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## Water Foul

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*To the city of Marshall, Caddo Lake is a profit center, a reservoir from which millions of gallons can be pumped each day and put up for sale. To the people of Uncertain, Karnack, and other communities nearby, it's an ecological jewel, a symbol of our natural heritage - and depleting it for a few quick bucks is an unforgivable affront to nature.*

On a blazing hot morning in June, I got lost paddling a kayak in the swampy backwaters of Caddo Lake. This is not a difficult thing to do. The greenish-brown water is so dense that you can't see the bottom. The surface is covered with an iridescent lime-green coating of duckweed and water lilies. The shoreline is barely discernible, and any view beyond is blotted out by an impenetrable thicket of sweet gum, ash, pine, oak, and tupelo. The heavy, dank stillness that's a defining feature of these parts only adds to the disorienting sense that you've entered another world. Earlier in the day, when the British-born president of the local chamber of commerce told me with a straight face that she wouldn't be the least bit surprised to see a dinosaur rise up out of the murk, I found myself nodding in agreement.

Eventually, five men in a spacious pontoon boat pulled up alongside me and offered me a lift. When I saw the ice chest full of beer, sodas, and water, I hopped aboard; typical Caddo Lake hospitality, I thought. But then I found out that they had set out to find me—that they knew who I was and why I had come to this remote area of northeast Texas. I was curious about news reports of an impending threat to the wellbeing of the lake, which is the only naturally formed lake in the state and the biggest in the South. The City of Marshall, with the state's blessing, planned to capture water from Big Cypress Bayou, the primary source of Caddo, and sell it to a willing buyer. Those plans had been thwarted by the "lake people," an unlikely coalition of bubbas in overalls, urban dropouts, and other novice ecowarriors, but only temporarily. The threat was still real, and that's what the men in the boat wanted to show me.

At the helm was Ken Shaw, a retired manager at International Paper who lives on the lake and sits on the board of the Cypress Valley Navigation District, which maintains the markers that show the way through the network of sloughs and keeps them open. Riding shotgun was Jack Canson, a public relations consultant who spent several decades in Austin and Los Angeles before coming home to Marshall. His boyhood buddy taking photographs from the boat's bow, Ron Munden, had recently moved



It's not just for the birds. An egret hunts on the surface of the lake.

back to Marshall after living in Northern California, where he designed software for the Navy. Next to Munden was Barry Bennick, a Houston native who runs the Pine Needle Lodge on the lake's isolated northwestern shore. Manning the binoculars was Tom Walker, who grew up near the western shore and now works as a librarian at Texas State Technical College's Marshall campus. As we pattered along in a shallow part of the lake, Walker pointed out places with colorful names Whangdoodle Pass, Death Hole, Old Folks Playground-and Shaw engaged his depth finder, calling out readings: "Four feet. Four feet. Five feet. Six feet. Four feet." At Kitchens Creek, we cruised past two john-boats occupied by elderly black fishermen picking up bream. "By summer's end," Shaw said, "most of these routes will be impassable."

They'll all be impassable, the men told me, if Marshall prevails. In addition to the 5 to 7 million gallons that it already draws out of the bayou daily for residential use, the city of 23,000 can, according to the permit approved by the Texas Natural Resources Conservation Commission (TNRCC), pipe out several million more gallons each day and sell them, even in drought conditions. Only when Caddo drops seven and a half feet below the spillway at Mooringsport, Louisiana, would an "emergency situation" be declared, at which point any water taken would have to be replaced. "By that time," Bennick explained, "there'll be no lake left."

"Or alligators," Walker chimed in. "Or snapping turtles. Or fish."

If this has a familiar ring, it should. Across Texas, the war over water is all anyone wants to talk about these days. In El Paso and the Panhandle, water marketers like developer Woody Hunt and corporate raider Boone Pickens are plotting ways to move the suddenly precious commodity from rural areas to thirsty cities. In San Antonio golf course developments and booming bedroom communities are competing with recreational interests and small towns to the north for water from Canyon Lake and the Guadalupe River. Along the border, farmers are squabbling with their counterparts in the Mexican state of Chihuahua for their fair share of water from the Rio Grande Basin. And on and on. Court dockets are backlogged with water-related suits (you might say they're waterlogged). Candidates for high office speechify about the problem but offer no real solutions. Lobbyists stuff their pockets in anticipation of a legislative session in which water will be on the agenda yet again, one of the most serious long-term issues facing Texas and Texans.



