

Our mission is to sustain the natural environment and enhance urban spaces through land conservation, community engagement, and education. Your donation to Green Spaces today or through a planned gift nurtures a culture of conservation in our community.

On Tue, Jun 5, 2018 at 4:17 PM, Tyler Sanderson <tyler@greensatx.org> wrote:

Gentlemen,

Thank you very much for showing us around your incredible property today. I had a great time and appreciate your conservation mentality and the management of your property.

I have relayed the questions that came up today that we were not able to answer. The City Staff will get back to me soon and I will report back with those answers.

In the meantime I have attached the letter that I sent to Dr. Bitter last week as well as the template of the conservation easement that the City works with.

I did want to partially answer your question about what in the conservation easement is non-negotiable. To an extent, everything is negotiable except for the annual monitoring, the percentage of impervious surface restriction (#1 in easement), mineral rights (#10 in easement and elsewhere I believe), and storage, dumping and disposition (#9 in easement).

The City is willing to consider any suggested edits to the conservation easement. Generally, after the appraisal process, I ask the landowner to provide me with any suggested edits or concerns that they might have. If there is something major that might change the appraised value significantly, I would like to know that ahead of time.

There was also a question today about condemnation language in the easement (I think I was grabbing the sotol. There is language in there (#20 in easement), so take a look at that and let me know if it works for you. Again, you can send proposed edits for the City to consider.

Again, thank you all for showing us around. I look forward to any further conversation. Please let me know if you have any questions and let me know how the family feels about this potential project.

I also wanted to ask if you are comfortable working with me, or would prefer to work with David Bezanson? We had originally delegated your property to Green Spaces Alliance for contact, but I understand you have spoken with David a couple times. I obviously would prefer to work with you, we are not in competition and all I really care about is conserving land and spending the Edwards Program budget wisely.

Best,

Tyler Sanderson | Land Conservation & Stewardship Manager



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PO Box 15275 | San Antonio TX 78212

210.222.8430 x.305 | Fax 210.222.8022



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Michael Bitter

From: Tyler Sanderson <tyler@greensatx.org>
Sent: Friday, September 14, 2018 3:28 PM
To: josephbitter@att.net; Michael Bitter
Subject: Re: Edwards Aquifer Protection Program Introduction
Attachments: Bitter status letter.pdf

Gentlemen,

In an effort to keep in contact with landowners potentially interested in a conservation easement with the Edwards Aquifer Protection Program, I try to send a status letter at the beginning of each funding season. I have attached a letter to your family for your consideration.

Please let me know if you have any questions, comments or concerns. I would very much like to work on a conservation easement with your property.

Best,

Tyler Sanderson | Interim Executive Director



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On Fri, Jun 1, 2018 at 3:09 PM, Tyler Sanderson <tyler@greensatx.org> wrote:
Mr. Bitter,

Thank you for talking with me today during your drive. I appreciate you taking the time to speak with me.

I have not been able to get in touch with David Bezanson, but that will not change the fact that we can meet on next **Tuesday, June 5th** to view your property and discuss the potential conservation easement.

I would be happy to meet with you at any time on Tuesday. Please just let me know when is best and where I should meet you.

You can email or call me to get in touch. My cell phone is best (319)471-5900.

I have also attached a letter that explains the program in detail in case you have anything that might need cleared up. I am looking forward to talking with you and viewing your property.

Best,

Tyler Sanderson | Land Conservation & Stewardship Manager



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**GREEN
SPACES
ALLIANCE**
1998-2018

CELEBRATING 20 YEARS
of Conservation, Education,
& Engagement

September 14, 2018

Dear Joseph Bitter,

The Conservation Advisory Board for the City of San Antonio's Edwards Aquifer Protection Program (EAPP) met on August 22nd and made progress on properties currently in the program process. Green Spaces Alliance, as a contractor for the City, has several properties currently in the process, however must wait until one of those properties closes before we can propose the next property to the City. The City, contractors and subcontractors must move at the pace of the slowest wheel during the process. As explained to you before, this is a slow process and takes a lot of patience from all parties.

There is a specific system for ranking the recharge and conservation value of all properties in the region. This ranking is for the benefit of the land acquisition team (Green Spaces Alliance, the Nature Conservancy and the City) as well as the benefit of the advisory board that determines the acceptance or declination of a particular property to the program. However, the model is not perfect in ranking properties, so we like to visit properties in person to determine the true quality of the land. Therefore, it is up to the discretion of the land acquisition team to order the interested properties.

The ranking system is determined based on a model designed by the Scientific Evaluation Team (SET). The model ranks properties in 10% increments, with 10% being the highest value and 90% being the lowest. Your property has been modeled in the top 10% and is currently ranked at #1 in the current cue. Since your property ranks in the top 10% of recharge potential, I will be able to begin the first stage of due diligence without a request to the City. I understand your family has some questions, concerns and reservations about the due diligence process of this program. If there is anything I can do to help you all, I am happy to help.

We value your potential interest in the program. I want to stress that your property is very important to Green Spaces Alliance and we look forward to conserving your land for the benefit of the Edwards Aquifer and for you. If/when your family makes this very big decision, please feel free to contact me.

Please contact me at 210.222.8430 x 305 or at tyler@greensatx.org if you have any questions or require additional information. I am excited that you have submitted your property for conservation to the EAPP, and look forward to working with you.

Sincerely,

Tyler Sanderson
Land Conservation and Stewardship Manager, Interim Executive Director

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TYLER SANDERSON

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Bexar Land Trust, Inc. DBA Green Spaces Alliance of South Texas is a 501(c)(3) Corporation
108 East Mistletoe Avenue, San Antonio, TX 78212
210.222.8430 • www.greensatx.org

*Our mission is to sustain the natural environment and enhance urban spaces through
land conservation, community engagement, and education.*



Michael Bitter

From: Tyler Sanderson <tyler@greensatx.org>
Sent: Tuesday, July 2, 2019 10:56 AM
To: Michael Bitter; josephbitter@att.net
Subject: Fwd: Potential power line in your area
Attachments: IMG_20190628_115100.jpg

Gentlemen,

I was sent this forwarded email last week. It is regarding a potential power line that appears to have an affect on your ranch. I wanted to send you this information so that you were aware.

If you have any questions or would like me to find out more, I am happy to try.

The person who sent this to me, Lori Olson, is the Executive Director of the Texas Land Trust Council and can get us more information.

I hope you all are doing well and your summer has started off great. I bet the pond is still full of water and the kids are able to have a blast swimming out there.

Have a great 4th of July.

