

**For Immediate Release**  
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National Wildlife Federation Disputes TCEQ Action  
Conservationists say dismissal of environmental water permits unnecessary

AUSTIN, TX - The National Wildlife Federation (NWF) took issue today with a Texas Commission on Environmental Quality (TCEQ) decision to dismiss applications for water rights that would have been used to keep Texas rivers flowing.

"This move was a step backward," Susan Kaderka, director of NWF's Gulf States regional office, said. "It will make it harder for Texans to keep our rivers and streams from drying up once the legislature decides how best to do that," she said.

At issue today were applications from four nonprofit organizations - the Caddo Lake Institute, Inc, the Galveston Bay Conservation and Preservation Association, the Galveston Bay Foundation, and the Matagorda Bay Foundation-- for water-rights permits for "instream use."

The term refers to the use of permitted water to maintain river flows and to ensure sufficient fresh water flows into coastal bays and estuaries to protect water quality and maintain healthy fish, crab, shrimp and other wildlife populations.

Last March, the TCEQ bowed to pressure from state leaders and dismissed the first such river-protection application - submitted by the San Marcos River Foundation - claiming, against the advice of its own staff, that it lacked the authority to even consider such a permit.

The state legislature then prohibited the issuance of any new instream-use permits for a two-year period and established a Study Commission on Water for Environmental Flows to examine the issue. The Commission is charged with recommending to the 2005 legislature how best to protect Texas river flows and freshwater inflows into Texas bays. In the meantime, TCEQ can continue to issue permits to take water out of the rivers.

"We're glad the Study Commission will be taking a serious look at this issue and we will participate fully in its hearings," Kaderka said, "but we're worried that by the time the legislature can act on any Commission recommendations, there will be a lot less unallocated water to work with." Instead of dismissing these instream-use applications, Kaderka said the TCEQ should have left them pending. "That would have preserved their 'place in line' for water-rights permits. As it is, the more permits TCEQ issues over the next two years to take water out of our rivers, the harder it will be to ensure adequate flows in the future."

"TCEQ's action today was a set-back for those who understand that we have an obligation to treat our rivers and bays like the environmental and economic treasures they are and make sure they're still functioning for future generations," Kaderka said.

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The National Wildlife Federation is the nation's largest member supported conservation advocacy and education organization.