by the committee and recommendations are included in the fiscal year budget. Administrative and Natural Resources staff perform the necessary operational tasks to implement the projects budgeted by the Board. Annually, staff provide an update to the Board on all projects through both the Strategic Plan update, General Manager Report, and committee meetings. Legal issues are presented to the Board for approval.

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. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

The primary source of funding is from ad valorem taxes. Cost share with the City of Kerrville and Kerr County, along with a grant from the Lower Colorado River Authority (LCRA) offset some of the project costs.

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.

There are no other jurisdictions charged with the overall conservation and protection of the Guadalupe River in Kerr County, so UGRA uniquely serves the customer base. However, there are other agencies working locally to administer programs that benefit water quality and water quantity on a limited basis. For example, Kerr County supports feral hog management and flood planning. Kerr County Soil and Water Conservation District and Natural Resources Conservation Service promote brush management. The U.S. Geological Survey (USGS) measures river flow and the Lower Colorado River Authority promotes watershed preservation. UGRA has opted to partner with these agencies on projects that align with the mission of UGRA. Rather than duplicate activities that enhance water quality and quantity, UGRA works synergistically with these agencies to maximize benefit to Kerr County citizens.

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.

As noted in Section H above, UGRA partners with a number of entities. UGRA and Kerr County operate the feral hog management program through an Interlocal Agreement (ILA). Funding to operate river flow gages is managed under a federal contract with USGS. UGRA has executed MOUs with Kerr County, Kerr

County SWCD, and the Guadalupe-Blanco River Trust. UGRA also executed an ILA with Texas Parks and Wildlife Department to manage Arundo in Kerr County. UGRA has received a \$2,500 grant for feral hog management from the Lower Colorado River Authority because a portion of Kerr County lies in the Colorado River watershed.

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.

See Section I 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 2020;
- the number of contracts accounting for those expenditures;
- the method used to procure 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.

Note that UGRA uses MOUs, ILAs, and signed agreements as well as contracts where appropriate. These tools are used because they serve as a record of commitments for both parties, enhance collaboration and communication, prevent conflicts, and help keep focus on the mission. Where contracts are required, UGRA follows procurement requirements detailed in 49.273 of the Texas Water Code. UGRA has no current contracting issues.

The general purpose of the contracts is to control and protect the Guadalupe River, and to protect adjacent property owners from damage. The water and sediment control project contracts set forth the terms and conditions for funding, construction and operation of water and sediment control basins to control flooding, and protect water quality through sediment control. UGRA contracts with engineers and contractors for design and construction of these facilities, and contracts with landowners for placement of the basins at appropriate locations on the Guadalupe River or its tributaries.

UGRA is also a party to a contract for payment of operational expenses for stream gauging, allowing it to monitor the Guadalupe River and its flows. UGRA contracts for trash collection within the Guadalupe River watershed. UGRA is a party to a contract with Kerr County to contribute funding to a bounty program to control the feral hog population and thus protect the Guadalupe River from pollution and erosion caused by these animals.

Top Five FY20 Contracts:

Water and Sediment Basin Construction Cost	\$292,890.00
Water and Sediment Basin Design and Engineering Oversight	\$41,800.00
River Crossing Trash Collection	\$37,497.00

USGS	Streamflow Gauging Stations O&M	\$36,640.00
	Feral Hog Management (bounty payments)	\$11,370.00

For professional engineering services, UGRA procures services in accordance with the Professional Services Procurement Act (Chapter 2254 of the Government Code). For construction projects, UGRA procures contracts in accordance with the competitive bid procedure set forth in Section 49.273 of the Water Code.

UGRA monitors contractor performance through inspection of services, review of payment applications, and inserting performance obligations into the contracts to ensure UGRA's purposes are achieved. Payment is not made to contractors or consultants unless the services are rendered in accordance with the party's obligations.

UGRA does not have any current contract problems.

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

Although grants are not awarded, UGRA does incentivize brush management by paying the landowner 25 percent of the amount reimbursed by NRCS or TSSWCB once they have completed brush management activities. UGRA contributes to bounty payments issued by Kerr County to incentivize feral hog management. UGRA provides hazmat materials to local firefighters free of charge. Per an MOU with GBRA, UGRA contributes \$5,000 per year for maintenance to GBRA's rainfall monitoring network.

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

In general, the Watershed Protection program addresses threats to surface water quality and quantity that originate on the land. Some of the programs promote practices that reduce the presence of pollutants on the land. Others promote practices that maintain upland and riparian areas so that they can function properly to reduce runoff into streams and rivers.

A challenge that impedes the performance of this program is the current permitting process for aggregate production operations (APO) in Texas by the Texas Commission on Environmental Quality. Current permitting does not prohibit APOs from mining in the riparian area or designate any setback for operations from the water's edge. Riparian areas are essential to protect water quality and quantity. Vegetation and soil structure of the riparian area provide numerous benefits such as bank stabilization, erosion prevention, flood intensity mitigation, as well as filtering overland flood flows preventing excessive sedimentation of the river. Currently, mining is allowed to the river's edge as long as an APO has obtained a flood plain permit.

An additional challenge is that APOs are not required to achieve reclamation of the site after mining is complete. After all sand and gravel has been removed, a gaping hole remains on the landscape. Without reclamation, these pits can lead to future erosion and sedimentation into the waterway because such a large area is devoid of vegetation. Depending on the proximity to the waterway, the pits also have the potential to alter the course of the river during flood events. A requirement for APOs to achieve

reclamation at the conclusion of operations would provide assurance to the community that the site will not be a future liability and that it may also provide a future beneficial use to the watershed.

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

n/a

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. 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;
- sanctions 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 investigation and resolution. Please adjust the chart headings as needed to better reflect your agency’s particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure. See Exhibit 13 Example.

The table as depicted in Exhibit 13 is believed to be non-applicable and deleted to enhance readability of this report.

Program 4: Water Supply Development Program

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

Name of Program or Function: Water Supply Development Program

Location/Division: 125 Lehmann Dr. Kerrville, TX 78028

Contact Name: Ray Buck

Statutory Citation for Program: Creation and Enabling Legislation; Article XVI, Section 59, of the Texas Constitution, Texas Water Code, Chapters 11, 12, 49 and 54

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

The objective of this program is to utilize Surface Water Permit 5394D for water supply in Kerr County. To date, UGRA has undertaken measures directed at utilizing the permit to enhance the City of Kerrville's surface water supplies and to use the permit in eastern Kerr County to support growth in that area. To date, provision of water under this permit has not occurred.

