

# Local Control Options for Hill Country Counties

Jensie Madden  
League of Women Voters  
of the Comal Area

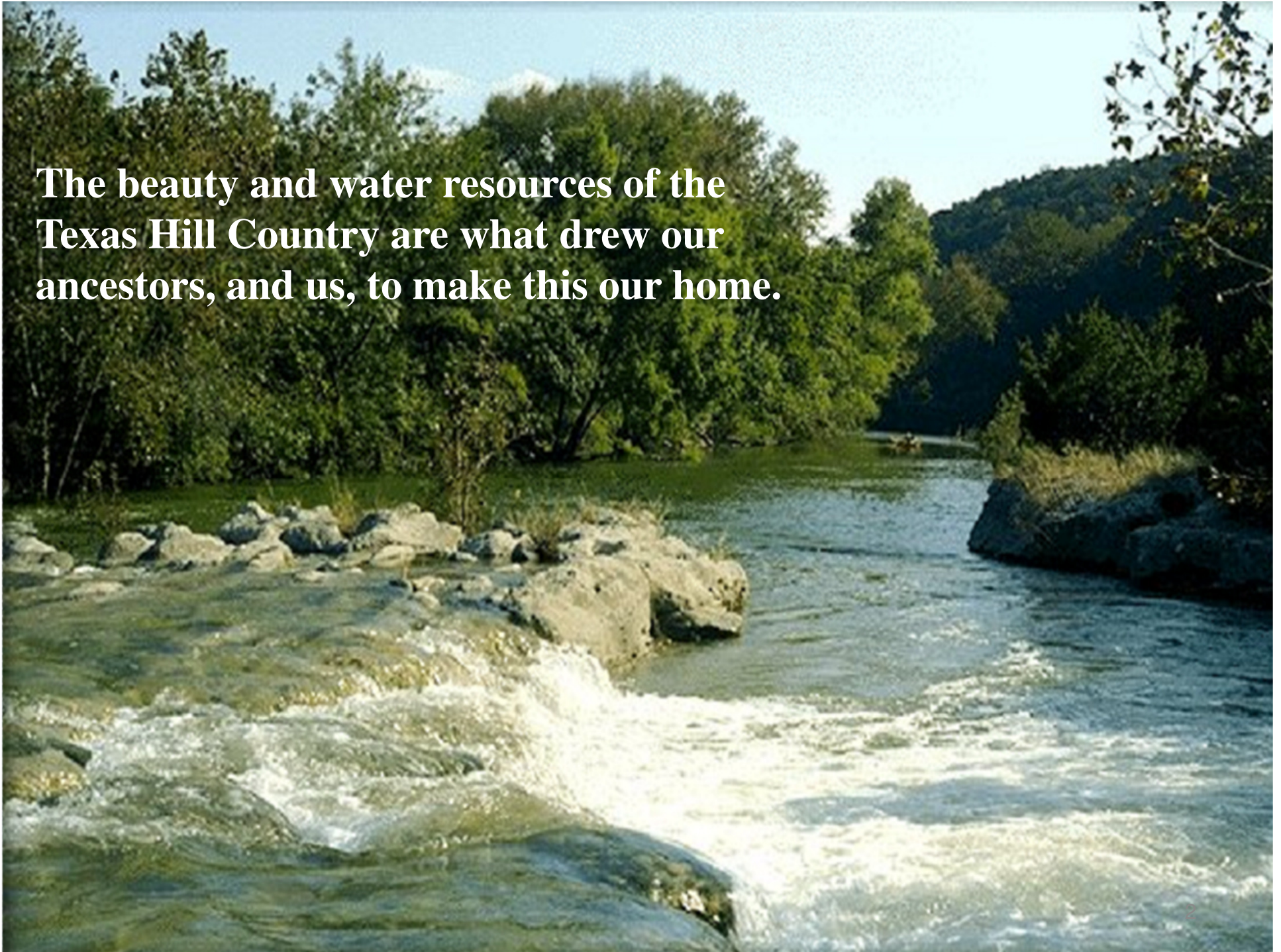
Annalisa Peace  
Greater Edwards Aquifer  
Alliance

