

Reprinted from Texarkana Gazette, Sunday, April 1, 2007

In Our View

Senate Shuffle

Tyler lawmaker adds some area protection to Texas reservoir bill

The Texas Senate passed two bills Wednesday that raised the stakes in the fight over the proposed Marvin Nichols Reservoir.

But not without a little wrangling by one of our regional lawmakers.

One of the bills, Senate Bill 675, designates Marvin Nichols and 18 other locations as "unique reservoir sites."

Senate Bill 3 deals with administrative matters relating to the sites.

The state has divided Texas into 16 regions for water planning purposes. Region C, which includes the Dallas-Fort Worth Metroplex, needs more water and so wants the reservoir. Region C has a lot of people and a lot of businesses and industries and so is constantly on the prowl for more water.

Region D includes Northeast Texas and here the issue is more complex, with many residents opposed to the plan.

The Marvin Nichols project would require the purchase and flooding of more than 70,000 acres of land to create the reservoir, with thousands more acres needed for mitigation (protected land set aside to restore wildlife habitat lost to the reservoir.)

This doesn't sit well with a lot of the property owners, who don't want to sell but could be forced to do so should the project gain final approval.

While some in this area see benefits to a new reservoir, others see this as nothing more than a move by the big cities of Dallas and Fort Worth to come in and take East Texas water.

Although the Senate bills passed Wednesday do not mean Marvin Nichols is a done deal, designating the project as a unique reservoir site is a step in that direction.

And so state Sen. Kevin Eltife, R-Tyler, stepped in with an amendment to provide some protection for our region should the reservoir become reality.

Eltife added provisions to the bill giving Region C the right to 80 percent of the water from Marvin Nichols and Region D the remaining 20 percent, but stipulating that Region C must pay all costs of construction, and the cost of operation and maintenance of the site relative to the amount of water they use.

Eltife's provisions also call for a commission of three Region D and three Region C representatives to study alternative water supplies from existing and proposed reservoirs and make recommendations to the Legislature on whether Marvin Nichols should remain a designated reservoir site.

The amendment also calls for mitigation to "follow the water," so Region C with 80 percent of the water, would be responsible for providing 80 percent of the land for mitigation.

While we still believe there are better solutions to Dallas' water woes than building Marvin Nichols, Eltife's amendment does at least make Region C shoulder a bigger share of the cost and resource burden and gives Region D more say in the management of the reservoir.

While the scale still isn't balanced, this is going to be a difficult battle for Region D to win, and every concession counts. So from a protective, control-your-losses perspective, Eltife's attention to the issue is a strategic act for Northeast Texas.