City of Kerrville: Over the years, UGRA has initiated several discussions with the City of Kerrville regarding the use of Permit 5394D to supplement the city's water supply (see Section D below for details). Currently, the city is not interested in pursuing use of the permit. The most recent Long-Range Water Plan conducted by the city recommends against using additional surface water from UGRA's permit citing that it is less reliable than direct potable reuse from their recently constructed effluent holding facility.

Water Development (Eastern Kerr Water Supply Project): Seven entities (UGRA, GBRA, Kerr County, Kendall County, Kendall County WCID #1, Headwaters and Cow Creek Groundwater Conservation Districts signed a Memorandum of Understanding to commit to work together to improve water supply for eastern Kerr and western Kendall counties – specifically the Center Point and Comfort communities. Kerr County's MOU with GBRA for 6,000 ac-ft of surface water has been modeled as a flood scalping permit at three locations in eastern Kerr County along with UGRA's surface water permit 5394D. Several investigations for water treatment and water storage have been performed in the recent past with the most recent concept targeting the potential for the Center Point Wheatcraft Quarry as an off-channel surface water storage facility.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

Analyses were performed on this particular program to determine the water availability and financial feasibility of several projects. See the listing below in Section D.

Although the water rights available to UGRA under Permit 5394D are not currently used, UGRA believes that the water rights will be an important tool to meet future water supply demands as growth continues in Kerr County.

The table as depicted in Exhibit 12 is believed to be non-applicable and deleted to enhance readability of this report.

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.

UGRA has partnered locally and regionally in seeking potential utilization of water from its surface water permit. Initially, UGRA sought to partner with the City of Kerrville. At one point, UGRA offered to install an Aquifer Storage and Recovery (ASR) well for the city in exchange for treating the water from UGRA's

permit. UGRA also offered to lease and/or sell the water right to the City of Kerrville. The most recent water study performed by the City of Kerrville discounts the need for additional surface water. UGRA has also pursued using surface water conjunctively with groundwater in eastern Kerr County. The rationale was to replicate the process used in the City of Kerrville by using surface water when available and ASR while preserving groundwater. To that end, UGRA investigated using the Bedrock quarry owned by Martin Marietta and the Wheatcraft quarry owned by Curtis Wheatcraft as off-channel surface water storage facilities. UGRA also used an Economically Distressed Area Program (EDAP) grant to study the feasibility of a water treatment plant in Center Point. To date, none of these options have proved feasible. The following highlight some of the significant inflection points in using Permit 5394D n^o 5394.

- In October 1993, TCEQ issued surface water permit 5394 to UGRA for 4,760 acre-feet (ac-ft) with special conditions for use
- In 1998, Permit 5394 was modified and split into Permits 5394A and 5394B. Permit 5394A went to UGRA for 2,000 ac-ft with special conditions
- In 2003, the City of Kerrville commissioned a study, Kerrville Water Rights Study
- In 2006, UGRA commissioned the study, Canyon Subordination Assessment
- In 2007, Permit 5394A was modified by voiding Special condition 5E. – loss of permit (now Permit 5394C)
- In 2008, UGRA executed an MOU, Regional Water and Wastewater Matters, and Range Improvement, with the City of Kerrville, the City of Ingram, Kerr County, and Headwaters Groundwater Conservation District
- In 2009, UGRA contracted with the TWDB through an EDAP grant to evaluate a surface water treatment and distribution facility in Center Point
- In 2009, UGRA commissioned a study, Water Rights Study
- In 2011, the City of Kerrville, via resolution 046-2011, supported the UGRA's proposal to amend Permit 5394C by removing the restriction that prevented the city from using water from UGRA's permit
- In July 2011, UGRA commissioned the study, Evaluation of Kerrville Water Rights and Distribution System (evaluation of TCEQ Permits 3505, 5394A and 5394B)
- In 2012 Kerr County, on behalf of the Eastern Kerr and Western Kendall County consortium, applied for and received a regional facility planning grant to evaluate potential water supplies
- In 2013, Permit 5394D was approved allowing all entities to use UGRA permitted water including the City of Kerrville
- In December 2013, UGRA and the City of Kerrville negotiated a lease/purchase option and sale

of Permit 5394D with no final resolution

- In October 2014, UGRA and Kerr County signed an interlocal agreement for an eastern Kerr County and western Kendall County surface water supply and storage options study
- In August 2015, UGRA and Kerr County commissioned the study, Water Availability Analysis for UGRA and Kerr County
- In 2018, UGRA commissioned a study, Design Development and Analysis – Water Storage Facility in Center Point
- In 2019, the City of Kerrville commissioned a Long-Range Water Plan

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.

As with all programs, the Board annually approves a fiscal year budget. Administrative staff provide the necessary operational tasks to implement the project discussions and analyses authorized and budgeted by the Board. UGRA staff regularly report key information to the Board on the projects during the General Manager’s report at board meetings and in the annual Strategic Plan update. Legal issues are presented to the Board for approval.

At the current time, no waters are being diverted by UGRA pursuant to Permit 5294D. As a result, there is no program that is currently operational.

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. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Primary funding for this program is from the UGRA General Fund. As noted in Section D, UGRA did utilize TWDB EDAP grant funding in the amount of \$51,750 in 2009 to evaluate a water supply and distribution facility in Center Point.

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 City of Kerrville provides drinking water service within its corporate limits and extraterritorial jurisdiction, and Kendall County WCID #1 furnishes drinking water service to a limited geographical area. Neither of these entities provides services to all of Kerr County, which is UGRA's target population.

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 Sections D and H.

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.

See Section D

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 2020;
- the number of contracts accounting for those expenditures;
- the method used to procure 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.

Note that UGRA uses MOUs, ILAs, and signed agreements as well as contracts where appropriate. These tools serve as a record of commitments for both parties, enhance collaboration and communication, prevent conflicts, and help keep focus on the mission. Where contracts are required, UGRA follows procurement requirements detailed in 49.273 of the Texas Water Code. UGRA has no current contracting issues.

No contracted expenditures are made through this program at this time. There were no Water Supply Development related contracts in FY20. Relevant expenses in this category for FY20 were fees associated with permit 5394D.

