



Newsletter

The Alamo Sierran e-Newsletter - June, 2013

* General Meetings *

Tuesday, June 18th: The Battle for the Warbler

Uncontrolled habitat destruction throughout northern Bexar County is rapidly making Camp Bullis a lone island of refuge for endangered Golden-cheeked warblers. As a result, the areas usable for Bullis's training missions are continually shrinking. This has made Camp Bullis an influential voice for environmental protection. James V. Cannizzo will tell us how our local military commands are fighting for endangered species habitat, the Edwards Aquifer and Bexar County's forests.

This meeting has been approved for Advanced Training by the Alamo Area Master Naturalists.

Tuesday, July 16th: Pot Luck Party with PoEtry

We had such a great time last year that poet naturalist Mobi Warren has agreed to host another poetry event. So far, in the works are the poets Bryce Milligan (musician and owner of Wings Press), Jim LaVilla-Havelin, Lahab Assef Al-Jundi, Carol Reposo, and Mobi. These San Antonio-based poets will be reading to celebrate and support the environment at our July Poetry Potluck. In addition, Mobi will facilitate a short and fun haiku exercise so everyone will leave with a personal nature poem in their pocket.

So join us for this special event, a meal, and meet and greet your fellow members. Your club will provide ice tea and watermelon. Please bring your favorite pot luck dish to share.

Tuesday, August 20th: The Inner Workings of the Edwards Aquifer

Geary M. Schindel, Director/Chief Technical Officer, Aquifer Science, Edwards Aquifer Authority will talk about the natural history of the aquifer - from groundwater recharge, flowpaths, water quality, groundwater velocities, vegetative cover, caves, sinkholes, springs, to things that go bump in the night.

Times, maps and speaker bios are on our Events page.

A Word from the Alamo Group Chair

To update you on the Crescent Hills Development debate, I'll begin with one City position, in District 9 Councilwoman Elisa Chan's May 27 news blast. Chan says, "... the developer has applied for a Utility Service Agreement (USA) from SAWS that allows the development of 3,500 homes or its equivalent. On March 11th, 2013, the SAWS Board approved the USA. SAWS is required by the regulations of the Texas Commission on Environmental Quality to approve an application for a USA within their certified area if it meets all requirements."

We ask, is that all SAWS and the City can do? What are the requirements? Is the development meeting them?

One of those requirements, to protect water quality, is that SAWS must insure that there be no more than 15% impervious cover for single and multi-family residential and commercial development (1995 Water Quality Ordinance). The developer, Galo Properties, did not provide details to SAWS to demonstrate just how this project would meet those standards. In addition to the homes (4,500? 3,800? 2,500?—all these figures have surfaced) on 1,545 acres out of 2,778, the project promises three elementary schools, several civic buildings, and commercial sites. What recourse will SAWS have should Galo prove unable or unwilling to comply?

The SAWS USA also requires that Crescent Hills comply with San Antonio's Tree Preservation Ordinance (SAWS Utility Service Regulations, section 4.9, Dec. 4, 2012). The [tree ordinance](#) requires that a permit be issued before any site work is done. Yet, the Crescent Hills developer has already cut about 25 acres of cedar forest, according to James Cannizzo. How will the City verify and enforce compliance?

A [Crescent Hills brochure](#) claims that it will be a [Conservation Development](#). If true, this might exempt it from important tree ordinance provisions. But is it a Conservation Development? City rules stipulate that a conservation subdivision must preserve at least 50% of the land as permanent open space. But Crescent Hills plans to leave only 40% undeveloped for hike and bike trails.

Galo Property's project has many other traits that do not conform to true Conservation Development. While the definition varies widely, the development pattern arose in the early 1980s and was an amalgam of ideas based on Ian McHarg's revolutionary "design with nature" philosophy.

Generally it is said a conservation development requires that 98% to at least 50% of the land—the most ecologically sensitive parts—be set aside in a conservation trust with ongoing management, clustered housing on smaller than usual lots, natural water management features, and native flora and fauna protected.

