

Water measure lingers in House

2 reservoirs for Dallas returned to the bill; city spending required

12:00 AM CDT on Monday, May 28, 2007

By EMILY RAMSHAW / The Dallas Morning News

eramshaw@dallasnews.com

AUSTIN – State lawmakers were working to pass Texas' first major water-planning bill in a decade, legislation that nearly crumbled over contentious reservoir sites.

The measure, which had been approved by the Senate and was awaiting a vote in the House, but it was unclear whether it could come up for a vote today because of the crowded calendar on the last day. The bill sets guidelines for water conservation and for protecting the ecology of the state's rivers, lakes, bays and estuaries. It also sets aside 19 Texas locations for future reservoirs.

Under a House-Senate compromise Saturday, two reservoirs intended for Dallas' use that had been dropped from the bill were restored. But cities and water districts must start spending money on those reservoirs by 2015 or risk losing their designation.

Returning the Fastrill and Marvin Nichols reservoirs to the bill angered some House members who accused Dallas of wasting water and seizing environmentally sensitive land to provide water for their lawns.

"We have said from Day One it is 19 [reservoirs] or nothing," Sen. Kip Averitt, R-Waco, author of the legislation, said Sunday.

Without the two North Texas reservoirs, "we truly believe the future does not look very good for our part of the state," Sen. Florence Shapiro, R-Plano, said.

The omnibus water bill saw early and overwhelming support in the Senate, including the provision to set aside sites for future reservoirs. Then things got hard.

First, the bill sat in the House for more than a month without being considered, frustrating Lt. Gov. David Dewhurst and senators who feared the legislation would die.

Then, the House Natural Resources Committee stripped several reservoirs, including Dallas', from the bill. Even when Speaker Tom Craddick gave the House the go-ahead to debate the bill, Dallas lawmakers were stopped by a coalition of rural members, who criticized Dallas for what they said is wasteful water consumption. Dallas officials have said they need the water to plan for rapid population growth.

On Thursday, Gov. Rick Perry intervened, meeting with Mr. Dewhurst and Mr. Craddick to insist the North Texas reservoirs be included in the plan.

Two key provisions in the bill govern the ecological health of the state's bodies of water – so-called environmental flows – and set up specific guidelines for conserving water across Texas.

North Texas officials have raised questions about the environmental-flows provision, fearing that a lack of water in other parts of the state could force Dallas, which currently has an ample supply, to send more downstream.

But they have embraced the provision as a worthwhile sacrifice, as long as Dallas gets its reservoirs.

Staff writer Terrence Stutz in Austin contributed to this report.