



# Water group more comfortable with revised request from LNVA

Story

Share Print Font Size: + -

Posted: Saturday, January 26, 2008 12:00 am | Updated: 2:42 pm, Thu Jan 21, 2010.

CHRISTINE S. DIAMOND The Lufkin Daily News | 0 comments

Several East Texas leaders and water experts say they are more - but not completely - comfortable with the Lower Neches Valley Authority's revised version to its water rights permit amendment which it presented last week at the East Texas Region I Water Planning Group. LNVA submitted revisions to its permit this past December, said LNVA board member Brian Babin, following a regional outcry over the original amendment request which would have placed the Beaumont-area water authority over all those in the basin, except Lufkin. "This will guarantee that all of the municipalities in the basin that have been paying for and are due water out of the Neches Basin will get their water," Babin said prior to the meeting held Wednesday in Nacogdoches. "We are hoping that this will eliminate most of the in-basin opposition to our previous amendment." More than a year ago, LNVA sought to strengthen its rights to Sam Rayburn Reservoir and protect its future water supply for its critical water-dependent industry. However, they did so under the stamp of "Homeland Security," in a permit amendment request to the Texas Commission on Environmental Quality. The city of Lufkin approved as it shares water rights to Sam Rayburn Reservoir. The rest of the region remained unaware until the Angelina and Neches River Authority (ANRA) and The Lufkin Daily News procured information regarding the permit through the Freedom of Information Act. "The fact that it was disguised under Homeland Security made us very suspicious," Nacogdoches Mayor Roger Van Horn said Friday. Horn said the revision was "not nearly as dangerous or threatening as the original one." Babin and LNVA's legal counsel have repeatedly said that their main objective was to protect the region as whole from outside threats that might try to lay a claim on East Texas water. ANRA then called a meeting in Jacksonville with its Lake Columbia stakeholders and Sen. Robert Nichols, who invited LNVA to the table. As a result of this meeting, and a regional petition submitted to TCEQ in opposition of the amendment, LNVA withdrew its original request. "We have rescinded the original amendment and are now filing a new one to ensure that all those municipalities who are due to get water from Lake Columbia will indeed get it," Babin said in December. "We've had some very positive feedback from ANRA's attorney, John Stover." Van Horn, Stover and ANRA general manager Kenneth Reneau appear to all agree that the revision is an improvement and a place to start. "The new permit amendment certainly takes care of the major, immediate concerns," Stover said. "I will be discussing this matter with the ANRA board on Feb. 12. ANRA's position is determined by them, not by me." Van Horn said he felt it would take more meetings with LNVA to work out remaining concerns, adding that everyone involved is simply trying to protect their own backyard. "Since the prior application was filed there has been a lot of progress in bringing LNVA and ANRA together in a good working relationship on a lot of issues in the basin," Stover said of improved relations between the two river authorities. However, while LNVA's revisions no longer pose a threat to existing Lake Nacogdoches, the future Lake Columbia, or any future "permitted" lake, according to Reneau and Van Horn, it's another story for proposed lakes such as Lake Fastrill, which the Upper Neches River Water Municipal Authority is particularly interested in helping the city of Dallas develop. UNRWMA general Manager Monty Shanks said LNVA basically withdrew its request, reworded it, and refiled it. "The new application protects the yield of all existing and permitted reservoirs, but only to a degree," Shank said in a follow-up interview. "For example, if an existing reservoir wanted to change the use of its permitted water from municipal use to industrial usage, that permit would have to be 'opened up.' Once opened, that permit could be impacted by the action proposed by LNVA." The revised amendment offers no protection for any proposed reservoirs, such as Fastrill Reservoir, he said. "In short, this permit amendment action, if approved, would basically put LNVA in control of all the water in the Neches Basin," he said. Shank, who attended the Region I meeting, said the group noted that LNVA's action was not apart of the approved Region I Water Plan and therefore not a part of the State Water Plan. "Although the Region I Water Planning Group does not have to approve or endorse this action for it to be approved by the state, such action obviously conflicts with the intent of the state's water planning process," Shank said. "We, the Upper Neches River Municipal Water Authority, will have our attorneys and our engineers review the application for a clear and precise interpretation of the impact of this action on control of the waters of the basin, and in particular, the waters here in the Upper Basin."

## FABULOUS FINDS

Choose a category or thumbnail below

- 🔍 Newspaper Ads
- 🔍 Directories
- 🔍 Special Sections

Gann Medford Real Estate  
**GANN MEDFORD**  
Published on 2/7/2010

Century 21 Bryan Realty  
**Century 21**  
Published on 2/7/2010

[View More](#)

**MOST POPULAR**
**STOCKS**

- 📖 Stories
  - Attorneys make closing arguments in
  - ▶ Wideman trial: defendant says she never
- 📷 Photos

To see our latest issue [click here](#)

### Top Jobs

[Assistant Manager needed at Toledo Finance](#)