



Blanco-Pedernales Groundwater Conservation District

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RESOLUTION NO. 20261015-1

RESOLUTION ADOPTING LEGISLATIVE PRIORITIES FOR THE 90TH TEXAS LEGISLATURE

WHEREAS, the Blanco-Pedernales Groundwater Conservation District ("BPGCD") is an independent political subdivision authorized under Chapter 36 of the Texas Water Code to manage groundwater resources in the public interest; and

WHEREAS, the legislative priorities adopted herein reflect a philosophy of local governance strengthened by state support, whereby the State empowers and defends Groundwater Conservation Districts rather than displacing them; and

WHEREAS, groundwater is managed most effectively by locally elected boards, accountable to the communities they serve, whose familiarity with local aquifer conditions, land uses, and community values lends legitimacy to difficult permitting decisions, while state-run, one-size-fits-all management cannot accommodate the diverse hydrology and priorities of Texas's regions; and

WHEREAS, replacing local districts with centralized, state-run management would be viewed by rural communities as yet another state-imposed initiative disregarding local voices, joining other recent intrusions such as unregulated data center development and 765-kV transmission lines, and shifting groundwater decisions away from the people they affect; and

WHEREAS, uniform standards fail Texas hydrology, as recharge rates, subsidence risks, and saltwater intrusion differ fundamentally among the state's aquifers, and coordination challenges such as conflicting Desired Future Conditions on shared aquifers call for strengthening the GMA process rather than abolishing the local districts that make it work; and

WHEREAS, any statutory codification of the reasonableness of groundwater regulations must preserve the flexibility of Groundwater Conservation Districts to adopt rules suited to local aquifer conditions and must not prescribe uniform regulatory standards; and

WHEREAS, the myriad groundwater rules adopted by districts across the state were built to provide flexibility for differing aquifer conditions and community circumstances, and the

resulting diversity among districts fosters the discovery and refinement of rules best suited to local conditions, as districts may look to one another's experience in crafting their own regulatory approaches; and

WHEREAS, litigation asserting that reasonable groundwater regulations constitute unconstitutional takings threatens to chill BPGCD's ability to fulfill its statutory mission, and codifying that reasonable regulations serving public interests are not takings would reduce litigation risk and regulatory uncertainty; and

WHEREAS, Groundwater Conservation Districts face increasing legal challenges in exercising their regulatory authority, and without adequate statutory protections, the financial burden of defending such litigation could divert resources from core mission activities, making state legal defense by the Attorney General essential to preserving local resources for groundwater management; and

WHEREAS, concentrated, high-volume withdrawals associated with data centers and other high water-use projects place disproportionate pressure on local aquifers within Priority Groundwater Management Areas, warranting confirmation of GCD authority to require cumulative impact assessments, metering, and public reporting, and to impose mitigation fees and temporary moratoria; and

WHEREAS, enduring groundwater policy must rest on both sound science and fair treatment of landowners, and any new groundwater legislation should respect private property rights while advancing long-term management of the state's groundwater resources;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Blanco-Pedernales Groundwater Conservation District that the following Legislative Priorities are hereby adopted for the 90th Texas Legislature:

- (1) Local Board Management** — oppose any consolidation of Groundwater Conservation Districts that would diminish local management of the aquifer;
- (2) Clarify Takings** — codify that reasonable groundwater regulations serving public interests are not unconstitutional takings, reducing litigation risk;
- (3) State Legal Defense** — authorize the Attorney General to represent GCDs in takings and regulatory challenges, reducing costly litigation exposure for local districts;

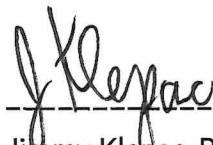
(4) Regulate High-Water-Demand Projects — affirm GCD authority to require cumulative groundwater impact assessments, metering, and public reporting for data centers and other high water-use projects, and to impose mitigation fees and temporary moratoria in Priority Groundwater Management Areas; and

(5) Balance Conservation with Property Rights — ensure any new groundwater legislation respects private property rights while advancing long-term management goals;

BE IT FURTHER RESOLVED that the Board authorizes and directs the General Manager and General Counsel to advocate these priorities on BPGCD's behalf before the Texas Legislature and its committees during the 90th Regular Session; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon adoption.

ADOPTED this 15th day of October 2026, by the Board of Directors of the Blanco-Pedernales Groundwater Conservation District.



Jimmy Klepac, Board President
Date: October 15, 2026



Greg Stevens, Board Secretary
Date: October 15, 2026

