

ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING

DATE REQUESTED:

DECEMBER 18, 2013

Name & Number

Water Control and Improvement District No. 17-

OF PROJECT:

Mansfield Water Treatment Plant

SPC-2012-0429C

NAME OF APPLICANT

OR ORGANIZATION:

River City Engineering

(Contact: David Kneuper - 512-442-3008)

LOCATION:

4506 N FM 620 Rd

PROJECT FILING DATE:

December 19, 2012

WPDR/Environmental

STAFF:

Jim Dymkowski, 974-2707

james.dymkowski@austintexas.gov

WPDR/

Donna Galati, 974-2733

CASE MANAGER:

Donna. Galati @austintexas.gov

WATERSHED:

Lake Travis and Lake Austin Watersheds (Water Supply Rural)

Drinking Water Protection Zone

ORDINANCE:

Comprehensive Watershed Ordinance

REQUEST:

Variance request is as follows:

1. To allow impervious cover greater than 20% of the net site area allowed

by code not to exceed 36.93% LDC Section 25-8-454(D) (1) (a)

STAFF RECOMMENDATION:

The variance is not recommended.

REASONS FOR RECOMMENDATION:

Findings of fact have not been met.



MEMORANDUM

TO:

Mary Gay Maxwell, Chairperson and Members of the Environmental Board

FROM:

Jim Dymkowski, Environmental Review Specialist Senior

Planning and Development Review Department

DATE:

November 20, 2013

SUBJECT:

Water Control and Improvement District No. 17 – Mansfield Water Treatment

Plant - SPC-2012-0429C

On the December 18, 2013 agenda is a request for the consideration of one variance from LDC Section 25-8-454(D) (1) (a) – To allow impervious cover greater than 20% of the net site area allowed by code not to exceed 36.93%.

Description of Property

The subject property is located approximately three miles west of FM 2222 on the north side of RR 620, just east of Mansfield Dam. It is predominantly in the Lake Travis Watershed, with a small portion of the southern property near the access drive off RR 620 draining to the Lake Austin Watershed. Both watersheds are classified the Water Supply Rural within the Drinking Water Protection Zone. It is within the City of Austin limited purpose jurisdiction. The gross site area as given in the plan set is 6.849 acres granted as an easement from LCRA, the larger surrounding property owner, to WCID 17. Water and wastewater service will be provided by Travis County WCID 17. It is bordered to the north by undeveloped rangeland and Lake Travis, to the south by RR 620, to the east also by undeveloped rangeland and single family housing and to the west by Mansfield Dam.

Many years ago, the site was used and disturbed during the construction of Mansfield Dam. There is also remnant evidence of a structure that was removed from the site in the area of the proposed Membrane & Lab Building. The remainder of the site has restored itself to a natural system consistent with its hill country location.

Existing Topography/Soil Characteristics/Vegetation

The property predominately contains slopes of 0-10% with some small upland pockets of slopes greater than 15%. The project has been sited on the highpoint of the land and slopes in all directions from that highpoint. Vegetation consists of Ashe juniper, Live oak, Texas Madrone, twisted leaf yucca, Milkweed, and native grasses. According to the Environmental Assessment, geology at this site is characterized by the Glen Rose formation and soils consist of Tarrant formation.

Critical Environmental Features/Endangered Species

As stated in the environmental assessment and confirmed by the Watershed Protection Department Environmental Resource Management (ERM) staff, no Critical Environmental Features were found on or adjacent to the site. The 100' Critical water quality zone limit has been placed on the plan landward of the 681 lake elevation line.

Description of Project

The proposed project will be constructed in four phases for a 12 million gallon per day membrane water treatment plant. Phase 1 and phase 2 will be constructed together and include the raw water pump station and intake facilities, line to the plant, main membrane and lab building, chemical feed facility, flocculation basin, one clearwell, high service pump station, storage building and associated drives and parking. Phase 3 and 4 will consist of the expansion of the flocculation basis and an additional clearwell. The allowable impervious cover for this site is 20% of the NSA of 5.982 equaling 1.173 acres. The proposed impervious cover for the development is 36.19% of the NSA equaling 2.165.

The project is also requesting waivers from the Hill Country Roadway requirements of zoning sections of the land development code 25-2. These waiver requests are reviewed by the Zoning and Plating Commission.

Environmental Code Variance Request

The following variance to the land development code is being requested:

1. To allow impervious cover greater than 20% of the net site area allowed by code not to exceed 36.93%. LDC 25-8-454 (D) (1) (a)

Recommendation

Staff does not recommend approval of the variance as the Findings of Fact have not been met (see attached)



Planning and Development Review Department **Staff Recommendations Concerning Required Findings Water Quality Variances**

Project:

Water Control and Improvement District No. 17 – Mansfield Water

Treatment Plant - SPC-2012-0429C

Ordinance Standard:

Land Development Code Section 25-8-454(D) (1) (a)

Variance Request:

To allow impervious cover greater than 20% of the net site area

allowed by code not to exceed 36.93%.

Findings:

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A - Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development. No. The requirement would not deprive a privilege or safety given to others. There are two similar developments; WCID 17 District Plant office and building improvements SP-05-1269D and the City of Austin water treatment plant 4 SP-2009-0252D that were reviewed under different situations. Although the previous WCID permit was granted a variance to exceed the 20% allowable impervious cover, the variance was granted largely for after the fact constructed impervious cover. A large portion of the impervious cover on that project existed prior to the site coming into the City of Austin's ETJ and jurisdiction and was not required to be removed. Water treatment plant 4 was not granted a variance under 25-8. City Council passed a special ordinance to aid in development.

2. The variance:

a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

No. The variance is based on the method chosen by the applicant to develop the property. The amount of impervious cover required is based on the service capacity needed for the plant. The method of development in trying to site this known amount of impervious cover on this undersized piece of property creates this variance. Although the project has attempted to limit its impervious cover, and is providing improved water quality treatment by capturing building and some drive runoff and treating it to drinking water standards in the plant itself, staff does not believe that there is a greater overall environmental protection. The building and drive runoff captured and treated will leave the plant at a higher standard than code required water quality but it will be

removed from the natural system and not be returned to the land as potential base flow for surrounding water bodies. Also, staff does not believe that the increased water quality pollutant removal is a greater benefit over the large increase in site disturbance proposed by the increased impervious cover.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;
 No. Staff does not believe this is a reasonable use for the size of the property chosen. The applicant has not shown a loss of privilege given to other property owners or a loss of reasonable use of the property.
- c) Does not create a significant probability of harmful environmental consequences; and No. The overall land disturbance will be greater associate with the request for the increase impervious cover in the drinking water protection zone. The building and drive runoff captured and treated by the plant for water quality will be removed from the natural system and not be returned to the land as potential base flow for surrounding water bodies.
- Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.
 Yes. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.
- B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):
 - 1. The above criteria for granting a variance are met; *N/A*.
 - 2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and *N/A*.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

N/A.

Environmental Reviewer:

Environmental Program Coordinator:

Environmental Officer:

Date: December 4, 2013

Jim Dymkowski

Sue Barnett

Chuck Lesniak

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).

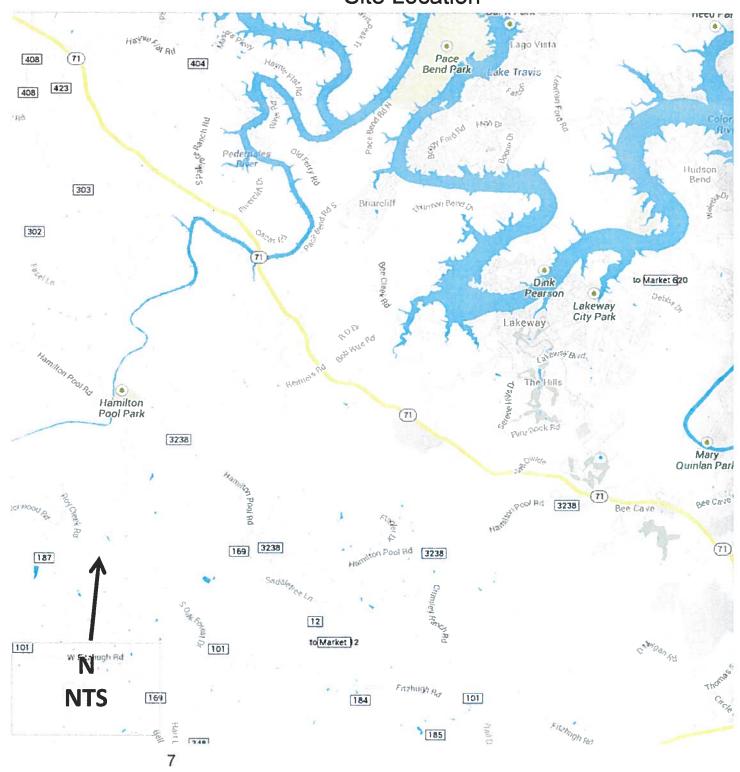
Water Control and Improvement District No. 17 - Mansfield Water Treatment Plant SPC-2012-0429C Driving Directions

Beginning at Austin City Hall 301 W 2nd Street:

Go west on Cesar Chavez approximately 1.2 miles.
Go north on Mopac Loop 1 approximately 4.2 miles to exit for RM 2222.
Turn left and go west on RM 2222 approximately 8.5 miles.
Turn left onto RR 620. and travel approximately 3 miles.
There is an access drive on the north side of the road just before the dam access turn right to be at site.