June 5, 2018

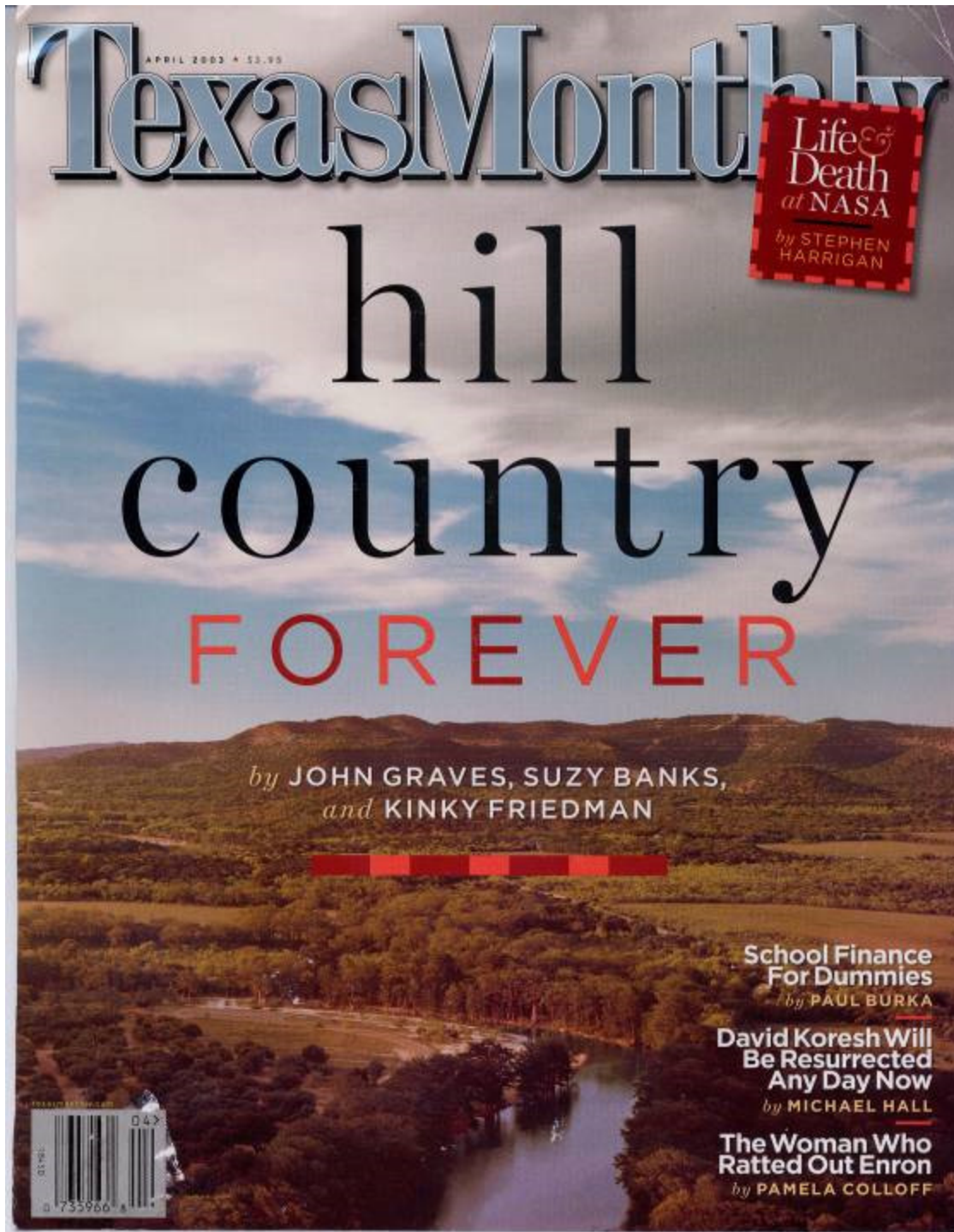




**The beauty and water resources of the Texas Hill Country are what drew our ancestors, and us, to make this our home.**

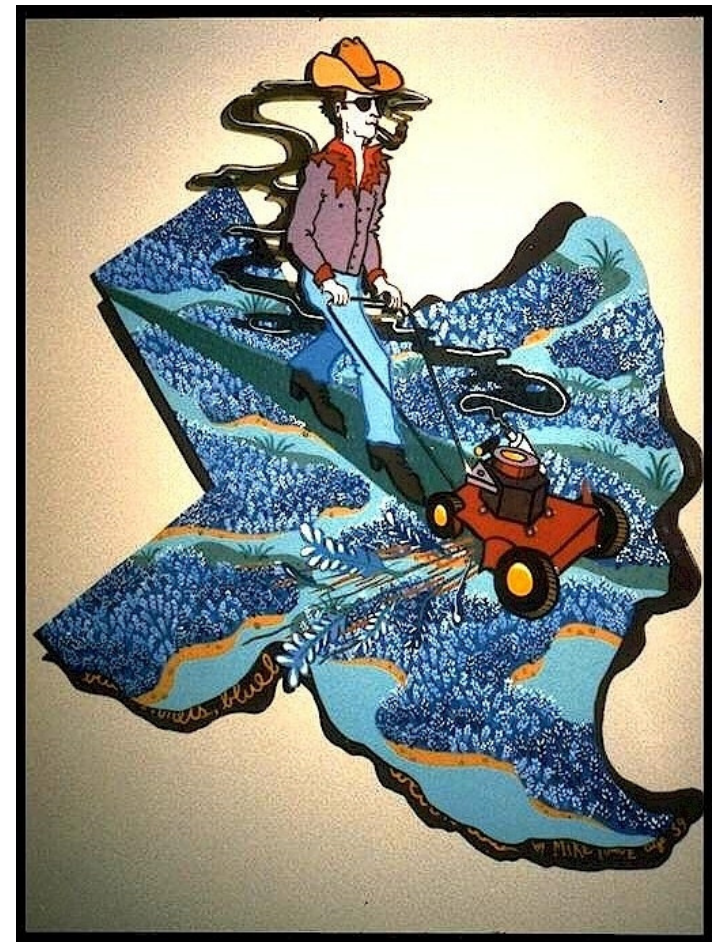






A poll taken in the 1990's by Texas Monthly found that 80% of Texans want to retire to the Hill Country.

