## Houston's growth may be impeded by flooding

United Press International HOUSTON — Some of this rapidly growing city's shiniest subdivisions ended up under floodwaters more than once last year and blame for this cloud on Houston's horizon has focused on inadequate drainage and unregulated developers.

Critics take for granted the violent, semi-tropical weather that without warning can turn noontime to midnight and the flat, close-tosea-level terrain where car-stalling street overflows are about as common as rain.

But they are unprepared to accept the flooding that scarred more than 2,400 homes and caused at least \$138 million damage in 1979. Everyone agrees more flooding will occur because improved drainage costs big money and takes years.

The political commitment to take corrective action has been slow to form in a city that historically favors free-wheeling growth and frowns on taxes, public works and government regulation, including planning. "In Harris County, you can get a

permit to build if you can show you can get water off your land," says lawyer Larry Doherty, representing homeowners suing for flood damage. 'There's no requirement for environmental impact statements. Why, shut my mouth, that would be contrary to growth.'

The flood problem, of course, is in large part natural. Houston, which averages 48 inches annual rainfall, often receives its rainfall in short. torrential bursts and has little help from nature in draining the runoff.

'Houston has flooded since Houston began," says Cecil Palmer of the National Weather Service. "We live in an area susceptible to a 12-inch rain at any spot along the coastline.

'When you live on the coastal plain near the Gulf of Mexico where you have abundant moisture avail-able and warm temperatures prevail-ing to make the air hold a lot of moisture, you're susceptible to heavy rains at any one time.

'We have little fall (slope) across the county," adds acting Harris County Flood Control Director Jim Green. "It's about 136 feet in 60 miles. The floor in this room (his

## Montana faces suit over coal

United Press International HELENA, Mont. — Midwest utility companies, casting Montana in the role of a Saudi Arabia, want to bring the state to trial and force it to lower its high coal tax. Montana, in a countercharge, says the utilities are interfering in states' rights.

The litigation before the Montana Supreme Court pits the state against 14 utilities and coal companies that strip Montana's high-energy, clean-

GIVE

GIVE

GIVE

GIVE

WE

WE

GIVE

GIVE

WE

GIVE

burning coal from the prairies.

Company lawyers, led by former Attorney General and Secretary of State William P. Rogers, seek a ruling granting a trial on their claim that the state's 30 percent tax on coal is unconstitutional.

The court took the issue under advisement Monday and was expected to rule at a later date on

Rogers said the tax, the nation's highest mineral severance levy, interferes with interstate commerce and hinders national policy to promote use of the country's vast coal re-

"Montana is not Saudi Arabia," a Rogers' associate, William R. Glendon, told the five-member court Monday. "It is a member of the Union and is not an independent

Montana lawyers argued the tax is a small price for coal consumers to pay in light of the social and economic toll the coal boom exacts on Western states.

Deputy Attorney General Mike McCarter said the coal companies would take one national policy energy - and give it a mail fist to strike down another policy, the right of a state to act to protect its people

and its resources."

Montana holds 25 percent of U.S. coal reserves, and 75 percent is owned by the federal government. In less than six years, the state has earned roughly \$86 million from the tax, half of which it puts into a trust fund for future use. Officials concede the vast majority of the tax burden is passed on the utilities' customers out

A lower court judge at Helena dismissed the lawsuit last year, ruling the issue did not deserve a trial. The judge adopted the state's arguments that because the tax was applied at the mine mouth, and before the coal entered interstate commerce, the federal Constitution did not apply.

Montana increased the tax from a few cents a ton to 30 percent in 1975, and Rogers accused the state legislature of capitalizing on the energy crisis and the Arab oil embargo and "taking advantage of the situation to

impose an excessive, exorbitant tax."
Texas Attorney General Mark White, appearing as a "friend of the court" on the companies' side, said the tax hampers "our clearly stated national policy to achieve independence from foreign oil.

"We do not come to this market-place because we favor coal," White said. "We are forced by federal policy to use your coal.

office) has more fall than that."

In addition, much of Harris County has been sinking, although a 7year-old agency seems to have slowed subsidence by regulating the withdrawal of underground water. Still, the hardest hit area has sunk 10 feet since 1910.

Rapid growth clearly aggravated the problem. Palmer says every new acre of roof and parking lot adds 18 million gallons to runoff from a 1inch rain, merely a heavy dew by Houston standards.