4506 N RR 620

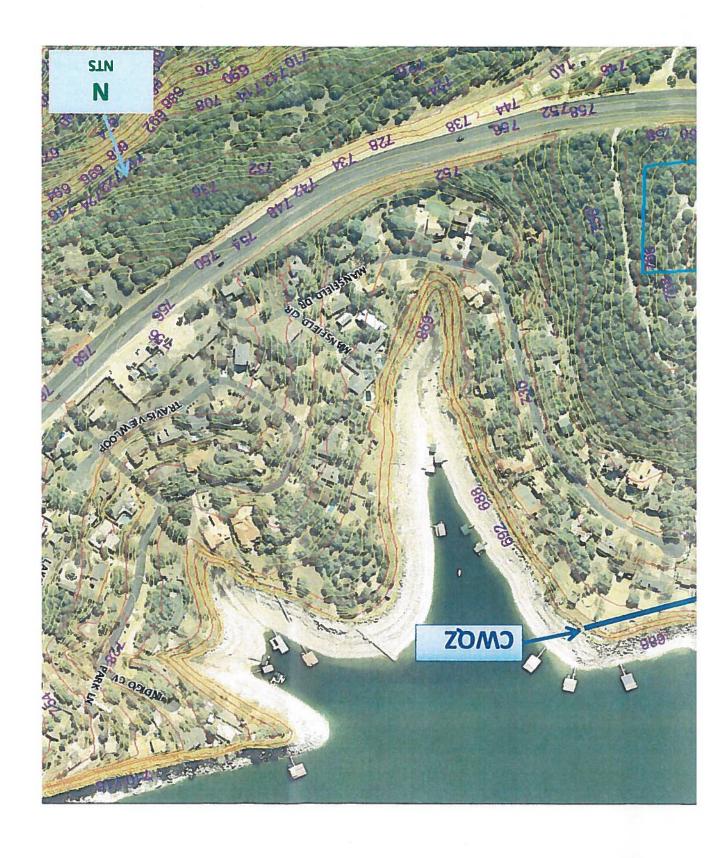
Water Control and Improvement Distriction SPC-2012-0429C Site Location



ıtment Plant



Nansfield Water Treatment Plant



Water Control and Improvement District No. 17 – Mansfield Water Treatment Plant SP-2012-0427C

Site Photos



View of site from RR620 looking north



Area of main membrane building looking north remainder of site heavily vegetated



Environmental Services, Inc.

23 June 2010

Environmental Assessment Information
City of Austin Land Development Code (Section 25-8-121)
Compliance Report

RE:

Proposed Water Control and Improvement District (WCID) #17 Water Treatment Facility and easements, located east of Mansfield Dam, Austin, Travis County,

Texas

HJN 100076 EA

1.0 INTRODUCTION

This report provides the results of an environmental assessment conducted by Horizon Environmental Services, Inc. (Horizon) on the above-referenced site. Horizon conducted the field reconnaissance on 15 June 2010. Horizon spent a minimum of 3.5 personhours in the field evaluating the site and surrounding area, and completed the assessment process by conducting a review of existing literature.

2.0 ENVIRONMENTAL SETTING

2.1 LAND USE

The current use of the subject site is predominantly cleared land proposed for Travis County Water Control and Improvement District (WCID) #17 Water Treatment Facility and 2 easements that will serve the proposed facility (see attached). At the time of Horizon's field reconnaissance, River City Engineering personnel (project engineer) were present on the Property. Evidence of previous structures was observed on the central portion of the Property that included concrete foundations and 1 water well. The following land uses border the subject site:

North:

Undeveloped rangeland with Lake Travis beyond

South:

Ranch-to-Market Road (RM) 620, Pedernales Electric Co-op office and commercial

business beyond

East:

Undeveloped rangeland and single-family residential development and the Marshall

Ford Store beyond

West:

Mansfield Dam and University of Texas laboratory research facility

2.2 VEGETATION

The subject site is situated within the Cross Timbers vegetational area of Texas (Gould, 1975). Vegetation observed on the site consisted of Ashe juniper (*Juniperus ashei*), plateau live oak (*Quercus virginiana*), Texas madrone (*Arbutus xalapensis*), twist-leaf yucca (*Yucca rupicola*), green-flowered milkweed (*Asclepias asperula*), and native grasses. Clearing activities had recently occurred on the site resulting in most of the vegetation being disturbed

100076_COA_EA



and removed or mulched. Horizon did not observe any wetland vegetation on the 4-acre Property. However, the northernmost easement borders Lake Travis.

2.3 TOPOGRAPHY AND SURFACE WATER

This site is within the Lake Travis Watershed (COA, 1998). Topographically, the site ranges from approximately 700 to 740 feet above mean sea level (USGS, 1986). The highest elevation is located in the central portion of the site with drainage occurring in a south-to-north direction and a west-to-east direction primarily by overland sheet flow toward Lake Travis. Only the northern boundary of the easement area that enters Lake Travis is within the 100-year floodplain (FEMA, 2008). A review of the National Wetland Inventory maps showed no potential wetland areas on the subject site (USFWS, 1993). However, the northern easement enters Lake Travis.

2.4 SOILS

Soils mapped within the subject site include the following:

SHRINK-**AVAILABLE** SOIL DEPTH UNDERLYING **SOIL NAME SOIL TYPE PERMEABILITY WATER** SWELL (FEET) MATERIAL CAPACITY CAPACITY Tarrant soils, rolling clay 0.3 to 1.2 hard limestone moderately slow low high (TaD) W n/a n/a water n/a n/a n/a

TABLE 1 - SOILS

Source: NRCS, 2010a and 2010b

2.5 EDWARDS AQUIFER ZONE

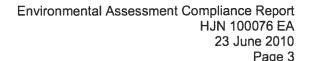
The subject site not is found within the Edwards Aquifer Recharge, Transition, or Contributing Zones (TCEQ, 1996).

2.6 GEOLOGY

A review of existing literature shows the site is underlain by Glen Rose Limestone (UT-BEG, 1981). The upper member of the Glen Rose Limestone is relatively impermeable and described as the lower confining unit of the Edwards Aquifer. It has a maximum thickness of about 350 to 500 feet. Stair-step topography is characteristic of the upper member of the Glen Rose Limestone. The Upper Glen Rose Limestone is described as yellowish-tan, thinly bedded limestone and marl (Garner and Young, 1976). The upper member of the Glen Rose Limestone is relatively more thinly bedded, more dolomitic, and less fossiliferous than the lower member of the Glen Rose Limestone. The top of the upper member of the Glen Rose Limestone is redstained, lumpy, irregular, and bored, with oysters cemented onto the surface (Rose, 1972).

2.7 WATER WELLS

A review of the records of the Texas Water Development Board (TWDB) revealed 1 documented water well on the subject site (TWDB, 2010). Horizon observed 1 water well on the central portion of the 4-acre tract during our site reconnaissance (see attached). The TWDB





records documented the water well as State of Texas well #5833902, which has been in place since at least the 1960s. The water well is approximately 716 feet deep with the Trinity Aquifer serving as the water source.

If the on-site well is not intended for future use, it should be capped or properly abandoned according to the Administrative Rules of the Texas Department of Licensing and Regulation (TDLR), 16 Texas Administrative Code (TAC), Chapter 76. Texas Commission on Environmental Quality (TCEQ) publication RG-347, "Landowner's Guide to Plugging Abandoned Water Wells," provides specific guidance. If a well is intended for use, it must comply with 16 TAC §76.

The results of this assessment do not preclude the existence of additional undocumented/abandoned wells. If a water well or casing is encountered during construction, work should be halted near the feature until the TCEQ is contacted.

3.0 CRITICAL ENVIRONMENTAL FEATURES

The City of Austin definition of a critical environmental feature (CEF) includes caves, sinkholes, springs, wetlands, bluffs, canyon rimrock, water wells within the Edwards Aquifer, and significant recharge features located over the Edwards Aquifer Recharge Zone. Horizon did observe 1 water well on the Property; however, according to TWDB records, the Trinity Aquifer is the water source for the on-site well. No potential CEFs as defined by the City of Austin were found on or within 150 feet from the subject property.

For Horizon Environmental Services, Inc.

Michelle Dorsey

Environmental Specialist

23 June 2010

Date

Attachments:

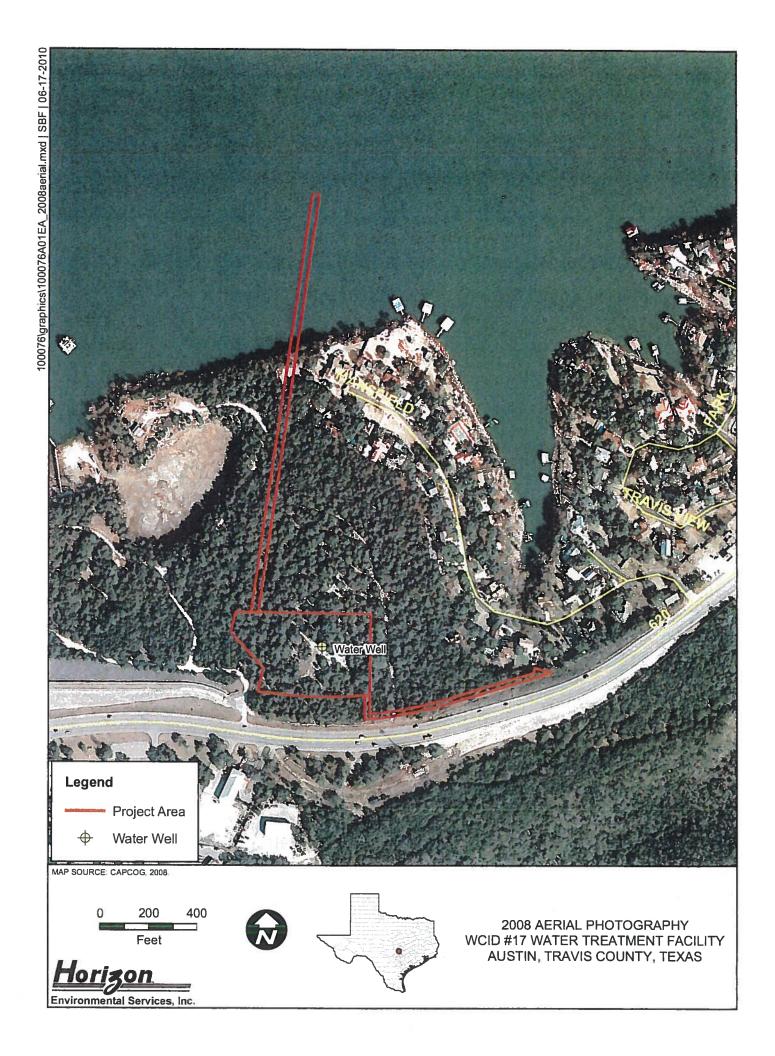
2008 aerial photograph and site findings

