

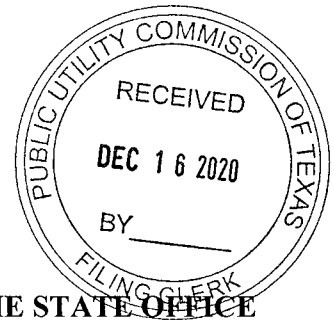


Control Number: 51023



Item Number: 430

Addendum StartPage: 0



SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN §
ANTONIO ACTING BY AND THROUGH §
THE CITY PUBLIC SERVICE BOARD §
(CPS ENERGY) TO AMEND ITS §
CERTIFICATE OF CONVENIENCE AND §
NECESSITY FOR THE PROPOSED §
SCENIC LOOP 138-KV TRANSMISSION §
LINE §

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CLEARWATER RANCH POA'S FIRST REQUEST FOR INFORMATION**

Anaqua Springs Homeowners' Association ("Anaqua Springs HOA") files this Response to the aforementioned requests for information.

I. WRITTEN RESPONSES

Attached hereto and incorporated herein by reference are Anaqua Springs HOA's written responses to the aforementioned requests for information. Each such response is set forth on or attached to a separate page upon which the request has been restated. Such responses are also made without waiver of Anaqua Springs HOA's right to contest the admissibility of any such matters upon hearing. Anaqua Springs HOA hereby stipulates that its responses may be treated by all parties exactly as if they were filed under oath.

430

Respectfully submitted,

By: Wendy K. L. Harvel
Ann M. Coffin
State Bar No. 00787941
Wendy K. L. Harvel
State Bar No. 00796719
C. Glenn Adkins
State Bar No. 24103097
Coffin Renner LLP
1011 West 31st Street
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wendy.harvel@crtxlaw.com
glenn.adkins@crtxlaw.com

**ATTORNEYS FOR ANAQUA SPRINGS
HOMEOWNERS' ASSOCIATION**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been filed with the Commission and served on all other parties via the PUC Interchange on this 16th day of December 2020, pursuant to SOAH Order No. 3 issued in this docket.

Wendy K. L. Harvel
Wendy K. L. Harvel

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CLEARWATER RANCH POA'S FIRST REQUEST FOR INFORMATION

Clearwater Ranch RFI No. 1-1

Please provide copies of all correspondence with the U.S. Army related to Segment 12 or the Conservation Easement at issue in this proceeding.

Response:

All documents responsive to RFI 1-1, RFI 1-2, and RFI 1-3 are attached to this response.

Please see Attachment Clearwater Ranch RFI 1-1.

Preparer: Wendy Harvel – Counsel for Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

ANAQUA SPRINGS RANCH HOMEOWNER'S ASSOCIATION

September 15, 2020

Mr. Richard Trevino, USAF
Base Civil Engineer
502d Civil Engineer Group
2428 Stanley Rd.
JBSA-Fort Sam Houston TX 78234

COL Isaac C. Manigault
Commander, Army Environmental Command
2455 Reynolds Road
Fort Sam Houston, Texas 78234-7664

Re: Request to meet re Conservation Easement and GCW habitat exchange

Gentlemen,

I am writing on behalf of several hundred homeowners who have property that will be affected by the 138 kv transmission line proposed by CPS to be built along Toutant Beauregard Rd. in northwest Bexar County. CPS had previously proposed a route that affected less than 10 property owners but crossed a conservation easement owned by the Nature Conservancy on portions of the old Maverick Ranch. Although this route appeared to be the most direct and least disruptive to existing property owners, it was abandoned when the Army would not give its permission to cross the above referenced conservation easement due to the loss of Golden Cheek Warbler habitat credits that would ensue. (Referencing your letter dated 26 March 2020)

I am writing to request less than 30 minutes of your time to meet and discuss a proposal in which the Army would reconsider its position in exchange for a donation to the Army of an amount of CCW habitat credits equal to or greater than those lost to the right of way. The credits would originate with a Conservation Easement granted to the Nature Conservancy of equal kind to that it would lose as a result of the same right of way.

C/O FIRST SERVICE RESIDENTIAL 3424 Paesanos Parkway, Suite 100 Shavano Park, Texas 78231

Our proposal would satisfy the Army's needs without causing any impact to its on-going operations, and insure that the Nature Conservancy's inventory of easement acreage is unaffected. It would require no cost to the Army.

Again, we are asking only for the opportunity to present the details of our proposal to you. We are available to meet by ZOOM or any other satisfactory means. If you are willing to meet with us, I can be contacted by e-mail at steve@cichowskilaw.com or by phone at 210 -870-1490. Your consideration is greatly appreciated.

Very truly yours,

Steve Cichowski
President, ASRHOA

-----Original Message-----

From: Steve Cichowski [mailto:steve@cichowskilaw.com]

Sent: Thursday, October 22, 2020 1:52 PM

To: 'CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC'
<james.cannizzo@us.af.mil>

Subject: RE: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits;
Email from HOA

Thank-you for your response. It seems the more I learn, the less I understand.

Can you answer this question that I will be asked:

1. Does the Air Force/Army object to the construction of a 138 kv transmission line, shown as Segment 12 on the attached proposed route map, across the property known as the old Maverick Ranch.

Steve Cichowski

Cichowski Law Firm, P.C.

Board Certified - Personal Injury Trial Law Texas Board of Legal Specialization

10500 Heritage Blvd., Suite 102

San Antonio, Texas 78216

210-223-5299 direct

210-870-1521 fax

-----Original Message-----

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[mailto:james.cannizzo@us.af.mil]
Sent: Thursday, October 22, 2020 7:38 AM
To: steve@cichowskilaw.com
Subject: FW: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits;
Email from HOA

I would have not used some of the wording you use, but you are correct in the key point that unless the TNC and Pond Foundation agree to relinquish part of the conservation easement, the Army/Air Force cannot act -- we cannot force them to relinquish it. Ref GCWA mitigation credits, we would need credits from a FWS approved GCWA mitigation bank and even then a new section 7 formal consultation would have to be done.

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

From: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com> >
Sent: Wednesday, October 21, 2020 12:41 PM
To: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC <james.cannizzo@us.af.mil <mailto:james.cannizzo@us.af.mil> >
Subject: [Non-DoD Source] RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

Thank-you for taking the time to visit with me regarding the Pond Foundation property and the Conservation Easement. I am meeting with the other Board members tomorrow to brief them on what we discussed and want to confirm that I understood what we talked about.

To summarize, CPS Energy is planning a transmission line to improve service in the Scenic Loop/Boerne Stage Road area. CPS formerly proposed a possible route that had a short segment (segment 12) going through the old Maverick Ranch. Upon final submittal to the PUC, that segment had been removed. We were under the impression that it had been removed because the Army/Air Force would not give its agreement to CPS for that segment because it would result in a loss of Golden Cheeked Warbler Habitat credits now owned by the Army/Air Force. We (the group of homeowners represented by the Anaqua Springs HOA) proposed to acquire replacement credits and donate them to the Army/Air Force in exchange for the Army/Air Force giving its agreement to allow the route segment in question to be re-added to the routes being considered by

the PUC. For this purpose we sought a meeting with the Army's representatives in order to present this proposal. Numerous e-mails were exchanged regarding the subject matter of the sought after meeting of which you are aware.

