TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 16, 2008

Mr. Gary Woods
Cordova Bend, Ltd.
755 Mulberry, Suite 600
San Antonio, Texas 78212

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Cordova Bend, Unit 1-R; Located on the south side of Canyon Lake off of Demi John Bend Road, approximately 5 mile north of FM 311; Comal County, Texas
TYPE OF PLAN: Request for Modification of a Contributing Zone Plan (CZP); 30 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer
Edwards Aquifer Protection Program ID No.: 2448.01; Investigation No.: 706818
Regulated Entity No.: RN104807938

Dear Mr. Woods:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the request for modification of the approved CZP for the above-referenced project submitted to the San Antonio Regional Office by Pro-Tech Engineering Group on behalf of Cordova Bend, Ltd. on October 17, 2008. Final review of the CZP was completed after additional material was received on November 25, 2008 and December 8, 2008. As presented to the TCEQ, the Temporary Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

This 748 acre tract was approved by letter dated April 12, 2006 for the development of 118 single-family residences and related roads and driveways. The proposed modification is for increasing the lots in Unit 1 from 118 to 165, and the impervious cover from 24.0 acres (3%) to 34.0 acres (5%). Unit 1R will be composed of 69 lots (originally 22 lots) on 243 acres with 9.10 acres of impervious cover (3.75% of 243 acres).

PROJECT DESCRIPTION

The proposed single-family residential project (Unit 1-R) will have an area of approximately 243 acres. It will include 69 single family residences and related roads and driveways. The impervious cover for Unit 1-R will be 9.10 acres (3.75 percent of 243 acres). According to a letter dated, December 15, 2005, signed by Thomas H. Hornseth, P.E., with Comal County, the site in the development is acceptable for the use of on-site sewage facilities.

SITE ASSESSMENT write out Date

A site assessment investigation was conducted on 11/17/08. The paved roads, a sales office, and the community park had been constructed as previously approved. One house had been constructed in the subdivision, but it was unoccupied. No active construction was observed. All previously disturbed soil appeared to have been stabilized by vegetation.

PERMANENT POLLUTION ABATEMENT MEASURES

Since this single-family residential project will not have more than 20 percent impervious cover, an exemption from permanent BMPs is approved.

SPECIAL CONDITIONS

I. Within 60 days of receiving written approval of an Edwards Aquifer Protection Plan, the applicant must submit to the San Antonio Regional Office, proof of recordation of notice in the county deed records, with the volume and page number(s) of the county deed records of the county in which the property is located. A description of the property boundaries shall be included in the deed recordation in the county deed records. A suggested format (Deed Recordation Affidavit, TCEQ-0625A) that you may use to deed record the approved CZP is enclosed.

II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated April 12, 2006.

III. Since this project will not have more than 20% impervious cover, an exemption from permanent BMPs is approved. If the percent impervious cover ever increases above 20% or the land use changes, the exemption for the whole site as described in the property boundaries required by §213.4(g), may no longer apply and the property owner must notify the appropriate regional office of these changes.

STANDARD CONDITIONS

1. Pursuant to Chapter 7 Subchapter C of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.

2. The holder of the approved Edwards Aquifer Protection Plan must comply with all provisions of 30 TAC Chapter 213 and all best management practices and measures contained in the approved plan. Additional and separate approvals, permits and/or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, PST) can be required depending on the specifics of the plan.

3. In addition to the rules of the Commission, the applicant may also be required to comply with state and local ordinances and regulations providing for the protection of water quality.

Prior to Commencement of Construction:

4. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved Contributing Zone Plan and this notice of approval shall be maintained at the project location until all regulated activities are completed.

5. Any modification to the activities described in the referenced CZP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of

appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.

6. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the name of the approved plan and file number for the regulated activity, the date on which the regulated activity will commence, and the name of the prime contractor with the name and telephone number of the contact person.

7. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved Storm Water Pollution Prevention Plan (SWPPP) must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

<u>During Construction:</u>

8. During the course of regulated activities related to this project, the applicant or his agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.

9. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been significantly reduced. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).

10. Intentional discharges of sediment laden storm water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.

11. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.

12. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

13. This approval does not authorize the installation of temporary aboveground storage tanks on this project. If the contractor desires to install a temporary aboveground storage tank for use during construction, an application to modify this approval must be submitted and approved prior to installation. The application must include information related to tank location and spill containment. Refer to Standard Condition No. 5, above.

After Completion of Construction:

14. Owners of permanent BMPs and measures must insure that the BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.

15. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

16. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Contributing Zone Plan. If the new owner intends to commence any new regulated activity on the site, a new Contributing Zone Plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.

17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50% of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.

18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact John Mauser of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403-4024.

Sincerely,

Mark R. Vickery, P.G.
Executive Director
Texas Commission on Environmental Quality

MRV/JKM/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625A
Change in Responsibility for Maintenance of Permanent BMPs, Form TCEQ-10263

cc: Mr. Kelly Kilber, P.E., Pro-Tech Engineering Group, Inc
Mr. Tom Hornseth, P.E., Comal County
Mr. Velma Danielson, Edwards Aquifer Authority
TCEQ Central Records, Building F, MC 212

PRO-TECH
ENGINEERING
GROUP
INCORPORATED

100 E. San Antonio St. Suite 100
San Marcos, TX 78666-5568

512 / 353-3335
FAX 512 / 396-0224

December 4, 2008

RECEIVED
DEC 18 2008
COUNTY ENGINEER

Mr. John Mauser
Texas Commission on Environmental Quality
Region 13 – San Antonio
14250 Judson Road
San Antonio, TX 78233-4480

RE: Contributing Zone Plan
Cordova Bend Unit One R
Comal County, Texas
RN 104807938

Mr. Mauser:

Enclosed is the schedule of the interim and permanent stabilization procedures associated with the varying construction activities. Records shall be maintained of dates when grading activities occur; dates when construction temporarily or permanently cease; and the dates when stabilization procedures begin. These stabilization measures shall occur within 14 days of activities ceases.

As shown on the site plan, there is no storm water that originates up gradient and flows across the site. There will be no installation of temporary sediment ponds for this project as there will be no drainage area that has more than 3 acres of disturbed area. Sediment control measures shall consist of vegetative filter strips and rock berms until permanent stabilization is established.

If you have any questions or need any additional information, please call convenience.

Respectfully
PRO-TECH ENGINEERING GROUP

Richard McDaniel

Enclosures

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Major soil disturbing events and Intended Sequence & Timing

Cordova Bend Unit One R

Schedule of Implementation / Major Grading Activities

- All schedules for site stabilization implementation and major grading activities are included in the inspection reports and erosion control notebook attached to this plan.

All phasing limits are detailed on the site plan. This site will have a waste concrete wash out area.

- Refer to map section for list / location of required BMPS and controls.
- If for any reason the location or type of control or procedures will be different from the plan / maps must be amended immediately to reflect the change(s).

Roadway, Utility, Drainage Infrastructure Development Activity/Phase

- Install Sediment and Erosion Control BMPS
- Clearing, Grubbing and Grading
- Excavate Streets
- Excavate and Install Wet Underground Utility Lines
- Grade & Form Roadways, Install Curbs & Gutters
- Install Road Base
- Pave Roadways
- Stabilization of Site/Re-vegetation-Landscaping
- Removal of Temporary BMPS

† Timing of construction activities may vary. Construction site activities are recorded in the inspection reports. The location of storage areas, spoil piles, portable toilets, concrete washout pits, and construction trash dumpsters, containers or roll-offs are indicated on inspection map

Structural Practices and Controls

This SWPPP includes a description of structural practices and controls (BMPS) to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. The specific design capacities for each structural control listed are available in the erosion control design notes attached to this plan. If periodic inspections indicate that a control has been used inappropriately, or incorrectly, the permitee ("Owner/Operator") must replace or modify the control for site situations.

Structures Used to Divert Storm Water

Structures	Present	Not Present
Diversion Dike		Not Present
Pipe Slope Drain		Not Present
Rock Berms	Present	

Structures Used to Store Storm Water

Structures	Present	Not Present
Detention Basin		Not Present
Retention Basin		Not Present
Sedimentation Pond		Not Present

Permanent Controls

Controls	Present	Not Present
Permanent Vegetation	Present	
Interceptor Swale		Not Present
Diversion Dike		Not Present
Detention Basin		Not Present
Sedimentation Pond		Not Present

Erosion and Sediment Controls

- Installation of Structural Erosion Controls

Permanent and temporary structural erosion and sedimentation controls will be installed at this facility before soil-disturbing activities begin onsite. For example, silt fencing; rock dams, stabilized construction entrances, detention ponds, temporary sediment ponds and other site-specific BMPS must be installed to prevent offsite sediment transport.

- Vegetative Stabilization Techniques

Naturally occurring grass and vegetation should be left onsite until the structure is completed to provide a natural vegetative filter strip to prevent pollution from leaving site. Once construction is complete, landscaping, grass and sod should be installed to stabilize the site. Establishment of 70 percent original ground coverage is required for final stabilization.

- Sediment Removal Protocols (Roadways)

Sediment in street and roadways will be swept up on a regular basis by street sweeping, shoveling or other techniques. Sediment collected from storm sewer inlets, ditches, curbs and roadways will be disposed of in operator's vacant lots or stabilized area.

- Sediment Removal Protocols (Detention Ponds)

Remove sediment from detention ponds (where present) when sediment reaches 50 percent of design capacity or at the end of construction activities.

- Silt Fence Maintenance (if present)

Built up sediment will be removed when it reaches one half the height of the fence. Collected sediment will be disposed of in operator's vacant lots or stabilized area.

Temporary Controls / BMPS

BMPS	Present	Not Present
Water used to control dust during construction roadways	X	
Mulch		X
Concrete Wash Area	X	
Stabilized Construction Entrance(s)	X	
Regular Trash Pickup	X	
Properly Store & Use Hazardous Chemicals	X	
Contain Wash Waters Onsite	X	
Sweep Street as Needed	X	
Maintain Existing Vegetation - Tree Protection	X	
Vehicle Maintenance Onsite		X
Rock Dams		X
Silt Fence		X
Cover, Maintain Storm Sewer Inlet		X
Secondary Containment - Petroleum Tanks		X
All Utility Trenches & Cuts Backfilled Each Day	X	
Perimeter Fencing		X
Rock Berm	X	
Diversion Dike		X
Sedimentation Pond		X
Pipe Slope Drain		X
Hay Bale Dike		X
Erosion Control Matting		X
Sandbag Berm		X
Traffic Barricade for Lot Access		X
Rock Barricades		X
Curb Trench		X
Sand-Filled Filter Bags at Storm Sewer Inlet		X

Post-Construction Controls
(Required when sediment or other pollutants leaving the site will exceed pre-development levels)

Controls	Present	Not Present
Permanent Vegetation	Present	
Interceptor Swale		Not Present
Retention Basin		Not Present
Diversion Dike		Not Present
Detention Basin		Not Present
Sedimentation Pond		Not Present

Stabilization Practices

This SWPP includes a description of interim and permanent stabilization practices for this site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized.

Description of Interim Stabilization Practices

Stabilization practices may include but are not limited to:

- Temporary Vegetation
- Permanent Vegetation
- Mulching
- Geo textiles
- Sod Stabilization
- Vegetative Buffer Strips
- Tree Protection

(Use of impervious surfaces should be avoided)

Permanent / Temporary Dates for End of Construction Activities

Dates for permanent and temporary end of construction activities are listed in the permit information, inspection reports and the controls listed above.

Velocity Dissipation Devices

Velocity dissipation devices shall be placed at discharge locations and along the length of an outfall channel to provide a non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained or protected in order to eliminate significant changes in the hydrological regime of the receiving water. Refer to structural controls listed above. For location refer to erosion and sedimentation maps.

Concrete Wash Out Area

- Direct discharges of concrete truck wash out to surface water in the state, including discharge to storm sewers, is prohibited by the general permit.
- Concrete truck wash out water shall be discharged to areas at the construction site where structural controls have been established, or to areas that have minimal slope that allow infiltration and filtering of wash out water to prevent direct discharge to surface waters.
- Wash out of concrete trucks during rainfall events shall be minimized.
- The SWP3 shall include concrete wash out areas on the associated map.

Controls Used to Prevent Solid Materials

- Any trash containers onsite will be covered and leak proof.
- Any roll off trash container will be utilized to control construction debris and trash generated onsite.
- Any dumpsters used to supplement trash roll off capacity must be covered.
- A daily management practice should be established in order to facilitate construction trash and debris.
- All waste containers will be emptied regularly.

Control Measures for Support Activities

- Support activities are not planned for this project.

Controls Used to Minimize Off-Site Tracking

- Stabilized Construction Entrance (Crushed rock or grass mesh)
- Sweep Street as Needed

Limit all access to the construction site by vehicles to the street unless onsite access is needed for delivery of materials or to perform tasks such as blowing insulation etc through a controlled access point. This access point needs to be covered with crushed rock or grass mesh that will minimize offsite tracking and dust generation by vehicles.

Fugitive Sediment

If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off site impacts (e.g., fugitive sediment in street could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets).

Sediment Removal

Sediment must be removed from sediment traps, sedimentation ponds and other controls designed to control the flow of sediment from leaving the site. The sediment should be removed and replaced to adjacent lots when design capacity has been reduced by 50%.

Spill Response / Hazardous Waste Management Plan

Material	Reportable Quantity	Released To
Gasoline/Engine Degreasers	100 lbs	Water / Land / Air
Antifreeze	100 lbs / 13 gallons	Land
Freon	1 lb	Air
Battery Acid	100 lbs	Water / Land
Hydraulic and Brake Fluid	25 gallons	Land
Engine Fuel and Oils	25 gallons	Land
Hydraulic and Brake Fluid	Visible Sheen	Water
Engine Fuel and Oils	Visible Sheen	Water

Spill Response Protocols

- Report all spills and leaks immediately to the "Owner".
- There will be no punishment or discipline issued in relation to the reporting of spills or leaks.
- If a reportable quantity is released start containment and clean up measures.
- The following points of contact must be notified in the event that any reportable quantity is released:

Hazardous Waste Management Practices

- Paints, thinners and solvents used by contractors will be removed on a daily basis in the contractors' vehicle stored and secured inside a structure. Proper disposal of all waste products and empty containers will be accomplished by their removal from the site by the contractor.
- All fuel storage and site fueling areas attached to this project will have dikes or other means of secondary containment constructed around them. Such structures will be constructed in accordance with good engineering practices.
- A controlled storage facility will be used to store all chemicals or fertilizers used on site. All chemicals to be removed from the site by contractor on a daily basis.

EPA National Response Center	1-800-424-8802
TCEQ	1-800-832-8224 / 512-239-2454
Paragon Environmental Services	512-527-0048

Applicable State and Local Plans

Edwards Aquifer Recharge / Contributing Zone

- This project is located in the Edwards Aquifer Contributing Zone.
- A CZP has been filed with TCEQ.

Wetland or Special Aquatic Sites

- There are no known wetland or special aquatic sites on this project.

Consistency with the Texas Coastal Management Program

The Texas Coastal Management Program boundary covers part or all of the following Texas Counties: Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Harris, Jackson, Jefferson, Kennedy, Kleberg, Matagorda, Nueces, Orange, Refugio, San Patricio, Victoria and Willacy. This project is not within the boundaries of any of these counties and therefore not subject to the requirements of the Texas Coastal Management Program.

Local, Tribal and State Regulations

This Storm Water Pollution Prevention Plan will be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment and erosion site plans or site permits, or Storm Water Management site plans or site permits. There is no known additional state, local or tribal requirements at this time. In accordance with local ordinance portable toilets will be provided.

Endangered Species Information

Threatened / Endangered or Critical Habitat in Proximity?

- None.

Measures to Protect Threatened or Endangered Species or Critical Habitat

- None.

Special Features

- None noted.

Maintenance

All controls and stabilization practices shall be inspected as stipulated within this plan and maintained in accordance with the design parameters set forth by the TCEQ. If site inspections identify BMPS that are not operating effectively, maintenance shall be performed before the next scheduled inspection or as necessary to maintain the continued effectiveness of storm water controls.

Maintenance procedures for approved Non-Storm Water Discharges

- Air conditioning condensate from the construction trailer during construction.
- Water used to control dust during development on roadways under construction.
- Waters used to wash vehicles including: waters from the washing of concrete trucks which must be contained onsite, other vehicles must be washed down in areas where wash waters can be contained onsite. All vehicle washing must be accomplished without the use of any type of detergents.
- If ground water is encountered during excavation it will be pumped out onto the ground and not allowed to directly discharge. Waters from foundation or footing drains will be handled in the same manner provided they are not contaminated with process materials such as solvents.
- Potable water sources including waterline flushing to ensure lines are clean and have residual chlorine. All routine external building wash down will be done without the use of detergents.
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled has been removed) and where detergents are not used. Roadways and flatwork will be pressure washed on a regular basis. No chemicals are used and all leaks or spills will be cleaned up.
- New hydrant installation includes; flushing of the fire hydrants to ensure lines are clean and have residual chlorine. Discharges from fire fighting activities will occur only in case of emergency.
- A registered waste management company will collect wastes from the portable toilets on a regular basis. Spilled or leaked sanitary effluent will be cleaned up as soon as possible. Prevent effluent from leaving site and/or entering drainage conveyances.

Rock Berms and silt fences for sediment traps will be constructed where shown on Drainage Map. All disturbed areas not covered with impervious material will be revegatated with Rye-Bermuda grass mix immediately after completion of the grading. These areas will be prepared, seeded and watered by approved methods. Drainage Map shows guidelines for the restoration of grassed areas.

The following is an approximate chronological listing of the construction Activities and the Temporary Erosion Controls to be utilized during each activity.

CONSTRUCTION ACTIVITY	TEMPORARY EROSION CONTROL
Clearing and grubbing street right-of-way, rough grading of roads	Install rock berms, and silt fences and stabilized construction entrances.
Installation of water distribution system	No additional erosion controls necessary
Installation of drainage structures	No additional erosion controls necessary
Installation of base material	No additional erosion controls necessary
Installation of asphalt pavement	Seed disturbed areas immediately upon completion
Completion of construction	Remove sediment traps only after new seed has established permanent growth.

100 E. San Antonio St. Suite 100
San Marcos, TX 78666-5568

512 / 353-3335
FAX 512 / 396-0224

PRO-TECH ENGINEERING GROUP
INCORPORATED

November 24, 2008

Mr. John Mauser
Texas Commission on Environmental Quality
Region 13 – San Antonio
14250 Judson Road
San Antonio, TX 78233-4480

RE: Contributing Zone Plan
Cordova Bend Unit One R
Comal County, Texas
RN 104807938

Mr. Mauser:

As per your fax transmittal dated November 17, 2008, enclosed please find one original and three copies of the Contributing Zone Plan application for the above referenced project. Also enclosed are four copies of the site plan. The information on the SWPPP will be submitted shortly by PES Storm Water consultants.

If you have any questions or need any additional information, please call convenience.

Respectfully
PRO-TECH ENGINEERING GROUP

Richard McDaniel

Enclosures

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FAX TRANSMITTAL

11/17/08 NUMBER OF PAGES (Including this cover sheet) 5

TO:
NAME **Mr. Richard McDaniel**
ORGANIZATION **Pro-Tech Engineering Group, Inc**
FAX Number **512/386-0224**

NAME **Mr. Gary Woods**
ORGANIZATION **Cordova Bend, LTD**
FAX NUMBER **210/821-5860**

FROM TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
NAME J M **John Mauser**
Division/Region **San Antonio Regional Office – Edwards Program**
Telephone Number **210/403-4024**
FAX Number **210/545-4329**

NOTES:

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Cordova Bend, Unit 1-R; Located on the south side of Canyon Lake off of Demi John Bend Road, approximately 5 mile north of FM 311; Comal County, Texas
TYPE OF PLAN: Request for Modification of a Contributing Zone Plan (CZP); 30 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer
Edwards Aquifer Protection Program ID No. 2448.01; Investigation No. 706818; Regulated Entity No. RN104807938

Dear Mr. Kilber:

We are in the process of technically reviewing the CZP application you submitted on the above-referenced project. Before we can proceed with our review, the following comments relating to the application must be addressed.

Form TCEQ 10257:

Question 2: Provide the fax number for the applicant.

Question 34: On the site plan, provide the approximate slopes.

Question 47: The response provided does not address the issue of preventing pollutants from entering surface streams. Provide an appropriate response.

Question 49: The response provided does not address the issue of preventing pollution of stormwater that originates upgradient from the site and flows across the site.

Question 58: This question references 30 TAC 213.24(1 – 5). Please indicate where in the

Contributing Zone Plan Application
for Regulated Activities
on the Contributing Zone to the Edwards Aquifer
and Relating to 30 TAC §213.24(1), Effective June 1, 1999

Regulated Entity Name: CORDOVA BEND, UNIT ONER

County: COMAL Stream Basin: GUDALUPE RIVER

1. X Regulated activities on this site will disturb at least 5 acres.
__ Regulated activities on this site will disturb less than 5 acres and are part of a larger common plan of development or sale with the potential to disturb cumulatively five or more acres.

2. Customer (Applicant):

Contact Person: GARY V WOODS
Entity: CORDOVA BEND, LTD
Mailing Address: 755 MULBERRY, SUITE 600
City, State: SAN ANTONIO, TX Zip: 78212
Telephone: 210-821-6523 FAX: 210-821-5860

Agent/Representative (If any):

Contact Person: KELLY KILBER , P.E.

Title: PRESIDENT
Entity: PRO-TECH ENGINEERING GROUP, INC

Mailing Address: 100 E. SAN ANTONIO, STE 100
City, State: SAN MARCOS, TX Zip: 78666
Telephone: 512-353-3335 FAX: 512-396-0224

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3. __ This project is inside the city limits of _____.
__ This project is outside the city limits but inside the ETJ (extra-territorial jurisdiction) of _____.
X This project is not located within any city's limits or ETJ.

4. The location of the project site is described below. Sufficient detail and clarity has been provided so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.

5. X **ATTACHMENT A - Road Map.** A road map showing directions to and the location of the project site is found as at the end of this form.

6. X **ATTACHMENT B - USGS Quadrangle Map.** A copy of the a USGS Quadrangle Map (Scale: 1" = 2000') is found at the end of this form. The map(s) clearly shows:
X Project site boundaries.
X USGS Quadrangle Name(s).

