

## Reservoir loses special designation House committee votes Marvin Nichols off unique site list

By Jodi Sheridan Texarkana Gazette

The Marvin Nichols Reservoir shed its unique site designation late Wednesday night after the Texas House of Representatives Natural Resources Committee voted to take it off the list in Texas Senate Bill 3.

After adding on a slew of other amendments and removing the Fastrill Reservoir from the list, the committee sent its new substitute version out to the Calendars Committee to be given a date for consideration on the House floor.

After debate on the House floor, it would go back to the Senate, where they could concur or send it to conference to iron out the differences.

Committee Chairman Robert Puente, D-San Antonio, called it "a very ominous water bill" before starting the parade of amendments.

Besides removing Marvin Nichols—a plan by the state to address long-term water needs in the Dallas vicinity—an amendment also removed Little River and Little River off-channel reservoirs from the list.

Even though it removed Marvin Nichols, it kept the language added by an amendment from Sen. Kevin Eltife, R-Tyler, that would require, among other things, the reservoir be studied. Eltife added the amendment in March, before it was sent to the committee.

Eltife said Thursday he was still trying to find out the specifics of the House committee version.

Some are hopeful Marvin Nichols will get added back during the conference committee stage.

"We've been working with Rep. Puente, who was one who supported the Marvin Nichols part of the bill. We're grateful to him for his support," said Vatra Solomon with the Northeast Texas Water Coalition, a group supportive of Marvin Nichols.

Solomon said they are also eager to work with Sen. Kip Averitt, R-Waco, the author of SB3, and Eltife when it goes to a conference situation "where we'll be anxious to have that Senate language put back in."

Rep. Stephen Frost, D-Atlanta, has been working on the debate over the bill. He was not immediately available for comment late Thursday.

Those opposed to the reservoir were cautious before getting too excited.

"Certainly we're pleased by the hard work and efforts of those on the House Natural Resources Committee whose actions gave voice to our concerns and strong opposition to the designation of Marvin Nichols Reservoir, but our work is far from over," said International Paper Texarkana Mill Communications Manager Amanda Black Keeney. "We must continue our efforts to educate

others about the harmful effects of Marvin Nichols Reservoir. We're prepared for a marathon—not a sprint.”

IP, residents and other industry officials were vocal in their opposition in March in a meeting with the Senate committee.

“We are steadfast in our belief that Marvin Nichols is not necessary. But we are very appreciative of Rep. Stephen Frost’s and Sen. Kevin Eltife’s leadership throughout this process,” said Texarkana Mill Manager Kevin Driscoll.

Keeney called this issue the “BRAC” of their industry and said while they understood and want to help in Dallas’ need for water, they didn’t want it to be at the expense of vital Northeast Texas industries.

“We aren’t anti-Dallas. We’re pro-Texas,” Keeney said. “These plans—conservation, raising Wright Patman and full utilization of existing reservoirs—are ones we happily support and would provide a winning solution for all Texans.”

In the vote on the amendment to remove Marvin Nichols, six lawmakers voted yes: Reps. Mike Hamilton, R-Mauriceville; Dan Gattis, R-Georgetown; Pete Gallego, D-Alpine; Ryan Guillen, D-Rio Grande City; Harvey Hilderbran, R-Kerrville; and Mike O’Day, R-Pearland.

Three voted against taking Marvin Nichols out: Reps. Puente, Brandon Creighton, R-Conroe, and Jodie Laubenberg, R-Parker.

SB3, in its original form, included the designations of 19 reservoirs as unique reservoir sites. It also addressed a plethora of water issues.

Opponents and proponents flocked to a Senate Natural Resources Committee in March to discuss the bill. Those in favor pointed to a need for water and the other water issues it promoted. The majority at the hearing were opposed to the bill, mainly due to Marvin Nichols and Fastrill.

Before it left the Senate, Eltife was able to add an amendment guaranteeing Region D, the region in which the reservoir would be located, would get some of the water, assigning all construction costs to Region C, the group that wants the reservoir. A joint committee was formed to study water issues like mitigation to determine if Marvin Nichols and other reservoirs are really needed.

Frost was pleased with Eltife’s amendments, saying the bill was much better than the original version. Ideally, he’d like to have Marvin Nichols removed from the designation list altogether, but is glad for the extra protection for landowners if that’s not possible.