Prior to meeting with the Army, we were made aware that we were talking to the wrong people and that the Air Force was now the point of contact on this matter. You subsequently e-mailed me and we were able to visit this week regarding what we (the HOA) were proposing. After speaking with you it is my understanding that the things we were proposing are not within the Air Force' control, nor within the Air Forces authority under the Conservation Easement to agree to. In other words, the Air Force cannot give CPS Energy its agreement to go forward with the transmission line in the location we are talking about because the Conservation Easement does not grant it the authority to do so. Based on our conversation it is my understanding that the only authority the Air Force has is the authority to enforce the terms of the Conservation Easement in the event the Nature Conservancy does not, and the authority to have the Easement transferred to the Air Force or other qualified entity in the event the Nature Conservancy dissolves or becomes incapable of monitoring and enforcing the terms of the Easement. I was left with the impression that it is the Air Force's position that it is up to the Nature Conservancy and the Grantors of the easement to agree to the location of a transmission line on the property.

Because it is so important to the Board members and affected homeowners that what I report to them is accurate, can you please confirm or correct any of the impressions I have taken away from our conversation. The proposed project is going to affect hundreds of home and land owners so your time is greatly appreciated.

Thank-you again for your time.

Steve Cichowski
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Board Certified - Personal Injury Trial Law Texas Board of Legal Specialization
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Sent: Monday, October 19, 2020 5:42 PM
To: steve@cichowskilaw.com <mailto:steve@cichowskilaw.com>
Subject: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

As I mentioned on the phone, very few people understand the difference between section 7 and 10 of the ESA, credits under Section 10 are not usable under Sec 7 (the federal agency section), see excerpt from SEPHCP website:

P 3:

WHO MAY USE THE SEP-HCP?

Landowners, developers, Bexar County, the City of San Antonio, and others conducting nonfederal activities within the jurisdictions of Bexar County or the City of San Antonio (excluding any portion of Comal County) may be eligible to achieve ESA compliance through the Plan.

https://www.fws.gov/southwest/es/Documents/R2ES/AUES_SEP_HCP_FINAL_11_13_2015.pdf

The key issue in my mind as I relayed in the prior email, is TNC and Pond Foundation willingness to extinguish/relinquish part of the conservation easement for the 100 ft ROW. When we spoke with them last spring and when I checked back with them last week, they were not willing. Here are their POC contact #'s:

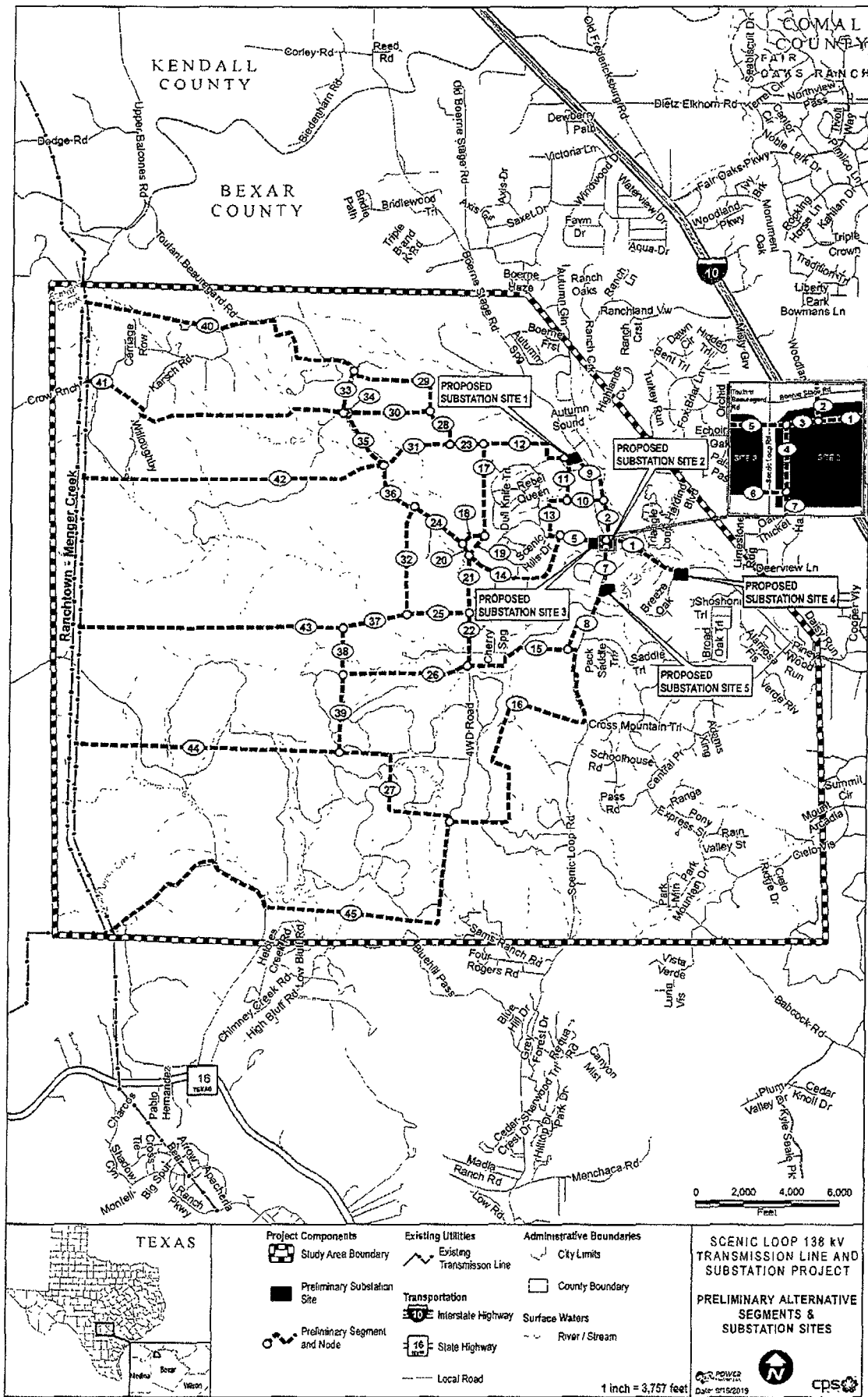
Kathryn Tancig, Braun & Gresham:
Kathryn Tancig
Attorney and Counselor
512.894.5426

<https://braungresham.com/meet-the-team/kathryn-tancig/>

Justin G. Rice, Senior Attorney
The Nature Conservancy
200 E. Grayson St., Suite 202
San Antonio, TX 78215
Tele (210) 301-5779 direct
(210) 224-8774 <tel:+1(210)%202248774>

https://lawyers.findlaw.com/profile/view/4076872_1

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home



-----Original Message-----

From: Steve Cichowski [mailto:steve@cichowskilaw.com]
Sent: Monday, October 19, 2020 4:53 PM
To: 'CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC'
<james.cannizzo@us.af.mil>
Subject: RE: CPS Project and Conservation easement and GCW habitat credits

Thank-you for the e-mail. I was out of town last week and when checking my e-mails, I missed this one from you. Because of the COVID situation that number you called is sometimes not manned. I believe there is a misunderstanding on what we are proposing. We are not proposing that the easement be extinguished in any form or fashion. I will try calling you on the number indicated.

Steve Cichowski
Cichowski Law Firm, P.C.
Board Certified - Personal Injury Trial Law Texas Board of Legal Specialization
10500 Heritage Blvd., Suite 102
San Antonio, Texas 78216
210-223-5299 direct
210-870-1521 fax

-----Original Message-----

From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC
[mailto:james.cannizzo@us.af.mil]
Sent: Wednesday, October 14, 2020 4:56 PM
To: steve@cichowskilaw.com
Subject: CPS Project and Conservation easement and GCW habitat credits

The Joint Base POCs asked me to call you to explain the situation the Air Force is in. Until about 2 years ago I worked for the Army and was actually the one who arranged all of the Camp Bullis golden-cheeked warbler mitigation transactions from 2009-2013. I now work for the Air Force at a legal HQ at Lackland's Kelly Annex.