7. X **ATTACHMENT C - Project Narrative.** A detailed narrative description of the proposed project is found at the end of this form.

8. Existing project site conditions are noted below:
   - ___ Existing commercial site
   - ___ Existing industrial site
   - ___ Existing residential site
   - ___ Existing paved and/or unpaved roads
   - ___ Undeveloped (Cleared)
   - X Undeveloped (Undisturbed/Uncleared)
   - ___ Other:

PROJECT INFORMATION

9. The type of project is:
   - X Residential: # of Lots: **69**
   - ___ Residential: # of Living Unit Equivalents:
   - ___ Commercial
   - ___ Industrial
   - ___ Other:

10. Total project area (size of site): **242.80** Acres
    Total disturbed area: 10 Acres

11. Projected population: **173**

12. The amount and type of impervious cover expected after construction is complete is shown below:

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	69@3250=224,250	÷ 43,560 =	5.1
Parking	69@2000=138,000	÷ 43,560 =	3.2
Other paved surfaces	1,488@22=32,736	÷ 43,560 =	0.8
Total Impervious Cover	394,986	÷ 43,560 =	9.1
		Total Impervious Cover ÷ Total Acreage x 100 =	4 %

13. X **ATTACHMENT D - Factors Affecting Surface Water Quality.** A description of factors that could affect surface water quality is found as at the end of this form. If applicable, this should included the location and description of any discharge associated with industrial activity other than construction.

14. X Only inert materials as defined by 30 TAC 330.2 will be used as fill material.

FOR ROAD PROJECTS ONLY
Complete questions 15-20 if this application is exclusively for a road project.

15. Type of project:
   - ___ TXDOT road project.
   - ___ County road or roads built to county specifications.
   - ___ City thoroughfare or roads to be dedicated to a municipality.
   - ___ Street or road providing access to private driveways.

16. Type of pavement or road surface to be used:

__ Concrete
__ Asphaltic concrete pavement
__ Other:

17. Length of Right of Way (R.O.W.): _____ feet.
Width of R.O.W.: _____ feet.
L x W = _____ Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.

18. Length of pavement area: _____ feet.
Width of pavement area: _____ feet.
L x W = _____ Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.
Pavement area _____ acres ÷ R.O.W. area _____ acres x 100 = ___% impervious cover.

19. __ A rest stop will be included in this project.
__ A rest stop will **not** be included in this project.

20. __ Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

STORMWATER TO BE GENERATED BY THE PROPOSED PROJECT

21. X **ATTACHMENT E - Volume and Character of Stormwater.** A description of the volume and character (quality) of the stormwater runoff which is expected to occur from the proposed project is found at the end of this form. The estimates of stormwater runoff quality and quantity are based on area and type of impervious cover. The runoff coefficient of the site for both pre-construction and post-construction conditions is included.

WASTEWATER TO BE GENERATED BY THE PROPOSED PROJECT

22. Wastewater will be disposed of by:

X On-Site Sewage Facility (OSSF/Septic Tank):
ATTACHMENT F - Suitability Letter from Authorized Agent. An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's written approval is provided at the end of this form. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities, or it identifies those areas that are not suitable for the use of private sewage facilities. The system will be designed by a licensed professional engineer or a registered sanitarian and installed by a licensed installer in compliance with 30 TAC §285.

__ Sewage Collection System (Sewer Lines):
Wastewater is to be disposed of by conveyance to the _____ (name) treatment plant for treatment and disposal. The treatment facility is :
__ existing.
__ proposed.

__ Wastewater is to be discharged in the contributing zone. Requirements under 30 TAC §213.6(c) relating to Wastewater Treatment and Disposal Systems have been satisfied.

FOR PERMANENT ABOVEGROUND STORAGE TANKS (ASTs) > 500 GALLONS
Complete questions 23-29 if this project includes the installation of AST(s) with volume(s) greater than 500 gallons.

23. Tanks and substance stored:

AST Number	Size (Gallons)	Substance to be Stored	Tank Material
1			
2			
3			
4			
5			
Total		x 1.5 =	gallons

24. ___ The AST will be placed within a containment structure that is sized to capture one and one-half (1 1/2) times the storage capacity of the system. For facilities with more than one tank system, the containment structure is sized to capture one and one-half (1 1/2) times the cumulative storage capacity of all systems.

___ **ATTACHMENT G - Alternative Secondary Containment Methods.** Alternative methods for providing secondary containment are proposed. Specifications showing equivalent protection for the Edwards Aquifer are found at the end of this form.

25. Inside dimensions and capacity of containment structure(s):

Length (L) (Ft.)	Width (W) (Ft.)	Height (H) (Ft.)	L x W x H = (Ft^3) Gallons
Total			

26. ___ All piping, hoses, and dispensers will be located inside the containment structure.

___ Some of the piping to dispensers or equipment will extend outside the containment structure.

___ The piping will be aboveground

___ The piping will be underground

27. ___ The containment area must be constructed of and in a material impervious to the substance(s) being stored. The proposed containment structure will be constructed of _____.

28. **ATTACHMENT H - AST Containment Structure Drawings.** A scaled drawing of the containment structure is found at the end of this form that shows the following:

___ Interior dimensions (length, width, depth and wall and floor thickness).
___ Internal drainage to a point convenient for the collection of any spillage.
___ Tanks clearly labeled
___ Piping clearly labeled
___ Dispenser clearly labeled

29. Any spills must be directed to a point convenient for collection and recovery. Spills from storage tank facilities must be removed from the controlled drainage area for disposal within 24 hours of the spill.

___ In the event of a spill, any spillage will be removed from the containment structure within 24 hours of the spill and disposed of properly.
___ In the event of a spill, any spillage will be drained from the containment structure through a drain and valve within 24 hours of the spill and disposed of properly. The drain and valve system are shown in detail on the scaled drawing.

SITE PLAN

Items 30 through 41 must be included on the Site Plan.

30. The Site Plan must have a minimum scale of 1" = 400'.
Site Plan Scale: 1" = **300** '.

31. 100-year floodplain boundaries

X Some part(s) of the project site is located within the 100-year floodplain. The floodplain is shown and labeled.
___ No part of the project site is located within the 100-year floodplain.

The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s):

32. ___ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.
X The layout of the development is shown with existing contours at appropriate, but not greater than ten-foot contour intervals. Finished topographic contours will not differ from the existing topographic configuration and are not shown. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.

33. **X** A drainage plan showing all paths of drainage from the site to surface streams.

34. **X** The drainage patterns and approximate slopes anticipated after major grading activities.

35. **X** Areas of soil disturbance and areas which will not be disturbed.

36. **X** Locations of major structural and nonstructural controls. These are the temporary and permanent best management practices.

37. **X** Locations where soil stabilization practices are expected to occur.

38. X Surface waters (including wetlands).

39. X Locations where stormwater discharges to surface water.
__ There will be no discharges to surface water.

40. __ Temporary aboveground storage tank facilities.
X Temporary aboveground storage tank facilities will not be located on this site.

41. __ Permanent aboveground storage tank facilities.
__ Permanent aboveground storage tank facilities will not be located on this site.

Permanent best management practices (BMPs) and measures that will be used during and after construction is completed.

42. N/A Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.

43. N/A These practices and measures have been designed, and will be constructed, operated, and maintained to insure that 80% of the incremental increase in the annual mass loading of total suspended solids (TSS) from the site caused by the regulated activity is removed. These quantities have been calculated in accordance with technical guidance prepared or accepted by the executive director.

__ The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.
__ A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is provided below

44. N/A Owners must insure that permanent BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the appropriate regional office within 30 days of site completion.

45. X Where a site is used for low density single-family residential development and has 20 % or less impervious cover, other permanent BMPs are not required. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

X This site will be used for low density single-family residential development and has 20% or less impervious cover.
__ This site will be used for low density single-family residential development but has more than 20% impervious cover.
__ This site will not be used for low density single-family residential development.

46. N/A The executive director may waive the requirement for other permanent BMPs for multi-family

residential developments, schools, or small business sites where 20% or less impervious cover is used at the site. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

__ **ATTACHMENT I - 20% or Less Impervious Cover Waiver.** This site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is found at the end of this form.

__ This site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.

N/A This site will not be used for multi-family residential developments, schools, or small business sites.

47. **ATTACHMENT J - BMPs for Upgradient Stormwater.**

__ A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is provided as **ATTACHMENT J** at the end of this form.

__ If no surface water, groundwater or stormwater originates upgradient from the site and flows across the site, an explanation is provided as **ATTACHMENT J** at the end of this form.

X If permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, an explanation is provided as **ATTACHMENT J** at the end of this form.

48. **ATTACHMENT K - BMPs for On-site Stormwater.**

__ A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is provided as **ATTACHMENT K** at the end of this form.

X If permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, an explanation is provided as **ATTACHMENT K** at the end of this form.

49. **X** **ATTACHMENT L - BMPs for Surface Streams.** A description of the BMPs and measures that prevent pollutants from entering surface streams is provided at the end of this form.

50. **N/A** **ATTACHMENT M - Construction Plans.** Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information have been signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed permanent BMPs and measures are provided at the end of this form. Design Calculations, TCEQ Construction Notes, all proposed structural measures, and appropriate details must be shown on the construction plans.

51. **N/A** **ATTACHMENT N - Inspection, Maintenance, Repair and Retrofit Plan.** A plan for the inspection, maintenance, repair, and, if necessary, retrofit of the permanent BMPs and measures is provided at the end of this form. The plan has been prepared and certified by the engineer designing the permanent BMPs and measures. The plan has been signed by the owner or responsible party. The plan includes procedures for documenting inspections,

maintenance, repairs, and, if necessary, retrofits as well as a discussion of record keeping procedures.

52. **N/A** The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.

__ Pilot-scale field testing (including water quality monitoring) may be required for BMPs that are not contained in technical guidance recognized by or prepared by the executive director. __ **ATTACHMENT O - Pilot-Scale Field Testing Plan.** A plan for pilot-scale field testing is provided at the end of this form.

53. **X** **ATTACHMENT P - Measures for Minimizing Surface Stream Contamination.** A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is provided at the end of this form. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity which increase erosion that results in water quality degradation.

Responsibility for maintenance of permanent BMPs and measures after construction is complete.

54. **N/A** The applicant is responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred.

55. **N/A** A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development, or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.

ADMINISTRATIVE INFORMATION

56. **X** One (1) original and three (3) copies of the complete application has been provided.

57. **X** Any modification of this Contributing Zone Plan may require TCEQ review and Executive Director approval prior to construction, and may require submission of a revised application, with appropriate fees.

58. **X** The site description, controls, maintenance, and inspection requirements for the storm water pollution prevention plan (SWPPP) developed under the EPA NPDES general permits for stormwater discharges have been submitted to fulfill paragraphs 30 TAC §213.24(1-5) of the technical report. All requirements of 30 TAC §213.24(1-5) have been met by the SWPPP document.

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **CONTRIBUTING ZONE PLAN APPLICATION** is hereby submitted for TCEQ review and Executive Director approval. The application

was prepared by:

Print Name of Customer/Agent

KELLY KILBER, P.E., AGENT

Signature of Customer/Agent

11-21-08

Date

If you have questions on how to fill out this form or about the Edwards Aquifer protection program, please contact us at 210/490-3096 for projects located in the San Antonio Region or 512/339-2929 for projects located in the Austin Region.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512/239-3282.

ATTACHMENT C Modification

Cordova Bend Unit OneR is a 243 acre Single Family Residential Development located on Canyon Lake in Comal County, Texas. The site varies in elevation from 740 feet to approximately 1300 feet and is located in the Guadalupe River watershed.

The nature of the construction activities will consist of building approximately 1,488 linear feet of asphalt roads to service 69 lots ranging in size from 1 to 25 acres. Approximately 2 acres of road right-of-way will be cleared and grubbed. The clearing and grubbing operation will consist of the complete removal above and below ground surface of all trees, stumps, brush, vegetation and objectionable debris. There is not expected to be any spoil piles stored on site. Existing drainage patterns will not be altered.

ATTACHMENT D

Activities associated with the construction of roads may affect surface water quality. The measures by which these activities will be monitored are contained in the Stormwater Pollution Prevention Plan. After construction automobile traffic, pesticides and fertilizers in this subdivision could have an affect on water quality.

ATTACHMENT E

The volume and character of stormwater runoff is not expected to change with this project. "C" factors for predevelopment and post development to be 0.40. This development proposes approximately 3% impervious cover and will utilize an open road section with roadside ditches. These ditches will act as buffer areas to surrounding property to filter sediment and other constituents which may be washed off of roadway pavements. In addition, all natural drainage patterns will be maintained and erosion controls will be installed with all culverts to minimize erosion due to flow concentration.

ATTACHEMENT J

There is no drainage storm water that originates up gradient from the site and flows across the site.

ATTACHEMENT K

No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.

ATTACHMENT L

Drainage structures to have concrete rip-rap headwalls and disturbed areas by construction to be revegetated. Grassy swales will be the primary storm water conveyance.

ATTACHMENT M

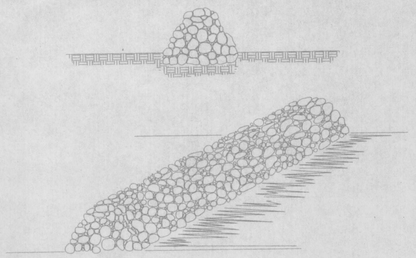
No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.

ATTACHMENT N

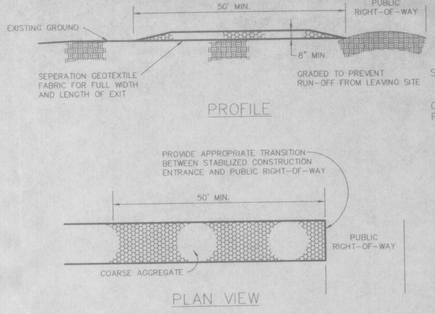
No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.

ATTACHMENT P

No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%. Concrete headwalls will be constructed downstream and upstream of all drainage structures



ROCK BERM



GENERAL NOTES:

1. Stone size unless otherwise specified, aggregate shall conform to Grade 1 for corse aggregates under Specification No. 403 "Concrete for Structures."
2. Length as effective, but not less than fifty (50) feet.
3. Thickness not less than eight (8) inches.
4. Width not less than full width of all points of ingress or egress.
5. Washing when necessary, wheels will be cleaned to remove sediment prior to entrance onto public right-of-way. When washing is required, it shall be done on an area stabilized with crushed stone which drains into an approved sediment trap or sediment basin. All sediment shall be prevented from entering any storm drain, ditch, or watercourse through use of sand bags, gravel, boards or other approved method.
6. Maintenance the entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public right-of-way. This may require periodic top dressing with additional stone as conditions demand, and repair and/or cleanout of any measures used to trap sediment. All sediment spilled, dropped, washed or tracked onto public right-of-way must be removed immediately.

STABILIZED CONSTRUCTION ENTRANCE

N.T.S.

TRENCH CROSS-SECTION

GENERAL NOTES:

STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF ONE FOOT.

THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CANNOT BE TREATED IN (E.G. PAVEMENT), WEIGHT FABRIC FLAP WITH WASHED GRAVEL ON UPHILL SIDE TO PREVENT FLOW UNDER FENCE.

THE TRENCH MUST BE A MINIMUM OF 6 INCHES DEEP AND 6 INCHES WIDE TO ALLOW FOR THE SILT FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.

SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POST.

INSPECTION SHALL BE MADE BI WEEKLY OR AFTER EACH RAINFALL EVENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.

SILT FENCE SHALL BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES. THE SILT SHALL BE DISPOSED OF IN AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CONTRUBUTE TO ADDITIONAL SILTATION.

STANDARD SYMBOL — SF —

SILT FENCE

N.T.S.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CONTRIBUTING ZONE PLAN
GENERAL CONSTRUCTION NOTES

1. Written construction notification must be given to the appropriate TCEQ regional office no later than 48 hours prior to commencement of the regulated activity. Information must include the date on which the regulated activity will commence, the name of the approved plan for the regulated activity, and the name of the prime contractor and the name and telephone number of the contact person.

2. All contractors conducting regulated activities associated with this project must be provided with complete copies of the approved Contributing Zone Plan and the TCEQ letter indicating the specific conditions of its approval. During the course of these regulated activities, the contractors are required to keep on-site copies of the approved plan and approval letter.

3. No temporary aboveground hydrocarbon and hazardous substance storage tank system is installed within 150 feet of a domestic, industrial, irrigation, or public water supply well, or other sensitive feature.

4. Prior to commencement of construction, all temporary erosion and sedimentation (E&S) control measures must be properly selected, installed, and maintained in accordance with the manufacturers specifications and good engineering practices. Controls specified in the SWPPP section of the approved Edwards Aquifer Contributing Zone Plan are required during construction. If inspections indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. The controls must remain in place until disturbed areas are revegetated and the areas have become permanently stabilized.

5. If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain).

6. Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50%. A permanent stake must be provided that can indicate when the sediment occupies 50% of the basin volume.

7. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).

8. All spoils (excavated material) generated from the project site and stored on-site must have proper E&S controls installed.

9. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as possible.

10. The following records shall be maintained and made available to the TCEQ upon request: the dates when major grading activities occur; the dates when construction activities temporarily or permanently cease on a portion of the site; and the dates when stabilization measures are initiated.

11. The holder of any approved Edward Aquifer protection plan must notify the appropriate regional office in writing and obtain approval from the executive director prior to initiating any of the following:

A: any physical or operational modification of any water pollution abatement structure(s), including but not limited to ponds, dams, berms, sewage treatment plants, and diversionary structures;

B: any change in the nature or character of the regulated activity from that which was originally approved or a change which would significantly impact the ability of the plan to prevent pollution of the Edwards Aquifer;

C: any development of land previously identified as undeveloped in the original water pollution abatement plan.

Austin Regional Office
2800 S. IH 35, SUITE 100
Austin, Texas 78704-5712
Phone (512) 339-2929
Fax (512) 339-3795

San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-44802
Phone (210) 490-3096
Fax (210) 545-4329

General Notes:

1. All Best Management Practices to be installed and maintained in accordance with the publication "EDWARDS AQUIFER TECHNICAL GUIDANCE MANUAL" published June 20, 2005.
2. A vegetative buffer strip a minimum of 50' in width shall be maintained adjacent to all areas disturbed by construction activities. Any areas where construction prevents the buffer strip width from being maintained shall have silt fence installed to replace the vegetative buffer.
3. Existing drainage patterns and slopes are not to be altered.
4. Major areas of soil disturbance and limits of construction are esstablished as a 200 foot strip centered on street ROW and channel excavation.
5. Future soil distrubance on lots for home construction. Location of these areas to be by lot owners at time of construction.
6. Location of soil stabilization practices to be at drainge structures. Concrete headwalls to be installed at inlet and outlets of these structures.
7. Upon completion of earthmoving activity, all disturbed areas will be immediatley seeded with bermuda grass or other appropriate seed. This activity will be done prior to paving or subgrade treatment.

RECEIVED
DEC 04 2008
COUNTY ENGINEER

2008 NOV 25 AM 11:04
COMAL COUNTY TEXAS
RECEIVED FILED

LEGEND

XXXXX ROCK BERM

DRAINAGE BASIN BOUNDARY

CONSTRUCTION ENTRANCE

—SF—SF— SILT FENCE

DRAINAGE FLOW ARROW

General Notes:

1. All Best Management Practices to be installed and maintained in accordance with the publication "Complying with the Edward's Aquifer Rules: Technical Guidance on Best Management Practices" published in June 2005.
2. A vegetative buffer strip a minimum of 50' in width shall be maintained adjacent to all areas disturbed by construction activities. Any areas where construction prevents the buffer strip width from being maintained shall have silt fence installed to replace the vegetative buffer.

Typical Lot Construction
Not to Scale
(Construction By Others)

C1

CONCRETE HEADWALL DETAIL

TOPOGRAPHICAL INFORMATION FURNISHED BY GEODETIX, INC.
1802 N.E.LOOP 410, SUITE 500, SAN ANTONIO, TX. 78217

CORDOVA BEND AT CANYON LAKE Unit One R

Comal County, Texas

CONTRIBUTING ZONE PLAN AND EROSION CONTROLS

PRO-TECH ENGINEERING GROUP INCORPORATED
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

STATE OF TEXAS KELLY KILDEE 74167 LICENSED PROFESSIONAL ENGINEER

REVISED AUGUST 11, 2008

J.O. 14773	SCALE 1"=300'	DATE JUNE 2, 2008	SHEET 6 OF 7

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 12, 2006

Mr. Gary V. Woods
Cordova Bend, Ltd.
755 Mulberry Street, Suite 600
San Antonio, Texas 78212

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Cordova Bend Subdivision; Located on the south side of Canyon Lake off of Demi John Bend Road, approximately 5 miles north of FM 311; Comal County, Texas
TYPE OF PLAN: Request for Approval of a Contributing Zone Plan (CZP); 30 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer; Edwards Aquifer Protection Program File No. 2448.00, Investigation No. 450712; Regulated Entity No. RN104807938

Dear Mr. Woods:

The Contributing Zone Plan application for the referenced project was submitted to the San Antonio Regional Office by Pro-Tech Engineering Group, Inc. on behalf of Cordova Bend, Ltd. on December 27, 2006. Final review of the CZP submittal was completed after additional material was received on March 30, 2006. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed, and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Contributing Zone Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10% of the construction has commenced on the project or an extension of time has been requested.*

PROJECT DESCRIPTION

The proposed residential project will be located on 748 acres and will consist of 118 single-family residences, and 19,443 linear feet of asphalt road. The proposed impervious cover for the development is approximately 24 acres (3% of the total area of the site).

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent pollution of stormwater runoff originating on-site or up-gradient of the site and potentially flowing across and off the site after construction, the will not have more than 20 percent impervious

cover. Since this single-family residential project will not have more than 20 percent impervious cover, an exemption from permanent BMPs is approved. The applicant requested a waiver of the requirement for other permanent BMPs because the site will have less than 20 percent impervious cover. Based upon the TCEQ's review of the proposed activities, the geologic assessment, and the site conditions, the required waiver is hereby granted.

SPECIAL CONDITIONS

I. Since this single-family residential subdivision will have less than 20% impervious cover, an exemption from permanent BMPs is approved. If the percentage of impervious cover ever increases above 20% or the land use changes, the exemption for the whole site as described in the Contributing Zone Plan may no longer apply and the property owner must notify the San Antonio Region Regional Office of these changes.

