

We're Not Going to Take it Anymore

By Mayor Brent Hinckley, City of Mason

I remember school yard bullies back in the third grade, and I thought the education system has pretty well eliminated them. Now that I am much older and working to serve my community as Mayor, I have discovered that in Austin there are still bullies that hide behind big bureaucracy and work in governmental agencies. I'm mad, the citizens of Mason, Texas are mad, the Hill Country landowners are mad and we are tired of being pushed around by bullies. Until very recently I honestly thought the Lower Colorado River Authority (LCRA) would listen to our concerns and do what was right for Mason County and even the entire Hill Country. But, today, I am tired of listening to the bullies and I am convinced that the "big bureaucracy" has not and will not be influenced by the practical concerns of a small rural community.

I'm talking about the CREZ electric transmission lines that the Public Utility Commission (PUC) ordered constructed throughout the entire state to connect the West Texas wind turbines, one of the most inconsistent producers of electricity, with the people in the big cities. What nobody wants to admit is how their great project is going to literally destroy our beautiful Hill Country with power lines, lattice towers and two hundred foot-wide right-of-ways that are going to decimate the heart of our beautiful land by condemning thousands of private acres and destroying our local environment and economies. The electric transmission planners have played the game their way for so long and now that Mason County and the City of Mason have stood up and formed a local Planning Commission to coordinate with them, they have shown their true colors.

Just ten months ago we were assured that this transmission line would not affect our community in any way, and then some strings got pulled and suddenly Mason County and other parts of the Hill Country are involved in a problem we neither created nor will we benefit from in any conceivable way. For the past nine months our elected officials and many concerned citizens have struggled to understand the issues and process involved and to very actively work informing the decision makers of our unwavering opposition to this route through Mason. Citizens throughout the Hill Country have used their individual influence and the letters and resolutions from our communities continue to pour into the files of the decision makers; I can only hope that they will take the time to read and appreciate the vast concern our local population has for this project. I have participated in numerous meetings and spent many hours with a wide variety of experts and governmental officials as well as many representatives of LCRA, and after all of this I do not see any value to our community in having this blight in our county in order to satisfy a few bureaucrats in a distant city.

Right here in Mason, we had to quickly organize to defend ourselves when LCRA and the PUC decided to stall the process and include our county as an alternative to one of their CREZ lines. In addition to forming the Texas Hill Country Heritage Association, our two local units of government – our city and county – formed a legal unit of government under Section 391 of the Texas Local Government Code that requires LCRA, the PUC and, by Federal statute, U.S. Fish and Wildlife, to "coordinate" their plans and policies with ours. In fact, federal law requires them to make their plans and policies "consistent" with ours, but do you think they even want to acknowledge that fact? Of course not. It isn't the way they've always done business and why

start now?

On the back of every LCRA business card, from the CEO down, is their mission statement claiming “to provide reliable, low-cost utility and public services in partnership with our customers and communities and to use our leadership role and environmental authority to ensure the protection and constructive use of the area’s natural resources.” The City of Mason is a customer of LCRA, but do I feel that they have been in “partnership” with our community in considering this CREZ transmission route? NO! Is LCRA transparently using their leadership to protect the natural resources of the Hill Country? Not that I can see! I am in doubt of any environmental authority they might exhibit having any positive impact on our scenic, rural part of Texas. All I have seen is the possible negative impacts on the cultural and environmental heritage we have, with absolutely no positive benefit to our community or the Hill Country.

LCRA has tried to convince my City and our County along with most of the Hill Country to intervene in the administrative process in Austin. There is a place and a reason for individuals to do just that because, unfortunately, they have to protect their private interests, but we are not willing to “play” their game. In a public meeting before our Mason Sub-Regional Planning Commission, the U.S. Fish and Wildlife Service said they were performing a “full and rigorous Environmental Impact Statement” (EIS). LCRA representative sat in front of us and denied there was any activity in this process that required an EIS, although now they tell us they are working with consultants to assist in preparing an EIS. To date, we can’t get a copy of anything either one of them claim they are working on, even though we have repeatedly asked. We’ve told them several times in writing how they all are violating the Federal environmental laws, but they do not seem to care, or will ever admit that to us. It seems that everyone is pointing the finger at everyone else - a typical bureaucratic response – and we’ve decided that the only way we’re going to ever be able to protect ourselves and our citizens is take them to court.

We are not blindly going into the administrative morass and get caught in their web of agency rules and administrative brow-beating. In that process, our Hill Country citizens have to spend their own money to hire lawyers to intervene in the State’s administrative hearings that are so rigged it becomes each individual against everybody else and the administrative judge gets to decide who wins and who loses. On the other hand, we’re planning to take them to Federal court over their failure to follow Federal environmental laws that include the Endangered Species Act and the National Environmental Policy Act. And here’s the outrage. We have to spend OUR citizen’s personal dollars to defend OUR citizen’s private property and OUR community from OUR government.

This is the Legislature’s doing and it’s theirs to solve. The CREZ project was started when Senator Troy Fraser introduced the bill that created this whole mess. By now, he has received thousands of dollars from wind energy lobbyists. But, he’s not the only one who benefitted from this boondoggle. Many of our state elected officials, from the highest office on down, have monetarily gained from this horrible idea and now we have to step up as individual citizens and use our hard earned money to defend our rights, our land, our community, our environment, and our values. There’s justice for you! In Mason County, our landowners are raising money to hire a lawyer to represent them in Austin. This is a total outrage and someone somewhere needs to do

something about this. There will be some who will win in that process, but most will lose, and local landowners will lose again when their land is taken through eminent domain to carve a path of destruction through our beautiful Hill Country. Unfortunately, they all have to spend their own money to hire lawyers to defend their rights because our Legislators created a monster that no one will own up to or help us to resolve in a reasonable way.

As citizens and public servants, we've had enough and we will not be bullied any more. In Mason our 391 Commission, the Texas Hill Country Heritage Association and American Stewards of Liberty have already begun discussing the development of a Hill Country wide federal lawsuit to stop the LCRA transmission line, period. We've begun discussions with impacted landowners across the Hill Country that are willing to join us. This isn't just about protecting Mason anymore; it is about righting an injustice that impacts the entire Hill Country.

A line "has been drawn in the sand" and I pledge that we in the Hill Country will continue to do all we can to protect our cultural and economic treasure of a clean and "unlittered" landscape so that we can hand to our children and grandchildren the beauty and peacefulness that our parents and grandparents protected for us. The City of Mason is no doubt one of the very best hometowns in Texas and we will continue to fight to preserve all that we treasure and the community we hold dear. Join us as we take a stand, and together we can stop this and put it all back where it belongs – in the hands of our legislators and the PUC who started this in the first place. This is their fault and they must be held accountable. If they won't do it, then let's take them to court and have a federal judge tell them how they must run our state's business and obey ALL the laws.

To contact Mayor Hinckley, email brent.hinckley@cityofmason.us. (For more information go to the Texas Hill Country Heritage Association website at www.thcha.org or the American Stewards of Liberty at www.americanstewards.us.)