The options you laid out for John Anderson are NOT within the Air Force (or Army's) control because the REPI conservation partner, TNC, and the underlying fee owner, the Pond Foundation, are unwilling to extinguish the easement. I re-verified this with TNC and the Pond Foundation today.

I tried calling the direct line in your email below, but it just rang without an answering machine. I have been working from home for the past 7 months, so my telework number is below if you wish to discuss this.

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AF/JAOE
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL
<richard.trevino@us.af.mil>
Sent: Wednesday, October 7, 2020 12:44 PM
To: steve@cichowskilaw.com; 'Rasmussen, Kirk' <krasmussen@jw.com>
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>;
Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil>;
MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA
<mary.mulhearn@us.af.mil>
Subject: RE: [Non-DoD Source] RE: CPS Project and Conservation easement and GCW habitat credits

Mr. Cichowski,

Mr. John Anderson will be contacting you to reset with the correct points of contact.

Thank you for your understanding.

v/r, Richard

From: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com> >
Sent: Wednesday, October 7, 2020 12:28 PM
To: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL <richard.trevino@us.af.mil
<mailto:richard.trevino@us.af.mil> >; 'Rasmussen, Kirk' <krasmussen@jw.com
<mailto:krasmussen@jw.com> >
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil
<mailto:candace.jackson@us.af.mil> >; Anderson, John H CIV USAF 502 ABW (USA)
<john.h.anderson54.civ@mail.mil <mailto:john.h.anderson54.civ@mail.mil> >; MULHEARN,
MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil
<mailto:mary.mulhearn@us.af.mil> >
Subject: [Non-DoD Source] RE: CPS Project and Conservation easement and GCW habitat credits

Mr. Trevino,

Understood. Just to be clear, do I need to call and reset with the proper persons, or will we be contacted?

Steve Cichowski
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From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL
[mailto:richard.trevino@us.af.mil]
Sent: Wednesday, October 07, 2020 10:03 AM
To: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com>
>; Rasmussen, Kirk <krasmussen@jw.com <mailto:krasmussen@jw.com> >
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil
<mailto:candace.jackson@us.af.mil> >; Anderson, John H CIV USAF 502 ABW (USA)
<john.h.anderson54.civ@mail.mil <mailto:john.h.anderson54.civ@mail.mil> >; MULHEARN,
MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil
<mailto:mary.mulhearn@us.af.mil> >
Subject: CPS Project and Conservation easement and GCW habitat credits
Importance: High

Mr. Cichowski/Mr. Rasmussen,

Good morning. Hope all is safe and healthy for you and your families.

Sincerely apologize for the late notice, but I must cancel today's discussion concerning the CPS Energy project as it pertains to the Conservation easement and habitat credits.

It has been recently brought to my attention that the appropriate office to address your concerns is the Air Force Civil Engineer Center located on Joint Base San Antonio.

Mr. John Anderson, the 502d Air Base Wing Community Initiatives Director will contact you to facilitate any further meetings on this issue with the Air Force Civil Engineer Center. Mr. Anderson's contact information is 210-808-7513 (office) or 660-238-4708 (cell).

Again, I sincerely apologize for the late cancellation, as I know there has much time spent trying to set up this meeting. Sincerely appreciate your continued partnership with the United States Armed Forces and Joint Base San Antonio.

Respectfully, Richard

RICHARD TREVINO JR., P.E., GS-15
Director, 502d Civil Engineer Group
Joint Base San Antonio, Texas
(210) 221-0903

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Kathryn Tancig, Braun & Gresham:
Kathryn Tancig
Attorney and Counselor
512.894.5426

<https://braungresham.com/meet-the-team/kathryn-tancig/>

Justin G. Rice, Senior Attorney
The Nature Conservancy
200 E. Grayson St., Suite 202
San Antonio, TX 78215
Tele (210) 301-5779 direct
(210) 224-8774 <tel:+1(210)%202248774>

https://lawyers.findlaw.com/profile/view/4076872_1

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC
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Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AF/JAOE

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Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>;
Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil>;
MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA
<mary.mulhearn@us.af.mil>
Subject: RE: [Non-DoD Source] RE: CPS Project and Conservation easement and GCW habitat
credits

Mr. Cichowski,

Mr. John Anderson will be contacting you to reset with the correct points of contact.

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v/r, Richard

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<mailto:krasmussen@jw.com> >
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil
<mailto:candace.jackson@us.af.mil> >; Anderson, John H CIV USAF 502 ABW (USA)
<john.h.anderson54.civ@mail.mil <mailto:john.h.anderson54.civ@mail.mil> >; MULHEARN,
MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil
<mailto:mary.mulhearn@us.af.mil> >
Subject: [Non-DoD Source] RE: CPS Project and Conservation easement and GCW habitat credits

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Steve Cichowski
Cichowski Law Firm, P.C.
Board Certified - Personal Injury Trial Law Texas Board of Legal Specialization
10500 Heritage Blvd., Suite 102
San Antonio, Texas 78216

210-223-5299 direct
210-870-1521 fax

From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL
[mailto:richard.trevino@us.af.mil]
Sent: Wednesday, October 07, 2020 10:03 AM
To: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com>
>; Rasmussen, Kirk <krasmussen@jw.com <mailto:krasmussen@jw.com> >
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil
<mailto:candace.jackson@us.af.mil> >; Anderson, John H CIV USAF 502 ABW (USA)
<john.h.anderson54.civ@mail.mil <mailto:john.h.anderson54.civ@mail.mil> >; MULHEARN,
MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil
<mailto:mary.mulhearn@us.af.mil> >
Subject: CPS Project and Conservation easement and GCW habitat credits
Importance: High

Mr. Cichowski/Mr. Rasmussen,

Good morning. Hope all is safe and healthy for you and your families.

Sincerely apologize for the late notice, but I must cancel today's discussion concerning the CPS Energy project as it pertains to the Conservation easement and habitat credits.

It has been recently brought to my attention that the appropriate office to address your concerns is the Air Force Civil Engineer Center located on Joint Base San Antonio.

Mr. John Anderson, the 502d Air Base Wing Community Initiatives Director will contact you to facilitate any further meetings on this issue with the Air Force Civil Engineer Center. Mr. Anderson's contact information is
210-808-7513 (office) or 660-238-4708 (cell).

Again, I sincerely apologize for the late cancellation, as I know there has much time spent trying to set up this meeting. Sincerely appreciate your continued partnership with the United States Armed Forces and Joint Base San Antonio.

Respectfully, Richard

RICHARD TREVINO JR., P.E., GS-15
Director, 502d Civil Engineer Group
Joint Base San Antonio, Texas
(210) 221-0903

From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL [mailto:richard.trevino@us.af.mil]
Sent: Wednesday, October 07, 2020 12:44 PM
To: steve@cichowskilaw.com; 'Rasmussen, Kirk' <krasmussen@jw.com>
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>; Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil>; MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil>
Subject: RE: [Non-DoD Source] RE: CPS Project and Conservation easement and GCW habitat credits

Mr. Cichowski,

Mr. John Anderson will be contacting you to reset with the correct points of contact.

Thank you for your understanding.

v/r, Richard

From: Steve Cichowski <steve@cichowskilaw.com>
Sent: Wednesday, October 7, 2020 12:28 PM
To: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL <richard.trevino@us.af.mil>; 'Rasmussen, Kirk' <krasmussen@jw.com>
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>; Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil>; MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil>
Subject: [Non-DoD Source] RE: CPS Project and Conservation easement and GCW habitat credits

Mr. Trevino,
Understood. Just to be clear, do I need to call and reset with the proper persons, or will we be contacted?

