

GEAA Member Group Meeting
February 1st at 4:pm at Beethoven Mannerchoir Halle
Agenda

Introductions of those attending

[Mike Phillips](#)- First Unitarian Universalist Church & GEAA Board Member
Diane Duesterhoeft- First Unitarian Universalist Church
Steve Hixon- GEAA Board Member
Cheryl Hamilton- Native Plant Society of San Antonio
Milann Guckian- Preserve Our Hill Country Environment
Liz James- Preserve Our Hill Country Environment
Alan Montemayor- Sierra Club, Bexar Grotto, GEAA Board Member
Britt Coleman- Bexar Audubon Society -South Central Texas
Cindy Beamer- GEAA Board Member
Fabiola McClellan- Bexar Audubon Society
Sherry Walden- Comfort Neighbors
Monte Walden – Comfort Neighbors
GEAA Staff: Annalisa Peace, Kellie Fichter, Nathan Glavy, Rachel Hanes

Briefing on GEAA's legislative agenda – Rachel Hanes

WATER USE:

- Senate side: changes on committee assigned members
- House side: made committees but not assigned members so don't know much yet, will be more to come and will be interesting for our agenda
- So far, combining with house and senate ~4,000 bills have been filed this session. Filing deadline is March 11.
- Have seen good and bad bills we are tracking them and working with other groups to track areas of expertise.

EXTRATERRITORIAL JURISDICTIONS:

- ETJ- 2 useful bills proposed on this by 2 house members in DFW area. One reverses SB 2038, bad bill from last time -State Rep. David Cook from Mansfield.
- Other one is less comprehensive but helpful and says can't withdraw land if it makes ETJ noncontiguous. Good that its's coming though from republicans. **HB 1901 (Cook) seems to negate SB 2038 completely and HB 2024 (Turner) offers smaller fix.**
- Nothing out of senate on ETJ yet.

COUNTY AUTHORITY:

- County authority - working a bill to allow smaller counties over Edwards Aquifer to have enhanced stormwater management authority, would not be statewide just for the Hill Country Priority Groundwater Management Area.
- Comal County Commissioners have been most receptive to enhanced authority. They may be helpful.

Texas Water Foundation is advertising a water day at the capital March 3rd - GEAA can potentially partner on that. GEAA can send out notices for that.

LAND USE and HOUSING REGULATIONS:

-Local government authority bills proposed so far are quite diverse. Some allow cities to do better building codes and some bills restrict local government's ability to do land use and zoning.

-Bill proposed that for state agencies - before a rule can go forward it has to be signed off on by the highest elected agency official or by the governor. We would oppose this bill as submitted.

WATER AVAILABILITY:

-Not too many bills on this front yet

-Looking to get study passed through house and senate to study use of recycled water in quarries. Have gotten some positive reviews. Working with TRAM (Texas for Responsible Aggregate Mining), have somewhat good shot. TWDB would likely be the one to do the study.

GEAA will be sending out our Legislative Agenda citing our stand on good/bad bills after March 11th so, be on the lookout for this.

GEAA will share a collective calendar of the various legislative days:

- **Bexar Audubon is sponsoring a legislative day at the capital on February 19th**
- **Texas Water Foundation is advertising a [water day at the capital](#) March 3rd**
- **Citizens' Climate Lobby (CCL) will have a statewide lobby day April 1st.**
- **Alliance for a Clean Texas (ACT) TBA**

Group Discussion on 89th Legislative Session

-This past year GEAA, HCA, CCC have done 3 county-to-county meetings. Purpose was to show that counties aren't using full authority state grants them and offer solutions. A report on what powers counties have was shared with all commissioners. Many said it was the first time they'd seen anything like this.

-Asking commissioners if they will be willing to go and testify on these bills and response has been positive!

-Housing regulations - none yet that are concerning. It's died down in press but still think we will see legislation filed related to housing affordability. Making sure nothing will negatively impact our area. Nationally and statewide the housing industry is looking to roll back regulation under guise of affordability. We have a good case to exempt our area. Strategy similar to what we did with SB 2038 last time. We were able to exempt our area by working with Dept. of Defense in Camp Bullis to get San Antonio exempted to enforce water regulations and impervious cover in the ETJ.

