

Legislative Alert: the Good, the Bad, and the Ugly...

Dear GEAA members and friends,

This is the time in the legislative session when our involvement can make or break bills good and bad. **Let's start with the Ugly.**

Since 2005 GEAA has partnered with citizens throughout Texas to contest applications for permits from the Texas Commission for Environmental Quality (TCEQ) that would harm our water, air, property rights, or quality of life. Through this process we have usually been able to secure much better outcomes with recommendations for denial of the permits or through negotiated settlements that mitigate harmful impacts of the proposed project.

This [Wednesday the House Environmental Regulations Committee](#) will consider [HB 3114](#) - one of the ugliest bills filed this session - brought to you by [Representative Kyle Kacal](#) (District 12). HB 3114 would allow TCEQ to hire their own in-house administrative law judge to hear contested case hearings for things like wastewater discharge permits, completely bypassing the State Office of Administrative Hearings as the independent body to resolve disputes. It would also give TCEQ broad authority to reverse the recommendation that results from the contested case hearing. This is part of an ongoing effort to undermine the contested case hearing process, and try to ensure that it does not result in limitations on, or denial of, a permit application.

Determinations in TCEQ hearings should be made by an impartial and independent decision-maker. Please contact the members of the House Committee on Environmental Regulations to request a NO vote on HB 3114. For talking points, click [here](#).

Chair: [Rep. J. M. Lozano](#) jm.lozano@house.texas.gov

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Members: [Rep. César Blanco](#) cesar.blanco@house.texas.gov
[Rep. Kyle J. Kacal](#) kyle.kacal@house.texas.gov
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[Rep. Ron Reynolds](#) ron.reynolds@house.texas.gov
[Rep. John Turner](#) john.turner@house.texas.gov

[Rep. Erin Zwiener](#) erin.zwiener@house.texas.gov

Clerk: Scott Crownover

Now - the Good! Our thanks go out to [Representative Erin Zwiener](#) (District 45) for filing [HB 4110](#), which calls for TCEQ to conduct a study to evaluate and make recommendations for the regulation of on-site sewage disposal systems in the recharge zone of the Edwards Aquifer. This excellent bill would require TCEQ to submit a report on the effects, regulation, and best management practices for on-site sewage disposal systems on the Edwards Aquifer Recharge Zone by March 1,

2020. Should this bill pass, we will be able to work with experts to better protect the Edwards from the threat of contamination from sewage.

It would be great if all legislators representing the Edwards Region would sign on to co-sponsor this legislation. Please contact your Representative and Senator to ask them to co-sponsor and support HB 4110. Stay tuned for more on HB 4110.

Last but not least, here are **three bad bills that deserve to die...**

These bills would compromise our ability to protect water quality:

- [SB 2078](#) filed by Senator Donna Campbell would take away a city's power to regulate "an activity or structure" in their Extra Territorial Jurisdiction (ETJ)
- [HB 3417](#) filed by Rep. Steve Toth would prohibit cities from enacting ordinances affecting the ETJ without explicit authorization from the State
- [HB 3750](#) filed by Rep. John Kuempel says cities cannot regulate water quality in the ETJ beyond minimum state/federal standards

If any of these bills become law, they would seriously compromise the effect of HB 4110 and other good legislation and ordinances now on the books or yet to come.

Please stay tuned for more legislative news in the weeks to come. GEAA will be keeping you posted on the abovementioned bills and more until the session closes this May. We are extraordinarily grateful to all of you who act by contacting your elected officials and sharing this information with friends.

Likewise, we are grateful to all of you who renewed your GEAA membership last week. Thank you! If you haven't yet, you can renew your membership or become a new GEAA member by mailing a check GEAA at PO Box 15618, San Antonio, Texas 78212 - or donate on-line [by clicking here](#). All donations over \$200 will again be matched dollar for dollar by the S/M Hixon Foundation.

We hope that the members of the House Environmental Regulations Committee hear from you today with your request to VOTE NO on HB 3114.

And for those of you who are not yet GEAA 2019 members, we hope to hear from you soon, and we hope to see all of you at the [GEAA Earth Day Gala](#) on April 13th.