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

n/a

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

The most significant barrier to implementation of a water supply development program is financial and water rights availability. Historically, the most significant water demands have been in the most populated areas of the County, which is Kerrville. Having a significant customer base allows a utility to finance the water supply development and capital costs associated with major infrastructure improvements. In many areas outside the municipal population areas, there is not a sufficient customer base to allow for financing of the capital costs associated with a project. Also, the waters of the Guadalupe River in Kerr County are fully appropriated. So, in many cases, other sources of water will be needed to meet supply demands, which increases the costs substantially.

The challenge to using UGRA's surface water permit is rooted in Texas Water Law. The Surface Water Adjudication Act of 1967 established a process to legally permit surface water. The criterion used to verify a "right" was primarily historical use. Unfortunately for many rural areas at the time, rural towns had not yet ascertained a need to conjunctively use surface water with groundwater to provide for growth. Hence, few if any municipal use permits were issued in the upper basins and certainly not in the upper Guadalupe River basin. The creation of Canyon Lake on the Guadalupe River further restricted surface water use in Kerr County, as much of the upstream flow was reserved for the reservoir. A study commissioned by UGRA in 2008 determined that the proportion of the Upper Guadalupe watershed draining to Canyon Lake originating from Kerr County is 839 square miles out of a total of 1,315 square miles or 63.8 percent. Further, the Kerr County contribution to flow into the Upper Guadalupe River above Canyon Lake is about 64 percent. Given these facts, it is very difficult for UGRA to use its permit due to the special conditions associated with it at its issuance, although the water originates in Kerr County.

UGRA anticipates that future demands for additional water supplies in Kerr County will necessitate use of the Permit in conjunction with other entities that participate for development of regional water supply solutions.

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

n/a

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. 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;
- sanctions 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 investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure. See Exhibit 13 Example.

The table as depicted in Exhibit 13 is believed to be non-applicable and deleted to enhance readability of this report.

Program 5: Water Quality Monitoring Programs

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

Name of Program or Function: Water Quality Monitoring Programs

Location/Division: 125 Lehmann Dr. Kerrville, TX 78028

Contact Name: Tara Bushnoe

Statutory Citation for Program: Creation and Enabling Legislation; Article XVI, Section 59, of the Texas Constitution, Texas Water Code, Chapters 49 and 54

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

The program objective is to protect and preserve surface water quality in the Guadalupe River in Kerr County. Primary activities of the program are to develop a water quality database through regular monitoring, conduct investigations of water quality issues with possible resolution, and implementation of water quality protection mechanisms.

Bacteria Reduction Plan: UGRA received a grant from the Texas Commission on Environmental Quality (TCEQ) to implement measures to reduce bacteria levels in the Guadalupe River in Kerrville.

- In 2002, TCEQ identified a portion of the Guadalupe River from Town Creek through Flat Rock Lake as not meeting the contact recreation water quality standard due to elevated E. coli bacteria levels
- UGRA received a grant (2008-2010) from TCEQ to complete an Implementation Plan at the local level to outline strategies to address the impairment. Primary sources of the bacteria impairment are bridge-roosting birds, large flocks of domestic waterfowl congregating in the lakes, septic systems, pet waste, and pollution from general urban runoff
- UGRA received a second grant (2011-2014) from TCEQ to put measures in place to address these sources and partnered with the City of Kerrville, Kerr County, and the Texas Department of Transportation (TXDOT) on this project

- Both sections of the Guadalupe River in Kerrville that were originally listed as impaired for elevated bacteria levels were removed from the state’s impaired waters list in 2012 and 2014 and continue to meet the bacteria standards for contact recreation
- UGRA received a small grant in FY18 to update the Implementation Plan document. The Bacteria Reduction Plan Stakeholder Group reconvened in December 2017 to provide a status update. The revised plan was completed in December 2018
- Current status: will continue projects to reduce bacteria sources and to monitor bacteria levels in river

Clean Rivers Program (CRP): The CRP is a state fee-funded program for water quality monitoring, assessment, and public outreach. The CRP is a collaboration of 15 partner agencies and TCEQ. Water quality data are maintained in TCEQ’s database and used to assess changes in water quality over time.

- UGRA is subcontracted by the Guadalupe-Blanco River Authority to sample 12 sites (11 in Kerr, 1 in Kendall) four times per year for field, bacteria, and conventional parameters and 6 sites once per month for field and bacteria parameters.
- UGRA staff also participate in conferences and trainings in surface water quality monitoring and data management.

County Wide Goal Based Monitoring Program: UGRA developed monitoring program to build upon the routine samples collected for CRP. This program focuses on the water quality of the tributaries whereas CRP focuses on the water quality of the Guadalupe River.

- Samples are collected at 15 sites four times per year for the same parameters as the CRP.
- Samples are collected at seven sites during the other eight months of the year for field parameters and bacteria.
- Benchmarks are established for each parameter, and data trends are assessed periodically to detect changes in water quality.

Summer Swimability Study: This is a longstanding UGRA program that extends from Memorial Day to Labor Day to monitor bacteria levels at popular swimming holes.

- Samples are collected at 21 sites on a weekly basis and the results are posted on the UGRA website.
- Local agencies like the City of Kerrville Parks and Recreation Department and Kerr County Environmental Health Department use this information to determine if they are going to issue swimming advisories at public swimming areas.

Complaint Investigation: UGRA investigates citizen complaints regarding possible water pollution. Responses often include water quality testing and coordination with other entities to resolve issues. UGRA has established a reputation for reliability and responsiveness in the community and is regularly contacted by the public when they have water quality concerns. UGRA investigates and provides responses to all inquiries.

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the

effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

The effectiveness and efficiency of the Bacteria Reduction Plan (BRP) is readily quantifiable.

As a result of implementing the BRP, water quality monitoring data now show that both impaired segments of the Guadalupe River in Kerr County meet the state's *E. coli* standard. The 2012 Integrated Report showed an *E. coli* geometric mean of 87.25 cfu/100mL for Segment 1804-04. For Segment 1804-06, the 2014 Integrated Report showed an *E. coli* geometric mean of 97.3 cfu/100mL. These data led to the removal of Segment 18-04 from the impaired waters list in 2012 and Segment 1804-06 in 2014. These waterbodies, extending from the confluence of Town Creek and the Guadalupe River to Flat Rock Lake, currently support water quality standards for all their designated uses.

