



Legislation Text

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Consider recommendation from the Finance/Administrative Committee to approve the Edwards Aquifer Habitat Conservation Plan FY2023 Funding Applications submitted by the Edwards Aquifer Authority (\$19,844,684), the City of New Braunfels (\$1,055,385), and the City of San Marcos/Texas State University (\$1,461,425).

RECOMMENDED MOTION:

Move the board adopt Resolution and Order No. 11-22-042 of the Edwards Aquifer Authority Board of Directors approving the Edwards Aquifer Habitat Conservation Plan FY2023 Program Funding Applications submitted by the Edwards Aquifer Authority, in an amount not to exceed \$19,844,684; the City of New Braunfels, in an amount not to exceed \$1,055,385; and the City of San Marcos/Texas State University, in an amount not to exceed \$1,461,425, for the purpose of implementing the Conservation Measures and Program Activities as required by the EAHCP, for the period January 1, 2023 through December 31, 2023.

SUMMARY:

The purpose of this agenda item is for the board to consider a Finance/Administrative Committee recommendation to approve Edwards Aquifer Habitat Conservation Plan (EAHCP) FY2023 Program Funding Applications submitted by the Parties to the EAHCP for funding to implement the Conservation Measures and Program Activities described in the EAHCP as being the responsibility of each of the Parties. Each Party to the Funding and Management Agreement (FMA) and the EAHCP has the responsibility of "undertaking and performing each of the specific Conservation Measures assigned" to it in Chapter 5 of the EAHCP.

The FMA between the EAA, City of New Braunfels, City of San Marcos, San Antonio Water System, and Texas State University (collectively "the Parties"), requires that the EAA fund the mitigation and flow protection measures as required by the EAHCP to be implemented by the Parties. Program Funding Applications, submitted by each Party for calendar year 2023, list the contractors selected by each Party and the associated funding reimbursement amount for each conservation measure or program activity "task." At their October 13 meeting, the EAHCP Implementing Committee approved the Funding Applications as submitted and at their October 25 meeting, the Finance/Administrative Committee approved the Funding Applications as submitted.

These Funding Applications and Resolution and Order No. 11-22-042, which have been reviewed by legal counsel, are attached.

At the meeting on October 25, the Finance/Administrative Committee voted to recommend the board adopt a resolution and order of the Edwards Aquifer Authority Board of Directors approving the Edwards Aquifer Habitat Conservation Plan FY2023 Program Funding Applications submitted by the

Edwards Aquifer Authority, in an amount not to exceed \$19,844,684; the City of New Braunfels, in an amount not to exceed \$1,055,385; and the City of San Marcos/Texas State University, in an amount not to exceed \$1,461,425, for the purpose of implementing the Conservation Measures and Program Activities as required by the EAHCP, for the period January 1, 2023 through December 31, 2023.

M/WBE PARTICIPATION:

EAA M/WBE procedures will apply to contracts associated with EAHCP.

STRATEGIC PLAN REFERENCE:

This agenda item helps build and/or create Assuredness in Regulatory Programming - a key objective in achieving the EAA's goals identified in the 2021-30 Strategic Plan and is required to maintain compliance with the Incidental Take Permit issued by USFWS on March 18, 2013. Specifically, these FY 2023 Funding Applications meet the obligations of Chapter 5 of the Edwards Aquifer Habitat Conservation Plan.

FISCAL IMPACT:

The total cost of these EAHCP Funding Applications in 2023 is \$22,361,494.