

October 17, 2025

Act Now Comal
Alamo, Austin, and Lone Star chapters of
the Sierra Club
Bexar Audubon Society
Bexar and Travis-Austin Green Parties
Bexar Grotto
Boerne Together
Bulverde Neighborhood Alliance
Bulverde Neighborhoods for Clean Water
Cibolo Center for Conservation
Citizens for the Protection of Cibolo
Creek
Comal Conservation
Comfort Neighbors
Congregation of Divine Providence
Environment Texas
First Universalist Unitarian Church of SA
Fitzhugh Neighbors
Friends of Canyon Lake
Friends of Castroville Regional Park
Friends of Dry Comal Creek
Friends of Government Canyon
Fuerza Unida
Green Society of UTSA
Guadalupe Riverkeepers
Guadalupe River Road Alliance
Guardians of Lick Creek
Hays Residents for Land & Water
Protection
Headwaters at Incarnate Word
Helotes Heritage Association
Hill Country Alliance
Kerr County Water Alliance
Kendall County Well Owners Association
Las Moras Springs Association
Leon Springs Business Association
Llano River Watershed Alliance
Native Plant Society of Texas -- NB
Native Plant Society of Texas -- SA
Northwest Interstate Coalition of
Neighborhoods
Pedernales River Alliance -- Gillespie Co.
Preserve Castroville
Preserve Lake Dunlop Association
Preserve Our Hill Country Environment
River Aid San Antonio
San Antonio Audubon Society
San Antonio Conservation Society
San Marcos Greenbelt Alliance
San Marcos River Foundation
Save Barton Creek Association
Save Our Springs Alliance
Scenic Loop/Boerne Stage Alliance
Securing a Future Environment (SAFE)
SEED Coalition
Signal Hill Area Alliance
Solar San Antonio
Texans for Environmental Awareness
Texas Cave Management Association
Trinity Edwards Spring Protection Assoc.
Water Aid -- Texas State University
Watershed Association
Wildlife Rescue & Rehabilitation

To the Honorable Members of the Texas State Legislature

Re: Greater Edwards Aquifer Alliance Request for Consideration of Interim Charges to Protect Water Supplies, Land, and Residents in the Texas Hill Country

The Greater Edwards Aquifer Alliance is a nonprofit organization dedicated to the protection and preservation of the Edwards and Trinity aquifers, their springs, watersheds, and the Texas Hill Country that sustains them. Our alliance has 62 member groups across 21 counties in South-Central Texas. We work in this field to ensure the protection of the health, safety, and welfare of all those who rely on these sources of water. As such, we respectfully ask for your consideration of and support for the following interim charge requests.

County Flood Management Authority

Counties have limited policy tools to regulate buildings in areas most prone to flooding, even though a quarter of the state's land carries some degree of severe flood risk. Nearly 1/5 of Texans live or work in harm's way, and the fastest growing parts of the state are in unincorporated areas. Counties are unable to implement regulations and ordinances stricter than those imposed by the state, have limited land use authority, and have no zoning authority. County floodplain managers and emergency managers have few requirements for training, background, and expertise.

This lack of appropriate county authority places residents who live close to or within floodplains at much greater risk than their counterparts within home-rule cities. See GEAA's recommended legislation [here](#) and [here](#). Find out more about the impacts of county authority on flood insurance costs [here](#); on stormwater management [here](#); and in general [here](#). For State Flood Plan recommendations, see [here](#).

Much of the devastating impact of the July 4th floods occurred in unincorporated areas of the Texas Hill Country, where counties did not have strict building standards, impervious cover limits, or watershed protection ordinances. Many of the affected counties also lacked the necessary expertise and technical and financial means to responsibly prepare for and respond to the floods.

The Legislature should examine opportunities to empower counties to more effectively address flooding issues. This study should include an analysis of existing county powers related to flooding; an analysis of land use, impervious cover, building code, and watershed protection ordinances that could be adopted to enhance county flood management efforts; and an analysis of State Flood Plan recommendations relevant to counties. The Legislature should hold hearings on and invite County Commissioners to provide testimony on legislative solutions for county flood management that empower counties and protect residents while still adequately protecting private property rights. The Legislature should also re-examine and hear testimony on [HB 117](#) (89(2)), [HB 108](#) (89(2)), [SB 1954](#) (89R), and [HB 225](#) (89(2)).

Groundwater Conservation District Authority

Groundwater supplies throughout Texas are increasingly strained, over-permitted, and lacking key data and modeling. Groundwater conservation districts (GCDs) were created to regulate

groundwater, but the rule of capture [“effectively stops them from doing so.”](#) GCDs are hamstrung in their ability to appropriately regulate groundwater due to the risk of major lawsuits; the threat of legal action often means GCDs are [“hesitant to regulate usage or put limitations on new well permits.”](#)

GCDs and well owners in West and South Texas and the Texas Hill Country are facing the threat of declining groundwater levels and dry wells. Central and East Texas well owners and GCDs are facing the [threat of large export permits](#) to the other parts of the state that will drawdown local supplies, potentially to unsustainable levels. As Texas faces a hotter, drier, and more populated future, some changes to the existing legal framework are needed to ensure the health, safety, and welfare of residents and the continuance of the Texas Economic Miracle.