The success of the BRP can be attributed to the local stakeholders for developing the Total Maximum Daily Load (TMDL) and the TMDL I-Plan also known as the BRP, and to the Best Management Practices (BMPs) implemented by the UGRA in conjunction with the TCEQ, the City of Kerrville, Kerr County, and TXDOT. Implementing BMPs to address bacteria, improving infrastructure, and conducting education and outreach programs have decreased the bacteria load; the trash cleanups and education and outreach programs have kept the community involved and informed. BMP implementation is ongoing, and water quality monitoring is continuing to track *E. coli* levels to ensure this restoration process remains a success.

The Clean Rivers Program efficiently and effectively produces scientifically valid data that meet criteria to be included in the TCEQ Surface Water Quality Monitoring Information System database. The monitoring and analysis are conducted according to the terms outlined in a workplan and quality assurance project plan that was developed in accordance with guidance provided by TCEQ. Additionally, the field sampling methods follow the TCEQ Surface Water Quality Monitoring Procedures Manual.

UGRA's other monitoring programs, including complaint investigations, follow similar protocols thus ensuring their efficiency and effectiveness.

The table as depicted in Exhibit 12 is believed to be non-applicable and deleted to enhance readability of this report.

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.

UGRA believes water quality monitoring is essential in understanding and addressing water quality changes over time. To complement the Clean Rivers Program which addresses water quality on the mainstem of the Guadalupe River. In 2008, UGRA initiated the county wide goal-based monitoring program which addresses water quality in tributaries of the Guadalupe River. Historical data were used

to develop water quality benchmarks. These data were used to monitor water quality changes and to assist in water quality investigations.

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 Board annually approves a fiscal year budget. Many of the projects are assigned to specific Board committees where they are evaluated for effectiveness and future changes. Project specific budgets are discussed by the committee and recommended to the board for inclusion the fiscal year budget. Natural Resources staff provide the necessary operational tasks to implement the projects. Staff provide status reports to the Board on all projects through the annual Strategic Plan update, GM Report, and committee meeting summaries.

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. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

Other than general revenue funding, the only current funding for this program is through a subagreement with the Guadalupe-Blanco River Authority (GBRA) for the Clean Rivers Program. The Texas Commission on Environmental Quality (TCEQ) administers the program and allocates funding per river basin. As the larger river authority, GBRA contracts with TCEQ for all Clean Rivers Program activities in the Guadalupe basin. Through a subagreement between UGRA and GBRA, a portion of the contract funds is allocated to UGRA to conduct Clean Rivers Program activities in Kerr County and to monitor one sampling location in Kendall County.

From 2008-2018, UGRA utilized approximately \$538,000 in Clean Water Act section 319(h) funds and \$351,000 of local match funds from the UGRA, the City of Kerrville, Kerr County, and TXDOT for a combined total of \$889,573. These funds were used to develop, implement, and update a Bacteria Reduction Plan with established BMPs as well as education and outreach programs in the watershed. In addition, from 2011 to 2015 the city of Kerrville, a partner in this project, spent over \$22 million on improvements to the city's wastewater collection infrastructure.

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.

There are no other programs within our jurisdiction, internal or external to UGRA, that provide identical or similar services or functions to our target population, which is all of Kerr County. The City of Kerrville provides limited water quality monitoring within its jurisdiction only.

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.

UGRA coordinates with GBRA through a subagreement for the Clean Rivers Program. The subagreement is for a two-year time period and specifies terms and conditions, scope of work and compensation.

Although more for local input rather than to avoid duplication, UGRA did solicit TCEQ grant funds to develop a local stakeholder-driven Bacteria Reduction Plan and continues to monitor that plan. If UGRA had not proactively taken this action, TCEQ would have required development of a Bacteria Reduction Plan. Note that the Bacteria Reduction Plan was developed locally through a stakeholder process, it was approved by TCEQ and the Environmental Protection Agency (EPA).

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 noted in Section I. above, UGRA currently coordinates with the Guadalupe-Blanco River Authority (GBRA) and TCEQ on the Clean Rivers Program and has coordinated with the City of Kerrville, Kerr County, TXDOT, and TCEQ for the Bacteria Reduction Plan.

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 2020;
- the number of contracts accounting for those expenditures;
- the method used to procure 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.

Note that UGRA uses MOUs, ILAs, and signed agreements as well as contracts where appropriate. These tools serve as a record of commitments for both parties, enhance collaboration and communication, prevent conflicts, and help keep focus on the mission. Where contracts are required, UGRA follows procurement requirements detailed in 49.273 of the Texas Water Code.

UGRA contracts with GBRA to implement the Clean Rivers Program. The purpose of the contract is to enhance collaboration for the necessary services and funding for protection of the Guadalupe River. The contract identifies each task associated with the Clean Rivers Program. The agreement prevents

conflicts, sets forth the terms, helps keep focus on the mission, and sets conditions for performance, including deadlines, and payment schedule.

For Fiscal Year 2020, the Contract Amount was \$30,509.

Where contracts are required, UGRA follows detailed procurement requirements with individual contractors to perform the specific tasks. Professional engineering services are procured in accordance with the Professional Services Procurement Act. Non-professional services are performed by the most qualified contractor after competitive solicitation done in accordance with Section 49.273 of the Texas Water Code. UGRA has no current contracting issues.

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

n/a

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.

n/a

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. 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;
- sanctions 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 investigation and resolution. Please adjust the chart headings as needed to better reflect your agency’s particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure. See Exhibit 13 Example.

The table as depicted in Exhibit 13 is believed to be non-applicable and deleted to enhance readability of this report.

Program 6: Outreach and Education Programs

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

Name of Program or Function: Outreach and Education Programs

Location/Division: 125 Lehmann Dr. Kerrville, TX 78028

Contact Name: Tara Bushnoe

Statutory Citation for Program: Creation and Enabling Legislation; Article XVI, Section 59, of the Texas Constitution, Texas Water Code, Chapters 49 and 54

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

The objective of this program is to raise awareness of the importance of the river to our economy and quality of life, to foster an appreciation for the river, and to influence subsequent behavior through education. UGRA operates on the premise that long-term behavioral change is best effected through education. We stress that local studies done by the Kerrville Convention and Visitor's Bureau indicate that the Guadalupe River directly impacts the region's economy by about \$47 million annually. We also stress the importance of the river as a water supply citing that when river water began to be used to supplement groundwater withdrawal, the aquifer levels rebounded over 200 feet. Our goal is to place water in the forefront of conversation. We have attempted to brand the slogan "Let's Keep Our River Clean!"