But Crescent Hills maps show a maze of dispersed development on the 1,545 acres. The proposed development endangers the most important Mexican Freetail Bat crèche, clearcuts a key swath of endangered species forest habitat, and plans homes on lots that must be greater than .4 acre (if it is to avoid San Antonio Unified Development Codes— see [San Antonio/Comal County Interlocal Agreement](#)), plans oversized sewer mains running up the sensitive Edwards Aquifer Recharge Zone, and is miles from jobs and services that will encourage much car travel.

James Cannizzo, Camp Bullis's environmental attorney, worked on the Camp Bullis' mitigation investment that resulted in Cibolo Bluffs Forest Preserve (CBFP), its endangered species habitat adjacent to Crescent Hills. He is worried that Crescent Hills threatens CBFP, thus Camp Bullis and its mitigation agreement. Therefore shouldn't SAWS have been alert to this and have worked with the City to consider adding a CBFP amendment to its USA section 4.11 that requires SAWS to enforce San Antonio's Resolution No. 2008-08-07-0034R that protects a 5-mile Awareness Zone around the Camp Bullis property, and specifically says "it may be amended." Among other stipulations, it requires SAWS "inform Developers of, and seek their commitment to comply with any local, state or federal law, rule or regulation related to the protection of the environment or endangered species." Though Crescent Hills is farther than five miles, it was purchased by and is joined at the hip to the Camp, and is essential to its viability, so shouldn't it be treated like Camp Bullis property?

When asked, SAWS staff has defended their recommendation to the board. In an [Express News article](#) last Friday, June 7, the director of infrastructure and planning for SAWS said they found no reason to deny service to Crescent Hills and that bats are not part of their criteria. SAWS officials also said that the developer would be free to contract with other water providers in Comal County if SAWS denied service to Crescent Hills.

We are thankful to SAWS Board member Sam Luna, for being alert, notifying the public, and working to get the board to reconsider the vote ([link to Luna's letter to the board](#)), because he learned that the board did not have the necessary information. As has been reported, Luna claims the board was not told Crescent Hills was in Comal County or that it was also known as Comal County Special Improvement District No. 1 and Comal County Water Improvement District No.1. This is a status created by the State via Senator Wentworth's Senate Bill 2464, passed in 2009. So Crescent Hills does not need SAWS service, but rather its special district was charged with creating the service.

Notably, that same year Comal County passed Resolution #2009-12, "supporting local option legislation to help Hill Country Counties manage rapid population growth which has created safety, infrastructure and financial challenges for Comal County." The resolution was a cry for tools from the State to enable the county to protect its environment, recreation and tourism from development, among other needs. Comal County has also appealed to the State to have western parts of the County added to the Trinity Glen Rose Ground Water District because the County does not have enough water.

If Comal County and San Antonio have such troubles managing development, they can redraft a new Interlocal Agreement any time. They can work more proactively with state legislators to get the rules we need. Yes, we are limited by archaic and special interest state laws, but we must be alert and do a better job of ruling for sustainable development.

It is dismaying that the SAWS board approves these services with so few details on the projects and has not used its discretionary power to improve SAWS' Utility Service Regulation best practices, especially for rural areas and redevelopment. We can hope that, if it is true that SAWS was not given the full information, the board is entitled to rescind and reconsider the service. Either way, as one Alamo Sierran leader advised, "If SAWS rescinded the utility contract, the developer might sue and maybe get \$500,000 from the City. A small price to pay, I'd say."

Margaret "Peggy" Day

Lion's Field Events

[Monthly films and presentations for your edification and enjoyment](#)

Wednesday, June 26th: *Plastic Planet*

This film gives an up-close and personal view of the controversial and fascinating material called plastic. It has found its way into every facet of our daily lives.

Wednesday, July 24th: *Adventure Travels*

Alan Montemayor will tell us about his latest adventure: Hiking in Southern Patagonia and Iguazu Falls and Cruising Antarctica. His presentations are fantastic; don't miss this one.

