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Green Groups Add Muscle in Texas, Gird for Uphill Battles

By NATHANIAL GRONEWOLD of

AUSTIN, Texas -- This famously "weird" city long has been seen as the Lone Star State's greenest. But in April, Dallas briefly stole that title when it played host to the nation's second-largest Earth Day celebration.

Organizers attracted 48,000 people to their inaugural event, just shy of the 50,000 people who turned out for the celebration in New York City, according to the Earth Day Network.

"Everybody said: 'Dallas? Texas? Earth Day? You've got to be kidding me,'" recalled Earth Day Dallas director Susan Brosin. "We are perceived to be antiquated."

Earth Day Dallas organizers say their celebration next year should be even larger than New York's with 75,000 people projected to attend an event that will feature twice as many exhibitors. They are confident, Brosin said, because Texans are warming up the environmental movement, and Dallas is no exception.

Texas is still a famously pro-development, pro-business state where oil is king and "environmentalist" long has been something of a dirty word. Gov. Rick Perry, now a leading candidate for the Republican presidential nomination, is better known among the green community here as the guy who shot a coyote while jogging in Austin (to protect his dog, as the governor explained it).

But environmental organizations are spreading their influence across Texas. National and state-based groups are adding staff at the state capital or opening new field offices in other major metropolitan areas. Others, like the Texas Campaign for the Environment, (TCE) are branching out to every corner of the state soon.

The Sierra Club Lone Star Chapter's operations have grown enough to warrant a bigger office, just a few short tree-lined blocks from the Texas State Capitol.

The chapter staff is expanding, as is the "number of national staff who work directly for the Sierra Club nationally in Texas," said chapter director Ken Kramer. The growth is mostly to help with the group's anti-coal campaign, and thanks to a recent \$50 million donation by the Bloomberg Family Foundation, "we'll see some more expansion of that side of the operation," he added.

Groups like the Texas Wildlife Association, Houston Audubon, the Galveston Bay Foundation and the Coastal Conservation Association also are increasingly active. The Texas Conservation Alliance (TCA), an umbrella group that helps to coordinate efforts, now counts 48 separate organizations as members, and TCA itself boasts of enjoying increased funding, visibility and influence.

The Environmental Defense Fund (EDF) has enjoyed modest expansion lately as they have grown busier. Aside from assisting with the national movement toward tighter controls over the oil and gas industry, EDF is also hoping to get Texans fired up about energy efficiency.

"It's a good time to be in Texas," said Sierra Club's national communications strategist Oliver Bernstein, after listing the litany of issues that will keep their house humming with activity in years to come.

Targeting coal-fired power

In addition to the group's Beyond Coal campaign, a top priority will be support for the state's renewable energy industry. And Sierra Club campaigners are laying the groundwork for a grass-roots mobilization against an expanding nuclear waste depository near the New Mexico state line, although that is a battle made more difficult by legislation they failed to block this year.

Many groups active in the state say they are enjoying more financing and resources than ever before. Paid memberships and the number of volunteers are growing, too. Some even say their movement is more unified than ever.

"I have been involved in environmental initiatives on the national level that had a lot of turf pawning and even backstabbing," said Janice Bezanson, director of the TCA. "Virtually none of that is in Texas."

Despite their upbeat mood, the status quo in the state has not changed all that much, said University of North Texas political scientist John Todd. He said groups have enjoyed modest successes recently but are nowhere near changing how things are fundamentally done in Texas.

"I'm surprised that environmentalists think they are making a lot of headway in the state right

now," Todd said. "It seems to me that the pro-jobs thing is still the most important, and anything that's seen as an impediment to creating jobs is subject to sacrifice."

To be sure, Texas environmentalists admit that most targets of their activism -- oil and gas firms, the chemical industry, major infrastructure contractors to name a few -- are still much stronger and tend to have greater clout in the political scene. But they also point to victories that even surprise them in some instances as justification for growing optimism.

One example is the deal between the Environmental Defense Fund's Texas office and Kohlberg Kravis Roberts & Co. to eliminate eight planned coal power plants that would have been built by the power company TXU Energy. EDF also won promises for greater environmental controls for the two plants that remained on the drawing board.

The Sierra Club and other groups are fighting to keep other coal-fired plants from coming online. They acknowledge an uphill battle on that front, but also take credit for significantly slowing plans to build a 1,300-megawatt ultra-efficient coal-fired plant called the White Stallion Energy Center.

White Stallion's developers, however, dispute that take.

"The opposition has nothing to do with the postponement," said White Stallion local development director Rikki Stanley. "The LCRA [Lower Colorado River Authority], the people we are buying the water from, needed a longer period to study the contract. We made some minor changes to that contract so the LCRA is studying these."

Meanwhile Texans for a Sound Energy Policy are locked in a separate battle with Exelon Corp. over a planned nuclear power plant near Victoria. The group fears that the location puts nearby bays and endangered whooping cranes at risk. TSEP officials believe they are slowly winning that fight.

Environmentalists in Texas also think more scrutiny of hydraulic fracturing -- a controversial natural gas extraction technique -- is beginning to bleed into the state. They cite national debate in helping them win passage of a state law requiring oil and gas companies to disclose what chemicals they use in the process, the first in the nation. They plan to push for more regulation.

Conservation ethic

Setbacks are still sometimes as frequent as successes, groups admit.

At the end of the 2011 legislative session, the Austin offices of the Sierra Club, the Environmental Defense Fund, Public Citizen and the SEED Coalition held a call with reporters to declare their

disappointment. They decried a postponement in oil and gas development air quality rules, cuts to funding for state parks and the death of a solar panel incentive bill.

"I'd be reluctant to ever say that winning an environmental battle in Texas is easy," said Sierra Club's Kramer.

Still others are generally encouraged by the successes they have had in the state recently.

