

Vote No on HB 3298/ SB 1907

Studying Water Marketing and Transfers

HB 3298/SB 1907 directs the Texas Water Development Board (TWDB) to conduct a study for the development of a market and conveyance network for water in the State. While water transfers are certainly necessary and appropriate in some circumstances, the study's assumptions and directives are seriously flawed.

- **It costs too much.** The fiscal note is \$2 million, just for a study on how to move water around the state.
- **It assumes too much.** We don't know **whether or not** a statewide water market and massive conveyance grid makes sense, and this study jumps to **how** to implement it.
- **It ignores too many rights and interests.** HB 3298/ SB 1907 fails to direct TWDB to include important factors that should be considered in any discussion of transferring water from one area of the state to another. Specifically:
 - **The bill leaves out any consideration of the potential impacts on areas from which water is transferred.** Water is a basic necessity for life and for almost all types of business activity, from agriculture to manufacturing to service. Any discussion of transfers must include consideration of the **long-term** impacts on the areas from which they are taking water. Otherwise, the areas from which water is transferred will never have the opportunity to grow, and they will stagnate or disappear.
 - **The bill fails to include conservation as a first step.** No transfers should be allowed if the receiving area has not **first** implemented all possible conservation measures.
 - **The bill fails to include protection of our aquifers and water resources for the future.** Focusing on water marketing and transfers makes it all too easy to disguise unsustainable practices to water usage and avoid necessary conservation measures. That doesn't solve the problem, it simply postpones the day of reckoning and makes the ultimate reckoning more painful.
 - **The bill fails to ensure that Texans' property rights are protected.** Under current law, the rule of capture means that people's ability to use the water under their land can be destroyed by overpumping of the aquifer – a likely outcome of massive transfers of water that don't consider the impact on the aquifer or the community from which water is taken, as can be seen in the current crisis in Hays County. While a draft proposed amendment to SB 1907 encourages TWDB to identify the methods and projects that are “least intrusive” to property rights, the bill still places water transfers first, and property rights second.

The following groups urge you to vote no on HB 3298/ SB 1907 unless all of these issues are properly addressed:

Farm and Ranch Freedom Alliance	League of Independent Voters
Texas Certified Farmers Market Association	Neighbors for Neighbors
Food Policy Council of San Antonio	Environmental Stewardship
Texas Organic Farmers & Gardeners Association	Texas Landowners Council
Farm & Food Coalition (East Texas Community Food Coalition)	

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