Annual River Clean Up: The Annual River Clean Up is a community wide event to promote awareness of the importance of the Guadalupe River to the community. In 2020, 442 volunteers spent 1,061 hours collecting 9,189 pounds of trash from the Guadalupe River watershed in Kerr County. Traditionally, the River Clean Up is held each year on the 4th Saturday in July, but was held as an on-your-own event during 2020 and 2021 due to the pandemic.

Volunteer Summer Study: This UGRA program began in 2004 to supplement bacteria data collected during the summer and includes interested members of the community in water quality testing. The information collected by the volunteers also helps identify areas in need of further investigation. In 2020, thirty-nine volunteers collected 451 samples at 45 locations throughout Kerr County.

Waterway Cleanup Bags: A dispenser containing mesh waterway cleanup bags was located at Ingram Dam during the summer 2020 and 2021. This program is helping to reduce trash at a heavily used location on the Guadalupe River.

Rainwater Catchment Rebate Program: The UGRA rebate program is to promote water conservation and watershed stewardship through rainwater harvesting. The program is available to anyone with a Kerr County address. Eligible applicants will be reimbursed 50% of their costs up to \$200 for their purchase(s) of rainwater catchment equipment with a limit of one application per Kerr County address per calendar year. Maximum rebate amounts were increased from \$50 to \$100 in 2017 and from \$100 to \$200 in 2019.

Large Rainwater System Incentive Program: UGRA accepts applications annually for up to \$2,500 toward a rainwater catchment system. Funding can be provided in a lump sum to one project or split among projects. The program is open to all individuals, but the applications submitted by entities that promote water conservation education to the public will be given a higher priority. The funding award is approved by the Board and recipients will enter into a contract with UGRA outlining the terms of payment reimbursement.

Programs at Schools or Community Events: UGRA staff respond to all requests from Kerr County schools and other entities to present information to their students on topics ranging from watersheds, pollution, the water cycle, and aquatic invertebrates.

Presentations to Groups: UGRA staff respond to all requests from local groups for presentations on water issues and speak to a variety of civic, religious, and special interest groups.

Currents Article: UGRA staff compose a monthly article on topics relating to the Guadalupe River, water quality, and state and local water issues. These articles are distributed to the three Kerr County newspapers.

Internship/Shadowing Program: Upon request, UGRA staff assists interested students with an independent study project related to water quality. UGRA also hosts a Schreiner University intern who assists with tasks in the Environmental Lab and Natural Resources Department.

Public Awareness Campaign: UGRA maintains annual contracts with the following media outlets:

- The Ranch, The River, The Fox: commercials
- Business Link Magazine: monthly ½ page ads
- Encore Radio: commercials
- Rev FM, The Buck, Mike FM: commercials
- Texas Public Radio: conservation tip of the day
- Kerrville Daily Times: weekly ad
- Hill Country Community Journal: weekly ad
- West Kerr Current: weekly ad

Seminars: UGRA hosts at least one seminar per year to provide opportunities for the public to gather information about water issues and watershed stewardship.

Additional public awareness strategies:

- Year in Review publication
- Promotional items (bumper stickers, rain gauges, notebooks, reusable shopping bags, pet bag dispensers, first aid kits, pens, hats, water bottles)
- UGRA web page
- Information booth at community events
- Partnering with local agencies such as the Headwaters Groundwater Conservation District, Kerr County Environmental Health Department, and Texas AgriLife Extension Service
- Storm drain marking program
- Press releases
- Dissemination of brochures and literature to the public

C. What evidence can you provide that shows the effectiveness and efficiency of this program or function? In Exhibit 12, provide a list of statistics and performance measures that best convey the effectiveness and efficiency of this program or function. Also, please provide the calculation or methodology behind each statistic or performance measure. Please refer to, but do not repeat measures listed in Exhibit 2.

As with many educational programs, success is not easily quantifiable. Replication of efforts, survey responses, positive media coverage and anecdotal feedback all factor into judging the success or failure of this program. To date, all feedback has been positive including replication of volunteer litter clean up events and survey responses.

It is our hope that these efforts, particularly for the younger generation, will foster a natural resources stewardship ethic resulting in a positive impact for today and for future generations. We believe that education is the foundation for gaining public participation in safeguarding the Guadalupe River watershed.

The table as depicted in Exhibit 12 is believed to be non-applicable and deleted to enhance readability of this report.

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.

n/a

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 Board annually approves a fiscal year budget. Many of the projects are assigned to specific Board committees where they are evaluated for effectiveness and future changes. Project specific budgets are discussed by the committee and recommended to the board for inclusion the fiscal year budget. Natural Resources staff provide the necessary operational tasks to implement the projects. Staff provide status reports to the Board on all projects through the annual Strategic Plan update, GM Report, and committee meeting summaries.

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. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).

All current funding is from the UGRA General Fund.

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.

There are no other organizations in Kerr County that are focused on education and raising awareness regarding the importance of a clean and healthy Guadalupe River. However, there are other organizations working locally to improve understanding and management of the environment in the Hill Country. For example, Riverside Nature Center (RNC), the Hill Country Alliance (HCA), and the Hill Country Master Naturalists (HCMN) are non-profit organizations that offer natural resource conservation educational programs. Rather than duplicate educational activities, UGRA works synergistically with these agencies to maximize benefit to Kerr County citizens.

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.

UGRA currently supports the UGRA 2nd Grade Science Day at RNC and UGRA staff participate in RNC water resources programming. UGRA also partners with HCA to implement educational events including past film festivals and riparian landowner educational seminars.

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.

UGRA partners with the City of Kerrville and Kerr County to implement a successful Annual River Clean Up. Additionally, UGRA partners with Kerr County to offer the waterway cleanup bags at Ingram Dam.

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 2020;
- the number of contracts accounting for those expenditures;
- the method used to procure 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.

Note that UGRA uses MOUs, ILAs, and signed agreements as well as contracts where appropriate. These tools serve as a record of commitments for both parties, enhance collaboration and communication, prevent conflicts, and help keep focus on the mission. Where contracts are required, UGRA follows procurement requirements detailed in 49.273 of the Texas Water Code. UGRA has no current contracting issues.