Though 95 percent of Texas is privately held, Laura Hoffman, state director of the Nature Conservancy of Texas, said her group has managed to carve out 30 nature preserves. One, the 177-acre Gypsum Dunes Preserve, was deeded this year to the National Park Service to expand the Guadalupe Mountains National Park. Hoffman also points to innovative conservation easement programs that have been able to extend land and wildlife protections into large expanses of privately held tracks.

Working with the state and property owners has not been as difficult as many may think, Hoffman said.

"A fairly misunderstood perception about Texas is that there isn't a strong conservation ethic here, and that extends from the fact that so much of Texas is privately owned," Hoffman said. "People feel very strongly about the landscape in Texas."

In what could be one of their biggest wins, the Nature Conservancy helped write a bill for public vote in November that would create the nation's first system of tax incentives for water conservation on private land. The Texas Department of Agriculture strongly supports the measure, hoping that it will ease the state's vulnerability to droughts like the record-busting one hitting the state this year.

"We have rates on a property at below property tax system for timberlands, for agricultural lands and wildlife lands, and I think this would create a new category of eligibility and an incentive to develop their lands for water conservation," said Texas Agriculture Commissioner Todd Staples in an interview.

Campaigners have also linked their interests with that of other constituencies to halt developments they oppose. For instance, private land owners, the timber industry, and hunting and fishing clubs have been instrumental in blocking new reservoir construction, said TCA's Bezanson.

Such alternative allies, notes Sierra Club's Bernstein, prefer to be called "conservationists" rather

than "environmentalists," a better fit in a conservative state.

Some victories are attracting new interest and funding.

"We have had a very successful summer, with a lot of new members joining up with the organization," said Luke Metzger, director of Environment Texas, of his group's most recent fundraising efforts. "It's been one of our best years in the last several."

Spun off about five years ago from the Texas Public Interest Research Group, Environment Texas has since grown to more than 5,000 members, Metzger estimates. They sit exclusively in Austin now, but the organization is eyeing expansion to Houston and the Dallas-Fort Worth area.

Since its founding, the group has made a name for itself by suing some of the world's largest oil and gas companies to clean up air pollution from chemical plants and refineries in Galveston Bay.

That effort led to two settlements, with Royal Dutch Shell PLC and Chevron Phillips (a joint venture between Chevron and ConocoPhillips), to cut air pollution by 80 percent and 85 percent respectively and to pay combined fines of \$8 million. Environment Texas has since filed suit against Exxon Mobil Corp.

The group is also gearing up to defend forthcoming U.S. EPA rules on stormwater pollution. On that front, Metzger anticipates a tough fight given that the state's attorney general has already sued EPA on air pollution rules numerous times. Indeed, the ever-shifting realities of state politics is grounds for only cautious optimism, he warns.

"The political situation definitely makes it tough to win very strong reforms, so as a result we partner to kind of build a movement," Metzger explained. "It's a tough situation, but I think that we, despite Texas' reputation, have made a lot of progress in the last decade."

'Two steps forward, one step back'

The Texas Campaign for the Environment appears the most upbeat about the future among the dozens of active state groups.

Already established in all the major metropolitan areas, TCE last year attracted donations from more than 60,000 Texans. It only added up to \$1.55 million in 2010, but it is enough to allow them to extend their influence across the state, officials there say. New operations are planned for Wichita Falls, Texarkana, Lubbock, San Angelo and Paris (Texas).

The reason, explains TCE executive director Robin Schneider, is the growing popularity of recycling in the state. Recently TCE successively lobbied Austin lawmakers and Perry to pass state electronic-waste recycling programs targeting televisions and computers. They are now working to expand solid waste recycling in not only the largest cities but to as many municipalities as they can reach, she said.

"We are also expanding beyond where we have permanent offices and organizing in communities that we've never been in before, and have had enormous success in places where you wouldn't necessarily expect folks to be all that concerned," Schneider said.

All the big cities except Houston have established some kind of citywide recycling systems, and their programs are gradually becoming more ambitious. San Antonio is said to be the strongest municipal recycler and will be the first to establish recycling collection in multifamily housing units. Activists in Austin hope to do better, and officials here plan to unveil the details of Texas' first proposed "zero waste" initiative at the State of Texas Alliance for Recycling (STAR) conference next month.

But even STAR warns not to read too much into the enthusiasm for recycling that TCE has tapped in to. The Texas Commission on Environmental Quality (TCEQ) does not track recycling levels, but TCEQ solid waste processing data shows that the amount of material reaching Texas' cheap landfills has grown "extraordinarily rapidly," said STAR executive director Maia Corbitt.

"We have not seen a proportionate increase in recycling infrastructure," Corbitt noted.

Many environmentalists in the state characterize their efforts a frustrating "two steps forward, one step back" process.

They are most upset at the failure to pass a new solar power incentive program. That initiative would have seen sunny Texas join the ranks of California, Colorado, New Jersey and other states where solar power capacity is rapidly expanding. They will try again in 2013 (lawmakers in Texas meet in regular session only every two years).

But movement insiders also point to a gradual shift in attitudes toward their points of view in general throughout the state. That, in turn, is leading to some victories that they previously thought they had no chance of winning.

For instance, a measure debated during the 2011 legislative session sponsored by the state's chemical industry would have pre-empted any local government from instituting bans on plastic

bags, a response to two such ordinances passed in Brownsville and Fort Stockton.

It failed. Supporters from those communities swayed lawmakers by describing their disgust over discarded bags littering their landscapes. They also noted the irony of the state telling the cities what they can and cannot do while Texas simultaneously fights similar strong-arming from Washington, D.C.

"That surprised even me," said Schneider on the move's failure to pass. "I knew it would be introduced and I was very concerned that it would sail through."

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