

BILL ANALYSIS

Senate Research Center

H.B. 1741
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Natural Resources
5/7/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A recent United States Geological Survey report indicates that water from the Medina River impounded behind the Medina Lake system's Diversion Dam recharges approximately 36,000 acre-feet annually in the Edwards Aquifer.

H.B. 1741 requires the Bexar-Medina-Atascosa Counties Water Control and Improvement District No. 1, the Edwards Aquifer Authority, the Bexar Metropolitan Water District, and the San Antonio River Authority to enter into an interlocal agreement for the planning, funding, and implementing of a project to repair the Medina Lake Dam.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. STATEMENT OF PURPOSE AND LEGISLATIVE FINDINGS. Provides that 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. Amends Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993, by adding Section 1.455, as follows:

Sec. 1.455. INTERLOCAL AGREEMENT FOR REPAIR PROJECT. (a) Requires the Bexar-Medina-Atascosa Counties Water Control and Improvement District No. 1, the Edwards Aquifer Authority, the Bexar Metropolitan Water District, and the San Antonio River Authority, not later than the 90th day after the effective date of the Act enacting this section, to enter into an interlocal agreement for the planning, funding, and implementing of a project to repair the Medina Lake Dam.

- (b) Authorizes any other local entity, including a county, with the ability to assist in the effort to be included in the interlocal agreement.
- (c) Provides that the duties of the parties to the interlocal agreement are: the Bexar-Medina-Atascosa Counties Water Control and Improvement District No. 1 is required to provide funding from available funds for the necessary repairs,

provide all documentation necessary to substantiate actual cost estimates for repairing the Medina Lake Dam, cooperate with the other parties to the interlocal agreement on the construction required to repair the Medina Lake Dam, and provide other support as necessary; the San Antonio River Authority is required to facilitate the development and implementation of the interlocal agreement, provide administrative support as necessary, oversee and manage the entire repair project, and submit an annual progress report to the legislature with the initial report due not later than December 31, 2010; and the Edwards Aquifer Authority and the Bexar Metropolitan Water District are required to provide funding from available funds for repairs and support as necessary.

(d) Authorizes other entities, including counties, that enter into the interlocal agreement to provide funding and other support as appropriate.

(e) Provides that the term of the interlocal agreement expires on completion of the repair project.

(f) Establishes an advisory board for the project to repair the Medina Lake Dam and requires the advisory board to consist of a representative from each party to the interlocal agreement, to be chaired by the representative of the San Antonio River Authority who is required to facilitate development and implementation of the interlocal agreement, to meet at least quarterly to perform certain functions, and to dissolve on completion of the project.

SECTION 3. Effective date: upon passage or September 1, 2009.