Wednesday, August 28th: *The Air We Breathe*

With insight and wit, the film examines our addiction to the automobile, the environmental consequences of suburban sprawl, and the damaging effects of commuter culture on both the air we breathe and our overall quality of life. Also discusses rising rates of asthma and other respiratory diseases.

Our Lion's Field events are **free** and open to the public. They occur on the fourth Wednesday of each month at the Lion's Field Adult Center, 2809 Broadway @ Mulberry. Programs begin at **6:30 p.m.**

[Visit our Lion's Field Events page for a map and additional information.](#)

Draft EIS Public Hearing

[June 20, 2013](#)

As the next phase in the Hwy 281 North development, there will be a public hearing on the Environmental Impact

Statement.

Thursday, June 20th

5:00 PM

San Antonio Shrine Auditorium (formerly known as Alzafar Shrine)

901 North Loop 1604 West

Phone: 210.496.6334

For a map and link to the EIS go to the [Regional Mobility Authority website](#).

Let's Party!

meet and greet your Sierra Club friends at these Fourth Friday socials

- **June 28th, 6-8 PM--Candlelight Coffeehouse.** One of our favorite places, it features good food and a nice quiet atmosphere. 3011 North Saint Mary's Street, San Antonio, TX 78212, (210) 738-0099
- **July 26th, 6-8 PM--Timbo's.** Ice cold beer and hot burgers. 1639 Broadway at Pearl Parkway, San Antonio, TX 78215, 210-223-1028, <http://www.timbosburgers.com/index.html>
- **August 23rd, 6-8 PM -- La Fogata.** Join us on the patio for good Mexican food and a margarita. 2427 Vance Jackson Road, San Antonio, TX 78229, (210) 340-1337



Visit our Social Events page for maps, times and more information about these gatherings. If you're not busy on these days, then get out of the house and join us for a meal and a chance to "meet and greet" some of your fellow members.

If you would like to be reminded about our upcoming Socials, email [Lloyd Cortez](#). Then one week before the next Social, you will receive an email notice reminder.

Keeping It Clean: Our Air, Our Health

The San Antonio Clean Technology Forum is planning a forum on how to comply with ground level ozone in the Alamo Area, for July 11, 2013 from 11:30 am to 1:30 pm at Rackspace Headquarters on Walzem Road. If you are interested, learn more at [Keeping It Clean: Our Air, Our Health](#).

Opportunities to Get Involved

[Join in Climate Change Awareness](#)

Imagine San Antonio, the City of San Antonio's Office of Sustainability, and *Solar San Antonio* plan a climate change conference in early November 2013. Bob J. Wise, Jr., AIA, President of *Imagine San Antonio* addressed a steering committee meeting on June 4th.

The purpose of this gathering is to bring together local leaders in business, government, and non-profits to learn how to effect policy locally to improve our carbon footprint. Conscientious professionals in the building trade know that globally and locally, from cradle to grave, buildings are responsible for about half of all manmade carbon dioxide. That is why architects and others in the buildings trade must become leaders in these efforts.

The Alamo Sierra Club supports this conference and a larger ongoing campaign with our partners to raise local awareness in churches, neighborhoods, and other interest groups. If you would like to get involved, please contact [Darby Riley](#) (210-681-5889) or [Barb McMillin](#). All help is welcome!

Sign Up for Action Alerts

The Sierra Club is all about citizen action on critical issues. Quick citizen input often spells the difference between victory and defeat for important measures at the local and state levels. Sign up now to receive our local e-mail Conservation Action Alerts and let your voice be heard. **Call (674-9489) or email [Lloyd Cortez](#)** and we'll add your name to our growing list of environmental activists.

Sierrans and 33 Others Address City Council on Crescent Hills

As you may have heard, the Crescent Hills Development was a main topic of the public hearing at the City Council B Session on May 29. About 200 people attended. Thirty four spoke against this Galo Properties project. Many testimonies were very moving. No one spoke in favor. It was a great opportunity to learn more about the many serious concerns, so it was unfortunate that several councilpersons did not attend—Carlton Soules, Elisa Chan and David

Medina—especially since they could gain environmental literacy.

