

GROUNDWATER MANAGEMENT AREA 1 JOINT PLANNING COMMITTEE

BY LAWS

The name of this organization shall be known as Groundwater Management Area 1 (GMA-1) Joint Planning Committee (JPC).

SECTION ONE INTENT AND PURPOSES

It is the intent and purpose of the JPC to fulfill the requirements of Texas Water Code § 36.108. To fulfill this purpose each district shall be afforded the opportunity to present to the other districts within GMA 1:

- (1) The goals of their management plan and its impact on planning within their district;
- (2) the effectiveness of the measures established by their management plan and rules for conserving and protecting groundwater and preventing waste, and the effectiveness of these measures within their district generally;
- (3) any other matters that the district consider relevant to the protection, conservation and the prevention of waste of groundwater within their district; and
- (4) the degree to which their management plan and rules achieve the desired future conditions they would like to see established for their district during the joint planning process.

After each district has had the opportunity to present the information about their respective district the JPC shall consider the management plans, rules, policies, water uses, accomplishments and other issues relevant to the management of the groundwater within GMA 1 and establish the “desired future conditions for the relevant aquifers” within GMA-1. Each Member District shall obtain approval from their respective District Board of Directors for the decisions related to the establishment of the “Desired Future Conditions of the Aquifers (DFC)” within the GMA. Member District Representatives shall report to their respective District Board of Directors the progress of JPC actions.

SECTION TWO PARTICIPATION IN GROUNDWATER MANAGEMENT PLANNING

2.01 Each confirmed District subject to Texas Water Code Chapter 36 located totally or partially within GMA-1 is eligible to participate on the JPC.

2.02 A Member District’s Board President or the President’s designee or alternate shall be the Member District Representative on the JPC.

2.03 Only a Member District Representative may vote or take action on JPC activities.

2.04 The JPC shall meet at least annually and subject to the call of the Chair to develop the DFC. Not later than September 1, 2010, and every five years thereafter, the JPC shall consider groundwater availability models and other data or information for the management area and shall establish the DFC. In establishing the DFC under this section, the JPC shall consider uses or conditions of an aquifer within the management area that differ substantially from one geographic area to another.

a. The JPC may establish different desired future conditions for:

(1) each aquifer, subdivision of an aquifer, or geologic strata located in whole or in part within the boundaries of the management area; or

(2) each geographic area overlying an aquifer in whole or in part or subdivision of an aquifer within the boundaries of the management area.

b. The DFC established under Subsection (a) must be adopted by a three fourths vote of all the Member Districts at a meeting at which all of the Member Districts have been duly notified by certified mail with return receipt.

2.05 JPC meetings must be held in accordance with the Texas Open Meetings Act, Chapter 551, Government Code. The JPC shall give notice of meetings in accordance with the requirements for notice of a multi-county district board of directors meetings under § 551.053.

2.06 The JPC and Member Districts shall comply with the Texas Public Information Act, Chapter 552, Government Code.

SECTION THREE POWERS AND DUTIES

3.01 The JPC shall have only the power granted by Texas Water Code § 36.108 necessary to carry out the purposes of GMA-1.

3.02 The JPC shall have no duty to take any action, except as specifically provided for, or as it may be amended by written agreement.

3.03 Except as provided in § 2.04(b), all actions shall be by majority vote by the Member Districts present at a meeting at which at least two-thirds of the Member Districts are in attendance, each Member District having one vote.

SECTION FOUR

ADMINISTRATION AND FUNDING

4.01 The JPC may select an Administrator for the JPC to perform such administrative duties as shall be required by the JPC. The duties and compensation of such an Administrator shall be determined in a separate Agreement. The Administrator may be an individual, a Member District, or another entity.

4.02 The JPC shall elect a Chairman, Vice-Chairman, and Secretary annually. Terms shall be limited to four years. An individual must be a Member District Representative to serve as an officer of the JPC. Each officer shall be a Representative of a different Member District. The Chairman or Vice-Chairman shall preside at JPC meetings.

4.03 The JPC shall establish a fiscal year, adopt an annual budget, and establish an equitable method for the Member Districts to fund the JPC and any necessary projects.

SECTION FIVE DEFINITIONS

These terms shall have the following meaning:

Desired Future Condition or DFC: The desired future conditions for the relevant aquifers within GMA-1 established in accordance with Texas Water Code § 36.108(d) and TWDB 356.2(8).

GMA-1: Groundwater Management Area 1 as designated by the Texas Water Development Board and as may be amended from time to time.

GMA-1 Joint Planning Committee: Also known as the Groundwater Management Area 1 Joint Planning Committee (JPC).

Member District: A confirmed district subject to Texas Water Code Chapter 36 that is located in whole or in part inside GMA-1.

Member District Representative: The President of the Board of Directors of a Member District or his designee or alternate, if authorized under § 2.02 of these bylaws.