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# STATE CAPITOL REPORT

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Texans Swinging into Action

## HCR 43 - "Time Out" on Permitting Polluting Coal Plants

"Stop the Coal Rush" Rally & Lobby Day Set for February 11 & 12

A coalition of Texans from all walks of life is mobilizing in support of a moratorium on permitting a rash of coal-fired power plants that are seen as posing major air pollution and public health problems for the state.

Legislation calling for such a moratorium was filed in the Texas Legislature this week by State Rep. Charles "Doc" Anderson (R-Waco) as House Concurrent Resolution 43. The coalition of Texans fighting the coal plant permits - which includes doctors and medical associations, religious communities, rural farmers and ranchers, retirees, environmental groups, and local officials - applauded Rep. Anderson's filing of HCR 43 and pledged to mobilize their groups and other Texans to secure its passage.

Citing health and environmental concerns including global warming, the coalition of over 30 groups announced today that a Stop the Coal Rush Rally and Lobby Day will be held at the Texas State Capitol on Sunday and Monday, February 11 & 12. Participating or-

ganizations are swinging into action to gain broad, bi-partisan support for the "Time Out!" called for in HCR 43.

During that time, the Texas Commission on Environmental Quality would be expected to halt the permitting process and fully assess the cumulative air quality and public health impacts of the 19 proposed coal plants and public officials, evaluate the potential for more protective pollution control technology, and consider alternatives to burning coal such as energy efficiency and renewable energy.

### Citizens Reject Air Pollution

"Locals are calling this whole area 'the

*see HCR 43, page 2*

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Ring of Fire' because of the four dirty coal plants planned to surround Waco," said Mayor Mike Glockzin, City of Hallsburg. "We are nervous and scared about the cumulative effect. Our people deserve far better!"

Hallsburg Independent School District (HISD) was the first of three public school systems in Texas to announce opposition to the coal plants. "We are building a running track for our schools and these coal plants could make it impossible for our children and community members to use this outdoor facility to stay healthy," said HISD board member Marc Scott. "If we agreed to these coal plants, we would get substantial tax dollars. It's just not worth it if the air is too dirty for the kids to play outside and the children are too sick to learn."

### Clean Energy Alternatives in the Legislature

A recent study found that we can meet 80% of Texas' growing demand for electric-

ity at two-fifths the cost of building these 19 dirty proposed coal plants.

"We need to take a time out on processing these coal plant permits and see how much we can accomplish first with energy efficiency and renewable energy," said Rita Beving with the Dallas Regional Sierra Club Group.

"Studies are being released that demonstrate clearly how we can eliminate the need for new dirty, coal plants by implementing currently available, efficiency measures and renewable energy technologies on a systematic basis across all sectors -- governmental, commercial, industrial, educational, and residential," said Beving. "The same work force who labor in unhealthy coal plants will get new jobs building and maintaining this cleaner, safer, and cheaper energy economy."

Stop the Coal Rush coalition members arriving at the Capitol on February 11 & 12 plan not only to support Rep. Anderson's HCR43 moratorium on coal plant permits and but also to push for more efficient use of energy and increased reliance on renewable energy sources through:

- \* Standards and other actions for greater energy efficiency for appliances sold in Texas and new buildings and homes built in Texas;

- \* Increased efficiency goals for investor-owned electricity utilities; and,

- \* Clarification of the goals and targets of the renewable portfolio standards of elec-

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## Time Out! Stop the Coal Rush Schedule of Events

Interested individuals and organizations can register to attend the following events online - <http://www.stopthecoalrush.com> or by phoning 512-476-2052.

### Stop the Coal Rush Rally

Sunday, February 11, 3:00 pm  
South steps of the Capitol, Austin

### Lobby Training Session and Dinner

Sunday, February 11, 6:00-8:00 pm  
Capitol Extension Legislative Auditorium and Conference Center

### Breakfast: *Stewardship, Justice, and Respect for Life: Faith Perspectives on the Fast-Track Debate*

Monday, February 12, 7:30 a.m.  
First Methodist Church, Austin (across from Capitol)

### Citizen Lobby Day

Monday, February 12  
9:00 a.m. - 2:00 p.m.  
Texas State Capitol, Austin  
Home Base - Capitol Extension  
Legislative Auditorium

