90th Texas Legislative Session Agenda

The Greater Edwards Aquifer Alliance (GEAA) is a 501(c)(3) nonprofit organization that promotes effective broad-based advocacy for the protection and preservation of the Edwards and Trinity aquifers, their springs, watersheds, and the Texas Hill Country that sustains them. The Edwards Aquifer is the source of the largest springs in Texas and the primary source of drinking water for more than 2 million Central and South-Central Texas residents.

The Edwards Aquifer Ecosystem of Central Texas is one of our most valuable, irreplaceable, and endangered public treasures. It is our right and duty to preserve and protect the Aquifer, its contributing Hill Country watersheds, its great springs, and its native biodiversity for the benefit of all residents and future generations. GEAA's 59 member groups and thousands of individual members are united across a 21-county region in Central and South Texas.

The Greater Edwards Aquifer Alliance's legislative agenda for the 90th Texas Legislature in 2027 will include the following priorities:

- **Groundwater Availability and Reform**
- **County Land Use and Water Availability Authority**
- **Large Industrial Water Users Regulations**
- **Flood Prevention and Mitigation**
- **Water Reuse and Alternative Water Supplies**
- **Watershed and Water Quality Protection**
- **Texas Water Development Board (TWDB) Funding and Programs**

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Groundwater Availability and Reform

It is no secret that Texas' water supplies are overburdened and struggling through consecutive years of drought and increasing demand. Our groundwater permitting and regulatory frameworks are not able to adequately respond to these pressures. Groundwater conservation districts (GCDs) are, for the most part, equally underequipped to appropriately manage our supplies.

GEAA's goals for this priority include:

- Legislation to provide all GCDs across the state with full Ch. 36 authority, for those which do not yet have this authority.
- Legislation to expand existing or create new GCDs in areas where none exist, i.e., the white spaces on the map of GCD's.
- Legislation providing legal immunity to GCDs for actions taken to ensure DFCs are met.
- Re-examining the cogency of the Rule of Capture in light of modern pressures and increases in drought severity.
- Legislation expanding the applicability and stringency of water availability certifications.
- Ensuring that management of groundwater and surface water recognizes the connections between those sources, including by funding studies on groundwater-surface water interaction to quantify the impact of groundwater withdrawals and water management on surface water rights.
- Increase technical and financial support for GCDs through the TWDB.
- Re-examining the appropriateness of non-agriculture irrigation as a beneficial use.

County Land Use and Water Availability Authority

As Texas' population rapidly grows, so too do the burdens on counties. Much of the growth in the state, especially in Central Texas and the Hill Country, is occurring outside of municipal corporate boundaries and within unincorporated areas. Counties have far less authority and far fewer resources to respond to the impacts of growth within their jurisdictions, which can place both residents and water supplies at risk due to water quality degradation, unsustainable demand, incompatible land uses, and increased flood risk. Many of the pressure points facing water supplies, land resources, and public trust today arise from the limited regulatory authority counties have in unincorporated areas.

GEAA's goals for this priority include:

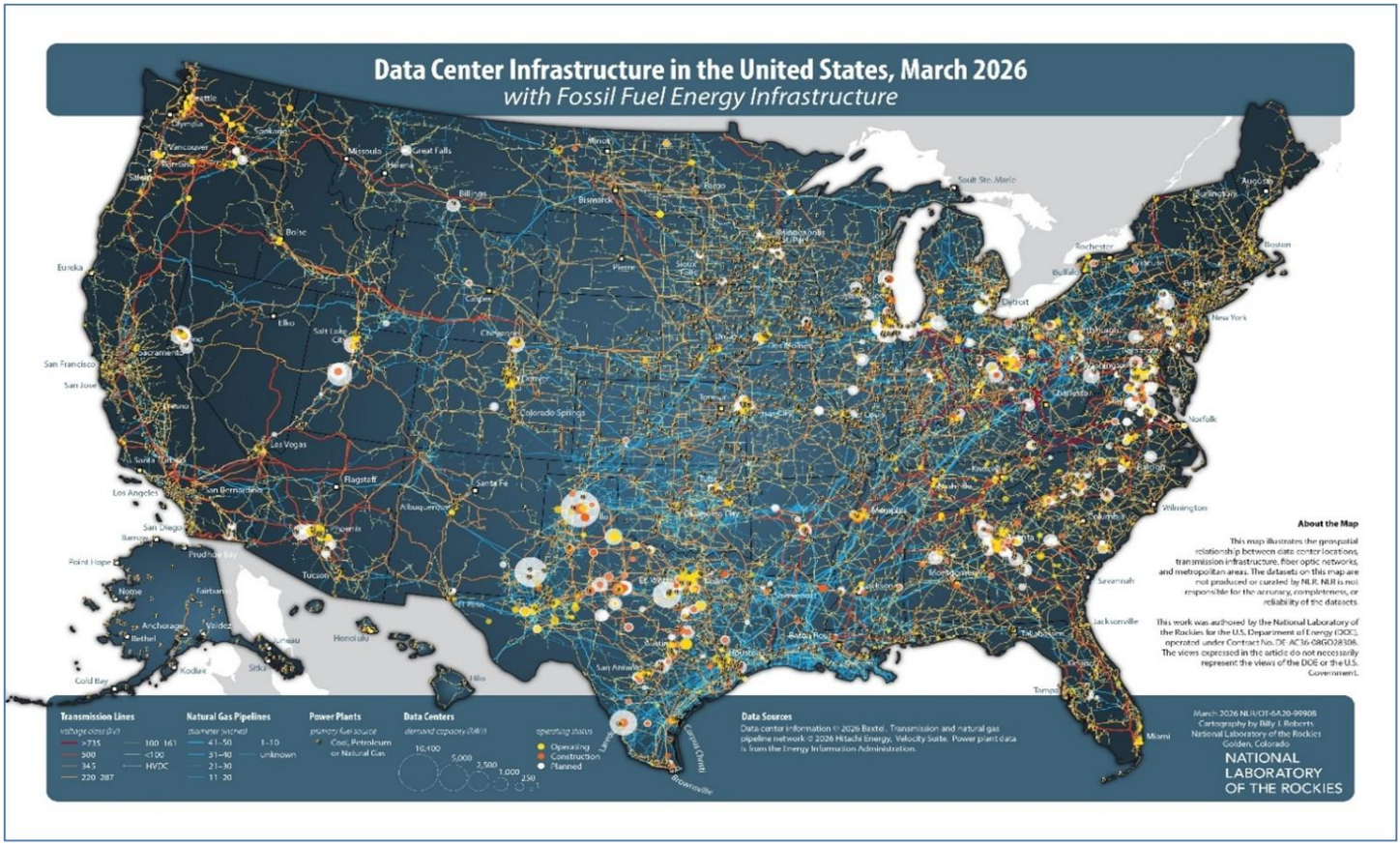
- Supporting clarification on and enhanced county powers for protection of natural resources, the ability to enforce building codes and flood management protections, and the ability to establish drainage fees
    - Enhanced county regulatory authority related to watershed protection, flood protection, and restricting incompatible land uses and impervious cover, particularly for counties in the Edwards Aquifer Recharge and Contributing zones.
- Legislation creating buffer zones for certain land use types, particularly industrial use, and legislation increasing the cap on impact fees that can be assessed by counties.
- Stronger standards and requirements for water availability certifications and increased authority for water availability regulations outside of the platting process.
- Bracketed legislation for enhanced water availability requirements and water quality protections for the Edwards and Trinity karst aquifer region.
- Bracketing any legislation that rolls back regulations to ensure protection of Edwards Aquifer Recharge and Contributing zones.

Large Industrial Water Users Regulation

Texas is at the forefront of the rapid growth and changing landscape of data centers, AI, chip manufacturing, and cryptocurrency mining. We face many distinct but interconnected challenges that make it imperative we ensure data centers are constructed, operated, and regulated in a responsible manner. Population growth, ever-present and intensifying drought conditions, increasing temperatures, more sporadic and intense rainfall, and aging infrastructure combine to push the state's electrical grid and water supplies to the breaking point. Without appropriate regulation and common sense guardrails, data centers could push energy and water systems in Texas over the edge, raising prices and leading to water shortages and strains on the electrical grid.

GEAA's goals for this priority include:

- Legislation mandating large industrial electrical and water users report water use, water source, electricity use, and electricity source, with mechanisms to ensure enforcement and response.
- Legislation repealing the state tax abatements for data centers and other large industrial water users.
- Legislation enhancing county authority over incompatible land uses, impervious cover, noise limits, drought and water shortage-related actions, and reporting requirements.
- Legislation enhancing water availability studies and reporting requirements, making groundwater availability certifications applicable to commercial and industrial users.
- Legislation enhancing GCD authority and expanding GCDs to fill in white spaces.
- Legislation allowing for implementation of statewide modern building codes, such as the 2024 IBC.
- Increasing investment in energy efficiency and water conservation programs.
- Limiting efforts to restrict renewable energy sources such as solar, battery, and wind, which demand little to no water.



