



Control Number: 51023



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SOAH Docket No. 473-21-024  
PUC Docket No. 51023

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In Re: 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 Project in Bexar County, Texas

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PUBLIC UTILITY COMMISSION  
FILING CLERK  
Before the State Office of  
Administrative Hearings

Direct Testimony of Carmen Barrera Ramirez

1. My name is Carmen Barrera Ramirez, a registered property owner (aka Carmen Alice B. Ramirez on the BCAD rolls).
2. My mailing address is 26340 Toutant Beauregard Road, Boerne, Texas, 78006 and I have lived with my husband and our children at this address since 1981. (Forty years)
3. I own 11 acres (+/-) in Bexar County which consists of the following:
  - A. 1 acre homesite, 4.87 acres Range improved dryland
  - B. 5.489 acres Range improved dryland
4. My husband Rick Ramirez owns and operates a cow/calf operation and horse breeding operation in South Texas on 1800 acres of land in Duval County. He regularly trailers his animals in need of doctoring, care and development to our acreage here where we have corrals, pens flatbed and stock trailers and barn for feed, supplies and farming implements.
5. I spent several years with THC getting the Heidemann Family Cemetery recognized as an Historic Cemetery. I made the application myself, picked the minds of the incredible women of the San Antonio Conservation Society, borrowed their writings and histories of the Heidemann Family and Complex, drove up to Austin to plead our case and made a successful outcome. We have just received our Texas State Historic Marker last week which is slated to be installed in April. Our grandson Daniel is buried on this property in the Barrera-Zendejas Family Cemetery which lies next to the Heidemann Family Cemetery. I take great care of both cemeteries and I am totally devoted to the maintenance of this beautiful and peaceful place. Our daughter, Monica Ramirez Khirallah and her husband David have just purchased 8 acres from my dad to build their home directly in front of the cemetery in order to be close to their beloved son and to help with the maintenance of the property.
6. Centrally located on the property is our family picnic park which has improvements of an outdoor kitchen, 2 bathrooms, barbeque/smoker pit, several covered patios, lighted sidewalks, flagstone patio and improved manicured lawn. My mother began the picnic area for her annual Easter Sunday picnic the year my dad bought the property in 1970, which up until COVID 2020, was a running open house event for over 40 families. The

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Easter Sunday picnic began over 60 years ago at our family home on Vance Jackson. The picnic park has also been used for fundraising events, early morning masses and most recently by my oldest niece for her wedding.

7. My four daughters were born and raised on this ranch. Two of my grandchildren were born here as well. My daughter Monica, her husband and three of my grandsons, her boys, live here now while they build their much anticipated new home.
8. The "Arcibar 7 Ranch" where I have resided for the past 40 years is not just a ranching operation, it is a complex of family homes. At one end of the property lives my nephew Roy III with his wife and children, next door to him lives my nephew Mark with his wife and children. Third from the end and basically next door to me is my brother Roy Jr. and his wife. Next to me further down the road is my brother Bobby and his wife and children and bringing up the end of established homes on the ranch is my brother Gilbert. Other familial property owners of frontage on the ranch are my daughter Monica and her husband in the home building stage and lastly my niece Marissa and her husband at the end of the property line.
9. My brother, Roy R. Barrera, Jr. runs a horse and cattle operation on the ranch utilizing the 65 acres of rangeland, closest to his home for the use and enjoyment of his children and grandchildren and my children and grandchildren.
10. The spring fed pond is lovingly and routinely cared for by my brother Bobby. He regularly stocks the pond with fish, feeds the wild geese and ducks which over the years have come to nest and occupy the area. He keeps natural debris from clogging the natural spring eruptions and makes this area a favorite recreational spot for his children and mine and my grandchildren. The Fishing Club of O'Connor High School for years utilized the pond for recreation with their moderator Mr. Gerald Winter who still comes out many times a year with his grandson. My brother Bobby also has set up deer feeders throughout the ranch which helps keep the deer and hog population healthy and strong.
11. My brother Gilbert was solely responsible for bringing life back into the Heidemann complex. He completely restored the original structure personally, utilizing the studies and documentation of UT students lead by Professor Frances Gale who took her Materials Conservation Laboratory class to the complex to analyze the building materials. His restoration of the 19<sup>th</sup> century log cabin (dog trot), smokehouse, barn and kiln won him an award and recognition by the San Antonio Conservation Society in March of 2016.
12. The home I now live in was purchased by my dad from Alex Cadena and his wife back in 1970. Several years into my residence here, my neighbor, Jewel Heidemann called to say she was out of water. I filled a 5 gallon igloo, took my supply of screw-in fuses and went to see her. Turns out, I brought her more water than she would need in a month, and would not need the fuses because she did not have a working windmill. (She practiced water capture) It's all about good neighbors here. My father bought the Heidemann

complex from Jewel, gave her a life estate, repaired her road, her fences, her roof and sidewalk. Took her out to her pastures so she could supervise the cutting and more or less “worked for her” each weekend, completing the tasks she set out for him. After several months, she exclaimed, “If I had known that you would do all this for me for free, I would have sold you the property 20 years ago.” As per her instructions, my father buried Jewel next to her husband Emil, in her husband’s family cemetery, the very same cemetery I now take care of.

