

RESOLUTION AND ORDER NO. 07-17-875

OF THE EDWARDS AQUIFER AUTHORITY BOARD OF DIRECTORS AUTHORIZING A WAIVER OF REGISTRATION FEES FOR ALL REGISTRATIONS SUBMITTED PRIOR TO JANUARY 1, 2018.

WHEREAS, the Edwards Aquifer Authority ("EAA") was created by the Edwards Aquifer Authority Act of May 30, 1993, 73rd Leg., R.S., ch. 626, 1993 Tex. Gen. Laws 2350, as amended ("Act"); and

WHEREAS, under Section 1.02 of the Act, the EAA is a conservation and reclamation district created by virtue of Article XVI, Section 59 of the Texas Constitution, and is a governmental agency and body politic and corporate vested with the full authority to exercise the powers and to perform the functions specified in the Act; and

WHEREAS, under Section 1.29(g) of the Act, the EAA may impose a registration fee not to exceed \$10; and

WHEREAS, under Section 709.5 of the EAA rules, EAA staff shall impose a \$10 fee to file any registration; and

WHEREAS, under Section 709.5 of the EAA rules, the EAA Board of Directors ("Board") may waive the fee for a purpose deemed appropriate by the Board in its discretion; and

WHEREAS, the EAA is currently undertaking an outreach effort to encourage the registration of aboveground and underground storage tanks and facilities storing regulated materials in both urban and rural areas on both the Recharge and Contributing Zone of the Edwards Aquifer; and

WHEREAS, EAA staff believes that a waiver of registration fees for any registrations received prior to January 1, 2018, would incentivize timely registration and benefit EAA efforts to build a related water quality database with collected information; and

WHEREAS, the EAA is currently undertaking an outreach effort to identify and register abandoned wells; and

WHEREAS, EAA staff believes that a waiver of registration fees for wells would incentivize self-reporting of abandoned wells and be a benefit to well canvassing efforts as the EAA moves across the region; and

WHEREAS, a regular meeting of the Board was held on July 11, 2017, at 3:00 p.m., notice of the public meeting having been duly and properly posted in accordance with Chapter 551, Texas Government Code; and

WHEREAS, an agenda item was duly listed in the notice of public meeting that is the subject of this Resolution and Order; and

WHEREAS, a majority of the Directors of the Board were present and constituted a quorum; and

WHEREAS, a vote of the majority of the quorum of the Board present voted in favor of, and adopted the following Resolution and Order; and

WHEREAS, it is in the public interest that the Board direct EAA staff to waive registration fees for a limited period of time.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE EDWARDS AQUIFER AUTHORITY THAT:

- Section 1. The recitals set out above are found to be true and correct, and they are hereby adopted by the Board of Directors and are made a part of this Resolution and Order for all purposes.
- Section 2. The EAA Board of Directors hereby authorizes Roland Ruiz, General Manager of the EAA, to waive registration fees associated with any registration received prior to January 1, 2018.
- Section 3. This Resolution and Order shall become effective from and after its adoption.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE EDWARDS AQUIFER AUTHORITY THIS 11<sup>th</sup> DAY OF JULY, 2017.

\_\_\_\_\_  
Luana Buckner  
Chairman, Board of Directors

ATTEST:

\_\_\_\_\_  
Enrique P. Valdivia  
Secretary, Board of Directors

APPROVED AS TO FORM

\_\_\_\_\_  
Darcy Alan Frownfelter  
General Counsel