

**Request for Coverage  
November 7, 2012**

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**Century Oaks Developers, City, SAWS Put on Notice of Intent to Sue  
for Failure to Comply with Federal Law**

**Press Conference:** 12 noon November 8, 2012  
22050 Hanging Oak Drive, San Antonio, TX 78266

A Notice of Intent to Sue was mailed to Gordon Hartman and others affiliated with the Century Oaks development by Cibolo Creek Conservation Society Inc., Greater Edwards Aquifer Alliance (“GEAA”), and Aquifer Guardians for Urban Areas (“AGUA”) on November 7<sup>th</sup>. [The Notice](#) is directed to Gordon Hartman and Shaggy Development LLC) as well as Bitterblue, Inc., the City of San Antonio and San Antonio Water System (SAWS) and Judson Independent School District. The Notice alleges violations of the Endangered Species Act in the development of the Century Oaks / Wortham Oaks site located on the Edwards Aquifer Recharge Zone.

Century Oaks has been destroying trees on this 527-acre tract in order to build 1484 homes. Property within Century Oaks has also been sold to Judson Independent School District to build a school. This tract is presumptive habitat for Golden Cheek Warblers, in close proximity to the Cibolo Bluffs Preserve which was purchased for \$7 million by Bexar County and the U.S. Army to protect the endangered Golden Cheek Warbler and the Edwards Aquifer.

The Notice of Intent puts the abovementioned parties on Notice that they have violated and continue to violate the Endangered Species Act (ESA) by land clearing and construction activity that has destroyed, modified and/or degraded presumptive habitat for the Golden Cheek Warbler and karst invertebrates protected by Federal Law.

The project has a history of violating environmental laws. The Texas Commission on Environmental Quality (TCEQ) has a pending enforcement proceeding against Mr. Hartman for dumping 23.9 tons of construction and demolition waste into one of at least two caves on the site in July of 2011. Two years previously, large quantities of paint were dumped in the basin of this same cave.

GEAA is very concerned that this development does not observe the Impervious Cover Limit of 15% within San Antonio’s Extraterritorial Jurisdiction (ETJ) and did not preserve significant recharge features on the site, as required by San Antonio’s Water Quality ordinances. GEAA is also concerned that other aspects of the drainage plan and WPAP approved by the City convert a large cave and other recharge features into sewer drains, sending polluted runoff from the densely developed site directly into the Aquifer. “Century Oaks says they will capture the ‘first flush’” according to Cibolo Creek member Tom Tobin, but then the ‘second flush’ goes right into our drinking water.” Mr. Tobin, the President of his neighborhood HOA, like almost all of his neighbors depends exclusively on individual wells drawing water from the aquifer. These wells are located a few hundred feet from Century Oaks.