Invoice



4.0 REFERENCES

- (CAPCOG) Capital Area Council of Governments. 2008 Orthoimagery, Mansfield Dam, Texas, quarter quadrangle. CAPCOG Center for Regional Development, Austin, Texas. 2008.
- (COA) City of Austin. *Austin Watershed Regulation Areas*. Austin, Texas: City of Austin, Department of Planning and Development. 30 January 1998.
- (FEMA) Federal Emergency Management Agency. Flood Insurance Rate Map (FIRM) Panel No. 48453C0220H, Travis County, Texas. 26 September 2008.
- Garner, L.E., and K.P. Young. *Environmental Geology of the Austin Area: An Aid to Urban Planning*. Report of Investigations 86. The University of Texas at Austin, Bureau of Economic Geology. 1976.
- Gould, F.W. *Texas Plants A Checklist and Ecological Summary*. College Station: Texas A&M University. 1975.
- (NRCS) US Department of Agriculture, Natural Resources Conservation Service. 2010a. Web Soil Survey, http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx. Accessed 14 June 2010.
- _____. 2010b. Soil Data Mart, http://soildatamart.nrcs.usda.gov/. Accessed 14 June 2010.
- Rose, P.R. Edwards Group, Surface and Subsurface, Central Texas: Austin, Texas. Report of Investigations 74. The University of Texas, Bureau of Economic Geology. 1972.
- (TCEQ) Texas Commission on Environmental Quality. Edwards Aquifer Recharge Zone Boundary Maps. 1996.
- _____. Complying with the Edwards Aquifer Rules: Administrative Guidance, revised August 1999.
- (TWDB) Texas Water Development Board. Water Information Integration and Dissemination System. TWDB Groundwater Database (ArcIMS), http://wiid.twdb.state.tx.us/ims/wwm_drl/viewer.htm?DISCL=1&. Accessed 14 June 2010.
- (USFWS) US Department of the Interior, Fish and Wildlife Service. National Wetland Inventory Map, Mansfield Dam Quad, Texas. 1993.
- (USGS) US Geological Survey. 7.5-minute series topographic maps, Mansfield Dam, Texas, quadrangle. 1986.
- (UT-BEG) University of Texas Bureau of Economic Geology, C.V. Proctor, Jr., T.E. Brown, J.H. McGowen, N.B. Waechter, and V.E. Barnes. *Geologic Atlas of Texas*, Austin Sheet, Francis Luther Whitney Memorial Edition. 1974; revised 1981.





Environmental Services, Inc.

28 June 2010

Endangered Species Habitat Assessment City of Austin Land Development Code (Section 25-8-121) Compliance Report

RE:

Proposed Water Control and Improvement District (WCID) #17 Water Treatment Facility and easements, located east of Mansfield Dam, Austin, Travis County,

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HJN 100076 HA

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The results of this assessment do not preclude the existence of additional undocumented/abandoned wells. If a water well or casing is encountered during construction, work should be halted near the feature until the TCEQ is contacted.

3.0 FINDINGS

Literature and agency file searches were conducted to identify the potential occurrence of any federally listed endangered species in the vicinity of the subject site. The following federally listed species may be found in Travis County: Barton Springs salamander (Eurycea sosorum), Bee Creek Cave harvestman (Texella reddelli), Bone Cave harvestman (Texella reyesi), Tooth Cave spider (Leptoneta myopica), Kretschmarr Cave mold beetle (Texamaurops reddelli), Tooth Cave ground beetle (Rhadine Persephone), golden-cheeked warbler (Dendroica chrysoparia), and black-capped vireo (Vireo atricapilla) (USFWS, 2010). Additionally, the US Fish and Wildlife Service (USFWS) lists the following migratory bird species as potentially occurring in many or all Texas counties: bald eagle (Haliaeetus leucocephalus), whooping crane (Grus americana), Eskimo curlew (Numenius borealis), interior least tern (Sterna antillarum athalassos), and piping plover (Charadrius melodus).

The Balcones Canyonlands Conservation Plan (BCCP) Map of the Permit Area is a map of Travis County that reflects estimates of habitat for various threatened or endangered species based in part on aerial photographs and non-site-specific assessments. The BCCP map shows the site as within golden-cheeked warbler Zone 3, area not known to be habitat (BCCP, 1996).

The subject site is not underlain by a geologic formation that is known to form caves or voids that may provide habitat for terrestrial karst invertebrates. The subject site is mapped as Zone 4 (areas that do not contain potential endangered cave species habitat) by Veni and Associates (1991).

Golden-cheeked warbler habitat in central Texas typically consists of mature Ashe juniper (*Juniperus ashei*) and broad-leaved oak woodlands, with a high percentage of canopy coverage within and adjacent to incised canyons of central Texas. It is Horizon's opinion that the northernmost easement exhibits vegetational habitat characteristics for the golden-cheeked warbler but is likely not suitable habitat. This area of suitable habitat is highly fragmented, as the attached 4-acre tract was previously cleared and high traffic volume can be heard from RM 620 on the immediately adjacent property to the south.





Black-capped vireos typically nest in distinctive and dense scrubby mottes (to about 6 feet high) interspersed in open grassland within central Texas. Common vegetation within these mottes includes shin oak (Quercus sinuate var. breviloba), plateau live oak (Quercus fusiformis), evergreen sumac (Rhus virens), Texas persimmon (Diospyros texana), agarita (Berberis trifoliolata), and Ashe juniper. It is Horizon's opinion that the vegetation on the subject site does not exhibit habitat characteristics for the black-capped vireo.

It is Horizon's opinion that the subject site does not provide potentially suitable habitat for any of the federally listed endangered species that occur in Travis County. It is Horizon's opinion that any occurrence of the federally listed migratory bird species on the subject site would be temporary in nature, and that development of the site would not adversely impact the species.

For Horizon Environmental Services, Inc.

Michelle Dorsey

Environmental Specialist

28 June 2010 Date

Attachments:

2008 aerial photograph and site findings



ENVIRONMENTAL BOARD VARIANCE APPLICATION



TRAVIS COUNTY WCID No. 17 MANSFIELD WATER TREATMENT PLANT #SPC-2012-0429C



December 5, 2013

CHAIRMAN OF THE ZONING AND PLATTING COMMISSION 301 West 2nd Street Austin, Texas 78701

RE: Travis County W.C & I.D. No. 17

Mansfield Water Treatment Plant

SPC-2012-0429C

Request for Variance to §25-8-454(D)(1)(a) of The Code of the City of Austin

Uplands Zone - Allowable Impervious Cover

Dear Chairman:

Travis County W.C.&I.D. No. 17 (the District) is proposing to construct the Mansfield Water Treatment Plant Project. This project consists of expanding the District's water treatment capacity by constructing a 12-million gallon per day, at full build-out, membrane water treatment plant. This project consists of improvements that will allow the District to meet health and safety guidelines and serve its existing and future customers. This project proposes to construct impervious cover in the amount of 37% which exceeds the 20% allowed in the Uplands Zone within a Water Supply Rural Watershed. Travis County W.C.&I.D. No. 17 is requesting a variance to §25-8-454(D)(1)(a) of *The Code of the City of Austin*, Uplands Zone — Allowable Impervious Cover may not exceed 20%. As noted herein, the District's Eck Lane Water Treatment Plant received a similar variance in 2005. Failure to grant this variance request will effectively preclude the District's ability to construct this much needed and critical public water supply project.

The proposed improvements, which make up the Mansfield Water Treatment Plant Project for the District, include a Membrane and Lab Building, Chemical Feed Facility, High Service Pump Station, Raw Water Pump Station, Storage Building, and associated site improvements. Phase 1 of the project consists of the construction of the Raw Water Pump Station, Raw Water Intake Facility, and a portion of the Raw Water Line to the treatment plant site. Phase 2 will consist of the construction of the main Membrane and Lab Building, Chemical Feed Facility, Flocculation Basin, Clearwell, High Service Pump Station, Storage Building and additional associated site improvements. Future phases will complete construction of the project and will consist of the expansion of the Flocculation Basins and the construction of a second Clearwell. The phase 1 and 2 portions of the project will be constructed simultaneously and are proposed to deliver approximately 6-million gallons of treated water daily for the District's use. With the completion of future Phases 3 & 4, the plant will be able to produce an approximate maximum capacity of 12-million gallons of

treated water daily. These proposed improvements are vital to enable the District to meet TCEQ requirements and serve its existing and future customers.