Flood Prevention and Mitigation

At least 156 people died due to flooding in Texas in 2025 – 13 in San Antonio in June, at least 127 in the Hill Country and 9 in Travis County in July, and 2 more in San Antonio in August. The circumstances that led to these tragic deaths were, in many instances, preventable. The floods also caused upwards of $22 billion in damages and economic loss, much of which, again, was preventable. Different policies could have led to different, less tragic outcomes. Texas will flood again – indeed, Texas is the state with the most flood-related deaths, the largest population that faces flooding hazards, and the most property damage caused by devastating floods in the US. Preventing and mitigating flood impacts can save lives and property, save Texans money, and lower insurance rates. Responsible flood policies can also improve water quality. Karst limestone aquifers, such as the Edwards and Trinity, are incredibly vulnerable to contaminated stormwater runoff.

GEAA's goals for this priority include:

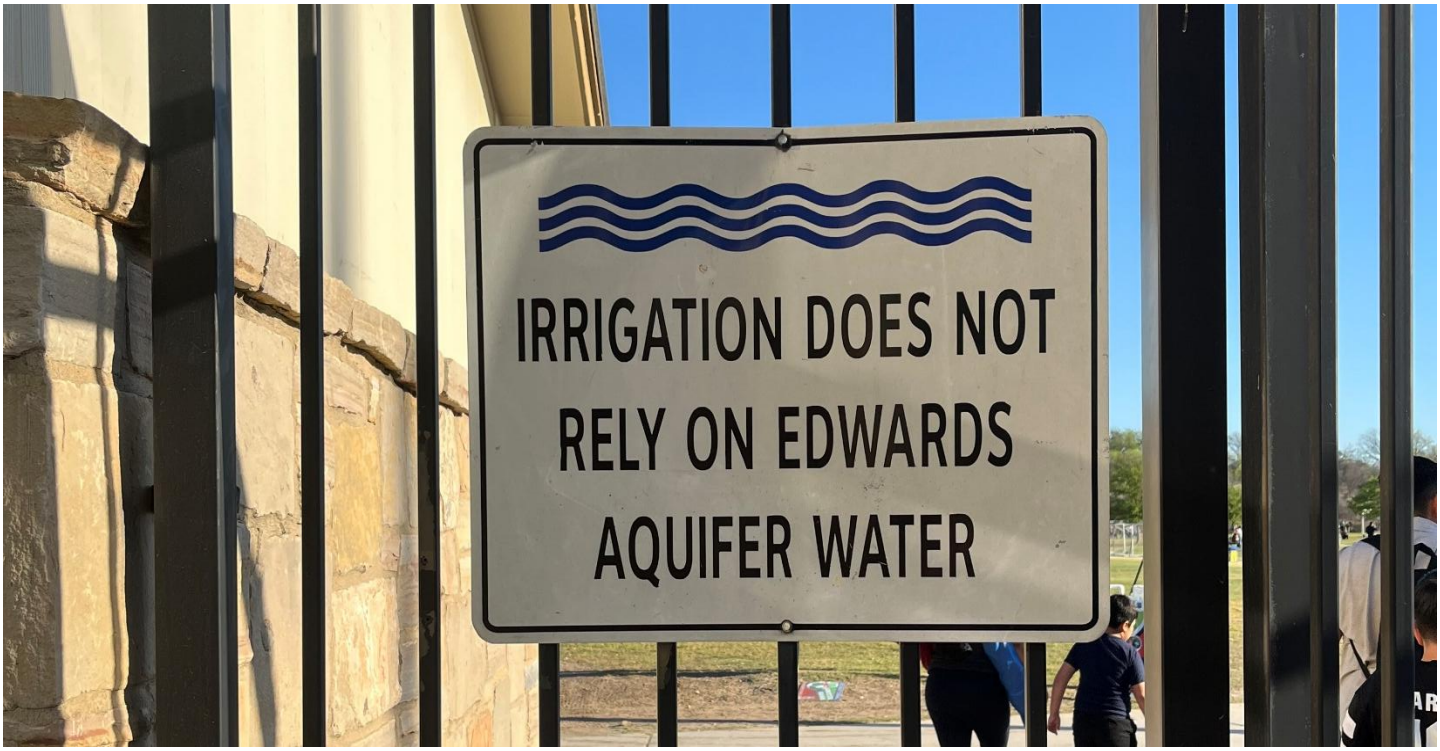
- Legislation providing county authority for land use, impervious cover, building code, drainage fees, and watershed protection ordinances.
- Legislation implementing the full legislative and policy recommendations of the 2024 State Flood Plan.
- Legislation providing for the adoption and enforcement of statewide modern building codes, such as the 2024 IBC, and flood elevation measures and establishing required insurance discounts for buildings built to the 2024 IBC.
- Legislation prohibiting the construction of homes and critical facilities such as hospitals, schools, or nursing homes within the 100-year floodplain and flood repetitive loss areas.
- Legislation directing state agencies to improve flood mapping, data, and modeling efforts, including funding by the state for the agencies' efforts.
- Legislation to provide technical and financial assistance for stormwater management and flood mapping efforts of municipal and county governments, river authorities, flood districts, and GCDs.
- Legislation creating an incentive fund to encourage homeowners and builders to adopt resiliency measures such as roof upgrades, freeboard elevation raises, and improved drainage and stormwater mitigation
- Legislation to fund, increase and improve conservation easement and floodplain buyout programs.