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From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL [<mailto:richard.trevino@us.af.mil>]
Sent: Wednesday, October 07, 2020 10:03 AM
To: Steve Cichowski <steve@cichowskilaw.com>; Rasmussen, Kirk <krasmussen@jw.com>
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>; Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil>; MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil>
Subject: CPS Project and Conservation easement and GCW habitat credits
Importance: High

Mr. Cichowski/Mr. Rasmussen,

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Mr. John Anderson, the 502d Air Base Wing Community Initiatives Director will contact you to facilitate any further meetings on this issue with the Air Force Civil Engineer Center. Mr. Anderson's contact information is 210-808-7513 (office) or 660-238-4708 (cell).

Again, I sincerely apologize for the late cancellation, as I know there has much time spent trying to set up this meeting. Sincerely appreciate your continued partnership with the United States Armed Forces and Joint Base San Antonio.

Respectfully, Richard

RICHARD TREVINO JR., P.E., GS-15
Director, 502d Civil Engineer Group
Joint Base San Antonio, Texas

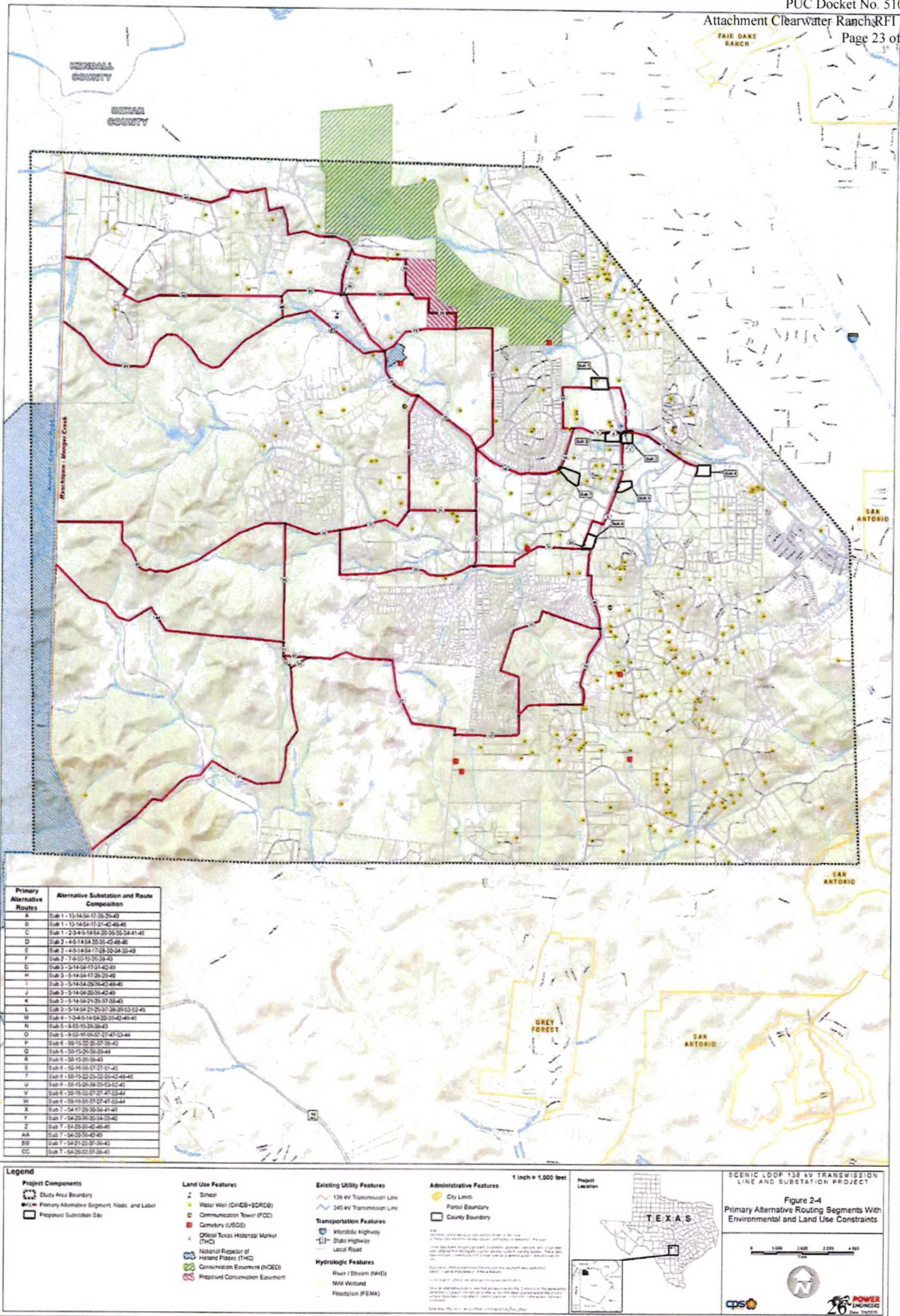
(210) 221-0903

From: Steve Cichowski [mailto:steve@cichowskilaw.com]
Sent: Tuesday, October 06, 2020 2:56 PM
To: 'JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS' <candace.jackson@us.af.mil>
Subject: Meeting re: CPS and GCW Habitat credit exchange

Ms. Jackson,
Attached are some documents we would like to refer to at tomorrow's meeting.

Thank-you.

Steve Cichowski
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210-223-5299 direct
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Primary Alternative Routes	Alternative Substation and Route Composition
A	Sub 1 - 13-14-56-17-35-75-43
B	Sub 1 - 13-14-56-17-31-42-48-46
C	Sub 1 - 2-3-4-5-14-54-35-33-35-34-41-41
D	Sub 2 - 8-5-14-54-35-33-42-48-46
E	Sub 2 - 4-5-14-54-17-33-33-34-33-49
F	Sub 2 - 7-8-33-33-25-33-43
G	Sub 3 - 5-14-54-17-31-42-43
H	Sub 3 - 5-14-54-17-25-29-40
I	Sub 3 - 5-14-54-25-33-42-48-46
J	Sub 3 - 5-14-54-35-33-42-43
K	Sub 3 - 5-14-54-35-33-33-43
L	Sub 3 - 5-14-54-21-25-37-38-39-33-32-43
M	Sub 4 - 7-8-43-14-54-25-33-42-48-46
N	Sub 5 - 8-5-15-35-43
O	Sub 5 - 8-5-15-35-37-47-53-44
P	Sub 6 - 33-15-22-25-37-38-42
Q	Sub 6 - 33-15-25-33-33-44
R	Sub 6 - 33-15-25-33-43
S	Sub 6 - 33-15-33-37-37-42
T	Sub 6 - 33-15-22-25-32-33-42-48-46
U	Sub 6 - 33-15-28-38-33-33-42-42
V	Sub 6 - 33-15-33-37-41-53-44
W	Sub 6 - 33-15-33-37-47-53-44
X	Sub 7 - 54-17-25-33-41-41
Y	Sub 7 - 54-23-33-33-34-33-42
Z	Sub 7 - 54-23-33-42-43
AA	Sub 7 - 54-23-33-42-43
BB	Sub 7 - 54-21-25-33-43
CC	Sub 7 - 54-23-33-37-33-41

Legend

Project Components
 Study Area Boundary
 Primary Alternative Segment, Node, and Label
 Proposed Substation Site

Land Use Features
 School
 Water Well (CIVIC-BRDCB)
 Communication Tower (PCC)
 Cemetery (USCG)
 Official Texas Historical Marker (THM)
 National Register of Historic Places (NRHP)
 Conservation Easement (NCEM)
 Proposed Conservation Easement

Existing Utility Features
 138 kV Transmission Line
 345 kV Transmission Line

Transportation Features
 Interstate Highway
 State Highway
 Local Road

Hydrologic Features
 River / Stream (NHD)
 Wetland (FEMA)
 Floodplain (FEMA)

