

For Immediate Release

Contact:
Ronald Gertson
Chair, Colorado Water
Issues Committee
979.758.4670
Ronaldg59@gmail.com

**Downstream Colorado River interests attack bill to make
emergency cutoff of LCRA irrigation water permanent**
Bill seen as devastating to local economy and risky for state

EAST BERNARD, Texas (March 8, 2013) – Downstream interests in the lower Colorado River basin attacked as divisive a legislative bill filed today that would make permanent the emergency cutoff of irrigation water by LCRA for the last two years.

The bill filed jointly by Sen. Troy Fraser and Sen. Kirk Watson would cut off water to LCRA's irrigation districts much more often than in the past, virtually destroying the rice industry in the lower Colorado River basin, said Ronald Gertson, chair of the Colorado Water Issues Committee, a group representing rice farmers. The bill's higher trigger level for water cutoffs would add further uncertainty to the substantial business risks that farmers already face.

"This bill would cut out the heart of the rice industry in Texas for the benefit of party boats and jet skis on the Highland Lakes," said Gertson. "It is a blatant attempt to keep lakes at recreation-friendly levels at the expense of a stable food supply."

The bill would require LCRA to curtail water to all customers who get water on an interruptible basis, including farmers, before curtailing water to customers who get water on a firm basis. Firm water users could not be asked to lower their water usage during drought, either mandatorily or voluntarily, until interruptible water was cut off.

Lawmakers along the Colorado River lambasted the bill in unison.

"This legislation is clearly pandering and ignores the already established process where decisions are based on good data and sound science," said Sen. Glenn Hegar. "We should not get into the habit of legislating the management of our reservoirs and we certainly shouldn't get into the practice of basing these decisions on emotion rather than facts."

Senate Bill 1631 would require LCRA to curtail water to its downstream irrigation districts if lake levels in Travis and Buchanan fell below 850,000 acre feet at any time.

"For one interest group to suggest that they should not be asked to voluntarily conserve a single drop of water before another group of users is totally cut-off is a completely unrealistic view of water as a shared resource," said Speaker Pro-Temp Dennis Bonnen. "There are competing needs for water all over our state, but nowhere else do you see these fights being brought to the legislature."

The Legislature is currently considering whether to provide \$2 billion of funding for the State Water Plan, which is a list of proposed water projects.

“Just as we’re seeing a statewide push to fund water infrastructure in Texas, this type of divisive legislation is flowing in the wrong direction,” said Rep. Lois Kolkhorst. “As we fight a drought, it’s a time for teamwork and partnerships, not pandering efforts to pick winners and losers.”

Ongoing drought forced LCRA to announce on March 1 that it would provide no water to farmers in three of its four irrigation systems this year because water storage in Lakes Travis and Buchanan combined was below 850,000 acre-feet. The cutoff was done under a temporary emergency order approved by the Texas Commission on Environmental Quality to deal with unprecedented drought conditions.

Rice farmers and legislators argue the order was based on temporary conditions that don’t require a permanent change in LCRA operations.

"This type of legislation is an effort to circumvent the authority of LCRA to manage the lakes and clearly demonstrates an unwillingness to allow these reservoirs to be used for their intended purposes, to supply water," said Quote from Rep. John Zerwas. "Further, this type of legislation erodes good will among legislators and detracts from the important task of implementing water funding this session to serve the critical water issues facing Texas."

Businesses that rely on rice farming, whose water rights date back 100 years, expressed alarm.

“This bill is another blow to the rice industry, which is already reeling from two straight years of lost crops,” said Dick Ottis, President and CEO of Rice Belt Warehouse, which provides marketing services for rice and grain producers. “We can’t take much more.”

The irrigation water cutoff is expected to wipe out 55,000 acres of rice production, which would feed more than 3 million people for a year. Rice production in Wharton, Matagorda and Colorado counties accounts for 40 percent of statewide production.

"I find the continued efforts to vilify the rice farmers as sad, unjustified and an unwarranted distortion of the facts," said Rep. Phil Stephenson. "It is hard to believe that people who move here from out of state think that their ability to ride a jet-ski has a higher priority than supporting people who have given their lives to a profession that provides food for millions."

Elsewhere in the state, farmers are facing a similar situation.

In the Brazos River basin, farmers have sued over the cutoff of their irrigation water by the TCEQ. The Texas Farm Bureau argue that the agency violated the state’s water rights doctrine, which says water permits with older dates get water before permits with more recent dates.

Lawmakers urged water users to stop bickering and start talking.

"I am committed to finding common ground so we can ensure that water is available for everyone to use and enjoy in the entire Colorado Basin and State of Texas," said Hegar. "We all know there are competing interests for water and that is why we must work together to solve these difficult, emotional issues."

The Fraser-Watson bill is not based on sound science, according to legislators and rice farmers. "The hydrological conditions do not justify these draconian measures," Gertson said.

"LCRA can supply its water customers and make adjustments perfectly well through its Water Management Plan," said Gertson.

Gertson noted that rice farmers pay an average of \$43 an acre-foot, rather than the \$6.50 claimed by Senators Fraser and Watson in their news release.

LCRA has announced plans to build a reservoir along the river in Wharton County to increase the reliability of water supplies for all customers. Rice farmers have supported the plans.

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The Colorado Water Issues Committee (<http://www.texasricefarming.org/CWIC/index.html>) aims to facilitate the availability of Colorado River water supplies for rice production in the four major irrigation operations on the Colorado River.