The Mansfield Water Treatment Plant Project site is located at 4506 and 4506 B North F.M. 620 Road in Travis County, Texas. The project consists of six permanent easements obtained from the Lower Colorado River Authority (LCRA) totaling 6.849 acres of gross site area. Additional temporary construction easements were also obtained from LCRA. The project is located within the Lake Travis Watershed which is classified as a rural water supply watershed. A portion of the project is located within a FEMA defined floodplain as shown on the flood insurance rate map for Travis County, community map no. 48453C0220H, dated September 26, 2008. The project does not lie within the City of Austin Recharge Zone. The site is zoned P – Public.

Travis County W.C.&I.D. No. 17 is requesting a variance to §25-8-454(D)(1)(a) of *The Code of the City of Austin*, which states that for a commercial or multi-family use development in an Uplands Zone, impervious cover may not exceed 20%. Although this project zoning use is considered a Major Utility Facility, the project proposes to construct 37% of impervious cover.

The District selected this site for the proposed Water Treatment Plant for several reasons. Site selection was difficult because of the lack of availability and high cost of developable land in the Lake Travis / Lake Austin area for this public works project. The site needed to be located within the District service area, on the east side of Mansfield Dam and in close proximity to existing District major utility system facilities. Finally, the site location needed to be within close proximity to Lake Travis, the Water Treatment Plant's source of raw water. This is the only site that satisfied all these requirements.

The proposed improvements required for the design and implementation of the Water Treatment Plant were carefully placed and footprints minimized not only in order to reduce the amount of proposed impervious cover but to also reduce the number of existing trees needing to be removed. For example basins normally located outside of the footprint of the main Membrane building were incorporated into the building design and placed beneath the building to reduce impervious cover. Even with this careful planning, the proposed effective site impervious cover, based on the net site area, is 37%. However, all or portions of most of the proposed drainage areas will be captured and treated within the Membrane Water Treatment Plant. The captured impervious cover includes storm water run-off from roofs, driveway and drive aisle run-off, and miscellaneous concrete run-off. Capturing the run-off from this impervious cover reduces the effective site impervious cover to 16.5%.

Due to the finiteness of available land that meets the District's requirements for the proposed Water Treatment Plant, it is vital that this site be used. Additionally, alternative locations and sizes of these improvements on the site will not alleviate the need for this variance.

Listed below are the Findings of Fact, as listed in the City of Austin Land Development Code Section §25-8-41, and an explanation of each applicable finding of fact:

- 1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development? YES
 - Requiring Section §25-8-454(D)(1)(a) of *The Code of the City of Austin* would prevent the ability to construct the proposed necessary major utility facility improvements. This site is the only site Travis County W.C.&I.D. No. 17 was able to locate and acquire that met the special site design requirements including needing to be within the District service area, located on the east side of Mansfield Dam and in close proximity to existing District utility system facilities. Additionally, the site needed to be within close proximity to Lake Travis, the Water Treatment Plant's source of raw water.

The District's original Water Treatment Plant (SP-05-1269D) that serves the western half of the District, located at 3812 Eck Lane, was granted a similar variance in 2005 that allowed for 56% impervious cover on the site that also was originally limited to 20% impervious cover. Furthermore, the project was granted three additional variances that allowed for parking on a slope with more than 15% gradient, building a structure on a slope with more than 35% gradient and not providing a 40% downstream buffer.

The variance is needed in order to allow the District to proceed with this critical public water supply project to ensure a reliable municipal potable water supply during the area's continuing drought. Additionally, this Water Treatment Plant is needed to provide cooling water to the City of Austin's new Water Treatment Plant No. 4 and needs to be online prior to the completion of the City's plant.

2.

- a. The variance is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance? YES
- This variance is not based on a condition caused by the method chosen by the District to develop the property. This project requires specific, significant, project site requirements as noted above. LCRA owns the property and, after lengthy negotiations, provided the District permanent easements for the project. The District was unable to acquire any additional permanent site area from LCRA.

All or portions of most of the proposed drainage areas will be captured and treated within the Membrane Water Treatment Plant. The captured impervious cover

includes storm water run-off from roofs, driveway and drive aisle run-off, as well as miscellaneous concrete run-off. By capturing nearly 56% of the total impervious cover run-off from the site, the effective site impervious cover is reduced to 16.5%. Vegetative Filter Strips have been proposed as additional water quality controls for the remainder of the proposed impervious cover. By using these two innovative approaches, the development provides water quality greater than would have resulted had development proceeded without this variance and alleviates the need for a conventional water quality pond.

Additionally, along with the construction of the proposed site improvements, an off-site force main (GP-2013-0052.D17) will be constructed to serve the plant. The proposed force main will be located within the adjacent Travis Vista Subdivision, providing sewer service to the area and removing the last direct discharge into Lake Travis.

- b. This variance is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property? YES
- This variance is the minimum change necessary. The proposed Water Treatment Plant was designed in order to minimize the amount of impervious cover required for the safe and efficient operation of this type of major utility facility as well as avoiding the removal of existing trees and minimizing project area disturbance. One example includes basins normally located outside of the footprint of the main Membrane building being incorporated into the building design and placed beneath the building to reduce impervious cover. A second example is the membrane technology utilized, which requires a smaller footprint than conventional treatment methods. Finally, the impervious pavement width of the raw water pump station access drive was minimized by the use of pervious reinforced geotextile matting.
 - c. This variance does not create a significant probability of harmful environmental consequences? YES
- By using the Plant's Membrane technology, 100% of the pollutant load from 20.5% captured impervious cover storm water run-off will be removed, not only exceeding City requirements, but also returning site area that would normally be used for a water quality facility into undisturbed natural buffer area. Granting of this variance does not create significant probabilities of harmful environmental consequences.

Additionally, the District has contracted with Bartlett Tree Experts to provide a tree protection plan and services for the site. The services include root invigoration, fertilization, monthly pest management inspection during construction, dead wood pruning and a special Texas Madrone protection and improvement plan. The 10-inch Texas Madrone tree located on-site extremely rare in the native Austin landscape and the plan is designed around protecting and even improving the tree during the construction process.

- 3. Development with this variance will result in water quality that is at least equal to the water quality achievable without this variance.
 - As noted above in 2a, the District plans to treat a high percentage of proposed impervious cover storm water run-off within the Water Treatment Plant. The District also plans on providing additional water quality controls for the remainder of the proposed impervious cover. Development with this variance will result in water quality greater than would have been achieved had development proceeded without this variance or if the project proceeded with an impervious cover less than 20%.

If you have any questions, or need additional information, please do not hesitate to contact me at (512) 442-3008, ext. 108.

Sincerely,

David Kneuper, P.E.



ENVIRONMENTAL BOARD VARIANCE APPLICATION TEMPLATE

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Insert Applicant Variance Request Letter here.		
PROJECT DESCRIPTION	N	
Applicant Contact Info	rmation	
Name of Applicant	Deborah Gernes - General Manager Travis County Water Control & Improvement District No. 17	
Street Address	3812 Eck Lane	
City State ZIP Code	Austin, Texas 78734	
Work Phone	(512) 266-1111	
E-Mail Address	dgernes@wcid17.org	
Variance Case Informa	ation	
Case Name	Travis County WCID No. 17 - Mansfield Water Treatment Plant	
Case Number	SPC-2012-0429C	
Address or Location	4506 N. F.M. 620 Rd., Austin, Texas 78732	
Environmental Reviewer Name	James Dymkowski	
Applicable Ordinance	§25-8-454(D)(1)(a)	
Watershed Name	Lake Travis	
Watershed Classification	☐ Urban ☐ Suburban ☐ Water Supply Suburban XWater Supply Rural ☐ Barton Springs Zone	

Edwards Aquifer Recharge Zone	☐ Barton Springs Segment X Not in Edwards Aquifer Zones	☐ Northern Edwards Segment	
Edwards Aquifer Contributing Zone	☐ Yes X No		
Distance to Nearest Classified Waterway	The project's raw water intake is located within Lake Travis.		
Water and Waste Water service to be provided by	Travis County WCID No. 17		
Request	The variance request is as follows (Cite code references:		
Impervious cover	Existing	Proposed	
square footage:	<u>5,983</u>	<u>94,313</u>	
acreage:	<u>0.14</u>	<u>2.17</u>	
percentage:	2.30%	<u>36.19%</u>	

Provide general description of the property (slope range, elevation range, summary of vegetation / trees, summary of the geology, CWQZ, WQTZ, CEFs, floodplain, heritage trees, any other notable or outstanding characteristics of the property)

The Travis County Water Control & Improvement District No. 17 – Mansfield Water Treatment Plant project site consists of six permanent easements obtained from the Lower Colorado River Authority (LCRA) totaling 6.849 acres of gross site area.

A portion of the project (Raw Water Intake Tunnel) is located within Lake Travis and subsequently within the 100-year floodplain as shown on FIRM Map No. 48453C0220H, effective date of September 26, 2008. Separate site Environmental and Endangered Species Habitat Assessments (Attached) were completed by Horizon Environmental Services, Inc. in June of 2010. According to the assessments, no potential Critical Environmental Features (CEFs), as defined by the City of Austin, were found within 150-Feet of the subject property and the site does not provide potentially suitable habitat for any of the federally listed endangered species that occur in Travis County. The site is not located in the Edwards Aquifer Recharge Zone. The site is located within the Lake Travis Watershed, a rural watershed. All six easements are within the City of Austin's Limited Purpose Planning Zoning Health Safety jurisdiction. Finally, the site is currently Public (P).