Administrative Features
 City Limits
 Parcel Boundary
 County Boundary

1 inch = 1,000 feet

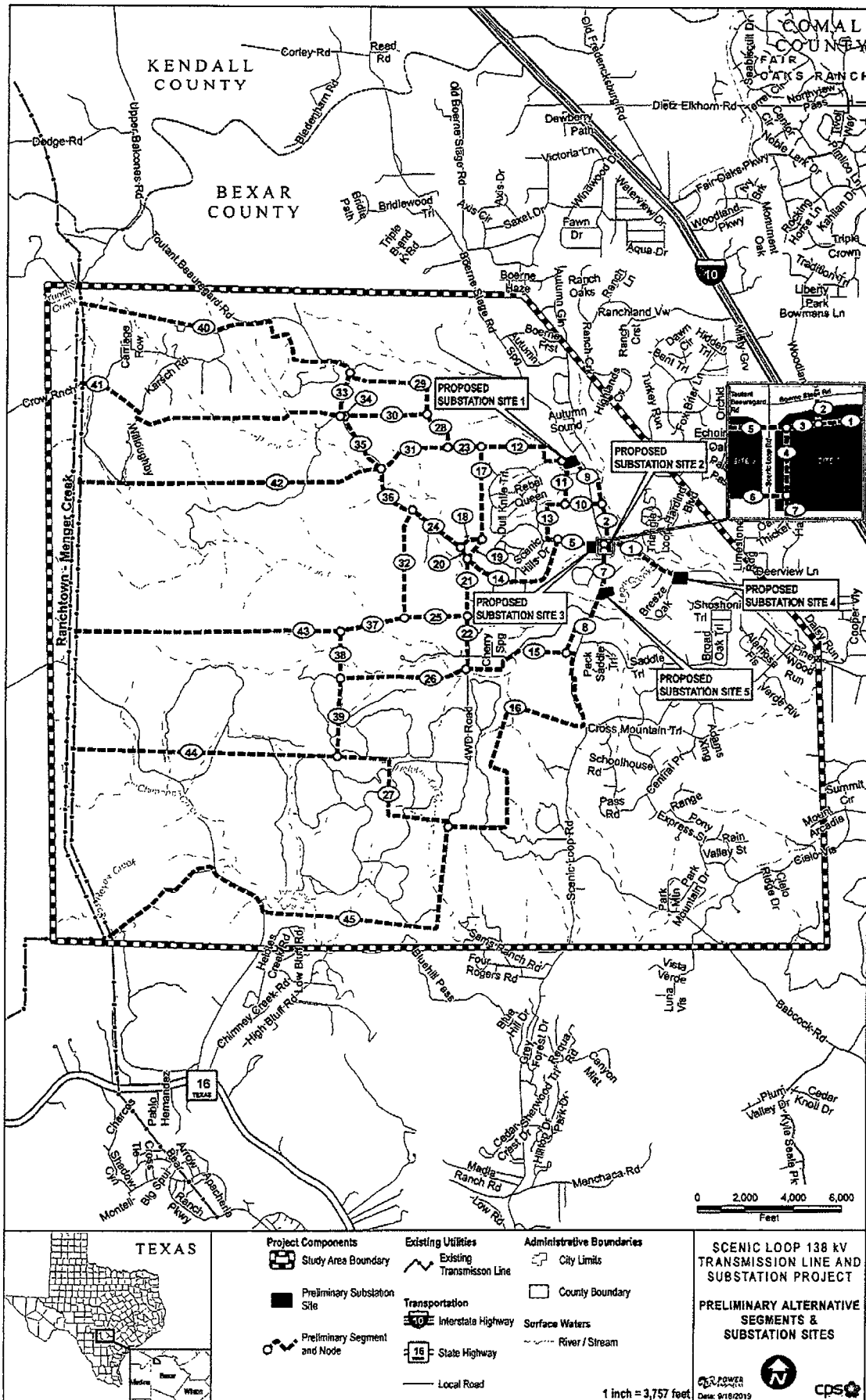


SCENIC LOOP 138 kV TRANSMISSION LINE AND SUBSTATION PROJECT

Figure 2-4
 Primary Alternative Routing Segments With Environmental and Land Use Constraints

Scale: 0 1000 2000 4000

Logos: CPS, POWER ENGINEERS



ANAQUA SPRINGS POSITION PAPER
CPS PROPOSALS FOR A NEW SUBSTATION/ TRANSMISSION LINES - SCENIC LOOP/
BOERNE STAGE ROAD- ANAQUA SPRINGS HOA AND DEVELOPER INPUT
OCTOBER 29, 2019

ISSUE: CPS has identified the need for a new substation and 138kv transmission line to service the area West of the Boerne Stage Road and Scenic Loop corridor. Decisions must be made regarding location of the substation and best transmission line routing to the existing Menger Spring/ Creek transmission line.

BACKGROUND: In the last 15 years, growth of residential home development indicated in the "ISSUES" boundaries, above, has grown from a small developed area(about 150 homesites in Scenic Hills development) to now approximately 300. From that base of 150, there has been a tenfold increase (150-1500) in residential homesites now including the Canyons(500), Sundance Ranch (300), Anaqua Springs (220 with further annexing to 300), Pecan Springs Ranch, Pecan Springs Estates, and Pecan Creek(platted for 300 lots/homes), all contiguous to Anaqua Springs and owned by the same developer. In addition, a new grade school is now open, less than one mile from Anaqua Springs entrance(on Toutant Beauregard) a new middle school is platted and planned for construction contiguous to the grade school.

DISCUSSION/ANALYSIS:

- Site Selection
 - Substation Site #1(4.61 acres) is the most logical, out of higher traffic patterns. Avoids all intersection issues at Boerne Stage road and Scenic loop. It's also the best start for any Northern options. Offers the starting of the best route with the least impact on current residential construction.
 - Site 2/3 are at a major cross over intersection, and very close to a large restaurant complex. Also would have the highest probability of late night car wrecks and it's the most in your face visible to all traffic East/ West and North/South.
 - Site 4 would work but adds an unnecessary crossover of the same intersection, above.
 - Site 5 is a reasonable second alternative for a Southern route. It also offers a suitable route with a reduced impact on residential construction.
- Transmission line routes(assumes the start at substation site 1 as best possibility of everything workable)
 - Route 12/23/28/29/40
 - Least impact, by far, on current and projected residential/ School development.
 - Comparatively minimal tax revenue loss.
 - Value impact estimated to be \$12 million over an estimated 8 properties
 - Does not infringe on or go right thru schools
 - From site 1, shortest distance to connect, with best terrain to do so.
 - Route 12//23/30/41
 - Goes right next to grade school and directly thru the proposed site for building the middle school.
 - Impacts Pecan Spring Ranch, with 50 lots/ homes platted/ proposed, with an estimated property value of \$77 million
 - Borders other high value property in CPS proposed route 42
 - Route 12/23/31/42
 - Close to grade school and future middle school
 - Highest impact to residential homes/ construction
 - Affects the Northern boundary of Anaqua Springs Ranch with a current property value of \$350 Million and a build out value of of \$650 Million.

- Affects Pecan Springs and Estates valued at \$312 Million and 250 proposed lots/ homes and buildout of \$688 Million. The combined value of these two adjacent sister projects is \$1.2 Billion.
- Route 8/15/24/38/43
 - Would require starting at site 5, not optimal.
 - Would border all the Canyons(500 homesites) on the North side and impact property values of \$425 Million
 - Would border all of Anaqua Springs on South border. Would impact property values of \$350 Million existing and buildout of \$650 Million property value.
 - Very tough terrain, highest hills (on Anaqua Southern border)compared to any other route.

