

DAVID MCQUADE LEIBOWITZ



CAPITOL OFFICE:
ROOM EXT: E2.712
P.O. Box 2910
AUSTIN, TEXAS 78768-2910
TELEPHONE: (512) 463-0269
FAX: (512) 320-0555
DAVID.LEIBOWITZ@HOUSE.STATE.TX.US

DISTRICT OFFICE:
9107 MARBACH ROAD, SUITE 111
SAN ANTONIO, TEXAS 78245
TELEPHONE: (210) 372-0759
FAX: (210) 372-1405

The State of Texas House of Representatives District 117

September 5, 2007

Glenn Shankle, Executive Director
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dear Mr. Shankle:

Once again, I write to you regarding the notice of receipt of application and intent to obtain water quality permit proposed permit number WQ0014713001. Even though the venue for this hearing was in an isolated area on the property of the permit applicant, the hearing was well attended by concerned citizens. In fact, the hearing was standing room only. I attended the hearing as well and I can report to you that the overriding concerns of the citizens were not personal property values, but a concern for the health and welfare of the general population. The area affected by this permit, Geronimo Creek and its surrounding areas and creeks, is pristine land located in the recharge zone of the Edwards Aquifer.

In the past month, Tropical Storm Erin has served as a stark reminder that it does not take a 100 year flood to contaminate and destroy homes, schools, and threaten the health of people. In the southern portion of my district, local officials, including myself, asked the Governor to exercise his authority and issue a disaster declaration. This action became necessary because a builder was not cognizant of the drainage and creek flow problems that would result from his development. As a result, the flooding caused by this development resulted in a structural collapse and subsequent closing of the South San Antonio High School West Campus. I do not wish to go through a similar situation with this development. The discharge of water allowed by this permit will affect the levels of Geronimo Creek and an accidental discharge could cause contamination and flooding. Not enough research has been done by the Greater Edwards Aquifer Authority in this area. The citizens of San Antonio need our protection of their water supply. Given the fact that we know that our rules are minimal, we should resort to the maximum enforcement of them in our decision making process.

I wish to state unequivocally that until we have completed a study of all the tributaries, looked at the flooding potential and determined the effects of this development on water quality, I am strongly opposed to approving this permit.

Sincerely,

A handwritten signature in blue ink that reads "David McQuade Leibowitz".

David McQuade Leibowitz

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