Tyler Sanderson | Interim Executive Director



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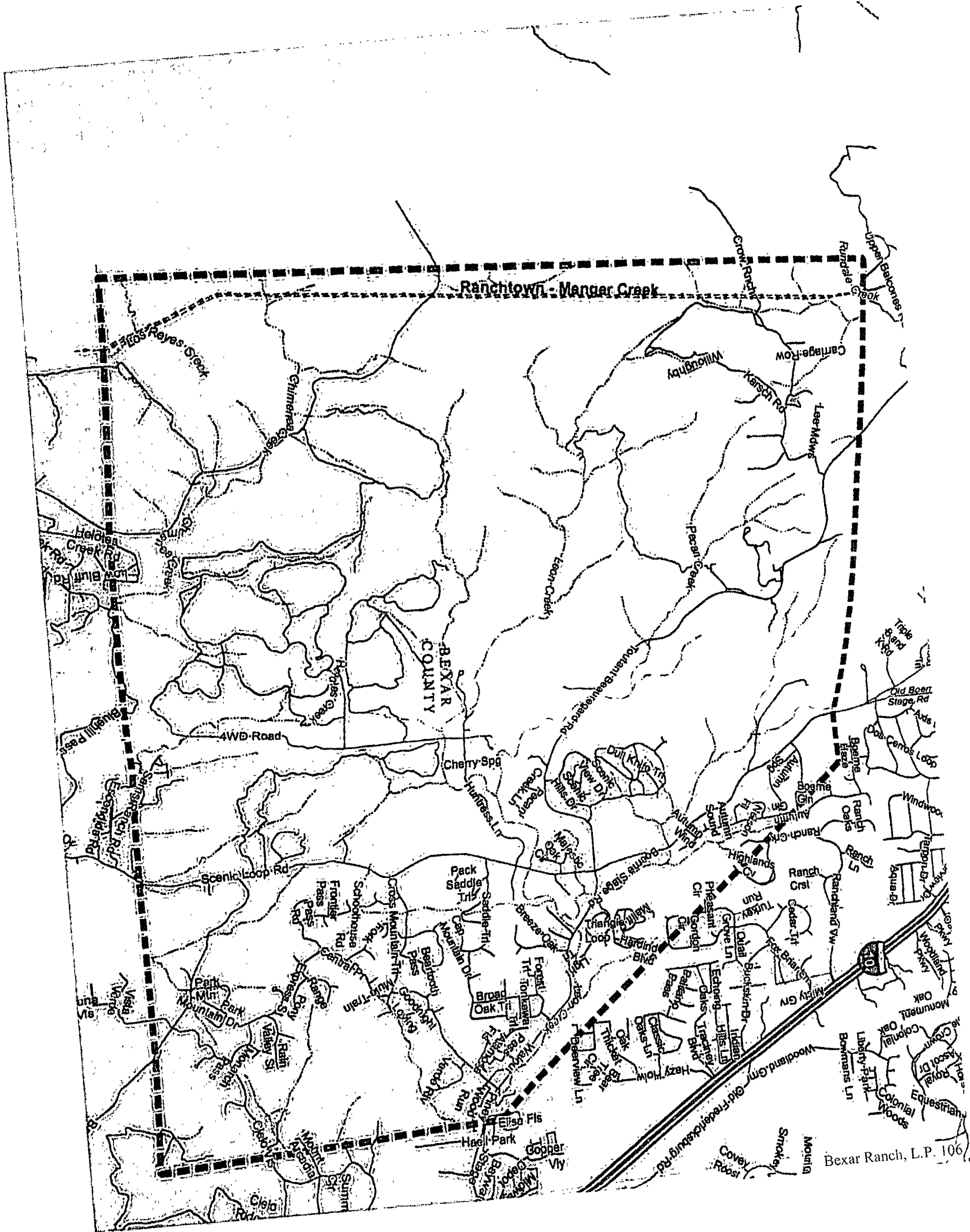
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From: Lori Olson <lori@texaslandtrustcouncil.org>
Date: Fri, Jun 28, 2019 at 11:55 AM
Subject: Potential power line in your area
To: <tyler@greensatx.org>

Tyler,

I got this in the mail this week. It is a notice of a proposed power line in the area of SW Bexar Co. I am sending you a map of the area, in case anything you are working on is impacted. Hopefully not. If there are projects in this area, call me and I can give you the contact info for the engineering firm.



Michael Bitter

From: Michael Bitter
Sent: Monday, July 8, 2019 7:24 PM
To: Tyler Sanderson
Cc: josephbitter@att.net
Subject: RE: Potential power line in your area

Tyler –

I appreciate the 'heads up'. I would like more information. We have been through this a couple of times before.

I have been wanting to visit with you anyway. Can we talk tomorrow?

Regards,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Tyler Sanderson [mailto:tyler@greensatx.org]
Sent: Tuesday, July 02, 2019 10:56 AM
To: Michael Bitter <mbitter@7750law.com>; josephbitter@att.net
Subject: Fwd: Potential power line in your area

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From: **Lori Olson** <lori@texaslandtrustcouncil.org>

Date: Fri, Jun 28, 2019 at 11:55 AM

Subject: Potential power line in your area

To: <tyler@greensatx.org>

Tyler,
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Thanks!

Lori

Lori Olson
Executive Director
Texas Land Trust Council
512.994.8582

Michael Bitter

From: Tyler Sanderson <tyler@greensatx.org>
Sent: Tuesday, July 9, 2019 8:56 AM
To: Michael Bitter
Cc: josephbitter@att.net
Subject: Re: Potential power line in your area

Michael,

I am around the office and available today during the morning. I have a meeting from noon - 2:30 or so, and then I have another meeting at 5 pm.

I am happy to talk with you if my schedule matches with yours. Otherwise, I am available all day tomorrow. I don't have much for information about the potential utilities, but I can try to find out answers to questions you may have.

My cell phone is best to contact me. (319)471-5900.

Best,

Tyler Sanderson | Interim Executive Director



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On Mon, Jul 8, 2019 at 7:24 PM Michael Bitter <mbitter@7750law.com> wrote:

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I have been wanting to visit with you anyway. Can we talk tomorrow?

Regards,

Michael

Michael W. Bitter

Hayden & Cunningham, PLLC

7750 Broadway

San Antonio, Texas 78209

Tel: (210) 826-7750

Fax: (210) 822-0916

e-mail: mbitter@7750law.com

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From: Tyler Sanderson [<mailto:tyler@greensatx.org>]
Sent: Tuesday, July 02, 2019 10:56 AM
To: Michael Bitter <mbitter@7750law.com>; josephbitter@att.net
Subject: Fwd: Potential power line in your area

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Tyler Sanderson | Interim Executive Director



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From: Lori Olson <lori@texaslandtrustcouncil.org>

Date: Fri, Jun 28, 2019 at 11:55 AM

Subject: Potential power line in your area

To: <tyler@greensatx.org>

Tyler,

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Thanks!

Lori

Lori Olson
Executive Director
Texas Land Trust Council
512.994.8582

Michael Bitter

From: Tyler Sanderson <tyler@greensatx.org>
Sent: Friday, July 26, 2019 4:38 PM
To: Michael Bitter
Subject: EAPP Attorneys

Michael,

Thank you for reaching out to me today. I appreciate your family's careful consideration of this process. Below are some names of attorneys that have excellent knowledge of conservation easements. I know at least a few of these have worked on advising landowners with interest in the Edwards Aquifer Protection Program. I cannot really speak for how much experience or how many EAPP projects they have worked on, but I can tell you that all of these attorneys know what they are doing. In no particular order, they are:

- Thomas Hall with Braun and Gresham
- Burgess Jackson with Law Office of Burgess Jackson
- Arthur Uhl with Uhl, Fitzsimmons, Jewett, Burton and Wolff
- Allison Elder with Elder-Bray (also with the SA River Authority, so not sure how much she can help. Was out past Executive Director and knows this program in and out)
- Tomas J. Rothe with his own firm.

Please let me know if there is any more information that is needed from me. As I said on the phone, Stage 1 is just the geologic assessment and an appraisal. In my experience, the appraised value is the most important factor in a family making this decision, so if your family is mostly interested, but cannot make a final decision, we can get you started in Stage 1 and really get into the discussions and negotiations once we have the value in front of us.

Appraisers we typically use are:

Valbridge Property Advisors

Stouffer and Associates (office in Hondo and office in San Antonio)

The one I mentioned that I am adding to the vendors list is Byron Setzer with Southwest Appraisal Group.

Have a great weekend.