RECOMMENDATIONS:

- Start at site 1, with that substation option
 - Best choice from many standpoints(see discussion)
 - Use transmission Route 12/23/28/29/40 with possibility of minor variations. Clearly the best option from many standpoints, most importantly from a residential disruption, school, and value impact basis. (see rationale)
 - Remove routes 41, 42 and 43 as all are high residential, school, valuation and tax Revenue burdens.
- Use routes 44 and 45, and Site 5, as a second set, of Southern alternatives, with reduced Residential, value impact, and no school impact.

Signed ANAQUA SPRINGS HOA BOARD AND DEVELOPER

From: Steve Cichowski [mailto:steve@cichowskilaw.com]
Sent: Monday, October 05, 2020 4:04 PM
To: 'JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS' <candace.jackson@us.af.mil>
Cc: 'Kristina Stroud' <kristina_marques1699@hotmail.com>; 'Greg Brigham' <gbrigham@remetrex.com>; Jim Middleton <jimmiddle@gmail.com>; 'Bill Couch' <bcouch49@yahoo.com>; 'Wendy Harvel' <wendy.harvel@crtxlaw.com>
Subject: Meeting

Ms. Jackson,

I had inquired about having a ZOOM meeting and I believe you were going to set us up for that. Can you send the invite to all of us please? I am waiting for CPS to let us know who will appear its behalf.

Steve Cichowski
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Texas Board of Legal Specialization
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210-870-1521 fax

From: Steve Cichowski [mailto:steve@cichowskilaw.com]
Sent: Tuesday, September 29, 2020 6:27 PM
To: 'JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS' <candace.jackson@us.af.mil>
Cc: 'Kristina Stroud' <kristina_marques1699@hotmail.com>; Jim Middleton <jimmiddle@gmail.com>; 'Bill Couch' <bcouch49@yahoo.com>; 'Greg Brigham' <gbrigham@remetrex.com>; 'Wendy Harvel' <wendy.harvel@crtxlaw.com>
Subject: RE: [Non-DoD Source] Meeting with Engineer Trevino - CPS Project and Conservation easement and GCW habitat credits

Ms. Jackson,

The brief version of what we would like to discuss is set forth in the attached letter which I previously sent by regular mail. Essentially, CPS is going to build a 134kv transmission line beginning from a location close to the Scenic Loop and Boerne Stage intersection and running west to connect with the existing Ranchtown - Menger Creek line. One of the early routes had a small segment that went through a Conservation Easement on property known as the old Maverick Ranch. The Army had purchased that easement for the Nature Conservancy in exchange for Golden Cheek Warbler habitat credits it needed for its own purposes. Mr. Trevino is intimately familiar with that history so I will not belabor it here. The Army objected to that segment because it would cause the Army to lose GCW credits equivalent to the area of the necessary easement. With this objection, and the fact that CPS did not think it could condemn an

interest owned by the Army, CPS abandoned that segment, and instead proposed a route that goes through or adjacent to the most heavily populated and built out region in the area. Instead of a route that affected an estimated \$12 million in property value, the favored route now affects an approximate **\$1.2 billion** in property value and passes within 300 feet of an existing elementary school.

Because of the extremely detrimental effect of the now recommended route, we are requesting that the Army reconsider its position given certain conditions and commitments, to wit:

1. The Anaqua Springs Ranch Homeowners Association (ASRHOA) along with other affected property owners will provide, at no cost to the Army, replacement GCW habit credits. We have already identified suitable property *as well as GCW credits already banked that can be purchased and traded with no delay.*
2. An equivalent amount of Conservancy Easement will be dedicated to the Nature Conservancy to keep its inventory in balance.
3. We have met with CPS and it is willing to place the segment in question back into the mix and work with our Association and the Army to negate any impact to the Army. This includes moving the line to run adjacent to a boundary line, nondisruptive construction techniques, or even moving the route to a location where only the wires cross the easement and nothing else. In fact, the route we are trying to push for remains CPS first choice.

The topics we wish to cover would be:

1. The detrimental economic and societal cost of the loss of the segment in question
2. What we propose and how we propose to accomplish it.
3. What we have accomplished so far.
4. CPS's willingness to participate in this and what commitments the Army may require from CPS.
5. What the Army or Air Force would require to remove its objections to the former segment.
6. How we can satisfy all of its requirements.
7. The possibility of doing something that works for the interest of the affected people, CPS, and the Army/Air Force.

The following people would like to participate. Please send them an invite;

Kristina Stroud – Board Member. kristina_marques1699@hotmail.com

Jim Middleton - Board Member. jimmmiddle@gmail.com

Bill Couch - Board Member. bcouch49@yahoo.com

Greg Brigham Board Member. gbrigham@remetrex.com

Wendy Harvel - Ms. Harvel is representing us before the Public Utilities Commission. wendy.harvel@crtxlaw.com

CPS Representative – to be determined

As I stated above, CPS is willing to be present to confirm that they back this effort and answer any question the Army may have. They can provide an administrative person, an engineer, or an attorney, depending on what kind of questions Mr. Trevino may have for them. Please let me know if he anticipates any particular line of question he might have and I will identify the appropriate person to attend.

Please note, although Ms. Harvel is representing us (ASRHOA) before the PUC, the meeting we have requested is not a “lawyers” meeting, but a nuts and bolts “what will it take” type of meeting. I am appearing in my capacity as Board Member and president of ASRHOA.

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From: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS [<mailto:candace.jackson@us.af.mil>]
Sent: Thursday, September 24, 2020 3:31 PM
To: steve@cichowskilaw.com
Subject: RE: [Non-DoD Source] Meeting with Engineer Trevino - CPS Project and Conservation easement and GCW habitat credits

Good Afternoon Sir,

I blocked October 7, 2020 from 2-3. Please send me a list of all attendees so that I can update the calendar invite. The line I have reserved at the moment only holds 10 people. Also could you please send me a list of topics that you wish to discuss.

Thank you and have a nice day.

V/R,

Candace Jackson

Executive Officer
502d Civil Engineer Group
2428 Stanley Road, Bldg. 142

Joint Base San Antonio, Texas 78234

☎ Office (210)221-0903/DSN 471-0903

☎ Work Cell (210)883-8049

Email: candace.jackson@us.af.mil

CEG Workflow: 502CEG.CL.CommandSection@us.af.mil

From: Steve Cichowski <steve@cichowskilaw.com>

Sent: Wednesday, September 23, 2020 12:46 PM

To: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>

Subject: [Non-DoD Source] Meeting with Engineer Trevino - CPS Project and Conservation easement and GCW habitat credits

Candace,

I am the president of Anaqua Springs Homeowners Association that requested a meeting with Mr. Trevino. Can you please reserve October 7, 2020 from 2-3 for our meeting with Mr. Trevino? I will forward more information shortly but wanted to nail down that time.

Thank-you.

Steve Cichowski
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ANAQUA SPRINGS RANCH HOMEOWNER'S ASSOCIATION

September 15, 2020

Mr. Richard Trevino, USAF
Base Civil Engineer
502d Civil Engineer Group
2428 Stanley Rd.
JBSA-Fort Sam Houston TX 78234

COL Isaac C. Manigault
Commander, Army Environmental Command
2455 Reynolds Road
Fort Sam Houston, Texas 78234-7664

Re: Request to meet re Conservation Easement and GCW habitat exchange

Gentlemen,

I am writing on behalf of several hundred homeowners who have property that will be affected by the 138 kv transmission line proposed by CPS to be built along Toutant Beauregard Rd. in northwest Bexar County. CPS had previously proposed a route that affected less than 10 property owners but crossed a conservation easement owned by the Nature Conservancy on portions of the old Maverick Ranch. Although this route appeared to be the most direct and least disruptive to existing property owners, it was abandoned when the Army would not give its permission to cross the above referenced conservation easement due to the loss of Golden Cheek Warbler habitat credits that would ensue. (Referencing your letter dated 26 March 2020)

I am writing to request less than 30 minutes of your time to meet and discuss a proposal in which the Army would reconsider its position in exchange for a donation to the Army of an amount of CCW habitat credits equal to or greater than those lost to the right of way. The credits would originate with a Conservation Easement granted to the Nature Conservancy of equal kind to that it would lose as a result of the same right of way.