II. Within 60 days of receiving written approval of an Edwards Aquifer protection plan, the applicant must submit to the San Antonio Regional Office, proof of recordation of notice in the county deed records, with the volume and page number(s) of the county deed records of the county in which the property is located. A description of the property boundaries, covered by the Edwards Aquifer protection plan, shall be included in the deed recordation in the county deed records. A suggested form (Deed Recordation Affidavit, TCEQ-0625) that you may use to deed record the approved WPAP is enclosed.

III. Intentional discharges of sediment laden stormwater during construction are not allowed. If dewatering of excavated areas becomes necessary, the discharge will be filtered through appropriately selected temporary best management practices. These may include vegetative filter strips, sediment traps, rock berms, silt fence rings, etc.

STANDARD CONDITIONS

1. Pursuant to §26.136 of the Texas Water Code and the Texas Health and Safety Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.

Prior to Commencement of Construction:

2. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved Contributing Zone Plan and this notice of approval shall be maintained at the project until all regulated activities are completed.

3. Any modification to the activities described in the referenced CZP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.

4. The applicant must provide written notification of intent to commence construction of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the name of the approved plan and file number for the regulated activity, the date on which the regulated activity will commence, and the name of the prime contractor with the name and telephone number of the contact person.

5. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved Storm Water Pollution Prevention Plan (SWPPP) must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

6. During the course of regulated activities related to this project, the applicant or his agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.

7. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been significantly reduced. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).

8. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.

9. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

10. Owners of permanent BMPs and measures must insure that the BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.

11. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

12. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Contributing Zone Plan. If the new owner intends to commence any new regulated activity on the site, a new Contributing Zone Plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.

13. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50% of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.

14. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact John Mauser of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4024.

Sincerely,

Bobby D. Caldwell

for Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

GS/JKM/eg

Enclosure: Change in Responsibility for Maintenance on Permanent BMPs-Form TCEQ-10263

fc/cc: Mr. Kelly Kilber, P.E., Pro-Tech Engineering Group, Inc.
Mr. Tom Hornseth, Comal County
Mr. Robert J. Potts, Edwards Aquifer Authority
TCEQ Central Records, MC 212

100 E. San Antonio St. Suite 100
San Marcos, TX 78666-5568

512 / 353-3335
FAX 512 / 396-0224

PRO-TECH ENGINEERING GROUP INCORPORATED

October 22, 2007

Comal County Health Department
195 David Jonas Drive
New Braunfels, Tx 78132-3706

Attn: Robert Boyd

Re: Cordova Bend Phase II
Comal County, Texas

Mr. Boyd:

Enclosed herewith please find a copy of the Contributing Zone Plan for the above referenced project. Minimum lot size for this subdivision is to be 1.00 acres. Water is to be supplied by Canyon Lake Water Supply Company and wastewater system to be by individual on-site sewerage facility. We are in the process of preparing the CZP application to the TCEQ and request a septic approval letter for this project.

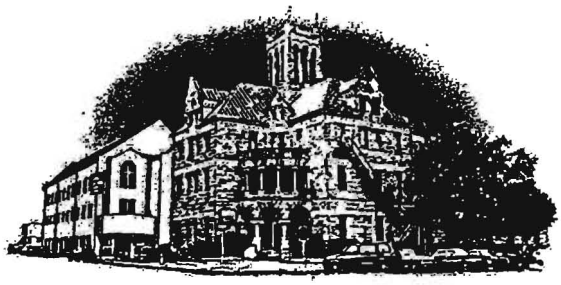
Thank you for your assistance and please call if you have any questions or require any additional information.

Respectfully,
PRO-TECH ENGINEERING GROUP, INC.

Richard McDaniel

Enclosures

Xc: Blair Bachman
Chris Bachman
EO# 14794
Hornseth Ltr.



Comal County

OFFICE OF COMAL COUNTY ENGINEER

October 22, 2007

Mr. Richard McDaniel
Pro-Tech Engineering Group
100 East San Antonio St., Suite 100
San Marcos, TX 78666

Re: Cordova Bend Phase II On-Site Sewage Facility Suitability Letter, within Comal County, Texas

Dear Mr. McDaniel:

In accordance with TAC §213.24(8)(B), Comal County has found that the entire referenced site is suitable for the use of private sewage facilities and will meet the requirements for on-site sewage facilities as specified in TAC §285 based on the following information submitted to our office on October 22, 2007:

- The Contributing Zone Plan, prepared by Pro-Tech Engineering Group

On a separate matter, according to TAC §285.4(c), persons proposing residential subdivisions within Comal County and using on-site sewage facilities (OSSFs) for sewage disposal are required to submit planning materials for the residential subdivision to Comal County. The planning materials shall be prepared by a professional engineer or professional sanitarian and shall include an overall site plan, topographic map, 100-year floodplain map, soil survey, location of water wells, locations of easements as identified in TAC §285.91(10) (relating to Tables), a complete report detailing the types of OSSFs to be considered and their compatibility with area-wide drainage and groundwater, and a comprehensive drainage plan. We have included Comal County's *Application for Licensing Authority Recommendation for Private Sewerage Facilities for a Proposed Subdivision* for your use.

If you have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

Robert Boyd, P.E.
Comal County Assistant Engineer

cc: Jack Dawson, Comal County Commissioner, Precinct No. 1
Betty Lien, Comal County Subdivision Coordinator

attachment a/s

Contributing Zone Plan Checklist

___ Contributing Zone Plan Application (*TCEQ-10257)*

ATTACHMENT A - Road Map
ATTACHMENT B - USGS Quadrangle Map
ATTACHMENT C - Project Narrative
ATTACHMENT D - Factors Affecting Surface Water Quality
ATTACHMENT E - Volume and Character of Stormwater
ATTACHMENT F - Suitability Letter from Authorized Agent (if OSSF is proposed)
ATTACHMENT G - Alternative Secondary Containment Methods (if AST with an alternative method of secondary containment is proposed)
ATTACHMENT H - AST Containment Structure Drawings (if AST is proposed)
ATTACHMENT I - 20% or Less Impervious Cover Waiver (if project is multi-family residential, a school, or a small business *and* 20% or less impervious cover is proposed for the site)
ATTACHMENT J - BMPs for Upgradient Stormwater
ATTACHMENT K - BMPs for On-site Stormwater
ATTACHMENT L - BMPs for Surface Streams
ATTACHMENT M - Construction Plans
ATTACHMENT N - Inspection, Maintenance, Repair and Retrofit Plan
ATTACHMENT O - Pilot-Scale Field Testing Plan, if BMPs not based on *Complying with the Edwards Aquifer Rules: Technical Guidance for BMPs*
ATTACHMENT P - Measures for Minimizing Surface Stream Contamination

___ Storm Water Pollution Prevention Plan (SWPPP)

___ Copy of Notice of Intent (NOI)

___ Agent Authorization Form (*TCEQ-0599)*, if application submitted by agent

___ Contributing Zone Fee Application Form (*TCEQ-10258)*

___ Check Payable to the "Texas Commission on Environmental Quality"

___ Core Data Form (*TCEQ-10400*)

Contributing Zone Plan Application
for Regulated Activities
on the Contributing Zone to the Edwards Aquifer
and Relating to 30 TAC §213.24(1), Effective June 1, 1999

Regulated Entity Name: CORDOVA BEND UNITS THREE & UNIT FOUR

County: COMAL Stream Basin: GUDALUPE RIVER

1. X Regulated activities on this site will disturb at least 5 acres.
__ Regulated activities on this site will disturb less than 5 acres and are part of a larger common plan of development or sale with the potential to disturb cumulatively five or more acres.

2. Customer (Applicant):

Contact Person: GARY V WOODS
Entity: CORDOVA BEND, LTD
Mailing Address: 755 MULBERRY, SUITE 600
City, State: SAN ANTONIO, TX Zip: 78212
Telephone: 210-821-6523 FAX:

Agent/Representative (If any):

Contact Person: KELLY KILBER, P.E.

Title: PRESIDENT
Entity: PRO-TECH ENGINEERING GROUP, INC

Mailing Address: 100 E. SAN ANTONIO, STE 100
City, State: SAN MARCOS, TX Zip: 78666
Telephone: 512-353-3335 FAX: 512-396-0224

3. __ This project is inside the city limits of _____.
__ This project is outside the city limits but inside the ETJ(extra-territorial jurisdiction) of _____.
X This project is not located within any city's limits or ETJ.

4. The location of the project site is described below. Sufficient detail and clarity has been provided so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.

5. X **ATTACHMENT A - Road Map.** A road map showing directions to and the location of the project site is found as at the end of this form.

6. X **ATTACHMENT B - USGS Quadrangle Map.** A copy of the a USGS Quadrangle Map (Scale: 1" = 2000') is found at the end of this form. The map(s) clearly shows:
X Project site boundaries.
X USGS Quadrangle Name(s).

7. X **ATTACHMENT C - Project Narrative.** A detailed narrative description of the proposed project is found at the end of this form.

8. Existing project site conditions are noted below:
   - ___ Existing commercial site
   - ___ Existing industrial site
   - ___ Existing residential site
   - ___ Existing paved and/or unpaved roads
   - ___ Undeveloped (Cleared)
   - X Undeveloped (Undisturbed/Uncleared)
   - ___ Other:

PROJECT INFORMATION

9. The type of project is:
   - X Residential: # of Lots: **373**
   - ___ Residential: # of Living Unit Equivalents:
   - ___ Commercial
   - ___ Industrial
   - ___ Other:

10. Total project area (size of site): **756** Acres
    Total disturbed area: **58** Acres

11. Projected population: **933**

12. The amount and type of impervious cover expected after construction is complete is shown below:

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	373@4000=1,492,000	÷ 43,560 =	34.3
Parking	373@2000=746,000	÷ 43,560 =	17.1
Other paved surfaces	41,825@22=920,150	÷ 43,560 =	21.1
Total Impervious Cover	3,158,150	÷ 43,560 =	72.5
		Total Impervious Cover ÷ Total Acreage x 100 =	10 %

13. X **ATTACHMENT D - Factors Affecting Surface Water Quality.** A description of factors that could affect surface water quality is found as at the end of this form. If applicable, this should included the location and description of any discharge associated with industrial activity other than construction.

14. X Only inert materials as defined by 30 TAC 330.2 will be used as fill material.

FOR ROAD PROJECTS ONLY
Complete questions 15-20 if this application is exclusively for a road project.

15. Type of project:
   - ___ TXDOT road project.
   - ___ County road or roads built to county specifications.
   - ___ City thoroughfare or roads to be dedicated to a municipality.

__ Street or road providing access to private driveways.

16. Type of pavement or road surface to be used:

__ Concrete
__ Asphaltic concrete pavement
__ Other:

17. Length of Right of Way (R.O.W.): _____ feet.
Width of R.O.W.: _____ feet.
L x W = _____ Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.

18. Length of pavement area: _____ feet.
Width of pavement area: _____ feet.
L x W = _____ Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.
Pavement area _____ acres ÷ R.O.W. area _____ acres x 100 = ___% impervious cover.

19. __ A rest stop will be included in this project.
__ A rest stop will **not** be included in this project.

20. __ Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

STORMWATER TO BE GENERATED BY THE PROPOSED PROJECT

21. X **ATTACHMENTE - Volume and Character of Stormwater.** A description of the volume and character (quality) of the stormwater runoff which is expected to occur from the proposed project is found at the end of this form. The estimates of stormwater runoff quality and quantity are based on area and type of impervious cover. The runoff coefficient of the site for both pre-construction and post-construction conditions is included.

WASTEWATER TO BE GENERATED BY THE PROPOSED PROJECT

22. Wastewater will be disposed of by:

X On-Site Sewage Facility (OSSF/Septic Tank):
ATTACHMENTF - Suitability Letter from Authorized Agent. An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's written approval is provided at the end of this form. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities, or it identifies those areas that are not suitable for the use of private sewage facilities. The system will be designed by a licensed professional engineer or a registered sanitarian and installed by a licensed installer in compliance with 30 TAC§285.

__ Sewage Collection System (Sewer Lines):
Wastewater is to be disposed of by conveyance to the _____ (name) treatment plant for treatment and disposal. The treatment facility is :
__ existing.
__ proposed.

__ Wastewater is to be discharged in the contributing zone. Requirements under 30 TAC

§213.6(c) relating to Wastewater Treatment and Disposal Systems have been satisfied.

FOR PERMANENT ABOVEGROUND STORAGE TANKS (ASTs) > 500 GALLONS
Complete questions 23-29 if this project includes the installation of AST(s) with volume(s) greater than 500 gallons.

23. Tanks and substance stored:

AST Number	Size (Gallons)	Substance to be Stored	Tank Material
1			
2			
3			
4			
5			
Total		x 1.5 =	gallons

24. ___ The AST will be placed within a containment structure that is sized to capture one and one-half (1 1/2) times the storage capacity of the system. For facilities with more than one tank system, the containment structure is sized to capture one and one-half (1 1/2) times the cumulative storage capacity of all systems.

___ **ATTACHMENT G - Alternative Secondary Containment Methods.** Alternative methods for providing secondary containment are proposed. Specifications showing equivalent protection for the Edwards Aquifer are found at the end of this form.

25. Inside dimensions and capacity of containment structure(s):

Length (L) (Ft.)	Width (W) (Ft.)	Height (H) (Ft.)	L x W x H = (Ft^3) Gallons
Total			

26. ___ All piping, hoses, and dispensers will be located inside the containment structure.
___ Some of the piping to dispensers or equipment will extend outside the containment structure.
___ The piping will be aboveground
___ The piping will be underground

27. ___ The containment area must be constructed of and in a material impervious to the substance(s) being stored. The proposed containment structure will be constructed of _____.

28. **ATTACHMENT H - AST Containment Structure Drawings.** A scaled drawing of the containment structure is found at the end of this form that shows the following:

___ Interior dimensions (length, width, depth and wall and floor thickness).
___ Internal drainage to a point convenient for the collection of any spillage.
___ Tanks clearly labeled
___ Piping clearly labeled
___ Dispenser clearly labeled

29. Any spills must be directed to a point convenient forcollection and recovery. Spills from storage tank facilities must be removed from the controlled drainage area for disposal within 24 hours of the spill.

___ In the event of a spill, any spillage will be removed from the containment structure within 24 hours of the spill and disposed of properly.
___ In the event of a spill, any spillage will be drained from the containment structure through a drain and valve within 24 hours of the spill and disposed of properly. The drain and valve system are shown in detail on the scaled drawing.

SITE PLAN

Items 30 through 41 must be included on the Site Plan.

30. The Site Plan must have a minimum scale of 1" = 400'.
Site Plan Scale: 1" = **400** '.

31. 100-year floodplain boundaries

X Some part(s) of the project site is located within the 100-year floodplain. The floodplain is shown and labeled.
___ No part of the project site is located within the 100year floodplain.

The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s):

32. ___ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.
X The layout of the development is shown withexisting contours at appropriate, but not greater than ten-foot contour intervals. Finished topographic contours will not differ from the existing topographic configuration and are not shown. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.

33. X A drainage plan showing all paths of drainage from the site to surface streams.

34. X The drainage patterns and approximate slopes anticipated after major grading activities.

35. X Areas of soil disturbance and areas which will not be disturbed.

36. X Locations of major structural and nonstructural controls. These are the temporary and permanent best management practices.

37. X Locations where soil stabilization practices are expected to occur.

38. X Surface waters (including wetlands).

39. X Locations where stormwater discharges to surface water.
__ There will be no discharges to surface water.

40. __ Temporary aboveground storage tank facilities.
X Temporary aboveground storage tank facilities will not be located on this site.

41. __ Permanent aboveground storage tank facilities.
__ Permanent aboveground storage tank facilites will not be located on this site.

Permanent best management practices (BMPs) and measures that will be used during and after construction is completed.

42. N/A Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.

43. N/A These practices and measures have been designed, and will be constructed, operated, and maintained to insure that 80% of the incremental increase in the annual mass loading of total suspended solids (TSS) from the site caused by the regulated activity is removed. These quantities have been calculated in accordance with technical guidance prepared or accepted by the executive director.

__ The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.
__ A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is provided bebw

44. N/A Owners must insure that permanent BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the appropriate regional office within 30 days of site completion.

45. X Where a site is used for low density single-family residential development and has 20 % or less impervious cover, other permanent BMPs are not required. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

X This site will be used for low density single-family residential development and has 20% or less impervious cover.
__ This site will be used for low density single-family residential development but has more than 20% impervious cover.
__ This site will not be used for low density singlefamily residential development.

46. N/A The executive director may waive the requirement for other permanent BMPs for multi-family residential developments, schools, or small business sites where 20% or less impervious cover is used at the site. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

__ **ATTACHMENTI - 20% or Less Impervious Cover Waiver.** This site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is found at the end of this form.

__ This site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.

N/A This site will not be used for multi-farnily residential developments, schools, or small business sites.

47. **ATTACHMENT J- BMPs for Upgradient Stormwater.**

__ A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is provided as **ATTACHMENT J** at the end of this form.

__ If no surface water, groundwater or stormwater originates upgradient from the site and flows across the site, an explanation is provided as **ATTACHMENT J** at the end of this form.

X If permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, an explanation is provided as **ATTACHMENT J** at the end of this form.

48. **ATTACHMENT K- BMPs for On-site Stormwater.**

__ A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is provided as **ATTACHMENT K** at the end of this form.

X If permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, an explanation is provided as **ATTACHMENTK** at the end of this form.

49. X **ATTACHMENTL - BMPs for Surface Streams.** A description of the BMPs and measures that prevent pollutants from entering surface streams is provided at the end of this form.

50. N/A **ATTACHMENTM - Construction Plans.** Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information have been signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed permanent BMPs and measures are provided at the end of this form. Design Calculations, TCEQ Construction Notes, all proposed structural measures, and appropriate details must be shown on the construction plans.

51. N/A **ATTACHMENT N - Inspection, Maintenance, Repair and Retrofit Plan.** A plan for the inspection, maintenance, repair, and, if necessary, retrofit of the permanent BMPs and measures is provided at the end of this form. The plan has been prepared and certified by the

engineer designing the permanent BMPs and measures. The plan has been signed by the owner or responsible party. The plan includes procedures for documenting inspections, maintenance, repairs, and, if necessary, retrofits as well as a discussion of record keeping procedures.

52. **N/A** The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.

__ Pilot-scale field testing (including water quality monitoring) may be required for BMPs that are not contained in technical guidance recognized by or prepared by the executive director. __ **ATTACHMENTO - Pilot-Scale Field Testing Plan.** A plan for pilot-scale field testing is provided at the end ofthis form.

53. **X** **ATTACHMENTP - Measures for Minimizing Surface Stream Contamination.** A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is provided at the end of this form. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity which increase erosion that results in water quality degradation.

Responsibility for maintenance of permanent BMPs and measures after construction is complete.

54. **N/A** The applicant is responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred.

55. **N/A** A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development, or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.

ADMINISTRATIVE INFORMATION

56. **X** One (1) original and three (3) copies of the complete application has been provided.

57. **X** Any modification of this Contributing Zone Plan may require TCEQ review and Executive Director approval prior to construction, and may require submission of a revised application, with appropriate fees.

58. **X** The site description, controls, maintenance, and inspection requirements for the storm water pollution prevention plan (SWPPP) developed under the EPA NPDES general permits for stormwater discharges have been submitted to fulfill paragraphs 30 TAC §213.24(1-5) of the technical report. All requirements of 30 TAC §213.24(1-5) have been met by the SWPPP document.

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning

the proposed regulated activities and methods to protect the Edwards Aquifer. This **CONTRIBUTING ZONE PLAN APPLICATION** is hereby submitted for TCEQ review and Executive Director approval. The application was prepared by:

Print Name of Customer/Agent

KELLY KILBER, P.E., AGENT

Signature of Customer/Agent Date 10-19-07

If you have questions on how to fill out this form or about the Edwards Aquifer protection program, please contact us at 210/490-3096 for projects located in the San Antonio Region or 512/339-2929 for projects located in the Austin Region.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512/2393282.

ATTACHMENT C

Cordova Bend Phase II is A proposed 756 acre Single Family Residential Development located on Canyon Lake in Comal County, Texas. The site varies in elevation from 740 feet to approximately 1300 feet and is located in the Guadalupe River watershed.

The nature of the construction activities will consist of building approximately 41,825 linear feet of asphalt roads to service 373 lots ranging in size from 1 to 27 acres. Approximately 57.6 acres of road right-of-way will be cleared and grubbed. Canyon Lake Water Supply will provide water for the development. Wastewater will be treated and disposed of by private septic systems constructed in accordance with the TCEQ and Comal County Health Department rules and regulations. Drainage will be by sheet flow and open ditches.

The clearing and grubbing operation will consist of the complete removal above and below ground surface of all trees, stumps, brush, vegetation and objectionable debris. There is not expected to be any spoil piles stored on site. Existing drainage patterns will not be altered. The pre-developed and post-developed coefficients are .46 and .49 respectively.

ATTACHMENT D

Activities associated with the construction of roads may affect surface water quality. The measures by which these activities will be monitored are contained in the Storm water Pollution Prevention Plan.

ATTACHMENT E

The volume and character of storm water runoff is not expected to change with this project. This development proposes approximately 10% impervious cover and will utilize an open road section with roadside ditches. These ditches will act as buffer areas to surrounding property to filter sediment and other constituents which may be washed off of roadway pavements. In addition, all natural drainage patterns will be maintained and erosion controls will be installed with all culverts to minimize erosion due to flow concentration.

ATTACHEMENT J

No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.

ATTACHEMENT K

No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.

ATTACHMENT L

No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.