Tyler Sanderson | Interim Executive Director



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Michael Bitter

From: Michael Bitter
Sent: Friday, July 26, 2019 5:05 PM
To: Tyler Sanderson
Subject: RE: EAPP Attorneys

Tyler –

Thanks for visiting with me today and responding quickly. I look forward to visiting with you further upon your return from vacation.

Have a great vacation,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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Subject: EAPP Attorneys

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Michael Bitter

From: Michael Bitter
Sent: Friday, July 26, 2019 7:31 PM
To: Tyler Sanderson
Subject: RE: Potential power line in your area

Tyler --

I forgot to ask you about this when we spoke earlier. I would like to get more information on this, since I have been unable to find more online. I am not sure if it would be appropriate for me to reach out to Lori Olson.

Regards,

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From: Tyler Sanderson [mailto:tyler@greensatx.org]
Sent: Tuesday, July 09, 2019 8:56 AM
To: Michael Bitter <mbitter@7750law.com>
Cc: josephbitter@att.net
Subject: Re: Potential power line in your area

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From: **Lori Olson** <lori@texaslandtrustcouncil.org>

Date: Fri, Jun 28, 2019 at 11:55 AM

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To: <tyler@greensatx.org>

Tyler,

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Thanks!

Lori

Lori Olson
Executive Director
Texas Land Trust Council
512.994.8582

Michael Bitter

From: Tyler Sanderson <tyler@greensatx.org>
Sent: Wednesday, July 31, 2019 9:08 AM
To: Michael Bitter
Subject: Re: Potential power line in your area

Michael,

I also meant to bring this up. Sorry we forgot.

I don't know any more about this topic other than what is included in this email thread. Since I am out of town, I am not able to learn more now.

I don't see a problem with you reaching out to Lori. She is a very kind, helpful person who I am sure would love to help you. If you need any help getting in touch with her, let me know. If you want to wait, I can work on it when I return in August.

Best,

Tyler Sanderson | Interim Executive Director



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Sent: Tuesday, July 09, 2019 8:56 AM

To: Michael Bitter <mbitter@7750law.com>

Cc: josephbitter@att.net

Subject: Re: Potential power line in your area

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Michael W. Bitter

Hayden & Cunningham, PLLC

7750 Broadway

San Antonio, Texas 78209

Tel: (210) 826-7750

Fax: (210) 822-0916

e-mail: m_bitter@7750law.com

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From: Tyler Sanderson [mailto:tyler@greensatx.org]
Sent: Tuesday, July 02, 2019 10:56 AM
To: Michael Bitter <m_bitter@7750law.com>; josephbitter@att.net
Subject: Fwd: Potential power line in your area

Gentlemen,

I was sent this forwarded email last week. It is regarding a potential power line that appears to have an affect on your ranch. I wanted to send you this information so that you were aware.

If you have any questions or would like me to find out more, I am happy to try.

The person who sent this to me, Lori Olson, is the Executive Director of the Texas Land Trust Council and can get us more information.

I hope you all are doing well and your summer has started off great. I bet the pond is still full of water and the kids are able to have a blast swimming out there.

Have a great 4th of July.

Tyler Sanderson | Interim Executive Director



GREEN SPACES ALLIANCE
OF SOUTH TEXAS

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PO Box 15275 | San Antonio TX 78212

210.222.8430 x.305

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----- Forwarded message -----

From: **Lori Olson** <lori@texaslandtrustcouncil.org>

Date: Fri, Jun 28, 2019 at 11:55 AM

Subject: Potential power line in your area

To: <tyler@greensatx.org>

Tyler,

I got this in the mail this week. It is a notice of a proposed power line in the area of SW Bexar Co. I am sending you a map of the area, in case anything you are working on is impacted. Hopefully not. If there are projects in this area, call me and I can give you the contact info for the engineering firm.

Thanks!

Lori

Lori Olson
Executive Director
Texas Land Trust Council
512.994.8582

Michael Bitter

From: Michael Bitter
Sent: Wednesday, July 31, 2019 6:26 PM
To: Tyler Sanderson
Subject: RE: Potential power line in your area

Tyler --

Thanks. I will reach out to Lori. We have been down this road before...

Enjoy your vacation!

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
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From: Tyler Sanderson [mailto:tyler@greensatx.org]
Sent: Wednesday, July 31, 2019 9:08 AM
To: Michael Bitter <mbitter@7750law.com>
Subject: Re: Potential power line in your area

Michael,

I also meant to bring this up. Sorry we forgot.

I don't know any more about this topic other than what is included in this email thread. Since I am out of town, I am not able to learn more now.

I don't see a problem with you reaching out to Lori. She is a very kind, helpful person who I am sure would love to help you.

If you need any help getting in touch with her, let me know. If you want to wait, I can work on it when I return in August.

Best,

Tyler Sanderson | Interim Executive Director



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On Fri, Jul 26, 2019 at 8:30 PM Michael Bitter <mbitter@7750law.com> wrote:

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Michael

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From: Tyler Sanderson [mailto:tyler@greensatx.org]
Sent: Tuesday, July 09, 2019 8:56 AM
To: Michael Bitter <mbitter@7750law.com>
Cc: josephbitter@att.net
Subject: Re: Potential power line in your area

Michael,

I am around the office and available today during the morning. I have a meeting from noon - 2:30 or so, and then I have another meeting at 5 pm.

I am happy to talk with you if my schedule matches with yours. Otherwise, I am available all day tomorrow. I don't have much for information about the potential utilities, but I can try to find out answers to questions you may have.

My cell phone is best to contact me. (319)471-5900.

Best,

Tyler Sanderson | Interim Executive Director



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I have been wanting to visit with you anyway. Can we talk tomorrow?

Regards,

Michael

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Subject: Potential power line in your area

To: <tyler@greensatx.org>

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Thanks!

Lori

Lori Olson
Executive Director
Texas Land Trust Council
512.994.8582

Michael Bitter

From: Tyler Sanderson <tyler@greensatx.org>
Sent: Friday, August 9, 2019 2:56 PM
To: Michael Bitter
Subject: Re: Potential power line in your area

Michael,

I am back from vacation. Please let me know if there is anything you would like to discuss in the near future. I can be ready to move forward when you are. If you wanted to try to get on the August agenda for the EAPP, I will need to submit agenda items by Monday.

Thank you very much. Have a great weekend.

Tyler Sanderson | Interim Executive Director



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Date: Fri, Jun 28, 2019 at 11:55 AM

Subject: Potential power line in your area

To: <tyler@greensatx.org>

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Thanks!

Lori

Lori Olson
Executive Director
Texas Land Trust Council
512.994.8582

Michael Bitter

From: David Bezanson <dbezanson@TNC.ORG>
Sent: Tuesday, September 1, 2020 8:14 AM
To: Michael Bitter
Subject: Conservation Easement
Attachments: Revised Conservation Easement Template - 2020.pdf

Michael,
Thanks again for your call last week. I'm looking forward to working on the conservation easement with you.

Here are the initial steps which usually take about 4-6 weeks:

- Geologist report (Edwards Aquifer Authority) to assess the property's contribution to the aquifer
- Agreement on general terms of the easement (e.g. # of future partitions, building envelopes, and water wells) and acreage to be protected
- Appraisal of conservation easement

Assuming the appraised value is acceptable to both the landowners and the City, the remaining due diligence will be completed, which usually takes another 6-8 weeks:

- Finalizing easement terms
- Title commitment
- Boundary survey of easement area
- Phase I Environmental Report and baseline documentation report

Once all items are complete, we'll take them to the City's Conservation Advisory Board for final approval, then it goes to City Council for authorization of funding. Overall, the process usually takes about 6-8 months. The City and Nature Conservancy obtain all due diligence items and the City pays for all expenses except the title policy, which the landowner pays for at closing.

