

AN ORDER
OF THE BOARD OF DIRECTORS OF THE
GUADALUPE-BLANCO RIVER AUTHORITY
ADOPTING AN INTERIM ORDINANCE
RELATING TO ACTIVITIES ON
LAKE McQUEENEY, LAKE PLACID, MEADOW LAKE AND LAKE GONZALES

WHEREAS, on September 16, 2019 by order of the 25th District Court of Guadalupe County, swimming, boating, fishing and other water activities on Lake McQueeney, Lake Placid, Meadow Lake, and Lake Gonzales were prohibited until such time as a panel of experts could determine what zones in the lakes should be restricted; and,

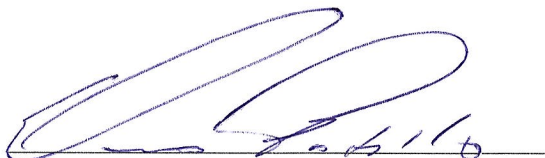
WHEREAS, the Guadalupe-Blanco River Authority is authorized under its enabling legislation, Texas Water Code Chapter 51 and other laws to adopt ordinances relating to activities on the afore-named lakes; and

WHEREAS, the Board of Directors of the Guadalupe-Blanco River Authority deems it appropriate to make its June 19, 2019 ordinances regarding the afore-named lakes consistent with the Court order;

NOW THEREFORE BE IT ORDERED by the Board of Directors of the Guadalupe-Blanco River Authority that the ordinance attached hereto, entitled "Article 1 Navigation and Recreation on the Guadalupe-Blanco River Authority Hydroelectric Lakes" is hereby approved and adopted.

IT IS FURTHER ORDERED, that the General Manager/CEO shall cause notice of this ordinance to be posted in accordance with Texas Water Code, Chapter 51.

Ordered this the 25th day of September, 2019.



Dennis L. Patillo
Chairman of the Board of Directors
Guadalupe-Blanco River Authority

Attest:



Kenneth A. Motl, DVM, Secretary
Board of Directors
Guadalupe-Blanco River Authority

**GUADALUPE-BLANCO RIVER AUTHORITY
ORDINANCES**

**ARTICLE 1 Navigation and Recreation on the Guadalupe-Blanco River Authority
Hydroelectric Lakes**

1.1 Authority

These Article 1 Ordinances are adopted pursuant to the Guadalupe-Blanco River Authority Enabling Act, V.A.T.S. art. 8280-106, § 2, Texas Parks & Wildlife Code § 31.092, Texas Water Code § 51.127, *et seq.*, and Texas Local Government Code § 54.001.

1.2 Definitions

(a) “Lake McQueeney” means the body of water in Guadalupe County, Texas owned or controlled by the Guadalupe-Blanco River Authority between McQueeney Dam and Dunlap Dam on the Guadalupe River;

(b) “Lake Placid” means the body of water in Guadalupe County, Texas owned or controlled by the Guadalupe-Blanco River Authority between McQueeney Dam and TP-4 Dam on the Guadalupe River;

(c) “Lake Nolte (a.k.a. Meadow Lake)” means the body of water in Guadalupe County, Texas owned or controlled by the Guadalupe-Blanco River Authority between Nolte Dam and Saffold Dam on the Guadalupe River;

(d) “Lake Gonzales (a.k.a. H-4)” means the body of water in Gonzales, County Texas owned or controlled by the Guadalupe-Blanco River Authority between Lake Gonzales (H-4) Dam and including the waters extending 2.5 river miles upstream of H-4 Dam on Dullnig Creek and extending 10.5 river miles upstream of H-4 Dam on the Guadalupe River.

(e) “Motorboat” means any vessel propelled or designed to be propelled by machinery, whether or not the machinery is permanent or temporarily affixed or is the principal source of propulsion.

(f) “Operate” means to navigate or otherwise use a motorboat or a vessel.

(g) “Personal Watercraft” means a type of motorboat that is specifically designed to be operated by a person or persons sitting, standing, or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel.

(h) “Vessel” means any watercraft, other than a seaplane or watercraft, used or capable of being use for transportation on water.

