

Bill designed to keep waterways healthy

Bill supported by environmental and industry groups

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Legislation proposed Thursday could set aside enough Texas river water to keep fish and wildlife happy.

Early support suggests the measure will do better than a similar one in 2005, when the legislation was shot down as part of a larger water package. This time, an array of industry interests and environmental groups have said they support the bill, which evolved out of work by an advisory committee put together by the governor.

"This is about making sure there's water enough left in a river to still be able to call it a river," said Rep. Robert Puente, D-San Antonio, the bill's author and head of the House committee that oversees the state's natural resources.

Some Texas rivers, weakened by drought and thinned by users, more or less shriveled up in recent years. The bill orders the state environmental commission to rely on local teams of scientists and users familiar with each river to determine how much water it needs for environmental protection.

"Up and down a river you have competing interests — agricultural, industrial, recreational and cities — and you have to have a mechanism to get water out of the river but leave enough base load there for it eventually to get to the Gulf Coast," Puente said. "Before, we were doing it on a case-by-case basis; now it would be on a basin-by-basin basis."

But the bill stops short of saying how water will be set aside for rivers whose water is already overallocated.

Nonetheless, environmentalists said the bill is an indication that the Legislature considers protection of environmental flows a priority.

"You used to hear people say, 'We got to capture all the water we can get. Any water flowing into the Gulf is wasted,' " said Ken Kramer, director of the Lone Star chapter of the Sierra Club. "You rarely, if ever, hear that anymore."

Even industry lobbyists support the Puente bill, which includes a nod to the variety of stakeholders.

"Protecting the water resources of the state is a top priority, and we support the bill," said Christina Wisdom, director of government affairs at the Texas Chemical Council.

No money has been appropriated for the bill, but a fiscal note that accompanied a much larger Senate water bill in 2005 called for nearly \$6 million, much of which would have been channeled to the environmental flows process.

Efforts to protect water crucial for wildlife has wide-ranging effects for agriculture, recreation, birding and property values. The bill could have particular consequences for the Colorado River, which stretches through Austin.

A state water plan anticipates that the Colorado River basin, from Central Texas down to the Gulf Coast, will grow from just over 1 million people to nearly 2.5 million by 2050. Water demand among cities will increase with their populations. Municipal water demand, for example, is expected to jump from 69.5 billion gallons a year in 2000 to 143 billion in 2050.

The Lower Colorado River Authority already sets aside water to satisfy downstream environmental needs, spokesman Robert Cullick said. But the amount of the set-aside is a matter of controversy — some environmentalists, for example, say more water is needed to nourish wildlife in Matagorda Bay — that may get settled through the state effort.

Some of the state's rivers are overextended, with a glut of users already laying claim to all the water, and the Puente bill does not address the tricky business of how the state would repossess that water.

"It's all happening so slowly," said Dianne Wassenich, executive director of the San Marcos River Foundation. "Meanwhile the state is allowing other, consumptive water rights to be filed and approved. The situation keeps getting more dire."

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