

Broad water legislation introduced

Senate bill designates 19 reservoir sites

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Legislation was introduced in the Texas Senate on Thursday that would designate sites for future reservoirs, help ensure there's enough water in Texas rivers for fish and wildlife, and encourage conservation.

The bill's champions, Lt. Gov. David Dewhurst and Sen. Kip Averitt, R-Waco, hope it's closer to an omnibus bill implementing the state's water plan, as opposed to an ominous bill that will draw the kind of heated opposition that defeated similar legislation two years ago.

That legislation, with the same Senate Bill 3 designation, failed in the waning days of the 2005 legislative session. Appearing at a Capitol news conference Thursday, Dewhurst stressed that one of the more controversial components of the failed legislation — a surcharge on water bills across the state — has been deleted.

Instead of a new surcharge, Averitt is working to reserve about \$80 million in the state budget to kick-start state water projects, while leaving the issue of paying for the remaining \$675 million over the next 20 years to a joint interim study by state lawmakers.

However, the designation of 19 future reservoirs, mostly in the eastern third of the state, is likely to be the lightning rod attracting opposition from environmental groups and landowners who will argue that their property values will suffer.

"We recognize this is going to be controversial," Averitt said. "But we don't want to take reservoirs off the table."

Dewhurst implored opponents, "Come see us. Let's have a healthy debate about this."

He stressed that the reservoirs are far from a done deal — although they are recommended in the water plan.

"This (bill) isn't building anything," Dewhurst said. "This is just putting it on the table."

Yet Dewhurst said a growing state will need water to thrive.

"By the year 2060 our population will have more than doubled, yet the amount of available water will remain the same," Dewhurst said. "Unless we take the necessary steps today, we will lack the water we need to support our fast-growing population tomorrow."

The Sierra Club weighed in against the reservoirs.

"Setting aside land for expensive, environmentally destructive and unneeded reservoirs is a distraction from the priority steps that Texas should take to make better use of the water resources we have," said Sierra Club state Director Ken Kramer.

He said the legislation should focus on "consensus" issues, such as water conservation, drought management and more efficient use of water supplies.

"We run the risk once again — as in 2005 — of seeing the consensus measures washed down the drain by a torrent of criticism for unrelated provisions in the legislation," Kramer said.

The Averitt water bill also aims to tackle the issue of keeping enough water in Texas rivers to keep fish and wildlife flourishing.

Top lawmakers and the governor have gotten behind a consensus agreement between environmentalists and industry groups to set up scientific studies to figure out just how much water needs to be kept in the rivers as "environmental flows."

Keeping that water in the river has consequences for everyone from recreational fishermen to Gulf Coast shrimpers to real estate developers.

But many rivers are already all spoken for — the water in them has already been divvied up for use by cities or industries or farmers.

The Averitt bill, as well as a stand-alone environmental-flows bill proposed by Rep. Robert Puente, D-San Antonio, stops short of figuring out how the state will eventually buy back water in rivers, or how to persuade the holders of those water rights to donate them back to the state.

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 a little more than 1 million people to nearly 2.5 million by 2050. Municipal water demand is expected to jump from 69.5 billion gallons a year in 2000 to 143 billion in 2050.

The legislation does not address a related issue important to the City of Austin — the re-use of water.

Since 2002, Austin has grappled with the Lower Colorado River Authority over control of the treated sewage water it dumps in the Colorado River.

The city thinks of the riverbed as a gigantic pipeline and wants to reclaim the water downriver.

The LCRA says the moment the treated sewage water returns to the river, it becomes state water and is needed to supply farmers downstream, maintain a healthy stream of water to ecosystems in Matagorda Bay and lean on in time of drought.

Reuse is such a contentious subject that it could hold up an omnibus bill, said Ken Kramer, head of the Lone Star Chapter of the Sierra Club.

"It's a very complex issue which pits water suppliers against other water suppliers," he said. "You have different people with different perspectives, even in the same community."

Rep. Bill Callegari, R-Katy, is working on his own reuse bill, said Jeremy Mazur, his chief of staff.

"It's an extremely difficult issue to work."

Key elements of Senate plan

- Designates 19 future reservoir sites
- Studies water amounts necessary to maintain environment
- Requires water utilities to submit conservation plans
- Gives funding priority to entities that implement conservation plans
- Requires large water transactions be disclosed
- Requires cities and state to regulate installation of irrigation systems

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