The site is currently undeveloped and consists mainly of Ashe Juniper and Oak trees along with native grasses, cacti, exposed soils and limestone outcrops. Three heritage trees are located on-site and are all proposed to

remain. Additionally, the District has contracted with Bartlett Tree Experts to provide a tree protection plan and services for the site. The services include root invigoration, fertilization, monthly pest management inspection during construction, dead wood pruning and a special Texas Madrone protection and improvement plan. The 10-inch Texas Madrone tree located on-site extremely rare in the native Austin landscape and the plan is designed around protecting and evening improving the tree during the construction process.

The main 4-acre easement is located at a high-point with the ground generally sloping off to the east and west at a gradual slope ranging from 2-7%. The permanent easements located to the north of the 4-acre easement slope directly to Lake Travis. A more in-depth description of the existing site can be found in the attached assessments performed by Horizon Environmental Services, Inc. (Attached).

Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)

Travis County W.C.&I.D. No. 17 is requesting a variance to §25-8-454(D)(1)(a) of *The Code of the City of Austin*, which states that for a commercial or multi-family use development in an Uplands Zone, impervious cover may not exceed 20%. Although this project zoning use is considered a Major Utility Facility, the project proposes to construct an amount of impervious cover exceeding 20%.

FINDINGS OF FACT

As required in LDC Section 25-8-41, in order to grant a variance the Land Use Commission must make the following findings of fact:

Include an explanation with each applicable finding of fact.

Project: Travis County WCID No. 17 - Mansfield Water Treatment Plant

Ordinance: §25-8-454(D)(1)(a)

A. Land Use Commission variance determinations from Chapter 25-8-41 of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes

Requiring Section §25-8-454(D)(1)(a) of *The Code of the City of Austin* would prevent the ability to construct the proposed necessary major utility facility improvements. This site is the only site Travis County W.C.&I.D. No. 17 was able to locate and acquire that met the special site design requirements including needing to be within the District service area, located on the east side of Mansfield Dam and in close proximity to existing District utility system facilities. Additionally, the site needed to be within close proximity to Lake Travis, the Water Treatment Plant's source of raw water.

2. The variance:

a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes

This variance is not based on a condition caused by the method chosen by the District to develop the property. This project requires specific, significant, project site requirements as noted above. LCRA owns the property and, after lengthy negotiations, provided the District permanent easements for the project. The District was unable to acquire any additional permanent site area from LCRA.

By treating a high percentage of proposed impervious cover storm water run-off within the Water Treatment Plant, and providing additional water quality controls for the remainder of the proposed impervious cover, the development provides water quality greater than would have resulted had development proceeded without this variance.

b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

Yes

This variance is the minimum change necessary. The proposed Water Treatment Plant was designed in order to minimize the amount of impervious cover required for the safe and efficient operation of this type of major utility facility as well as avoiding the removal of existing trees and minimizing project area disturbance. One example includes basins normally located outside of the footprint of the main Membrane building being incorporated into the building design and placed beneath the building to reduce impervious cover.

c) Does not create a significant probability of harmful environmental consequences; and

Yes

By using the Plant's Membrane technology, 100% of the pollutant load from captured impervious cover storm water run-off will be removed, not only exceeding City

requirements, but also returning site area that would normally be used for a water quality facility into undisturbed natural buffer area. Granting of this variance does not create significant probabilities of harmful environmental consequences.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes

As noted above in 2a, the District plans to treat a high percentage of proposed impervious cover storm water run-off within the Water Treatment Plant. The District also plans on providing additional water quality controls for the remainder of the proposed impervious cover. Development with this variance will result in water quality greater than would have been achieved had development proceeded without this variance.

- B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):
 - 1. The criteria for granting a variance in Section A are met;

N/A

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

N/A

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

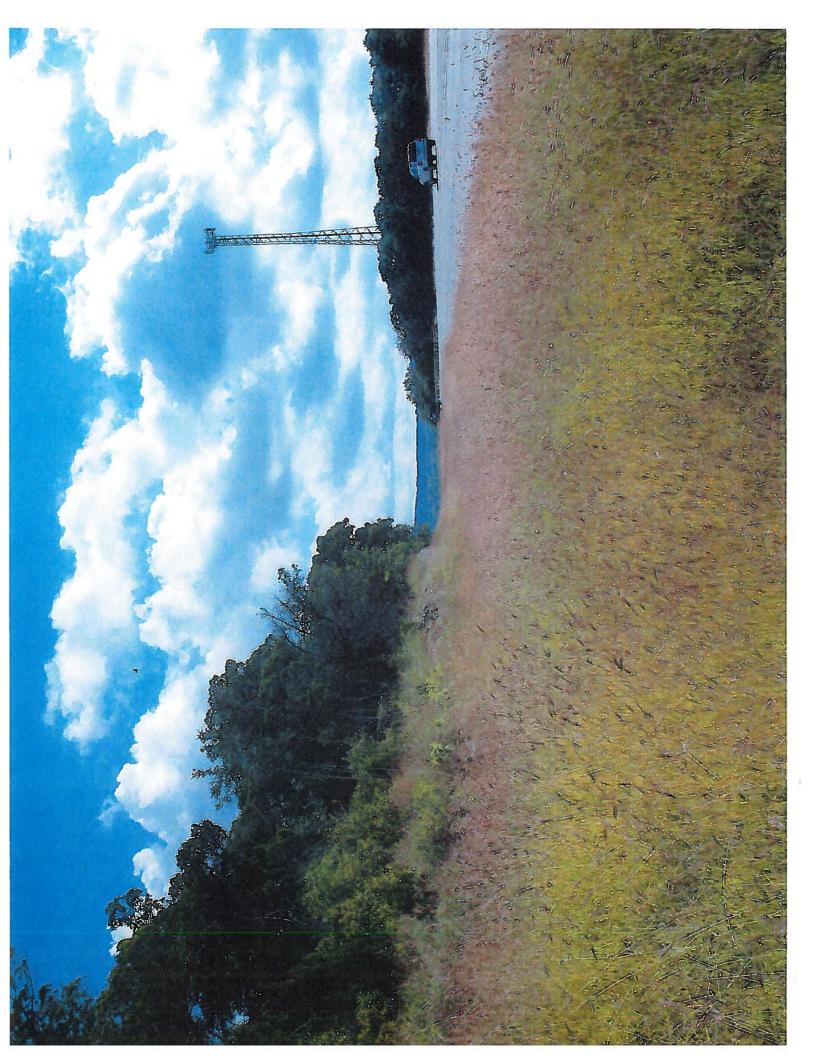
N/A

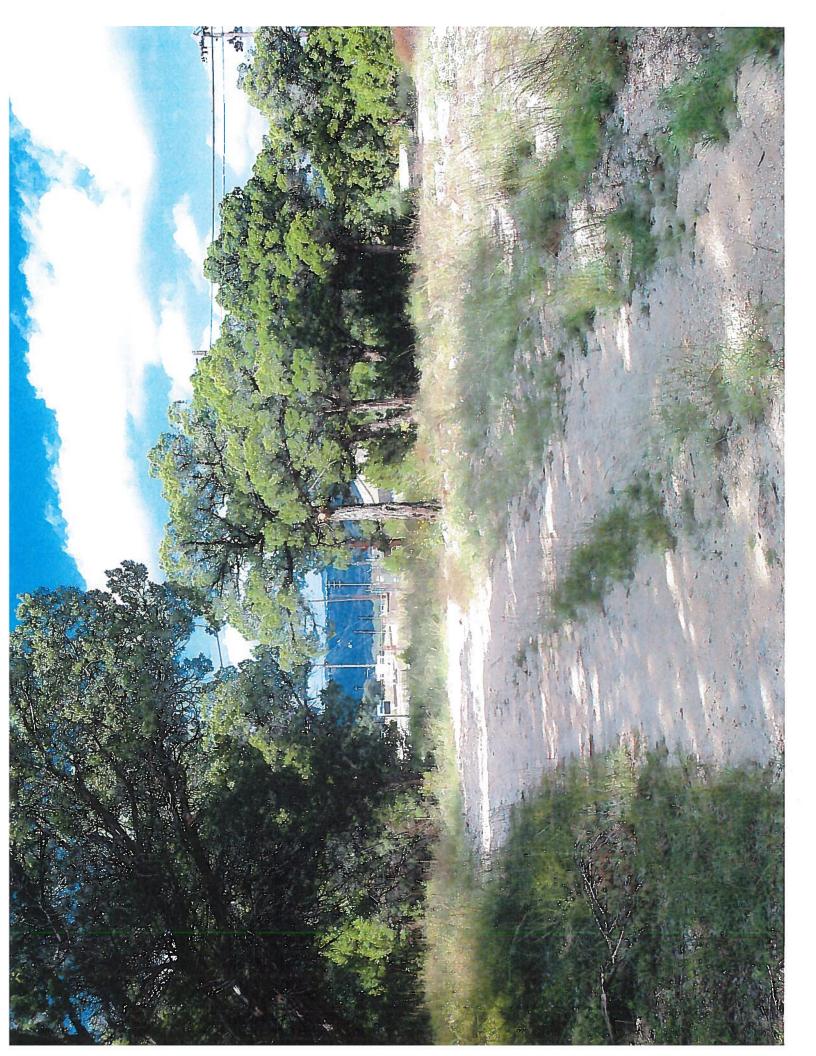
**Variance approval requires all above affirmative findings.

