

# LCRA Chooses Site In Wharton County For Controversial SAWS Project

*Continued from front page*

ing basin. Landowners of these sites have been notified that LCRA no longer will consider their property as a preferred holding basin site for the project.

The LCRA Board adopted a resolution in September 2006 directing staff on key issues related to the project, including land acquisition.

The Board emphasized the need to respect property owners' rights, seek willing sellers and offer fair compensation for land.

The owners' willingness to sell was one of several key factors considered by LCRA in selecting the site.

"The LCRA Board instructed staff to respect the rights of private landowners and to use eminent domain as a last resort for this project.

This agreement is a great example of how LCRA's land acquisition process is intended to work," said LCRA Board Chair Ray Wilkerson.

"From the beginning of this project, LCRA's goal has been to buy property from willing sellers," said LCRA General Manager Joe Beal.

"This is a key reason for choosing the ranch site, but it is not the only reason.

"The site also is a good choice because it appears to have similar or less environmental and socio-economic impacts compared to other sites we considered."

LCRA and the ranch have worked cooperatively for many years to serve agricultural irrigation customers.

In 2000 LCRA purchased water rights from the ranch and acquired an option to buy a specific portion of the ranch for future water development.

LCRA considered building the holding basin on that site but decided against it because the site is too small and is located in the 100-year floodplain.

The landowners recently agreed to transfer LCRA's option to a more suitable location on the ranch.

LCRA chose this site only after evaluating the project's potential environmental, technical, socio-economic and financial impact at all the sites being studied.

"We are pleased to be participating in a project which may well set the standard for future inter-basin cooperation in the challenge

of providing water from surplus to deficit areas in the state of Texas," said Laurance Armour III, ranch manager and trustee.

An intake structure, pumps and pipelines to convert and convey water from the river to the holding basin also would be located at the ranch if LCRA builds the holding basin.

In the coming months LCRA will conduct site-specific technical studies and will study potential pipeline routes to transport water from the holding basin to SAWS facilities at the Wharton County line.

The actual size and design of the holding basin will be developed after the site-specific studies and other project studies are completed.

The LCRA Board also directed staff to develop recommendations to mitigate, or offset, impacts of the project, such as tax revenue loss.

LCRA will develop a mitigation plan for the holding basin and related facilities when more is known about their actual size and design.

The proposed LCRA-SAWS Water Project would help meet long-term water needs in the lower Colorado River basin and the San Antonio area by conserving water used for agriculture, storing excess and unused surface water supplies in the holding basin for future use, and using groundwater to help meet agricultural irrigation needs when surface water is lacking.

LCRA and SAWS are in the fourth year of an in-depth study of the project's technical, environmental and financial feasibility.

After the study period, scheduled to end no later than 2015, the LCRA Board will determine if the project protects and benefits the river basin as required by House

Bill 1629, passed by the Texas Legislature in 2001.

The SAWS Board will decide if the project's cost and water supply are acceptable.

During the study period, LCRA and SAWS also will determine if the project can obtain federal, state and local permits.

LCRA and SAWS plan to file an application in 2009 with the U.S. Army Corps of Engineers for a federal permit for the entire project, including the holding basin and related facilities.

The application must describe all the potential sites studied and the evaluation process and criteria used to assess them.

The Corps will review the application, the analysis of the potential sites, and the proposed project and facilities.

The Corps also will seek public input during the review.

The final location of the holding basin will not be determined until the Corps completes the federal review process and determines whether to issue a permit.

"This process will take time.

"This is the site we are putting forth in the permit application we plan to file with the U.S. Army Corps of Engineers, but ultimately it is the Corps' decision on whether to approve the site and issue the permit," Beal said.

LCRA plans to hold a project update meeting in Wharton County later this fall to discuss project studies and developments with stakeholders, residents and the public.

To receive meeting notices and to learn more about the project, subscribe to a free e-mail newsletter at [www.lcra.org/lswp](http://www.lcra.org/lswp).

To receive the newsletter by mail, call 1-800-776-5272, Ext. 7208.

## How The Sites Were Evaluated

In addition to seeking a willing landowner, LCRA used the following criteria to evaluate potential sites for a holding basin to store water for the proposed LCRA-SAWS Water Project.