The City's easement template is attached. I've contacted EAA about the site visit and will get back to you with some dates and let you know how many people to expect.

Call or email me any time if you have any other questions.

Sincerely,
David

David Bezanson
Associate Director of Land Protection
The Nature Conservancy
dbezanson@tnc.org
(512) 217-0025 (Mobile)
nature.org



Michael Bitter

From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Saturday, October 17, 2020 2:16 PM
To: David Bezanson; Michael Bitter
Subject: RE: Bitter Ranch

Mr. Bitter,

David Bezanson gave me your contact information regarding performing a geologic evaluation for the Bitter Ranch in northern Bexar County. We have a number of ranches that are in the que ahead of the Bitters Ranch and would expect to try and schedule a visit in early to mid-November.

Please feel free to contact me if you have any questions. As we get closer to the end of the month, I will contact you and work with you on finalizing a schedule.

Thanks,

Geary Schindel
Senior Geologist
Edwards Aquifer Authority
210.326.1576 cell

Michael Bitter

From: Michael Bitter
Sent: Monday, October 19, 2020 7:25 PM
To: 'Geary Schindel'
Cc: David Bezanson
Subject: RE: Bitter Ranch

Geary --

Thanks for the message. I look forward to hearing from you in the near future.

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
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Geary Schindel
Senior Geologist
Edwards Aquifer Authority
210.326.1576 cell

Michael Bitter

From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Monday, November 16, 2020 10:02 AM
To: Michael Bitter
Cc: David Bezanson
Subject: Geological Evaluation of the Bitters Ranch

Mr. Bitters,

Our current schedule for field work has required that we push back a site visit to your property to early or mid December at the earliest. As we progress with our work load, I will contact you regarding selecting the dates for a visit after the Thanksgiving Holiday. I'm sorry, the pandemic and shifting work load has required a change in the schedule along with difficulties in coordinating schedules for personnel to assist in the evaluation.

Please feel free to call me if you have any questions.

Sincerely,

Geary Schindel, P.G.
Senior Geologist
Edwards Aquifer Authority
210.326.1576 cell

Michael Bitter

From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Friday, December 11, 2020 11:41 AM
To: Michael Bitter
Subject: Visit to Bitters Ranch

Mr. Bitter,

I wanted to check on obtaining access to the Bitters Ranch in the next couple of weeks. We may be able to have personal available mid next week if that would work for you. If not, we can look at later weeks.

We are pretty independent and you are welcome to join us on our assessment. We commonly bring two to three teams for a ranch that size and may take two to three days. We prefer to schedule two days, see how much we can get accomplished, and then arrange for a later date to fill in any holes in our data.

Please feel free to call or email.

Thank you,

Geary Schindel
Senior Geologist
210.326.1576 cell

Michael Bitter

From: Michael Bitter
Sent: Friday, December 11, 2020 11:34 PM
To: 'Geary Schindel'
Subject: RE: Visit to Bitters Ranch

Geary –

Thanks for following up. Can you call me to visit the first of next week? We can probably set something up over the next couple of weeks, but I would want to be out there with you the first day at least to give you the layout of the ranch and point out some of the features of which we are aware.

Have a great weekend,

Michael

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Thank you,

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Senior Geologist
210.326.1576 cell

Michael Bitter

From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Wednesday, December 16, 2020 3:22 PM
To: Michael Bitter
Subject: Access to the Bitter Ranch

Mr. Bitter,

Were you able to determine what days would work for you to gain access to the Bitter Ranch,

Thank you,

Geary Schindel
Edwards Aquifer Authority
210.326.1576

Michael Bitter

From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Wednesday, December 16, 2020 5:50 PM
To: Michael Bitter
Subject: Possible dates in January for property visit.

Mr. Bitter,

Here are some dates that would work for us. We don't have a lot scheduled yet in January.

January 11 – 15 is open

January 18-22 is open.

We'll need two days for the visit and then possible one additional day.

Thanks,

Geary Schindel
210.326.1576

Michael Bitter

From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Monday, January 11, 2021 1:53 PM
To: Michael Bitter
Subject: RE: Visit to Bitters Ranch

Michael,

Have you thought about dates for a visit to the Bitters Ranch. The week of February 1 would also work for us. I have another ranch scheduled for January 25-28.

Thanks,

Geary Schindel
210.326.1576 cell

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External Email

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210.326.1576 cell

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- EAA Helpdesk

Michael Bitter

From: Michael Bitter
Sent: Monday, January 18, 2021 3:58 PM
To: 'Geary Schindel'
Subject: RE: Visit to Bitters Ranch

Geary –

My apologies. I will follow up with you, but unfortunately have been 'buried' here at the office and have not been able to get back to this. I will try to be back in touch by mid-week.

Michael

Michael W. Bitter
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Geary Schindel
210.326.1576 cell

From: Michael Bitter <mbitter@7750law.com>
Sent: Friday, December 11, 2020 11:34 PM
To: Geary Schindel <gschindel@edwardsaquifer.org>
Subject: RE: Visit to Bitters Ranch

External Email

Geary –

Thanks for following up. Can you call me to visit the first of next week? We can probably set something up over the next couple of weeks, but I would want to be out there with you the first day at least to give you the layout of the ranch and point out some of the features of which we are aware.

Have a great weekend,

Michael

Michael W. Bitter
Hayden & Cunningham, PLLC
7750 Broadway
San Antonio, Texas 78209
Tel: (210) 826-7750
Fax: (210) 822-0916
e-mail: mbitter@7750law.com

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From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Friday, December 11, 2020 11:41 AM
To: Michael Bitter <mbitter@7750law.com>
Subject: Visit to Bitters Ranch

Mr. Bitter,

I wanted to check on obtaining access to the Bitters Ranch in the next couple of weeks. We may be able to have personal available mid next week if that would work for you. If not, we can look at later weeks.

We are pretty independent and you are welcome to join us on our assessment. We commonly bring two to three teams for a ranch that size and may take two to three days. We prefer to schedule two days, see how much we can get accomplished, and then arrange for a later date to fill in any holes in our data.

Please feel free to call or email.

Thank you,

Geary Schindel
Senior Geologist
210.326.1576 cell

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- EAA Helpdesk

Michael Bitter

From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Monday, January 18, 2021 5:52 PM
To: Michael Bitter
Subject: Re: Visit to Bitters Ranch

not a problem.

I also have lots to do so no worries.

Geary Schindel.

Get [Outlook for Android](#)

From: Michael Bitter <mbitter@7750law.com>
Sent: Monday, January 18, 2021 3:57:54 PM
To: Geary Schindel <gschindel@edwardsaquifer.org>
Subject: RE: Visit to Bitters Ranch

External Email

Geary –

My apologies. I will follow up with you, but unfortunately have been 'buried' here at the office and have not been able to get back to this. I will try to be back in touch by mid-week.

Michael

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Tel: (210) 826-7750
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e-mail: mbitter@7750law.com

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From: Geary Schindel <gschindel@edwardsaquifer.org>
Sent: Monday, January 11, 2021 1:53 PM
To: Michael Bitter <mbitter@7750law.com>
Subject: RE: Visit to Bitters Ranch

Michael,

Have you thought about dates for a visit to the Bitters Ranch. The week of February 1 would also work for us. I have another ranch scheduled for January 25-28.