ATTACHMENT M

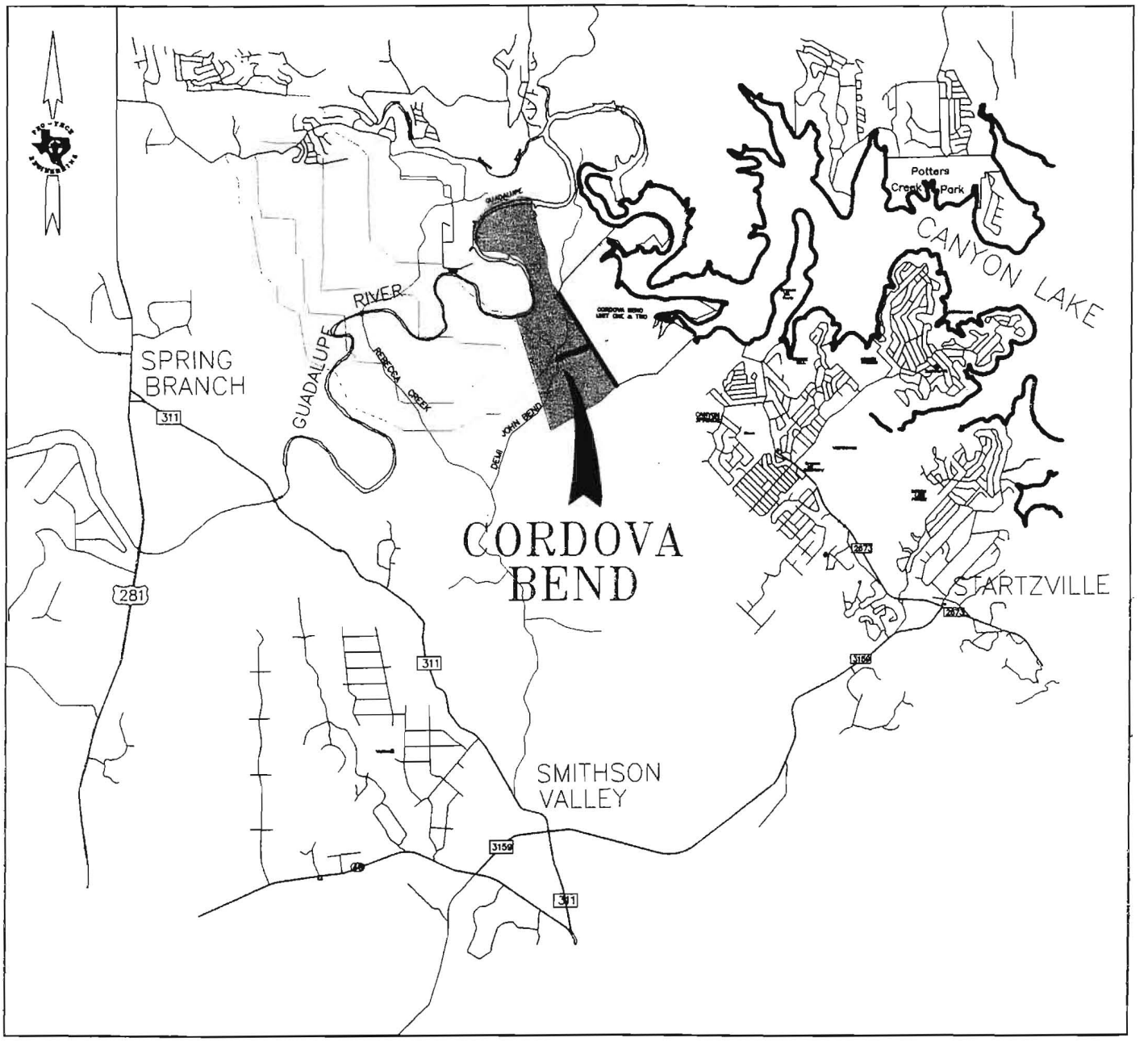
No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.

ATTACHMENT N

No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.

ATTACHMENT P

No permanent BMPs are required for this project. The proposed land use is single family residential and the proposed impervious cover is less than 20%.


SPRING BRANCH
GUADALUPE RIVER
REBECCA CREEK
JOHN BEND
CORDOVA BEND
CANYON LAKE
Potters Creek Park
STARTZVILLE
SMITHSON VALLEY
281
311
3159
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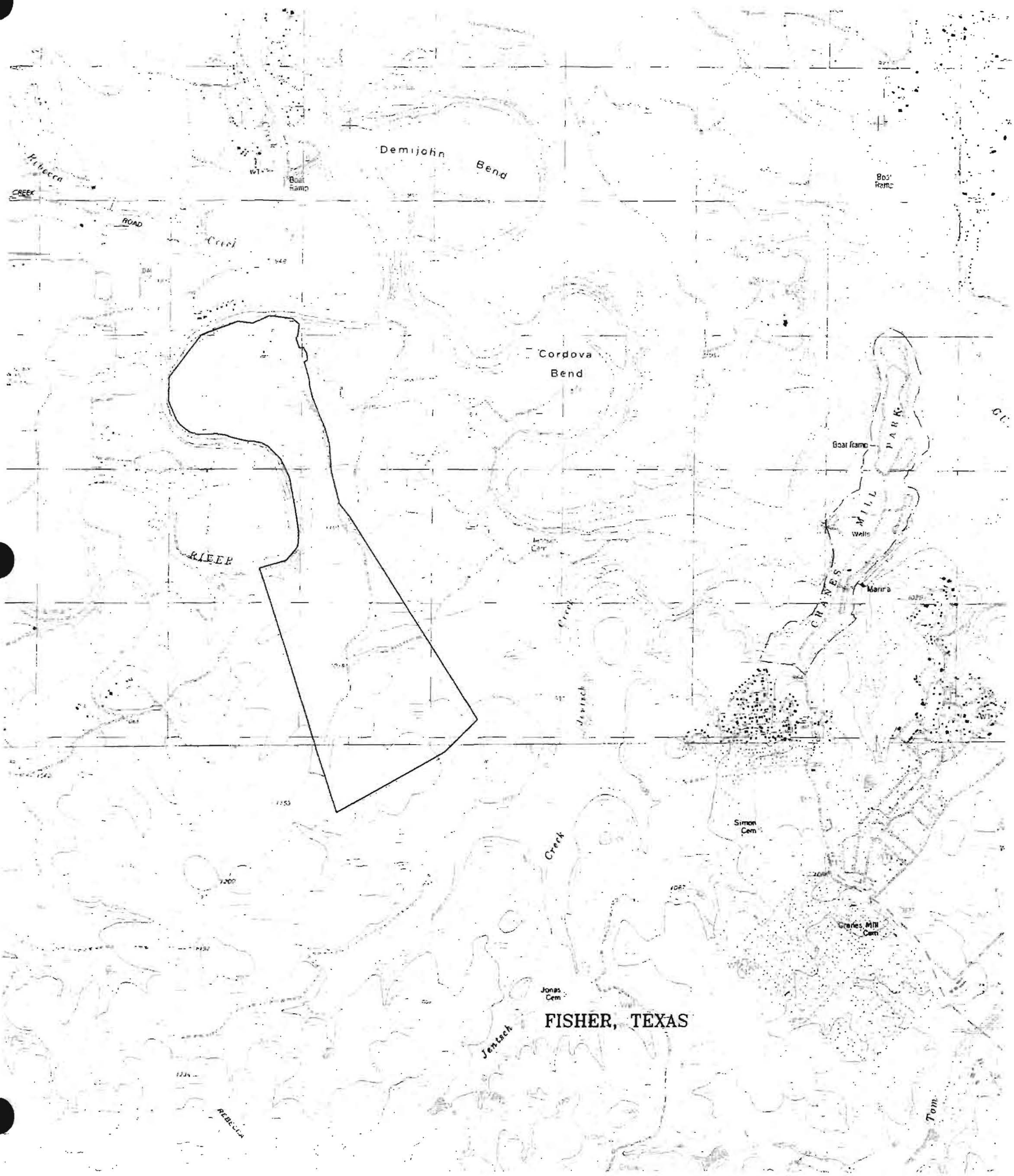
2673



FISHER, TEXAS

Cordova Bend Phase 2

1760 Demi John Bend Road
Spring Branch, Texas 78070

Storm Water Pollution Prevention Plan Certification Requirements

Signatory Requirements

All Notices of Intent, Notices of Termination, Storm Water Pollution Prevention Plans, reports, certifications or information either submitted to the director or operator of a large or medium municipal separate storm sewer system, or that this permit requirements be maintained by the permitee, shall be signed as follows:
All Notices of Intent and Notices of Termination shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: A **president, secretary, treasurer, or vice-president** of the corporation in charge of a principle business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a **general partner** or the **proprietor**, respectively; or

c. For a municipality, State, Federal, or other public agency: by either a **principal executive officer** or **ranking elected official**. For purposes of this section a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

Permittee Responsibility

The parties listed below are defined as "Owner" and/or "Operator" due to their operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications, must submit a Notice of Intent (NOI) in accordance with the requirements of this permit at least (2) days prior to the commencement of construction activities. For Storm Water discharges from this project when the "Operator" changes or is added the new "Operator" will submit an NOI at least (2) days prior to assuming operational control over site plans and specifications. A copy of all applicable permits is enclosed in this document.

Delineation of Responsibilities

Each permitee is responsible for all aspects of compliance with the permit and must fulfill all requirements of the permit, unless the permitees agree to cooperate and share the responsibilities. Even if responsibilities are shared, non-compliance on the part of one permitee does not alleviate the other permitees of responsibility for compliance with all requirements of the permit. The following is a break down of the responsibilities of each permitee.

- Refer to project phasing (below) for required erosion controls per lot.
- Refer to map section for list / location of required BMPS and controls.
- If for any reason the location or type of control or procedures will be different from the plan / maps must be amended immediately to reflect the change(s).

"Owner"	"Operator"
File Notice of Intent (NOI)	File Notice of Intent (NOI)
Prepare a Storm Water Pollution Prevention Plan	Certify the SWPPP
Ensure the SWPPP meets minimum permit requirements	Install structural Best Management Practices (BMPS) as outlined in the SWPPP
Check SW3P to confirm that all areas of the project are included	Initiate temporary / permanent stabilization practices within 14 days where construction activities have temporarily or permanently ceased, unless disturbing activities will resume within 21 days
Delegate the authority to sign the inspection reports	Maintain structural BMPS based on input from inspection reports.
Ensure each permitee is aware of their requirements under the SWPPP	Maintain non-structural BMPS based on input from inspection reports.
Check that names and permit numbers of all permitees are included in the SWPPP	Once construction is complete, remove all BMPS
Certify the SWPPP	Update SWPPP as necessary based on changes during construction and input from inspection reports.
Update SWPPP as necessary based on changes during construction and input from inspection reports.	

Operator (Permittee with day-to-day operational control)

N/A Name of Company	Project
NOI Submission Date	Permit Number

The Operator named above will be responsible for independently submitting an NOI, the development, and implementation of a comprehensive SWP3 for portions of the project where they have operational control.

Disclaimer

By accepting this Storm Water Pollution Prevention Plan, the Owner / Operator accepts this disclaimer and all its conditions.

This plan has been prepared in accordance with good engineering practice and the rules of the Clean Water Act and TCEQ TXR#150000. This document represents a planning tool to assist the Owner / Operator to comply with environmental regulation during the project construction.

The Owner / Operator is responsible for all operational decisions related to this project. Paragon Environmental Services is not liable for the operational decisions of the Owner / Operator or the failure of the Owner / Operator to follow the recommendations as outlined in the Storm Water Pollution Prevention Plan.

Owner / Operator agrees to hold Paragon Environmental Services harmless for any potential violations the Owner / Operator may receive for operational violations from regulatory agencies such as city governments, the state of Texas, or EPA. Paragon Environmental Services will answer questions on how the Storm Water Pollution Prevention Plan was prepared and defend recommendations made with any regulated authority that may request it.

CONTRACTOR AND SUBCONTRACTOR CERTIFICATION

Any contractor or subcontractor who engaging in activities that will impact the effectiveness or implementation of the Pollution Prevention Plan should read and sign the following certification prior to providing services at the construction site. The contractor or subcontractor should be informed of any restrictions or activities mandated in the SWPPP that may impact their activities.

1. Sediment & Erosion Control Practices

Permanent and temporary structural erosion and sedimentation controls must not be disturbed during construction activities. If a structural control (e.g., silt fence, wind fence, etc.) is damaged or temporarily removed during construction the responsible party must repair or replace the damaged or missing control as soon as possible.

Sand, gravel and dirt piles must not be placed by the street without a sediment barrier in place. If material piles are placed on sloping ground where there is a danger of erosion, a silt fence barricade must be installed downslope to prevent offsite sediment transport.

All vehicle traffic must use stabilized construction entrances to limit offsite sediment tracking. All vehicle traffic must avoid driving over existing vegetation as much as possible.

All waste concrete and concrete wash water must be poured into a designated concrete washout area. Concrete and concrete wash waters are not allowed to leave the construction site.

Any fugitive sediment or building materials that leave the site must be cleaned up immediately and be properly managed or disposed of.

2. Solid Waste Management Practices

All solid waste must be collected and stored inside metal rolloffs, dumpsters or plywood containers. Containers are to be picked up on a regular schedule by a registered solid waste company. Trash and debris in the construction site is to be picked up at each site at the end of each workday or shift. Clean the site on a daily basis to prevent trash and debris from being transported offsite by water, wind or vehicle tracking.

Spilled or leaked sanitary effluent (from portable toilets) must be cleaned up as soon as possible. Prevent sanitary effluent from leaving site.

3. Hazardous Materials Management

All hazardous materials will be stored and disposed of in a manner specified by local, State and Federal regulations or by manufacture's specifications. Personnel must be instructed in the correct handling and disposal of hazardous materials.

Construction materials will be stored in discrete piles and stacks consistent with good housekeeping practices. Bags of concrete, paint and solvent cans must be stored where they will not come in contact with storm water.
All hazardous materials (see list below) will be stored under cover or taken from the site at the end of each workday to avoid contact with the environment.

No major vehicle or equipment maintenance is allowed on site. Vehicle and equipment fueling should occur offsite. All oil, antifreeze, etc... containers are to be disposed of in a proper manner. Containers are not to be left onsite.

Contractor Certification

Hazardous products will be kept in original containers unless they are not resealable. Original labels and material safety data sheets will be retained as they contain important information. Surplus product must be disposed of in accordance with manufactures specifications and local, state and federal rules.

Material	Best Management Practices
Construction Site Chemicals, Paints, Acids, Wood Preservatives, Solvents, Degreasers, Pesticides, Herbicides & Fertilizers	Chemicals, pesticides, herbicides, acids, caustics, paints, stains and solvents will be removed from the site each day or stored in secure covered structure. Chemicals will not be discharged to the environment but will be disposed of properly according to manufactures specifications and local, state and federal regulations. Containers are to be tightly sealed. If paints, thinners or solvents cannot be removed from the site, they will be stored inside a structure and secured to prevent exposure to storm water. Waste paint, thinners and solvents will be removed from the site for proper disposal. No solvents and paint products and containers will be disposed of in trash containers except as open, empty containers. Fertilizers, herbicides, pesticides will be used only in the minimum amount recommended by the manufacture and never applied before expected rain.
Material	**Best Management Practices**
Gasoline & Diesel Fuel	In general, no fueling tanks kept onsite. Construction vehicles and other equipment should be fueled offsite. If fuel tanks are present, they must be either double-walled, or located inside a secondary containment structure.
Motor Oil, Brake Fluid, Hydraulic Fluid, Grease & Antifreeze	No onsite vehicle and equipment maintenance is permitted. Vehicles and equipment must be removed offsite for maintenance. Should fluids spill during vehicle or equipment operation, the spill should be cleaned up as soon as possible.
Lead-Acid Batteries	Lead-acid batteries must not be stored onsite. Batteries removed from vehicles or equipment must be disposed of or recycled in a proper manner in accordance with state and federal law.
Lead-Based Paints	Lead-based paints are not used onsite for housing construction. If lead-based paints are used onsite, their use and disposal will conform to federal guidelines.
Concrete & Concrete Wash Water	Concrete, painting and brick wash waters will be contained onsite and not allowed to discharge offsite.
Driveway, Building Wash & Vehicle Wash Waters	Wash waters from driveways, vehicles and buildings not using detergents or containing hazardous materials is allowed. It is suggested that wash waters pass through a filtration media when possible (i.e., vegetation or silt fencing) before discharge.
Excavation Pump Out Waters	Excavation pump out waters should be contained onsite when possible. Pump waters should pass through a filtration media when possible (i.e., vegetation or silt fencing) before discharge.

4. Spill Response & Reportable Quantities (RQs)

Spills and leaks of hazardous materials must be cleaned up immediately. Spills and leaks on paved surfaces can be cleaned up with dry absorbent. Spills and leaks on soil can cleaned up with scoop and shovel. Contaminated soil will be disposed of in an approved manner. Releases into water will require immediate action such as calling local emergency management and regulatory agencies. Material releases above certain reportable quantities must be reported to local emergency management and regulatory agencies as soon as possible.

Reportable Quantities (RQ) for Spills		
Material	**Impacted Media**	**Reportable Quantity**
Oil and Oil Products	Soil	25 Gallons
	Water	Visible Sheen
Crude Oil	Soil	210 Gallons (5 Barrels)
	Water	Visible Sheen
Diesel Fuel & Gasoline	Soil	13 Gallons (100 Pounds)
	Water	Visible Sheen
Degreasers (Caustics)	Soil	13 Gallons (100 Pounds)
	Water	13 Gallons (100 Pounds)
Hydrochloric & Sulfuric Acids (Battery Acid)	Soil	13 Gallons (100 Pounds)
	Water	13 Gallons (100 Pounds)
Antifreeze	Soil	13 Gallons (100 Pounds)
	Water	13 Gallons (100 Pounds)
Other Hazardous Materials †	Soil	RQ Varies
	Water	RQ Varies ≤ 100 Pounds
Solid Waste	Soil	No RQ
	Water	100 Pounds

† For spills and leaks of hazardous and toxic materials see final reportable quantities in Table 302.4 in 40 CFR § 302.4. and in Texas Spill Plan

Emergency Contact Numbers (Reportable Quantities Release)	
Local Emergency Management	**911**
Texas Commission on Environmental Quality Hotline	**800-832-8224**
U.S. Environmental Protection Agency Hotline (Region VI)	**800-424-8802**
Paragon Environmental Service	**512-443-4808**

5. Sensitive Environmental Features

If a karst feature (cave) is uncovered, construction activity must cease immediately and the site operator notified. Caves and recharge features must be reported to the regional TCEQ office as soon as possible. Prevent offsite movement of sediment and other pollutants into waterways, springs and wetlands.

6. Contractor Certification

I have read the above and agree to the conditions.

Contractor Certification	
Activity:	
Company:	
Address:	
City, State, Zip:	
Name (printed):	
Signature:	
Date:	

TPDES / EPA Storm Water Posting Requirements

- These forms shall be posted next to the main entrance of the construction site.
- TPDES permit and / or copy of NOI.
- Posting Notice to include name and telephone number of authorized contact, project description and location of the SWPPP.

(Attached)

CONSTRUCTION SITE NOTICE

FOR THE

Texas Commission on Environmental Quality (TCEQ)

Storm Water Program

TPDES GENERAL PERMIT TXR150000

This notice applies to construction sites operating under Part II.D.3. Of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. This is an optional notice that contains information required in Part III.D.2. of the general permit. This information should be posted along with a signed copy of the Notice of Intent. Additional information regarding the TCEQ storm water permit program may be found on the Internet at: www.tnrcc.state.tx.us/permitting/waterperm/wwperm/tpdestorm

TPDES Permit Number:	(Pending – See NOI Enclosed)
Contact Name and Phone Number:	Kelly Kilber 1.512.353.3335
Project Description: (Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized)	Cordova Bend Phase 2 Residential Land Development Construction 1760 Demi John Bend Road December 2007 – December 2010
Location of Storm Water Pollution Prevention Plan (SWP3):	Pro-Tech Engineering 100 E. San Antonio St. San Marcos, TX

Notice of Termination (NOT) for Storm Water Discharges Associated with Construction Activity under the TPDES Construction General Permit (TXR150000)

TCEQ Office Use Only
TPDES Permit Number: TXR15_____ NO
GIN Number: _____

For help completing this application, read the TXR150000 NOI Instructions (TCEQ-20023-Instructions).

A. TPDES Permit Number: TXR15_____

B. Construction Site Operator Customer Reference Number: CN_____

Name: **Cordova Bend, Ltd**

Mailing Address: **PO Box 1290**

City: **Spring Branch** State: **TX** Zip Code: **78070-1290**

Country Mailing Information (*if outside USA*) Territory: _____ Country Code: _____ Postal Code: _____

Phone Number: **(210) 497-7738** Extension: **N/A** Fax Number: **(210) 545-4562**

E-mail Address: **landsource@msn.com**

C. Project / Site Information Regulated Entity Reference Number: RN_____

Name: **Cordova Bend Phase 2**

Physical Address: **1760 Demi John Bend Road**

Location Access Description: _____

City: **Spring Branch** County: **COMAL** Zip Code: **78070**

D. Contact - If the TCEQ needs additional information regarding this termination, who should be contacted?

Name: **Kelly Kilber** Title: **Owner Representative**

Phone Number: **(512) 353.3335** Extension: **N/A** Fax Number: **(512) 396-0224**

E-mail Address: **kelly@pro-techengr.com**

E. Certification

I certify under penalty of law that authorization under the TPDES Construction General Permit (TXR150000) is no longer necessary based on the provisions of the general permit. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge storm water associated with construction activity under the general permit TXR150000, and that discharging pollutants in storm water associated with construction activity to waters of the U.S. is unlawful under the Clean Water Act where the discharge is not authorized by a TPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

Construction Site Operator Representative:

Prefix: **Mr.** First: **Gary** Middle: _____

Last: **Woods** Suffix: _____

Title: **Manager**

Signature: _____ Date: _____

If you have questions on how to fill out this form or about the storm water program, please contact us at (512) 239-4671. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at (512) 239-3282.

The completed NOT must be mailed to the following address:

Texas Commission on Environmental Quality
Storm Water & General Permits Team; MC - 228
P.O. Box 13087
Austin, Texas 78711-3087

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under the TPDES General Permit

TCEQ Office Use Only
TPDES Permit Number: TXR15|__|__|__|__|__|
GIN Number: |__|__|__|__|__|__|__|__|
Fee Receipt No. _____

IMPORTANT:
- Use the attached **INSTRUCTIONS** when completing this form.
- After completing this form, use the attached **CUSTOMER CHECKLIST** to make certain all items are complete and accurate.
- Missing, illegible, or inaccurate items may delay final acknowledgment or coverage under the general permit.

