

## **RESOLUTION NO. R-2025-85**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, REGARDING THE SUPPORT OF THE 89<sup>TH</sup> LEGISLATURE HOUSE BILL 1523 AND OPPOSING THE CITY OF AUSTIN WATER AQUIFER STORAGE AND RECOVERY PROJECT TO BE POTENTIALLY LOCATED IN BASTROP COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City Council of the City of Bastrop ("City Council") finds it to be in the public interest and necessary to monitor certain developments and projects when the risks of such developments or projects do not factor the public safety, health and general welfare of the City of Bastrop ("City"); and

**WHEREAS,** the City and its citizens are dependent on groundwater from the Simsboro Aquifer, which is located within the Carrizo-Wilcox Aquifer (Aquifer) for their water supply; and

**WHEREAS,** the Aquifer within Bastrop and Lee Counties is being considered for the site of a proposed City of Austin Aquifer Storage and Recovery project known as ASR, to inject captured excess surface water allocated to the City of Austin into the Aquifer, for later recovery to provide municipal water supply to the City of Austin;

**WHEREAS,** ASR projects present potential negative impacts on the Aquifer such as water quality degradation by creating a significant contamination risk if not treated properly by introducing pathogens (harmful bacteria and virus) into the Aquifer that release undesirable elements like arsenic into the groundwater, Aquifer drawdown and compaction by reducing the water pressure in the aquifer and making water access more difficult and costly for surrounding users, ecological and community risk by impacting public and domestic water wells located within the Aquifer effecting the local drinking water of thousands; and

**WHEREAS,** ASR in areas where hydrogeology is not conducive to ASR, or where water quality cannot be adequately managed, projects have had limited or failed outcomes, over-injection, pressure imbalances, or contamination can lead to water that is unsafe or unfit for recovery; and

**WHEREAS,** the proposed ASR project entails significant potential harm to essential groundwater resources and private property rights, and no compensatory benefit to the citizens of the City of Bastrop; and

**WHEREAS,** the City seeks to have a better understanding of the potential health, safety, and long-term water supply risks associated with the proposed ASR project through research and

**WHEREAS,** the City supports House Bill No. 1523 of the 89<sup>th</sup> Texas Legislature relating to the prohibition on the authorization by the Texas Commission on Environmental Quality of the use of a Class V injection well for certain aquifer storage and recovery projects; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, THAT:**

- Section 1.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.
- Section 2.** The City Council hereby requests that the City Manager gather additional information and evaluate the potential impact of the proposed project.
- Section 3.** The City Council hereby requests that the City Attorney work with the City Manager to draft possible comments to appropriate state agencies, offices, and representatives conveying the City Council's concerns.
- Section 4.** The City Council hereby authorizes the City Manager to submit comments to the House Committee for Natural Resources in support of House Bill No. 1523 of the 89<sup>th</sup> Legislative Session.
- Section 5. Proper Notice & Meeting:** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, TX, on this, the 22nd day of April, 2025.**

[Signature Page Follows]

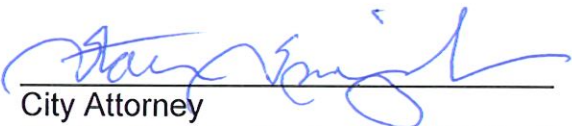
THE CITY OF BASTROP, TEXAS:

  
\_\_\_\_\_  
John Kirkland, Mayor Pro-Tem

ATTEST:

  
\_\_\_\_\_  
Victoria Psencik, Assistant City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney  
Denton Navarro Rocha Bernal & Zech, P.C.