

Alamo Group of the Sierra Club  
Aquifer Guardians in Urban Areas  
Austin Regional Sierra Club  
Bexar Audubon Society  
Bexar County Green Party  
Boerne Together  
Cibolo Nature Center  
Citizens Allied for Smart Expansion  
Citizens for Protection of Cibolo Creek  
Environment Texas  
First Universalist Unitarian Church of  
San Antonio  
Friends of Canyon Lake  
Fuerza Unida  
Government Canyon Natural History  
Association  
Hays Community Action Network  
Helotes Heritage Association  
Helotes Nature Center  
Hill Country Planning Association  
Guardians of Lick Creek  
Kendall County Well Owners Association  
Kinney County Ground Zero  
Medina County Environmental Action  
Association  
Northwest Interstate Coalition of  
Neighborhoods  
OST 100  
Preserve Castroville  
Preserve Lake Dunlop Association  
Preserve Our Water-Blanco County  
San Antonio Audubon Society  
San Antonio Conservation Society  
San Geronimo Valley Alliance  
San Marcos Greenbelt Alliance  
San Marcos River Foundation  
Santuario Sisterfarm  
Save Barton Creek Association  
Save Our Springs Alliance  
Scenic Loop/Boerne Stage Alliance  
Securing a Future Environment  
SEED Coalition  
Solar San Antonio  
Sisters of the Divine Providence  
Smart Growth San Antonio  
Texas Water Alliance  
Travis County Green Party  
West Texas Springs Alliance  
Water Aid – Texas State University  
Wildlife Rescue & Rehabilitation  
Wimberley Valley Watershed Association

April 6, 2011

House Committee on Environmental Regulations  
Representative Wayne Smith, Chair  
Representative Jessica Farrar, Vice Chair  
Representative Jose Aliseda  
Representative Lon Burnam  
Representative Warren Chisum  
Representative Kelly Hancock  
Representative Ken Legler  
Representative Lanham Lyne  
Representative Ron Reynolds

Re: HB 3037

Thank you for the opportunity to present these comments on behalf of the Greater Edwards Aquifer Alliance. The Greater Edwards Aquifer Alliance unites 47 organizations behind a comprehensive plan to protect the Edwards Aquifer, its springs, rivers and streams, flora and fauna, and the Texas Hill Country. It is the consensus of all 47 of our member organizations, which span 21 counties in Central and South Texas, to oppose this legislation. Collectively, our groups represent approximately 25,000 Texans.

Working as I do with our member organizations and individuals from throughout our region, I feel that this legislation will not serve the people of Texas well. Because Texas does not empower land use or zoning authority at the County level, contesting permits granted by TCEQ is the only recourse available to citizens residing outside of municipalities. Even the simple powers of governing incompatible land uses are currently denied Texas Counties.

The fact that, over the past six years, so many of our member groups and individual members have engaged in contesting TCEQ permits - by which action they have committed themselves to raising hundreds of thousands of dollars, collectively, in fighting permits that will negatively impact the value of their homes and properties, their health and well being - attests to the value and necessity of a fair contested case hearing process as a venue of last resort for thousands of Texans.

Over the past six years, GEAA has helped Texans in Mico, Quihi, San Geronimo Valley, Blanco, La Coste, Bandera County, Helotes, Comal County, Hays County, San Marcos, Wimberley, San Antonio, Boerne, Lick Creek, Castroville, and Medina County, in contesting permits for projects that would devalue their water supplies and their properties. Overwhelmingly, they are contesting waste water discharge permits and air emissions permits. Most actions to contest permits that we have been involved in have been for projects in rural areas, because citizens of these areas are denied local governments empowered to prohibit bad projects on their behalf.

All too often, GEAA, our member groups, and individual citizens have been required to contest permits for projects that should have never been granted in the first place. We have seen TCEQ issue permits based upon faulty modeling and false information. Permits to applicants who have a long history of non-compliance with TCEQ regulations.

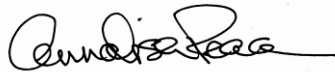
The [Greater Edwards Aquifer Alliance](http://www.GreaterEdwardsAquiferAlliance.org) unites 47 organizations behind a comprehensive plan to protect the Edwards Aquifer, its springs, rivers and streams, flora and fauna, and the Texas Hill Country.

Permits for projects that pollute our surface and groundwater. Permits for projects that would result in the degradation of our natural resources. The agency is underfunded, understaffed, and under pressure to grant permits in compliance with a timeframe that does not favor thorough review. Mistakes do happen. Texans rely on the right to contest permits that impact their property and well being. Please do not compromise or deny them this right.

We always hear that Texas is a property rights state. But, from what I have seen, individual property owners are extremely disadvantaged under state law when it comes to asserting their rights as property owners. Please do not curtail their rights further by adopting changes to the contested case hearing process as this bill calls on you to do.

We urge you to deny passage of HB 3037. We hope that you will consider GEAA as a resource at your disposal, and feel free to call us with any questions or concerns you have regarding issues that impact our water resources. We look forward to working with you during the 82<sup>nd</sup> Legislative session to preserve and protect our groundwater resources, and the Texas Hill Country that sustains them.

Respectfully,



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