Application Fee: You must submit the $100 NOI Application Fee to TCEQ under separate cover (see instructions) using the attached Application Fee submittal form. (DO NOT SEND A COPY OF THE NOI WITH THE APPLICATION FEE SUBMITTAL FORM)
Tell us how you paid for this fee:

Check/Money Order No.:	Name Printed on Check: Cordova Bend, Ltd.

A. OPERATOR

1. TCEQ Issued Customer Number (CN) (if available): N/A

2. Legal Name (spelled exactly as filed with the Texas Secretary of State, County, or legal document that was used in forming the entity):
Cordova Bend, Ltd.

3. Mailing Address: PO Box 1290 Suite No./Bldg.No.:

City: Spring Branch	State: Texas	ZIP Code: 78070-1290

4. Phone No.: (210) 497-7738	Extension:
FAX No. (210 545-4562	E-mail Address: landsource@msn.com

6. Type of Operator:
☐ Individual ☐ Sole Proprietorship-D.B.A. ☒ Partnership
☐ Corporation ☐ Federal Government ☐ State Government
☐ County Government ☐ City Government ☐ Other: _____

7. Independent Operator: ☒ Yes ☐ No (If governmental entity or a subsidiary or part of a larger corporation, check "NO")

8. Number of Employees: ☒ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☐ 501 or higher

9. Business Tax and Filing Numbers *(not applicable to Individuals, Government, General Partnerships, and Sole Proprietorship-D.B.A.)*:
State Franchise Tax ID Number: _____ Federal Tax ID: 20-1562603
TX SOS Charter (filing) Number: _____ DUNS Number: _____ (If known)

B. BILLING ADDRESS (The Operator is responsible for paying the annual fee.)

☑ **Same As Operator** (check if address is the same, then proceed with Section C.)

1. Billing Mailing Address: Suite No./Bldg.No.:

City:	State:	ZIP Code:

2. Billing Contact (Attn or C/O):

3. Country Mailing Information (if outside USA) Territory: Country Code: Postal Code:

4. Phone No.: ( ) -	Extension:
FAX No.	E-mail Address:

C. APPLICATION CONTACT (If TCEQ needs additional information regarding this application, who should be contacted?

1. Name: Kelly Kilber	Title: Owner Representative	Company: Pro-Tech Engineers
2. Phone No.: (512) 353.3335	Extension:	
3. FAX No. (512) 396.0224	E-mail Address: kelly@pro-techengr.com	

D. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. TCEQ Issued RE Reference Number (RN) (if available): N/A

2. Name of Project or Site: Cordova Bend Phase 2

3. Physical Address of Project or Site: (enter in spaces below)

Street Number: 1760	Street Name: Demi John Bend Road	
City (nearest to the site): Spring Branch	ZIP Code (nearest to the site): 78070-1290	County (Counties if >1): Comal

4. If no physical address (Street Number & Street Name), provide a written location access description that can be used for locating the site: (Ex.: 2 miles west from intersection of Hwy 290 & IH35 on Hwy 290 South)

5. Latitude: 29.8813 N Longitude: -98.3333 W

6. Standard Industrial Classification (SIC) code: 1521

7. Describe the activity related to the need for this authorization at this site *(do not repeat the SIC and NAICS code)*:
Residential Land Development

. Is the project/site located on Indian Country Lands? ☐ Yes ☒ No
If Yes, you must obtain authorization through EPA, Region VI.

E. SITE MAILING ADDRESS (address for receiving mail at the site)

☑ **Same As Operator** (check if address is the same, then proceed with Section F.)

Mailing Address:		Suite No./Bldg.No.:
City:	State:	ZIP Code:

F. GENERAL CHARACTERISTICS

1. Has a Pollution Prevention Plan been prepared as required in the general permit? ☒ Yes ☐ No

If No, coverage may be denied as the PPP is required at the time the NOI is submitted to TCEQ.

2. Provide the estimated area of land disturbed (to the nearest acre): 747.0 Acres

3. Provide the name of the receiving water body (local stream, lake, drainage ditch), MS4 Operator (if applicable) and the segment number where storm water runoff will flow from the construction site.

MS4 Operator: Spring Branch Receiving Water Body: Canyon Lake Segment: N/A

G. CERTIFICATION

I, Gary Woods — *Typed or printed name*

Managing Partner Cordova Bend Ltd,GP, LLC — *Title (Required)*

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code §305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature:_____ *(Use Blue Ink)* Date:_____

NPDES General Construction Storm Water Permit Checklist

(including storm water discharges from dedicated asphalt and concrete plants)

Site Description

- ❑ Nature of the activity
- ❑ Intended sequence of major events
- ❑ Timing
- ❑ Which permittee is responsible
- ❑ Total area of site, area to be disturbed (including off-site borrow and fill areas)
- ❑ Run-off coefficient for pre-construction and post-construction
- ❑ General location map
- ❑ Discharge locations
- ❑ Receiving water
- ❑ Wetland or special aquatic sites (on-site, near or receiving discharges)
- ❑ Copy of the permit language
- ❑ Endangered species information (threatened or endangered species, or critical habitat are found in proximity)
- ❑ Historic Preservation Information (including any written agreements with SHPO, THPO)

Structural Practices

- ❑ Structures used to divert storm water
- ❑ Structures used to store storm water
- ❑ Post-construction controls (required when sediment or other pollutants leaving the site will exceed pre-development levels)
- ❑ Technical explanation why practices are selected
- ❑ Velocity dissipation devices
- ❑ Controls used to prevent solid materials
- ❑ Controls used to minimized offsite tracking
- ❑ Compliance with local and state regulations
- ❑ Materials to be stored on-site (with updates)
- ❑ Pollutants from support activities (asphalt/concrete plant)
- ❑ Control measures for support activities
- ❑ Measures to protect threatened or endangered species, or critical habitat

Site Map

- ❑ Drainage patterns
- ❑ Approximate slopes after major grading
- ❑ Areas of soil disturbance
- ❑ Areas which will not be disturbed
- ❑ Locations of control measures
- ❑ Locations were stabilization practice are expect to occur
- ❑ Location of off-site storage of material, waste, borrow, or equipment storage
- ❑ Surface waters
- ❑ Storm water discharge locations

Stabilization Practices

- ❑ Description of interim stabilization practices
- ❑ Description of permanent stabilization practices
- ❑ Schedule of implementation
- ❑ Dates when major grading activities occur
- ❑ Dates when construction activities cease (permanently or temporarily)
- ❑ Type of stabilization used and location

Other

- ❑ Maintenance Procedures
- ❑ Inspections (of disturbed areas, areas used for material storage, control measures, and vehicle access)

Inspection Reports

- ❑ Name & qualification of inspector
- ❑ Date
- ❑ Major observations
- ❑ If everything is okay, certification that facility is in compliance with SWPPP.
- ❑ Non-storm water discharge sources
- ❑ Control measure used on non-storm water discharges
- ❑ Plan Certification

8/26/98

TPDES General Construction Storm Water Permit Requirements

Site Description and Evaluation

Nature of the Activity

This is a private raw land development called Cordova Bend Phase 2 in which 5 acres or more is disturbed. This Storm Water Pollution Prevention Plan has been prepared in order to satisfy the conditions of the permit. It meets the eligibility requirements of TXR #150000. A TCEQ Storm Water permit is required.

Support activities are not planned.

Site Area Description

- If at anytime other areas are used in connection with this project then all measures to minimize potential pollution sources will be added to the SWPPP.
- Total area of site: 747.0 acres
- Area to be disturbed: 85.67 acres approx. (Including off-site borrow/fill areas)

Existing Soils / Soil Conditions

Description of Soil Type(s) USDA Soil Description

Brackett - Rock Outcrop – Comfort Complex

Description of Runoff Quality (Soil Erodability)

This soil is well drained. Surface runoff is rapid. Water erosion is a severe hazard.

- Pre-construction and post-construction run-off coefficient will be factored when applicable.

Existing Conditions

Existing Land Use (i.e., wooded area, open grassed area, pavement, building, etc.)
This sites existing condition at the time development was commenced was an open grassed area with brush and trees.

Existing Surface Waters (Surface waters include wetlands, streams, rivers, lakes ponds, etc.; located on or next to the site) There are surface waters located North of the site; any runoff will drain into Canyon Lake.

Associated Industrial Activity / Dedicated Onsite Concrete Batch Plant

If a dedicated asphalt plant is used during the development of large projects to produce concrete at the site, runoff from the onsite batch plant must be treated with BMPS from an industrial SWPPP for onsite concrete batch plant operation. Permit coverage will be authorized only in the event that the batch plant is dedicated to use for construction activity related only to this site. A separate industrial SWPPP and permit will be required for any other offsite activity.

Runoff or Discharges Associated with Batch Plant

Any Storm Water or Non-Storm Water discharges originating from the operation of the batch plant must be contained with a temporary holding pond and the water recycled in the process water for mixing concrete. To ensure there are no discharges from the pond the design will be in keeping with good engineering practice and be monitored to ensure that there is no storm water associated discharges.

Non-Storm Water Discharges (see Maintenance section below for pollution prevention procedures)

- Air conditioning condensate
- Water to control dust in roadways
- Water used to wash vehicles
- Ground water encountered during excavation
- Waters form foundation or footing drains
- Potable water sources
- Pavement wash waters
- New hydrant installation
- Discharges from fire fighting activities

Discharge Locations

Onsite Conveyances

Pipe Systems: There is not a pipe system located onsite.

Channels: There are channels located onsite.

Creek / Watercourse: There is a creek or watercourse located North and West of site.

Offsite Conveyances

Drainage Channel: There are drainage channels used in offsite drainage.

Roadways: Roadways are utilized for offsite drainage.

Receiving Body of Water

The body of water that will receive runoff from this construction site is: Canyon Lake.

Municipal Separate Storm Sewer System (MS4): N/A

Potential Pollutants and Sources

- Solvents will be used or found onsite by plumbing / painting contractor. Contractor is responsible for removing all solvents from the site.
- Concrete wash waters from concrete trucks will be washed out behind the curb at the designated concrete wash out lot. The use of soaps is prohibited in the concrete wash area.
- Concrete curing compound will be used and removed from the site by the concrete contractor.
- Vehicles performing construction activities and dirt work will use fuels, oils and grease. Equipment fueling should occur off-site when possible. If fuel tanks are present onsite, they must be either double-walled, or located inside secondary containment structures. Secondary containment structures must be able to contain 110 percent of the total stored volume of petroleum. Should more than 1320 gallons of petroleum storage (in 55-gallon containers or larger) occur on-site, the operator(s) in charge of the petroleum must develop a Spill Prevention Control & Countermeasures (SPCC) Plan (§40 CFR 112).
- Pesticides may be used in the pre-construction phase in order to control various pests. All use of pesticides will be consistent with the manufactures labeled instructions. Every effort will be made to limit the use of pesticides just before an anticipated rain event. All pesticides must be removed after application is complete.
- Fertilizer may be used in the final site preparation phase during sodding or seeding. Every effort will be made to limit the use of fertilizers just before an anticipated rain event. Fertilizers will not be stored onsite for any length of time.
- Sediment and Total Suspended Solids will be controlled through the use of the structural and non-structural BMPS such as detention ponds, silt fences and inlet protection, etc...
- A registered waste management company will collect wastes from the portable toilets on a regular basis. Spilled or leaked sanitary effluent will be cleaned up as soon as possible. Prevent effluent from leaving site and/or entering drainage conveyances.
- Paving will be performed in connection with this project.

Offsite Material Storage

There is not an offsite material storage area associated with this project. The location of the offsite material storage area will be shown on the general location map and have a separate map in order to show the BMPS related to the activities performed there.

Major soil disturbing events and Intended Sequence & Timing

Cordova Bend Phase 2

Schedule of Implementation / Major Grading Activities

- All schedules for site stabilization implementation and major grading activities are included in the inspection reports and erosion control notebook attached to this plan.

All phasing limits are detailed on the site plan. This site will have a waste concrete wash out area.

- Refer to map section for list / location of required BMPS and controls.
- If for any reason the location or type of control or procedures will be different from the plan / maps must be amended immediately to reflect the change(s).

Roadway, Utility, Drainage Infrastructure Development Activity/Phase

- Install Sediment and Erosion Control BMPS
- Clearing, Grubbing and Grading
- Excavate Streets
- Excavate and Install Wet Underground Utility Lines
- Grade & Form Roadways, Install Curbs & Gutters
- Install Road Base
- Pave Roadways
- Stabilization of Site/Re-vegetation-Landscaping
- Removal of Temporary BMPS

† Timing of construction activities may vary. Construction site activities are recorded in the inspection reports. The location of storage areas, spoil piles, portable toilets, concrete washout pits, and construction trash dumpsters, containers or roll-offs are indicated on inspection map

Structural Practices and Controls

This SWPPP includes a description of structural practices and controls (BMPS) to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. The specific design capacities for each structural control listed are available in the erosion control design notes attached to this plan. If periodic inspections indicate that a control has been used inappropriately, or incorrectly, the permitee ("Owner/Operator") must replace or modify the control for site situations.

Structures Used to Divert Storm Water

Structures	Present	Not Present
Diversion Dike		Not Present
Pipe Slope Drain		Not Present
Rock Berms	Present	

Structures Used to Store Storm Water

Structures	Present	Not Present
Detention Basin		Not Present
Retention Basin		Not Present
Sedimentation Pond		Not Present

Permanent Controls

Controls	Present	Not Present
Permanent Vegetation	Present	
Interceptor Swale		Not Present
Diversion Dike		Not Present
Detention Basin		Not Present
Sedimentation Pond		Not Present

Erosion and Sediment Controls

- Installation of Structural Erosion Controls

Permanent and temporary structural erosion and sedimentation controls will be installed at this facility before soil-disturbing activities begin onsite. For example, silt fencing; rock dams, stabilized construction entrances, detention ponds, temporary sediment ponds and other site-specific BMPS must be installed to prevent offsite sediment transport.

- Vegetative Stabilization Techniques

Naturally occurring grass and vegetation should be left onsite until the structure is completed to provide a natural vegetative filter strip to prevent pollution from leaving site. Once construction is complete, landscaping, grass and sod should be installed to stabilize the site. Establishment of 70 percent original ground coverage is required for final stabilization.

- Sediment Removal Protocols (Roadways)

Sediment in street and roadways will be swept up on a regular basis by street sweeping, shoveling or other techniques. Sediment collected from storm sewer inlets, ditches, curbs and roadways will be disposed of in operator's vacant lots or stabilized area.

- Sediment Removal Protocols (Detention Ponds)

Remove sediment from detention ponds (where present) when sediment reaches 50 percent of design capacity or at the end of construction activities.

- Silt Fence Maintenance (if present)

Built up sediment will be removed when it reaches one half the height of the fence. Collected sediment will be disposed of in operator's vacant lots or stabilized area.

Temporary Controls / BMPS

BMPS	Present	Not Present
Water used to control dust during construction roadways	X	
Mulch		X
Concrete Wash Area	X	
Stabilized Construction Entrance(s)	X	
Regular Trash Pickup	X	
Properly Store & Use Hazardous Chemicals	X	
Contain Wash Waters Onsite	X	
Sweep Street as Needed	X	
Maintain Existing Vegetation - Tree Protection	X	
Vehicle Maintenance Onsite		X
Rock Dams		X
Silt Fence	X	
Cover, Maintain Storm Sewer Inlet		X
Secondary Containment - Petroleum Tanks		X
All Utility Trenches & Cuts Backfilled Each Day	X	
Perimeter Fencing		X
Rock Berm	X	
Diversion Dike		X
Sedimentation Pond		X
Pipe Slope Drain		X
Hay Bale Dike		X
Erosion Control Matting		X
Sandbag Berm		X
Traffic Barricade for Lot Access		X
Rock Barricades		X
Curb Trench		X
Sand-Filled Filter Bags at Storm Sewer Inlet		X

Post-Construction Controls
(Required when sediment or other pollutants leaving the site will exceed pre-development levels)

Controls	Present	Not Present
Permanent Vegetation	Present	
Interceptor Swale		Not Present
Retention Basin		Not Present
Diversion Dike		Not Present
Detention Basin		Not Present
Sedimentation Pond		Not Present

Stabilization Practices

This SWPP includes a description of interim and permanent stabilization practices for this site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized.

Description of Interim Stabilization Practices

Stabilization practices may include but are not limited to:

- Temporary Vegetation
- Permanent Vegetation
- Mulching
- Geo textiles
- Sod Stabilization
- Vegetative Buffer Strips
- Tree Protection

(Use of impervious surfaces should be avoided)

Permanent / Temporary Dates for End of Construction Activities

Dates for permanent and temporary end of construction activities are listed in the permit information, inspection reports and the controls listed above.

Velocity Dissipation Devices

Velocity dissipation devices shall be placed at discharge locations and along the length of an outfall channel to provide a non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained or protected in order to eliminate significant changes in the hydrological regime of the receiving water. Refer to structural controls listed above. For location refer to erosion and sedimentation maps.

Controls Used to Prevent Solid Materials

- Any trash containers onsite will be covered and leak proof.
- Any roll off trash container will be utilized to control construction debris and trash generated onsite.
- Any dumpsters used to supplement trash roll off capacity must be covered.
- A daily management practice should be established in order to facilitate construction trash and debris.
- All waste containers will be emptied regularly.

Controls Used to Minimize Off-Site Tracking

- Stabilized Construction Entrance (Crushed rock or grass mesh)
- Sweep Street as Needed

Control Measures for Support Activities

- Support activities are not planned for this project.

Limit all access to the construction site by vehicles to the street unless onsite access is needed for delivery of materials or to perform tasks such as blowing insulation etc through a controlled access point. This access point needs to be covered with crushed rock or grass mesh that will minimize offsite tracking and dust generation by vehicles.

Fugitive Sediment

If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off site impacts (e.g., fugitive sediment in street could be washed into storm sewers by the next rain and/or pose a safety hazard to users of public streets).

Sediment Removal

Sediment must be removed from sediment traps, sedimentation ponds and other controls designed to control the flow of sediment from leaving the site. The sediment should be removed and replaced to adjacent lots when design capacity has been reduced by 50%.

Spill Response / Hazardous Waste Management Plan

Material	Reportable Quantity	Released To
Gasoline/Engine Degreasers	100 lbs	Water / Land / Air
Antifreeze	100 lbs / 13 gallons	Land
Freon	1 lb	Air
Battery Acid	100 lbs	Water / Land
Hydraulic and Brake Fluid	25 gallons	Land
Engine Fuel and Oils	25 gallons	Land
Hydraulic and Brake Fluid	Visible Sheen	Water
Engine Fuel and Oils	Visible Sheen	Water

Spill Response Protocols

- Report all spills and leaks immediately to the "Owner".
- There will be no punishment or discipline issued in relation to the reporting of spills or leaks.
- If a reportable quantity is released start containment and clean up measures.
- The following points of contact must be notified in the event that any reportable quantity is released:

Hazardous Waste Management Practices

- Paints, thinners and solvents used by contractors will be removed on a daily basis in the contractors' vehicle stored and secured inside a structure. Proper disposal of all waste products and empty containers will be accomplished by their removal from the site by the contractor.
- All fuel storage and site fueling areas attached to this project will have dikes or other means of secondary containment constructed around them. Such structures will be constructed in accordance with good engineering practices.
- A controlled storage facility will be used to store all chemicals or fertilizers used on site. All chemicals to be removed from the site by contractor on a daily basis.

EPA National Response Center	1-800-424-8802
TCEQ	1-800-832-8224 / 512-239-2454
Paragon Environmental Services	512-527-0048

Applicable State and Local Plans

Edwards Aquifer Recharge / Contributing Zone

- This project is located in the Edwards Aquifer Contributing Zone.
- A CZP has been filed with TCEQ.

Wetland or Special Aquatic Sites

- There are no known wetland or special aquatic sites on this project.

Consistency with the Texas Coastal Management Program

The Texas Coastal Management Program boundary covers part or all of the following Texas Counties: Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Harris, Jackson, Jefferson, Kennedy, Kleberg, Matagorda, Nueces, Orange, Refugio, San Patricio, Victoria and Willacy. This project is not within the boundaries of any of these counties and therefore not subject to the requirements of the Texas Coastal Management Program.

Local, Tribal and State Regulations

This Storm Water Pollution Prevention Plan will be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment and erosion site plans or site permits, or Storm Water Management site plans or site permits. There is no known additional state, local or tribal requirements at this time. In accordance with local ordinance portable toilets will be provided.

Endangered Species Information

Threatened / Endangered or Critical Habitat in Proximity?

- None.

Measures to Protect Threatened or Endangered Species or Critical Habitat

- None.

Special Features

- None noted.

Maintenance

All controls and stabilization practices shall be inspected as stipulated within this plan and maintained in accordance with the design parameters set forth by the TCEQ. If site inspections identify BMPS that are not operating effectively, maintenance shall be performed before the next scheduled inspection or as necessary to maintain the continued effectiveness of storm water controls.

Maintenance procedures for approved Non-Storm Water Discharges

- Air conditioning condensate from the construction trailer during construction.
- Water used to control dust during development on roadways under construction.
- Waters used to wash vehicles including: waters from the washing of concrete trucks which must be contained onsite, other vehicles must be washed down in areas where wash waters can be contained onsite. All vehicle washing must be accomplished without the use of any type of detergents.
- If ground water is encountered during excavation it will be pumped out onto the ground and not allowed to directly discharge. Waters from foundation or footing drains will be handled in the same manner provided they are not contaminated with process materials such as solvents.
- Potable water sources including waterline flushing to ensure lines are clean and have residual chlorine. All routine external building wash down will be done without the use of detergents.
- Pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled has been removed) and where detergents are not used. Roadways and flatwork will be pressure washed on a regular basis. No chemicals are used and all leaks or spills will be cleaned up.
- New hydrant installation includes; flushing of the fire hydrants to ensure lines are clean and have residual chlorine. Discharges from fire fighting activities will occur only in case of emergency.
- A registered waste management company will collect wastes from the portable toilets on a regular basis. Spilled or leaked sanitary effluent will be cleaned up as soon as possible. Prevent effluent from leaving site and/or entering drainage conveyances.

TPDES General Permit
NO. TXR150000

This is a new general permit issued pursuant to Section 26.040 of the Texas Water Code and Section 402 of the Clean Water Act.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. BOX 13087
Austin, TX 78711-3087

GENERAL PERMIT TO DISCHARGE WASTE
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Construction sites located in the state of Texas

may discharge to surface water in the state

only according to effluent limitations, monitoring requirements and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of storm water and certain non-storm water discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit and the authorization contained herein shall expire at midnight five years after the date of issuance.

