

- SUBJECT:** Changes to the Barton Springs-Edwards Aquifer Conservation District
- COMMITTEE:** Natural Resources — committee substitute recommended
- VOTE:** 8 ayes — Ritter, Corte, Creighton, Frost, T. King, Lucio, D. Miller, Smithee
- 0 nays
- 3 absent — Callegari, Laubenberg, Martinez Fischer
- SENATE VOTE:** On final passage, April 23 — 30-0, on Local and Uncontested Calendar
- WITNESSES:** (*On House companion bill, HB 4729:*)  
For — (*Registered, but did not testify:* Deece Eckstein, Travis County Commissioners Court; Daryl Slusher, Austin Water Utility, City of Austin; Kirk Holland, Barton Springs/Edwards Aquifer Conservation District)  
  
Against — None
- BACKGROUND:** The Barton Springs/Edwards Aquifer Conservation District (BSEACD) was created in 1987 by the 70th Legislature with a directive to conserve, protect and enhance the groundwater resources of the Barton Springs segment of the aquifer. Special District Local Laws Code, ch. 8802 outlines provisions for the BSEACD.
- DIGEST:** CSSB 2474 would amend ch. 8802 of the Special District Local Laws Code to enlarge the territory of the Barton Springs/Edwards Aquifer Conservation District to include various specified territories in Hays and Travis counties, and it would change provisions regarding the district's board of directors, elections, and water use fees.
- The Barton Springs/Edwards Aquifer Conservation District would be governed by a seven-member board of directors, whose members would serve staggered, four-year terms. It would be divided into seven, single-member districts for the purpose of electing the district's directors. The

bill would outline a number of provisions regarding how these districts would be formed.

Under the bill, the Barton Springs/Edwards Aquifer Conservation District board of directors, before August 31, 2011, would have to hold an election to ratify the annexation of certain territory outlined in the bill. If a majority of voters did not vote in favor of ratifying the annexation, the board could hold another election for that purpose. Within three months after the election, the board of the conservation district would appoint two temporary directors to the board to represent the annexed territory.

The bill also would revise the water use fee that the board could assess the city of Austin to include a ceiling that would be the lesser of \$900,000 or 60 percent of the total funding the district expected to receive for the next fiscal year from water use fees assessed against Austin and other nonexempt users in that year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

**NOTES:**

The House companion bill, HB 4729 by Bolton, was reported favorably, as substituted, by the Natural Resources Committee on May 5.