



A presentation
to the
Texas Parks & Wildlife Department
August 20, 2014
Houston Museum of Natural Science

SAVING THE SAN MARCOS

Preserving Texas Resources SAVING THE SAN MARCOS

2008



2014



THE TEXAS CONSTITUTION:

Canoeing, kayaking and tubing
are legal and proper uses of our rivers.



The rivers of Texas are to be
highways of trade & travel...

THE PROBLEM: ALCOHOL



Binge drinking...shotgunning...beer bongs...Jello shots...

LEWDNESS



POLLUTION

THEN...



...and NOW

5000 tubers per weekend day on 2 miles of river:
= ~ 20,000-30,000 cans of beer per day
= ~ **2000-3000 gallons of urine in the water**
(Solid waste just collects on shore)



A septic service truck holds
3000 gallons of liquid waste.

Some of the garbage gets hauled off...



One of two boats making one of several runs each day upstream of Don's.

The banks of the San Marcos downstream of Don's.



...and some just hangs around.

DEATH

- **How many highway deaths** due to drunk tubers?
 - Aug 12, 2014, 22-year old: **intoxication manslaughter**, a six-pack of Modelo and some Malibu Rum on the San Marcos River.



DEATH

- **10 water-related deaths** in Caldwell County in past year.
 - Twice as many as any neighboring county.
 - See KVUE report for Aug 12, 2014; alcohol was involved.



“I am sick of having to tell parents their kid is dead”

—Caldwell County Sheriff Daniel Law

ALCOHOL & WATER DON'T MIX



We have known this forever. Yet we allow our kids to get plastered on our rivers, and they are having accidents and dying.



THE RIVER BED IS STATE PROPERTY. So...

- Would this 'bad behavior' be allowed on Texas highways?
- On the Texas capitol grounds?
- Would it be legal for drivers to pull off a highway and shotgun beer?
- Would we as a state allow folks to consume Jello shots and beer and throw their empties along the side of the road?
- What about allowing folks in a state highway right-of-way to crank up their X-rated music in front of a church?

IT'S TIME TO TAKE BACK TEXAS RIVERS



The San Marcos in 2008

SOLUTIONS?



THE BIG OBSTACLE



Beer = money, and 20,000 cans of beer a day = lots of money.
The beer lobby strongly opposes ANY action to limit alcohol.

QUICK STATE-WIDE SOLUTION



THE RIVER IS A PARK!

TEXAS ALREADY OWNS THE STREAMBED!

SOLUTION: THE TEXAS STREAM-PARK SYSTEM

- A linear park system analogous to the linear Terry Hershey Park in Houston – NOT a radical concept.
- Linear Texas Stream-Parks would include only the streambed to the median water line – under the control of TPWD.
- **TPWD is the obvious state agency to administer this program because it has been charged with protecting Texas natural resources.**

TEXAS ALREADY OWNS THE STREAMBED!

THE TEXAS STREAM-PARK SYSTEM

The state already owns the streambeds

➤ **Standard State Park rules would apply:**

Parks and wildlife code 59.134 Rules of Conduct: (B) Alcoholic beverages. It is an offense for any person to consume or display an alcoholic beverage in a public place.

- Law enforcement costs would go down dramatically.
- Monies gained due to Game Wardens citing alcohol violations would automatically go to TPWD to defray costs.

End alcohol-related injury & death on the river

THE TEXAS STREAM-PARK SYSTEM

- TPWD can do this **QUICKLY**.
- **NO** LEGISLATION required.
- **NO** property acquisition.
- **NO** new employees.
- **NO** budget.
- **NO** facilities – put-ins and take-outs already exist; improvements could be the responsibility of local governments.

THE RIVER IS A PARK

THE TEXAS STREAM-PARK SYSTEM

- **Protect Texas' natural resources.**
- **Keep local businesses (e.g., San Marcos River Retreat & TG Canoe Livery) in business.**
- **Make the river a safe park for the people, not a booze and debauchery windfall for beer and tubing companies.**
- **Segments of the San Marcos, Comal, Guadalupe, Frio and Devil's River could be included.**
- **Start with a PILOT PROJECT: the 4-mile segment of the San Marcos from Westerfield to Sculls.**

THE RIVER IS A PARK

STREAM-PARK PILOT PROJECT

4 miles from Westerfield to Sculls



- No property purchase required.
- Put-in and take-out already exist (Sculls could be improved).
- Action by the Texas legislature not required.

PLEASE ACT NOW TO TAKE BACK TEXAS RIVERS!



Booze (and Death) Fest or....a Texas Stream-Park?

Additional information

YouTube: Search for Dons Fish Camp and SanMarcosRiverVideo 1

See KVUE report of most recent San Marcos drowning at <http://www.kvue.com/media/cinematic/video/13641800/divers-find-missing-20-year-olds-body-in-san-marcos-river/> Note: it was later determined that this was in fact an alcohol-related death.



Additional information from KEYE TV

Man Charged With Intoxication Manslaughter For Fatal South Austin Crash

Updated: Tuesday, August 12 2014, 07:57 PM CDT

Police have charged a man for a South Austin traffic crash that left a woman dead Sunday night. According to the arrest affidavit, 22-year-old Carlos Ruben Limones-Ortega is charged with intoxication manslaughter, a second degree felony.

It happened at around 9:30 p.m. in the 10100 block of South I-35, just south of the Slaughter Lane intersection. Court documents say police were notified by 9-1-1 that a truck had gone over a guardrail. When officers arrived at the scene they found the truck upside down and wedged under a frontage road bridge. The driver, Limones-Ortega, the driver side passenger and a rear passenger were hanging upside down by their seatbelts.

Emergency crews were able to pull Limones-Ortega and the driver side passenger from the wreck, but the rear passenger was wedged between the roof of the truck's cab and the lower part of the window, the affidavit says. The rear passenger, identified as Jennifer Lynn Higginbotham, was pronounced deceased at about 10 p.m. Police say the group was returning from San Marcos after floating down the river. Limones-Ortega told officers that he drank a six-pack of Modelo beer and some Malibu rum, court documents say. Court documents say Limones-Ortega was arrested after he blew a .119 on a Breathalyzer test. The legal limit in Texas is .08.

Read More at: http://www.keyetv.com/news/features/top-stories/stories/man-charged-intoxication-manslaughter-fatal-south-austin-crash-20063.shtml?app_data={pi:53ea85345dbbd2f16d000003,pt:wall}