



Member Organizations

Alamo Group of the Sierra Club
Aquifer Guardians in Urban Areas
Austin Regional Sierra Club
Bexar Audubon Society
Boerne Together
Cibolo Nature Center
Citizens Allied for Smart Expansion
Environmental Stewardship
Committees of the Episcopal Church of
Reconciliation & Episcopal Diocese of
West Texas
Environment Texas
First Universalist Unitarian Church of
San Antonio
Friends of Canyon Lake
Fuerza Unida
Government Canyon Natural History
Association
Hays Community Action Network
Helotes Heritage Association
Helotes Nature Center
Hill Country Planning Association
Guardians of Lick Creek
Kendall County Well Owners Association
Kinney County Ground Zero
Medina County Environmental Action
Association
Northwest Interstate Coalition of
Neighborhoods
OST 100
Preserve Castroville
Preserve Lake Dunlop Association
Preserve Our Water-Blanco County
San Antonio Audubon Society
San Antonio Conservation Society
San Geronimo Valley Alliance
San Marcos Greenbelt Alliance
San Marcos River Foundation
Santuario Sisterfarm
Save Barton Creek Association
Save Our Springs Alliance
Scenic Loop/Boerne Stage Alliance
Securing a Future Environment
SEED Coalition
Solar San Antonio
Sisters of the Divine Providence
Smart Growth San Antonio
Texas Water Alliance
West Texas Springs Alliance
Wildlife Rescue & Rehabilitation
Wimberley Valley Watershed Association

November 5, 2010

Christina Williams, Golden-cheeked Warbler Recovery
(christina_williams@fws.gov)
Adam Zerrenner, Field Supervisor
Cindy Watson, Karst Recovery
United States Fish & Wildlife Service
10711 Burnet Road, Suite 200

Re: San Antonio Water System CCN #20285 (Bexar, Bandera, Medina Counties),
Application #35569-C
and CCN #20285 (Bexar, Medina, Kendall Counties), Application #35568-C

Dear Mrs. Williams, Mr. Zerrenner and Ms. Watson,

On January 17, 2007 San Antonio Water System (SAWS) gave notice they had filed applications to Texas Commission on Environmental Quality (TCEQ) for the above two sewer certificates of convenience and necessity (CCNs). After several groups and individuals requested a public hearing, the matter was referred to the State Office of Administrative Hearings (SOAH). At a SOAH hearing, the Greater Edwards Aquifer Alliance and others opposing the CCNs gained standing in a future evidentiary hearing. SAWS then requested abatement of these CCNs and their abatement requests continued for almost three years. In September 2010, SAWS requested the abatements be lifted and the CCN requests go forward. Maps depicting the two SAWS CCN areas are enclosed for reference. Based on experience with the National Environmental Policy Act of 1969 (NEPA) and the Endangered Species Act of 1973 (ESA) as amended, the CCN areas represent Areas of Potential Effect (APE) that should be studied to determine the direct, indirect, and cumulative impacts on the endangered species in the area, particularly karst invertebrates and the Golden-cheeked Warbler. Most of the CCN areas have been identified as potential GCW habitat and are located in Karst zones 1, 2 or 3.

SAWS has stated their intention is to put sewer lines up the creeks and drainages of NW Bexar, Medina, Bandera and Kendall Counties in order to provide infrastructure for future sewer service requests. Unfortunately, the cumulative impacts to endangered species will not be assessed since each request for service is studied independently. Therefore, no ecological "Big Picture" will be determined for the true impacts that this CCN will allow. Sewer line installations require impacts to jurisdictional water of the US, floodplains, native vegetation (including tree canopy required by the Golden-cheeked warbler), and trenching through limestone formations containing potential karst habitat. In addition to the documented impacts sewer lines placed in floodplains have on water quality, we are concerned that no assessment for cumulative impacts for activities allowed by these CCNs will result in irreparable damage to already impacted natural resources required for endangered species survival in Bexar and surrounding counties.

On September 27, 2010, the SAWS Board's Policy and Planning group received a presentation on the CCNs. A SAWS staff power point presentation given during the meeting listed the public's objections as: sewer lines in creek beds, increase in dense developments, increase in traffic, and increase in storm water runoff.

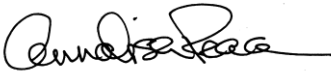
Not listed or discussed were the CCNs' effects on endangered species, habitat loss, or water quality.

These CCNs present the possibility of a large cumulative take of endangered species and their habitat. We ask that USFWS contact the San Antonio Water System, specifically Mr. Alexander E. Briseno (Chairman of the Board) and Mr. Robert R. Puente (SAWS President/CEO) to discuss this concern. Both gentlemen may be reached by calling 210-704-7297, or at 2800 Hwy. 281 North, P.O. Box 2449, San Antonio, TX, 78298-2449.

We also ask that USFWS contact TCEQ regarding the above CCNs' potential impact on the area's endangered species and water quality.

We appreciate your expertise on how such projects must comply with the ESA and look forward to hearing from you on this issue.

Respectfully,

A handwritten signature in black ink, appearing to read "Annalisa Peace". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Annalisa Peace
Executive Director