

Texas jumps on board Toledo Bend lake level bandwagon

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TOLEDO BEND RESERVOIR -- Maybe it was citizens who have been championing the change. Maybe it was political pressure. Or maybe it was simply the right alignment of the stars.

Regardless of the reason, officials and residents on both sides of Toledo Bend Reservoir are allowing themselves a bit of hope that a resolution could be on the horizon for the long-sought minimum 168 feet lake level.

The Sabine River Authority board of directors in Texas gets the credit for the recent optimism. At a meeting last week, the board passed a resolution instructing General Manager Jerry Clark to negotiate an amendment to the power sales agreement with its counterparts in Louisiana and the energy companies to cease hydroelectric power generation when the lake dips below 168 feet.

It's the first time the SRA-Texas has taken such a position. The SRA board of directors in Louisiana has for years pushed in that direction, even supporting a state law enacted in 2003 that set the minimum lake level. However, Entergy Gulf States Inc., Entergy Louisiana LLC and Cleco Power LLC in 2005 challenged the constitutionality of the law in 2005.

The constitutionality issue was not debated in an early 2006 settlement in which SRA-LA agreed not to enforce the law and acknowledged it could not do so without Texas' support.

Stopping Toledo Bend from easing below 168 feet has been for years the rally cry of the citizen-based Toledo Bend Bi-State Alliance and its 300-plus members. Those familiar with the massive lake believe 168 feet is the lowest level at which it can be adequately enjoyed.

"For many years, low water levels in Toledo Bend during peak summer months has wreaked havoc on tourism, recreation, local government revenue and area business activity. Recent rains have added much-needed water to Toledo Bend, and the result has been an obvious increase in fishing, recreational boat use and activity at area businesses," member Glen Provost, of Texas, states in a news release. "The notable increase in business and recreational activity simply reinforces the importance of ceasing power generation when the lake level drops to 168 feet."

"This is, of course, a major step," said first-term SRA-LA Commissioner Larry Kelly, a south Sabine Parish retiree who has been fighting the lake level issue for the past 10 years. "There have been enough people finally involved in Texas that they've raised hell with their legislators."

And it's two Texas legislators, District 9 Rep. Wayne Christian and District 3 Sen. Robert Nichols, who have joined the bandwagon. Christian attended the SRA-TX board meeting and urged members to act promptly on the lake level, and Nichols expressed similar sentiments in separate communications with the board.

In a statement to constituents on his Web site, Christian states: "Over the past few weeks I have been working with the Sabine River Authority and Entergy to come up with a solution to the problem. We appear close to an agreement, but I will continue to pursue every option I have available until this problem has been solved."

Christian and Nichols have introduced legislation that restricts hydroelectric power generation if the reservoir falls below 168 feet. Consideration is given for dam inspection, maintaining

minimum down-river flow, diversion canals water sales and deterrence of saltwater encroachment.

Both bills have provisions requiring the SRA-TX to set up an escrow account whereby it would deposit an amount of money to cover the replacement power.

Clark believes the support now coming from the Texas side got a jump-start when Entergy "got in a position to where they were willing to talk about amending the contract." Added to that was a change in "political players" who heard citizens' complaints after two consecutive years of drought.

"Finally, the accumulated wisdom was to sit down and see what could get done," Clark said.

It's still not a done deal, though. Clark said he now "hears" there may be a bog down with the Louisiana Public Service Commission, which will be a player in the negotiations when Entergy seeks permission to include a rate increase to accommodate the change in the power sales agreement.

Jim Pratt, SRA-LA executive director, will meet Thursday with Speaker of the House Joe Salter, PSC Secretary Lawrence C. St. Blanc and an Entergy representative to discuss the lingering issues.

"I'm optimistic, but I will know more after the meeting," Pratt said. "We're closer now than ever before."

Texas is ready to get negotiations under way, Clark said. "Of course, you can't assume it's a done deal until the fat lady sings, and we're all hoping we're going to hear the song.