

Issue of historic-property exemptions for Trinity River Project going back to Senate

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By MICHAEL A. LINDENBERGER / The Dallas Morning News

Dallas' efforts to exempt projects near the Trinity River levees from two major environmental laws now rest on the whim of the U.S. Senate, which returns from a holiday recess Monday.

On Friday, the House approved a spending bill that included the language sought by Dallas officials that they say will eliminate a risk that work on the Trinity River levees could be delayed. The Senate has already approved the same changes, according to Sen. Kay Bailey Hutchison's office, but will have to vote again on the bill because of unrelated changes made in the House.

What's at stake are two riders proposed by the city that will exempt the Trinity River Corridor Project, including the toll road and many other nearby construction projects, from two federal laws related to historic preservation.

The Army Corps of Engineers is still considering whether to declare the aging levees a historic property under federal law. Such a determination would probably frustrate efforts by the city to win federal approval to build the Trinity River toll road between the levees.

A "historic" designation would have less impact on city plans to spend up to \$150 million to improve the levees, though it could delay that work while officials seek to minimize the project's effect on the historic integrity of the levees. The corps has said that any delay would be minor.

But city officials say they aren't taking any chances.

The Federal Emergency Management Agency will redraw flood risk maps for big parts of Dallas if the levee improvements are not complete by February 2012.

City officials say that work should be done months ahead of that schedule, but say the federal exemptions are necessary to avoid any risk of delay.

Rep. Eddie Bernice Johnson, D-Dallas, went further in a news release issued by her office Tuesday.

"Without these exemptions, Dallas residents would almost certainly be burdened with having to purchase flood insurance," the release said.