It would have been good to have Brad Galo define and defend his project, as, probably in response to the approval process, the project appears to be changing from the plans which were on his website. It appears as though the density may have dropped to above .4 acres per home, perhaps to avoid falling under City of San Antonio rules.

James Cannizzo, the lawyer in charge of Camp Bullis' endangered species compliance and lead proponent of its adjacent Cibolo Preserve, noted that Brad Galo had not followed through on assurances that Galo would consult with the US Fish and Wildlife to assure maximum habitat protections and instead cut down 25 acres of cedar trees, prime golden cheeked warbler habitat, and negatively impacting the viability of the army's mitigation credits earned for purchasing the Preserve.

We are also seriously concerned about plans for sewage pipes winding up creek beds, which are major recharge features. We know that in San Antonio heavy rains routinely flood sewage drains and wash out deadly bacteria into the surface water.

Sierrans Mobi Warren and Anne Pierce, who both work with inner city kids and who have taken them on outings to Bracken Cave to view the astonishing nightly flight out of the cave, both recounted children's expressions of the experience as life changing. Asked by Edwards Aquifer Authority Vice Chair Susan Hughes how many among the mayor and council members had been to see Bracken Cave bats, a prolonged hush filled the hall.

Currently we continue work to find out what can be done and what the City and SAWS can do. For more go to the *Express News' People turn out to oppose sub division near bat cave* and the *Edwards Aquifer Website* news article, *Bat signal raised on new Recharge Zone development*.
Margaret Day, ExCom Chair

The Alamo Sierran newsletter needs a new editor and other help with the news. For inquiries please contact Editor *pro tem* [Margaret Day](#), (210) 829-5632.

Streetcar Routes Closer to Being Determined

The third public hearing to determine the routes for VIA's two new streetcar lines will be June 13, followed by another public hearing July 15. In August, the two routes will be selected. Construction will begin in 2015, and by 2017, the city will have two electric streetcar lines that will improve air quality downtown, encourage walking and cycling by calming traffic, increase street carrying capacity, and promote higher densities, thus increasing the tax base.

Young people and future UTSA students may live downtown. They will be catalysts for change and energy and new ideas.

A streetcar can add the equivalent capacity of four lanes of traffic to a city street. As the ridership increases, streetcars can run in trains with two or three vehicles and still have only one driver. The idea is that as the system is expanded the downtown restaurants, businesses, the Riverwalk, theaters, music venues, and shopping will be quickly accessible without the stress of parking. The ease of use will be wonderful--just hop on and hop off. There will be ten to twelve minutes between streetcars downtown.

Consultants from HDR and HTNB presented their evaluations of the six streetcar routes on June 3 to the VIA board, using categories of cost, operation and maintenance, ridership estimates, and economic development potential. These were compared to other cities that are building or just built lines at this point in time. Scenarios three, five and six were the best ones. To view the six scenarios click [here](#).

Please attend the public hearings and learn about the benefits of mass transportation. Submit comments to VIA at the VIA page link: [Modern Streetcars--VIA Metropolitan Transit](#).

Barbara McMillin, Transportation Contact

Outings: Hikes in the Central Texas Summertime

There still may be space for a couple of people for the private tour of Bamberger Ranch on June 19; contact Linda Higby, ASAP, 585-330-1890. In June and July we have hikes in Government Canyon SNA and Hardberger Park. Visit our Outings page for complete details or go to the [Alamo Sierra Club Outings page](#) on Meetup.



Inner City Outings

Inner City Outings has been busy offering outdoor experiences too. In June ICO takes kids from Boysville hiking in Guadalupe State Park, and in July we are taking kids from Boys and Girls Club kayaking on the San Marcos River.

