



## Legislation Details (With Text)

**File #:** AI 13-2947    **Version:** 2    **Name:** Precip item  
**Type:** Action Item    **Status:** Passed  
**File created:** 8/3/2022    **In control:** Board of Directors  
**On agenda:** 9/13/2022    **Final action:** 9/13/2022

**Title:** Consider recommendation from the Permits/Enforcement Committee to approve a renewal and extension of an Interlocal Cooperation Contract with the Evergreen Underground Water Conservation District to conduct a Precipitation Enhancement Program, in an amount not to exceed \$175,000.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-031-ERA Evergreen UWCD for Precipitation Enhancement RNW 2 Exp 09-2023 - For Committee.pdf, 2. RO to renew precipitation enhancement interlocal agreement with Evergreen UWCD September 2022

Date	Ver.	Action By	Action	Result
9/13/2022	2	Board of Directors	approved	
8/23/2022	1	Permits/Enforcement Committee		

**Consider recommendation from the Permits/Enforcement Committee to approve a renewal and extension of an Interlocal Cooperation Contract with the Evergreen Underground Water Conservation District to conduct a Precipitation Enhancement Program, in an amount not to exceed \$175,000.**

### STAFF RECOMMENDED MOTION:

Move the board adopt Resolution and Order No. 09-22-037 of the Edwards Aquifer Authority Board of Directors approving a one-year renewal and extension of Interlocal Cooperation Contract No. 20-031-ERA between the EAA and Evergreen Underground Water Conservation District to conduct precipitation enhancement activities, in an amount not to exceed \$175,000, for the period October 1, 2022 through September 30, 2023.

### SUMMARY:

The purpose of this agenda item is for the board to consider a Permits/Enforcement Committee recommendation to renew and extend an Interlocal Cooperation Contract (Contract) with the Evergreen Underground Water Conservation District (EUWCD) to conduct a Precipitation Enhancement Program (PEP) for the year 2023. The original Contract was approved by the board in October 2020, with options to renew for four additional one-year periods. The current Contract expires September 30, 2022. If approved, this would be the second of the four renewal options.

The EAA has funded the PEP since 1999, and has contracted with the EUWCD and the Wintergreen Groundwater Conservation District to conduct the PEP since 2006. EUWCD holds a weather modification permit to allow them to conduct PEP activities in Bandera, Bexar, Medina, and now

Uvalde counties.

Under the Contract, the EAA pays a fixed portion of EUWCD's contractual costs with the South Texas Weather Modification Association for PEP activities in Bandera, Bexar, Medina and Uvalde counties. The Contract includes a provision whereby costs related directly to flights and seeding activities that directly impact the EAA's target area would be reimbursed by the EAA.

Attached to this agenda item are the draft contract renewal letter and resolution and order. Legal counsel has reviewed each of these documents.

At the meeting on August 23, the Permits/Enforcement Committee voted to recommend the board approve a one-year renewal and extension of Interlocal Cooperation Contract No. 20-031-ERA between the EAA and Evergreen Underground Water Conservation District to conduct precipitation enhancement activities, in an amount not to exceed \$175,000, for the period October 1, 2022 through September 30, 2023.

#### M/WBE PARTICIPATION:

EUWCD is a groundwater conservation district and is therefore, not a minority or woman-owned business enterprise.

#### STRATEGIC PLAN REFERENCE:

This agenda item supports the general EAA mission.

#### FISCAL IMPACT:

If approved, funding in the amount of \$175,000 will be included in the proposed 2023 operating budget.