-Bill filing is still going and will go until March 11th. Committee hearings will start in mid-Feb and March.

-Alan Montemayor -Sierra Club: asked if GEAA is doing a lobby day. Responded that we are not sure if GEAA has bandwidth but last time we partnered with Alliance for Clean Texas.

-Sierra Club re: plastic pollution – TX seems to be anti-plastic regulation, lawmakers in Texas don't want to do anything about it. Not sure if we can do anything, but Sierra Club locally trying to be active, trying to partner with HEB.

Texas Water Foundation is advertising a water day at the capital March 3rd - GEAA can potentially partner on that. GEAA can send out notices for that.

-Last time there was a constitutional amendment re: stewardship, the state had good support (parks, water supply fund) – we're going for that kind of amendment and support for water supply infrastructure. Someone with parks organized and managed advocacy last time but we haven't seen that for water yet. Hoping a bill gets filed - we will be strongly advocating for that.

-There was a federal-level policy paper passed around that says federal administration considering changing what is considered a "taking" under endangered species act to remove "habitat modification". It is one of the few tools we have to protect the Edwards. Milann Gukian
-Preserve Our Hill Country Environment: we're fighting at state level not just for warblers but species inside the aquifer as well. If protections fail at state, we use that habitat modification language, it is helpful at the federal level.

-GEAA-Camp Bullis sentinel working on additional studies and land conservation.
Another grant we did get was with Hill Country Land trust. GEAA is working on that to buy conservation easements. That one has already been funded.

-Britt Coleman-Bexar Audubon **February 19, sponsoring a legislative day**

-Is it possible to have a legislative impact on discharge levels on things like pfas?
GEAA hoping EPA would do something but administration pulled back on research on pfas.
-There've been 3 bills related to pfas: **SB 768 (Menendez) studies pfas impact on water supply and HB 1145 (Morales) studies pfas in hydraulic fracking and HB 1674 (Kerwin) relates to pfas in agricultural products**

-Britt- have to be able to work at state level as we are not going to get ANYTHING done at fed level for next 4 years.

-Robin Schneider works with Texas Campaign for the Environment. They deal with waste issues. People trying to get permits for accepting sewage sludge. Saying it should be a priority permit b/c it's recycling. Some were next to a river in the flood plain. GEAA partnered with TCE to oppose these permit and were pretty successful.

-TCEQ permitting issue - Committees will say you have to get TCEQ for rule making and then TCEQ says you have to go to state for the legislation.

-Sherry Walden- Comfort Neighbors. From legislative side, question: if there are bills that would help that are already in the works? What Comfort Neighbors wanted:
-asking for legislature to prevent high density development in rural area with limited water. think what water conservation district area is maybe what will work. Rural areas that don't have pipes coming from Medina or Canyon Lake.
-Do they have to work with commissioner? Suggestion made to go to County Commissioner for an availability study.

-GEAA working with a retired geologist versed in modeling software and made recommendations. Meeting with them next week. Hidore is a volunteer, he worked for oil and gas and is really familiar with modeling. He went through reports and found they did not accurately reflect the amount of water available.

-1st step: go for study with TWBD then make changes for what would be required. These availability reports are made for 30 yrs. On year 30 and 1 day that source could run out of water, so we also want to see a water sustainability measure. Best we can do right now is likely a study.

-Per Sherry: Have been in stage 4 drought restrictions for two years, water table dropped every year in the last 5 years. Already have the dates so is it unrealistic to think we could work with commissioners to draft a bill. We already know we are living with no water. Representative is Ellen Troxclair.

-Suggestion was made: Have your commissioners take it to Ellen. Go with local bill that is just your area. Don't have to go for full vote of house and senate. It is local and uncontested.

-GEAA can help and meet with Troxclair and help with this. Also, with Cow Creek GCD. Expectation is that more than likely restrictions that will come out of cow creek will limit the amount of water. Cow Creek would be reluctant to deny any amount of water due to threat of a lawsuit. Could have water availability study.

-Ron Green- GEAA Board President: if you are in noncompliance, the gcd have not exercised their full authority yet. Possibly Bandera has but it is really hard to get a moratorium because we are non-compliant with GCD. IF GCD is willing they can do a lot.

-Most reliable would be potable reuse but Lennar will not do that.

