



Groups want state to save water

By Michael Wright

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Texas rules governing groundwater have always been simple.

If you can pull it out of the ground, it's yours.

The "rule of capture" worked well when it was rural landowners who were the main consumers of the state's water, a group of conservationists said Wednesday. But now that large cities, including Houston, need more and more water, something needs to change.

"It's not suitable to protect rural landowners in a day and age when cities are buying huge tracts of land," said Mary Kelly, an attorney with Environmental Defense, an environmental group based in Austin.

Kelly isn't optimistic the Legislature will change the rule of capture this year, but said support is slowly building.

Brazoria County has worked to protect its water for years. The county has created a groundwater conservation district to govern its water supplies, though it hasn't taken any action.

The state is studying the possibility of building a desalination plant that will convert saltwater into freshwater. Freeport has been mentioned as a possible site for a plant.

Brazoria County Judge John Willy could not be reached for comment Wednesday.

Environmental groups will focus on water conservation ideas in the 2005 legislative session, officials said in a conference call with reporters Wednesday. They expect bills to be introduced that deal with groundwater, inflows to bays and estuaries, and conservation of resources.

Myron Hess of the National Wildlife Federation said most of the surface water rights in Texas have been allocated, though they aren't fully used. Full usage, he said, could be devastating, impacting five of the seven major river basins in the state.

"Fishing and birdwatching, it's a multibillion-dollar industry that is protected by watching our flows," Hess said. "The reality is those flows aren't really protected."

Ken Kramer, director of the Lone Star Chapter of the Sierra Club, said he'd like to see laws passed to improve conservation.

He noted that Texas requires efficient plumbing fixtures, but many contractors complied by using toilets with special flaps that limited the flow of water during a flush.

Many of those flappers are wearing out, increasing the flow.

"If they don't replace the flapper with an early closing flapper ... all that water that is in the tank is going to go down the drain," Kramer said. "You lose all the benefits. That is just one of those little things that mean a lot."

Kramer said the city of San Antonio has made great strides in limiting water consumption.

"They reduced their per capita water consumption over the past 15 years by about a third," Kramer said.

Kramer said he believes desalination will get some funding this session.

"We want to see it used primarily where it makes sense, that is along the coast," Kramer said. "We do need to look very closely at the environmental implications and the energy implications."

Kelly said she's not expecting a massive reform of the state's water policy.

"It's our expectation that there will be a flurry of bills filed on groundwater issues," she said.

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