



January 9, 2024

Administrative Exception / Variance Request Review
City of San Antonio
Development Services Department (DSD)
City of San Antonio (COSA)
1901 S. Alamo
San Antonio, Texas 78204

**RE: San Antonio Water System: W-9 Upper Leon Creek Sewer Capacity Storage and Relief, Culebra Creek to Whitby Road Project
A/P #23-38801100
Unified Development Code (UDC) 35-523**

- Administration Exception**
- Environmental Variance**
- Subdivision Platting Variance Time Extension**

Dear COSA DSD:

As part of SAWS Environmental Protection Agency (EPA) Consent Decree Civil Action No. 5:13-cv-00666-DAE the San Antonio Water System will be constructing the proposed W-9 Upper Leon Creek Sewer Capacity and Relief, Culebra Creek to Whitby Road (The Project) that consists of the replacement of a sanitary sewer gravity collector main through the Leon Creek Greenway. This sewer main is critical infrastructure for SAWS to continue to service the Western Sewer shed of San Antonio. The project consists of the installation of approximately 22,000 LF of 48-inch sewer main along the Leon Creek. The project also includes the installation of approximately 1,500 LF of 8-inch, 285 LF of 10-inch, and 675 LF of 27-inch sewer mains. For the limits of the construction areas, refer to sheets G16-G20. For limits of tree removal, refer to sheets TPA-TP41. The Project is expected to advertise in March 2024 and begin construction July 2024.

Existing site conditions: The anticipated total area of disturbance is approximately 38 acres located within COSA, and TxDOT right-of-way, permanent easements with variable widths (varies 10-ft to 50-ft) and temporary easements with variable widths (varies 15-ft to 30-ft). The Project includes trenchless and open-cut installation methods, however due to various constraints certain tree impacts could not be avoided.

We have made good-faith effort to comply with the UDC, however we were only able to achieve 72% of preservation in environmentally sensitive areas and 63% within the 100-year floodplain. Additionally, we were able to achieve 100% preservation of heritage trees within the project area. Therefore, we are requesting a variance to the requirements of section 35-523 of the UDC which is listed below:

Unified Development Code (UDC). UDC Article V, Section 35-523 (h) 100-Year Floodplain(s) and Environmentally Sensitive Areas states that, "Significant trees shall be preserved at eighty (80) percent preservation within both the 100-year floodplains and environmentally sensitive areas". "Mitigation shall be prohibited in floodplains and environmentally sensitive areas except when a variance is granted by the Planning Commission."

As shown in the attached engineering documents, there are portions of the sewer main alignment within the 100-year floodplain and within heavily vegetated areas. The following are considerations made by SAWS to minimize impacts to trees on this project, which we hope will be well received as you consider this request:

- In total 10,080 LF out of 23, 665 LF (43%) will be installed via tunneling and boring throughout the project to minimize the impact to trees within the project limits The tunnel segments are at the following segments:
 - Sta. 7+19.24 to Sta. 15+94.54
 - Sta. 16+24.54 to Sta. 25+46.44
 - Sta. 37+66.90 to Sta. 42+78.79
 - Sta. 43+00.95 to Sta. 48+00.00
 - Sta. 48+24.54 to Sta. 51+67.59
 - Sta. 51+87.59 to Sta. 55+02.11
 - Sta. 107+49.40 to Sta. 110+54.53
 - Sta. 119+33.77 to Sta. 129+37.81
 - Sta. 129+58.07 to Sta. 137+40.82
 - Sta. 137+64.59 to Sta. 149+24.93
 - Sta. 168+00.00 to Sta. 170+76.51
 - Sta. 170+91.63 to Sta. 173+17.44
 - Sta. 181+38.16 to Sta. 184+64.16
 - Sta. 184+82.52 to Sta. 198+15.23
 - Sta. 198+37.83 to Sta. 200+88.79
 - Sta. 211+00.54 to Sta. 215+02.44

- In an effort to minimize disturbance to the COSA Trail System and all the trees within the area the proposed sewer was revised from (approx. Sta. 120+00 to Sta. 150+00) to be installed via a tunnel and within private property. In total there was 2,508 inches preserved by adjusting the alignment per COSA Parks Request. In addition, there were 3 heritage trees, totaling 88 inches, that were preserved by adjusting the alignment per COSA Parks request, resulting in 100% preservation of heritage trees.

- There are two types of pipe installation methods: via open cut and via tunnel/bore. The pipe installed via open cut requires the clearing of the entire easement; but in this case the contractor will be limited per the tree permit to only remove certain areas of the easement as shown in the tree plans TPA-TP41. Tunneling/Boring in this project is used to minimize disturbance of vegetation, but access to the bore pits/access points needed to be provided to the contractor. Kimley-Horn included a 20' wide access path within the easement that the contractor will be only allowed to use as their only access route to reduce tree removal.