A pier at Shady Glade Marina in Uncertain.

At first glance, the Caddo conflagration looks a lot like the others. In the eyes of the state, it's not so much an ecological jewel or a symbol of our natural heritage as a reservoir, a storage facility that can be drained at will. That mind-set explains why, although the lake belongs to all Texans, it's perfectly legal for a city like Marshall to profit from it. But in fact, there are two things that distinguish this fight. One is the involvement of folks with pockets deep enough to make the playing field level. Chief among them is Don Henley, the drummer for the rock and roll band the Eagles, who was raised nearby, in Linden. In the past decade Henley has donated more than \$1.6 million to the Caddo Lake Institute, a nascent research and educational facility, partly to pay legal fees associated with court fights on behalf of Caddo. You may remember that a few years back, Henley's passion was saving Walden Pond, the Massachusetts stomping ground of Henry David Thoreau, from the clutches of developers. Well, his latest cause celebrity is Caddo, where he caught his first fish as a boy.

The other thing is that the locals have decided, to borrow a phrase, that they're mad as hell and they're not going to take it anymore—a point that was brought home to me after a couple of hours on the lake, when the pontoon boat docked by the grocery in the tiny town of Uncertain. Behind the counter was Betty Holder, Uncertain's mayor, who greeted each of us with a very certain hug. The diminutive Miss Betty, an area resident for thirty years, reiterated Shaw's calculation of how much Caddo can stand to lose. "They'll leave us with nothing but a mud hole," she said. "People can't imagine Marshall being so simpleminded. The only good thing coming out of there is Highway 43."

Her feistiness turned to elegance when she spoke of the lake. "We have something here. We didn't buy it. We didn't make it. The good Lord gave it to us. We're just trying to take care of it, and we won't give up. We're going to win. When people around here band together, we pull in the same direction."

**ONCE YOU'VE SET EYES ON CADDO LAKE, IT'S DIFFICULT NOT TO GET** emotional about it one way or another. No other body of water in Texas remotely resembles it. If you stand on its banks, which are lined with stately bald cypresses draped with Spanish moss, and gaze on the still water, you'll either scream, turn around, and never come back again or you'll get hooked for life.

By day, distant culls of Acadian flycatchers, northern parula, Prothonotary warblers, and cardinals echo through the forest along with the buzz and hum and splish and splash of the natural world, and you might spy a yellow-crowned night heron plucking its breakfast out of the water or a great blue heron lumbering in flight above the canopy like a pterodactyl. By night, bullfrogs work themselves into a whooping frenzy, almost drowning out the whirl of crickets and locusts and the occasional hoot of barred owls. In the summer Neotropical songbirds are drawn to the lake; in the winter it's wood ducks and bald eagles. Year-round, alligators, snakes, and lizards thrive here. "Remember the year when



Betty Holder, the mayor of Uncertain.

people were wondering where all of the frogs had gone?" Bennick once asked me. "We knew where they were."

The ethereal, primordial lake of today wasn't always thus. When the Caddoan people, a relatively sophisticated civilization that embraced farming and a highly organized, complex society, set down roots in the area 10,000 years ago, it was just a rivet. No one knows for sure when the lake was formed. Indian lore speaks of a big shake from the Great Spirit, implicating the New Madrid earthquakes of 1811 and 1812. It could just as well have been the Great Red River Raft, an eighty- to one-hundred-fifty-mile logjam of red cedar, cottonwood, and cypress so thick that you could literally walk across it. By 1856, the raft had backed up to the Big Cypress Bayou tributary, effectively creating Caddo Lake and making the upstream town of Jefferson Texas' main riverport. The lake became permanent when a dam was built at its eastern end in Mooringsport, south of Shreveport, in 1914.