ISSUED AND EFFECTIVE DATE:

For the Commission

TCEQ General Permit Number TXR150000 Relating To Discharges From Construction Activities

Table of Contents

Part I. Definitions

Best Management Practices - (BMPs) Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control construction site runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Commencement of Construction - The exposure of soils resulting from activities such as clearing, grading, and excavating.

Common Plan of Development - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities.

Facility or Activity - Any TPDES "point source" or any other facility or activity (including land or appurtenances thereto) that is subject to regulation under the TPDES program.

Final Stabilization - A construction site status where either of the following conditions are met:

(a) All soil disturbing activities at the site have been completed and a uniform (e.g, evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or goetextiles) have been employed.

(b) For individual lots in a residential construction site by either:

(1) the homebuilder completing final stabilization as specified in condition (a) above; or

(2) the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization.

(c) For construction activities on land used for agricultural purposes (e.g. pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to a surface water and areas which are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.

Large Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of a ditch, channel, or other similar storm water conveyance. Large construction activity does not include the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.

Municipal Separate Storm Sewer System (MS4) - A separate storm sewer system owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization.

Notice of Intent (NOI) - A written submission to the executive director from an applicant requesting coverage under a general permit.

Notice of Termination (NOT) - A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage.

Operator - The person or persons associated with a large or small construction activity that meets either of the following two criteria:

(a) the person or persons have operational control over construction plans and specifications to the extent necessary to meet the requirements and conditions of this general permit; or

(b) the person or persons have day-to-day operational control of those activities at a construction site which are necessary to ensure compliance with a storm water pollution prevention plan for the site or other permit conditions (e.g. they are authorized to direct workers at a site to carry out activities required by the Storm Water Pollution Prevention Plan or comply with other permit conditions).

Permittee - An operator authorized under this general permit. The authorization may be gained through submission of a notice of intent, by waiver, or by meeting the requirements for automatic coverage to discharge storm water runoff and certain non-storm water discharges.

Point Source - Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are, or may be, discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutant - (from the Texas Water Code, Chapter 26) Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any surface water in the state. The term "pollutant" does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated rangeland, pastureland, and farmland.

Pollution - (from the Texas Water Code, Chapter 26) The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any surface water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

Runoff Coefficient - The fraction of total rainfall that will appear at the conveyance as runoff.

Separate Storm Sewer System - A conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), designed or used for collecting or conveying storm water; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Small Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of a ditch, channel, or other similar storm water conveyance. Small construction activity does not include the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.

Storm Water - Storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Associated with Construction Activity - Storm water runoff from a construction activity where soil disturbing activities (including clearing, grading, excavating) result in the disturbance of one (1) or more acres of total land area, or are part of a larger common plan of development or sale that will result in disturbance of one (1) or more acres of total land area.

Structural Control (or Practice) - A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in storm water runoff. Structural controls and practices may include but are not limited to: silt fences, earthen dikes, drainage swales, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

Surface Water in the State - Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits

of the state (from the mean high water mark (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Temporary Stabilization - A condition where exposed soils or disturbed areas are provided a protective cover, which may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place.

Waters of the United States - (from title 40, part 122, section 2 of the Code of Federal Regulations) Waters of the United States or waters of the U.S. means:

(a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) all interstate waters, including interstate wetlands;

(c) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

  (1) which are or could be used by interstate or foreign travelers for recreational or other purposes;

  (2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

  (3) which are used or could be used for industrial purposes by industries in interstate commerce;

(d) all impoundments of waters otherwise defined as waters of the United States under this definition;

(e) tributaries of waters identified in paragraphs (a) through (d) of this definition;

(f) the territorial sea; and

(g) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR § 423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Storm Water Associated with Construction Activity

   Discharges of storm water runoff from small and large construction activities may be authorized under this general permit.

2. Discharges of Storm Water Associated with Construction Support Activities

   Discharges of storm water runoff from construction support activities, including concrete batch plants, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas may be authorized under this general permit provided:

   (a) the activity is located within a 1-mile distance from the boundary of the permitted construction site and directly supports the construction activity;

   (b) the storm water pollution prevention plan is developed according to the provisions of this general permit and includes appropriate controls and measures to reduce erosion and discharge of pollutants in storm water runoff from the supporting industrial activity site; and

   (c) the industrial activity either does not operate beyond the completion date of the construction activity or obtains separate TPDES authorization for discharges.

3. Non-storm Water Discharges

   The following non-storm water discharges from sites authorized under this general permit are also eligible for authorization under this general permit:

   (a) discharges from fire fighting activities;

(b) fire hydrant flushings;

(c) vehicle, external building, and pavement wash water where detergents and soaps are not used and where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, an dust;

(d) water used to control dust;

(e) potable water sources including waterline flushings;

(f) air conditioning condensate;

(g) uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents.

4. Other Permitted Discharges

Any discharge authorized under a separate NPDES, TPDES, or TCEQ permit may be combined with discharges authorized by this permit.

Section B. Limitations on Permit Coverage

1. Post Construction Discharges.

Discharges that occur after construction activities have been completed, and after the construction site and any supporting activity site have undergone final stabilization, are not eligible for coverage under this general permit. Discharges originating from the sites are not authorized under this general permit following the submission of the notice of termination (NOT) for the construction activity.

2. Prohibition of Non-Storm Water Discharges

Except as provided in Part II. A.2., A3., and A4., all discharges authorized by this general permit must be composed entirely of storm water associated with construction activity.

3. Compliance With Water Quality Standards

Discharges to surface water in the state that would cause or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative

general permit (see Part II.G.3) to authorize discharges to surface water in the state from any activity that is determined to cause a violation of water quality standards or is found to cause, or contribute to, the loss of a designated use. The executive director may also require an application for an individual permit considering factors described in Part II. G.2.

4. Discharges to Water Quality-Impaired Receiving Waters.

New sources or new discharges of the constituents of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water quality standards and are listed on the EPA approved Clean Water Act Section 303(d) list. Constituents of concern are those for which the water body is listed as impaired.

Discharges of the constituents of concern to impaired water bodies for which there is a total maximum daily load (TMDL) implementation plan are not eligible for this permit unless they are consistent with the approved TMDL and the implementation plan. Permittees must incorporate the limitations, conditions, and requirements applicable to their discharges, including monitoring frequency and reporting required by TCEQ rules, into their storm water pollution prevention plan in order to be eligible for coverage under this general permit.

5. Discharges to the Edwards Aquifer Recharge Zone

Discharges cannot be authorized by this general permit where prohibited by 30 Texas Administrative Code (TAC) Chapter 213 (relating to Edwards Aquifer).

(a) For new discharges located within the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the Contributing Zone, operators must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Rule) in addition to the provisions and requirements of this general permit.

(b) For existing discharges, the requirements of the agency-approved Water Pollution Abatement Plan under the Edwards Aquifer Rules are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural storm water controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Rule for reductions of suspended solids in storm water runoff are in addition to the requirements in this general permit for this pollutant. For discharges from large construction activities located on the Edwards Aquifer contributing zone, applicants must also submit a copy of the NOI to the appropriate TCEQ regional office."

Counties:	Contact:
Comal, Bexar, Medina, Uvalde, and Kinney	TCEQ Water Program Manager San Antonio Regional Office 14250 Judson Rd. San Antonio, Texas (210) 490-3096
Williamson, Travis, and Hays	TCEQ Water Program Manager Austin Regional Office 1921 Cedar Bend Dr., Ste. 150 Austin, Texas (512) 339-2929.

6. Discharges to Specific Watersheds and Water Quality Areas

Discharges otherwise eligible for coverage cannot be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

7. Protection of Streams and Watersheds by Other Governmental Entities

This general permit does not limit the authority or ability of federal, other state, or local governmental entities from placing additional or more stringent requirements on construction activities or discharges from construction activities. For example, this permit does not limit the authority of a home-rule municipality provided by Section 401.002 of the Texas Local Government Code.

8. Indian Country Lands

Storm water runoff from construction activities occurring on Indian Country lands are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of storm water require authorization under federal National Pollutant Discharge Elimination System (NPDES) regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Oil and Gas Production

Storm water runoff from construction activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline, are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges

of storm water require authorization under federal NPDES regulations, authority for these discharges must be obtained from the EPA.

10. Storm Water Discharges from Agricultural Activities

Storm water discharges from agricultural activities that are not point source discharges of storm water are not subject to TPDES permit requirements. These activities may include clearing and cultivating ground for crops, construction of fences to contain livestock, construction of stock ponds, and other similar agricultural activities.

Section C. Deadlines for Obtaining Authorization to Discharge

1. Large Construction Activities

(a) New Construction - Discharges from sites where the commencement of construction occurs on or after the issuance date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

(b) Ongoing Construction - Operators of large construction activities continuing to operate after the issuance date of this permit, and authorized under NPDES general permit TXR100000 (issued July 6, 1998, FR 36490), must submit an NOI to obtain authorization under this general permit within 90 days of the issuance date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the federal NPDES permit. If the construction activity is completed prior to this 90-day deadline, and the site would otherwise qualify for termination of coverage under that federal NPDES permit, the operator must notify the executive director of the TCEQ in writing within 30 days of that condition.

2. Small Construction Activities

(a) New Construction - Discharges from sites where the commencement of construction occurs on or after the issuance date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

(b) Ongoing Construction - Discharges from ongoing small construction activities that commenced prior to March 10, 2003, and that would not meet the conditions to qualify for termination of this permit as described in Part II.E. of this general permit, must be authorized, either under this general permit or a separate TPDES permit, prior to March 10, 2003.

Section D. Obtaining Authorization to Discharge

1. Small construction activities are determined to occur during periods of low potential for erosion, and operators of these sites may be automatically authorized under this general permit and not required to develop a storm water pollution prevention plan or submit a notice of intent (NOI), provided:

   (a) the construction activity occurs in a county listed in Appendix A;

   (b) the construction activity is initiated and completed, including either final or temporary stabilization of all disturbed areas, within the time frame identified in Appendix A for the location of the construction site;

   (c) all temporary stabilization is adequately maintained to effectively reduce or prohibit erosion, final stabilization activities have been initiated and a condition, of final stabilization is completed no later than 30 days following the end date of the time frame identified in Appendix A for the location of the construction site;

   (d) the permittee signs a completed construction site notice (Attachment 1 of this general permit), including the certification statement;

   (e) a signed copy of the construction site notice is posted at the construction site in a location where it is readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction activities, and maintained in that location until completion of the construction activity;

   (f) a copy of the signed and certified construction site notice is provided to the operator of any municipal separate storm sewer system receiving the discharge at least two days prior to commencement of construction activities; and

   (g) any supporting concrete batch plant or asphalt batch plant is separately authorized for discharges of storm water runoff or other non-storm water discharges under an individual TPDES permit, another TPDES general permit or under an individual TCEQ permit where storm water and non-storm water is disposed of by evaporation or irrigation (discharges are adjacent to water in the state).

2. Operators of small construction activities not described in Part II.D.1. above may be automatically authorized under this general permit, and operators of these sites are not required to submit an NOI provided they:

   (a) develop a SWP3 according to the provisions of this general permit, that covers either the entire site or all portions of the site for which the applicant

is the operator, and implement that plan prior to commencing construction activities;

(b) sign a completed construction site notice (Attachment 2 of this general permit);

(c) post a signed copy of the construction site notice at the construction site in a location where it is readily available for viewing by the general public, local, state, and federal authorities, prior to commencing construction activities, and maintain the notice in that location until completion of the construction activity; and

(d) provide a copy of the signed and certified construction site notice to the operator of any municipal separate storm sewer system receiving the discharge at least two days prior to commencement of construction activities.

3. Operators of all other construction activities that qualify for coverage under this general permit must:

(a) develop a SWP3 according to the provisions of this general permit, that covers either the entire site or all portions of the site for which the applicant is the operator, and implement that plan prior to commencing construction activities;

(b) submit a Notice of Intent (NOI), using a form provided by the executive director, at least 2 days prior to commencing construction activities; or

(c) if the operator changes, or an additional operator is added after the initial NOI is submitted, the new operator must submit an NOI at least two (2) days before assuming operational control;

(d) post a copy of the NOI at the construction site in a location where it is readily available for viewing prior to commencing construction activities, and maintain the notice in that location until completion of the construction activity;

(e) provide a copy of the signed NOI to the operator of any municipal separate storm sewer system receiving the discharge, at least two (2) days prior to commencing construction activities; and

(f) implement the SWP3 prior to beginning construction activities.

4. Effective Date of Coverage

(a) Operators of construction activities described in either Part II. D.1. or D.2. are authorized immediately following compliance with the conditions of Part II. D.1. or D.2. that are applicable to the construction activity.

(b) Operators of all other construction activities eligible for coverage under this general permit, unless otherwise notified by the executive director, are provisionally authorized two (2) days from the date that a completed NOI is postmarked for delivery to the TCEQ. If electronic submission of the NOI is provided, and unless otherwise notified by the executive director, operators are provisionally authorized 24 hours following confirmation of receipt of the NOI by the TCEQ. Authorization is non-provisional when the executive director finds the NOI is administratively complete and an authorization number is issued for the activity.

(c) Operators are not prohibited from submitting late NOIs or posting late notices to obtain authorization under this general permit. The TCEQ reserves the right to take appropriate enforcement actions for any unpermitted activities that may have occurred between the time construction commenced and authorization is obtained.

5. Notice of Change (NOC) Letter

If the operator becomes aware that it failed to submit any relevant facts, or submitted incorrect information in an NOI, the correct information must be provided to the executive director in a NOC letter within 14 days after discovery. If relevant information provided in the NOI changes, a NOC letter must be submitted within 14 days of the change. A copy of the NOC must be provided to the operator of any MS4 receiving the discharge.

6. Signatory Requirement for NOI Forms, Notice of Termination (NOT) Forms, NOC Letters, and Construction Site Notices

NOI forms, NOT forms, NOC letters, and Construction Site Notices must be signed according to 30 TAC § 305.44 (relating to Application for Permit).

7. Contents of the NOI

The NOI form shall require, at a minimum, the following information:

(a) the name, address, and telephone number of the operator filing the NOI for permit coverage;

(b) the name (or other identifier), address, county, and latitude/longitude of the construction project or site;

(c) number of acres that will be disturbed (estimated to the largest whole number);

(d) whether the project or site is located on Indian Country lands;

(e) confirmation that a SWP3 has been developed and that the SWP3 will be compliant with any applicable local sediment and erosion control plans; and

(f) name of the receiving water(s).

Section E. Application to Terminate Coverage

Each operator that has submitted an NOI for authorization under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit. Authorization must be terminated by submitting a Notice of Termination (NOT) on a form supplied by the executive director. Authorization to discharge under this permit terminates at midnight on the day the NOT is postmarked for delivery to the TCEQ. If electronic submission of the NOT is provided, authorization to discharge under this permit terminates immediately following confirmation of receipt of the NOT by the TCEQ. Compliance with the conditions and requirements of this permit is required until an NOT is submitted.

1. Notice of Termination Required

The NOT must be submitted to TCEQ, and a copy of the NOT provided to the operator of any MS4 receiving the discharge, within thirty (30) days, after:

(a) final stabilization has been achieved on all portions of the site that is the responsibility of the permittee: or

(b) another permitted operator has assumed control over all areas of the site that have not been finally stabilized; and

(c) all silt fences and other temporary erosion controls have either been removed, scheduled for removal as defined in the SWP3, or transferred to a new operator if the new operator has sought permit coverage. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.

2. Minimum Contents of the NOT

The NOT form shall require, at a minimum, the following information:

(a) if authorization was granted following submission of a NOI, the permittees site-specific TPDES general permit number for the construction site;

(b) an indication of whether the construction activity is completed or if the permittee is simply no longer an operator at the site;

(c) the name, address and telephone number of the permittee submitting the NOT;

(d) the name (or other identifier), address, county, and latitude/longitude of the construction project or site; and

(e) a signed certification that either all storm water discharges requiring authorization under this general permit will no longer occur, or that the applicant to terminate coverage is no longer the operator of the facility or construction site, and that all temporary structural erosion controls have either been removed, will be removed on a schedule defined in the SWP3, or transferred to a new operator if the new operator has applied for permit coverage. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.

Section F. Waivers from Coverage

The executive director may waive the otherwise applicable requirements of this general permit for storm water discharges from small construction activities under the terms and conditions described in this section.

1. Waiver Applicability and Coverage

Operators of small construction activities may apply for and receive a waiver from the requirements to obtain authorization under this general permit where:

(a) the calculated rainfall erosivity R factor for the entire period of the construction project is less than five (5);

(b) the operator submits a signed waiver certification form, supplied by the executive director, certifying that the construction activity will commence and be completed within a period when the value of the calculated rainfall erosivity R factor is less than five (5); and

(c) the waiver certification form is submitted to the TCEQ at least two (2) days before construction activity begins.

2. Effective Date of Waiver

Operators of small construction activities are provisionally waived from the otherwise applicable requirements of this general permit two (2) days from the date that a completed waiver certification form is postmarked for delivery to TCEQ.

3. Activities Extending Beyond the Waiver Period

If a construction activity extends beyond the approved waiver period due to circumstances beyond the control of the operator, the operator must either:

(a) recalculate the rainfall erosivity factor R factor using the original start date and a new projected ending date, and if the R factor is still under five (5), submit a new waiver certification form at least two (2) days before the end of the original waiver period; or

(b) obtain authorization under this general permit according to the requirements delineated in either Part II.D.2. or Part II.D.3. at least two (2) days before the end of the approved waiver period.

Section G. Alternative TPDES Permit Coverage

1. Individual Permit Alternative

Any discharge eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC Chapter 305 (relating to Consolidated Permits). Applications for individual permit coverage should be submitted at least three hundred and thirty (330) days prior to commencement of construction activities to ensure timely issuance.

2. Individual Permit Required

The executive director may suspend an authorization or NOI in accordance with the procedures set forth in 30 TAC Chapter 205, including the requirement that the executive director provide written notice to the permittee. The executive director may require an operator of a construction site, otherwise eligible for authorization under this general permit, to apply for an individual TPDES permit because of:

(a) the conditions of an approved TMDL or TMDL implementation plan;

(b) the activity is determined to cause a violation of water quality standards or is found to cause, or contribute to, the loss of a designated use of surface water in the state: and

(c) any other considerations defined in 30 TAC Chapter 205 would include the provision at 30 TAC § 205.4(c)(3)(D), which allows TCEQ to deny authorization under the general permit and require an individual permit if a discharger "has been determined by the executive director to have been out of compliance with any rule, order, or permit of the commission, including non-payment of fees assessed by the executive director."

3. Any discharge eligible for authorization under this general permit may alternatively be authorized under a separate, applicable general permit according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

Section H. Permit Expiration

This general permit shall be issued for a term not to exceed five (5) years. Following public notice and comment, as provided by 30 TAC § 205.3 (relating to Public Notice, Public Meetings, and Public Comment), the commission may amend, revoke, cancel, or renew this general permit. If the TCEQ publishes a notice of its intent to renew or amend this general permit before the expiration date, the permit will remain in effect for existing, authorized, discharges until the commission takes final action on the permit. Upon issuance of a renewed or amended permit, permittees may be required to submit an NOI within 90 days following the effective date of the renewed or amended permit, unless that permit provides for an alternative method for obtaining authorization.

In the event that the general permit is not renewed, discharges that are authorized under the general permit must obtain either a TPDES individual permit or coverage under an alternative general permit.

Part III. Storm Water Pollution Prevention Plans (SWP3)

Storm water pollution prevention plans must be prepared for storm water discharges that will reach Waters of the United States, including discharges to MS4 systems and privately owned separate storm sewer systems that drain to Waters of the United States, to identify and address potential sources of pollution that are reasonably expected to affect the quality of discharges from the construction site, including off-site material storage areas, overburden and stockpiles of dirt, borrow areas, equipment staging areas, vehicle repair areas, fueling areas, etc., used solely by the permitted project. The SWP3 must describe and ensure the implementation of practices that will be used to reduce the pollutants in storm water discharges associated with construction activity at the construction site and assure compliance with the terms and conditions of this permit.

Individual operators at a site may develop separate SWP3s that cover only their portion of the project provided reference is made to the other operators at the site. Where there is more than one SWP3 for a site, permittees must coordinate to ensure that BMPs and controls are consistent, and do not negate or impair the effectiveness of each other. Regardless of whether a single comprehensive SWP3 is developed, or separate SWP3s are developed for each operator, it is the responsibility of each operator to ensure that compliance with the terms and conditions of this general permit is met in the areas of the construction site where that operator has operational control over construction plans and specifications or day-to-day operational control.

Section A. Shared SWP3 Development

For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site is encouraged. Operators must independently submit an NOI and obtain authorization, but may work together to prepare and implement a single comprehensive SWP3 for the entire construction site.

1. The SWP3 must clearly list the name and, for large construction activities, the general permit authorization numbers, for each operator that participates in the shared SWP3. Until the TCEQ responds to receipt of the NOI with a general permit authorization number, the SWP3 must specify the date that the NOI was submitted to TCEQ by each operator. Each participant in the shared plan must also sign the SWP3.

2. The SWP3 must clearly indicate which operator is responsible for satisfying each shared requirement of the SWP3. If the responsibility for satisfying a requirement is not described in the plan, then each permittee is entirely responsible for meeting the requirement within the boundaries of the construction site where they perform construction activities. The SWP3 must clearly describe responsibilities for meeting each requirement in shared or common areas.

Section B. Responsibilities of Operators

1. Operators with Control Over Construction Plans and Specifications

All operators with operational control over construction plans and specifications to the extent necessary to meet the requirements and conditions of this general permit must:

(a) ensure the project specifications allow or provide that adequate BMPs may be developed to meet the requirements of Part III of this general permit;

(b) ensure that the SWP3 indicates the areas of the project where they have operational control over project specifications (including the ability to make modifications in specifications);

(c) ensure all other operators affected by modifications in project specifications are notified in a timely manner such that those operators may modify best management practices as are necessary to remain compliant with the conditions of this general permit; and

(d) ensure that the SWP3 for portions of the project where they are operators indicates the name and TPDES permit numbers for permittees with the day-to-day operational control over those activities necessary to ensure compliance with the SWP3 and other permit conditions. In the case that responsible parties have not been identified, the permittee with operational control over project specifications must be considered to be the responsible party until such time as the authority is transferred to another party and the plan is updated.