C/O FIRST SERVICE RESIDENTIAL 3424 Paesanos Parkway, Suite 100 Shavano Park, Texas 78231

Our proposal would satisfy the Army's needs without causing any impact to its on-going operations, and insure that the Nature Conservancy's inventory of easement acreage is unaffected. It would require no cost to the Army.

Again, we are asking only for the opportunity to present the details of our proposal to you. We are available to meet by ZOOM or any other satisfactory means. If you are willing to meet with us, I can be contacted by e-mail at steve@cichowskilaw.com or by phone at 210 -870-1490. Your consideration is greatly appreciated.

Very truly yours,

Steve Cichowski
President, ASRHOA

-----Original Message-----

From: Steve Cichowski [mailto:steve@cichowskilaw.com]

Sent: Friday, October 23, 2020 11:12 AM

To: 'CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC'
<james.cannizzo@us.af.mil>

Subject: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; 2nd
Email from HOA

Thanks again for taking time to answer our questions.

Steve Cichowski

Cichowski Law Firm, P.C.

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San Antonio, Texas 78216

210-223-5299 direct

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-----Original Message-----

From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC
[mailto:james.cannizzo@us.af.mil]

Sent: Friday, October 23, 2020 9:46 AM

To: steve@cichowskilaw.com

Subject: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; 2nd Email from HOA

Ref the map you attached, off the top of my head, I do not know where the Maverick Range is in relation to the map routes, we would have to have a GIS tech plot it to understand route dynamics.

It is largely irrelevant what the route is and whether the AF/Army objects or supports a ROW through the Maverick easement. As long as the easement holder and property fee interest owner do not agree to relinquishment, it cannot happen.

In the ACUB/REPI program we normally support our conservation partners. And undoing even part of the conservation easement would cause GCWA mitigation crediting issues and cause us to have to reopen our prior Section 7 ESA formal consultation.

I am not working today, just logged in for a few minutes to check my email.

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AF/JAOE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

-----Original Message-----

From: Steve Cichowski <steve@cichowskilaw.com>

Sent: Thursday, October 22, 2020 1:52 PM

To: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC
<james.cannizzo@us.af.mil>

Subject: [Non-DoD Source] RE: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; Email from HOA

Thank-you for your response. It seems the more I learn, the less I understand.

Can you answer this question that I will be asked:

1. Does the Air Force/Army object to the construction of a 138 kv transmission line, shown as Segment 12 on the attached proposed route map, across the property known as the old Maverick Ranch.

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-----Original Message-----

From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC
[mailto:james.cannizzo@us.af.mil]
Sent: Thursday, October 22, 2020 7:38 AM
To: steve@cichowskilaw.com
Subject: FW: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits;
Email from HOA

I would have not used some of the wording you use, but you are correct in the key point that unless the TNC and Pond Foundation agree to relinquish part of the conservation easement, the Army/Air Force cannot act -- we cannot force them to relinquish it. Ref GCWA mitigation credits, we would need credits from a FWS approved GCWA mitigation bank and even then a new section 7 formal consultation would have to be done.

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

From: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com> >
Sent: Wednesday, October 21, 2020 12:41 PM
To: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC <james.cannizzo@us.af.mil <mailto:james.cannizzo@us.af.mil> >
Subject: [Non-DoD Source] RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

Thank-you for taking the time to visit with me regarding the Pond Foundation property and the Conservation Easement. I am meeting with the other Board members tomorrow to brief them on what we discussed and want to confirm that I understood what we talked about.

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Because it is so important to the Board members and affected homeowners that what I report to them is accurate, can you please confirm or correct any of the impressions I have taken away from our conversation. The proposed project is going to affect hundreds of home and land owners so your time is greatly appreciated.

Thank-you again for your time.

Steve Cichowski
Cichowski Law Firm, P.C.
Board Certified - Personal Injury Trial Law Texas Board of Legal Specialization
10500 Heritage Blvd., Suite 102
San Antonio, Texas 78216
210-223-5299 direct
210-870-1521 fax

From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC
[mailto:james.cannizzo@us.af.mil]
Sent: Monday, October 19, 2020 5:42 PM
To: steve@cichowskilaw.com <mailto:steve@cichowskilaw.com>
Subject: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

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https://lawyers.findlaw.com/profile/view/4076872_1

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

From: Steve Cichowski [mailto:steve@cichowskilaw.com]
Sent: Wednesday, October 21, 2020 12:41 PM
To: 'CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC' <james.cannizzo@us.af.mil>
Subject: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

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210-223-5299 direct
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From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC [mailto:james.cannizzo@us.af.mil]
Sent: Monday, October 19, 2020 5:42 PM
To: steve@cichowskilaw.com
Subject: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

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Regards, Jim C

Jim Cannizzo, GS-15, USAF

Senior Attorney, Mission Sustainment and Planning

AFLOA/JACE-FSC

3515 S. General McMullen, Suite 4060

JBSA-Lackland AFB, 78226

(210) 375-4142 teleworking from home

-----Original Message-----

From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC

[mailto:james.cannizzo@us.af.mil]

Sent: Friday, October 23, 2020 9:46 AM

To: steve@cichowskilaw.com

Subject: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; 2nd Email from HOA

Ref the map you attached, off the top of my head, I do not know where the Maverick Range is in relation to the map routes, we would have to have a GIS tech plot it to understand route dynamics.

It is largely irrelevant what the route is and whether the AF/Army objects or supports a ROW through the Maverick easement. As long as the easement holder and property fee interest owner do not agree to relinquishment, it cannot happen.

In the ACUB/REPI program we normally support our conservation partners. And undoing even part of the conservation easement would cause GCWA mitigation crediting issues and cause us to have to reopen our prior Section 7 ESA formal consultation.

I am not working today, just logged in for a few minutes to check my email.

Regards, Jim C
Jim Cannizzo, GS-15, USAF

Senior Attorney, Mission Sustainment and Planning AF/JAOE-FSC
3515 S. General McMullen, Suite 4060
JBSA-Lackland AFB, 78226
(210) 375-4142 teleworking from home

-----Original Message-----

From: Steve Cichowski <steve@cichowskilaw.com>
Sent: Thursday, October 22, 2020 1:52 PM
To: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC
<james.cannizzo@us.af.mil>
Subject: [Non-DoD Source] RE: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; Email from HOA

Thank-you for your response. It seems the more I learn, the less I understand.

Can you answer this question that I will be asked:

1. Does the Air Force/Army object to the construction of a 138 kv transmission line, shown as Segment 12 on the attached proposed route map, across the property known as the old Maverick Ranch.

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-----Original Message-----

From: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC
[mailto:james.cannizzo@us.af.mil]
Sent: Thursday, October 22, 2020 7:38 AM
To: steve@cichowskilaw.com
Subject: FW: RE: CPS Powerline Project and Conservation Easement and GCW Habitat Credits; Email from HOA

I would have not used some of the wording you use, but you are correct in the key point that unless the TNC and Pond Foundation agree to relinquish part of the conservation easement, the Army/Air Force cannot act -- we cannot force them to relinquish it. Ref GCWA mitigation credits, we would need credits from a FWS approved GCWA mitigation bank and even then a new section 7 formal consultation would have to be done.