Ever since there was a Caddo Lake, hunting and fishing have been popular, but its recreational potential wasn't fully realized until the state's oldest continually operated hunting and fishing club, the Dallas Caddo Club, was established in 1906 on its southern shores. A flyin fishing resort even operated briefly in Uncertain, which was incorporated in 1961 to allow the sale of alcoholic beverages. But Caddo's popularity had already peaked; over time, jet-skiers, cigarette boats, and the high-dollar bass-fishing crowd were lured to the wider-open waters of new lakes like Sam Rayburn, Toledo Bend, and Lake O' the Pines. Promoters continued to hatch big ideas for Caddo, the last a half-cocked attempt ten years ago to build a barge canal. Otherwise, the lake is about as off the beaten path as you can get. In 1993 the Nature Conservancy purchased seven thousand acres on the northern banks of the lake and turned them over to Texas Parks and Wildlife, which designated them a wildlife management area.

Most visitors today frequent the state park or the fifty or so bed-and-breakfasts around Uncertain and the neighboring town of Karnack, the birthplace of Lady Bird Johnson. They may drop a line or dip a paddle, but mostly they come to sit and contemplate in one of the most picturesque spots in Texas.

**"I INHERITED THIS PROBLEM," ED SMITH SAYS WITH A LONG SIGH.** The affable mayor of Marshall, who runs a petroleum exploration company when he's not doing the public's business, is a fourth generation local for whom fishing in Caddo is a treasured boyhood memory. But the problem he's referring to isn't the city's plans. It's the behavior of the lake people. "I tried to work with them," he says. "I hope the ability to reason has not gone out the window."



Ed Smith, the mayor of Marshall.

As far as Smith and the city were concerned, the deal was going to be a no-brainer, an economic-development project that required little more than moving water in exchange for a big, fat check. The potential buyer came on line a year and a half ago: New Orleans-based Entergy Corporation, which

needed water to cool its power plant under construction near Marshall and was willing to pay \$600,000 for it annually. But immediately the lake coalition attacked the deal. First it demanded a guarantee from Marshall that any water taken from Caddo during dry spells would be replaced with water from Lake O' the Pines. Marshall officials agreed in principle but disagreed about who would determine when water replacement should start. Then the coalition attempted to contest Marshall's permit or, at the very least, bring the matter before a public hearing. The TNRCC shut them down on both counts—a decision that drew fire in a rare public fashion from Parks and Wildlife, who warned that drawing down lake levels would result in a severe loss of habitat in the adjacent wildlife management area. The back and forth continued until May, when Entergy executives decided they'd had enough, pulled out of the agreement with Marshall, and resolved to buy the city of Longview's treated wastewater instead. (Even though Entergy is out of the picture, the Caddo coalition is now contesting the permit in a Travis County court.)

The turn of events greatly pleased Henley, who has been back in East Texas over the past few months tending a sick relative. "There are too many people interested in using up the lake's resources without fully understanding, or caring about, the health of the ecosystem," he wrote me in an e-mail. "They just take and take without putting anything back. Fortunately, true stewardship traditions exist within the lake communities. We decided to make significant investments in those communities to help them move beyond the meaningless lip service of those who say they love Caddo Lake but do nothing about the risks to it. We wanted to give the people who truly care the means to take action—to make reasonable demands on the state and federal agencies that should be intervening to reverse the lake's decline."

That wish is seconded by Dallas oilman Albert Huddleston, whose political leanings, it should be noted, are at the opposite end of the spectrum from Henley's. A longtime contributor to Governor Rick Perry's campaigns, Huddleston has poured hundreds of thousands of dollars of his own money into defending Caddo Lake. "I believe in both economic prosperity and environmental awareness," Huddleston told me by telephone from Peru, just hours after he'd climbed down from Machu Picchu, "but sucking water out of Caddo Lake and destroying that fragile ecosystem is no different than sticking a pipe in the Alamo and selling it brick by brick."



Henley's and Huddleston's money has bought, among other things, the expertise of Dwight Shellman, who is the founding director of the Caddo Lake Institute. Henley met the slight,

Albert Huddleston has poured hundreds of thousands of dollars into defending Caddo Lake.

