TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 3, 2009

Mr. Robert J. Weiss, Jr.
Ralph E. Fair, Inc.
30260 Saratoga Lane
Fair Oaks Ranch, Texas

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Cibolo Trails, located in far west Comal County, on the east side of Battle Intense, approximately 1000 feet south of Keenland, Fair Oaks Ranch, Texas
TYPE OF PLAN: Request for Approval of a Modification of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer
Edwards Aquifer Protection Program ID No. 1979.01; Investigation No. 743272; Regulated Entity No. RN103098885

Dear Mr. Weiss:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Modification for the above-referenced project submitted to the San Antonio Regional Office by Alamo Consulting Engineering & Surveying, Inc. on behalf of Ralph E. Fair, Inc. on April 21, 2009. Final review of the WPAP was completed after additional material was received on July 2, 2009. 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

The original Water Pollution Abatement Plan for the site was approved by letter dated May 23, 2003 (see EAPP No. 1979.00). The plan included the construction of 160 single-family residences, roads, and driveways. The development also included common areas with walking trails. Impervious cover was shown as 15.83 acres, 19.5 % of 81.2 acres. After the approval, the site plan for the development was modified and the amount of planned impervious cover was reduced.

PROJECT DESCRIPTION

The proposed modification of the residential development will have an area of approximately 80 acres. It will include streets and 141 single-family homes. Revisions of street and lot locations were made to the

approved plan. The elevation of land surfaces (land filling) is also shown for housing lots in Phases 1, 2, and 3. The impervious cover is reduced to 14.01 acres (17.26 percent). Project wastewater for Phases 1 and 2 is presently disposed of by conveyance to the existing Fair Oaks Ranch Utilities Wastewater Treatment Plant owned by the City of Fair Oaks Ranch. The wastewater from Phase 3 will go to the same facility.

PERMANENT POLLUTION ABATEMENT MEASURES

As this single-family residential project will have no more than 20 percent impervious cover, no permanent Best Management Practices will be constructed to treat stormwater runoff.

GEOLOGY

According to the geologic assessment included with the application, one well, a public water supply well, exists at the southwest corner of the site. No sensitive geologic or manmade features were reported. The site is mapped within the Edwards Aquifer Recharge Zone. Quaternary alluvium of Cibolo Creek is underlain by lower Glen Rose limestones of the Trinity Group. The San Antonio Regional Office conducted a site assessment on June 30, 2009. Except for the observation that several feet of fill soil had been placed in parts of Phases 1, 2, & 3, conditions appeared as described by geologic assessment.

SPECIAL CONDITIONS

I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter dated May 23, 2003.

II. Since this project will not have more than 20 percent impervious cover, an exemption from additional permanent BMPs is approved. If the percent impervious cover ever increases above 20 percent 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.

III. Regulated activities identified during the site assessment investigation constitute construction of modifications of a water pollution abatement plan without prior approval as required by Commission rules (30 TAC Chapter 213). Therefore, the applicant is hereby advised that the after-the-fact approval of plan modifications, as provided by this letter, shall not absolve the applicant of any prior violations of Commission rules related to this project, and shall not necessarily preclude the Commission from pursuing appropriate enforcement actions and administrative penalties associated with such violations, as provided in 30 TAC §213.10 of Commission rules.

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, registrations and/or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, UIC) 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. 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 form (Deed Recordation Affidavit, TCEQ-0625) that you may use to deed record the approved WPAP is enclosed.

5. 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 WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.

6. Modification to the activities described in the referenced WPAP 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.

7. 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 date on which the regulated activity will commence, the name of the approved plan and program ID number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person. The executive director will use the notification to determine if the approved plan is eligible for an extension.

8. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved WPAP, 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.

9. All borings with depths greater than or equal to 20 feet must be plugged with non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of the hole must be backfilled with cuttings from the boring. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation. Voids may be filled with gravel.

During Construction:

10. During the course of regulated activities related to this project, the applicant or 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.

11. 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. 6, above.

12. If any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify the San Antonio Regional Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.

13. One well exists on the site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.

14. 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 reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.

15. 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.

16. 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.

17. 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:

18. 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.

19. The applicant shall be responsible for maintaining any 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. The regulated 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 San Antonio Regional Office within 30 days of the transfer.

20. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Edwards Aquifer protection plan. If the new owner intends to commence any new regulated activity on the site, a new Edwards Aquifer protection 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.

21. An Edwards Aquifer protection plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Edwards Aquifer protection 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.

22. 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 Alan G. Jones of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4074.

Sincerely,

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

MRV/AGJ/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. Paul A. Schroeder, P.E., R.P.L.S., Alamo Consulting Engineering & Surveying, Inc.
The Honorable Daniel E. Kasprowicz, Mayor, City of Fair Oaks Ranch
Mr. Thomas H. Hornseth, P.E., Comal County
Ms. Velma Reyes Danielson, Edwards Aquifer Authority
TCEQ Central Records, Building F, MC 212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 22, 2009

Mr. Thomas H. Hornseth, P.E.
Comal County Engineer
195 David Jonas Drive
New Braunfels TX 78132-3710

Re: Edwards Aquifer, Comal County
PROJECT NAME: Cibolo Trails, located in far west Comal County, on the east side of Battle Intense, approximately 1000 feet south of Keenland, Fair Oaks Ranch, Texas
PLAN TYPE: Application for Approval of a Water Pollution Abatement Plan (WPAP) 30 Texas Administration Code (TAC) Chapter 213; Edwards Aquifer Protection Program
EAPP File No.: 1979.01

Dear Mr. Hornseth:

The enclosed WPAP application received on April 21, 2009, is being forwarded to you pursuant to the Edwards Aquifer Rules. The Texas Commission on Environmental Quality (TCEQ) is required by 30 TAC Chapter 213 to provide copies of all applications to affected incorporated cities and underground water conservation districts for their comments prior to TCEQ approval.

Please forward your comments to this office by May 20, 2009.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact the San Antonio Region Office at (210) 490-3096.

Sincerely

Lynn M. Bumguardner
Water Section Work Leader
San Antonio Regional Office

LMB/eg

ALAMO CONSULTING ENGINEERING & SURVEYING, INC.
Texas Registered Engineering Firm F-4490
140 HEIMER ROAD, SUITE 617 SAN ANTONIO, TEXAS 78232
PHONE: 210-828-0691
FAX: 210-824-3055

September 24, 2010

Mr. John Barry
T.C.E.Q. San Antonio
Regional Office - Edwards Program
14250 Judson Road
San Antonio, TX 78233-4480

RE: Comal County Unit 9 (Cibolo Trails) Fair Oaks Ranch, Texas
EAPP I.D. # 2937.00

Dear Mr. Barry:

In reference to the above referenced project I am attaching the following:

1) Additional copy of the response package to September 8, 2010 comments.

2) 6 copies of the date required by 30 TAC 217.53(k).

If additional information is required concerning these items, please contact this office.

Sincerely,

ALAMO CONSULTING ENGINEERING
& SURVEYING, INC.

Paul A. Schroeder, P.E., R.P.L.S.

STATE OF TEXAS
PAUL A. SCHROEDER
57534
REGISTERED
PROFESSIONAL ENGINEER

cc: Robert J. Weiss, Jr., Ralph E. Fair, Inc.(without attachments)
Job #050330

Doc: F/WORD/LTR/2010/092401.PS

Data Required by

30 TAC 217.53(k)

JM Eagle *Building essentials for a better tomorrow™*

September 23, 2010

Mr. Paul A Schroeder, P.E., R.P.L.S
Alamo Consulting Engineering & Surveying, Inc.
140 Heimer Road, Suite 617
San Antonio, TX 78232

VIA EMAIL: pas@aces-sa.com

RE: JM Eagle 8" SDR 26 Gravity Sewer PVC Pipe
Fair Oaks Ranch - Comal County Unit-9 // Cibolo Trials Units-3

Dear Mr. Schroeder:

This letter is in reference to the above-mentioned project regarding the soil condition for JM Eagle 8" SDR 26 Gravity Sewer PVC pipe. We would like to assure you that our 8" SDR 26 Gravity Sewer PVC pipe buried at depth from 3 to 8 feet would not be adversely affects the pipe performance for it intended purpose, and it would result in just less than 1% (Approximately 0.91%) of deflection. The Gravity Sewer deflection (SDR 26 (PS 115 psi)) is computed using a unit weight of backfill at 120 lb/ft^3, including a Prism Load and Moving Wheel Load (H20), and a Modulus of Elasticity of 400,000 psi. Pipe embedment used in the calculation is Class 1, 2, 3, or 4, as defined in ASTM D 2321 with appropriate compaction to achieve an E': 1000 psi. I have attached with this letter a calculation table showing deflection on Gravity Sewer pipe at various depths up to 10 ft for your information.