Regards, Jim C
Jim Cannizzo, GS-15, USAF
Senior Attorney, Mission Sustainment and Planning AFLOA/JACE-FSC

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From: Steve Cichowski <steve@cichowskilaw.com <mailto:steve@cichowskilaw.com> >
Sent: Wednesday, October 21, 2020 12:41 PM
To: CANNIZZO, JAMES V GS-15 USAF HAF AFLOA/JACE/FSC <james.cannizzo@us.af.mil <mailto:james.cannizzo@us.af.mil> >
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Sent: Monday, October 19, 2020 5:42 PM
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Subject: CPS Powerline Project and Conservation Easement and GCW Habitat Credits

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From: Steve Cichowski [mailto:steve@cichowskilaw.com]

Sent: Wednesday, October 07, 2020 12:28 PM

To: 'TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL' <richard.trevino@us.af.mil>; 'Rasmussen, Kirk' <krasmussen@jw.com>

Cc: 'JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS' <candace.jackson@us.af.mil>; 'Anderson, John H CIV USAF 502 ABW (USA)' <john.h.anderson54.civ@mail.mil>; 'MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA' <mary.mulhearn@us.af.mil>

Subject: RE: CPS Project and Conservation easement and GCW habitat credits

Mr. Trevino,

Understood. Just to be clear, do I need to call and reset with the proper persons, or will we be contacted?

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AMERICAN
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ADVOCATES



From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL [<mailto:richard.trevino@us.af.mil>]
Sent: Wednesday, October 07, 2020 10:03 AM
To: Steve Cichowski <steve@cichowskilaw.com>; Rasmussen, Kirk <krasmussen@jw.com>
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>; Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil>; MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil>
Subject: CPS Project and Conservation easement and GCW habitat credits
Importance: High

Mr. Cichowski/Mr. Rasmussen,

Good morning. Hope all is safe and healthy for you and your families.

Sincerely apologize for the late notice, but I must cancel today's discussion concerning the CPS Energy project as it pertains to the Conservation easement and habitat credits.

It has been recently brought to my attention that the appropriate office to address your concerns is the Air Force Civil Engineer Center located on Joint Base San Antonio.

Mr. John Anderson, the 502d Air Base Wing Community Initiatives Director will contact you to facilitate any further meetings on this issue with the Air Force Civil Engineer Center. Mr. Anderson's contact information is 210-808-7513 (office) or 660-238-4708 (cell).

Again, I sincerely apologize for the late cancellation, as I know there has much time spent trying to set up this meeting. Sincerely appreciate your continued partnership with the United States Armed Forces and Joint Base San Antonio.

Respectfully, Richard

RICHARD TREVINO JR., P.E., GS-15
Director, 502d Civil Engineer Group
Joint Base San Antonio, Texas
(210) 221-0903

From: TREVINO, RICHARD JR GS-15 USAF AETC 502 CEG/CL [mailto:richard.trevino@us.af.mil]
Sent: Wednesday, October 07, 2020 10:03 AM
To: Steve Cichowski <steve@cichowskilaw.com>; Rasmussen, Kirk <krasmussen@jw.com>
Cc: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>; Anderson, John H CIV USAF 502 ABW (USA) <john.h.anderson54.civ@mail.mil>; MULHEARN, MARY H GS-14 USAF AFMC AFCEC/SAF/GCN-SA <mary.mulhearn@us.af.mil>
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(210) 221-0903

From: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS [mailto:candace.jackson@us.af.mil]
Sent: Thursday, September 24, 2020 3:31 PM
To: steve@cichowskilaw.com
Subject: RE: [Non-DoD Source] Meeting with Engineer Trevino - CPS Project and Conservation easement and GCW habitat credits

Good Afternoon Sir,

I blocked October 7, 2020 from 2-3. Please send me a list of all attendees so that I can update the calendar invite. The line I have reserved at the moment only holds 10 people. Also could you please send me a list of topics that you wish to discuss.

Thank you and have a nice day.

V/R,

Candace Jackson

Executive Officer
502d Civil Engineer Group
2428 Stanley Road, Bldg. 142
Joint Base San Antonio, Texas 78234
☎ Office (210)221-0903/DSN 471-0903
☎ Work Cell (210)883-8049
Email: candace.jackson@us.af.mil

CEG Workflow: 502CEG.CL.CommandSection@us.af.mil

From: Steve Cichowski <steve@cichowskilaw.com>

Sent: Wednesday, September 23, 2020 12:46 PM

To: JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS <candace.jackson@us.af.mil>

Subject: [Non-DoD Source] Meeting with Engineer Trevino - CPS Project and Conservation easement and GCW habitat credits

Candace,

I am the president of Anaqua Springs Homeowners Association that requested a meeting with Mr. Trevino. Can you please reserve October 7, 2020 from 2-3 for our meeting with Mr. Trevino? I will forward more information shortly but wanted to nail down that time.

Thank-you.

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From: Steve Cichowski [mailto:steve@cichowskilaw.com]
Sent: Thursday, October 01, 2020 11:13 AM
To: 'JACKSON, CANDACE L GS-06 USAF AETC 502 CEG/CSS' <candace.jackson@us.af.mil>
Cc: 'krasmussen@jw.com' <krasmussen@jw.com>
Subject: CPS Scenic Loop Project and GCW Habitat Credits - Corrections to previous e-mails

In my previous summary of the issues that I sent to you, there were some inaccuracies that have been pointed out to me by CPS. To avoid any misunderstanding, I need to correct those.

In my summary, I used the term “prefer” to reference the route we are trying to have reconsidered. CPS does not prefer a particular route over another. It must remain neutral as part of its public trust, although it does make a “recommendation” based upon available objective and subjective criteria. It prefers a reasonably adequate number of alternative routes to present to the Public Utility Commission for selection, one of which originally included the now excluded Segment 12. CPS does not oppose re-adding that Segment for the Commission’s consideration if the Army’s objections can be satisfied.

Also, while CPS is willing to work with the Army and landowners on non-disruptive construction techniques, it cannot commit to any specifics without the more detailed information it would obtain by a ground survey; something it has not done. This would

be an ongoing process. I thought this would be implicit in the overall discussion and apologize if it was presented as anything else.

In the same vein, the ability to shift the location of Segment 12 is constrained by external factors and may be limited. For instance if shifting the route south put it squarely in a cemetery, this would not be possible. There are other constraints such as timing and notice requirements that may also limit what can be done. CPS has indicated that it is willing to consider alternatives *within these constraints*. Again I thought these considerations would be implicit in any conversation we would have and apologize if presented otherwise.

Thank-you.

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Thank-you.

Steve Cichowski
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SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CLEARWATER RANCH POA'S FIRST REQUEST FOR INFORMATION

Clearwater Ranch RFI No. 1-2

Please provide copies of all correspondence with the U.S. Air Force related to Segment 12 or the Conservation Easement at issue in this proceeding.

Response:

Please see Attachment Clearwater Ranch RFI 1-1.

Preparer: Wendy Harvel - Counsel to Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
ANAQUA SPRINGS HOMEOWNERS' ASSOCIATION RESPONSE TO
CLEARWATER RANCH POA'S FIRST REQUEST FOR INFORMATION

Clearwater Ranch RFI No. 1-3

Please provide copies of all correspondence with Richard Trevino, Jr., P.E., GS-15 or Jim Cannizzo, GS-15, USAF or any other U.S. Army or U.S. Air Force representative related to Segment 12 or the Conservation Easement at issue in this proceeding.

Response:

Please see Attachment Clearwater Ranch RFI 1-1.

Preparer: Wendy Harvel - Counsel to Anaqua Springs HOA
Sponsor: Steve Cichowski – President of Anaqua Springs HOA