UGRA contracts with different entities to disseminate information to the public regarding UGRA programming and water quality matters. The contracts set forth the terms and conditions for the services, generally relating to the requirements for distribution of the information and payment.

Top Five FY20 Contracts:

Public Awareness commercials on Ranch Radio Group	\$12,950.00
Public Awareness ads in Kerrville Daily Times publication	\$6,448.00
Riverside Nature Center Water Resource Education Programs	\$5,000.00
Public Awareness commercials on Texas Public Radio	\$3,916.80
Public Awareness Trivia Contest on JAM Broadcasting	\$2,999.95

Payment is made by UGRA only upon proper completion of the services by the service provider. Generally, these services are not subject to competitive procurement, so they are negotiated with the service provider.

UGRA has no contracting problems with the service providers or contracts.

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

On an annual basis, UGRA provides a rebate for smaller rainwater harvesting projects and provides cost incentives for larger systems.

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.

n/a

O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. 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;**
- **sanctions 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 investigation and resolution. Please adjust the chart headings as needed to better reflect your agency's particular programs. Please briefly explain or define terms as used by your agency, such as complaint, grievance, investigation, enforcement action, jurisdictional, etc. If necessary to understand the data, please include a brief description of the methodology supporting each measure. See Exhibit 13 Example.

The table as depicted in Exhibit 13 is believed to be non-applicable and deleted to enhance readability of this report.

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 FY 2015–2020, or earlier significant Attorney General opinions, that affect your agency’s operations.

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 14: Statutes / Attorney General Opinions

Statutes

Citation / Title	Authority / Impact on Agency <i>(e.g., “provides authority to license and regulate nursing home administrators”)</i>
Creation and Enabling Legislation	Sets forth UGRA’s powers, functions and authority.
Chapters 49 and 54, Texas Water Code	Sets forth certain rights and authority to UGRA with respect to its status as a district, including contracting to provide laboratory services, the levy and collection of an ad valorem tax, etc.

Table 14 Exhibit 14 Statutes

Attorney General Opinions

Attorney General Opinion No.	Impact on Agency
n/a	n/a

Table 15 Exhibit 14 Attorney General Opinions

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. See Exhibit 15 Example.

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 15: 87th Legislative Session

Legislation Enacted

Bill Number	Author	Summary of Key Provisions
n/a	n/a	n/a

Table 16 Exhibit 15 Legislation Enacted 87th Leg

Legislation Not Passed

Bill Number	Author	Summary of Key Provisions / Reason Bill Did Not Pass
n/a	n/a	n/a

Table 17 Exhibit 15 Legislation Not Passed 87th Leg

IX. Major Issues

ISSUE 1: Unclear Impact of ESA Listing

A. Brief Description of Issue

The Upper Guadalupe River in Kerr County is home to freshwater mussel species that are being considered for listing as endangered under the Endangered Species Act. The listing decision can be based on low population abundance or absence of mussels, but also simply on the presence of perceived threats to their existence. It is believed that current UGRA operations would not constitute as “take” of these species, but other parties within UGRA’s jurisdiction may have activities that would constitute “take.” It is unclear if river-orientated recreation entities like summer camps, surface water use (permitted and riparian), or development along the river corridor are activities that will constitute “take.” An endangered species listing could lead to serious economic impacts for the region.

B. Discussion

As a steward of the Guadalupe River in Kerr County, UGRA routinely participates in regional planning efforts concerning water quantity and water quality to represent the interests of the people of Kerr County. To date, UGRA has participated as a stakeholder in Texas Parks and Wildlife Department’s development of a Conservation Plan for Freshwater Mussels in the Guadalupe River and has stayed informed of the Guadalupe-Blanco River Authority’s plans to develop a Habitat Conservation Plan for the Guadalupe River. In addition to being involved with these projects because they are regional conservation efforts, UGRA has maintained an active role so that we can provide information to Kerr County parties whose activities that may be impacted by an endangered species listing. The Guadalupe River and tributaries in Kerr County support many entities with river-oriented activities, including summer camps located along the river. Summer camps along the Guadalupe River provide a significant economic impact to our region. Additionally, this area continues to grow in terms of both population and development. It is currently unclear if a pending Endangered Species Act listing for freshwater mussels will impact any of these activities. Further, it is unclear if UGRA’s water quantity and water quality projects will be considered to mitigate the threats to the mussels.

C. Possible Solutions and Impact

Clarification from the U.S. Fish and Wildlife Service is needed regarding how river-orientated activities would be impacted by an Endangered Species Act listing for freshwater mussels.

ISSUE 2: Lack of Financial Assistance for Nature-Based Infrastructure

A. Brief Description of Issue

Nature based infrastructure strategies are currently not eligible to be included in the State Water Plan and therefore not eligible for State Water Implementation Fund for Texas (SWIFT) funding.

B. Discussion

Nature-based infrastructure strategies improve water quality by preventing polluted stormwater runoff from reaching creeks and rivers. They are also strategies to conserve water by retaining and storing water for future use. Currently, nature-based infrastructure practices are not eligible to be included in the regional water planning process and therefore not eligible for SWIFT funding. This reduces the potential for nature-based practices to enhance water quantity and water quality in Texas. UGRA is promoting stormwater retention practices including rain gardens, low impact development, riparian restoration and rain water harvesting.

C. Possible Solutions and Impact

Including nature-based infrastructure practices in the regional water planning process will qualify them to be funded through SWIFT. This will expand the types of eligible solutions to assist in addressing the statewide needs.

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.

