

Alamo Group of the Sierra Club  
Aquifer Guardians in Urban Areas  
Austin Regional Sierra Club  
Bexar Audubon Society  
Boerne Together  
Cibola 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  
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 attached 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.

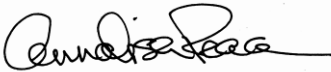
Not listed or discussed were the CCNs' effects on endangered species, habitat loss, or water quality.

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", written over a light gray rectangular background.

Annalisa Peace  
Executive Director