If you are interested in helping ICO as a leader or with a donation please contact Anne Pearson, ICO chair, at 210-408-6321, or email ico.sanantonio@yahoo.com. For more information and a great slide show of photos go to [Alamo](#)

Conservation Committee Report

These next few months are precious and vitally important in the conservation movement. First, imagine San Antonio, a public policy institute for research, education, discussion and implementation, is sponsoring a symposium on climate change early November with numerous members of the environmental/solar community participating. Solar SA and the SA Office of Sustainability are co-sponsors. Current Conservation Committee liaisons are Mobi Warren, Loretta Van Coppenolle and Margaret Day. We could use more volunteers to assist in this endeavor.

The Bracken Bat Cave is threatened by development. Unfortunately, SAWS must provide water for the developer because of rules that are in place. There were many citizens who stood up to City Council last Wednesday and demanded that they stop the development, and no one supported it. We need to be on top of this situation, and we need to be contacting City Council. There is a petition on our Facebook to stop this invasion. We need to move quickly, and we need creative ideas.

We are still working on the Texas Parks issue. The legislative session has ended and the parks still do not have the funding they need even though the closures were prevented. However, the ones that did close will not reopen. The Conservation Committee could use a volunteer to check out the situation with the local parks. If we had the membership to help, I think it would be a good idea to target some local needs and help out.

Another project is a Lone Star Sierra Club issue. Evelyn Merz, the State Conservation Chair, is trying to get Big Bend designated as wilderness to protect it. Our representative, Pete Gallego, is central to this issue. We have been attempting to arrange a meeting with him and we would love for other constituents to attend the meeting. We want Gallego to know how important this designation is to us in San Antonio, to the State and to the area around Big Bend.

I will be going with Merz to speak with the superintendent of the park in July prior to the Lone Star Executive Committee. Soon afterwards, we want that meeting with Gallego to occur. If anyone is interested in participating, please contact Karen Seal, Conservation Chair.

Barbara McMillan is our point person on transportation issues. She will be updating us on the street car plan and the status of other mass transit issues in San Antonio. This issue is truly under-appreciated and Barbara has tremendous knowledge in this area. I would like to see a subcommittee working with the city and with Barbara on public transportation.

Russell Seal is our Energy wizard. He will not be at the meeting. However, I hope that he will update us on important energy issues in August. There will not be a Conservation Meeting in July since the first Thursday in July is the 4th of July.

Just for everyone's information, there are other entities in Texas that focus on renewable energy. We should be aware of their existence. For example, there is the [Texas Solar Energy Society](#) that publishes the Solar Reflector each month. It has great information. There is the [Texas Renewable Energy Industries Association](#). The Conservation Committee should be familiar with these organizations and their publications.

Meanwhile, please check out our [Alamo Group Facebook page](#). Karen Seal, the Conservation Chair, manages that page and would like your feedback whether or not you can attend Conservation meetings.

Karen Seal, Chair - Conservation Committee

The Alamo Sierran NEWSLETTER needs a new editor. For inquiries please contact Editor *pro tem* Margaret Day, peggyday@hotmail.com, (210) 829-5632.

CPS lowers air pollution levels

One of the results of our quarterly meetings with Doyle Beneby at CPS Energy is that we are kept up to date on issues. CPS followed up by sending its New Benchmarking Air Emissions report with the latest data on US electric power sector emissions of CO₂, NO_x, SO₂. In it was data on CPS Energy's Deely plant showing significant reductions in pollutants.

Deely Coal-fired Electric Plant Emissions Reductions	
2011 (tons)	2012 (tons)
NO _x 8,737	NO _x 6,721
SO ₂ 23,268	SO ₂ 10,432
CO ₂ 18,690,773	CO ₂ 16,977,507

The lower 2012 emissions were explained as due to burning ultra-low sulfur (ULS) coal and a full year with selective catalytic reduction (SCR) technology, as well as lower natural gas prices causing less demand for Deely's power.

CPS Energy reports that with the New Energy Economy initiatives and primarily Deely's retirement, emissions will be reduced as follows: NO_x by 26%, SO₂ by 91% and CO₂ by 29% from 2011 as a baseline.

How did Texas' Environment Fare during the Legislative Session?