We are literally loving the Hill Country to death.



Mowing Bluebonnets by Mike Pogue



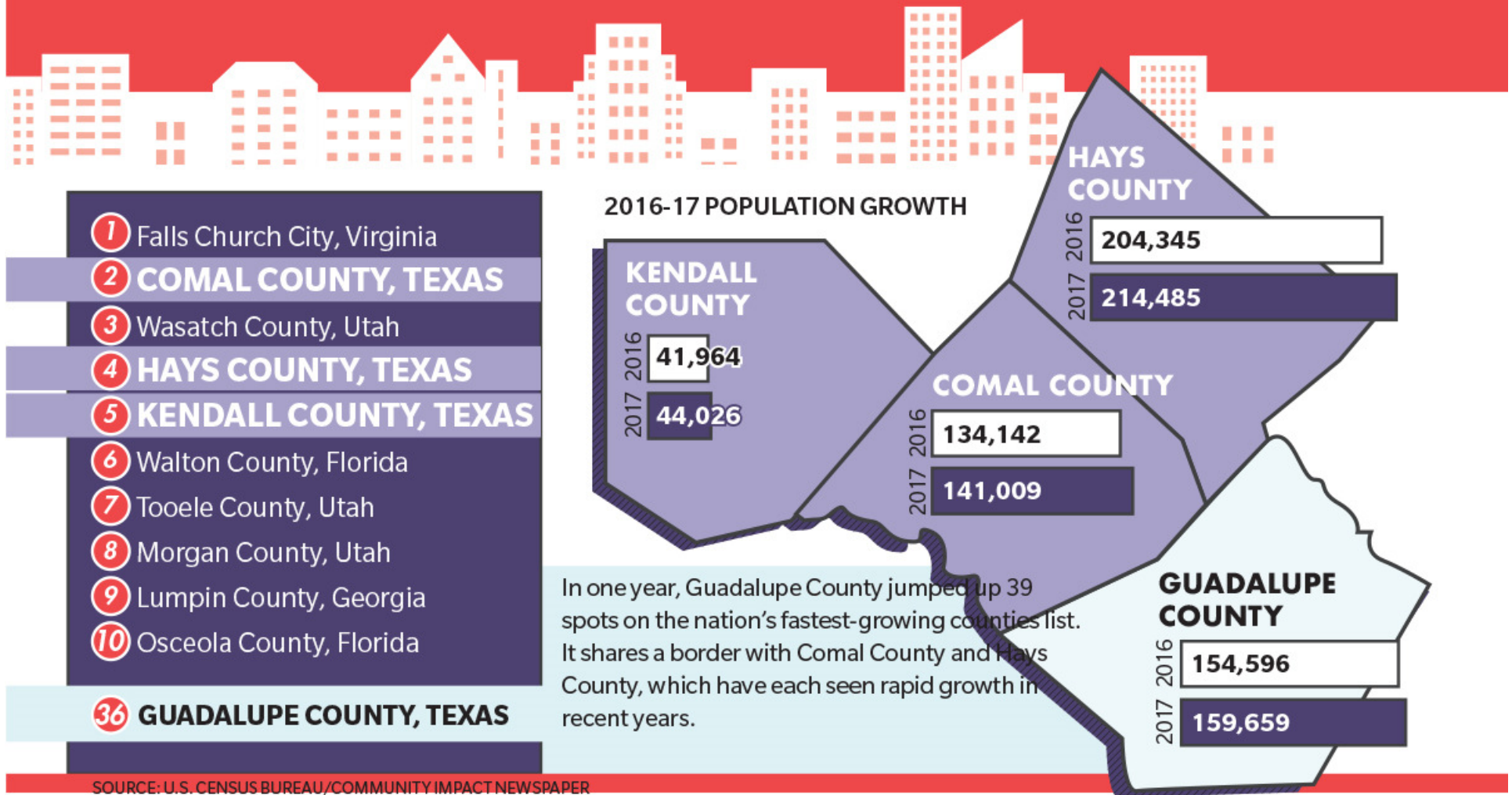


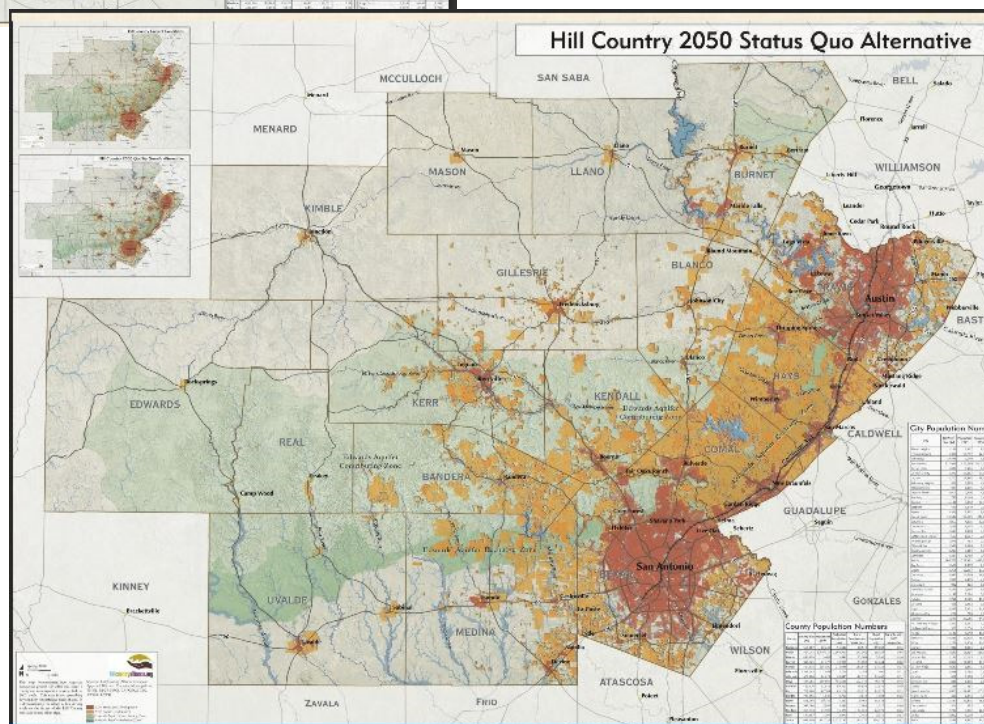
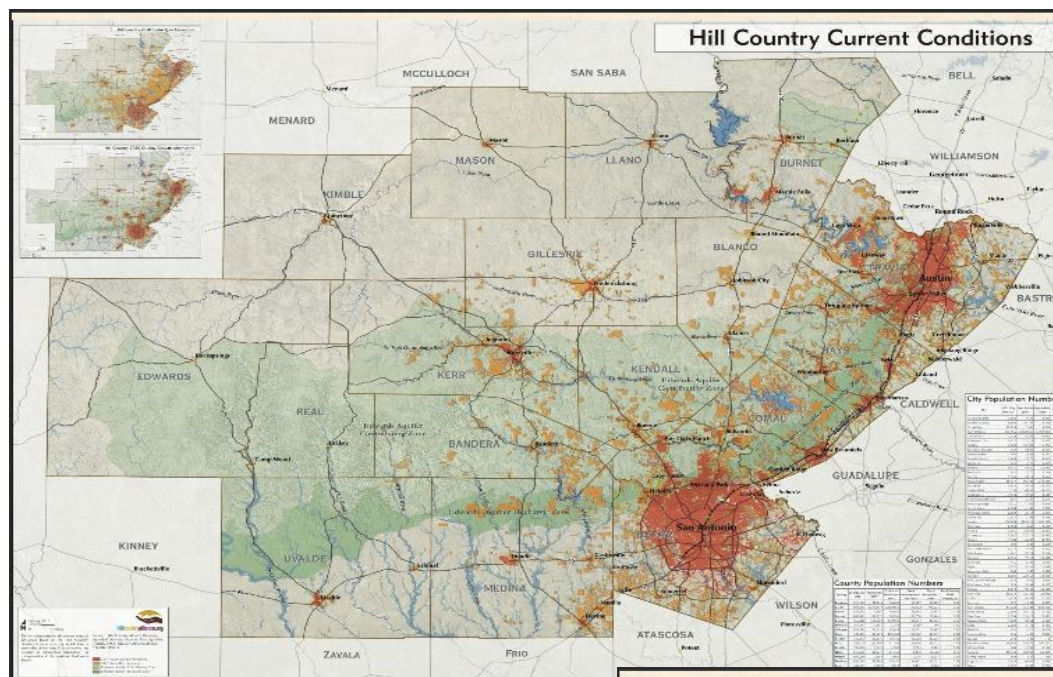


# OBSERVING TRENDS IN THE NATION'S FASTEST GROWING COUNTIES

BY RACHEL NELSON

Three-fifths of the nation's fastest growing counties with a population of 10,000 or more fall in a close proximity within Central Texas.