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 16: Contacts

Interest Groups

(groups affected by agency actions or that represent others served by or affected by agency actions)

Group or Association Name/ Contact Person	Address	Telephone	Email Address
City of Kerrville/EA Hoppe	701 Main, Kerrville, TX 78028	(830) 257-8000	ea.hoppe@kerrvilletx.gov
Kerr County/Judge Rob Kelly	700 Main Street, Kerrville, Texas 78028	(830) 792-2211	jgrinstead@co.kerr.tx.us

Table 18 Exhibit 16 Interest Groups

Interagency, State, or National Associations

(that serve as an information clearinghouse or regularly interact with your agency)

Group or Association Name/ Contact Person	Address	Telephone	Email Address
Texas Water Conservation Association/Sarah Kirkle	3755 S. Capital of TX Hwy Ste. 105 Austin, TX 78704	(512) 472.7216	skirkle@twca.org
Plateau Water Planning Group/Jonathan Letz	700 E. Main Street Kerrville, Texas 78028	(830) 792-2216	jletz@co.kerr.tx.us
Region 11 Guadalupe Regional Flood Planning Group/Lauren Willis	933 E. Court St. Seguin, TX 78155	(830) 379-5822	lwillis@gbra.org

Table 19 Exhibit 16 Interagency, State, and National Association

Liaisons at Other State Agencies

(with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Employee Retirement System/Mission Square Retirement	P.O. Box 96220 Washington, DC 20090-6220	1-800-326-7272	n/a
Guadalupe-Blanco River Authority/Clean Rivers Program Supervisor/Elizabeth Edgerton	933 E. Court Street Seguin, TX 78155	(830) 379 – 5822	eedgerton@gbra.org
Headwaters Groundwater Conservation District/local partner organization/Gene Williams	125 Lehmann Drive Suite 202 Kerrville, TX 78028-6059	(830) 896-4110	gene@hgcd.org

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
Kerr County AgriLife Extension Service/local partner organization/Justin Klinksiek (County Extension Agent)	3775 Highway 27 Kerrville, TX 78028-7100	(830) 257-6568	Justin.Klinksiek@ag.tamu.edu
Texas Commission on Environmental Quality/Clean Rivers Program Project Manager/Chase Carpenter	MC-165 P.O. Box 13087 Austin, TX 78711-3087	(512) 239-6633	Chase.Carpenter@tceq.texas.gov
Texas Commission on Environmental Quality/Drinking Water Regulatory Program contact/Jessica Hoch (Lead Quality Assurance Officer, Water Supply Division)	MC-165 P.O. Box 13087 Austin, TX 78711-3087	(512) 239-2353	jessica.hoch@tceq.texas.gov
Texas Commission on Environmental Quality/Laboratory Accreditation Section contact/Frank Jamison (Data & Records Specialist)	MC-165 P.O. Box 13087 Austin, TX 78711-3087	(512) 239 – 3754	frank.jamison@tceq.texas.gov
Texas Parks and Wildlife Department/Healthy Creeks Initiative Project Manager/Angela England (Conservation Biologist)	505 Staples Rd., Bldg. 1 San Marcos, TX 78666	512-289-2740	Angela.England@tpwd.texas.gov
Texas State Soil and Water Conservation Board/Kerr County SWCD Field Representative/Kendria Ray	1497 Country View Lane Temple, TX 76504	(254) 773-2250	kray@tsswcb.texas.gov
Texas Water Development Board/Staff contact for regional water planning group/William Alfaro (regional water planner)	1700 North Congress Avenue Austin, TX 78701	(512) 463-4741	William.Alfaro@twdb.texas.gov

Table 20 Exhibit 16 Liaisons at Other State Agencies

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 17 Example.

(Agency Name)

Exhibit 17: Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Annual Financial Report	Texas Water Code Chapter 49.194	Due Annually 135 days after end of fiscal year	TCEQ	Independent Financial Audit	Yes, the report provides accountability and transparency.
Management Audit	Texas Administrative Code 291.13(6) A	Every 5 years. Last completed 2017	TCEQ	Management	Report allows for an external review of management and operations, which is beneficial. Whether the benefits justify costs is a subjective determination.

Table 21 Exhibit 17 Agency Reporting Requirements

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.

We are not aware of any specific complaints about UGRA. If staff were to receive a complaint, that complaint would be placed on the Executive Committee agenda for discussion and the Board agenda for discussion and consideration as appropriate. The table as depicted in Exhibit 18 is believed to be non-applicable and deleted to enhance readability of this report.

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.

n/a

D. Fill in the following charts detailing your agency’s Historically Underutilized Business (HUB) purchases. See Exhibit 19 Example. Sunset is required by law to review and report this information to the Legislature.

The table as depicted in Exhibit 19 is believed to be non-applicable to the general operations of our agency and deleted to enhance readability of this report.

E. 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)

UGRA has adopted the following HUB policy in its Administrative Policy, Article VI, Section 6.07 Contracting with Historically Underutilized Businesses of Texas:

“To the extent applicable, UGRA shall comply with the provisions and intent of § 106, contracting with Historically Underutilized Businesses of Texas, Article V, General Provisions of Texas House Bill 1, 72nd Legislature, First Called Session (1991) relating to contracting with underutilized businesses and providing equal employment opportunities.”

To date we have not had any issues related to the policy, but if there were an issue, it would be handled through Board oversight.

F. 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

G. 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

H. Fill in the charts below detailing your agency’s Equal Employment Opportunity (EEO) statistics. See Exhibit 20 Example. 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.

UPPER GUADALUPE RIVER AUTHORITY
Exhibit 20: 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
2018	2	0	8.1%	0	22.4%	50	38.8%
2019	2	0	8.1%	0	22.4%	50	38.8%
2020	2	0	8.1%	0	22.4%	50	38.8%

Table 26 Exhibit 20 EEO Statistics for Officials/Administration

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
2018	5	0	10.9%	0	20.3%	40	54.5%
2019	5	0	10.9%	0	20.3%	40	54.5%
2020	5	0	10.9%	0	20.3%	40	54.5%

Table 27 Exhibit 20 EEO Statistics for Professionals

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
2018	0	0	14.4%	0	29.2%	(percent)	55.2%
2019	0	0	14.4%	0	29.2%	(percent)	55.2%
2020	0	0	14.4%	0	29.2%	(percent)	55.2%

Table 28 Exhibit 20 EEO Statistics for Technical

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
2018	2	0	14.3%	100	36.4%	100	71.6%
2019	2	0	14.3%	100	36.4%	100	71.6%
2020	2	0	14.3%	100	36.4%	100	71.6%

Table 29 Exhibit 20 EEO Statistics for Administrative Support

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
2018	1	0	13.2%	100	52.4%	100	52.0%
2019	1	0	13.2%	100	52.4%	100	52.0%
2020	1	0	13.2%	100	52.4%	100	52.0%

Table 30 Exhibit 20 EEO Statistics for Service and Maintenance

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
2018	0	0	10.2%	0	51.5%	0	12.0%
2019	0	0	10.2%	0	51.5%	0	12.0%
2020	0	0	10.2%	0	51.5%	0	12.0%

Table 31 Exhibit 20 EEO Statistics for Skilled Craft

I. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?