Environmental conditions, such as wetlands, water quality, streams and irrigation canals,

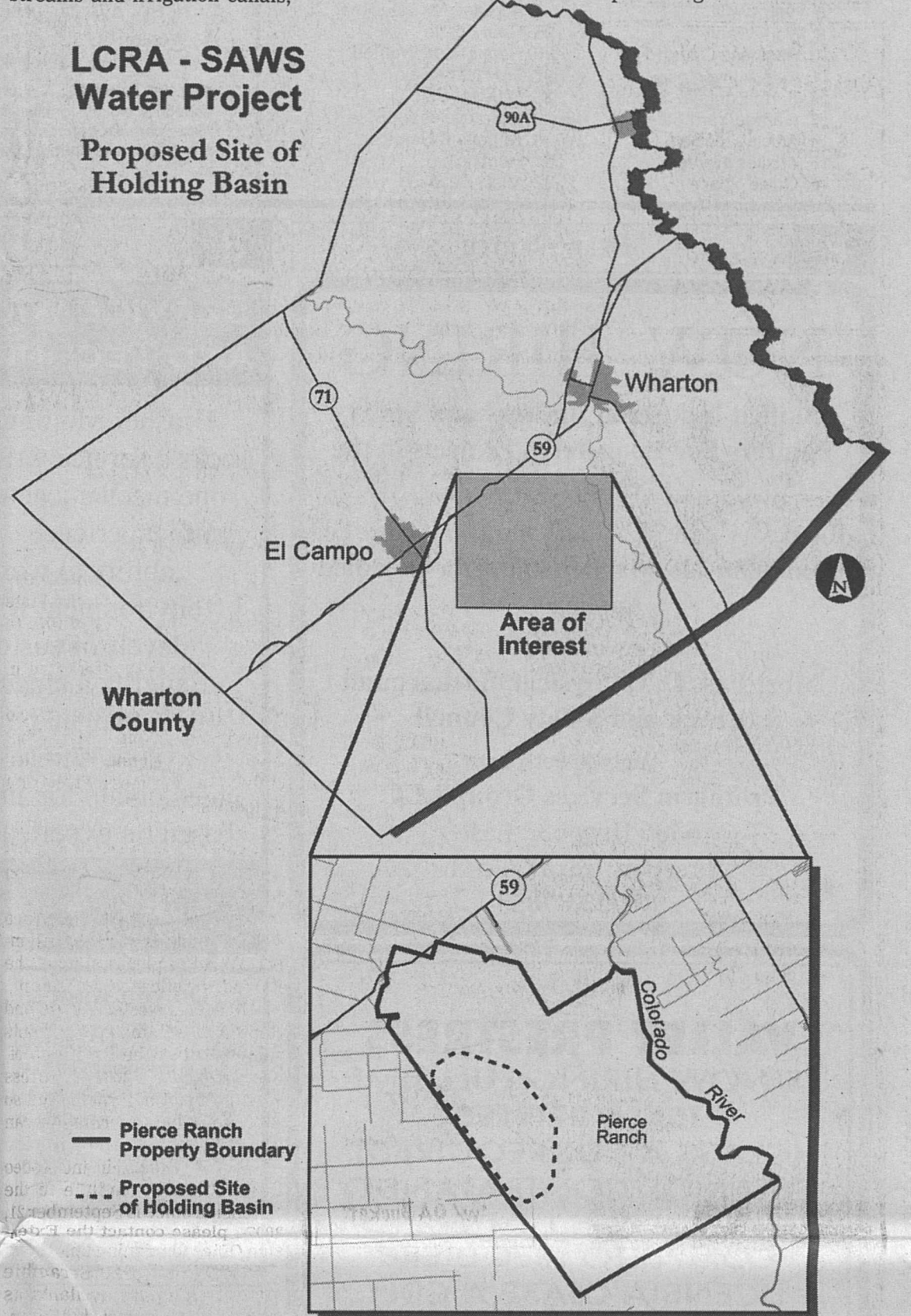
drainage and hydrology, forests, noise and visibility, cultural resources, and waterfowl and wildlife habitat.

Land uses, such as agriculture and prime farmland, homes, commercial businesses, parks and recreation areas, schools, roads, highways, railroads, oil and gas pipelines and wells.

