

Ms. Sara Morgenroth
Senior Regulatory Case Manager
Lower Colorado River Authority (“LCRA”)
P.O. Box 220-BTC 1515
Austin, Texas 78767-0220

RE: LCRA Transmission Services Corporation (“TSC”) proposal for Public Utility Commission (“PUC”) Project No. 37049, McCamey D to Kendall to Gillespie CREZ 345-kV transmission line potential impacts to Texas freshwater mussel habitat.

Dear Ms. Morgenroth,

Please accept these comments on behalf of the Greater Edwards Aquifer Alliance and the Save Our Springs Alliance regarding the proposed McCamey D to Kendall to Gillespie 345 kV CREZ transmission line. We submit these comments due to concerns over the proposed alternative routes for the Kendall to Gillespie portion of this line, because all currently proposed routes cross the freshwater mussel sanctuary on Live Oak Creek which provides habitat for the rare and threatened Texas fatmucket (*Lampsilis bracteata*).

The Greater Edwards Aquifer Alliance is a coalition of 48 member organizations from throughout central and south Texas united behind a comprehensive plan to protect our groundwater, springs, rivers, streams and watersheds, flora and fauna, and the Texas Hill Country. Save Our Springs Alliance is a

Save Our Springs Alliance has contracted with Robert Howells¹, the leading expert on freshwater mussels in Texas, to undertake a complete status review of the all of the freshwater mussel species recently proposed for listing by the USFWS as endangered under the Endangered Species Act.²

The Texas fatmucket is a Texas threatened species and is one of the mussels proposed for federal listing as endangered. The Texas fatmucket is proposed for listing due to present or threatened destruction, modification, or curtailment of the species’ habitat or range.³ Because freshwater mussels depend on the quality and quantity of water in the creek, as well as the composition of the creek beds, activities on land within the watershed can alter their habitat. Construction, vegetative clearing, pesticides and fertilizers and other non-point sources of pollution can all negatively impact the mussel habitat. The mussel habitat is extremely sensitive to any additional siltation and sediment deposition that may be caused by construction and vegetative clearing.

² 74 Fed. Reg. 66264 (December 15, 2009)

³ Id.

Texas Parks and Wildlife has designated the mussel sanctuaries on Live Oak Creek because it supports populations of rare and endemic mussel species. The location of construction activities and vegetative clearing in the vicinity of the Live Oak Creek sanctuary is inappropriate and cannot be effectively mitigated. We are very concerned that construction of the transmission line towers, and the required vegetative clearing for line maintenance will negatively impact the mussel habitat currently provided in Live Oak Creek. The Texas fatmucket has a very complex reproductive pattern that is easily disturbed by any habitat modification from transmission line related activities. These mussels have unique and specific habitat requirements such that the only way to assure their continued existence is to completely avoid routing transmission lines across Live Oak Creek in the area of the sanctuary.

We urge you to consider, and propose to the Public Utility Commission of Texas, routings that will not degrade the Live Oak Creek mussel sanctuary. The listing decision on the Texas fatmucket and other mussels by the U.S. Fish and Wildlife Service could be published as early as December 2010, at which point the full protections of the Endangered Species Act will affect any LCRA transmission line construction and maintenance activities that harm the Texas fatmucket or its habitat.

Thank you for your consideration of these issues. Please do not hesitate to contact me at 210-320-6294/Annalisa@AquiferAlliance.org.

Sincerely,



Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance

cc: Public Utility Commission of Texas (for filing in PUC Docket No. 37049)