Yes, UGRA has an equal employment opportunity provision. UGRA’s Personnel Policy Manual, Section 10.2 states, “Equal Opportunity Employer: UGRA provides equal employment opportunities to all

employees and applicants for employment without regard to race, color, religion, sex (including sexual orientation, gender identity and pregnancy), national origin, age, disability, genetic information, veteran status or any other characteristic protected by applicable laws. This policy applies to all terms and conditions of employment, including, but not limited to: hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

UGRA expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex (including sexual orientation, gender identity and pregnancy), national origin, age, disability, veteran status or status in any group protected by applicable law. Unlawful interference with the ability of UGRA's employees to perform their expected job duties is not tolerated."

To date, UGRA has not experienced any shortfalls with regard to this policy. However, any shortfall would be immediately addressed by the Human Resources Committee and ultimately the Board.

XII. Agency Comments

Provide any additional information needed to gain a preliminary understanding of your agency.

n/a

ATTACHMENTS ---

Create a separate file and label each attachment (e.g., Attachment 2_Annual Reports) and include a list of items submitted. Attachments may be provided in electronic form or through links to agency webpages.

Attachments Relating to Key Functions, Powers, and Duties

1. If the agency publishes a version of its enabling statute and/or rules, please include an electronic copy.

n/a

2. Annual reports published by the agency from FY 2018–20.

n/a

3. Internal or external newsletters published by the agency in FY 20.

See: Attachment 3A_2018 Year In Review; Attachment 3B_2019 Year in Review; Attachment 3C_2020 Year In Review

4. List of studies that the agency is required to do by legislation or riders.

n/a

5. List of legislative or interagency studies relating to the agency that are being performed during the current interim.

n/a

6. List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions. Provide links if available.

n/a

7. If applicable, a list describing the type of personal information of license holders the agency publishes on its website. Please also explain if and how license holders can opt out of this publication.

n/a

Attachments Relating to Policymaking Structure

8. Biographical information (e.g., education, employment, affiliations, and honors) or resumes of all policymaking body members. **Attachment 8 Example.**

See: Attachment 8_Biographical Information for UGRA Board of Directors

9. Board training manuals and copies of any policies related to the board’s duties and responsibilities.

See: Attachment 9A_Administrative Policies Approved 01-27-21; Attachment 9B_Board Bylaws Approved 01-24-18

10. Employee manuals and copies of any policies related to staff’s duties and responsibilities.

See: Attachment 10_Policy Manual Approved 09-20-17

11. Copies of any other significant policies adopted by the board.

n/a

Attachments Relating to Funding

12. Agency’s Legislative Appropriations Request for FY 2022–23.

n/a

13. Annual financial reports from FY 2018–20.

See: Attachment 13A_FY18 UGRA Annual Financial Report; Attachment 13B_FY19 UGRA Annual Financial Report; Attachment 13C_FY20 UGRA Annual Financial Report

14. Operating budgets from FY 2018–20.

See: Attachment 14A_FY18 Operating Budget; Attachment 14B_FY19 Operating Budget; Attachment 14C_FY20 Operating Budget

15. If applicable, a list of all contracts above \$1 million. Please include a brief explanation of the contract, as well as the amount and term of the contract. Do not include purchase orders in this list.

n/a

Attachments Relating to Organization

16. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.

n/a

17. Any flowcharts showing the operations of the agency, such as complaint resolution processes, disciplinary or enforcement procedures, etc.

n/a

18. If applicable, a list and brief explanation of all active memorandums of understanding and information sharing agreements the agency has entered into. Indicate whether these are required by statute, rule, or something else.

None of the following are required by statute or rule.

MOU between the Upper Guadalupe River Authority (UGRA), the Guadalupe Blanco River Authority (GBRA) and the Guadalupe Blanco River Trust (GBRT). The purpose of the MOU is to establish a framework between GBRT, GBRA and the UGRA to facilitate cooperation in the conservation of important natural resources. The primary goal of UGRA’s participation in this MOU is to facilitate such conservation, through GBRT, in Kerr County.

MOU between GBRA, UGRA, Kendall County, Kerr County, Kendall County WCID No. 1, Headwaters and Cow Creek Groundwater Conservation Districts. The purpose of the MOU was to conduct a planning study to consist of studies and analyses to evaluate and determine the most feasible alternatives to meet water supply facilities needs in eastern Kerr and western Kendall counties; estimate the costs associated with implementing feasible regional water supply facility alternatives; and identify institutional arrangements to provide regional water supply services within eastern Kerr and western Kendall counties.

MOU between UGRA and GBRA. The purpose is to establish UGRA’s commitment to annually fund \$5,000 toward the operation and maintenance of GBRA’s rainfall and flow measuring stations in Kerr County.

MOU between UGRA and Kerr County Soil and Water Conservation District. The purpose of the MOU is to establish cooperation for water enhancement projects that increase the availability of water supplies and spring flows in Kerr County and the Guadalupe Watershed.

Attachments Relating to Agency Performance Evaluation

19. Quarterly performance reports completed by the agency in FY 2019–20.

n/a

20. Performance reports presented to the agency’s board of directors in FY 2018–20, if different from the reports in Attachment 16.

See: Attachment 20A_FY18 Strategic Plan Update; Attachment 20B_FY19 Strategic Plan Update; Attachment 20C_FY20 Strategic Plan Update

21. Performance reports submitted to the Legislative Budget Board from FY 2018–20.

n/a

22. Any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.

n/a

23. Agency's current internal audit plan.

n/a

24. Agency's current strategic plan.

See: Attachment 24_Strategic Plan Approved 04-29-15

25. List of internal audit reports from FY 2016–20 completed by or in progress at the agency.

See: Attachment 25A_ 2012 UGRA Management Audit; Attachment 25B_ 2017 UGRA Management Audit

26. List of State Auditor reports from FY 2016–20 that relate to the agency or any of its functions.

n/a

27. Any customer service surveys conducted by or for your agency in FY 2019–20.

See: Attachment 27_Customer Service Surveys

28. Any reports created under Texas Government Code, Section 2110.007 regarding the usefulness and costs of the agency's advisory committees.

n/a

29. A description of the agency's review of existing rules as required by Texas Government Code, Section 2001.039, and for the last eight years, a brief description of the rules reviewed by date and the result the review.

n/a