Technical factors, such as electric transmission lines, elevation of water storage and transmission facilities, geological and geotechnical conditions, site conditions and topography.

Costs, such as real estate acquisition, construction, operations and maintenance, electricity for pumping, and mitigation and permitting.

## LCRA - SAWS Water Project Proposed Site of Holding Basin



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## PUBLIC NOTICE

BRIEF EXPLANATORY STATEMENTS OF PROPOSED CONSTITUTIONAL AMENDMENTS SPECIAL ELECTION NOVEMBER 6, 2007

### PROPOSITION 1 (HJR 103)

HJR 103 would update the constitutional reference to Angelo State University to conform with the statutory transfer of that institution from membership in the Texas State University System to membership in the Texas Tech University System.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment providing for the continuation of the constitutional appropriation for facilities and other capital items at Angelo State University on a change in the governance of the university."

### PROPOSITION 2 (SJR 57)

SJR 57 would authorize the legislature to permit the Texas Higher Education Coordinating Board to issue up to \$500 million in general obligation bonds to finance educational loans to college and university students, and to enter into bond enhancement agreements.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment providing for the issuance of \$500 million in general obligation bonds to finance educational loans to students and authorizing bond enhancement agreements with respect to general obligation bonds issued for that purpose."

### PROPOSITION 3 (HJR 40)

HJR 40 would authorize the legislature to limit the maximum appraised value of a residence homestead for property tax purposes in a tax year to the lesser of the most recent appraisal valuation, or 110 percent, or a greater percentage as determined by the legislature, of the appraised value in the preceding tax year.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment authorizing the legislature to provide that the maximum appraised value of a residence homestead for ad valorem taxation is limited to the lesser of the most recent market value of the residence homestead as determined by the appraisal entity or 110 percent, or a greater percentage, of the appraised value of the residence homestead for the preceding tax year."

### PROPOSITION 4 (SJR 65)

SJR 65 would authorize the legislature to permit the Texas Public Finance Authority to issue up to \$1 billion in general obligation

bonds, the proceeds of which would be dedicated to maintenance, construction, repairs, and equipment purchases, as authorized by the legislature for the following state agencies: the Texas Building and Procurement Commission; the Parks and Wildlife Department; the Department of the Adjutant General; the Department of State Health Services; the Department of Aging and Disability Services; the Texas School for the Blind and Visually Impaired; the Texas Youth Commission; the Texas Historical Commission; the Texas Department of Criminal Justice; the Texas School for the Deaf; and the Texas Department of Public Safety.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment authorizing the issuance of up to \$1 billion in bonds payable from the general revenues of the state for maintenance, improvement, repair, and construction projects and for the purchase of needed equipment."

### PROPOSITION 5 (SJR 44)

SJR 44 would authorize the legislature to permit cities with a population of less than 10,000 to hold an election to allow the city to enter into an agreement with a property owner to temporarily freeze taxes on property either in or adjacent to an area approved for funding under the Downtown Revitalization Program or the Main Streets Improvements Program administered by the Department of Agriculture.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment authorizing the legislature to permit the voters of a municipality having a population of less than 10,000 to authorize the governing body of the municipality to enter into an agreement with an owner of real property in or adjacent to an area in the municipality that has been approved for funding under certain programs administered by the Texas Department of Agriculture under which the parties agree that all ad valorem taxes imposed on the owner's property may not be increased for the first five tax years after the tax year in which the agreement is entered into."

### PROPOSITION 6 (HJR 54)

HJR 54 would authorize the legislature to exempt from ad valorem tax one motor vehicle owned by an individual that is used by the individual for both business and personal use.

The proposed amendment will appear on the ballot as follows: "The constitutional

amendment authorizing the legislature to exempt from ad valorem taxation one motor vehicle owned by an individual and used in the course of the owner's occupation or profession and also for personal activities of the owner."

### PROPOSITION 7 (HJR 30)

HJR 30 would allow a governmental entity to sell property acquired through eminent domain to its immediately previous owner at the original purchase price, if the public use of the property has been canceled, if no progress is made toward that public use by a prescribed deadline, or if the property is unnecessary to accomplish that public use.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to allow governmental entities to sell property acquired through eminent domain back to the previous owners at the price the entities paid to acquire the property."