The 83rd Regular Legislative Session adjourned Memorial Day, May 27, 2013. Governor Rick Perry called for a Special Session to begin immediately, however, to address redistricting. The Governor may add other issues to the Special Session agenda at will. Sierra Club staff will be following the Special Session closely in case additional issues are added, and also working with our progressive allies on the complex issue of redistricting.

While several court cases are ongoing, the conservative leadership in the House and Senate plan to adopt the interim redistricting maps used during the 2012 elections as permanent maps. I encourage all Sierra Club members to weigh in on this issue. Public hearings on redistricting are being held in Austin. More information on the process can be found at the non-partisan group [Empower the Vote Texas](#). The official redistricting site for the state is maintained by the [Texas Legislative Council](#).

The following is a summary of the issues Sierra Club staff and numerous member volunteers have been working on this year. The Sierra Club Lone Star Chapter identified several legislative goals and I am happy to report we enjoyed considerable success on many of them.

Before you read further you should know that our lobbying program and other work in Texas is largely dependent on the support of our members in Texas. Please consider making a donation to the Lone Star Chapter today!

GOAL: Assure that water conservation and water reuse is addressed as part of a comprehensive water infrastructure funding plan

Increased funding for water infrastructure was a top priority for many legislators this year. House Bill 4 (Ritter et. al., Fraser) contained extensive provisions for establishing a new fund to implement the state water plan and restructure the Texas Water Development Board (TWDB). The Sierra Club played a key role in ensuring that not less than 20% of the funding will support projects designed to conserve water or reuse it. The bill also requires that 10% of the funding support rural political subdivisions or agricultural water conservation projects. [Sierra Club Water Resources Chair Ken Kramer](#) helped develop this legislation.

Numerous bills focused on water conservation, drought management, curbing water loss and almost every other water-related subject that you can imagine. Sierra Club staff and volunteers identified several "good bills" and actively worked throughout the session to ensure their passage.

- HB 857 (Lucio III, Hegar) – Requires each retail public water utility with more than 3300 connections to conduct a water audit annually to determine its water loss and to submit that audit to the Texas Water Development Board. This should help ensure the utilities track this information about their systems and help to pinpoint infrastructure needs.
- HB 3605 (Burnam, et. al., Hegar) – Requires a public water utility receiving financial assistance from the TWDB to use a portion of that funding to repair their systems to reduce water loss if their system loss meets or exceeds a threshold established by TWDB. This requires TWDB to evaluate a utility's water conservation plan for compliance with TWDB's Best Management Practices for water conservation when evaluating an application for financial assistance.
- SB 198 (Watson, Dukes) – Prevents a Property Owners Assn. (HOA's) from prohibiting or restricting property owners from using drought tolerant landscaping or natural turf but allows an HOA to require that the property owner submit a landscape plan to the HOA for review and approval. HOA's may not unreasonably deny approval of plans.

[For a comprehensive list of water-related bills, please see our longer post here.](#)

There were several bills of concern, as well. The Sierra Club worked especially hard to amend or defeat HB 824 (Callegari, Hegar). The bill would have eliminated a requirement that all sewer overflows (aka: raw sewage spills) be reported to the Texas Commission on Environmental Quality (TCEQ) within 24 hours. Utilities would only have to report such spills of 1000 gallons or more. In order to address persistent problems before they become big problems, TCEQ needs to be aware of all sewage spills, not just the "big" ones. HB 824 was amended and passed in the House but died in the Senate Natural Resources Committee. Outreach to decision makers about this bill played a large role in its demise.

GOAL: Secure additional funding for public parks and wildlife programs

State parks, wildlife programs and local parks will receive additional funds over the next two years with the passage of Senate Bill 1, the budget bill, and House Bill 1025, the supplemental appropriations bill. Thanks to your efforts and that of many others on this issue, no state parks will likely be closed over the next few years and many state park employees who lost their jobs as a result of devastating budget cuts last session can be rehired. Sierra Club staff, volunteers and many other organizations also advocated tirelessly for funding for local parks grants, which were zeroed out last session. Everyone's hard work resulted in approximately \$8 million per year for local parks.