-Atty for GCD is guy to go through. GEAA has good relations with that board at Cow Creek: Milan Michalec and Ben Eldridge. Kendall county and Kerr commissioners have been great.

Other Issues-All members present:

-Preserve our Hill Country Environment sued TCEQ again for approving Water Pollution Abatement Plan. One from PHCE and one from land owners' group. Still haven't heard from the district court. Meanwhile working with TRAM (Texans for Responsible Aggregate Mining) statewide group they put together over 4yrs ago. Put in for 501c3, waiting to hear from IRS so they can start hiring an Executive Director to take some of the load off others.

-GEAA has an intern looking into how much groundwater quarries use. It will be a couple weeks to pull public records but will share final information.

-No regulation on blasting in Texas. Aggregate is not regulated because corporations are so powerful.

-There is a final report on nitrate pollution around quarries. TRAM will share with the groups. TRAM or PHCE used multiple strategies in the lawsuit including endangered species. If they do away with endangered species act, we will have figure out how else to protect ecological sensitive areas.

-Unitarian Universalist Church- works with Stuart Birnbaum on Citizens' Climate Lobby (CCL). **They have a statewide lobby day April 1.**

-Britt-Bexar Audubon: Golden Cheeked warbler is a big concern. Watching fish and wildlife ruling and public comment period. Read that Trump administration is putting together a committee to review all endangered species and eliminate warbler from endangered species. Concern- it will remove the EPA from having power or Fish and Wildlife from having power over endangered species

-Every tool for environmental control at national level is something we have to keep eye out on because people are looking at every possible way to destroy environmental regulation with amazing creativity.

-Statewide and nationwide 70% want clean air and water. Need to get together to fight rollbacks because people are on our side.

-GEAA gets calls from new groups-they ask if there are new regulations to protect us from environmental concerns. Answer is usually no, because Texans don't vote for environmental regulations.

-Group concerned: 100's of organizations are at risk and would want to be involved but no one taking the lead on the fight.

-Idea was presented that we reach nat'l organizations and tell them we have 100's of groups to back them.

-GEAA partnered with 12 groups, filed with EPA to take over enforcement of clean water act from TCEQ because they weren't enforcing and a year later the EPA said the petition had merit and would look into it. Has dropped off EPA radar since.

-Cindy Beamer -GEAA Board Member: action item. Who will champion an effort to coalesce people? Ultimately getting somebody take ownership, take to a national level.

-Britt-Bexar Audubon: Golden Cheek Warbler coalesces people because if they take status of warbler, it will endanger the hill country environment and it will be open season on every acre

of the hill country. This is not just a tool to fight developers, this is tool to protect water, soil, air, etc. everything will be hammered to death.

-Britt is looking for how many thousand acres in central Texas they are trying to do this on? This is why GLO's are doing this. Audubon has support from National group.

-AP: REALLY want to get a constitutional amendment to have dedicated water availability.

-GLO had owned oil lands and the government invested to fund schools and universities so they had oil leases. Then started investing in hill country real estate-they would have no incentive to regulate them. This spurred TXDoT to push for an outer loop in New Braunfels that would provide access to a GLO property for development. GLO investments are driving state agencies to do exactly what we don't want. At one time, we had map of GLO properties. Need to know when projects pop up with state funding.

-Rachel Hanes- GEAA Policy Director: State Rep Goodwin proposed constitutional amendment guaranteeing the right to a clean environment. Stewardship agreement. This is an issue to get weight behind. If we can get it on ballot it will pass, just need to get it to ballot!

-AP: 1 - 2 punch get definition for who can apply for epa permits to manage stormwater changed, if all counties could apply for those would help protect water quality. Another stormwater effort is the Community Rating System (CRS) Flood Insurance Discounts program. -

-Federal government will give 45 % reduction if your local government enacts measures to prevent flooding. One is Dallas they have 30%, SA only has 20%.

-GEAA is planning to do publicity on this after the session. *Did you know if your local govt helps prevent flooding you could get a reduction?*

-Local govs have to implement flood mitigation (19 bullet points gets 45% off for community members) and all our local governments should be doing all 19 points.

-Also pushing for our recommendations that all Jurisdictions and our County start going after this as well.

Adjourn