13. We have recorded documentation of endangered wildlife and wildlife habitat identified on this property consisting of the Golden Cheeked Warbler. It is also well documented that urban sprawl, and the destruction of old junipers or Texas cedar, as well as civilian noise and the wide spread use of man-made chemicals have contributed to the demise of these species of birds.

14. I wholly and completely object to Segments 28, 29, 30, 31, 35, and the meeting point of Segments 31, 35 and 36 for the following reasons:

- 14.1 Segments 28 and 31 cut directly across our family private property and will disrupt the wildlife protected habitat of the endangered species Golden-Cheeked Warbler and its nesting area and follows no property line or public roadway and fragments intact land which goes against TPWD’s statement in its Recommendation Letter to the PUC that “the State’s long term interests are best served when new utility lines and pipelines are sited where possible in or adjacent to existing utility corridors, roads or rail lines instead of fragmenting intact lands.”

- 14.2 Segment 28 and its intersection of Segment 30 is directly on our family private property at the fringe of the protected habitat and follows no property line or public roadway and fragments intact land which goes against TPWD’s statement in its Recommendation Letter to the PUC that “the State’s long term interests are best served when new utility lines and pipelines are sited where possible in or adjacent to existing utility corridors, roads or rail lines instead of fragmenting intact lands.”

- 14.3 Segment 28 and its intersection of Segment 29 cuts directly across our family private property and follows no property line or public roadway and fragments intact land which goes against TPWD’s statement in its Recommendation Letter to the PUC that “the State’s long term interests are best served when new utility lines and pipelines are sited where possible in or adjacent to existing utility corridors, roads or rail lines instead of fragmenting intact lands.”

- 14.4 Segment 31 in addition to cutting directly across the wildlife protected habitat, it cuts directly through my brother Bobby’s private property and homestead, and dissects and fringes the Heidemann Ranch Complex with nine historic structures built in the early 1860’s. This property as stated before is listed on the National Register of Historic Places

and the Heidemann Family Cemetery which is also part of the Texas Historic Commission registry of Texas Historic Cemeteries. Segment 31 also trisects our family private property and follows no property line or public roadway and fragments intact land which goes against TPWD's statement in its Recommendation Letter to the PUC that "the State's long term interests are best served when new utility lines and pipelines are sited where possible in or adjacent to existing utility corridors, roads or rail lines instead of fragmenting intact lands."

14.5 Segment 30 in addition to skirting and/or fringing protected habitat at the meeting point of Segment 28, and 30 also serves to trisect our family private property and follows no property line or public roadway and fragments intact land which goes against TPWD's statement in its Recommendation Letter to the PUC that "the State's long term interests are best served when new utility lines and pipelines are sited where possible in or adjacent to existing utility corridors, roads or rail lines instead of fragmenting intact lands."

14.6 Segment 29 while it may follow owner property lines at some point, it quadrisects our private property and follows no property line or public roadway and fragments intact land which goes against TPWD's statement in its Recommendation Letter to the PUC that "the State's long term interests are best served when new utility lines and pipelines are sited where possible in or adjacent to existing utility corridors, roads or rail lines instead of fragmenting intact lands."

14.7 Segment 35, (if your mapping diagrams are accurate) will run right down the frontage of my own private property and homestead, encroaching on the 15 century oaks in my front yard. The destruction of those century oaks will detract and devalue my property to which I have no recourse or remedy.

15. I also object to the actions of developers of Pecan Springs and CPS energy in the process of proposing segments, moving segments and donating "Right of Way" in Segments 42a, 46, 46a and 49a. These actions are based on protecting their financial interests, specifically saving CPS Energy expenses and enriching the developers of Pecan Springs, to the detriment of surrounding landowners. The Pecan Springs Developers have donated flood plain and other undeveloped property to CPS Energy (which flood plain feeds the Leon Creek that runs directly through my property) and by doing so, they are protecting their investment in the Pecan Springs and Anaqua Springs areas. In accepting such donation, CPS Energy reveals its lack of consideration of protected environments, aesthetics and rights of property owners to unencumbered use of their private property.

16. The planning, staging, measuring, mapping and installment of the aforementioned segments through the Arcibar 7 Ranch with men and heavy equipment, trucking in and out with supplies and service vehicles would serve to disrupt and destroy the peace and tranquility of this beautiful property, interrupt the safe passage of our children walking or

riding their bicycles down the back roads to visit their cousins, aunts and uncles and cause a safety issue with our animals, agriculture, personal homes and families.

Wherefore premises considered, I respectfully request that CPS Energy run their new utility lines in or adjacent to existing utility corridors, roads or rail lines instead of fragmenting our family property with Segments 28, 29, 30, 31 and my own homestead property and century oaks with Segment 35.

Respectfully submitted,

/S/ CARMEN BARRERA RAMIREZ

Carmen Barrera Ramirez

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Boerne, Texas 78006

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Certificate of Service

I certify that a true and correct copy of the foregoing Statement of Position has been filed with the Commission and served on all other parties via the PUC interchange on this 22<sup>ND</sup> day of February, 2021 pursuant to SOAH Order Number 3 issued in this docket.

/S/ CARMEN BARRERA RAMIREZ

Carmen Barrera Ramirez