

## ATTACHMENTS

### Attachments Relating to Key Functions, Powers, and Duties

1. A **copy** of the agency's enabling statute.
  - Senate Bill 2, effective September 1, 1991, "relating to the creation, powers, and duties of the Texas Department of Natural Resources; transferring appropriations."
  - Texas Water Code, Chapter 5. Texas Natural Resource Conservation Commission
  
2. A **copy** of each annual report published by the agency from FY 1995 - 1999.

Publication No.	Title	Notes
GI-123 (1/97)	TNRCC 1996 Annual report	No annual report was published for FY 1995.
SFR-57/97 (1/98)	TNRCC Biennial Report to the 76 <sup>th</sup> Legislature Volume I (TNRCC 1997 report)	
SFR-57/98 (12/98)	TNRCC Biennial Report to the 76 <sup>th</sup> Legislature Volume II (TNRCC 1998 report)	
SFR-54/98 (12/98)	Pollution Prevention and Recycling in Texas - Report to the 76 <sup>th</sup> Legislature (Appendix 1 of 3 to the TNRCC Biennial Report to the 76 <sup>th</sup> Legislature)	
SFR-49/98 (12/98)	Status Report: Low-Emission Vehicles and Alternative Fuel Use - Report to the 76 <sup>th</sup> Legislature (Appendix 2 of 3 to the TNRCC Biennial Report to the 76 <sup>th</sup> Legislature)	
SFR-48/98 (12/98)	Used Oil Recycling Fiscal Years 97 & 98 - Report to the 76 <sup>th</sup> Legislature (Appendix 3 of 3 to the TNRCC Biennial Report to the 76 <sup>th</sup> Legislature)	
AS-132 (1/97)	Air Monitoring Report 1995	FY 1997 report not yet published
AS-132/98 (3/98)	Air Monitoring Report 1996	
SFR-36 (4/96)	Joint Groundwater Monitoring and Contamination Report - 1995	FY 1998 not yet published
SFR-56 (6/97)	Joint Groundwater Monitoring and Contamination Report - 1996	
SFR-56/97 (6/98)	Joint Groundwater Monitoring and Contamination Report - 1997	
SFR-32 (1/96)	Annual Report of the Hazardous and Solid Waste Program for Fiscal Year 1995	Next issue will cover both FY 1997 & 1998.

SFR-52 )1/97)	Hazardous and Solid Waste Annual Report 1996	
SFR-25	State Small Business Advocate 1995 Annual Report	FY97 & 98 not yet published
SFR-39 (10/96)	1996 Annual Report Small Business Assistance Program	
N/A (12/98)	TNRCC Final Annual Enforcement Report FY 1998	

3. A **copy** of each internal or external newsletter published by the agency from FY 1998 - 1999.

**External Newsletters, FY 98-99  
September 1997-August 1999**

Publication No.	Title	Notes
PD-003	Water District Update	issues not published regularly
PD-006	Small Business Advocate	no issues published for September 1997 and June 1998
PD-008	Market News	
PD-016	Texas Watch	
PD-018	BayLine	issues not published regularly, only one issue printed in FY 98-99
PD-020	Natural Outlook	
PD-021	VCP News	printed biannually
PD-022	Around the Bend	no issue published for Fall 1998

**Internal Newsletters, FY 98-99  
September 1997-August 1999**

Title	Notes
Natural Resource	
Wellness Update	no issues published after December 1997
Working Solutions	no issue published for Fall 1997

4. A list of publications and brochures describing the agency.

Publication No.	Title
GI-001	Guide to the TNRCC
GI-012a	Organizational Listing
GI-032	Obtaining the TNRCC Rules
GI-054	TNRCC Web Site
GI-131	TNRCC Data Clearinghouse
GI-145	Local Government Guide to the TNRCC
GI-165	TNRCC Employee Guide
GI-233	Public Participation in Permitting
PD-001	TNRCC Publications Catalog
SFR-35A&B/98	Strategic Plan: Fiscal Years 19999-2003 (2 volumes)
SFR-51	Information Resources Strategic Plan, Fiscal Years 199-2003