The Project was able to far exceed the preservation requirements for the Uplands at 85% of area preserved. Additionally, 100% of heritage trees and 72% of significant trees on the project were able to be preserved through shifting the alignment and tunneling. The total of square feet of canopy preserved via tunneling/boring are 643,900 SF (122,289 converted inches), for all areas including floodplain, upland, and riparian. The resulting total mitigation for trees within the 100-year floodplain is 8,668 inches. Additionally, there is a total of 43 heritage trees in the floodplain within the project area of which all 43 trees, or 1,308 inches, are being preserved. The total of square feet of canopy preserved in the uplands are 152,406 SF (2,908 converted inches).

The mitigation requirements for this Project can be found in the Tree Preservation Summary table on Sheet TPA in the attached Tree Inventory Plan Sheets and summarized in the table below.

The Project is subject to the minimum tree preservation requirements stated in the Tree Preservation Ordinance – Unified Development Code (UDC) 35-523. The table below includes the tree preservation requirements and summary of preservation/mitigation for the project.

	Environmental Sensitive Areas	Floodplain (Significant)	Floodplain (Heritage)
Total (SF)	113,746	2,602,754	-
Required Preservation (SF)	90,997	2,082,203	-
Amount Preserved (SF)	81,698	1,628,232	-
Amount Removed (SF)	32,048	974,522	-
Req. Mitigation (SF)	9,299	453,972	-
Req. Mitigation (Trees) (875 SF/Tree)	11	519	-
% Area Preserved	72%<80% Required	63%<80% Required	100%=100% Required
Req. Mitigation (Inches) (16.7 inches/Tree)	184	8,668	0
Mitigation Cost	\$ 36,800	\$ 1,733,600	0
Total Cost: \$ 1,770,400			

*Cost calculated based on fees for medium sized trees in Appendix C of UDC (\$200/inch)

The mitigation will be paid via payment to the tree mitigation fund. As part of the mitigation efforts for this project, SAWS is proposing to re-seed all areas within COSA right-of-way, private properties, and COSA owned properties (where practicable) that will be used for access or work area for an approximate area of 1,434,007 square feet (~32 acres) with native seed mix via drill seeding technique ensuring 85% establishment of grasses.

Both the Owner and Engineer have taken all practicable measures to preserve as many trees as possible by tunneling/boring, revising the proposed alignment, and coordinating both COSA Parks and COSA DSD regarding requests and preferences. The installation of proposed alignment will benefit residents of the area, business owners, and the City of San Antonio since the sanitary sewer overflows along these project limits will no longer occur.

In our professional opinion, the proposed administrative exception / variance remains in harmony with the spirit and intent of the UDC of preserving as many trees as possible while delivering the project under the EPA Consent Decree; as it will not adversely affect the health, safety, or welfare of the public.

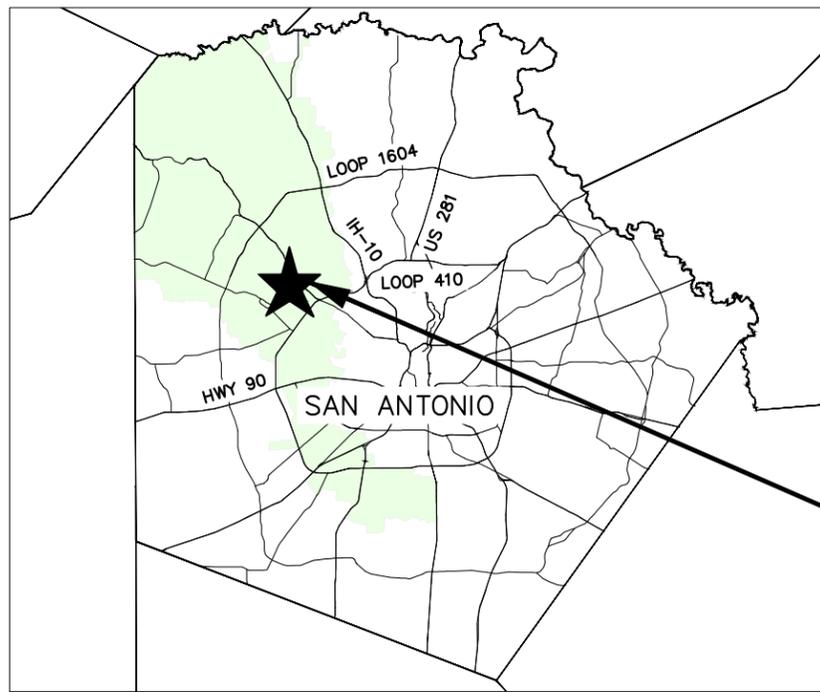
For additional information or questions, contact Jeff Farnsworth, P.E. at Jeff.Farnsworth@kimley-horn.com or 210-321-3429.

Sincerely,

Jeff Farnsworth, P. E.

Attachment A: Project Vicinity and Location Map

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



VICINITY MAP
N.T.S.



LEGEND

- SAWS WEST SEWERSHED
- PROPOSED ALIGNMENT



LOCATION MAP
N.T.S.

