

By: King of Zavala

H.B. No. 1741

A BILL TO BE ENTITLED

AN ACT

relating to the recharge of the Edwards Aquifer.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. STATEMENT OF PURPOSE AND LEGISLATIVE FINDINGS.

In order to establish a cooperative interlocal agreement between governmental entities with the goal of funding and completing necessary repairs to the Medina Lake Dam for the recharge of the Edwards and Trinity Aquifers, public safety, protection of irrigation, and municipal water supply, the legislature finds that:

(a) Medina Lake confers substantial benefits to the region, including substantial recharge to the Edwards and Trinity Aquifers, water for irrigation, and municipal water supply;

(b) Medina Lake Dam requires safety repairs of approximately \$10 million;

(c) it is in the interest of public safety to expedite the necessary repairs to Medina Lake Dam; and

(d) a joint effort is desirable in order to address the issues necessary for the successful repair of Medina Lake Dam in a comprehensive manner.

SECTION 2. INTERLOCAL AGREEMENT. Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, is amended by adding Section 1.455 to read as follows:

Sec. 1.455. INTERLOCAL AGREEMENT FOR REPAIR PROJECT. (a)

The following entities, not later than the 90th day after the

1 effective date of the Act enacting this section, shall enter into an
2 interlocal agreement for the planning, funding, and implementing of
3 a project to repair the Medina Lake Dam:

4 (1) the Bexar-Medina-Atascosa Counties Water Control
5 and Improvement District No. 1;

6 (2) the Edwards Aquifer Authority;

7 (3) the Bexar Metropolitan Water District; and

8 (4) the San Antonio River Authority.

9 (b) Any other local entity, including a county, with the
10 ability to assist in the effort may be included in the interlocal
11 agreement.

12 (c) The duties of the parties to the interlocal agreement
13 are as follows:

14 (1) the Bexar-Medina-Atascosa Counties Water Control
15 and Improvement District No. 1 shall:

16 (A) provide funding from available funds for the
17 necessary repairs;

18 (B) provide all documentation necessary to
19 substantiate actual cost estimates for repairing the Medina Lake
20 Dam;

21 (C) cooperate with the other parties to the
22 interlocal agreement on the construction required to repair the
23 Medina Lake Dam; and

24 (D) provide other support as necessary;

25 (2) the San Antonio River Authority shall:

26 (A) facilitate the development and
27 implementation of the interlocal agreement;

1 (B) provide administrative support as necessary;

2 (C) oversee and manage the entire repair project;

3 and

4 (D) submit an annual progress report to the
5 legislature with the initial report due not later than December 31,
6 2010; and

7 (3) the Edwards Aquifer Authority and the Bexar
8 Metropolitan Water District shall provide funding from available
9 funds for repairs and support as necessary.

10 (d) Other entities, including counties, that enter into the
11 interlocal agreement may provide funding and other support as
12 appropriate.

13 (e) The term of the interlocal agreement expires on
14 completion of the repair project.

15 (f) An advisory board is established for the project to
16 repair the Medina Lake Dam and shall:

17 (1) consist of a representative from each party to the
18 interlocal agreement;

19 (2) be chaired by the representative of the San
20 Antonio River Authority who shall facilitate development and
21 implementation of the interlocal agreement;

22 (3) meet at least quarterly to:

23 (A) explore other possible funding
24 opportunities;

25 (B) receive progress reports on the status of the
26 project; and

27 (C) discuss other business as necessary; and

1 (4) dissolve on completion of the project.

2 SECTION 3. EFFECTIVE DATE. This Act takes effect
3 immediately if it receives a vote of two-thirds of all the members
4 elected to each house, as provided by Section 39, Article III, Texas
5 Constitution. If this Act does not receive the vote necessary for
6 immediate effect, this Act takes effect September 1, 2009.