

Fort Worth officials sort through fallout from 81st Legislature

BY MIKE LEE

mikelee@star-telegram.com

FORT WORTH — One bill that Fort Worth officials supported died in a conference committee. Another was shot down by an unexpected veto. Two never got past the House of Representatives.

City officials on Tuesday were still trying to make sense of the Legislature's action — or inaction — on pipelines, transportation, natural gas drilling and other issues, and wondering whether to pin their hopes on a special session or take action of their own.

Pipelines

Gov. Rick Perry vetoed a bill Friday that would have allowed natural gas gathering lines to run parallel to state highways. Perry said it duplicated a bill by Rep. Yvonne Gonzalez Toureilles, D-Alice.

However, city staffers said during a briefing at Tuesday's City Council meeting that Perry's interpretation is incorrect.

Sen. Wendy Davis' bill was aimed at Fort Worth and other North Texas cities that are struggling to accommodate the network of pipelines needed to serve the Barnett Shale gas boom. In the best-known case, Chesapeake Energy has been planning a pipeline beneath people's front yards on Carter Avenue in east Fort Worth, partly because the Texas Department of Transportation won't allow the line to run along nearby Interstate 30.

Gonzalez Toureilles' bill allows pipelines in highway rights of way statewide, but it doesn't apply to limited-access highways like Interstate 30, Assistant City Attorney Peter Vaky said.

"It does not in any way address the issue we're confronted with," he said.

City staffers said they met with the governor's staff over the weekend in an attempt to change his mind on the veto but failed.

Phone calls to Gonzalez Toureilles' office were not returned Monday and Tuesday. Patrick Nugent, a spokesman for the Texas Pipeline Association, said the matter might ultimately be settled when the Transportation Department writes the rules needed to carry out Gonzalez Toureilles' bill.

Transit

A bill that would have allowed voters in North Texas to approve local taxes for commuter rail and other transit projects died in conference committee.

Councilman Jungus Jordan said it might be possible to include the bill in a special session that is expected to be called to renew the Transportation Department.

"It makes no sense to continue TxDOT if TxDOT has no money to build roads," he said.

Mayor Mike Moncrief said the bill will likely have to be reintroduced in 2011.

"I'm convinced the governor probably didn't want to see this on his desk," he said.

In the meantime, traffic will continue to get worse, he said. "By the time the Super Bowl gets here and everything that comes with it, we're going to have a real taste of gridlock."

Barnett Shale issues

Two bills died in the House that were aimed at easing the side effects of natural gas drilling in the Barnett Shale field, which includes Fort Worth.

One would have required drillers to use "green completion" technology to reduce gas released when a well is connected to a pipeline.

The other would have required operators who use injection wells to dispose of salt water and other drilling waste to inject into the Ellenberger Sands, a deep formation far from drinking-water sources.

A city ordinance requires green completions on gas wells. But the Texas Railroad Commission has ruled that Fort Worth can't determine where drilling waste is disposed, Assistant City Attorney Sarah Fullenwider said. The city has a moratorium on injection wells.

One bright spot on the legislative front was securing up to \$182 million over two years for rail relocation, including up to \$35 million to fix Tower 55, a major rail bottleneck near downtown Fort Worth.

Also, a bill that would have prohibited cities from using red-light cameras to issue tickets died in the House.

MIKE LEE, 817-390-7539