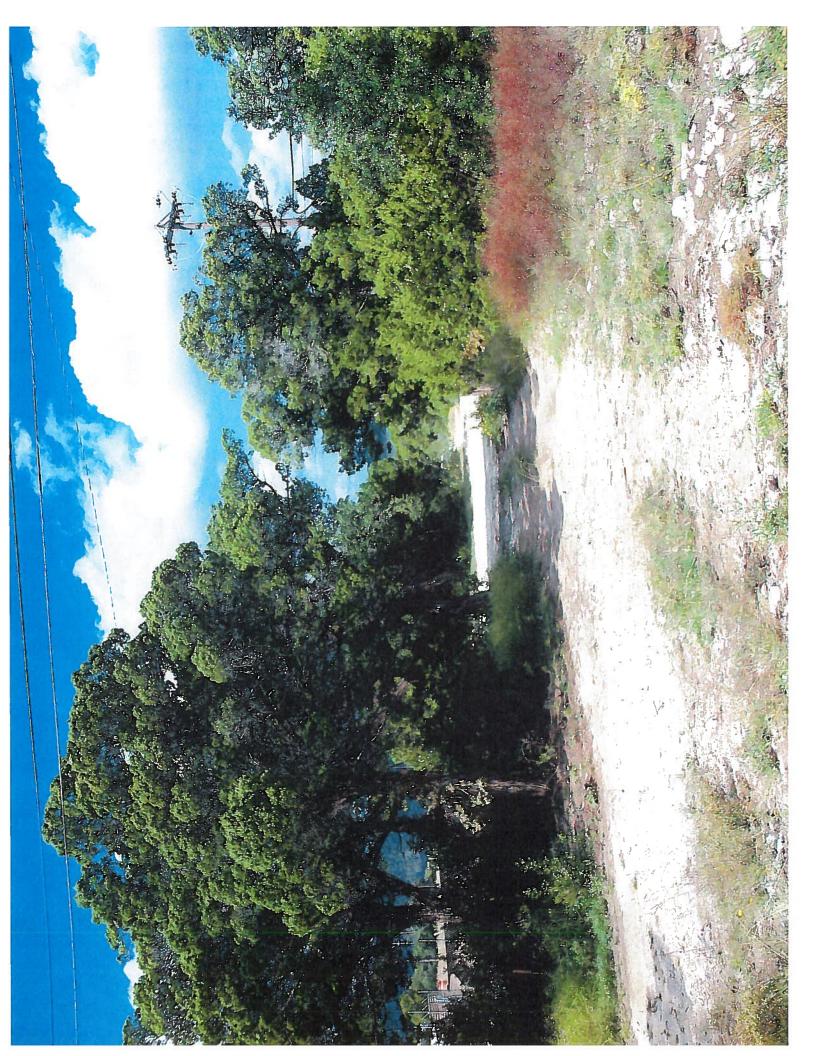
Exhibits for Board Backup and/or Presentation

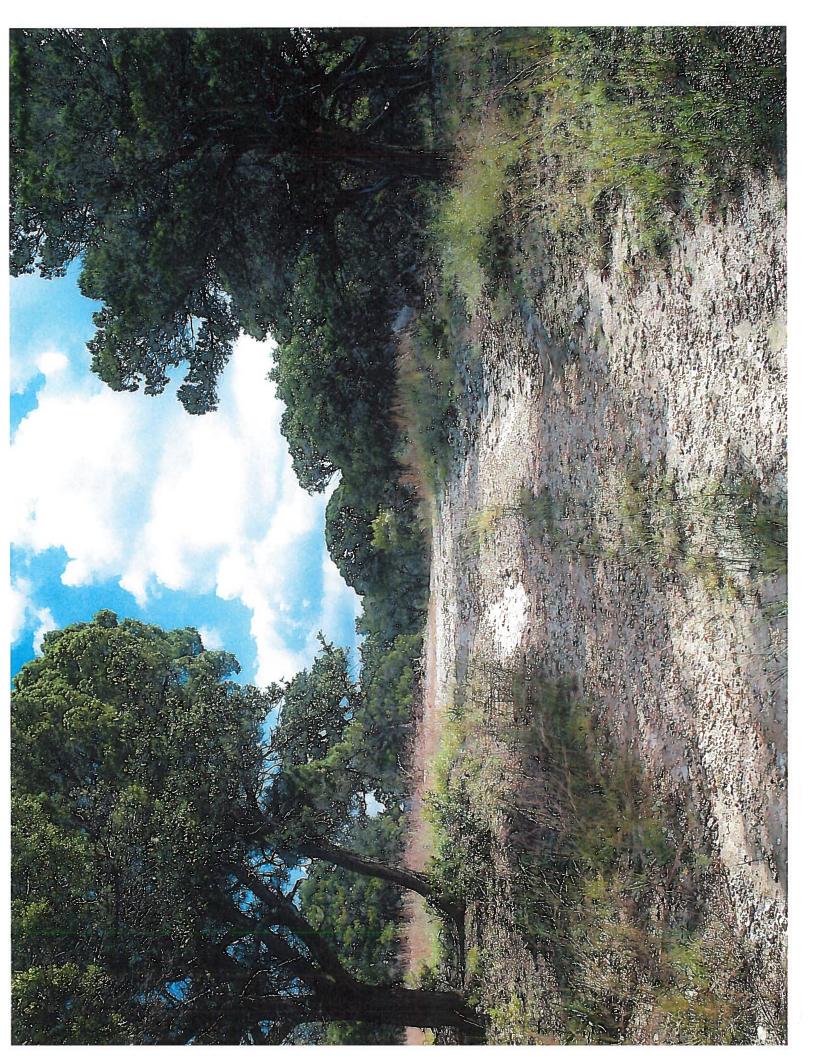
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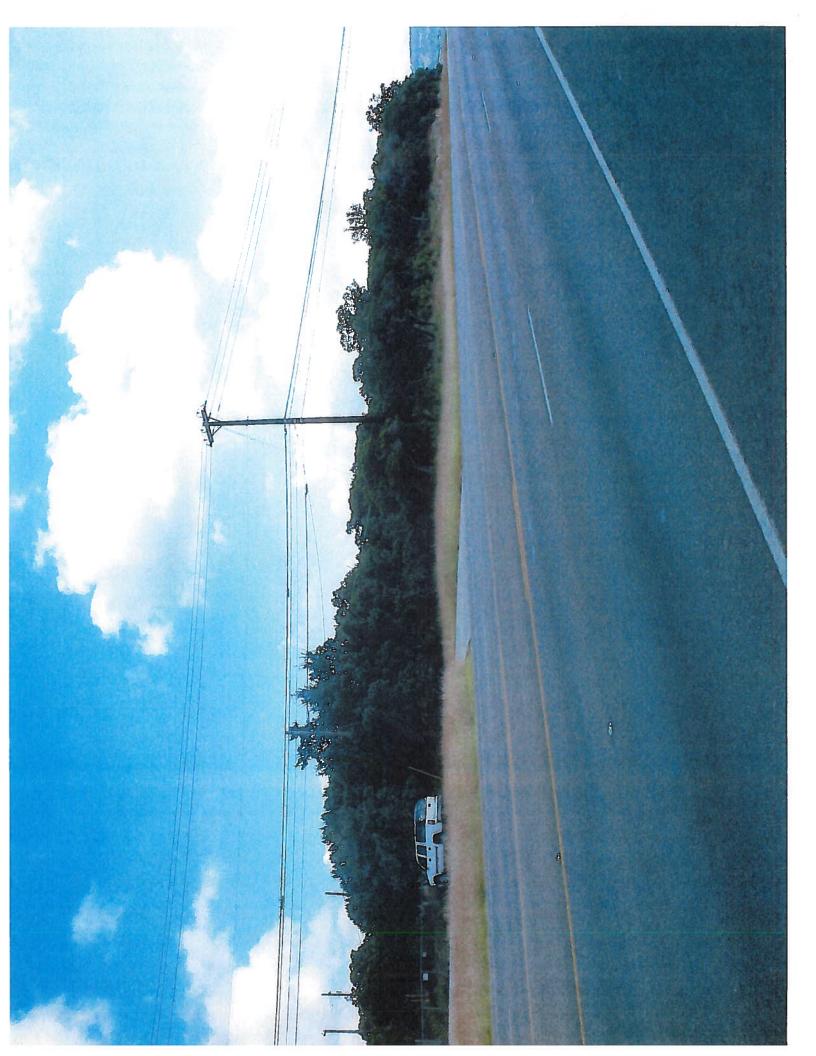
- o Aerial photos of the site (backup and presentation)
- o Site photos (backup and presentation)
- Aerial photos of the vicinity (backup and presentation)
- Context Map—A map illustrating the subject property in relation to developments in the vicinity to include nearby major streets and waterways (backup and presentation)
- Topographic Map A topographic map is recommended if a significant grade change on the subject site exists or if there is a significant difference in grade in relation to adjacent properties. (backup and presentation)
- For cut/fill variances, a plan sheet showing areas and depth of cut/fill with topographic elevations. (backup and presentation)
- Site plan showing existing conditions if development exists currently on the property (presentation only)
- Proposed Site Plan- full size electronic or at least legible 11x17 showing proposed development, include tree survey if required as part of site or subdivision plan (backup and presentation)
- Environmental Map A map that shows pertinent features including Floodplain, CWQZ, WQTZ, CEFs, Setbacks, Recharge Zone, etc. (backup and presentation)
- An Environmental Assessment pursuant to ECM 1.3.0 (if required by 25-8-121) (backup only)
- Applicant's variance request letter (backup only)

