

EDITORIAL

LCRA vs. Austin battles could become water under the bridge

EDITORIAL BOARD

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Negotiators for the City of Austin and the Lower Colorado River Authority are closing in on what could be a historic agreement to resolve years of disputes over water rights. If they pull it off, the people of Austin and those who live in the river basin managed by the LCRA would benefit for decades to come.

The linchpin is that the two parties have agreed — in principle — to some type of joint management of their water rights and resources.

As it is now, each side asserts its own rights and needs, and is quick to challenge the other's, with disputes taken to the Texas Commission on Environmental Quality. There has been a growing danger of years of expensive, drawn-out court battles.

By emphasizing joint oversight instead of standing on rights, Austin City Manager Toby Futrell said, "We can maximize the water available, not just for us, but for the region. So we get more and the region gets more if we think differently about the water. We're trying to not put this into a courtroom — or the Legislature's lap. We're saying we're going to resolve it among ourselves."

Working out the details in the next few months won't be easy, both sides acknowledge, and the disputes are serious.

One dispute, for example, centers on the city's interest in reusing treated wastewater. The city is entitled to take water from Lake Austin, which is part of the Colorado River, for use in homes and businesses. After it is used, the city spends spends millions cleaning the wastewater and returns it as "effluent" to the river, which carries it to the Gulf of Mexico.

But a few years ago, the city said it wanted to return the effluent to the river and then pull out an equivalent amount at some other point downstream — and save millions of dollars in water costs. This alarmed the LCRA, which counts on revenue from water sales and must make sure there's enough water to meet downriver needs for other communities, farmers and aquatic life in coastal areas where the Colorado empties into the Gulf. The issue is pending at the state's environmental commission.

Austin, in contrast, is worried that the LCRA's purchase of downriver water rights several years ago might threaten the city's to Colorado River water. This issue is also pending at the environmental commission.

There's irony here, because the city and the LCRA depend upon each other so much. Austin, a rapidly growing city, is a major user of Colorado River water. And the LCRA, which manages 600 miles of the river for flood control, also needs the river water — including the treated wastewater — to meet its customers' needs. Just last week, for example, fully two-thirds of the river water flowing past Bastrop was made up of treated wastewater discharged by Austin.

Joe Beal, general manager of the LCRA, said one model for joint management has operated for 25 years right under the city's and the authority's noses: the Fayette power plant near La Grange, in Fayette County. Two of the plant's three generating units are jointly owned by the city and the LCRA. The LCRA operates the plants, but they are overseen by a joint management committee.

Futrell said she's optimistic about reaching agreement, even as she acknowledges that the hardest negotiations — over details — remain.

Two memorandums of understanding — nonbinding, but evidence of solid progress — have been signed. The first, in June, helped define the problems and how to start resolving them. The second, signed just this month, confirms a truce over pending disputes at the environmental commission.

The December agreement also says that the two parties will find a way "to jointly manage their individual water rights," including joint water supply planning and management of "raw water supplies as an integrated system." The LCRA, however, would continue to manage the river itself, and each entity would remain responsible for its water and wastewater utility operations.

"What excites me about this," Beal said, "is I genuinely believe, at this time, Toby and the city staff and me and my staff are approaching this in a way that really isn't looking at how one or the other entity wins. It's looking at how the river wins, and how the region wins. That's different from the approach we've taken in the past."

It's a great attitude to start the new year. Austin and LCRA — and the people they serve — stand to gain from their cooperation, not their warfare.