

TEXAS WATER COMMISSION

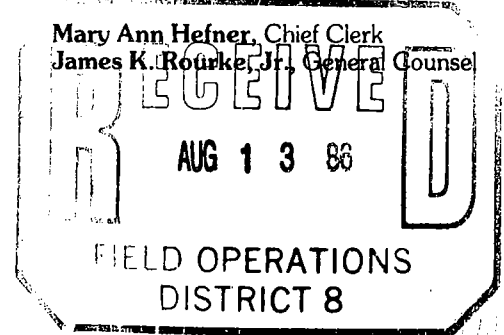
Paul Hopkins, Chairman
Ralph Roming, Commissioner
John O. Houchins, Commissioner



Larry R. Soward, Executive Director

Mary Ann Hefner, Chief Clerk
James K. Rourke, Jr., General Counsel

August 11, 1986



Mr. Loyde C. Walls
Route #20, Box 208 MP
San Antonio, Texas 78218

Re: Lucky Seven Subdivision; Request for Modification of a Previously
Approved Water Pollution Abatement Plan; 31 Texas Administrative Code
(TAC) Section 313.3 (formerly Section 331.3)

Dear Mr. Walls:

We have completed our review of a modified water pollution abatement plan dated July 3, 1985 which was submitted to the District 8 Office by S. Craig Hollmig, Inc. As outlined in the application, the modified plan consists of designating Lot 5 for commercial use. All other lots will be developed with single-family residences. As in the previous submittal, the tracts will be served by individual water wells and private sewage facilities. The original water pollution abatement plan was approved on May 22, 1986.

The modified plan for this development has been reviewed for compliance with 31 TAC Section 313.3. The proposed activities are in general agreement with the requirements of this subsection and approval of the modified plan is hereby granted with the following conditions:

- (1). Because the specific commercial use for Lot 5 is undetermined at this time, the character of stormwater runoff and subsequent control measures have not addressed. When the specific use has been determined, a modified plan, which addresses these issues, shall be submitted for Lot 5. The owner/developer of Lot 5 must receive approval of the modified plan from the Executive Director, in accordance with 31 TAC Section 313.23 (f), prior to initiation of construction within Lot 5.
- (2). Private sewage facilities shall be used solely for the treatment and disposal of domestic sewage. The volume of sewage generated shall not exceed the amount produced by a single-family residence, since Lot 5 contains the minimum area allowable for use of a private sewage facility on the Edwards Aquifer Recharge Zone.
- (3). The future commercial development may include installation of hydrocarbon storage tanks. 31 TAC Section 313.8 outlines requirements for static hydrocarbon and hazardous substance storage facilities to be located on the Edwards Aquifer Recharge Zone. Please note that prior to initiating construction on such facilities you must have written approval of the design plans from the Texas Water Commission. A copy of the applicable regulation is attached.

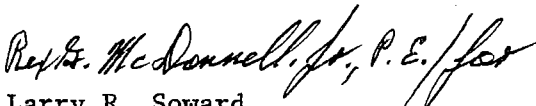
- (4). All special conditions contained in the May 22, 1986 letter approving the initial water pollution abatement plan shall remain in effect.

During the course of the development of the property, the developer shall comply with all applicable provisions of 31 TAC Section 313.3. Additionally, you shall remain responsible for the aforementioned provisions until such responsibility is legally transferred to another entity or person.

Please be reminded that 31 TAC Section 313.3 (e) requires you 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 recordation of notice no less than ten days prior to commencing construction, and (3) prior to beginning construction, notify the District 8 Office 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.

If further information is needed, please contact either Ms. Jeffie McAuley at (512) 226-3297 in San Antonio, or Ms. Liska Mercer at (512) 463-7743 in Austin.

Sincerely,


Larry R. Soward
Executive Director

Enclosure

ccs: Mr. S. Craig Hollmig
Mr. David L. Litke, Comal County Sanitarian
County of Comal
Edwards Underground Water District
Texas Water Commission District 8 Office

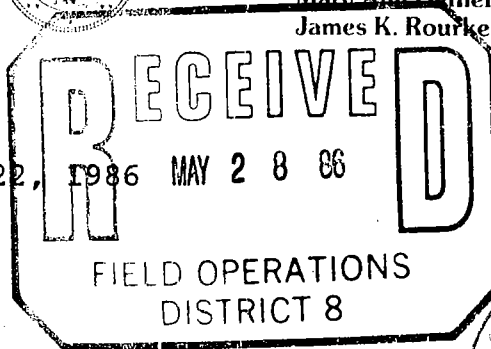
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Paul Hopkins, Chairman
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James K. Rourke, Jr., General Counsel



May 22, 1986 MAY 28 86



Mr. Loyde C. Walls
Rte. #20, Box 208 MP
San Antonio, Texas 78218

Dear Mr. Walls:

Re: Lucky Seven Subdivision; Request for Water Pollution
Abatement Plan Approval; 31 Texas Administrative
Code (TAC) Section 313.3 (formerly 331.3)

We have completed our review of the water pollution abatement plan dated April 9, 1986 which was submitted to the District 8 Office by S. Craig Hollmig, Inc. As outlined in the application, the proposed development consists of 7.17 acres to be developed with five single-family residential lots. Sewage generated by this development will be treated through private sewage facilities licensed by the Comal County Health Department.

The plan for this development has been reviewed for compliance with 31 TAC Section 313.3 which sets forth the required pollution abatement activities for construction activities 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 for this phase of the development is hereby granted with the following conditions:

1. An alternate disposal method, other than soil absorption should be considered for each of Lots 1, 3, 4 and 5. The geologic and topographic conditions observed and the failure of percolation tests performed on these tracts is the basis for this recommendation.

31 TAC Section 313.6(d) states:

- A) Whenever the natural percolation rate is faster than one minute per inch or slower than sixty (60) minutes per inch, an alternate site or a disposal method other than soil absorption disposal, such as an evapotranspiration system, should be considered. If no suitable alternate site exists, the licensing authority shall grant or deny a permit to construct on the basis of all relevant factors.

B) No permit to construct may be granted for private sewage facilities on lots on which the private sewage facility would be placed at an excessive slope, unless proper construction techniques to overcome the effects of the slope will be utilized.

2. If any solution openings (such as caves or pipes) or sinkholes are discovered on the site during land clearing, excavation, or blasting, the developer or his agent shall immediately notify the District 8 Office in San Antonio.

During the course of development of this property, you shall comply with all applicable provisions of 31 TAC Section 313.3. Additionally, you shall remain responsible for the aforementioned provisions and special conditions until such responsibility is legally transferred to another entity or person.

Please be reminded that 31 TAC Section 313.3(e) requires you 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 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. 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 development.

If further information is needed, please contact Ms. Jeffie McAuley at (512) 226-3297 in San Antonio or Ms. Liska Mercer at (512) 463-7743 in Austin.

Sincerely yours,

Larry R. Soward
Larry R. Soward
Executive Director

ccs: Mr. S. Craig Hollmig, P.E.
Mr. David L. Litke, Comal County Sanitarian
County of Comal
Edwards Underground Water District
Texas Water Commission District 8 Office