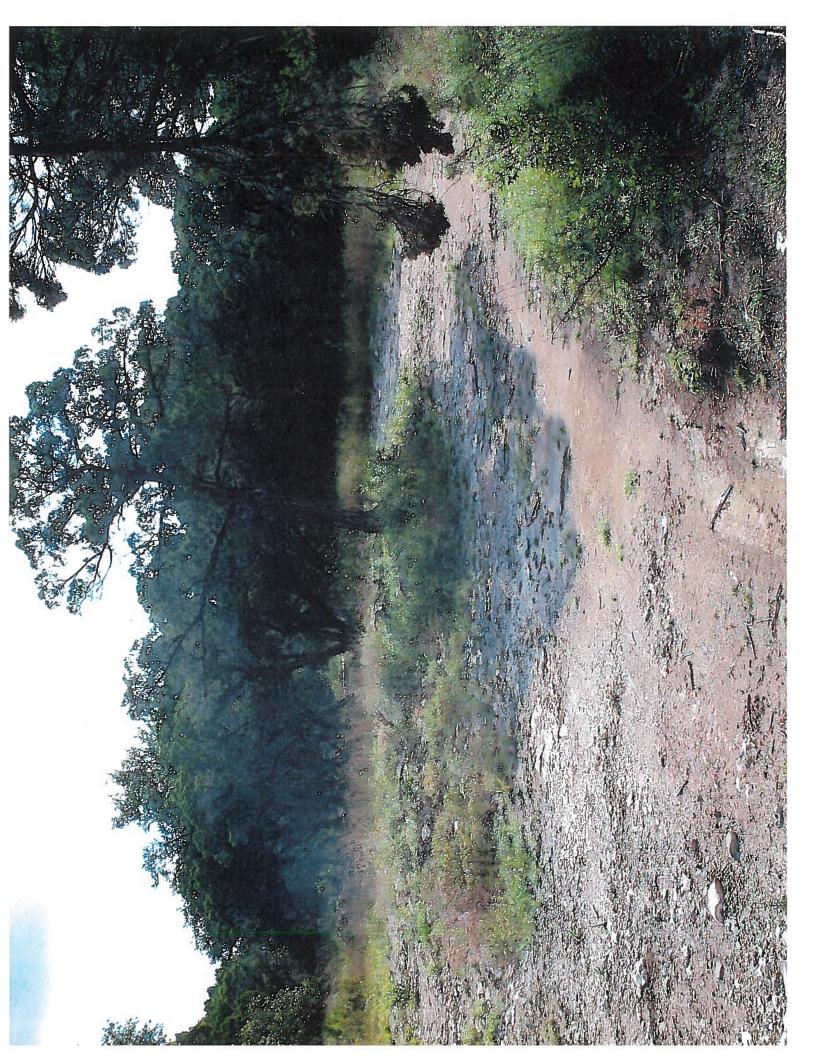


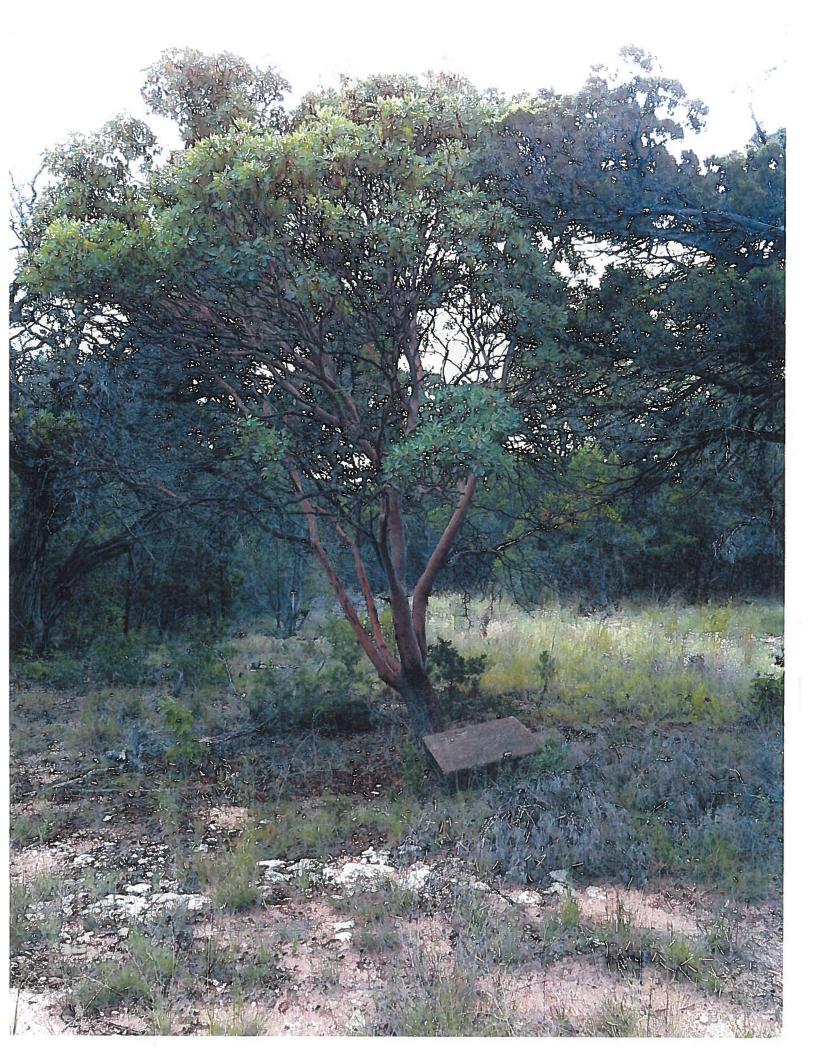


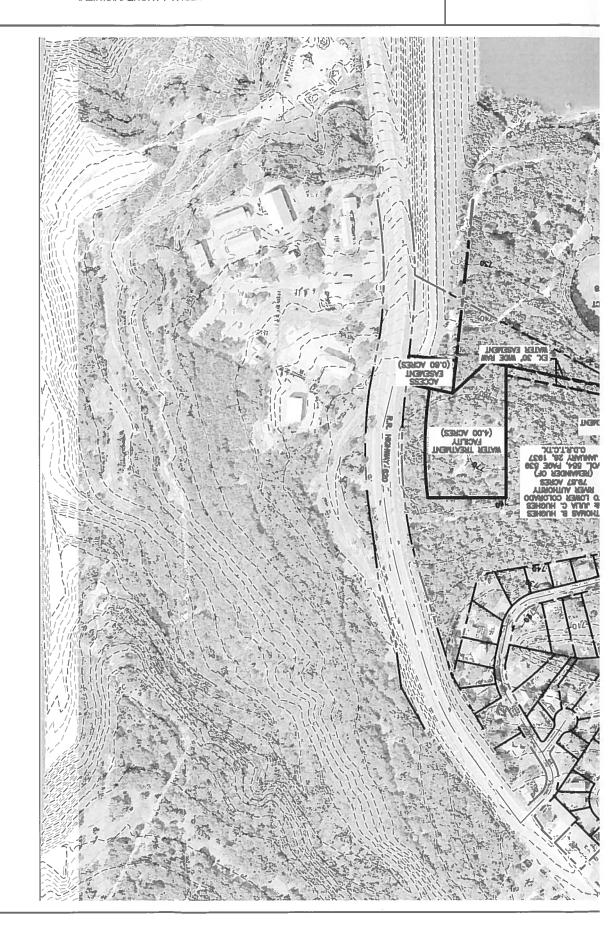


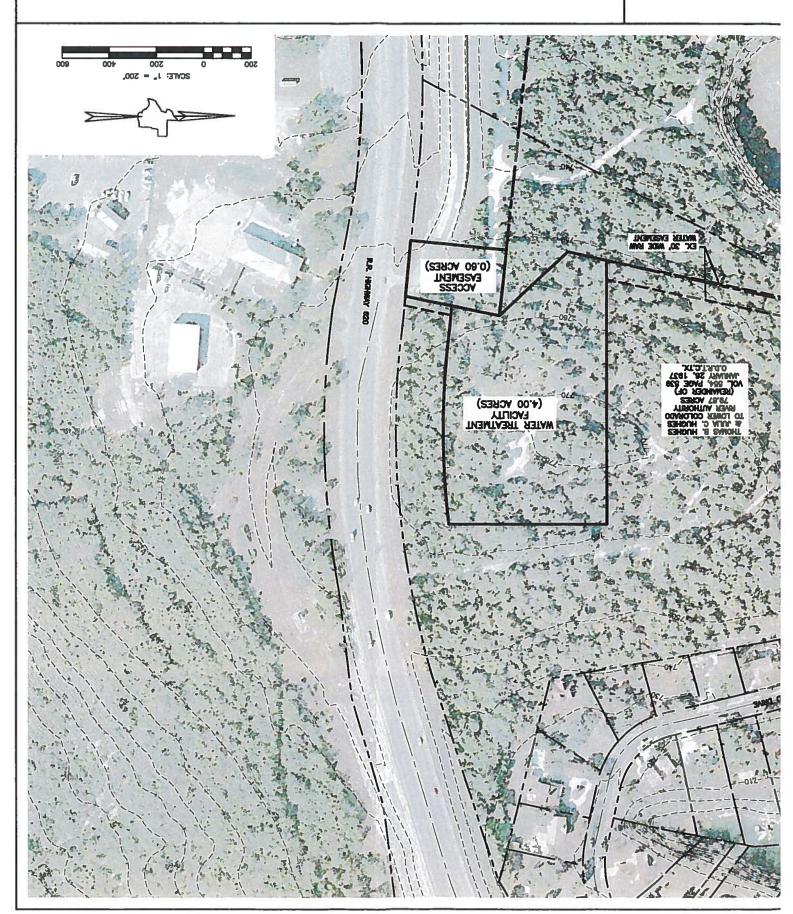


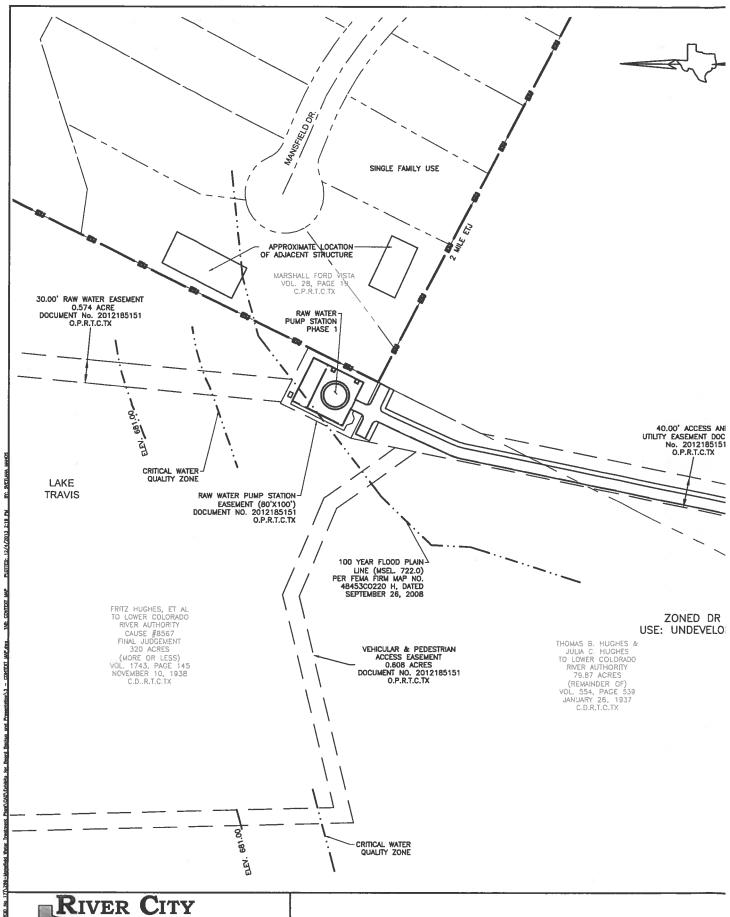




