



# SB 71 : BED AND BANKS BILL

## *Key Messages*

SB 71, sponsored by Senator Judith Zaffirini, would transfer ownership of the riverbed and banks of the San Marcos River within the San Marcos city limits to the City of San Marcos.

The San Marcos River is home to several endangered species found nowhere else on earth. To protect these species, the City of San Marcos and four other regional entities have signed a 15-year Edwards Aquifer Habitat Conservation Plan (EAHCP). The intent of SB 71 bill is to assist the City in better protecting the river, plants and wildlife by streamlining and more efficiently managing in-river EAHCP projects. This bill will help the City balance the value of the San Marcos River as a center for recreation and the need to protect the habitat of the some of the earth's most rare species.

Key facts:

**City ownership of the bed and banks would give City rangers authority to protect endangered species.** Under the EAHCP, the City is responsible for increasing Texas wild-rice coverage and protecting the San Marcos salamander, fountain darter and Comal Springs riffle beetle. The City's civilian rangers do not have direct authority to protect endangered plants and animals from tampering, but instead have to call a game warden.

**City ownership of the bed and banks would allow for a faster response in repairing city-owned facilities for public safety.** The City owns river access points, dams and bridges in upper San Marcos River, but does not have the authority to repair these structures. During bridge repairs, the City needs to shut down navigation in the river during construction, but does not have the authority to do so.

**In sum, the City has infrastructure and multiple projects on the river for which it is solely responsible.** City ownership of bed and banks will help ensure the highest success in complying with the EAHCP and maintaining public safety in the San Marcos River and city parks.

This bill is NOT intended to:

- Limit access to the San Marcos River
- Interfere with San Marcos River recreation

*This bill is not related to removal of Cape's Dam in the San Marcos River*