1.3 Lake McQueeney Restrictions

- (a) A person commits an offense under this Ordinance if he/she:
 - (i) Operates any vessel, motorboat, or personal watercraft on Lake McQueeney; or,
 - (ii) Rides as a passenger in or on any vessel, motorboat or personal watercraft on Lake McQueeney.
- (b) A person commits an offense under this Ordinance if he/she:
 - (i) Fishes from any vessel, motorboat, or personal watercraft on Lake McQueeney; or,
 - (ii) Irrespective of the use of any flotation device, physically enters Lake McQueeney.

(c) A violation Sections 1.3(a) or 1.3(b) of this ordinance is a Class C misdemeanor offense, no culpable mental state or criminal intent is required, and upon conviction, a person shall be fined an amount of up to five hundred dollars (\$500.00).

1.4 Lake Placid Restrictions

- (a) A person commits an offense under this Ordinance if he/she:
 - (i) Operates any vessel, motorboat, or personal watercraft on Lake Placid; or,
 - (ii) Rides as a passenger in or on any vessel, motorboat or personal watercraft on Lake Placid.
- (b) A person commits an offense under this Ordinance if he/she:
 - (i) Fishes from any vessel, motorboat, or personal watercraft on Lake Placid; or,
 - (ii) Irrespective of the use of any flotation device, physically enters Lake Placid.

(c) A violation Sections 1.4(a) or 1.4(b) of this Ordinance is a Class C misdemeanor offense, no culpable mental state or criminal intent is required, and upon conviction, a person shall be fined an amount of up to five hundred dollars (\$500.00).

1.5 Lake Nolte (Meadow Lake) Restrictions

- (a) A person commits an offense under this Ordinance if he/she:
 - (i) Operates any vessel, motorboat, or personal watercraft on Lake Nolte (Meadow Lake); or,
 - (ii) Rides as a passenger in or on any vessel, motorboat or personal watercraft on Lake Nolte (Meadow Lake).
- (b) A person commits an offense under this Ordinance if he/she:
 - (i) Fishes from any vessel, motorboat, or personal watercraft on Lake Nolte (Meadow Lake); or,
 - (ii) Irrespective of the use of any flotation device, physically enters Lake Nolte (Meadow Lake)

(c) Each violation Sections 1.5(a) or 1.5(b) of this Ordinance is a Class C misdemeanor offense, no culpable mental state or criminal intent is required, and upon conviction, a person shall be fined an amount of up to five hundred dollars (\$500.00).

1.6 Lake Gonzales (H-4) Restrictions

- (a) A person commits an offense under this Ordinance if he/she:
 - (i) Operates any vessel, motorboat, or personal watercraft on Lake Gonzales (H-4); or,
 - (ii) Rides as a passenger in or on any vessel, motorboat or personal watercraft on Lake Gonzales (H-4).
- (b) A person commits an offense under this Ordinance if he/she:
 - (i) Fishes from any vessel, motorboat, or personal watercraft on Lake Gonzales (H-4); or,
 - (ii) Irrespective of the use of any flotation device, physically enters Lake Gonzales (H-4).

(c) A violation Sections 1.6(a) or 1.6(b) of this Ordinance is a Class C misdemeanor offense, no culpable mental state or criminal intent is required, and upon conviction, a person shall be fined an amount of up to five hundred dollars (\$500.00).

1.7 Severability

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of the Ordinances are severable.

1.8 Intent; Construction with Earlier Ordinances

(a) This Ordinance is intended to implement portions of the Agreed Temporary Injunction entered in *Skonnard, et al, v. Guadalupe-Blanco River Authority, et al*, Cause No. 19-2053-CR in the 25th District Court of Guadalupe County, Texas and *Williams, et al, v. Guadalupe-Blanco River Authority, et al*, Cause No. 19-2054-CV in the 25th District Court of Guadalupe County, Texas.

(b) To the extent that this Ordinance conflicts with the Ordinance adopted by the Guadalupe-Blanco River Authority on June 19, 2019 this Ordinance shall prevail.