



April 28, 2025

The Honorable Cody Harris  
Chairman, House Natural Resources Committee  
P.O. Box 2910 (E2.104)  
Austin, Texas 78768

RE: HB 1523 (Gerdes)

**Dear Chairman Harris,**

On behalf of the City of Bastrop, thank you for your time, leadership, and commitment to this important committee and legislation.

The City of Austin has proposed an Aquifer Storage and Recovery (ASR) Project in Bastrop County, considering two possible locations: the Carrizo-Wilcox Aquifer or the Simsboro Aquifer.

### **Why Bastrop County?**

According to the Austin Water Department, careful study identified the Carrizo-Wilcox Aquifer as the most favorable for testing and storage. However, during a November 2, 2022, City of Austin council meeting, the criteria and scoring matrix for selecting project sites were made public. *(See Attachment 1)*

The primary selection factors were:

- **Ease of TCEQ permitting (45%)**
- **Extent of groundwater conservation district authority — less authority scored higher (30%)**
- **Potential for threatened or endangered species (25%)**

This stands in stark contrast to the City of Austin's most recent assertions that Bastrop County was chosen because it would "allow the greatest storage and least impact." In reality, Bastrop County was selected because the site would involve minimal oversight from a conservation district and easier permitting with TCEQ — not because of scientific advantages. In fact, the Carrizo-Wilcox Aquifer in Bastrop County has a well yield of **0.54 MGD**, compared to the Simsboro Aquifer in Lee County, which has a well yield of **more than 1.08 MGD**. *(See Attachment 2)*

Their own studies show that the NT Houston Aquifer in Travis County has a well yield of **0.46 MGD** — only slightly lower than Bastrop — but Austin would face much greater permitting challenges in its own backyard. Thus, Bastrop County was targeted.

### **Impacts to Bastrop County and the City of Bastrop**

Mark Twain famously said, “Water is for fighting, whiskey is for drinking” — words that ring true today in a rapidly growing Central Texas. Under the Rule of Capture, the risk of aquifer contamination through testing and human error is real. Under the rule, the right to extract and use these resources without being liable for the consequences of that extraction on their neighbors, as long as the extraction occurs on their own land

Our aquifers are in pristine condition. That could change if this project moves forward, jeopardizing farmers, ranchers, and the millions of Texans they serve.

### **Alternatives to Bastrop County**

Lee County scored highest overall, with greater well yields, but after significant local opposition, the site was removed from consideration.

We **urge** the City of Austin to test the NT Houston Aquifer within its own jurisdiction (see Attachment 2). Once the methodology is tested and perfected — and Bastrop County stakeholders have reviewed the resulting data — only then should any consideration be given to moving forward in Bastrop County.

And at that time, **all affected stakeholders** and water districts must be at the table.

To date, the City of Austin has not shared sufficient data with Bastrop residents or officials to allow for informed decisions — certainly not enough to contemplate any agreement.

### **Eminent Domain**

A pipeline transporting pumped water will require many miles of easements outside of existing rights-of-way.

Mayor Watson has stated that **no eminent domain** would be used; however, one council cannot bind the actions of a future council. Once hundreds of millions of dollars have been invested, property rights will be at risk — and yet another political promise could be broken.

### **Other Alternatives**

The City of Austin loses millions of gallons of water annually due to aging infrastructure.

Shouldn't fixing existing losses be prioritized before embarking on risky new projects?

Additionally, the City has not fully explored options like brackish water desalination or other state water plan strategies.

Instead, Austin has targeted an area it perceives as politically easier to exploit, as clearly shown in its own internal presentations (Attachments 1 and 2).

## **Conclusion**

The City of Bastrop has passed **Resolution No. R2025-85** in support of **HB 1523 (Gerdes)** to protect our community.

Until this project can prove itself scientifically — starting in Travis County — it has no place in Bastrop County.

## **We respectfully urge your support for HB 1523.**

This bill does not “kill” the project but **ensures transparency, requires data sharing, and protects Bastrop County residents** — its farmers, ranchers, and businesses — for generations to come.

If, after careful and inclusive study, the project proves beneficial, a future Legislature can repeal the protections. In the meantime, Bastrop County deserves a seat at the table and the right to defend its most precious resource.

Thank you for your consideration and your service to Texas.

Respectfully submitted,



Sylvia Carrillo-Trevino, ICMA-CM, CPM  
City Manager, City of Bastrop

Cc:

Members of the House Natural Resources Committee  
Honorable Stan Gerdes, Texas House of Representatives, District 17  
City of Austin City Council  
Bastrop County Commissioners Court  
Bastrop City Council and City Manager  
Lost Pines Groundwater Conservation District Board of Directors and Staff  
Simsboro Aquifer Water Defense Fund  
Aqua Water Supply Corporation  
T.C. Broadnax, City Manager, City of Austin

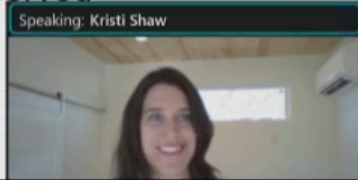
Encl: Austin Water – Presentation Slides – November 2, 2018  
Attachment 1 – “Permitting Score”  
Attachment 2 – “Feasibility Filtering Results”

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# Permitting Score

Larger permitting score indicates an option is more favorable for permitting and ease of project siting to avoid protected species habitat or conserved lands

- Based on three criteria:
  - Ease of receiving TCEQ storage authorization with current rules (45%)
  - Presence and extent of groundwater conservation district with permitting authority over ASR projects (30%)
  - Potential for threatened/endangered species habitat and conserved or protected land affecting project siting (25%)



Austin Integrated Water Resource Planning Community Task Force



Item: 2b - Briefings  
Water Forward 2018 implementation and FY21 update



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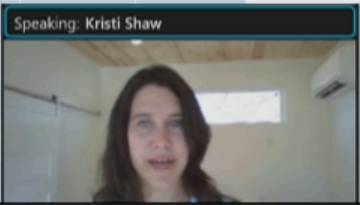
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Aquifer/Aquifer System	County	Approximate Well Yield (MGD)	# of wells to achieve 2040 yield (60k AFY)	Proximity Indicator (to AW system)	Permitting Score	Hydro Score
CW-Simsboro	Lee	1.08	50	0.13	76%	79%
CW-Carrizo	Bastrop	0.54	100	0.48	84%	77%
CW-Carrizo	Lee	0.58	93	0.07	76%	77%
CW-Simsboro	Bastrop	0.51	105	0.43	82%	76%
NT-Hosston	Williamson	0.41	130	0.62	50%	74%
NT-Hosston	Travis	0.46	116	0.72	60%	74%
NT-Hosston	Bastrop	0.88	61	0.58	78%	71%
NT-Hosston	Lee	0.97	55	0.40	77%	71%
Edwards BFZ	Hays	31.4	2	0.66	25%	68%
Ellenburger - San Saba	Blanco	0.72	75	0.39	79%	67%
Edwards BFZ	Travis	4.92	11	1.00	51%	65%
Hickory	Hays	0.40	134	0.66	84%	65%
Ellenburger - San Saba	Burnet	0.45	119	0.23		
Edwards BFZ	Hays	125.1	0	0.79		
Edwards BFZ	Travis	39.4	1	0.99		
TrinHC - Middle Trinity	Hays	0.43	123	0.72		
Ellenburger - San Saba	Blanco	0.39	138	0.35		

# Feasibility filtering results

- 17 combinations considered more feasible based on filter
- Shown here sorted by hydro score



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2.11.2022 | 12:56 pm

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