

# TEXAS WATER COMMISSION



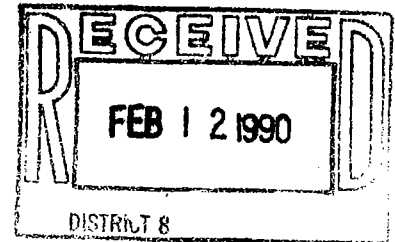
B. J. Wynne, III, Chairman  
John E. Birdwell, Commissioner  
Cliff Johnson, Commissioner

John J. Vay, General Counsel  
Michael E. Field, Chief Hearings Examiner  
Brenda W. Foster, Chief Clerk

Allen Beinke, Executive Director

February 8, 1990

Mr. Clarence Busch and Ms. Dolores J. Busch  
Rt. 2 Box 827 C  
New Braunfels, Texas 78130



Re: Proposed Jentsch Acres Extension, Lots 59A and 59B, City of New Braunfels, Comal County, Texas - Request for Approval of Water Pollution Abatement Plan; 31 Texas Administrative Code (TAC) Section 313.3

Dear Mr. Busch and Ms. Busch:

We have completed our review of the water pollution abatement plan that was submitted by S. Craig Holmig, Inc. on your behalf to the District 8 Office on December 4, 1989, and received by our Water Quality Division in Austin on January 9, 1990. The referenced water pollution abatement plan was initially submitted to the Austin Office by the District 8 Office on December 5, 1989, and was presumably misplaced in transit. An additional copy was subsequently requested by the Austin Office and received in January, as documented above. We regret any inconvenience the resulting delay in review of the referenced water pollution abatement plan may have caused you. The proposed 1.038-acre development project is with frontage along the southwest side of North Madeline Street, for approximately 1000 to 1300 feet northwest of the intersection of Wald Road and North Madeline Street, in the corporate limits of the City of New Braunfels, Comal County, Texas. The proposed development consists of two single-family residences, each to be built in a subdivision consisting of a northern 0.460-acre Lot 59A and a southern 0.578-acre Lot 59B. The projected population is 7 people.

Assuming 125 gallons of wastewater are generated per person per day, the volume of wastewater from the proposed subdivision will be about 875 gallons per day. Wastewater will be entirely domestic in nature.

Wastewater will be treated by the City of New Braunfels Kuehler Road Sewage Treatment Plant, which is owned by New Braunfels Utilities. Sewer lateral lines will have to be constructed to serve proposed Lots 59A and 59B, and shall be constructed in accordance with the City of New Braunfels sewer tap policy. The City of New Braunfels and New Braunfels Utilities shall provide inspection services and certify that construction and taps into an

existing organized sewage collection line were done in accordance with applicable rules and regulations.

The character of stormwater runoff will be typical of that generated from a residential development. The amount of impervious cover after construction is complete will be about 20% from roof and pavement materials.

There will be no significant measures taken to prevent pollutants from entering significant recharge areas because none have been identified. This development lies on the side of a hill at the upper end of a water shed, and no dry creek traverses the development. Removal of top-soil and vegetation will occur only during construction related to building the single-family residences. Surface drainage will consist of surface conveyance of water around the houses and across the lots, which are typically landscaped in this area by leaving a significant portion of the lot in its natural vegetative state.

There is an existing water well on the western part of proposed Lot 59A. It is in service, and the owner intends to keep the well in productive service. The two planned single-family residences within the proposed subdivision will receive potable water from New Braunfels Utilities. If any other wells are found during construction of the proposed development, they shall be plugged in accordance with 31 TAC Section 313.3(b)(3)(F), which requires that abandoned wells shall be plugged pursuant to the requirements of 31 TAC Section 287.50(a) of this title (relating to Standards for Plugging Wells that Penetrate Undesirable Water Zones) or an equivalent method, as approved by the Executive Director. Pursuant to 31 TAC Section 287.48(e), the person that plugs such a well shall, within 30 days after plugging is complete, submit a Water Well Completion and Plugging Report to the Executive Director, through the District 8 Office.

No waste-disposal wells, new confined animal feeding operations, land disposal of Class I wastes, or use of sewage holding tanks as parts of organized collection systems shall be allowed on the recharge zone of this regulated development.

The plan for this development has been reviewed for compliance with 31 TAC Section 313.3 which sets forth pollution abatement criteria for development located on the recharge zone of the Edwards Aquifer. The proposed pollution abatement activities are in general agreement with 31 TAC Section 313.3, and approval of the development is hereby granted with the following condition:

If any solution openings (such as cavities or pipes) or sinkholes are discovered on the site during land clearing, excavation, or blasting, the developer shall immediately notify the District 8 Office located at 140 Heimer Road, Suite # 360, San Antonio, Texas, 78232-5028, telephone (512) 490-3096. Construction in the vicinity of such a feature

shall cease pending approval by the District 8 manager of the proposed method to prevent pollutants from entering the area(s).

During the course of construction related to the referenced regulated development, the owner/developer shall comply with all applicable provisions of 31 TAC Section 313.3. Additionally, Clarence Busch and Dolores J. Busch shall remain responsible for the aforementioned provisions and special conditions until such responsibility is legally transferred to another person or entity.

Please be reminded that 31 TAC Section 313.3 (e) requires the owner/developer to: (1) record in the county deed records that this property is subject to the approved water pollution abatement plan; (2) submit to the Executive Director proof of this application for recordation of notice no less than ten days prior to commencing construction; and (3) prior to beginning construction, notify the District 8 Office in San Antonio when the construction will commence. Any substantial modification, as outlined in 31 TAC Section 313.3 (f), to this approved water pollution abatement plan must be reported to the District 8 Office and approved by the Executive Director.

Also, 31 TAC Section 313.3 (g) requires that during construction, you submit quarterly progress reports on the status of construction to the District 8 Office. Please note that 31 TAC Section 313.3 (h) states that this approval expires two years from this date unless, prior to the expiration date, construction has commenced on the regulated development. Enclosed is a suggested format you may wish to use to deed record your approved water pollution abatement plan.

If you have any questions or require additional information, please contact either Mr. John Mauser at (512) 490-3096 in San Antonio or Mr. Rob Conti at (512) 463-8497 in Austin.

Sincerely,

*Allen Beinke*  
for Allen Beinke  
Executive Director

Enclosure

cc: S. Craig Holmig, S. Craig Holmig, Inc.  
City of New Braunfels  
County of Comal  
Edwards Underground Water District  
Texas Water Commission District 8 Office