Sierra Club staff also played a positive role in passage of HB 3509 (Bonnen, Seliger), a bill to better define the state's response when species are listed or considered for listing under the federal Endangered Species Act. Exxon-Mobil and the Texas Oil and Gas Association initially opposed this effort. While the final bill is not one the Sierra Club would

have written, we were able to gain important concessions through negotiations, including the addition of the Texas Commission on Environmental Quality to the task force that will coordinate state policy, and assurances that at least a quarter of those appointed to an advisory committee will be from conservation organizations. All Task Force meetings will be public and the state's responses to proposed listings will be placed on a website, initially by the Comptroller of Public Accounts.

Similarly, HB 7, one of the so-called "budget transparency" bills introduced this session, includes several provisions to ensure that funding from dedicated fees will go toward their intended purpose. The omnibus bill includes a provision to ensure that the voluntary fees drivers pay for specialty license plates will actually go to the organizations that are supposed to receive those funds – including the wildlife diversity programs at Texas Parks and Wildlife -- outside the appropriations process. Kudos to Conservation Chair Evelyn Merz for initiating and making sure this important provision survived the legislative process.

GOAL: Assure full funding of the Texas Emissions Reduction Plan to address transportation-related air pollution throughout the state

Fees collected from Texas drivers and businesses under the Texas Emissions Reduction Plan (TERP) total almost \$190 million per year. The initial budget bill proposed appropriating only \$65 million per year for TERP grants to reduce emissions from multiple mobile sources. Conservation Director Cyrus Reed worked alongside Public Citizen, several business stakeholders and Chamber of Commerce advocates to secure \$77.6 million per year in the final budget deal. In a parallel effort, the legislature passed major reforms to TERP. Senate Bill 1727 (Deuell, Isaac) assures the program will continue through 2019, and provides new incentives for electric cars and renewable energy storage. TERP funds can also now be used to help reduce emissions produced at the Port of Houston and by fracking operations and associated vehicles that are impacting air quality in urban areas.

GOAL: Assure the deployment of clean and renewable energy is advanced, or at the very least, did not suffer serious setbacks during the legislative process

Favorable bills for renewable energy, peak energy demand response programs, and net-metering for residential solar installations were introduced, but all stalled during the legislative process. Fortunately, a bill that would have removed the state's Renewable Energy Portfolio Standard also died in committee. A couple of favorable bills passed and are awaiting the Governor's approval:

- SB 385 (Carona, Keffer) allows municipalities and other local political subdivisions to create local Property Assessed Clean Energy Districts in order to make low-interest loans for energy efficiency and water conservation projects in commercial and industrial buildings.
- SB 700 (Hegar, Kacal) requires that state agencies and universities set annual goals to conserve water, electricity and natural gas and report on their efforts.
- HB 2500 (Bohac, Watson) set some limits on property tax valuation for large solar plants.

GOAL: Continuing -- and improving -- the Texas Public Utility Commission and Railroad Commission, both of which were undergoing so-called Sunset review

The Public Utility Commission sunset bill, HB 1600 (Cook, Nichols), passed and contains many of the positive Sunset Commission recommendations the Sierra Club supported, including transferring water rate making and contested case hearings from the TCEQ to the PUC. Unfortunately, the Railroad Commission Sunset bill, SB 212 (Nichols, Bonnen), containing modest reforms -- ultimately failed. Instead the RRC will undergo a more stringent sunset review in 2017. It appears that changing the outdated name of the agency in charge of oil and gas regulation and some modest campaign finance reforms for the Railroad Commissioners were too politically charged this session. A separate bill, SB 219 (Huffman, Bonnen), continues the Texas Ethics Commission and includes a provision that requires Railroad Commissioners to resign their position if they intend to run for another office.