68-year-old attorney in the late eighties in Shellman's hometown of Aspen, Colorado, where he had a reputation for bringing together apolitical factions of the community to beat back excessive urban expansion. The rock star thought Caddo could use a guy like Shellman and paid his way to Texas, where his first act, in 1993, was to negotiate the lake's designation as a Ramsar site, the thirteenth wetlands in the U.S. said to be internationally important according to criteria adopted at a global ecological convention in Ramsar, Iran, in 1971.

At Shellman's behest, the institute initially focused on education, developing wetlands science programs for the Marshall public schools as well as East Texas Baptist University and Wiley College, also in Marshall. He made headway with the colleges, using the resources of their science and biology departments for research. But the public school program was scuttled in 1998 after an instructor on a field trip realized that Marshall's sewer main was on the verge of collapse. Instead of being rewarded for reporting her discovery to the city, she was reprimanded, and eventually she resigned and moved elsewhere to teach. "I realized then that the environmental education of teachers and students in a place like Caddo Lake was a poor investment because these were people who were ready to leave town," Shellman says. It was then that he shifted the institute's focus to promoting activism within the lake communities. "The people closest to the landscape are the ones who have the greatest awareness," he says. He set out to find common ground among the institute, the Caddo Lake Area Chamber of Commerce and Tourism, the Greater Caddo Lake Association, and the town of Uncertain and held meetings, under the fancy, official-sounding name of the Caddo Lake Ramsar Wetlands Clearinghouse, at which the locals were taught how to play the game. Judging by the outcome of the Entergy deal, it worked, and the lake people are grateful. "Dwight is a real sweetheart," coos Robin Holder, a burly, bearded lake guide who is married to Uncertain's mayor.

The mayor of Marshall, not surprisingly, has a less charitable view of Shellman's efforts. As much as Ed Smith says serenely that the city may simply find another buyer for the water, his displeasure with the other side shows. "It's not about the power plant anymore," Smith says. "Sometimes I think they'd like to see the bayou as a national park or a wildlife refuge. You have to question if their aim is to get Marshall out of it altogether."

On muggy Tuesday night in August, about seventy people are congregated inside the community center in Karnack, just down the road from Uncertain, for a clearinghouse meeting. It's TMDL Night, as in total maximum daily loads, the maximum tolerance levels of air and water pollution as allowed by the state. For three hours, the talk focuses on nutrient loads, dissolved oxygen solids, and airborne mercury contamination. Shellman, who moderates the discussion, explains that if the TNRCC would formally establish a TMDL limit for the lake, it might prevent even more pollution and maybe even speed up the lake's recovery. But for that to happen, the TNRCC has to designate Caddo as a high priority, rather than its current medium ranking, and the Legislature would have to fund a TMDL program. The process is simple, he says. "You determine what's contributing to the problem, find the total load, and then

find the rate that it's deposited. The goal is to restrict input from the source." Translation: You figure out who's polluting the lake and get them to stop.

Presentations made in the Karnack ball by Roy Darville, the chairman of the biology department at East Texas Baptist, and Henry Bradbury, a freelance environmental manager in Dallas, both members of the clearinghouse's scientific advisory board, underscore the lake's failing health. Five years of water-quality data indicate a severe loss of oxygen, in an area that already has a high level of acid rain—thanks to coal-fired power plants in East Texas—and the presence of mercury contamination throughout the Cypress River Basin's food chain at levels high enough to warn pregnant women and infants against eating fish caught in the lake.

The responsibility for combating those problems, Shellman tells the group, rests with them. They appear to be happy to step up. Armed with scientific data, fluent in regulatory legalese, they discuss existing power plants in East Texas that are already polluting, how to build alliances with people on the Louisiana side of Caddo (one third of the lake's 25,000 acres are over the border), how to make a formal presentation to the city of Marshall, and how to beef up Caddo tourism—for instance, qualifying it for a "Keep Texas Wild" specialty license plate, which at the moment features only bluebonnets and the horny toad.

The message is clear: It's their show, not Shellman's, Henley's, or anyone else's. "I've learned that these citizens don't normally participate in the political process," Shellman says. "They're like most Texans who own property. They want to live within their boundaries and be left alone. But if you rile them up, watch out."