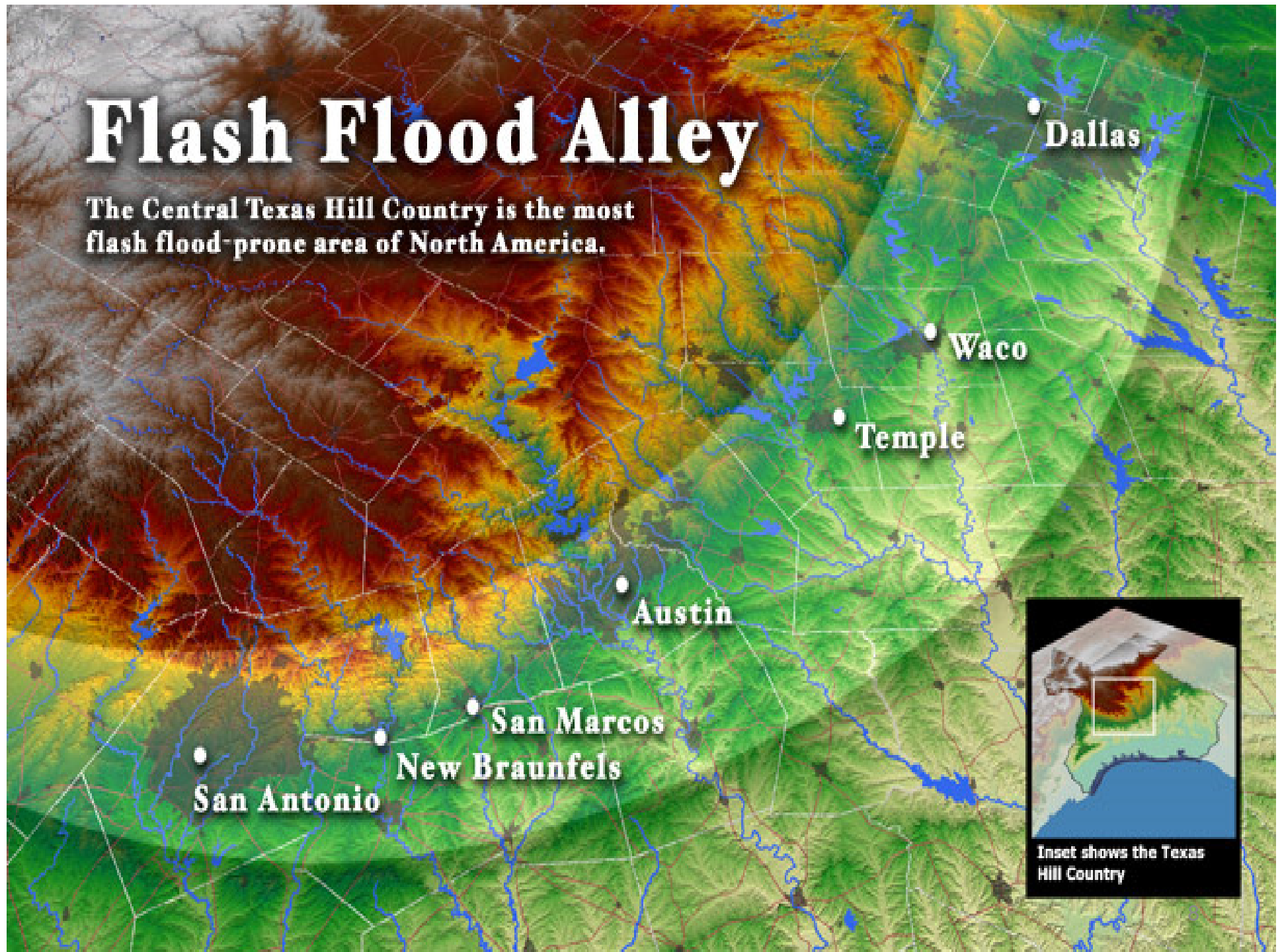
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- **Rapid regional population and urban growth predicted to continue.**
  - **Multiple jurisdictions with no coherent plan or vision for the region**
  - **Publicly funded infrastructure projects that encourage growth in sensitive areas**
  - **no land use powers in unincorporated areas**

**“Government, private corporations and citizens must act promptly to direct urban development away from the aquifer through control of infrastructure investment....” and “Restrict impervious cover to levels that will sustain existing water quality.”**

[http://www.aquiferalliance.net/Library/GEAAPublications/Edwards\\_Aquifer\\_Protection\\_Plan.pdf](http://www.aquiferalliance.net/Library/GEAAPublications/Edwards_Aquifer_Protection_Plan.pdf)

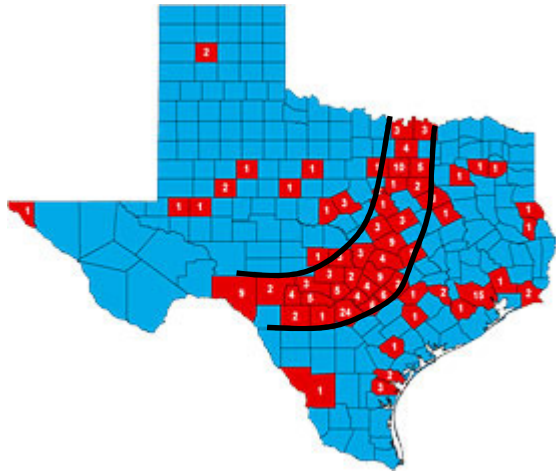
# Flash Flood Alley

The Central Texas Hill Country is the most flash flood-prone area of North America.