5. A list of studies that the agency is required to do by legislation or riders adopted in the 76th Legislative Session.

Legislation/Rider	Study
HB 1 (Junell) Article VI, TNRCC Appropriation, §16	<b>Bosque River Water Quality Monitoring.</b> Requires the TNRCC, as part of its water assessment and planning, to monitor the Bosque River's water quality.
HB 1 (Junell) Article VI, TNRCC Appropriation, §24	<b>Agency Coordination/Scrap Tires.</b> Requires the TNRCC and the Texas Department of Transportation to coordinate their efforts on the acquisition and potential uses of crumb rubber and shredded tire pieces in highway construction. Requires the TNRCC and TxDOT to report to their respective oversight committees by January 1 of each fiscal year.
HB 1 (Junell) Article VI, TNRCC Appropriation, §30	<b>Assessment of Poultry Operations.</b> Requires the TNRCC to study the best management practices for poultry growing operations of all types. Study must include how to minimize odor and arsenic contamination, as well as a cost-benefit analysis of any recommended best management practices. Due to the Governor and Legislature on or before December 1, 2000.
HB 1 (Junell) Article VI, TNRCC Appropriation, §32	<b>Air Pollution/Haze Study.</b> Requires the TNRCC to study air pollution along the Texas/Mexico border, with particular emphasis on Big Bend National Park. Must include assessment of causes, effects, and possible remedies. Must be concluded before January 1, 2001.

Legislation/Rider	Study
HB 1 (Junell) Article VI TLLRWDA Appropriation, §3	<b>Techniques for Managing Low-Level Waste.</b> Requires the TNRCC to investigate techniques for managing low-level radioactive waste, including, but not limited to, above-ground isolation facilities. Originally a requirement of the Texas Low-Level Radioactive Waste Disposal Authority. Transferred to TNRCC as a result of HB 2954 (Gray).
HB 2660 (Swinford)	<b>Drought Response.</b> Requires the Drought Response and Monitoring Committee, Chaired by the Governor's Division of Emergency Management, to prepare a drought preparedness plan and report to the Legislature by January 15 of each Legislative year.
HB 3079 (Kuempel)	<b>Aquatic Vegetation.</b> Requires the TNRCC to assist Parks and Wildlife in the development of a state-wide aquatic vegetation management plan. There are no current plans, however, for Parks and Wildlife to develop this plan because no appropriation was made.
SB 76 (Truan)	<b>Rio Grande Water Availability Model.</b> Requires the TNRCC, by December 31, 2003, to develop or obtain a water availability model of the Rio Grande River, taking into consideration the unique conditions along the river.
SCR 68 (Armbrister)	<b>Disaster Assistance.</b> Creates a committee to examine ways to improve disaster assistance after flooding and other natural disasters. The Governor's Division of Emergency Management serves as chair. The TNRCC has a representative on the committee. A report is due to the Legislature by January 2001.

**Attachments Relating to Policymaking Structure**

6. Biographical information (e.g, education, employment, affiliations, honors) or resumes of all policymaking body members.

**Robert J. Huston**

Gov. George W. Bush appointed Robert J. Huston chairman of the Texas Natural Resource Conservation Commission on Jan. 7, 1999.

Most recently, Huston was chief financial officer of the Bonner Carrington Corporation-European market and is a co-owner of the Durham Trading and Design Co.

He is best known as co-founder of Espey, Huston & Associates Inc., an engineering and environmental consulting firm, where he served as executive vice president and chief operating officer. Planet Pacific Inc. (PPI) of Mission Viejo, Calif., acquired the firm in 1989. Huston moved to California to serve as vice president of operations for PPI from 1991 to 1993.

Huston, who holds a mathematics degree from the University of Texas at Austin, has long been active in the Texas Water Conservation Association (TWCA), where he has served as president and board chairman. He resides in Austin with his wife Shirley, and has two grown children, Stacey and Scott.

Huston's term will end Aug. 31, 2003.

### **R. B. "Ralph" Marquez**

Ralph Marquez of Texas City was appointed by Governor George W. Bush to the Texas Natural Resource Conservation Commission (TNRCC) on May 1, 1995, and was confirmed by the Texas Senate on May 5, 1995. His current term expires August 31, 1999. The Governor has announced his intention to re-appoint Marquez for another term as Commissioner. He will be eligible for confirmation during the 77<sup>th</sup> Legislature's Regular Session.