The Legislature should study and hold hearings on enhancing GCD authority, technical expertise, and funding to effectively regulate groundwater withdrawals and exports. This study should include an examination of how the Legislature could update the Texas Water Code in order to absolve GCDs of liability for implementing pumping and export regulations and limits; see a version of proposed language [here](#). The Legislature should also re-examine and hear testimony on [HB 1690](#) (89R), [SB 2660](#) (89R), [HB 193](#) (89(2)), and [HB 215](#) (89(1)), all of which would help ensure GCDs are well-equipped to protect and manage the state’s water supplies.

Water Availability

The Legislature took positive steps forward this past session in responding to the many pressures facing Texas’ water supplies. Even with the new bills passed and new funds created, Texas still faces overburdened water supplies and increasing population growth. The state should shift its mindset from one of availability to one of sustainability. Already, water utilities are having to turn down proposed developments due to a lack of water; springs and rivers that are foundational to local economies are enduring multiple years of drought; and aquifers are falling to near-record low levels.

Population growth and economic development are beneficial to the state in many ways, but any gains Texas receives from these boosts will matter little if there is not water to support them. Texas should [take heed of other Western states](#), where water shortages are [limiting development](#), [impacting agriculture](#), and [increasing costs](#).

The Legislature should study and hold hearings on expanding the applicability of water availability studies for subdivision, industrial, and commercial developments. This effort should include examining requirements that water availability studies must consider both groundwater and surface water; that they use best available modeling practices and data; and that all new developments must submit a study. The Legislature should also examine expanding the required timeframe for water availability studies to 100 years, up from the current 10 and 30 years, and adding a water quality provision. The study should include looking at requiring water utilities to submit a water availability report for their supplies every three years to the counties within their service area, with the report based on the best available modeling practices and data. Any hearing should include testimony from water utilities, water providers, GCDs, and city and county governments. The Legislature should also re-examine and hear testimony on [SB 1855](#) (89R).

County Authority and Clarifications Regarding SB 2038 (88R)

Senate Bill 2038 (88R) provided a mechanism for areas in the extraterritorial jurisdiction of a municipality (ETJ) to be released from that ETJ. Released areas are subject then only to county and state regulations, which are often far less protective than municipal ETJ regulations. Since the implementation of the bill on September 1, 2023, hundreds of petitions for release, totaling many thousands of acres, have been submitted and approved throughout Central Texas. County commissioners have noted that the checkerboard or “Swiss cheese” effect of the bill on city/county jurisdiction makes long-term planning efforts difficult, especially related to corridor and thoroughfare planning and emergency services.

Many proposed developments in the region have withdrawn their land from ETJs in order to face fewer or less stringent regulations. Some of these proposed developments lie directly in the Edwards Aquifer Contributing and Recharge zones, placing local water supplies at risk of contamination and downstream communities at risk of flooding. With SB 2038, various counties in South-Central Texas feel underequipped to provide services to areas previously served by cities.

Millions of Texans rely on the aquifers and surface waters of Central Texas and expect lawmakers and local city and county officials to protect their water quality and to work to prevent flooding. Municipal ETJ ordinances related to tree preservation, regulating nuisances, impervious cover limits, water quality protection, and limiting incompatible land use through development regulations all protect the health, safety, and welfare of residents in ways county governments are not able under state law. These same municipal ordinances all help promote responsible development while protecting water quality and lowering flood risks. County governments often have limited to non-existent authority to regulate in these areas or cannot take full advantage of the tools available. Find out more on the impacts of SB 2038 [here](#), on general county authority issues [here](#), and ETJ concerns [here](#).

The Legislature should study the impacts of SB 2038 on county government, long-term planning, and water supplies. The Legislature should also hold hearings on and invite County Commissioners to provide testimony on legislative solutions for clarifying county and city jurisdiction, development efforts, and long-term planning under the new SB 2038 regime. The Legislature should hold similar hearings and studies for empowering counties to balance property rights protections with adequate protections of the Edwards and Trinity aquifers and their watersheds.

Thank you for your hard work and consideration of these important issues. Please consider the Greater Edwards Aquifer Alliance as a resource throughout the interim session; we are happy to provide testimony, connect you with experts in these fields, and provide additional research and resources. We look forward to working with you on these issues during the interim and the 90th Legislative Session.

Sincerely,



Annalisa Peace
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Greater Edwards Aquifer Alliance



Rachel Hanes
Policy Director
Greater Edwards Aquifer Alliance