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Supreme Court ruling means no Lake Fastrill reservoir for Dallas

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By RUDOLPH BUSH / The Dallas Morning News
rbush@dallasnews.com

The ever-thirstier cities of North Texas will have to look somewhere other than the Neches River in East Texas for their future water supplies.

The U.S. Supreme Court on Monday drained the last bit of life from the city of Dallas and Texas Water Development Board plan to build a massive reservoir called Lake Fastrill along the Neches.

Instead, that land will become a wildlife refuge managed by the U.S. Fish and Wildlife Service.

The city and the state board had requested that the Supreme Court hear an appeal of a lower court's decision that favored Fish and Wildlife's plan. The court declined.

Fastrill was not intended to become a water source until 2060, but it was a significant piece of the plan to keep North Texas with adequate water this century.

Now, planning will have to shift, although how and where isn't clear.

"We're disappointed with today's decision, and we will be evaluating all possible options to make sure Dallas has sufficient water to continue growing," First Assistant City Attorney Chris Bowers said.

Officials at Dallas Water Utilities did not respond to requests for comment.

Possible solutions include drawing more water from existing reservoirs and connecting to more distant and pricier sources.

Winning the right to buy Oklahoma water – a prospect that is under litigation – is also seen as a major step toward supplying North Texas' needs.

There also remains the possibility of purchasing water from the Ogallala Aquifer in West Texas.

Whatever the plan, the inability to build Lake Fastrill is seen by City Hall as a significant loss.

But in East Texas, and particularly in Anderson and Cherokee counties, where the reservoir was to have been built, the Supreme Court's decision was hailed as a major victory.

"This can be a win for Dallas, too," said Dr. Michael Banks, a founder of Friends of the Neches River. "We'll protect the habitat so that Dallas will be able to enjoy the wildlife, the woods and the river."

Banks, a Jacksonville resident who is running for state representative, said that there is already plenty of water for Dallas and that it isn't necessary to build new reservoirs to get it.

That message has been echoed by conservationists across the state.

Janice Bezanson, executive director of the Texas Conservation Alliance, said Dallas residents should be thankful for the court's decision.

"There is more than enough water already developed in existing reservoirs that could be tapped for Dallas and Fort Worth," she said.

Meanwhile, long-delayed plans to turn large pieces of land over to the refuge can finally begin, Bezanson said.

Some 6,000 acres held in a conservation fund will be released soon, she said.

Ultimately, the refuge could grow as large as 25,000 acres, although that depends on whether owners of land within its boundaries will sell and whether there is funding to buy, she said.