Thanks,

Geary Schindel
210.326.1576 cell

From: Michael Bitter <mbitter@7750law.com>
Sent: Friday, December 11, 2020 11:34 PM
To: Geary Schindel <gschindel@edwardsaquifer.org>
Subject: RE: Visit to Bitters Ranch

External Email

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Geary Schindel
Senior Geologist
210.326.1576 cell

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- EAA Helpdesk

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- EAA Helpdesk

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

APPLICATION OF THE CITY OF	§	BEFORE THE STATE OFFICE
SAN ANTONIO TO AMEND ITS	§	
CERTIFICATE OF CONVENIENCE	§	OF
AND NECESSITY FOR THE	§	
SCENIC LOOP 138-KV TRANSMISSION	§	ADMINISTRATIVE HEARINGS
LINE IN BEXAR COUNTY	§	

**CPS ENERGY’S RESPONSE TO BRAD JAUER’S AND BVJ PROPERTIES, L.L.C.’S
THIRD REQUEST FOR INFORMATION TO CPS ENERGY**

Brad Jauer & BVJ Properties RFI 3-1:

Regarding Segment 36 where it runs along the north side of Brad Jauer/BVJ Properties, LLC property (i.e., Tract No. C-014 as per the Landowner Notice List, which is Attachment 8 of the Application; and Tract No. IA-86 as per the Intervenor Map, Rev. 14), please confirm:

- i) the general height of the ledge or cliff that runs along the north side of the property and the south side of the Toutant Beauregard right-of-way, and its distance from the centerline of Toutant Beauregard's right of way;
- ii) the width of the Toutant Beauregard right-of-way along the north side of the property and whether the ledge/cliff is within that right-of way, and, if not, how far outside does it lie;
- iii) the width of the right-of-way of the distribution line that already exists along the north side of the property;
- iv) whether the distribution line’s right-of way abuts and/or overlaps the Toutant Beauregard right-of-way and, if it does neither, what is the distance between the two rights-of-way, and, if it overlaps, what is the width of the overlap;
- v) the distance of the centerline of the distribution line's right-of-way from the centerline of Taunton Beauregard's right-of-way;
- vi) the width of Segment 36’s right-of-way where it runs along the north side of the property (e.g., is it 75 feet or 100 feet wide?);
- vii) whether Segment 36' s right-of-way will abut and/or overlap the distribution line's right-of-way along the north side of the property, and, if it does neither, what is the distance between the two rights-of-way, and, if it overlaps, what is the width of the overlap; and
- viii) the distance of the centerline of Segment 36' s right-of-way from the centerline of Taunton Beauregard’s right-of-way.

Response No. 3-1:

- i) POWER and CPS Energy do not have road right-of-way easement information for Toutant Beauregard Road. The requested calculations for these responses have been made using Google Earth visually approximating the location of the Toutant Beauregard Road right-of-way. POWER estimates the height of the rock ledge (road cut) to range from

approximately zero feet to 8-10 feet above Toutant Beauregard Road, depending on where the measurement is taken. The distance from the road cut to the painted centerline of Toutant Beauregard roadway is approximately 30-40 feet depending on where the measurement is taken.

- ii) POWER and CPS Energy do not have road right-of-way information for Toutant Beauregard Road. Based on measurements from Google Earth, the right-of-way of Toutant Beauregard Road visually appears to be approximately 70 feet wide. The road cut appears to be generally close to the edge of the Toutant Beauregard Road right-of-way. CPS Energy and POWER cannot specifically state whether the road cut is within or outside of the Toutant Beauregard Road right-of-way or the distance to the road right-of-way if it is outside of it.
- iii) The operational clearance requirements for the CPS Energy distribution line on the northern edge of the Brad Jauer/BVJ Properties, LLC property adjacent to Toutant Beauregard Road is approximately 28 feet in width. Approximately 14 feet width of right-of-way is located on the Brad Jauer/BVJ Properties, LLC properties and approximately 14 feet width of clearance is utilized from the Toutant Beauregard Road right-of-way.
- iv) Refer to CPS Energy's response to Brad Jauer & BVJ Properties RFI 3-1 iii).
- v) Based on measurements from Google Earth, the distance from the centerline of the CPS Energy's distribution line right-of-way along the northern Brad Jauer/BVJ Properties, LLC property line to the center of the painted centerline of Toutant Beauregard roadway visually appears to range from approximately 30-40 feet depending on where the measurement is taken.
- vi) Refer to CPS Energy's response to Brad Jauer & BVJ Properties RFI 2-2.
- vii) Because the survey, geotechnical, and engineering work necessary to design the proposed transmission line facilities along Segment 36 have not yet been completed, CPS Energy cannot yet identify where pole structures will be located and whether narrower than anticipated right-of-way may be required in that area. In general, however, if the transmission line proposed in this Project is approved for construction along Segment 36, it is anticipated that the transmission line easement will fully overlap the existing distribution line right-of-way. Refer also to CPS Energy's response to Brad Jauer & BVJ Properties RFI 2-2.
- viii) Based on measurements from Google Earth, the distance from the centerline of Segment 36 to the center of the painted centerline of Toutant Beauregard roadway visually appears to range from approximately 70 feet to 90 feet depending on where the measurement is taken. Refer also to CPS Energy's response to Brad Jauer & BVJ Properties RFI 2-2.

Prepared By:	Lisa B. Meaux	Title:	Project Manager, POWER Engineers, Inc.
	Scott D. Lyssy	Title:	Manager Civil Engineering
Sponsored By:	Lisa B. Meaux	Title:	Project Manager, POWER Engineers, Inc.
	Scott D. Lyssy	Title:	Manager Civil Engineering

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

APPLICATION OF THE CITY OF	§	BEFORE THE STATE OFFICE
SAN ANTONIO TO AMEND ITS	§	
CERTIFICATE OF CONVENIENCE	§	OF
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SCENIC LOOP 138-KV TRANSMISSION	§	ADMINISTRATIVE HEARINGS
LINE IN BEXAR COUNTY	§	

**CPS ENERGY’S RESPONSE TO BRAD JAUER’S AND BVJ PROPERTIES, L.L.C.’S
SECOND REQUESTS FOR INFORMATION TO CPS ENERGY**

Brad Jauer & BVJ Properties RFI 2-10:

Regarding AS 2-16 and 2-17, substation site 7, parcel A-078 is just slightly larger than 7 acres and is irregularly pie shaped with a maximum width of just over 400 feet. CPS figure 1-6 shows a squarish boundary with equal clearance to the fence for all components. How would altering CPS standard design to fit within this narrow parcel change the response to these RFI's? Would the entire parcel need to be clear cut of all vegetation? Would the substation security fence generally be located at the lot lines, and is there any setback required for perimeter fencing?

Response No. 2-10:

If Substation Site 7 is an endpoint of a route approved by the Public Utility Commission of Texas for the Project, the substation facilities will be designed and constructed on the property in a way that minimizes the footprint on the property and leaves as much of the existing vegetation as possible for a visual buffer. No “clear cutting” is anticipated. Based on CPS Energy’s current understanding of the property without the benefit of on the ground surveys, it is anticipated the substation facilities will be constructed in the center area of the property.

CPS Energy is not aware of any setback requirements that will be applicable to the construction and operation of substation facilities on Substation Site 7.

It is presently anticipated that approximately eight foot high chain-link security fencing will be installed around the perimeter of the substation equipment (i.e., not at the lot line). If Substation Site 7 is utilized for the project, CPS Energy will evaluate if a lower barbed wire property line fence is also appropriate.

