

STATE OF TEXAS §
§
WEBB COUNTY §

MARGIE R IBARRA
COUNTY CLERK
FILED

2022 DEC 19 PM 2:02

WEBB COUNTY, TEXAS

BY all DEPUTY

**RESOLUTION 12-12-2022-21
WEBB COUNTY COMMISSIONERS COURT
WEBB COUNTY, TEXAS**

**SUPPORTING THE CREATION OF A GROUNDWATER
CONSERVATION DISTRICT IN WEBB COUNTY**

WHEREAS, the Webb County Commissioners Court has adopted a local policy that proposed legislation affecting county government should be brought before the Commissioners Court for consideration and possible action to adopt an official position; and

WHEREAS, the Webb County Commissioners Court has appointed a Legislative Affairs Committee to identify, analyze and recommend priority legislation to address matters of public interest or the enhancement of county government; and


WHEREAS, the County's Legislative Affairs Committee has petitioned the participation of local elected officials and department heads in the development of a proposed legislative agenda; and

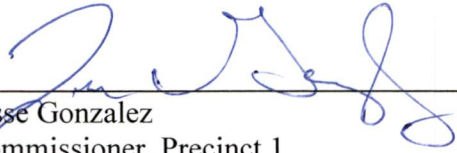
WHEREAS, the Legislative Affairs Committee has identified and presented key issues to the Webb County Commissioners Court for consideration in the county's legislative agenda.

NOW, THEREFORE BE IT RESOLVED by the Commissioners Court of Webb County, that:

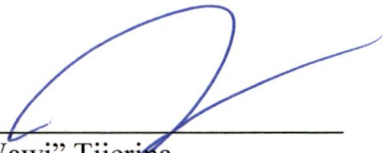
- Section 1: The Webb County Commissioners Court finds it in the best interest of the residents of Webb County to support the creation of a Groundwater Conservation District as set out in the proposed legislation attached hereto as Exhibit "A".
- Section 2: The Webb County Commissioners Court hereby directs that the creation of a Groundwater Conservation District be included in Webb County's 88th Legislative Agenda.
- Section 3: The Webb County Commissioners Court respectfully requests the support of our State Legislators to enact passage of a Ground Water Conservation District in 2023.

**PASSED BY THE WEBB COUNTY COMMISSIONERS COURT ON THIS THE 12th DAY
OF DECEMBER, 2022.**

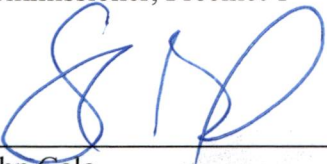

Tano E. Tijerina
Webb County Judge



Jesse Gonzalez
Commissioner, Precinct 1



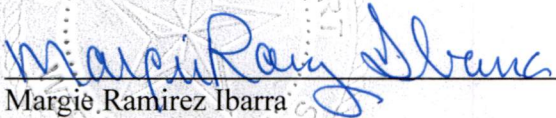
Rosaura "Wawi" Tijerina
Commissioner, Precinct 2



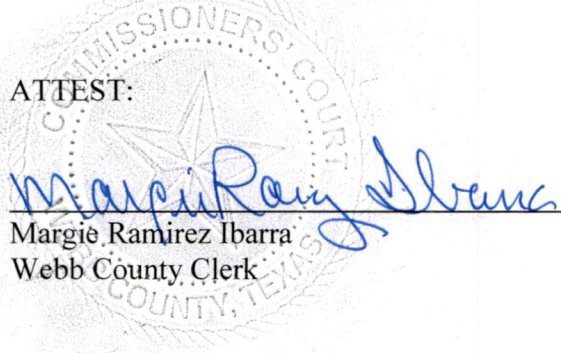
John Galo
Commissioner, Precinct 3

Cindy Liendo
Commissioner, Precinct 4

ATTEST:



Margie Ramirez Ibarra
Webb County Clerk



AN ACT

relating to the creation of the Webb County Groundwater Conservation District; providing authority to impose fees.

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

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8895 to read as follows:

CHAPTER 8895. WEBB COUNTY GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8895.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Commission" means the Texas Commission on Environmental Quality.

(3) "Commissioners court" means the Webb County Commissioners Court.

(4) "Director" means a member of the board.

(5) "District" means the Webb County Groundwater Conservation District.

Sec. 8895.002. NATURE OF DISTRICT. The district is a

groundwater conservation district in Webb County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8895.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the works and projects accomplished by the district under the powers conferred by Section 59, Article XVI, Texas Constitution.

Sec. 8895.004. DISTRICT TERRITORY. The district's boundaries are coextensive with the boundaries of Webb County, unless the district's territory has been modified under:

- (1) Subchapter J or K, Chapter 36, Water Code; or
- (2) other law.

Sec. 8895.004. CONFLICTS OF LAW. This chapter prevails over any provision of general law, including a provision of Chapter 36, Water Code, that is in conflict or is inconsistent with this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8895.051. COMPOSITION OF BOARD. The district is governed by a board of seven appointed directors.

Sec. 8895.052. TERMS AND APPOINTMENT OF DIRECTORS. (a)

Directors serve staggered four-year terms. Directors are appointed by the commissioners court as follows:

(1) one director shall be appointed to represent Legacy Water Control and Improvement District, or successor district; and

(2) one director shall be a director or employee of a water supply corporation in the county; and

(3) one director shall be appointed to represent municipal interests in the county; and

(2) four directors shall be appointed with one director appointed from each of the four commissioners court precincts.

(b) To the extent practicable, the appointed directors should be familiar with the use of water by industry and commerce, municipal and rural utilities, agriculture, and private wells, and at least one director should be a licensed attorney with experience with groundwater regulation and at least one director should be a registered professional engineer.

(b) Directors do not have to be registered to vote or own land in Webb County.

Sec. 8895.053. VACANCIES. If there is a vacancy on the board, the commissioners court shall appoint a person to fill the vacancy for the remainder of the term in a manner that meets the representational requirements of Section 8895.052.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8895.101. GROUNDWATER CONSERVATION DISTRICT POWERS AND DUTIES. The district has the rights, powers, privileges, functions, and duties provided by the general law of this state, including Chapter 36, Water Code, applicable to groundwater conservation districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8895.102. PROTECTION OF GROUNDWATER QUALITY. In addition to any other authority provided by statute, the district may participate in regulation of the disposal of waste into any portion of the Carrizo Wilcox Aquifer in Webb County or any portion of any other ground water aquifer in Webb County conducted by any agency. The district shall be provided with notice of any application filed with any state agency to dispose of waste that could affect water quality of the Carrizo Wilcox Aquifer within Webb County and the opportunity to participate in any hearing on such application.

Sec. 8895.103 LIMITATION ON TAXES. The district may not impose taxes in the district.

Sec. 8895.104. FEES. (a) The district may assess fees as authorized by Section 36.205, Water Code.

Sec. 8895.105. NO EMINENT DOMAIN. The district may not

exercise the power of eminent domain.

SECTION 2. Not later than December 31, 2023, the Webb County Commissioners Court shall appoint the directors of the Webb County Groundwater Conservation District as provided by Section 8895.052, Special District Local Laws Code, as added by this Act.

SECTION 3. Until new desired future conditions are approved by Groundwater Management Area 13 with the participation of the Webb County Groundwater Conservation District, the modeled available groundwater from the Carrizo-Wilcox Aquifer in Webb County shall be considered to be 50,000 acre-feet per year for the purpose of amendments to the 2021 Region M regional water plan.

SECTION 4. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed

its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.