

Greater Edwards Aquifer Alliance Releases [Score Card for the 82nd Legislative Session](#)

The [Greater Edwards Aquifer Alliance](#) (GEAA) has tabulated results of key votes related to its [Legislative Agenda for the 82nd Legislature](#). GEAA counts twenty-five House members and eight State Senators among its legislative delegation, representing an area that covers twenty-one counties in Central and South Texas → the Edwards and Trinity aquifer regions. Check out our Score Card [here](#).

GEAA tracked a total of [82 bills filed](#) during the 82nd Session. Since several of the bills that were high on GEAA→s agenda were supported unanimously by GEAA→s legislative delegation in both the House and Senate, scores for this session are higher than they have been for past sessions. These bills include:

- ✓ **Eminent Domain Reform** → [SB 18 \(Estes, et al.\)](#) / [HB 279 \(Geren\)](#) passed unanimously and has been signed into law! This bill makes the ↑taking↓ of private land through eminent domain a fairer process for the property owner. The bill restricts eminent domain to ↑taking↓ for public use only, stipulates additional requirements for initiating a taking, and requires the acquiring entity to make an offer at least equal to the value of the land established by a certified appraiser.
- ✓ **Conservation Easements** - [SB 1044 \(Watson, et al.\)](#) has been signed into law, providing counties with additional options for financing conservation easements and removing the current requirement that an agricultural conservation easement holder contribute a 50-percent match to receive a grant from the Texas Farm and Ranch Land Conservation Fund.

- ✓ **Watershed Stewardship SB 449 (Watson, Estes)** passed by unanimous vote and signed into law, these bills create a property tax incentive for watershed stewardship activities by private property owners. The structure of the incentive is similar to current agriculture and wildlife management tax incentives. Property must first qualify for the existing open space property tax valuation in order to be eligible. The legislation includes seven potential activities for watershed stewardship; landowners must engage in a minimum of three to qualify. SJR 16 and HJR 107 are the companion constitutional amendments.

- ✓ **Groundwater Contamination SB 430 (Nichols)** signed into law, effective 9/1/11, requires the TCEQ executive director to notify a groundwater conservation district if groundwater contamination occurs within the district's boundaries, giving the GCD critical information for managing water quality.

- ✓ **Historic Corridor Designation HB 1499 (Larson)** designates part of the Old Spanish Trail highway in Bexar County as a historic corridor. The corridor will be known as the Scenic Loop Road-Boerne Stage Road-Toutant Beauregard Road Historic Corridor.

- ✓ **Water Use Measurement SB 181 (Shapiro) / HB 1319 (Laubenberg)** signed into law, effective immediately, establishes a uniform method for calculated gallons per capita per day (GPCD), a way to measure the effectiveness of water conservation efforts. The State Water Plan directs that by 2060 thirty percent of new water should come from conservation. Texas now has State metrics that tell the whole story of water use, including sector breakdowns of GPCD amount that would reveal trends in water use to aid municipalities in achieving maximum conservation.

✓ **Rainwater Harvesting HB 3391 (Miller, Doug)** requires rainwater harvesting systems on certain new state buildings for potable and non-potable indoor and outdoor use. The bill also encourages cities, counties, and school districts to promote rainwater harvesting through incentives. Requires the Texas Water Development Board to provide rainwater harvesting training for local government permitting staffs.

Representative Ralph Sheffield (Dist. 55 → Bell County) was the lone member of GEAA→s legislative delegation to join eight other Representatives in voting to oppose the landmark **↑fracking↓ bill, HB 3328 (Keffer)**, which requires disclosure of hydraulic fracturing fluid components and total amount of water used in the fracking process. This landmark legislation creates a procedure for establishing which components are trade secrets, though all components, including trade secrets, must be disclosed to a health care professional if necessary. Requires, upon completion of a new well, a report to be filed by the operator with the Railroad Commission, including the maximum pressure of the well and all hydraulic fracturing fluid components. The bill stipulates that information about fluid components is considered public and provides for it to be posted online.

GEAA added/subtracted points from House members reflecting Legislation filed during the session. Notably, for filing HB 814 (Authorizing the Uvalde Pipeline) we subtracted points from Representative Roland Guitierrez→ otherwise perfect score and, we added a whopping 15 points to score of Representative Doug Miller for filing **HB 3391 (Rainwater Harvesting)**, **HB 2317 (Hill Country County Authority)** and several other bills related to management of the Edwards Aquifer.

Scores of House members were largely contingent upon how they voted on the following actions:

X A plus on [↑SB 875 Bonnen Amendment↓](#) represents votes for Rep. Eiland→s amendment 5 to SB 875, which successfully removed an amendment added by Rep. Bonnen granting immunity to polluters who cause harm to their neighbor→s private property.

X Votes to add and delete Representative [Chisum→s HB 3707 as an amendment to HB 2694](#) figure heavily into the scores of our delegation. A vote for the amendment would have dramatically altered TCEQ→s current contested case hearing process for both air emissions and wastewater discharge permits by transferring the burden of proof from the permit applicant to the contested case hearing petitioner, creating as a significant barrier to the pursuit of an alternate ruling. It would have also implemented stricter requirements for [↑affected persons↓](#) in air permit cases, limiting the options for watchdog groups and members of the public to request reconsideration of agency decisions.

Votes distinguishing GEAA→s Senate delegation were the vote on Bonnen→s amendment to SB 875, and votes on three bills that would have dramatically restricted the ability of the Texas cities to enforce ordinances governing tree preservation. Senator Wentworth is due special recognition for his hard work in ensuring the failure of the [↑bad tree bills↓](#).

We are extremely grateful to the many members and friends of GEAA who advocated our legislative agenda throughout the session, and to our fellow members of the Alliance for Clean Texas. Without their voices, we could not have counted the 82nd as the most successful yet regarding our agenda to promote and preserve our water resources. We also recognize the hard

work on the part of our State Representatives and Senators that resulted in the passage of bills that will significantly contribute to good management of our water resources.

Lastly, we wish to recognize GEAA interns, Katie Avery, Audrey Pfeil, and Mark Nelson for researching scores and formatting this score card.

GEAA member group, Environment Texas, has also released a [Legislative Score Card](#) that includes a broader range of environmental issues. To follow is a press release from Environment Texas.

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