Prepared By: Scott D. Lyssy
Sponsored By: Scott D. Lyssy

Title: Manager Civil Engineering
Title: Manager Civil Engineering

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SECOND REQUESTS FOR INFORMATION TO CPS ENERGY**

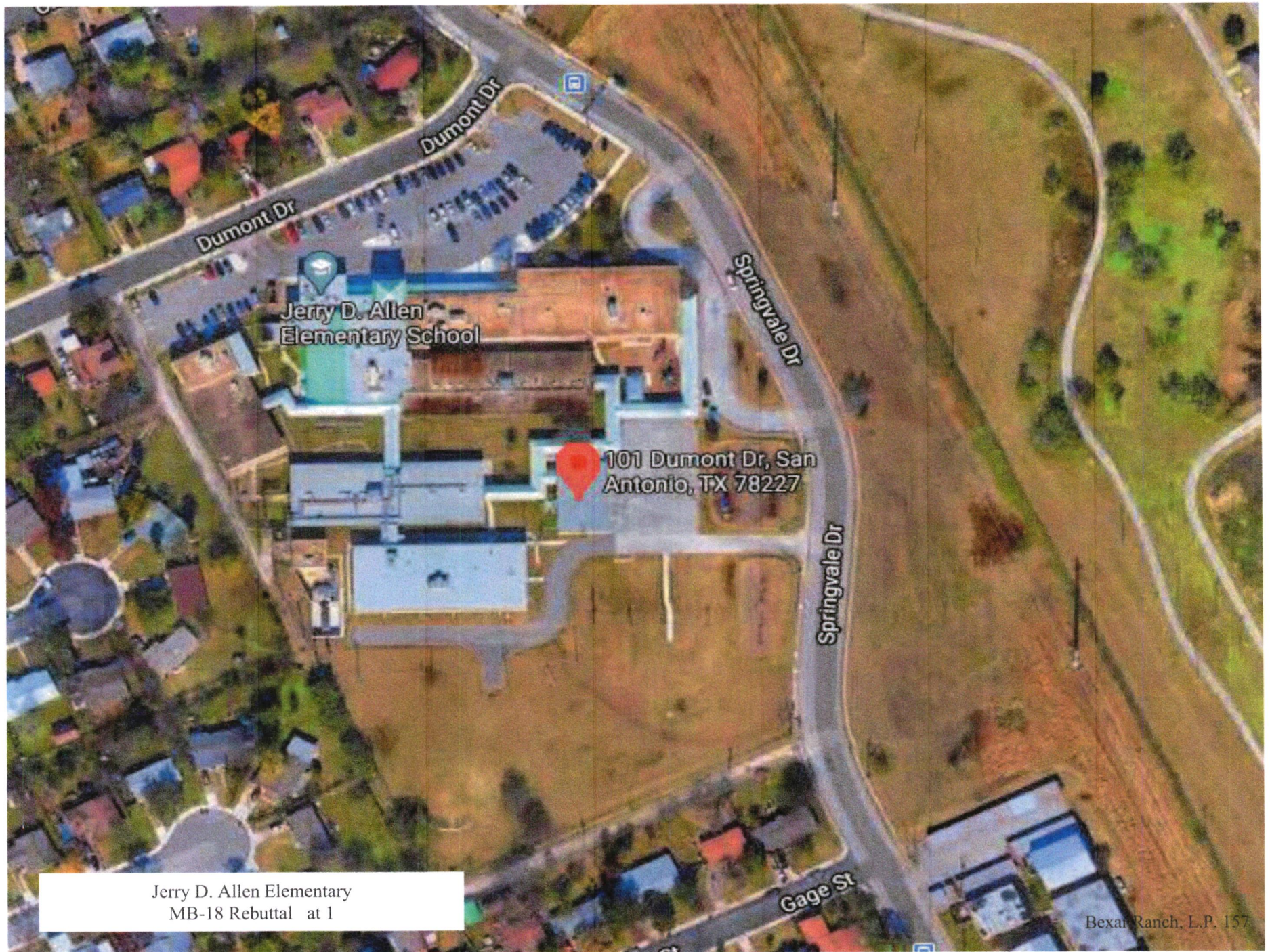
Brad Jauer & BVJ Properties RFI 2-13:

Referring to *CPS Energy Electric Transmission Line Routing/Substation Siting General Process Manual. 4.A.2.h re: Neighborhood Impact*, where it is stated: “*The substation site will be located to minimize impact on churches, schools, parks, residences, etc.*” Please describe how Substation Site 7 minimizes impacts on nearby residences given its location within a populated/mature residential neighborhood.

Response No. 2-13:

Because of the residential and developing nature of the Study Area for the Project, most of the substation locations included in CPS Energy’s Application are within some proximity to habitable structures. CPS Energy’s evaluation of Substation Site 7 specifically took into consideration impacts to the surrounding area and determined the location was acceptable. The oversized and heavily vegetated property provides CPS Energy with an opportunity to construct and operate the substation facilities away from the property lines with existing vegetation around the facility reducing the visual impacts. Refer also to CPS Energy’s response to Brad Jauer & BVJ Properties RFI 2-10.

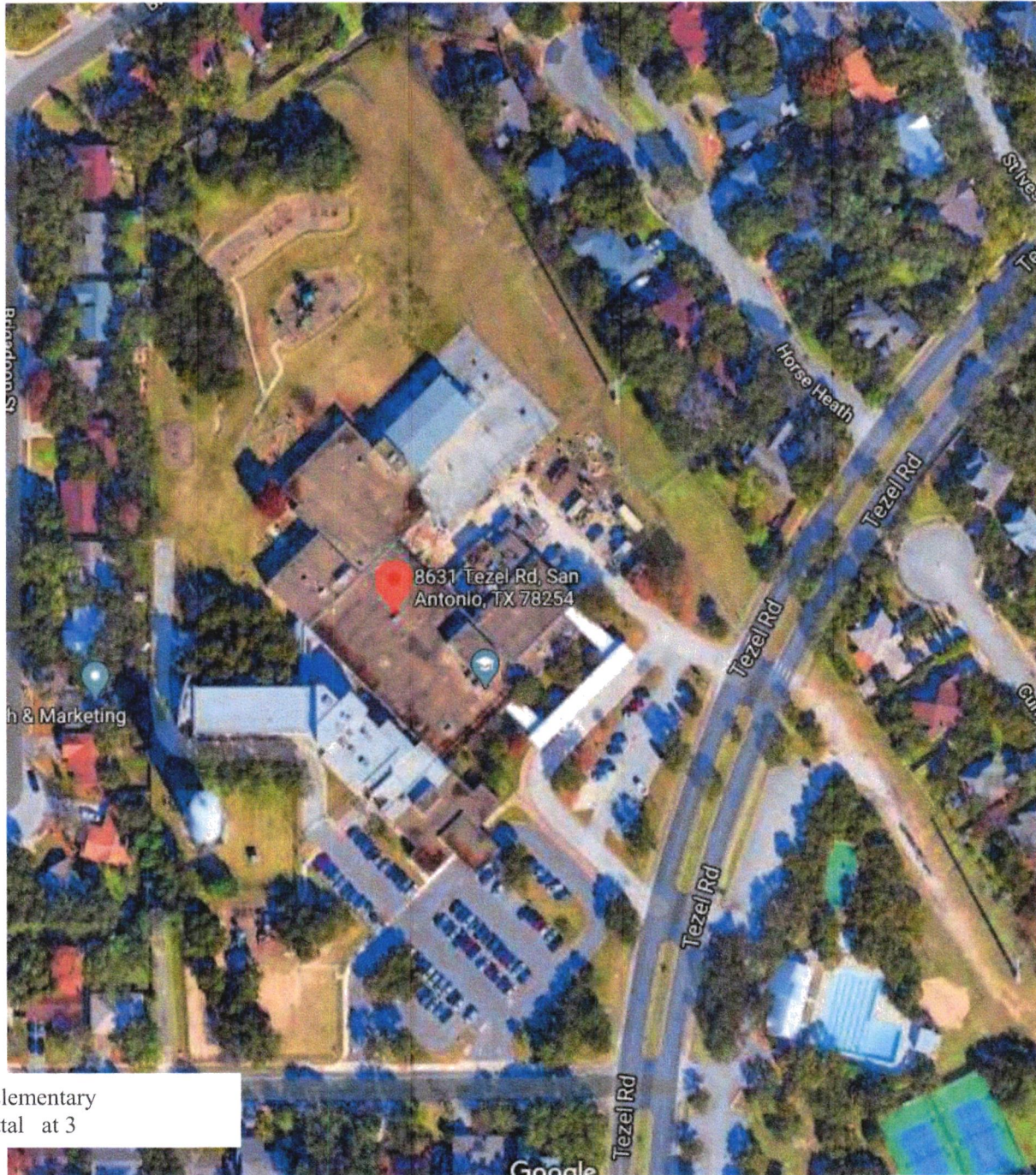
Prepared By: Adam R. Marin	Title: Regulatory Case Manager
Sponsored By: Adam R. Marin	Title: Regulatory Case Manager