2. Operators with Day-to-Day Operational Control

Operators with day-to-day operational control of those activities at a project that are necessary to ensure compliance with a SWP3 and other permit conditions must:

(a) ensure that the SWP3 for portions of the project where they are operators meets the requirements of this general permit;

(b) ensure that the SWP3 identifies the parties responsible for implementation of best management practices described in the plan;

(c) ensure that the SWP3 indicates areas of the project where they have operational control over day-to-day activities;

(d) ensure that the SWP3 indicates, for areas where they have operational control over day-to-day activities, the name and TPDES permit number of the parties with operational control over project specifications (including the ability to make modifications in specifications).

Section C. Deadlines for SWP3 Preparation and Compliance

1. The SWP3 must be:

(a) completed prior to obtaining authorization under this general permit;

(b) implemented prior to commencing construction activities that result in soil disturbance;

(c) updated as necessary to reflect the changing conditions of new operators, new areas of responsibility, and changes in best management practices; and

(d) prepared so that it provides for compliance with the terms and conditions of this general permit.

Section D. Plan Review and Making Plans Available

1. The SWP3 must be retained on-site at the construction site or, if the site is inactive or does not have an on-site location to store the plan, a notice must be posted describing the location of the SWP3. The SWP3 must be made readily available at the time of an on-site inspection to: the executive director; a federal, state, or local agency approving sediment and erosion plans, grading plans, or storm water management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site.

2. Operators of a large construction activity obtaining authorization to discharge through submission of a NOI must post a notice near the main entrance of the

construction site. If the construction project is a linear construction project (e.g. pipeline, highway, etc.), the notice must be placed in a publicly accessible location near where construction is actively underway. Notice for these linear sites may be relocated, as necessary, along the length of the project. The notice must be readily available for viewing by the general public, local, state, and federal authorities, and contain the following information:

(a) the TPDES general permit number for the project (or a copy of the NOI that was submitted to the TCEQ if a permit number has not yet been assigned);

(b) the name and telephone number of a representative for the operator;

(c) a brief description of the project; and

(d) the location of the SWP3.

3. This permit does not provide the general public with any right to trespass on a construction site for any reason, including inspection of a site; nor does this permit require that permittees allow members of the general public access to a construction site.

Section E. Keeping Plans Current

The permittee must revise or update the storm water pollution prevention plan whenever:

1. there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3; or

2. results of inspections or investigations by site operators, operators of a municipal separate storm sewer system receiving the discharge, authorized TCEQ personnel, or a federal, state or local agency approving sediment and erosion plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this general permit.

Section F. Contents of SWP3

The SWP3 must include, at a minimum, the information described in this section.

1. A site description, or project description must be developed to include:

(a) a description of the nature of the construction activity, potential pollutants and sources;

(b) a description of the intended schedule or sequence of major activities that will disturb soils for major portions of the site;

(c) the total number of acres of the entire property and the total number of acres where construction activities will occur, including off-site material storage areas, overburden and stockpiles of dirt, and borrow areas;

(d) data describing the soil or the quality of any discharge from the site;

(e) a map showing the general location of the site (e.g. a portion of a city or county map);

(f) a detailed site map (or maps) indicating the following:

(i) drainage patterns and approximate slopes anticipated after major grading activities;

(ii) areas where soil disturbance will occur;

(iii) locations of all major structural controls either planned or in place;

(iv) locations where stabilization practices are expected to be used;

(v) locations of off-site material, waste, borrow, fill, or equipment storage areas;

(vi) surface waters (including wetlands) either adjacent or in close proximity; and

(vii) locations where storm water discharges from the site directly to a surface water body.

(g) the location and description of asphalt plants and concrete plants providing support to the construction site and authorized under this general permit;

(h) the name of receiving waters at or near the site that will be disturbed or that will receive discharges from disturbed areas of the project; and

(i) a copy of this TPDES general permit.

2. The SWP3 must describe the best management practices that will be used to minimize pollution in runoff. The description must identify the general timing or sequence for implementation. At a minimum, the description must include the following components:

(a) Erosion and Sediment Controls

(i) Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local

topography, soil type, and rainfall. Controls must also be designed and utilized to reduce the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.

(ii) Control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specifications. If periodic inspections or other information indicates a control has been used incorrectly, or that the control is performing inadequately, the operator must replace or modify the control as soon as practicable after discovery that the control has been used incorrectly, is performing inadequately, or is damaged.

(iii) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%.

(iv) If sediment escapes the site, accumulations must be removed at a frequency to minimize further negative effects, and whenever feasible, prior to the next rain event.

(v) Controls must be developed to limit, to the extent practicable, offsite transport of litter, construction debris, and construction materials.

(b) Stabilization Practices

The SWP3 must include a description of interim and permanent stabilization practices for the site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where it is possible.

(i) Stabilization practices may include but are not limited to: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, and other similar measures.

(ii) The following records must be maintained and either attached to or referenced in the SWP3, and made readily available upon request to the parties in Part III.D.1 of this general permit:

(a) the dates when major grading activities occur;

(b) the dates when construction activities temporarily or permanently cease on a portion of the site; and

(c) the dates when stabilization measures are initiated.

(iii) Stabilization measures must be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and except as provided in (a) through (c) below, must be initiated no more than fourteen (14) days after the construction activity in that portion of the site has temporarily or permanently ceased.

(a) Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.

(b) Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within twenty-one (21) days, temporary stabilization measures do not have to be initiated on that portion of site.

(c) In arid areas (areas with an average rainfall of 0 to 10 inches), semiarid areas (areas with an average annual rainfall of 10 to 20 inches), and areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonably arid conditions, stabilization measures must be initiated as soon as practicable.

3. Structural Control Practices

The SWP3 must include a description of any structural control practices used to divert flows away from exposed soils, to limit the contact of runoff with disturbed areas, or to lessen the off-site transport of eroded soils.

(a) Sediment basins are required, where feasible for common drainage locations that serve an area with ten (10) or more acres disturbed at one time, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. Where rainfall data is not available or a calculation cannot be performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained is required where attainable until final stabilization of the site. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from offsite areas and flow from onsite areas that are either undisturbed or have already undergone final stabilization, if

these flows are diverted around both the disturbed areas of the site and the sediment basin. In determining whether installing a sediment basin is feasible, the permittee may consider factors such as site soils, slope, available area on site, public safety, precipitation patterns, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater and other similar considerations. Where sediment basins are not feasible, equivalent control measures, which may include a series of smaller sediment basins, must be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the construction area.

(b) Sediment traps and sediment basins may also be used to control solids in storm water runoff for drainage locations serving less than ten (10) acres. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries (and for those side slope boundaries deemed appropriate as dictated by individual site conditions) of the construction. Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained, or equivalent control measures, may be provided or where rainfall data is not available or a calculation cannot be performed, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained may be provided.

4. Permanent Storm Water Controls

A description of any measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed must be included in the SWP3. Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site or prior to submission of an NOT.

5. Other Controls

(a) Off-site vehicle tracking of sediments and the generation of dust must be minimized.

(b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to reduce pollutants from these materials.

(c) The SWP3 must include a description of pollutant sources from areas other than construction (including storm water discharges from dedicated asphalt plants and dedicated concrete plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

(d) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected.

6. Approved State and Local Plans

(a) Permittees must ensure the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or storm water management site plans or site permits approved by federal, state, or local officials.

(b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or storm water management site plans or site permits approved by state or local official for which the permittee receives written notice.

7. Maintenance

All erosion and sediment control measures and other protective measures identified in the SWP3 must be maintained in effective operating condition. If through inspections the permittee determines that BMPs are not operating effectively, maintenance must be performed before the next anticipated storm event or as necessary to maintain the continued effectiveness of storm water controls. If maintenance prior to the next anticipated storm event is impracticable, maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.

8. Inspections of Controls

In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable

(a) Personnel provided by the permittee and familiar with the SWP3 must inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections must be conducted at least once every fourteen (14) calendar days and within twenty four (24) hours of the end of a storm event of 0.5 inches or greater.

Where sites have been finally or temporarily stabilized, where runoff is unlikely due to winter conditions (e.g. site is covered with snow, ice, or frozen ground exists), or during seasonal arid periods in arid areas (areas with an average annual rainfall of 0 to 10 inches) and semi-arid areas (areas with an average annual rainfall of 10 to 20 inches), inspections must be conducted at least once every month.

As an alternative to the above-described inspection schedule of once every fourteen (14) calendar days and within twenty four (24) hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection.

(b) Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may provide inspection personnel with limited access to the areas described in Part III.F.8.(a) above. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected at least once every fourteen (14) calendar days and within twenty four (24) hours of the end of a storm event of 0.5 inches, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described in Part III.F.8.(a) above. The conditions of the controls along each inspected 0.25 mile segment may be considered as representative of the condition of controls along that reach extending from the end of the 0.25 mile segment to either the end of the next 0.25 mile inspected segment, or to the end of the project, whichever occurs first.

As an alternative to the above-described inspection schedule of once every fourteen (14) calendar days and within twenty four (24) hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection.

(c) The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever

possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable.

(d) A report summarizing the scope of the inspection, names and qualifications of personnel making the inspection, the dates of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.

Actions taken as a result of inspections must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports)

9. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-storm water components of the discharge.

Part IV. Numeric Effluent Limitations

Section A. Limitations

All discharges of storm water runoff from concrete batch plants that qualify for coverage, and that are authorized to discharge storm water under the provisions of this general permit must be monitored at the following monitoring frequency and comply with the following numeric effluent limitations:

	Limitations	Monitoring
Parameter	Daily Maximum	Frequency
Total Suspended Solids	65 mg/l	1/Year*
Oil and Grease	15 mg/l	1/Year*
pH	between 6 and 9 standard units	1/Year*

* If discharge occurs.

Section B. Reporting Requirements

Results of monitoring for determining compliance with numeric effluent limitations must be recorded on a discharge monitoring report (DMR). The DMR must either be an original EPA No. 3320-1 form (Attachment 3 of this general permit), a duplicate of the form, or as otherwise provided by the executive director. Monitoring must be conducted prior to December 31st for each annual

monitoring period. A copy of the DMR must either be retained at the facility or shall be made readily available for review by authorized TCEQ personnel upon request, by March 31st following the end of each annual monitoring period. If the results indicate the violation of one or more of these numeric limitations, the permittee must also submit the DMR to the TCEQ's Information Resources Center (MC 212) by March 31st of each annual monitoring period.

Part V. Retention of Records

The permittee must retain the following records for a minimum period of three (3) years from the date that a NOT is submitted as required by Part II.D. For activities that are not required to submit an NOT, records shall be retained for a minimum period of three (3) years from the date that either: final stabilization has been achieved on all portions of the site that is the responsibility of the permittee; or another permitted operator has assumed control according to over all areas of the site that have not been finally stabilized. Records include:

1. A copy of the SWP3 plan.
2. All reports and actions required by this permit, including a copy of the construction site notice.
3. All data used to complete the NOI, if an NOI is required for coverage under this general permit.

Part VI. Standard Permit Conditions

1. The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued, and is grounds for enforcement action, for terminating coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit.

2. Authorization under this general permit may be suspended or revoked for cause. Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee must furnish to the executive director, upon request and within a reasonable time, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this permit. Additionally, the permittee must provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of this general permit.

3. It is not a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.

4. Inspection and entry shall be allowed under Texas Water Code Chapters 26-28, Health and Safety Code §§ 361.032-361.033 and 361.037, and 40 Code of Federal Regulations (CFR) §122.41(i). The statement in Texas Water Code § 26.014 that commission entry of a facility shall occur according to an establishment's rules and regulations concerning safety, internal security, and fire protection is not grounds for denial or restriction of entry to any part of the

facility or site, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.

5. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§ 26.136, 26.212, and 26.213 for violations including but not limited to the following:

   a. negligently or knowingly violating CWA, §§ 301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA, § 402, or any requirement imposed in a pretreatment program approved under CWA, §§ 402(a)(3) or 402(b)(8);

   b. knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance.

6. All reports and other information requested by the executive director must be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

7. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.

Part VII. Fees

Section A. Application Fees

An application fee of $100 must be submitted with each NOI for coverage of a large construction activity. A fee is not required for submission of an NOT or NOC letter.

Section B. Water Quality Fees

Large construction activities authorized under this general permit must pay an annual Water Quality Fee of $100 under Texas Water Code 26.0291 and according to TAC Chapter 205 (relating to General Permits for Waste Discharges).

Appendix A.
Periods of Low Erosion Potential by County

Start Date - End Date
Dec. 15 - Feb. 14
Archer
Baylor
Brown
Callahan
Childress
Coke
Coleman
Concho
Cottle
Dimmit
Eastland
Edwards
Fisher
Foard
Hardeman
Haskell
Irion
Jones
Kerr
Kimble
King
Kinney
Knox
Mason
Maverick
McCulloch
Menard
Nolan
Real
Runnels
Schleicher
Shackelford
Stephens
Stonewall
Sutton
Taylor
Throckmorton
Tom Green
Uvalde
Wichita
Wilbarger
Young
Zavala

Start Date - End Date
Nov. 15 - Apr. 30
Andrews
Armstrong
Borden
Brewster
Briscoe
Carson
Castro
Crane
Crosby
Dawson
Deaf Smith
Ector
Floyd
Gaines
Garza
Glasscock
Hale
Hansford
Hartley
Howard
Hutchinson
Lubbock
Lynn
Martin
Midland
Mitchell
Moore
Oldham
Pecos
Potter
Randall
Reagan
Scurry
Sherman
Sterling
Swisher
Terrell
Terry
Upton

Start Date - End Date
Feb. 1 - Mar. 30
Hall

Start Date - End Date
Nov. 15 - Jan. 14 or **Feb. 1 - Mar. 30**
Crockett
Dickens
Kent
Motley
Val Verde

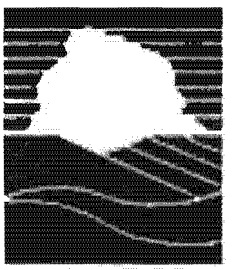
Start Date - End Date
Nov. 1 - Apr. 14 or **Nov. 15 - Apr. 30**
Dallam
Hockley
Lamb
Parmer
Ward

Start Date - End Date
Nov. 1 - Apr. 30 or **Nov. 15 - May. 14**
Bailey
Cochran
Jeff Davis
Loving
Presidio
Reeves
Winkler
Yoakum

Start Date - End Date
Nov. 1 - May. 14
Culberson
Hudspeth

Start Date - End Date
Jan. 1 - Jul. 14 or **May. 15 - Jul. 31** or
Jun. 1 - Aug. 14 or **Jun. 15 - Sept. 14** or
Jul. 1 - Oct. 14 or **Jul. 15 - Oct. 31** or
Aug. 1 - Apr. 30 or **Aug. 15 - May. 14** or
Sept. 1 - May. 30 or **Oct. 1 - Jun. 14** or
Nov. 1 - Jun. 30 or **Nov. 15 - Jul. 14**
El Paso

Start Date - End Date
Jan. 1 - Mar. 30 or **Dec. 1 - Feb. 28**
Collingsworth Wheeler
Donley
Gray
Hemphill
Lipscomb
Ochiltree
Roberts



CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

TPDES GENERAL PERMIT TXR150000

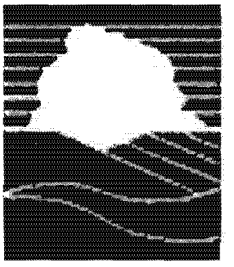
The following information is posted in compliance with **Part II.D.1.** of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from construction sites. Additional information regarding the TCEQ storm water permit program may be found on the internet at:
www.tnrcc.state.tx.us/permitting/waterperm/wwperm/tpdestorm

Contact Name and Phone Number:	
Project Description: (Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized)	

For Construction Sites Authorized Under Part II.D.1. the following certification must be completed:

I _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization by waiver under Part II.D.1. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. Construction activities at this site shall occur within a time period listed in Appendix A of the TPDES general permit for this county, that period beginning on _____and ending on _____. I understand that if construction activities continue past this period, all storm water runoff must be authorized under a separate provision of this general permit. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4 system. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

_____ _____
Signature and Title Date



CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

TPDES GENERAL PERMIT TXR150000

The following information is posted in compliance with **Part II.D.2.** of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from construction sites. Additional information regarding the TCEQ storm water permit program may be found on the internet at:
www.tnrcc.state.tx.us/permitting/waterperm/wwperm/tpdestorm

Contact Name and Phone Number:	
Project Description: ((Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized)	
Location of Storm Water Pollution Prevention Plan :	

For Construction Sites Authorized Under Part II.D.2. (Obtaining Authorization to Discharge) the following certification must be completed:

I _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.D.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A storm water pollution prevention plan has been developed and implemented according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4 system. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

_____ _____
Signature and Title Date

CONCRETE BATCH FACILITIES

STW/ TXR15_____/ CO

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME

ADDRESS

FACILITY LOCATION

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

NOTE: Enter your permit number in the underlined space in the upper right hand corner of this page. Example: STW/TXR15 00123/ CO

Mail to: TCEQ (MC 212)
P.O. Box 13087
Austin, TX 78711-3087

(2-16) PERMIT NUMBER	(17-19) DISCHARGE NUMBER

MONITORING PERIOD					
YEAR	MO	DAY	YEAR	MO	DAY
	01	01		12	31
(20-21)	(22-23)	(24-25)	(26-27)	(28-29)	(30-31)

☐

PARAMETER (32-37)		(3 Card Only) QUANTITY OR LOADING (46-53) AVERAGE	(54-61) MAXIMUM	UNITS	(4 Card Only) QUALITY OR CONCENTRATION (38-45) MINIMUM	(46-53) AVERAGE	(54-61) MAXIMUM	UNITS	NO. EX (62-63)	FREQUENCY OF ANALYSIS (64-68)	SAMPLE TYPE (69-70)
Total Suspended Solids	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	65 Daily Max	mg/l		1/Year	Grab
Oil & Grease	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	15 Daily Max	mg/l		1/Year	Grab
pH	SAMPLE MEASUREMENT	*******	*******	*******	*******	*******					
	SAMPLE REQUIREMENT	*******	*******	*******	*******	*******	6.0 - 9.0 Range	S.U.		1/Year	Grab
	SAMPLE MEASUREMENT										
	SAMPLE REQUIREMENT										

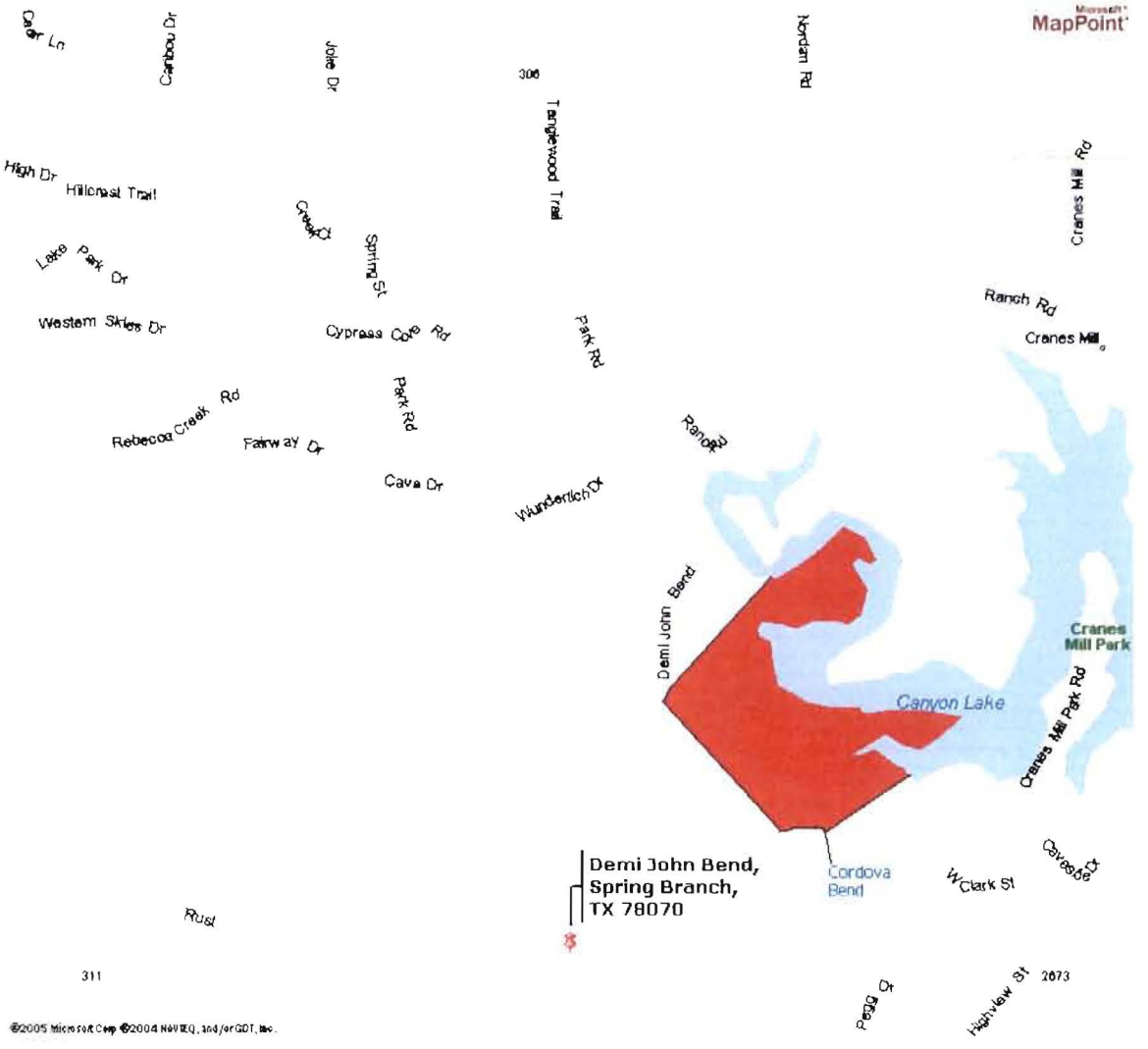
NAME/TITLE PRINCIPAL EXECUTIVE OFFICER			TELEPHONE		DATE		
	I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.						
TYPED OR PRINTED		SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	AREA CODE	NUMBER	YEAR	MO	DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

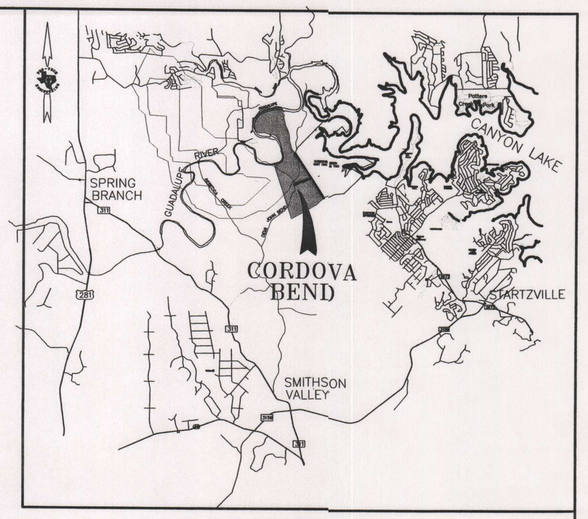
EPA Form 3320-1 (3-99) (REPLACES EPA FORM T-40 WHICH MAY NOT BE USED) PAGE OF
Form Approved OMB No. 2040-004

Cordova Bend

U.S. National Grid (USNG) Coordinates:	14R NU 64370 05822 (NAD83)	
Longitude:	-98.3333	-98° 20' 00"
Latitude:	29.8813	29° 52' 53"



CORDOVA BEND
PHASE TWO
UNITS THREE AND FOUR
COMAL COUNTY, TEXAS



VICINITY MAP
N.T.S.