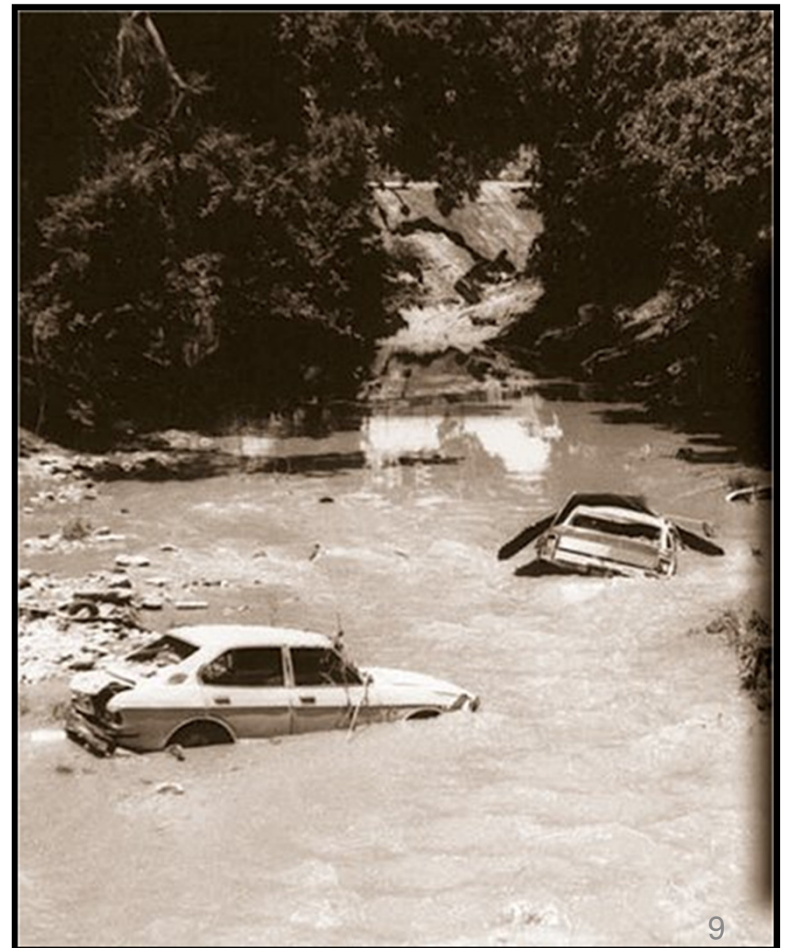


# Current Developments Are Usually Not Designed to Maximize Water Infiltration into Karst Landscape



Since 1996, flash floods have claimed 198 lives in Texas. (National Weather Service)

**Current regulatory measures are inadequate:  
Increased Impervious cover on the Edwards  
Aquifer Recharge Zone increases storm water  
flows, erosion, and flooding, requiring cities to  
spend billions of dollars for storm water  
management projects to mitigate downstream  
flooding**





# Regulations permit extensive site modification thus altering the hydrologic regime



- Sand filter is prevalent BMP across the Edwards/Trinity region
- Edwards Rules treat storm water as a pollutant

## **On the Edwards Recharge Zone:**

- Up to 85% impervious cover allowed in San Antonio
- Up to 100% impervious cover allowed under State Law



# Preserving Caves and Recharge Features

**Impervious Cover  
Limits for the Edwards  
Aquifer Recharge Zone  
are the best strategy we  
have to preserve Caves**