Jerry D. Allen Elementary
MB-18 Rebuttal at 1



Jerry D. Allen Elementary
MB-18 Rebuttal at 2



Braun Station Elementary
MB-18 Rebuttal at 3

8673 Tezel Rd

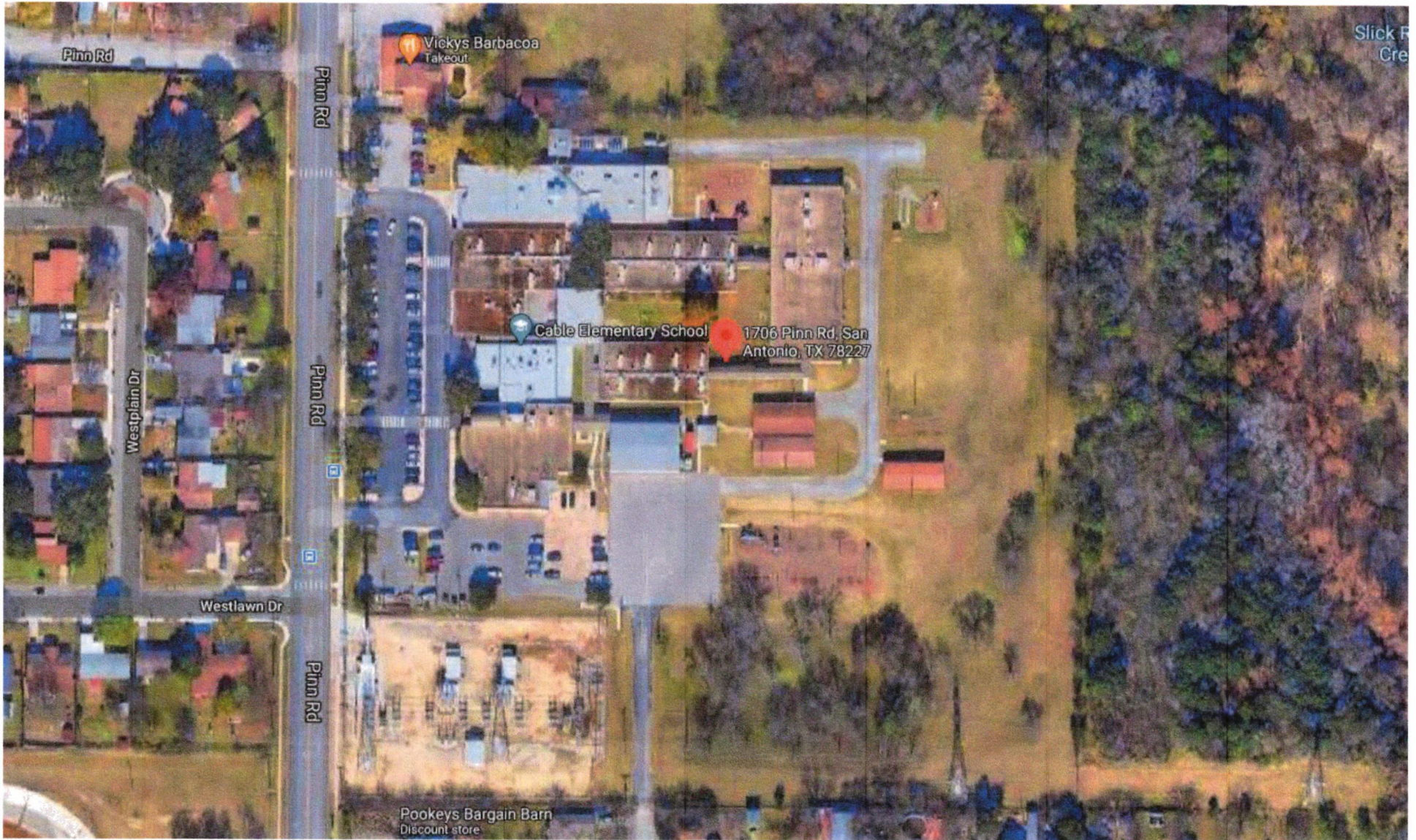
San Antonio, Texas



Street View



Braun Station Elementary
MB-18 Rebuttal at 4



R.R. Cable Elementary
MB-18 Rebuttal at 5

6800 Westlawn Dr
San Antonio, Texas
Google
Street View



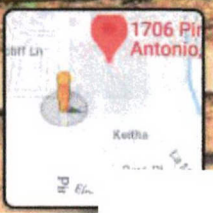
1706 Pin
Antonio,

R.R. Cable Elementary
MB-18 Rebuttal at 6

Bexar Ranch, L.P. 16



1950 Pinn Rd
San Antonio, Texas
Google
Street View



R.R. Cable Elementary
MB-18 Rebuttal at 7



R.R. Cable Elementary
MB-18 Rebuttal at 8

Bexar Ranch, L.P. 164



Jimmy Elrod Elementary
MB-18 Rebuttal at 9