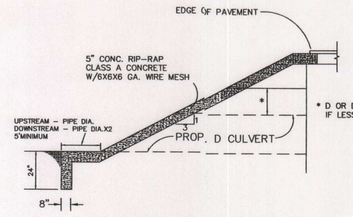
PRO-TECH ENGINEERING

General Notes:

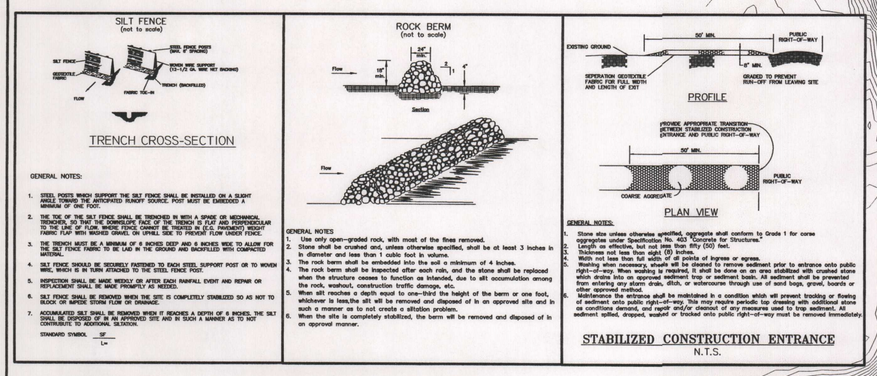
1. All Best Management Practices to be installed and maintained in accordance with the publication "EDWARDS AQUIFER TECHNICAL GUIDANCE MANUAL" published June 20, 2005.
2. A vegetative buffer strip a minimum of 50' in width shall be maintained adjacent to all areas disturbed by construction activities. Any areas where construction prevents the buffer strip width from being maintained shall have silt fence installed to replace the vegetative buffer.
3. Existing drainage patterns and slopes are not to be altered.
4. Major areas of soil disturbance to be in road ROW.
5. Location of soil stabilization practices to be at drainge structures. Concrete headwalls to be installed at inlet and outlets of these structures.

LEGEND

- XXXXX — ROCK BERM
- — — — DRAINAGE BASIN BOUNDARY
- STABILIZED CONSTRUCTION ENTRANCE
- DRAINAGE STRUCTURE
- DRAINAGE FLOWS
- MAJOR AREAS OF SOIL DISTURBANCE



CONCRETE HEADWALL DETAIL



NOTE:

1. UPON COMPLETION OF EARTHMOVING ACTIVITY, ALL DISTURBED AREAS WILL BE IMMEDIATELY SEEDED WITH BERMUDA GRASS OR OTHER APPROPRIATE SEED. THIS ACTIVITY WILL BE DONE PRIOR TO PAVING OR SUBGRADE TREATMENT.

2. ALL ROCK BERMS OF EACH DAY AND NECESSARY REPAIRS

The contractor shall seed, hydromulch or sod all exposed cuts and fills upon completion of grading and installation of all utilities. The seeding or erosion control shall be applied at the specified rate over areas disturbed by construction as follows:

From September 15 to March 1, seeding shall be with a combination of (1) one pound per (1000) thousand square feet of unhulled bermuda and (3) three pounds per (1000) thousand square feet of winter rye with a purity of 95% with 85% germination.

From March 1 to September 15, seeding shall be with hulled bermuda grass (Cynoden Dactolyn) at a rate of (1) one pound per (1000) thousand square feet with a purity of 95% with 85% germination.

Fertilizer shall have an analysis of 15-10-5 and shall be applied at the rate of 600 pounds per acre. Mulch type to be Conwed, applied at a rate of 2100 pounds per acre. Restoration shall be acceptable when the grass has reached a height of at least 1-1/2" (95%) coverage and no bare spots larger than 16 square feet exist.

The seeded or planted area is to be irrigated or sprinkled in a manner which will not erode the topsoil but will sufficiently soak the soil to a depth of 6 inches. The irrigation shall occur at seven day intervals for the first two months. Rainfall occurrences of at least 1 inch shall postpone the watering operation for one week.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CONTRIBUTING ZONE PLAN
GENERAL CONSTRUCTION NOTES

1. Written construction notification must be given to the appropriate TCEQ regional office no later than 48 hours prior to commencement of the regulated activity. Information must include the date on which the regulated activity will commence, the name of the approved plan for the regulated activity, and the name of the prime contractor and the name and telephone number of the contact person.

2. All contractors conducting regulated activities associated with this project must be provided with complete copies of the approved Contributing Zone Plan and the TCEQ letter indicating the specific conditions of its approval. During the course of these regulated activities, the contractors are required to keep on-site copies of the approved plan and approval letter.

3. No temporary aboveground hydrocarbon and hazardous substance storage tank system is installed within 150 feet of a domestic, industrial, irrigation, or public water supply well, or other sensitive feature.

4. Prior to commencement of construction, all temporary erosion and sedimentation (E&S) control measures must be properly selected, installed, and maintained in accordance with the manufacturers specifications and good engineering practices. Controls specified in the SWPPP section of the approved Edwards Aquifer Contributing Zone Plan are required during construction. If inspections indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. The controls must remain in place until disturbed areas are revegetated and the areas have become permanently stabilized.

5. If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain).

6. Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50%. A permanent stake must be provided that can indicate when the sediment occupies 50% of the basin volume.

7. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).

8. All spoils (excavated material) generated from the project site and stored on-site must have proper E&S controls installed.

9. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as possible.

10. The following records shall be maintained and made available to the TCEQ upon request: the dates when major grading activities occur; the dates when construction activities temporarily or permanently cease on a portion of the site; and the dates when stabilization measures are initiated.

11. The holder of any approved Edward Aquifer protection plan must notify the appropriate regional office in writing and obtain approval from the executive director prior to initiating any of the following:

A. any physical or operational modification of any water pollution abatement structure(s), including but not limited to ponds, dams, berms, sewage treatment plants, and diversionary structures;

B. any change in the nature or character of the regulated activity from that which was originally approved or a change which would significantly impact the ability of the plan to prevent pollution of the Edwards Aquifer;

C. any development of land previously identified as undeveloped in the original water pollution abatement plan.

Austin Regional Office
2800 S. IH 35, SUITE 100
Austin, Texas 78704-5712
Phone (512) 339-2929
Fax (512) 339-3795

San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-44802
Phone (210) 490-3096
Fax (210) 545-4329

Owner and Developer:

CORDOVA BEND, LTD., a Texas Limited Partnership
BY CORDOVA BEND GP, LLC, a texas Limited Liability Company
McCombs Plaza
San Antonio, Texas 78212
(210) 821-6523

Engineer\Surveyor:

Pro-Tech Engineering Group, Inc.
100 E. San Antonio St. Suite 100
San Marcos, Texas 78666
(512) 353-3335
www.pro-techengr.com

PREPARED OCTOBER 16, 2007

PRO·TECH ENGINEERING GROUP INCORPORATED
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

Notification Of Discharge From Construction Activity

TO: Comal County

In accordance with Texas Commission on Environmental Quality's TXR#150000 this notice is to inform you that will be discharging Storm Water at the location listed below:

OPERATOR / COMPANY: Cordova Bend, Ltd.

CONTACT: Kelly Kilber

PHONE NUMBER: (512) 353-3335

LOCATION: Cordova Bend Phase 2

A NOI / permit to discharge has been filed in accordance with TXR#150000 with the TCEQ and is attached to this notice.

Please direct all questions regarding this matter to:

PARAGON ENVIRONMENTAL SERVICES
P.O. Box 1805
Austin, Texas 78767-1805
www.paragonenvironmental.com

Kathy Henley
Office: 512.527.0048
Fax: 512.527.0061
Direct: 512.554.8681
kathy@paragonenvironmental.com

Delegation Of Signatories To Reports Notice for TCEQ Storm Water Division

This notice serves to designate the specifically described position as an authorized person for signing reports and performing certain activities required by the Texas Commission on Environmental Quality (TCEQ) in accordance with TPDES general permit TXR#150000. The following person or position is hereby authorized to conduct bi-weekly inspections and sign reports incident thereto.

- A qualified storm water inspector employed by: Paragon Environmental Services
- Delegating an authorized representative for: Cordova Bend, Ltd.

Contact: Gary Woods
P.O. Box 1290
Spring Branch, Texas 78070-1290

Title: Manager

Signature: On file

Date: On file

Phone: (210) 497-7738

Please sign and return to:
Paragon Environmental Services
P.O. Box 1805
Austin, TX 78767-1805

Qualified Storm Water Construction Inspector

Mike Sanders

has completed a five-hour Storm Water Construction Inspector training class covering Storm Water Regulations, Storm Water Pollution Prevention Plans, Best Management Practices, Site Inspection Procedures, endangered species and historic preservation impacts and is now qualified to perform storm water site inspections.

PES Storm Water Consultants

Kathy Henley — 1/21/2003

Signature — Date

QUALIFIED STORM WATER CONSTRUCTION INSPECTOR

Kathy Henley

has completed a five-hour Storm Water Construction Inspector training class covering Storm Water Regulations, Storm Water Pollution Prevention Plans, Best Management Practices, Site Inspection Procedures, endangered species and historic preservation impacts and is now qualified to perform storm water site inspections.

PES Storm Water Consultants

Johnny Combs — Signature

9/22/2000 — Date

Inspections

Inspection / Rain Event Inspections

Qualified personnel (see attached qualifications) shall inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site, at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. All reports must be retained with the SWPPP for a period of at least three years from the date that the site is finally stabilized.

- Copy of blank inspections and inspector qualifications attached.

Storm Water Pollution Prevention Plan
After Rain Inspection
For: Cordova Bend, Ltd

Inspection Date: _____ Location: Cordova Bend Phase 2

Scope: Inspection of disturbed areas to verify all Erosion / Sediment Controls and other BMPS identified in the SWP3 are installed and maintained in effective operating condition.

Site Inspection	Y	N	Comments
a. Signs of pollution leaving site?			
b. Structural BMPS working properly and in good condition?			
c. Additional BMPS needed?			
d. Changes to SWPPP needed? (Must be implemented within 7 calendar days.)			
e. Construction Permit Notice posted?			
f. SWPPP and inspection reports available?			
g. Signs of pollution leaving material storage areas?			
h. Signs of offsite tracking at entry/exit points?			
i. Inspector Qualifications			(See SWP3, Section 10)

Major Observations: Must outline any discharge of sediment or other pollutant, location of BMP needing maintenance or that failed to operate, and location where additional BMPS are required.

Address	Corrective Action Needed	Date Action Noted	Date Correction Noted

I certify under penalty of law that this document and all attachment were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Inspection performed by: _____ Title: _____

I, _____, certify that inspection of this site has not identified any incidents of noncompliance and that this site is in compliance with the SWP3 and the TPDES General Permit TXR150000.

Signature: _____

Storm Water Pollution Prevention Plan
Bi-Weekly Land Development Inspection Report
For: Cordova Bend, Ltd.

Inspection Date: Project Location: Cordova Bend Phase 2
Project Start Date: Finale Stabilization Date: Pending

Scope: Inspection of disturbed areas to verify all Erosion / Sediment Controls and other BMPs identified in the SWP3 are installed and maintained in effective operating condition.

Site Inspection	Y	N	Comments
a. Signs of pollution leaving site?			
b. Structural BMPs working properly and in good condition?			
c. Additional BMPs needed?			
d. Changes to SWPPP needed? (Must be implemented within 7 calendar days.)			
e. Construction Permit Notice posted?			
f. SWPPP and inspection reports available?			
g. Signs of pollution leaving material storage areas?			
h. Signs of offsite tracking at entry/exit points?			
i. Rainfall of ½ inch or greater in the last 24hrs.			
j. Corrections made before next rain event?			
k. Inspector Qualifications			(See SWP3, Section 10)

Project Phasing

Phase / Activity	Start	Finish	Status
a. Install Sediment and Erosion Control BMPS			
b. Clearing, Grubbing and Grading			
c. Excavate and Install Storm Sewers, Drainage and Utilities.			
d. Grade, Form and Pave streets and roadways.			
e. Grade and Excavate Permanent Structural BMPS			

Structural Best Management Practices

Locations shown in SWP3, Table of Contents	BMP OK? Yes	BMP OK? No	Comments
a. Stabilized Construction Entrance			
b. Silt Fence			
c. Material Storage Area			
d. Water Quality Pond			
e. Rock Berm			

Storm Water Pollution Prevention Plan
Bi-Weekly Land Development Inspection Report
For: Cordova Bend, Ltd.

Major Observations: Must outline any discharge of sediment or other pollutant, location of BMP needing maintenance or that failed to operate, and location where additional BMPs are required.

Location	Corrective Action Needed	Date Action Noted	Date Correction Noted

I certify under penalty of law that this document and all attachment were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Inspection performed by: _____ Title: Inspector, Paragon Environmental Services

I, _____, certify that inspection of this site has not identified any incidents of noncompliance and that this site is in compliance with the SWP3 and the TPDES General Permit TXR150000.

Signature: _____

Agent Authorization Form
For Required Signature
Edwards Aquifer Protection Program
Relating to 30 TAC Chapter 213
Effective June 1, 1999

I GARY V. WOODS,
Print Name

MANAGER
Title – Owner/President/Other

Of CORDOVA BEND, LTD.
Corporation/Partnership/Entity Name

Have authorized KELLY KILBER, P.E.
Print Name of Agent/Engineer

of PRO-TECH ENGINEERING GROUP, INC.
Print Name of Firm

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the Texas Commission on Environmental Quality (TCEQ) for the review and approval consideration of regulated activities.

I also understand that:

1. The applicant is responsible for compliance with 30 Texas Administrative Code Chapter 213 and any condition of the TCEQ's approval letter. The TCEQ is authorized to assess administrative penalties of up to $10,000 per day per violation.

2. For applicants who are not the property owner, but who have the right to control and possess the property, additional authorization is required from the owner.

3. Application fees are due and payable at the time the application is submitted. The application fee must be sent to the TCEQ cashier or to the appropriate regional office. The application will not be considered until the correct fee is received by the commission.

4. A notarized copy of the Agent Authorization Form must be provided for the person preparing the application, and this form must accompany the completed application.

Gary V. Woods
Applicant's Signature

10/17/07
Date

THE STATE OF Texas §

County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Gary V Woods known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 17 day of October, 2007

JULIE CANTU NOTARY PUBLIC STATE OF TEXAS EXPIRES 7-26-2011

NOTARY PUBLIC Julie A Cantu

Typed or Printed Name of Notary JULIE A CANTU

MY COMMISSION EXPIRES: 7/26/2011

Texas Natural Resource Conservation Commission
Edwards Aquifer Protection Program
Contributing Zone Fee Application Form

NAME OF PROPOSED REGULATED ENTITY: **CORDOVA BEND PHASE II**
REGULATED ENTITY LOCATION: **COMAL COUNTY**
NAME OF CUSTOMER: **CORDOVA BEND LTD**

CONTACT PERSON: **GARY V. WOODS** PHONE: **210-821-6523**
(Please Print)

Customer Reference Number (if issued): CN _____ (nine digits)
Regulated Entity Reference Number (if issued): RN _____ (nine digits)

AUSTIN REGIONAL OFFICE (3373) **SAN ANTONIO REGIONAL OFFICE(3362)**

☐ Hays	☐ Bexar	☐ Medina
☐ Travis	☑ Comal	☐ Uvalde
☐ Williamson	☐ Kinney	

APPLICATION FEES MUST BE PAID BY CHECK, CERTIFIED CHECK, OR MONEY ORDER, PAYABLE TO THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION. YOUR CANCELED CHECK WILL SERVE AS YOUR RECEIPT. **THIS FORM MUST BE SUBMITTED WITH YOUR FEE PAYMENT. THIS PAYMENT IS BEING SUBMITTED TO (CHECK ONE):**

☑ **SAN ANTONIO REGIONAL OFFICE**

☐ **Mailed to TNRCC:**
TNRCC - Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☐ **AUSTIN REGIONAL OFFICE**

☐ **Overnight Delivery to TNRCC:**
TNRCC - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
512/239-0347

Check one:

☑ **Contributing Zone Plan - Fee Due $250**

☐ **Modification of a Previously Approved Contributing Zone Plan- Fee Due $250**

☐ **Extension of Time Request - Fee Due $100**

Signature Date
KELLY KILBER, AGENT

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512/2393282.

TCEQ Core Data Form

TCEQ Use Only

If you have questions on how to fill out this form or about our Central Registry, please contact us at 512-239-5175.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

SECTION I: General Information

1. Reason for Submission *Example: new wastewater permit; IHW registration; change in customer information; etc.*

Subdivision

2. Attachments			**Describe Any Attachments:** *(ex: Title V Application, Waste Transporter Application, etc.)*
	YES	**x** **NO**	

3. Customer Reference Number-*if issued*			**4. Regulated Entity Reference Number-*if issued***		
CN		***(9 digits)***	**RN**		***(9 digits)***

SECTION II: Customer Information

5. Customer Role *(Proposed or Actual)* -- As It Relates to the Regulated Entity Listed on This Form

Please check one of the following:		Owner		Operator	x	Owner and Operator	
	Occupational Licensee		Volunteer Cleanup Applicant			Other	
TCEQ Use Only		**Superfund**		**PST**		**Respondent**	

6. General Customer Information

x	New Customer		Change to Customer Information
	Change in Regulated Entity Ownership		No Change *

***If ANo Change@ and Section I is complete, skip to Section III - Regulated Entity Information.**

7. Type of Customer:					
	Individual		Sole Proprietorship - D.B.A.		
	Partnership	x	Corporation		Federal Government
	State Government		County Government		City Government
	Other Government		Other:		

8. Customer Name *(If an individual, please print last name first)*	*If new name, enter previous name:*
CORDOVA BEND, LTD	

9. Mailing Address:				
	755 MULBERRY, SUITE 600			
	City	State	ZIP	ZIP + 4
	SAN ANTONIO	Texas	78212	

10. Country Mailing Information *if outside USA*	**11. E-Mail Address *if applicable***

12. Telephone Number	**13. Extension or Code**	**14. Fax Number *if applicable***
210-821-6523		

15. Federal Tax ID *(9 digits)*	**16. State Franchise Tax ID Number** *if applicable*	**17. DUNS Number** *if applicable* *(9 digits)*

18. Number of Employees										**19. Independently Owned and Operated?**			
	0-20	X	**21-100**		**101-250**		**251-500**		**501 and higher**	**x**	**Yes**		**No**

SECTION III: Regulated Entity Information

20. General Regulated Entity Information

x	New Regulated Entity		Change to Regulated Entity Information		No Change*

*If "No Change" and Section I is complete, skip to Section IV - Preparer Information.

21. Regulated Entity Name *(If an individual, please print last name first)*				
CORDOVA BEND				
22. Street Address (No PO Boxes)	1760 DEMI JOHN BEND ROAD.			
	City	State	ZIP	ZIP + 4
	SPRING BRANCH	Texas	78070	
23. Mailing Address	755 MULBERRY, SUITE 600			
	City	State	ZIP	ZIP + 4
	SAN ANTONIO	Texas	78212	
24. E-Mail Address:				

25. Telephone Number	26. Extension or Code	27. Fax Number *if applicable*
210-821-6523		

28. Primary SIC Code (4 digits)	29. Secondary SIC Code (4 digits)	30. Primary NAICS Code (5 or 6 digits)	31. Secondary NAICS Code (5 or 6 digits)
6562			

32. What is the Primary Business of this entity? (Please do not repeat the SIC or NAICS description)

Land development

Questions 33 - 37 address geographic location. Please refer to the instructions for applicability.

33. County Comal County

34. Description of Physical Location

1760 DEMI JOHN BEND ROAD

35. Nearest City	State	Nearest Zip
Spring Branch	Texas	78070

36. Latitude (N)			*37. Longitude (W)*		
Degrees	*Minutes*	*Seconds*	*Degrees*	*Minutes*	*Seconds*
29	52	45	98	20	

38. TCEQ Programs In Which This Regulated Entity Participates *Not all programs have been listed. Please add to this list as needed. If you don't know or are unsure, please mark "Unknown".* If you know a permit or registration # for this entity, please write it below the program."

	Animal Feeding Operation		Petroleum Storage Tank		Water Rights
	Title V - Air		Wastewater Permit		EAPP
	Industrial & Hazardous Waste		Water Districts		
	Municipal Solid Waste		Water Utilities		Unknown
	New Source Review - Air		Licensing - TYPE(s)		

Section IV: Preparer Information

39. Name	40. Title
Kelly Kilber, P.E.	President

41. Telephone Number	42. Extension or Code	43. Fax Number *if applicable*
(512)353-3335		(512)396-0224

44. E-mail Address: Kelly@pro-techengr.com