GOAL: Strengthening public health and safety regulations associated with oil and gas development

A few modest improvements were made to oil and gas regulations, including:

- HB 2982 (Keffer, Duncan) addresses gathering pipeline safety in rural areas;
- SB 901 (Fraser, Paddie) provides general safety standards for oil and gas pipelines;
- SB 900 (Fraser, Wu) raises administrative penalties on pipeline safety violations;
- HB 2767 (Phil King, Estes) encourages water recycling in fracking;
- HB 3309 (Crowover, Estes) provides additional funding for the oil and gas regulation fund; and
- SB 514 (Davis, Wu) regulates saltwater pipelines to take fracking wastewater to its ultimate destination.

GOAL: Defending Texans' right for public review of state environmental permitting and enforcement actions

- SB 957 would have seriously curtailed the public's access to contested case hearings for most industrial permits. Sierra Club staff and members prevented five different versions of this legislation from receiving a vote on the Senate Floor.
- SB 467 would have required a cost-benefit analysis and the potential for a court review of any environmental rule at the Texas Commission on Environmental Quality. Although the bill passed in the Senate, our efforts prevented the bill from passing out of the Environmental Regulation committee in the House.
- HB 3234 would have limited contested case hearings in water rights permitting. The bill passed in the House but was stopped in the Senate Committee on Natural Resources.
- HB 1079 limits Texans' and local governments' access to contested case hearings for certain types of uranium mining permit amendments. This bill did pass but Sierra Club staff worked to improve the bill slightly.

Miscellaneous

The Sierra Club and many others were vehemently opposed to SB 791 (Seliger), as introduced, because it would have negatively impacted on-going litigation against the privately-owned low-level radioactive waste site in Andrews County. **I hope everyone will join me in sending a Big Thank You to Representative Lon Burnam, who initially killed the bill on a Point of Order.** Unfortunately, much of SB 791 was amended onto another bill that finally passed. Senate Bill 347 (Seliger) increases the annual limit of radioactive waste that can be imported from other states from 120,000 curies per year to 275,000 curies per year. Sierra Club worked with our allies and Seliger's staff to remove three provisions that would have directly impacted our lawsuit and supported provisions in the bill related to a Perpetual Care Account to clean up the site if – some would say when – waste control problems occur. Fortunately, we were able to significantly improve an initially troublesome bill.

Every legislative session we find ourselves working on bills related to issues we did not imagine we would have to work to defend. This session that bill was SB 217 (Patrick, Anchia), the Sunset bill for the State Employees Charitable Campaign. For 19 years, state employees have been provided this low-cost opportunity to make voluntary donations to their charities of their choice throughout the state. Last year over 49,000 state employees -- including me -- contributed more than \$9 million to nonprofits that provide critical health care services, support public and private education programs, support numerous Boy and Girl Scout organizations throughout the state, etc. The SECC also includes the Sierra Club Lone Star Chapter and the rest of our EarthShare Texas partners. Governor Perry's staff warned the bill sponsors during the final days of session that the Governor might veto the bill, which would have ended the SECC. SB 217 makes many changes to the SECC and requires another sunset review in 2017. Sierra Club staff advocated that the SECC be included in an additional bill, HB 1675 (Bonnen), and it was. Should Governor Perry choose to veto SB 217, the SECC will continue through 2025.

If you read this far, THANK YOU! I hope you will soon get outside to explore, enjoy, and protect the planet! As always, please don't hesitate to contact me at Scheleen.Walker@sierraclub.org if you have questions or would like more information about legislative issues.

Scheleen Walker Chapter Director

Alamo Sierra Club Meeting Dates

General Meeting	3rd Tuesday, 6:30 p.m.	Peggy Day	829-5632
Executive Committee Mtg.	3rd Thursday, 6:30 p.m.	Peggy Day	829-5632
Newsletter Submissions	Deadline last day of month	Loyd Cortez	674-9489
Political Committee Mtg.	2d Thursday, 7 p.m.	Dave Wells	271-0640
Outings Committee Mtg.	1st Wed., odd months, 6:30 p.m.	Jerry Morrissey	382-2614