



FRIENDS OF CANYON LAKE

July, 2004

Volume 1, Issue 2

Mission Statement

To protect the fragile recreation and tourism-based economy of central Comal County, and ensure environmental protection of the Guadalupe River and Canyon Lake by all appropriate means, including legal action, if necessary.

Directors

Eileen Campbell
Bob Carter
Everett Deschner
Irma Feibelman
Howard Freeman
Jim FitzGerald
Hank Henley
Norma Keeton
Nancy McDonald
Patrick Ricci
Jack Senneff
Bob Wickman
Larry Williamson

Don and Patti Johnson
Co-Chairmen,
Fundraising Committee

President's Message from Bob Wickman

I hope all of you have seen the recent GBRA press release and news articles accusing FOCL of adding extra time and cost to the Western Canyon Project because of our lawsuit. Well, excuse me! Let's have a history lesson. First, GBRA and the state tried to end-run us. Then they tried to ignore us. Then they sued us in Texas courts to discourage us. Then they tried to pass out a bunch of cash in the Canyon Lake area to butter folks up. Now they accuse us of hurting poor, starving subscribers with our petty, insensitive delays, and of impeding desperately needed development.

They, who have seemingly bottomless pockets, who have engaged some of the priciest attorneys in Texas, and who have tried to spend us into submission. But we stood shoulder-to-shoulder for over three years now, and we have remained determined.

- Because we're good, caring citizens.
- Because we have the backbone to ask the state and the Corps of Engineers to abide by their own regulations.
- Because we seemingly have more vision and more concern for our county's irreplaceable resources than those whom we entrusted to care for them.
- Because we citizens and property owners insist that someone in a position of responsibility call a "time out" and provide our county with an objective, public analysis of just how much this huge, sucking monster of a project may damage the precious Guadalupe River and Canyon Lake, and our fragile, recreation-based economy.

Looks to me like we've become the Mouse that Roared (if you recall the Peter Sellers movie of the 'Sixties). Hooray for us! Don't you feel good?

Political Awareness Committee - Pat Ricci, Chairman

Thanks to everyone who replied to my request for a summary of the responses you received from our elected representatives regarding their support of FOCL. Your responses did confirm that our elected representatives are having a difficult time taking a public stand on the Canyon Lake water issue. I have received a reply from every one of our elected officials except our State Senator.

I have sent two emails to Jeff Wentworth and have yet to receive a reply. I will be sending him a third request. Please join me in my effort to

have our State Senator respond to pleas from his constituency.

His mail address is : 1250 N.E. Loop 410, Suite 270, San Antonio 78209.

His email address is: <http://www.senate.state.tx.us/75r/Senate/members/dist25/dist25.htm#form>.

If you want a copy of a suggested letter you can use to send to our Senator, please contact me at:

PoliticalAwareness@
friendsofcanyonlake.com or
1816 Stagecoach Dr,
Canyon Lake, 78133



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How To Contact Us:

Mail to:

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Email us at:

General Information
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Public Support Committee
PublicSupport@friendsofcanyonlake.com

Membership Committee
Membership@friendsofcanyonlake.com

Board of Directors
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Legal Defense Committee - Jack Senneff, Chairman

The long-awaited presentation of oral arguments by FOCL and GBRA occurred in the courtroom of U.S. Justice Royal Ferguson in San Antonio, on May 27th. The hearing lasted about four hours, and the courtroom was packed with observers.

Plaintiff's attorney Jim Blackburn led off on behalf of Friends of Canyon Lake. Blackburn, who is also an environmental engineer, skillfully presented evidence in support of two claims: that an Environmental Assessment of the Raw Water Intake Facility (pumping station) is required by federal statute, and that the cumulative impact of GBRA's planned water diversion necessitates completion of an Environmental Impact Statement. Blackburn carefully noted various federal regulations and case law which support his claims.

The defense countered with a presentation by Army Corps of Engineers attorney Susan Biggs,

who argued that the Corps had performed a satisfactory analysis in granting GBRA approval to construct the RWIF. Biggs was followed by David Blank, staff attorney for Vinson Elkins, representing GBRA. Blank spent considerable time arguing that Canyon Lake is a state surface water source, and therefore the Corps has no jurisdiction over what GBRA does with water in the lake which is at or below the Normal Conservation Pool level of 909' msl. Blank, too, presented case law which he believes bolsters GBRA's claims. Blank also repeatedly stated that if GBRA is unable to construct the RWIF on Canyon Lake, it will simply move below the dam, condemn some property, and construct the pumping station there.

Judge Ferguson was patient and inquisitive. At the conclusion, he thanked both sides for good presentations and stated he hopes to render a decision within 60 days. GBRA had hoped for an immediate, favorable decision so it could begin construction.

We Need Your Help!

It's important for us to maintain an up-to-date mailing list. If you have moved, have a new email address

or a new phone number would you please send your new information to: membership@friendsofcanyonlake.com.



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Fund Raising Committee - Don and Patti Johnson, Co-Chairmen

We want to thank Beth Senneff and her *Friends of Canyon Lake* (FOCL) committee for the very successful June 5th FOCL fundraiser. Over 500 people dined on barbecue and all the fixins' and almost 200 area businesses donated items for the Raffle.

We are proud to announce that over \$14,000.00 was raised toward the community effort to save Canyon Lake. We had the greatest, hardest working committee we have ever had the pleasure to work with. Kudos go to Beth Senneff, Nancy Deckard, Charles and Cathy Shirley, Gene and Trudy Riggs and the many other people who worked so hard. We are so grateful for the overwhelming support of the businesses in the Canyon Lake area. We think every single business in our area came forth and offered their support and help. By the time we started, we

had to turn away donations. We had so many wonderful items; we were drawing winners' names well after the time the auction was supposed to end, in the dark, by flashlight. We even had people drop by who were weekend tourists who wanted to donate because they didn't want to lose their favorite recreation spot.

Thanks to Ed Joy and the entire staff of Ed's Old Windmill Restaurant. You did a fantastic job!

Finally, and most importantly, a big thanks to our fellow residents who attended the Bar-B-Que. Your support in our efforts to save Canyon Lake is absolutely critical to our success. There are more challenges ahead and more money will need to be raised. With your continued support, we will succeed.

New Donation Levels & Designations for "Friends of Canyon Lake" Contributors

WE ARE PROUD TO ANNOUNCE THAT WE HAVE ADDED 300 NEW MEMBERS IN THE LAST TWO MONTHS. JOIN THEM BY RENEWING YOUR MEMBERSHIP. REMEMBER, DONATIONS ARE ALWAYS APPRECIATED.

The following are newly-designated donation levels and designations for contributors to Friends of Canyon Lake:

- \$ 15.00 - 24.99 Member, Friends of Canyon Lake
- \$ 25.00 - 49.99 "Canyon Lake Petty Officer"
- \$ 50.00 - 99.99 "Canyon Lake Ensign"
- \$ 100.00 - 499.99 "Canyon Lake Commander"
- \$ 500.00 - 999.99 "Canyon Lake Captain" *
- \$1,000.00 - 4,999.99 "Canyon Lake Commodore" *
- \$5,000.00 and over "Canyon Lake Admiral" *

- * A certificate suitable for framing will be awarded to those contributing at three levels indicated.
- Please send your donation to: Friends of Canyon Lake, P.O. Box 1392, Canyon Lake, TX 78133