



**Attn: Texas Legislature and the Texas Commission on Environmental Quality (TCEQ)**

**Re: Formal Public Comment: Opposition to SB 616 and SB 1061**

My name is Ana Parras, Co-Director of Texas Environmental Justice Advocacy Services. Our organization is the oldest Latino led Environmental Justice organization based in Houston, Texas, we are deeply concerned about the proposed changes in Senate Bill (SB) 616 and SB 1061 from the 89th Texas Legislature, Regular Session, 2025. These bills threaten the integrity of the Edwards Aquifer, undermine public participation, and exacerbate existing environmental justice issues in Texas, particularly concerning the dire drought situation in South Texas and West Texas Permian Basin.

### **1. Threat to the Edwards Aquifer (SB 616)**

SB 616 proposes to allow injection wells for Aquifer Storage and Recovery (ASR) projects to transect the Edwards Aquifer in specific, high-growth areas (east of I-35 in Williamson County or in Medina County).

- **Risk of Contamination:** The Edwards Aquifer is a sensitive, karst-formation aquifer (Limestone), a crucial drinking water source for millions of Texans. Existing prohibitions against injection wells transecting this aquifer are necessary safeguards. While the ASR wells are intended to store water in deeper formations (like the Trinity Aquifer), piercing the Edwards Aquifer with a well bore creates a direct, high-risk pathway for contamination.
  - Any failure in well casing, cement, or sealing material, whether due to construction flaws, geological movement, or long-term degradation could lead to the commingling of waters.
  - This could introduce surface water, treated effluent, or other contaminants from the injection source into the pristine fresh water of the Edwards Aquifer.
- **Irreversible Damage:** Given the high-flow nature of a karst aquifer, a contamination event could spread rapidly and cause irreversible damage to this vital, non-renewable resource, undermining the state's efforts to secure water supplies during drought.
- **Precedent Setting:** Authorizing exceptions to the current injection prohibition sets a dangerous precedent that prioritizes development over the fundamental protection of the state's most important drinking water source.

### **2. Undermining Public Participation and Environmental Justice (SB 1061)**

SB 1061 proposes to remove the opportunity for contested case hearings for amendments to Class III Production Area Authorizations (PAAs), typically associated with in-situ uranium mining.

- **Loss of Due Process:** Contested case hearings are a cornerstone of due process in environmental regulation, providing the public, including affected landowners and

environmental justice communities, with a vital platform to challenge permits that threaten their health and property.

- Removing this opportunity for PAA amendments eliminates the ability of directly impacted individuals to scrutinize changes to restoration plans and mining activities, effectively silencing the public voice in favor of administrative expediency.
- **Increased Mining Risk:** Class III wells are used for mining operations, which involve injecting fluids to dissolve and extract minerals (e.g., uranium). Even minor amendments to a PAA restoration table can have significant and lasting impacts on groundwater quality. Removing the contested case option increases the risk that communities near these mining operations will face permanent contamination without a meaningful opportunity for legal recourse.
- **Prioritizing Conservation:** While the bill directs TCEQ to prioritize the conservation of regional groundwater supplies when reviewing restoration table amendments, removing the contested case hearing diminishes the only effective mechanism for the public to ensure this directive is actually enforced.

### **3. Language and Public Participation Justice**

We reiterate the critical need for meaningful public participation and language justice in all legislative and regulatory processes, especially as Texas faces a severe drought.

- **Timeliness and Access:** Given the profound, long-term implications of SB 616 and SB 1061 for the state's water security, the public must be afforded ample time to review complex rule changes and provide informed comments. Compressed comment periods exclude marginalized communities.
- **Title VI and Language Justice:** As an organization that previously filed a Title VI complaint against the TCEQ on Language Justice, we demand that all public notices and essential documents related to these rule changes be translated into the languages of the affected demographic populations. Limited English Proficiency (LEP) must not be a barrier to participation in decisions that impact public health and water resources. The TCEQ must fully implement and enforce its commitment to the Civil Rights Act to ensure true language accessibility.

We urge the Texas Legislature and the TCEQ to reconsider and reject the provisions of SB 616 and SB 1061 that endanger the Edwards Aquifer and eliminate public recourse. The current drought necessitates increased protection and expands public involvement, not less.

**We must protect Texas's most precious natural resource, its water for all Texans.**