### Legislative Forum

Monday, February 12, 2:00 p.m.  
Capitol Extension Legislative Auditorium

### Participating Organizations:

American Lung Association  
Austin Physicians for Social Responsibility  
Blue Skies Alliance (Dallas)  
Citizens for Environmental Cleanup (Fairfield)  
Citizens Organizing for Resources and Environment (Bonham)  
Democracy for Texas  
Downwinders at Risk  
East Texas Environmental Concerns Organization (Athens)  
Greater Caddo Lake Association  
GreenGirls.net  
Houston Climate Protection Alliance  
Keep Waco Green  
Public Citizen  
Robertson County: Our Land, Our Lives  
Sierra Club - Lone Star Chapter & Regional Groups  
Sustainable Energy and Economic Development (SEED) Coalition  
Texas Campaign for the Environment  
Texas Center for Policy Studies  
Texas Clean Water Action  
Texans for Public Justice  
Texas IMPACT, People of Faith Working for Justice  
TPOWER (Riesel)

## Transferring State Historic Sites Won't Help State's Parks

Focus should be on funding all, not managing some

By Evelyn Merz, Chair, Houston Regional Group of the Sierra Club

The Texas Parks and Wildlife Department (TPWD), at the request of Texas Speaker of the House Tom Craddick, recently identified 21 state historic sites that might be eligible for transfer to the Texas Historical Commission (THC). The transmittal letter to Craddick from Texas Parks and Wildlife Commission Chairman Joseph Fitzsimmons noted that the list of 21 sites had been “assembled without public input.”

Indeed, there has been no public discussion of why the transfer of 21 historic sites to the THC would benefit the public or the parks. There has been no public input regarding the reasonableness of the listing criteria or the characteristics of the individual sites.

Such a proposal requires a full airing of the pros and cons during an interim hearing process after this legislative session. All interests should have the opportunity to voice their opinions and review the facts before any final decisions are made. The first order of business is to adequately fund all state parks.

### Funding is the Primary Goal

In the past year, state park supporters significantly raised the awareness of the media, the public and Texas legislators about the need for secure, dedicated state-park funding. Advocates detailed the urgency to mend the decay-

ing park infrastructure, allow needed parkland acquisition and restore the local-park-funding-grants program. By consensus, the most practical achievable course is to remove the \$32 million cap on the “sporting goods tax” that could be appropriated to state parks and instead allow the full amount to flow to the state parks and local grant programs.

All park supporters knew they would have to work hard to have the Legislature embrace the solution and that negotiation would be part of the process. But this move to transfer 21 historic sites does nothing to fund state parks. It only serves to detour the discussion of adequate funding of state parks and local parks' grants programs.

### Reports Don't Call for Transfers

The report of the 2006 State Parks Advisory Committee specifically recommended against transferring sites from one state agency to another because it would “**not result in a net savings to the state, but rather result in duplicative staff and efforts.**” It also pointed out that the skills needed for the operation of a historic site were “not duplicated” by a single state agency other than TPWD.

Neither the Sunset Review of TPWD in 2000 nor the Sunset Review of the THC just completed in 2006 recommended a transfer

of properties between agencies. The proposed transfer is not consistent with the recommendations of the TPWD's Land and Water Resources Conservation and Recreation Plan (revised January 2005) or the Senate Government Organization Committee's Interim Report to the 80th Legislature (chaired by Sen. Rodney Ellis).

In fact, the move to create a divide between historic and nonhistoric sites is contrary to the model adopted by the National Park Service and most states. The Gettysburg Battlefield and the Grand Canyon are both handled by the National Park Service. Infrastructure and personnel benefit from economies of scale when sites are under one administration.

### **The Rationale for TPWD Management**

Many historic sites are surrounded by natural areas. History and habitat reside within the same park fence line. The need for habitat management, trails maintenance and natural interpretation are all strengths of the TPWD. The Acton state historic site which consists of a tombstone and zero acreage, is swept into the same net as Levi Jordan SHS in Brazoria County on 100 acres of Columbia bottomland. Yet their management and interpretive needs diverge completely.

Many state parks not designated as state historic sites have prominent historic and cultural elements that are maintained by TPWD. A few examples include Garner State Park with its popular dance pavilion constructed by the Civilian Conservation Corps, the 1930s

buildings at Bastrop State Park constructed by the CCC, and the Indian Lodge built by the CCC within Davis Mountains State Park. Even if the 21 listed historic sites were transferred, the majority of historic structures and archaeological sites would remain with the State Parks Division. TPWD would still need staff with expertise to handle historic sites.

The State Parks Division has been criticized by some for not adequately managing the historic sites. The problem is not the inability of the State Parks Division, but the inadequacy of its budget to manage the entire system. All the state parks have suffered, not just the historic sites. Further slicing and dicing of the budget to fund the same number of sites under two different agencies duplicates personnel, and diverts funds to administration instead of investment in parks.

### **Texas Historical Commission**

John L. Nau III, THC chairman, recently sent a letter to "Preservation Friends," assuring recipients of the THC's "unique understanding" of historic properties and framed the issue as determining which agency is best suited to properly manage and market their tourism potential. Nau is widely thought to be pushing the historic sites transfer.