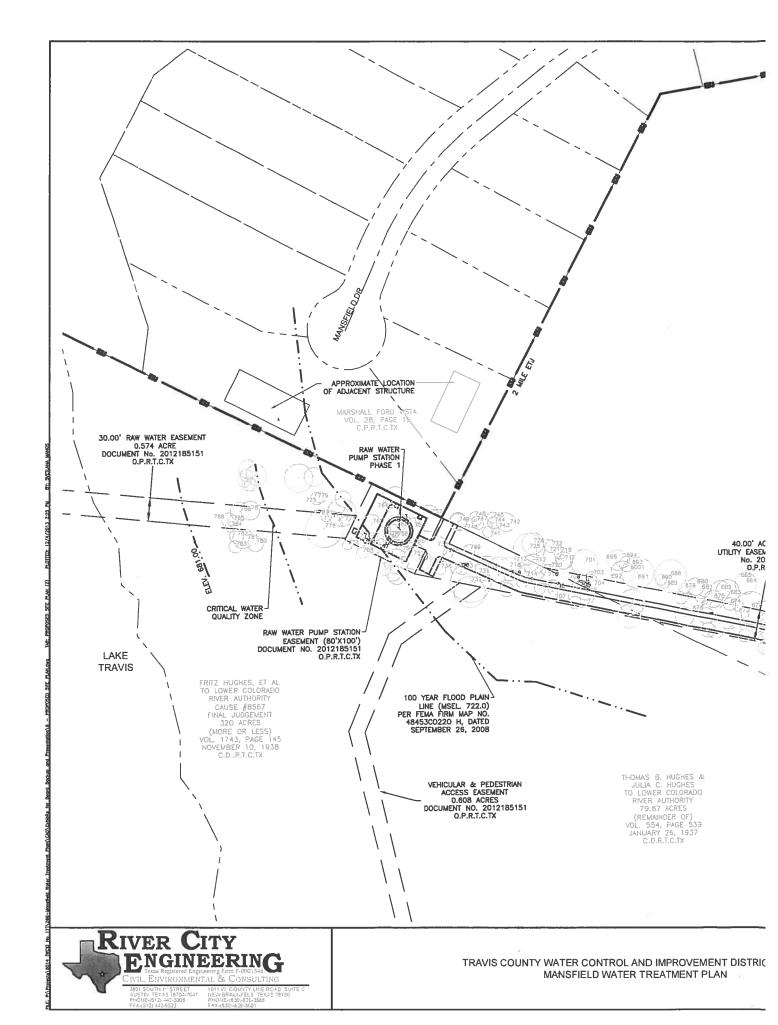


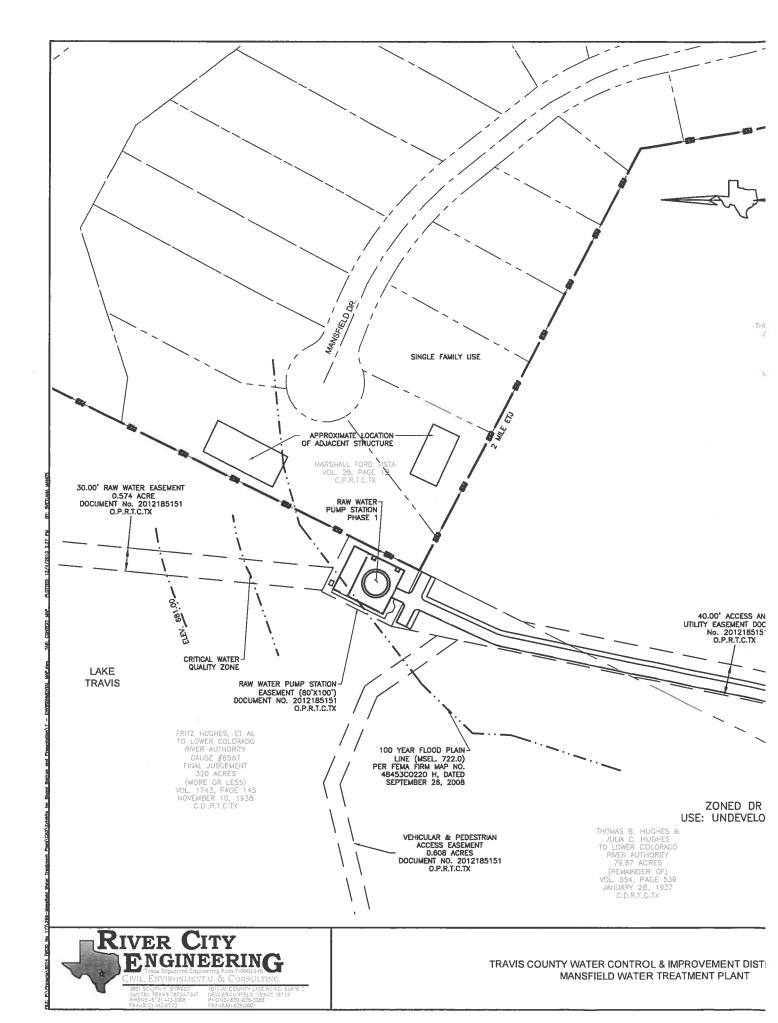


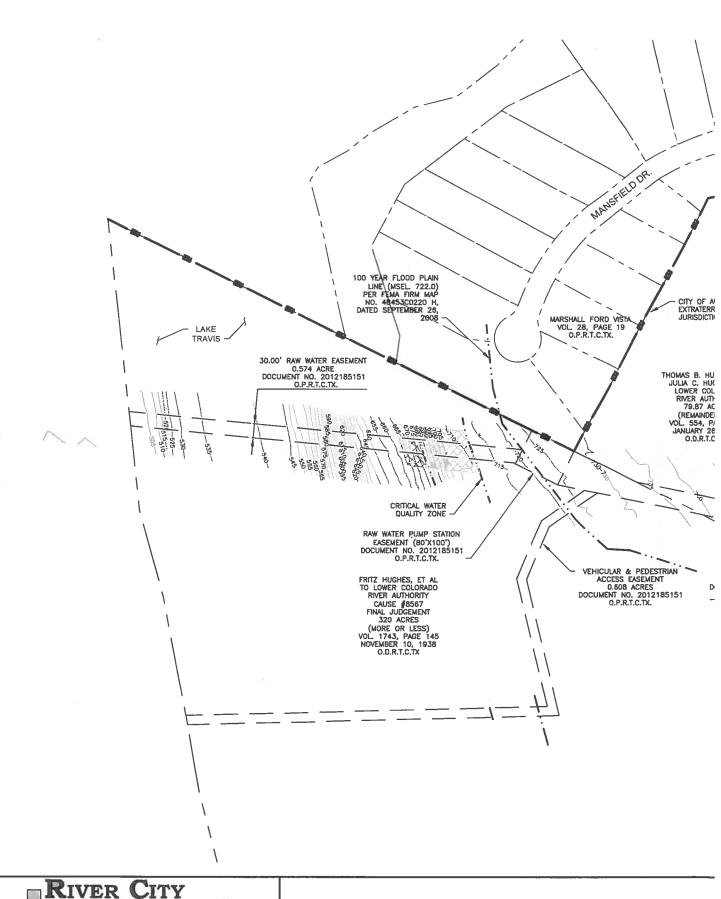














3801 SOUTH IT STREET 1011 V. COUNTY LINE RCAD SUITE AUSTIN. TEXAS 78724-7647 PHONE-631, 636-3583 PHONE-632, 636-3583