**Other strategies include  
protections for  
endangered karst species.**

**Effective Habitat  
Conservations Plans  
are needed.**



The Ridge at Lookout Canyon Phase II PUD



Photograph 1



Photograph 2

SITE PHOTOGRAPHS

**PAPE-DAWSON  
ENGINEERS**

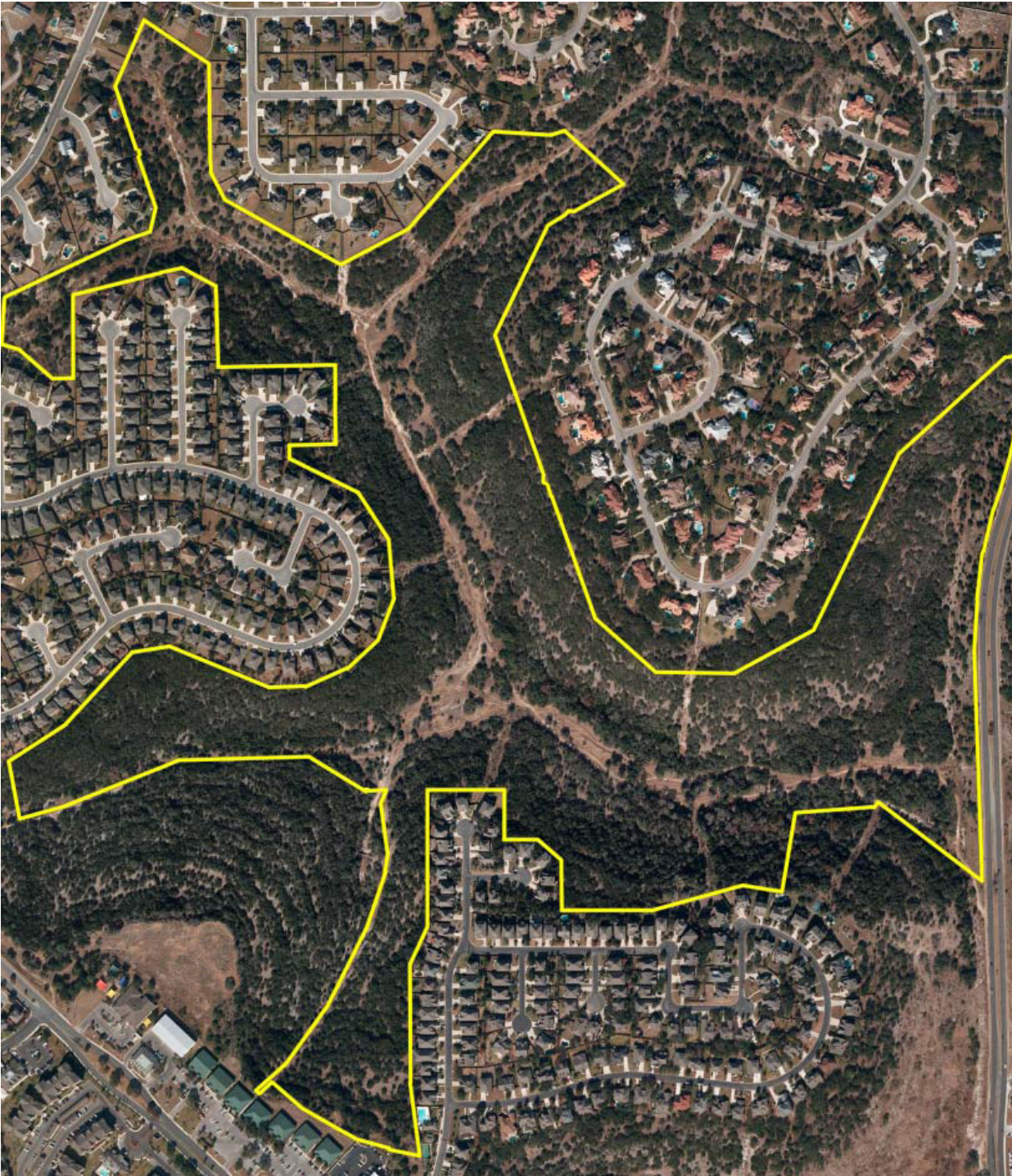


## Incompatible land uses...



**Martin Marietta Quarry next to San Antonio Ranch**



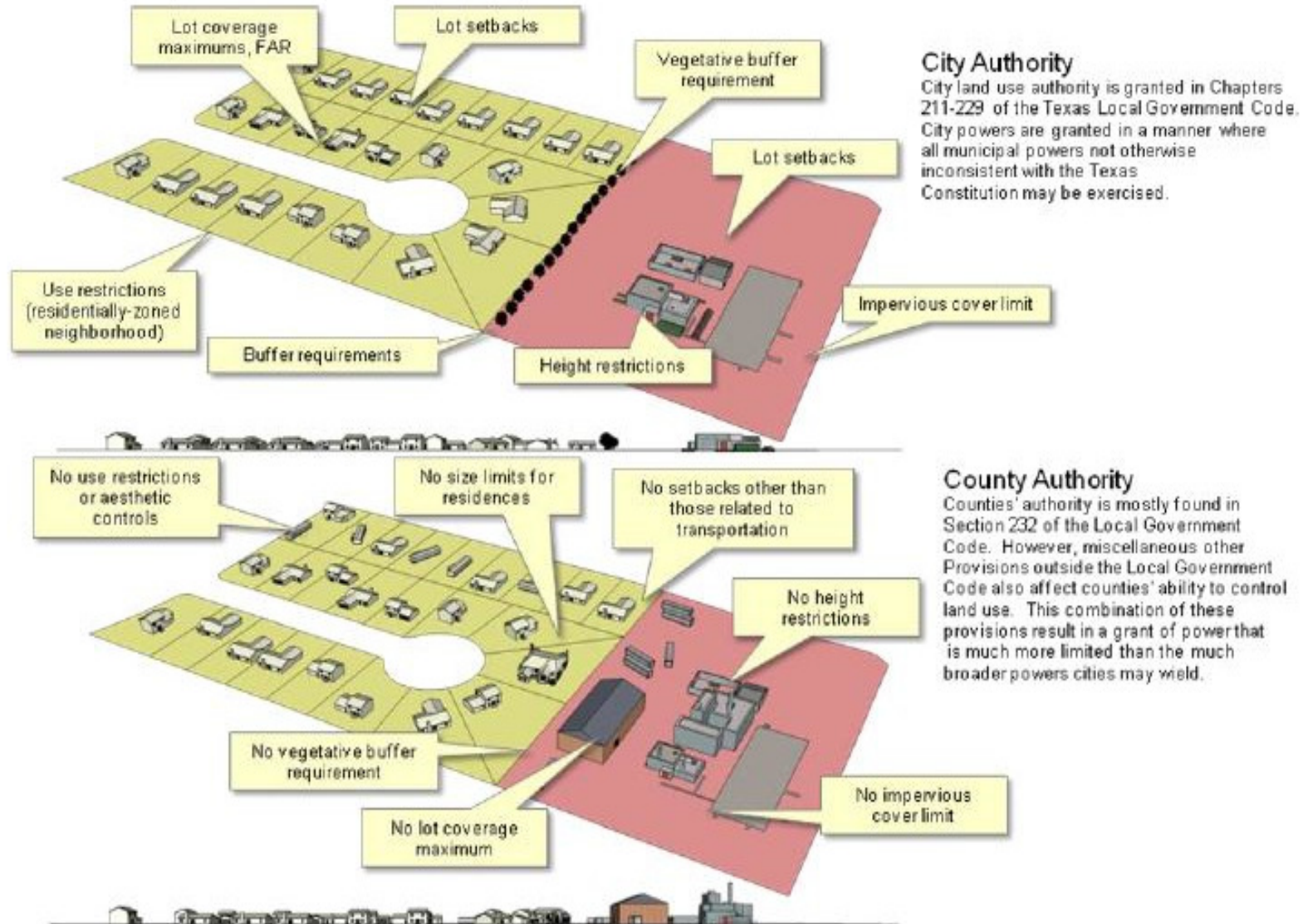


**Infill development is occurring within drainage areas on the Edwards Recharge Zone.**

**Comal County does require planning for appropriate drainage in their subdivision platting requirements.**



# Illustrative Comparison of City versus County Authority





**Many of the problems we've just seen are addressed within cities through zoning and municipal ordinances.**

**In Texas, counties have very limited authority.**

- **Counties lack the authority to manage stormwater and control flooding at the local level**
- **Without any mechanism to require that new developments pay for themselves, all citizens pay for new infrastructure to accommodate growth**
- **Counties cannot preserve the health, safety, and quality of life for their citizens by prohibiting incompatible land uses**
- **Counties are not given the tools to protect critical watersheds that replenish local karst aquifers, which are exceptionally vulnerable to pollution**
- **Counties are not given adequate tools to set minimum standards for water and wastewater infrastructure and emergency services**



# Past Legislative Attempts

**2005** 79<sup>th</sup> Session

- [SB 142](#) (Wentworth)
- [HB 477](#) (Casteel)

**2007** 80<sup>th</sup> Session

- [HB 3447](#) (Rose, Howard, Hildebran)

**2009** 81<sup>st</sup> Session

- [HB 3265](#) (Rose, Doug Miller, Gallego)

# Why would this time be different?





# What Could New Legislation Include?

- A list of possible tools that a Commissioners' Court might choose to have

These additional powers would be helpful in Texas' fastest growing counties:

- The ability to set standards for water or wastewater systems
  - The ability to require minimum fire suppression systems
  - The ability to require improvements to streets and roads