The THC commitment to preserving and interpreting historic sites is not the issue. The THC is a valued partner in assisting the TPWD, as it has been on many occasions. Transfer of the state historic sites out of the

**HCR 43**, *continued from page 2*

tric power utility providers.

**Improving the Process**

“It’s time for the Legislature to step in and take action on behalf of the Texans they represent. Lawmakers should stop the coal “fast-track” process so Texans can have a real voice in the crucial decisions about how we will power our state for generations to come,” said Bee Moorhead, Executive Director of Texas Impact an interfaith grassroots network. “A decision this far-reaching and with such important health implications should not be made by just one individual or one corporate interest.”

Margaret Rands, President of the East Texas Environmental Concerns Organization plans to travel with members of her group to the Stop the Coal Rush Rally & Lobby Day. She said, “TXU, the largest energy lobby force, has 43 lobbyists working for them at the Texas State Legislature as of the end of January. To-

gether, Stop the Coal Rush has thousands.”

Rally organizers expect hundreds of people to attend the Stop the Coal Rush Rally & Lobby Day, and thousands more are expected to communicate their support for HCR 43, energy efficiency, and renewable energy from their homes and communities.

For more information: <http://www.stopthecoalrush.com> or 512-476-2052.

**CRCS**

**Parks**, *continued from page 5*

state park system is not necessary to historic preservation goals.

The time to discuss transfers is after the state park system is adequately funded. The THC should make it clear that **adequate funding for all state parks is its most important goal — everything else is secondary.**

**CRCS**

**Edwards Oversight Committee**

The Legislative Oversight Committee on the Edwards Aquifer will meet at 1 p.m. on Tuesday, January 30 in Room E2.016 of the Capitol Extension to take public testimony and to discuss potential legislation affecting the Edwards Aquifer Authority Act.



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## Parks Funding Update

### Parks Funding Bill Introduced in Senate

A companion measure to HB 6, the bill eliminating the cap on sporting goods tax revenue going to state and local parks, has been introduced in the Texas Senate.

The legislation is SB 252, sponsored by Sen. Craig Estes (R-Wichita Falls). Co-sponsors for the bill are being sought.

The legislation is still expected to move in the House first because revenue bills originate there, but there is a procedure that might allow the Senate legislation to move first if necessary.

### HB 6 May Go to House Recreation Committee

A little noticed change in the House rules for this session indicates that HB 6, the parks funding legislation, may be referred to the House Culture, Recreation, and Tourism Committee rather than the House Ways & Means Committee, which normally handles all tax matters.

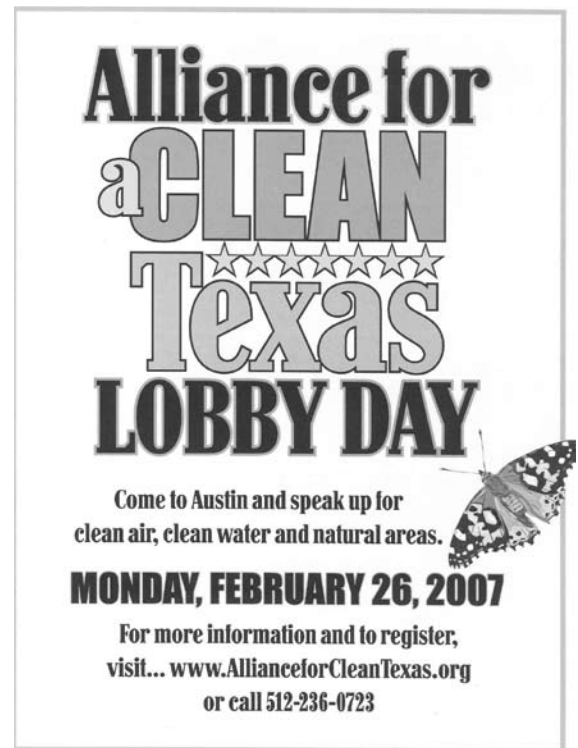
An amendment to Section 10 of House Rule 3 adds to the jurisdiction of the House Recreation Committee “the development, maintenance, and operation of state parks in connection with the sales and use tax imposed on sporting goods, but not including any matter within the jurisdiction of the Committee on Appropriations.”

This is seen as a positive step for HB 6, whose main sponsor, Rep. Harvey Hilderbran (R-Kerrville) was chairman of the House Recreation Committee in the previous session. Appropriation of the money through the normal appropriations process would still be required, of course.

### Parks Support Lobby Day

The events planned for the Texas Recreation & Parks Society (TRAPS) Parks Support Lobby Day, iced out on January 17, have been rescheduled for January 31.

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