Jimmy Elrod Elementary
MB-18 Rebuttal at 10



Jimmy Elrod Elementary
MB-18 Rebuttal at 11



Galm Elementary
MB-18 Rebuttal at 12



Stanton Dr
San Antonio, Texas
Google
Street View



Galm Elementary
MB-18 Rebuttal at 13

Boxar Ranch, L.P. 16



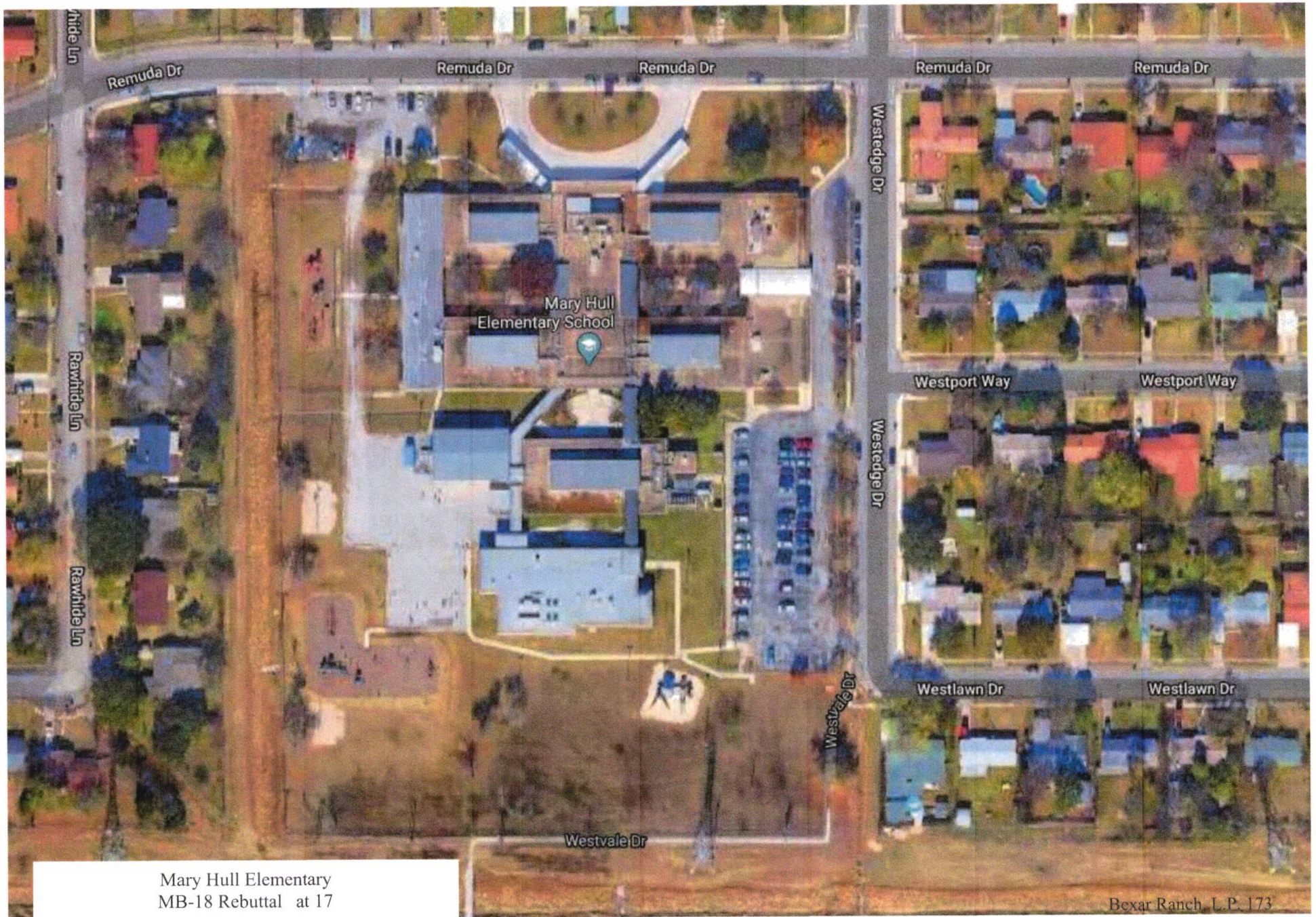
Hatchett Elementary
MB-18 Rebuttal at 14



Hatchett Elementary
MB-18 Rebuttal at 15



Hatchett Elementary
MB-18 Rebuttal at 16



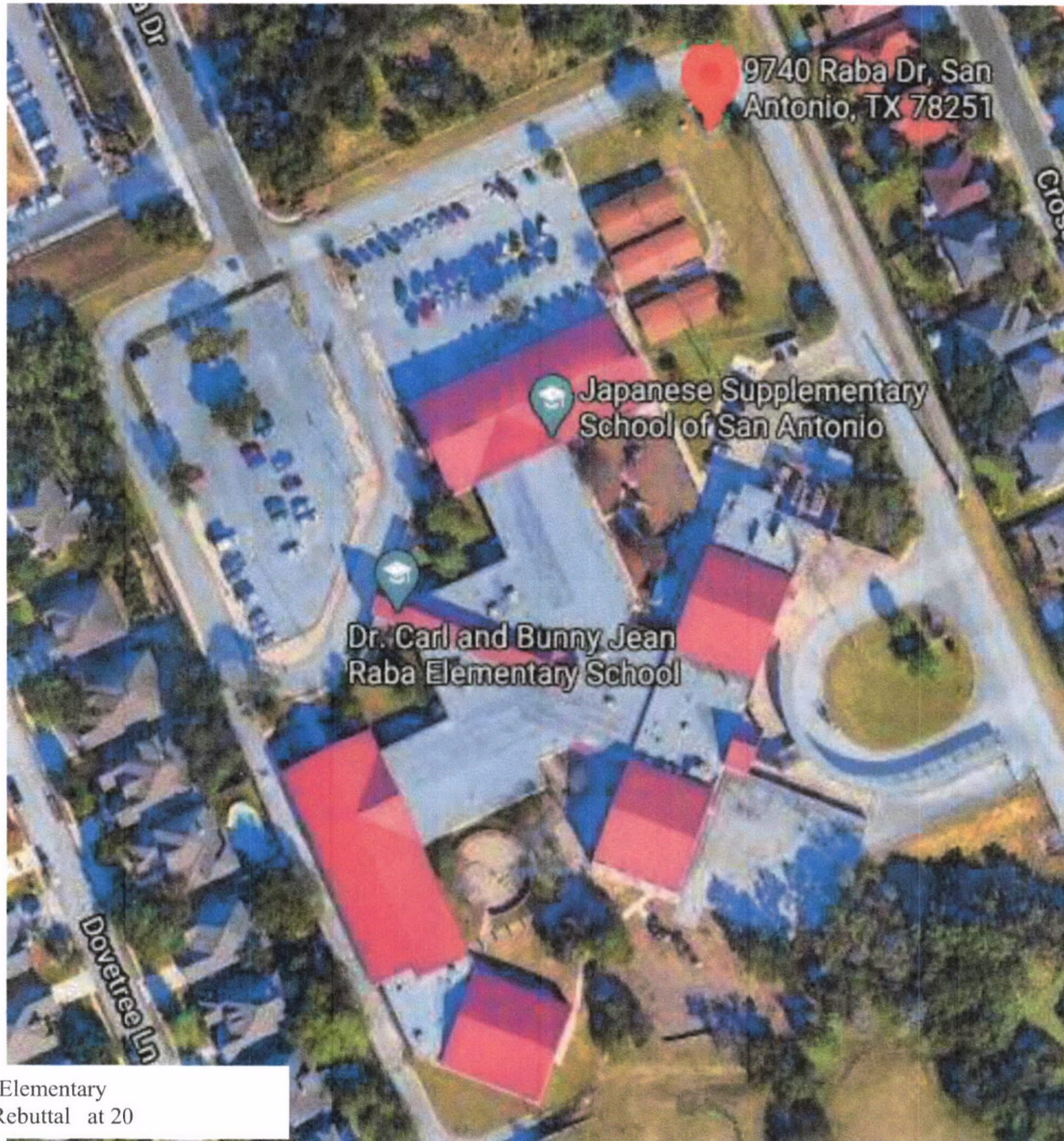
Mary Hull Elementary
MB-18 Rebuttal at 17



Mary Hull Elementary
MB-18 Rebuttal at 18



Mary Hull Elementary
MB-18 Rebuttal at 19



Raba Elementary
MB-18 Rebuttal at 20



Raba Elementary
MB-18 Rebuttal at 21



McAndrew Elementary
MB-18 Rebuttal at 23