A recent Corps of Engineers study indicates Brays Bayou, engineered

for a 500-year flood in the mid-1960s, could now handle only a 30-year event because of development in its watershed.

The more you develop where it

floods, then the more houses you're gonna have flooded," Palmer says But Doherty charges "complete lack of planning by responsible county officials and too easy (construction)

permitting" allowed growth to out-There is no good scheme or plan

for development of drainage in this county or city," Doherty says.

Consulting engineer Don Van Sickle disputes the total noplanning charge, saying two-thirds of the county and "most" urban areas have been drainage-planned but agrees a "problem has been not implement-

As an example of inadequate planning or implementation, Doherty cites a ditch completed last May upstream from the major subdivision where his south Houston clients were flooded in July and September.

Doherty charges Houston Lighting & Power Co. was permitted to

ditch before related improvements were made downstream

In the process, Doherty charges HL&P expanded the watershed and poured more water toward his clients' subdivision, which had not flooded in 10 years. HL&P strongly denies blame, but Doherty says he has evidence

"Our hydrology reports are saying it contributed about 25 percent to the problem," Doherty says, noting there has been no flooding there since the highway department put a small retention dam across the ditch.

sion developers were allowed to featured Tropical Storm ( build in a flood-risk area with insufficient drainage work. He says some ditches intersect head-on or at right angles and "that's idiocy as far as flowing water.

Doherty says buyers "were lied to" and had no flood insurance because they did not know they needed it. The U.S. Small Business Administration doled out \$93 million for uninsured flood damage in Harris County last year.

Green's response is that 1979, when parts of Houston flooded three

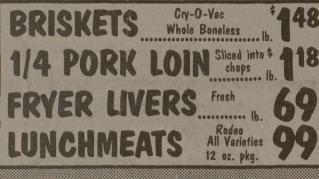
since classified as one of the Alvin, a suburb immediate Houston, recorded 44 in Claudette on July 26.

'We review drainage everything within Harri and we even carrysome rial jurisdiction in other Green says. "One of Houston does not have th like the rest of the world ing. People say that if we zoning we wouldn't have don't agree with that.





Piggly Wiggly



REGULAR FRANK	S Rodea 12 oz. pkg.
REG. BOLOGNA	Rodeo Chunk Style
SALT MEAT	Chunk Style
FRYER BREAST	Fresh \$
FRYER DRUMSTI	
NECKBONES	or Pigs Feet



Piggly Wiggly

Piggly Wiggly

btls.

Plus deposit

125 ct. roll

100 EXTRA S&H GREEN STAMPS with every order of FILM PROCESSING

Developing and prints This coupon must accompany your order.

**Your Dollar Further** Goes



Sweet Peas, Whole Beets, Whole Potatoes, Spinach, Mustard or Turnip Greens # 303-17 oz. cans) cans

CUT GREEN BLANS Piggly Wiggly # 303 89 BLACK PEPPER Piggly Wiggly 4 oz. can 69 GOLDEN CORN Piggly Wiggly 3 17 oz. cans 89 RAISIN BRAN Piggly Wiggly 20 oz. box 119 MARGARINE Piggly Wiggly in 1/4's 2 1-lb. 89 SALAD OIL Piggly Wiggly 48 oz. btt. 169 BATHROOM TISSUE Wiggly 400 ct. 89 EVAPORATED MILK Wiggly 2 13 oz. cans 83 DOG FOOD Piggly Wiggly 5 15 oz. cans 1 FROZEN OKRA Piggly Wiggly 10 oz. 59 MILCTARD Piggly Wiggly 5 15 oz. cans 1 PROZEN OKRA Piggly Wiggly 10 oz. 59 MILCTARD Piggly Wiggly 5 15 oz. cans 1 PROZEN OKRA Piggly Wiggly 16 oz. 50 MILCTARD PIGGLY MUSTARD Piggly Wiggly 24 oz. jar..... 49 MIXED VEGETABLES Piggly Wiggly 16 oz. 59 ctn.

BISCUITS Piggly Wiggly 6 10 ct. 8 oz. cans 89 FROZEN PIZZAS Piggly Wiggly 14 oz. ctn. 89 TOASTER PASTRIES Piggly Wiggly S9 WHIPPED TOPPING Piggly Wiggly 9 oz. tub 49 ctn.



Green Stamps every



2700 Texas Ave S. 3516 Texas Ave. 200 E. 24th St. 9 Redmond Terrace COLLEGE STATION, and BRYAN, TEXAS

