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October 20, 2017

Variance Request Review  
c/o Development Services Staff  
Development Services Department  
City of San Antonio  
1901 S. Alamo  
San Antonio, TX 78204

RE: San Antonio Water System (SAWS) East Sewershed Large Diameter Package III  
A/P # 2306533  
UDC Section 35-523

✓ Environmental Variance

Dear COSA DSD:

As part of their commitment to the Consent Decree with the EPA, SAWS is required to rehabilitate approximately 5.5 miles of deteriorated sanitary sewer pipe along Rosillo Creek using trenchless techniques. We are requesting consideration for an environmental variance for this project.

We are requesting a variance to the requirements of section 35-523 of the UDC.

The existing sewer main is more than 50 years old and is in poor condition, with significantly deteriorated pipe. The pipe must be rehabilitated to prevent overflows and restore the useful life of this asset. As shown in the attached engineering documents, the main is located along or very near Rosillo Creek, with almost the entire alignment within the 100-year floodplain or riparian buffer of the creek. We request consideration of this request for the following reasons:

- Proposed tree preservation within the floodplain nearly meets the 80% preservation requirement, with over 72% preservation proposed. The plans provide strict guidelines on the amount of clearing allowed to reduce the impact to the existing vegetation. Tree preservation outside of the 100-year floodplain and riparian buffer exceed the UDC requirements. All heritage trees have been surveyed and shown on the plans with strict requirements for protection. Disturbed areas will be seeded with native seeding to restore vegetation upon completion of construction.
- In an effort to minimize disturbance to the environment, the sewer main is proposed to be rehabilitated using trenchless technology. This technology allows for rehabilitation with minimal surface disturbance compared to open cut construction. The design has been optimized to minimize tree removal to the maximum extent possible. SAWS has purchased additional construction easements at increased cost in order to provide greater flexibility to contractors to avoid existing tree stands and minimize tree removal.
- The public interest in preventing sewer overflows in Rosillo Creek outweigh the minor difference in tree preservation requirements for which this variance is requested.

To meet the 80% preservation requirement, we propose mitigation through planting more than 24

acres of native seed within the project corridor. This seeding restores areas where trees were removed as well as areas disturbed by construction that are devoid of trees currently. Tree removal and mitigation acreages are shown in the table below and assume a 50% credit for mitigation. As shown in the table, this mitigation exceeds the 80% minimum preservation requirement.

#### FLOODPLAIN

TOTAL TREE CANOPY IN FLOODPLAIN	21.33	AC
TREE CANOPY TO BE REMOVED (IN FLOODPLAIN )	6.16	AC
% REMOVED IN FLOODPLAIN	28.86	%
% PRESERVED IN FLOODPLAIN	71.14	%
MITIGATION THROUGH NATIVE PLANTING	6.16	AC
% PRESERVATION WITH MITIGATION (50% CREDIT)	85.57	%

#### RIPARIAN BUFFER

TOTAL TREE CANOPY IN RIPARIAN BUFFER	1.38	AC
TREE CANOPY TO BE REMOVED (IN BUFFER)	0.40	AC
% REMOVED IN BUFFER	28.98	%
% PRESERVED IN BUFFER	71.02	%
MITIGATION THROUGH NATIVE PLANTING	0.40	AC
% PRESERVATION WITH MITIGATION (50% CREDIT)	85.51	%

#### NOT IN FLOODPLAIN


TOTAL TREE CANOPY NOT IN FLOODPLAIN	10.00	AC
TREE CANOPY TO BE REMOVED (NOT IN FLOODPLAIN)	3.37	AC
% REMOVED NOT IN FLOODPLAIN	33.71	%
% PRESERVED NOT IN FLOODPLAIN	66.29	%
MITIGATION THROUGH NATIVE PLANTING	3.37	AC
% PRESERVATION WITH MITIGATION (50% CREDIT)	83.15	%


The following are provided in accordance with UDC Section 35-483(e):

- Strict compliance with these regulations is not possible as the existing sewer main location is fixed and is not proposed to be moved out of the floodplain with this project. The proposed design complies with the spirit of the regulations and maximizes the preservation of existing tree canopy within the floodplain.
- This hardship is due to the location of the existing line (constructed more than 50 years ago) along Rosillo Creek.
- The public interest in reducing sewer overflows into Rosillo Creek outweighs the public interest underlying the regulation for which we request a variance.
- The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.

In our professional opinion, the proposed administrative variance remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

Sincerely,

  
Michael Persyn, PE  
Applicant

  
Christopher Jackson, EIT  
Owner

Attachments: Engineering Plans dated 10/11/17

<b><u>For Office Use Only:</u></b>		AEVR #:	_____	Date Received:	_____
<b><u>DSD – Director Official Action:</u></b>					
<input type="checkbox"/> APPROVED	<input type="checkbox"/> APPROVED W/ COMMENTS	<input type="checkbox"/> DENIED			
Signature:		_____		Date: _____	
Printed Name:		_____		Title: _____	
Comments:		_____ _____ _____			