Prior to his appointment, Marquez served on several TNRCC advisory committees and task forces. He is a registered professional engineer and has been a vice-chair of the Texas Chemical Council environmental committee, a board member of the Gulf Coast Water Authority, and served on the State of Texas Waste Reduction Advisory Committee. He also served as chairman of the City of Texas City Environmental Advisory Board.

From 1963 to 1993, Marquez worked for the Monsanto Company in various capacities, including internal company consultant for technical, regulatory and legislative environmental issues. He has a bachelor's degree in Chemical Engineering from the University of Texas and a master's degree from the University of Houston-Clear Lake.

### **John M. Baker, Jr.**

John Baker, a native of Temple, was appointed by Governor George W. Bush to the Texas Natural Resource Conservation Commission (TNRCC) on September 8, 1995. He was confirmed by the Texas Senate on February 17, 1997 and his term expires on August 31, 2001.

Baker served as Agricultural Advisor to EPA Administrator William K. Reilly, from 1991 to 1993 during the Bush Presidency. He has more than 20 years experience with environmental and agricultural issues, and previously served on the Board of Directors of the Texas Corn Producers Board, the Lone Star Corn Growers Association, the Texas Beef Council and the Texas Farm Bureau. He also served on an advisory committee to the Texas Water Commission (a predecessor agency to the TNRCC) addressing the implementation of underground fuel storage tank regulations.

Baker is a former tenured professor of Soil Science and Agronomy at Oklahoma State University where he was awarded a doctoral degree in Soil Science in 1970. He also was awarded M.S. and B.S. degrees in Agronomy from Oklahoma State University and Texas A&I University, respectively. Baker is married and the father of two daughters, with five grandchildren.

7. A **copy** of the agency's most recent rules.
  - The Policy, Planning, and Regulation Support Division of the Office of Environmental Policy, Analysis, and Assessment keeps a printout of the most recent version of each rule, which is contained in a 3-drawer file cabinet. A listing of the rules is being provided with the boxes of attachments. They can also be accessed through the Internet at:  
<http://www.tnrcc.state.tx.us/oprd/index.html>

<b>Attachments Relating to Funding</b>
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8. A **copy** of the agency's Legislative Appropriations Request for FY 2000-2001.
  - **SFR-37/00, revised 12/21/98** - TNRCC Legislative Appropriations Request for Fiscal Years 2000 and 20001, Submitted to the Governor's Office of Budget and Planning and the Legislative Budget Board
9. A **copy** of each annual financial report from FY 1996 - 1998.

Publication Number	Title
SFR-45 (11/96)	Annual Financial Report - Fiscal Year Ending August 31, 1996
SFR-45/97 (11/97)	Annual Financial Report - Fiscal Year Ending August 31, 1997
SFR-45/98 (11/98)	Annual Financial Report - Fiscal Year Ending August 31, 1998

10. A **copy** of each operating budget from FY 1996 - 1998.

Publication Number	Title
SFR-30a (2/96)	Operating Budget Fiscal Year 1996
SFR-37a (12/96)	Operating Budget Fiscal Year 1997
SFR-37a (12/97)	Operating Budget Fiscal Year 1998

### Attachments Relating to Organization

11. An organizational chart of the agency that includes major divisions and programs, and that shows the number of FTEs in each division or program.
  - A copy of the agency's organizational chart is being provided in the boxes of attachments, along with a list by Office Cluster/Division, showing the budgeted FTEs in each.
12. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.
  - A copy of the agency's regional office map and a listing of regional office addresses and key staff are being provided in the boxes of attachments.

### Attachments Relating to Agency Performance Evaluation

13. A **copy** of each quarterly performance report completed by the agency in FY 1997 - 1999.

Publication Number	Title
n/a (10/1/97)	TNRCC Annual Report on Performance Measures FY 1997 - 1997 Key Measures (unbound copy of annual report, quarterly reports no longer available)
SFR-55/98-1 (1/1/98)	TNRCC First Quarter Report of Performance Measures Fiscal Year 1998
SFR-55/98-2 (4/1/98)	TNRCC Second Quarter Report of Performance Measures Fiscal Year 1998
SFR-55/98-3 (7/1/98)	TNRCC Third Quarter Report of Performance Measures Fiscal Year 1998
SFR-55/98-4 (10/1/98)	TNRCC Fourth Quarter Report of Performance Measures Fiscal Year 1998
SFR-55a/99-1 (1/99)	TNRCC First Quarter Report on Performance Measures Fiscal Year 1999