### PROPOSITION 8 (HJR 72)

HJR 72 would clarify home equity loan procedures and protections and make conforming changes to the written disclosure provided to the borrower at the loan closing. The amendment would establish that the status of whether property is an agricultural homestead for the purpose of receiving homestead protection, would be determined by whether it was designated for agricultural use on the date of the loan closing. The amendment would provide that a declared state of emergency (e.g., following a natural disaster) would justify execution of a second home equity loan on the same property less than one year after the first home equity loan. It would provide that non-substantive omissions on a loan application would not affect the agreement. It would require a borrower to receive a copy of all executed loan documents, and a disclosure list of fees and costs at closing. It would prohibit the use of preprinted checks for the use of unsolicited loan advances to obtain a home equity line of credit.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to clarify certain provisions relating to the making of a home equity loan and use of home equity loan proceeds."

### PROPOSITION 9 (SJR 29)

SJR 29 would authorize the legislature to exempt all or part of the market value of the residence homesteads of veterans certified as having a service-connected 100 percent

disability rating. SJR 29 would also clarify the progression of property tax exemptions available to veterans who are less than 100 percent disabled.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment authorizing the legislature to exempt all or part of the residence homesteads of certain totally disabled veterans from ad valorem taxation and authorizing a change in the manner of determining the amount of the existing exemption from ad valorem taxation to which a disabled veteran is entitled."

### PROPOSITION 10 (HJR 69)

HJR 69 would remove constitutional references to the former office of inspector of hides and animals.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to abolish the constitutional authority for the office of inspector of hides and animals."

### PROPOSITION 11 (HJR 19)

HJR 19 would require a vote taken in either house of the legislature to be recorded by record vote, if the vote was on final passage of a bill, other than local bills, a resolution proposing a constitutional amendment, or any other resolution that is not purely ceremonial. The record vote must be archived and available for public viewing on the Internet for at least two years.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment to require that a record vote be taken by a house of the legislature on final passage of any bill, other than certain local bills, of a resolution proposing or ratifying a constitutional amendment, or of any other nonceremonial resolution, and to provide for public access on the Internet to those record votes."

### PROPOSITION 12 (SJR 64)

SJR 64 would authorize the Texas Transportation Commission to issue up to \$5 billion in general obligation bonds for highway improvement projects, the proceeds of which will be used to pay for projects, costs, and payments owed under related credit agreements.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment providing for the issuance of general obligation bonds by the Texas Transportation Commission in an amount not to exceed \$5 billion to provide funding for highway improvement projects."

### PROPOSITION 13 (HJR 6)

HJR 6 would authorize the denial of bail to a person who violates conditions of release

in a family violence case and permit the legislature to authorize the denial of bail to a person who violates certain court orders in a family violence case.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment authorizing the denial of bail to a person who violates certain court orders or conditions of release in a felony or family violence case."

### PROPOSITION 14 (HJR 36)

HJR 36 would limit a state justice or judge's service to December 31<sup>st</sup> of the fourth year of the term if he/she is elected to all or part of a six year term, and reaches mandatory retirement age during the first four years of said term.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment permitting a justice or judge who reaches the mandatory retirement age while in office to serve the remainder of the justice's or judge's current term."

### PROPOSITION 15 (HJR 90)

HJR 90 would require the legislature to establish the Cancer Prevention and Research Institute of Texas, and would provide for its management, duties, and powers. It would authorize the issuance of up to \$3 billion in general obligation bonds to be used for operations and grants for the purpose of scientific research of all forms of human cancer.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment requiring the creation of the Cancer Prevention and Research Institute of Texas and authorizing the issuance of up to \$3 billion in bonds payable from the general revenues of the state for research in Texas to find the causes of and cures for cancer."

### PROPOSITION 16 (SJR 20)

SJR 20 would authorize the issuance of up to \$250 million in general obligation bonds by the Texas Water Development Board to provide financial assistance to economically distressed areas of the state to help provide adequate sewer and water supply services for residential use.

The proposed amendment will appear on the ballot as follows: "The constitutional amendment providing for the issuance of additional general obligation bonds by the Texas Water Development Board in an amount not to exceed \$250 million to provide assistance to economically distressed areas."

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