

Fischer Neighbors Update
On the Cancellation of Lots at Summit Estates at Fischer
Background: See attachments

ALERT:

**Citizen comments (3 minutes) needed,
June 4 Commissioners Court, 8:30am,
100 Main Plaza, New Braunfels**

OR

**Written comments needed
to all the commissioners well before the
June 11 Public Hearing on the cancellation**

Note to everyone: June 4 is one week ahead of the Public Hearing. Commenting early gives the Commissioners time to digest the information before the vote on June 11. In your comments **give your address and clearly identify whether or not you are a Summit resident** (we need Summit *and* the rest of the community to comment).

Note to Summit Estates at Fischer residents: Watch for info from your HOA. When commenting, **specify that you are a resident of Summit Estates at Fischer**. Make clear your objections to cancellation of the lots — how cancellation would interfere with your “established rights” as a landowner/resident of the subdivision. **Suggestions** (and check with your HOA):

1) the potential danger to residents from an accident or incident at the treatment site located at the only entrance/exit for your subdivision; 2) having to cross through a utility facility on both sides of the road to enter or exit your own subdivision; 3) the negative effect on property values; 4) the unfairness to all the residents of a non-resident opportunistically canceling his lots over the objections of the HOA and the subdivision; 5) concerns about your subdivision being set up to bear the burden of providing water treatment for the surrounding subdivisions — the price being the utility plant at your entrance.)

**Plan on also attending the June 11 Public Hearing, if at all possible,
and give another 3-minute comment.**

Addresses and phone numbers for our Comal Commissioners:

Doug Leacock: dleacock@comalcounty.gov, (830) 221-1100

Scott Haag: scotthaag@comalcounty.gov, (830) 221-1102

Kevin Webb: kwebb@comalcounty.gov, (830) 221-1103

Jen Crownover: JCrownover@comalcounty.gov, (830) 221-1104

Judge Kristen Hoyt: khoyt@comalcounty.gov, (830) 221-1105

Please remember that you will be asking the Commissioners to vote your way, so hostility is totally counter-productive.

Notation: MGD = million gal/day

Attachments: background context, TWC slides presented to Summit Fischer HOA

Reference - TWC Water Service Information Update:

<https://www.txwaterco.com/our-company/community-news/water-service-information-update-development-and-water-supply/>

Summit Estates at Fischer = “**Summit Fischer**”

Note: The lot cancellation at Summit Fischer would allow expansion of TWC production capacity by 1000% (ten-fold). (See the slides.) Since TWC says it is not now increasing well production, this means increasing water treatment capacity from .1MGD to 1MGD.

Why vote NO on the cancellation of the lots in Summit Estates at Fischer subdivision?

Here are some considerations. Just write up one or two ideas to send in (your own or these), maybe more if you're a Summit resident...

* It is the **expansion** of the water infrastructure, not an **upgrade** that seems to require TWC to build on the lots in question. TWC has not said why expanding production capacity from .1MGD to 1MGD (a 1000% increase - see the slides) is necessary to meet buildout demand or improved water quality for Summit Fischer, which at 275 homes could never consume more than about .1MGD. In the Water Information Update (see above link,) TWC says that the Summit Fischer project is not intended to support external developments, in which case 1MGD

production capacity results in a **.9MGD surplus, enough for 2250 homes**. What is that surplus production capacity intended for? Until the purpose of that surplus is clarified, **neither the 1000% capacity expansion nor the lot cancellation is justified**.

* Some expansion may be possible without building on both sides of the entrance to Summit Fischer, rendering the cancellation of lots unnecessary. A more modest production capacity than 1MGD or even a more compact build could allow a smaller infrastructure footprint while still providing improved service. **Cancellation of the lots would be unnecessary even for enough expansion to improve service.**

* Redundancy in the water system is mentioned in passing in the TWC slides. The four existing subdivisions, Rancho del Lago, the Legends, Rocky Creek Ranch, and Summit Fischer, will be served by the Fir Lane Well Station project (in Rancho del Lago), meaning they will be connected. The water treatment plant at Summit Fischer could conceivably provide water treatment for all four existing subdivisions, in the name of redundancy. However, at a combined total of **1646 platted lots**, provisioning ALL of them would require around **.66MGD**. 1MGD is still almost 50% more capacity than that. This is more than just redundancy, and even then, the surplus capacity is enough to provision 850 homes. The 1MGD production capacity has no explanation in any redundancy requirements that have been offered by TWC; even 2/3 of that appears extravagant. **The need for the high production capacity and the very large surplus has not been shown to be reasonable even for redundancy; cancellation of the lots is not reasonable.**

* If the production capacity of 1MGD were actually going to be used (necessarily beyond Summit Fischer, which can only use .1MGD), it could super-charge the depletion of the Trinity Aquifer in our area, threatening wells and water supply of the entire community, even if the water came from the wells distributed among the four subdivisions. Nearby neighboring wells have already been impacted by low water in the aquifer. Hinting that redundancy requires such high production rates assumes a water supply that can support those rates. Our aquifer and Canyon Lake are already stressed; as they are depleted, water for redundancy will not come from the aquifer, and TWC has rights to only 7% of Canyon Lake water (less in drought conditions). Better to plan now for low water supplies and not super-charge production capacity from the Trinity Aquifer or from Canyon Lake. **Cancellation would enable enormous expansion in water consumption, which is incompatible with responsible water management and sustainable growth.**

* Cancellation of the lots almost looks like an attempted end run around the Summit Fischer HOA and its opposition to TWC expansion. The **non-resident** landowner granted TWC a blanket easement on the lots, in violation of HOA restrictions, to enable the expansive TWC project. Then, faced with HOA legal opposition to that new easement, the landowner is now requesting cancellation of the lots from the subdivision. **This cancellation looks opportunistic and would be unfair to the residents of the subdivision, who oppose it.**

* Cancellation would set a terrible precedent, allowing a landowner who is not even a resident to cancel out of a subdivision against objections from the subdivision, in what may simply be a money-making scenario. What will stop future disgruntled or opportunistic landowners from similarly maneuvering around their HOA, to the detriment of other county subdivisions and their residents? **The precedent of this cancellation would be detrimental to the entire county.**

Voting NO on this cancellation is an opportunity for our Comal County Commissioners to stand with the community in protecting our water resources. They have the power to vote NO, and we urge the Commissioners to do just that.