SFR-55a/99-2 (4/99)	TNRCC Second Quarter Report on Performance Measures Fiscal Year 1999
SFR-55b/99-1 (1/99)	TNRCC First Quarter Report on Key Performance Measures Fiscal Year 1999
SFR-55b/99-2 (4/99)	TNRCC Second Quarter Report on Key Performance Measures Fiscal Year 1999

14. A **copy** of any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.

TNRCC Business Process Redesign and Organization Review - Proposed Management, Organization and Business Process Final Report (TechLaw, Inc., 5/1/98)  
Information Strategy Plan for Texas Natural Resource Conservation Commission - Final Report (Ross and Association Environment Consulting, Ltd, & Claremont Technology Group, Inc., 9/98)

15. A **copy** of the agency's current internal audit plan.

- TNRCC Internal Audit 1998-99 Biennial Plan

16. A **list** of internal audit reports from FY 1995 - 1999 completed by or in progress at the agency.

- \*\*\*\* The 1999 report will be added as it is completed.

Report No.	Title
MA 95-01	Grants Management: A Consolidated Approach (4/95)
MA 95-13	Self-Reported Fees: Optimizing Revenues, Collection and Customer Service (12/95)
SP 95-18	Fee Billing and Collection: A Select Review (12/95)
MA 96-01	Public Drinking Water Information Systems: Strengthening Security and Integrity (8/96)
FA 96-10	Cost Recovery: Establishing a Unified Process (6/97)
MA 96-12	Organization of the Field Operations Division: Enhancing Support to the Regions and Overall Communications (6/97)
MA 98-04	Waste Planning and Assessment Division: A Functional and Organizational Review (2/98)

MA 98-11	Employee Time System: Data Integrity and Security Review (4/98)
MA 98-15	Compliance and Enforcement Review: A joint project by TNRCC Internal Audit and the Texas State Auditors Office (8/98)
MA 98-13	Strengthening Contract Management (9/98)
EX 99-01	1998 Annual Internal Audit Report (10/98)

17. A **list** of State Auditor reports from FY 1997 - 1999 that relate to the agency or any of its functions.

- \*\*\*\* The 1999 State Auditor's Report will be added as it becomes available.

Report No.	Title
95-045	1994 Statewide Financial and Compliance Audit (2/95)
95-065	An Audit Report on Management Controls at the Texas Natural Resource Conservation Commission (2/95)
95-155	A Classification Compliance Audit Report on the Texas Natural Resource Conservation Commission (8/95)
97-004	An Audit Report on Contract Management Processes at the Texas Natural Resource Conservation Commission (9/96)
97-028	The Texas Natural Resource Conservation Commission's Oversight of Water Districts and Utilities (12/30/96)
97-358	Texas Natural Resource Conservation Commission - Effectiveness of Internal Audit Engagement (6/97)
98-070	A Review of the Enforcement Function at the Texas Natural Resource Conservation Commission (8/98)
99-019	A Follow-Up Audit Report on the Texas Natural Resource Conservation Commission (12/98)

**U.S. Environmental Protection Agency Audit Reports**

Report No.	Title
P5BGN7-06-0036-8300002 (12/9/97)	EPA Sikes Disposal Pits Site - Superfund Audit Report Cooperative Agreement No. V-006450-01 (Audit Period: 9/1/92 - 12/31/96)
E5BGN3-06-0083-4300006	Report on Interim Audit of Cooperative Agreements V006452, V006454, V006456, V006458, V006567 and V006571 awarded to Texas Water Commission, Austin, Texas, through 12/31/92

**18.** A **list** of legislative or interagency studies relating to the agency that are being performed during the current interim.

- N/A

**19.** A **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.

- **<http://www.sso.org/ecos>**

The Sunset staff will find many studies on the ECOS web site. The site contains innovative program ideas from many states with contact information, etc. The site also lists collaborative projects between the states and the U. S. Environmental Protection Agency.

**20.** Other relevant TNRCC studies or reports.

- Current MOU/MOA List
- Strategic Environmental Analysis Group Ranking Environmental Issues
- Analysis of Stakeholder Input on Sunset Self-Evaluation.