

February 22, 2012

Dear Councilwoman Chan,

I just met with Ian Cude of Bitterblue, Inc. and Ken Brown regarding the request for rezoning that they will be submitting (Z2012007).

We have no objections to this request for rezoning as long as the following conditions are met:

- Submission of either a survey (in accordance with required expertise) that determines that no endangered species are on the site,
- or, plan for mitigating take of endangered species habitat
- Compliance with all of SAWS Site Specific and General recommendations, including:
 - Limit on Impervious Cover to 30%
 - Buffering significant recharge features as required in Ordinance No. 81491, sec 34-920.
 - Timely notification as prescribed should additional significant recharge features be discovered during construction.

We further recommend that, in the event that karst features inhabited by listed endangered species are discovered during construction, the developer will be required to stop work within 50 feet of the discovered feature for no more than seven days to allow for US Fish and Wildlife (USFWS) investigations of the feature. After this suspension period, the developer may continue with their activities only after coming to agreement with USFWS on a plan to preserve the habitat or mitigate loss, as required by the Endangered Species Act.

In order to address SAWS General Concerns, we recommend:

- A ban on use of PAH sealants on paved surfaces
- A plan for restricting improper use of pesticides

We also recommend that adequate frontage of the Salado Creek, consistent with completed segments of the Salado Creek Greenway, be preserved to allow for continuation of this project through this development.

While we do not advocate development above 15% on the Edwards Aquifer Recharge Zone, we note that this project is in compliance with current regulations. We further note and appreciate that Bitterblue, Inc. plans to preserve significant slopes on the site in their natural state, and to restrict impervious cover to 20% of the site. We see no reason to object to approval of this request for rezoning.

Thank you for this opportunity to submit comments on this project. Please feel free to contact me at your convenience if you have any questions or would like to discuss this matter further.

Annalisa Peace
Executive Director
Greater Edwards Aquifer Alliance
210-320-6294