Water Reuse and Alternative Water Supplies

Wastewater recycling – or water reuse – is integral to protecting water supplies and the health, safety, and quality of life of current and future residents in the Edwards and Trinity karst aquifer region of Texas. As existing water supplies are increasingly strained by growth and drought, municipal wastewater recycling and other alternative water supplies will become increasingly critical to ensuring Texas' demands are met. Many commercial, industrial, and non-agriculture irrigation uses can be met with non-potable sources. Other alternative water supplies can include stormwater capture, rainwater capture, atmospheric water harvesting, recycled produced water, and desalinated brackish water.

GEAA's goals for this priority include:

- Legislation creating incentives or requirements for large manufacturing and industrial sites, such as data centers, chip manufacturers, or quarries, to use recycled wastewater or other alternative water supplies for all non-potable uses.
- Legislation creating incentives or requirements for new developments to implement purple pipe systems for outdoor non-potable uses, such as commercial, municipal, or residential irrigation, at the time of development.
- Expanded funding and technical assistance for large-scale municipal wastewater recycling projects, i.e., purple pipe projects.
- Expanded funding and technical assistance for large-scale adoption of alternative water supplies for non-potable purposes.
- Legislation directing the Texas Commission on Environmental Quality to adopt stringent water quality and water discharge standards for alternative water supplies, separate from the standards developed for municipal wastewater.
- Legislation directing the TCEQ to explore options for beneficial reuse on a case-by-case basis through the wastewater permitting process.



Watershed and Water Quality Protection

Much of the Texas Hill Country lies over the Edwards and Trinity karst limestone aquifers, which are highly susceptible to water quality impacts from wastewater discharge. More than 2 million people rely on these aquifers for their water supplies. Most of the water that recharges these aquifers originates in the Edwards Aquifer Contributing Zone (EACZ), meaning the quality of the water in the Edwards is driven by the quality of surface waters in the EACZ. Wastewater discharges into streams in the Edwards Aquifer Recharge Zone are prohibited by rule, but there are no prohibitions on discharge within the EACZ, which also happens to overly much of the Recharge Zone of the Trinity Aquifer. Even highly treated wastewater could have adverse water quality impacts due to the presence of phosphorus, nitrogen, and contaminants of emerging concern. Surface waters containing any of these pollutants that flow over the EACZ and into the EARZ are not filtered.

GEAA's goals for this priority include:

- Legislation restricting permits authorizing direct discharges of waste or pollutants into water within the Edwards Aquifer Contributing Zone.
    - Prohibit Texas Pollutant Discharge Elimination Systems permits for waterways that recharge the Edwards or Trinity aquifers within the Hill Country Priority Groundwater Management Area.
    - Prohibit TCEQ from amending existing permits issued before a certain date that authorize an increase in the amount of sewage effluent that may be discharged into the designated areas.
    - Allow for land application disposal, wastewater recycling, or beneficial reuse of treated wastewater within the EACZ.
    - Require enhanced protection for Texas' heritage Pristine Streams

TWDB Funding and Programs

The Texas Water Development Board (TWDB) does admirable work, but the technical and financial resources required by public water providers, Groundwater Conservation Districts, municipalities, and counties continue to increase. In order to meet the demands of a growing population and strained water supplies, the TWDB will need more funding and staff.

GEAA's goals for this priority include:

- Legislation providing GCDs with the resources, including updated and improved groundwater availability models, to identify and manage for sustainable levels of groundwater pumping.
- Legislation increasing funding for the Texas Water Fund, Economically Distressed Areas Program, studies to support Environmental Flows, Flood Infrastructure Fund including nature-based solutions, Agricultural Water Conservation and other programs, including grants and technical assistance to support underserved communities.
- Legislation increasing funding for TWDB and directing TWDB to provide technical and financial assistance to public water providers working to implement or expand water reuse and address water loss in their jurisdiction.
- Legislation increasing funding for TWDB flood mapping efforts.
- Legislation increasing general funding and staffing for TWDB.