  - The ability to require a minimum amount of open space or imposing a limit on the amount of impervious cover for aquifer recharge and stormwater management
  - The ability to require vegetative buffers or adopt other measures to minimize conflict between incompatible land uses
  - The ability to assess impact fees that can pay for new infrastructure required to serve new developments
- A requirement that a Commissioners' Court must place any proposed new powers on a ballot for county residents to vote.
  - No new powers would accrue to a county without county citizen approval.

# CITIZEN CALL TO ACTION!

- Political action by YOU the Citizen involves consistent and persistent contact with your elected officials.
- Contact your Commissioners' Courts throughout the Hill Country
  - Ask them to develop and adopt 'local options' Resolutions to protect unincorporated areas of the County. *(see slide 18 for language samples or develop your own as it relates to your specific County needs as you see them)*
  - These Resolutions will need to be submitted to the State Representative and Senator from which Bills can be drafted
- Contact your State Representative and Senator.
  - Ask them to commit to sponsor the 'local option' Resolution coming from your County.
  - Be explicit as to why this is important to you as a constituent.





For more information about the Greater Edwards Aquifer Alliance  
visit [www.AquiferAlliance.org](http://www.AquiferAlliance.org)

You may Annalisa Peace: 210-320-6294 [annalisa@aquiferalliance.org](mailto:annalisa@aquiferalliance.org)

For more background information on this issue from the League of Women  
Voters of the Comal Area visit : [www.LWVComal.org/studies](http://www.LWVComal.org/studies)

You may contact Jensie Madden: 830-935-3360 / [j-dmadden@att.net](mailto:j-dmadden@att.net)

For more information about Preserve our Hill Country Environment  
(501c4 status pending. DBA: [Stop3009VulcanQuarry.com](http://Stop3009VulcanQuarry.com))

You may contact Sabrina Houser Amaya  
[stop3009vulcanquarry@gmail.com](mailto:stop3009vulcanquarry@gmail.com) or 830/456-2787

**To stay involved, sign up for action alerts at:**  
**<https://aquiferalliance.org/sign-up-for-action-alerts/>**