We hope this letter addresses your immediate concern. Please feel free to contact me at extension 7303 if you should have any questions or if I can be further assists.

Sincerely,

William Luong
Product Assurance Engineer

Attachment

cc: files

PIPE DEFLECTION, %
(H20 Live Load)

Including a MOVING Wheel Load

DLF = 1.00 K = 0.100 PS = 115 psi E' = 1000 psi

Prism Load, Wp, Condition

Backfill Weight = 120 Lb / Ft ^ 3

Depth, Ft	Outside Diameter, ins. 8.400
1.00	1.74 %
2.00	1.18 %
3.00	0.89 %
4.00	0.81 %
5.00	0.76 %
6.00	0.85 %
7.00	0.93 %
8.00	0.92 %
9.00	0.96 %
10.00	1.07 %

(Note: If 'Over' is printed, the calculated deflection exceeded the allowable deflection)

EXTERNAL LOAD, Lb / Ft
(H20 Live Load)

Including a MOVING Wheel Load

Prism Load, Wp, Condition

Backfill Weight = 120 Lb / Ft ^ 3

Depth, Ft	Outside Diameter, ins. 8.400
1.00	1372.7
2.00	929.0
3.00	703.6
4.00	637.9
5.00	595.0
6.00	673.0
7.00	734.8
8.00	721.9
9.00	756.0
10.00	840.0

050300.01

1979.01

COPY

MODIFICATION OF A WATER POLLUTION ABATEMENT PLAN

FOR

CIBOLO TRAILS
CITY OF FAIR OAKS RANCH
COMAL COUNTY, TEXAS
FEBRUARY 2009

SUBMITTED FOR:

Ralph E. Fair, Inc.
30260 Saratoga Lane
Fair Oaks Ranch, TX 78015

SUBMITTED BY:

PAUL A. SCHROEDER, P.E., R.P.L.S.

ACES

ALAMO CONSULTING ENGINEERING & SURVEYING, INC.
140 HEIMER ROAD, STE. 617 SAN ANTONIO, TEXAS 78232
PHONE: 828-0691

TABLE OF CONTENTS

TCEQ CORE DATA FORM

TCEQ

TCEQ Use Only

TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission *(If other is checked please describe in space provided)*

☐ New Permit, Registration or Authorization *(Core Data Form should be submitted with the program application)*

☐ Renewal *(Core Data Form should be submitted with the renewal form)* ☒ Other **WPAP MODIFICATION**

2. Attachments — Describe Any Attachments: *(ex. Title V Application, Waste Transporter Application, etc.)*

☒ Yes ☐ No — MODIFICATION OF A PREVIOUSLY APPROVED PLAN (TCEQ-0590)

3. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	4. Regulated Entity Reference Number *(if issued)*
CN 601399892		RN 103098885

SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy): 2/6/2009

6. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check only one of the following:*

☒ Owner ☐ Operator ☐ Owner & Operator
☐ Occupational Licensee ☐ Responsible Party ☐ Voluntary Cleanup Applicant ☐ Other: _____

7. General Customer Information

☐ New Customer ☒ Update to Customer Information ☐ Change in Regulated Entity Ownership
☐ Change in Legal Name (Verifiable with the Texas Secretary of State) ☒ No Change**

If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.

8. Type of Customer:	☐ Corporation	☐ Individual	☐ Sole Proprietorship- D.B.A
☐ City Government	☐ County Government	☐ Federal Government	☐ State Government
☐ Other Government	☐ General Partnership	☐ Limited Partnership	☐ Other:

9. Customer Legal Name *(If an individual, print last name first: ex: Doe, John)*	*If new Customer, enter previous Customer below*	*End Date:*

10. Mailing Address:

City		State		ZIP		ZIP + 4	

11. Country Mailing Information *(if outside USA)*	12. E-Mail Address *(if applicable)*

13. Telephone Number	14. Extension or Code	15. Fax Number *(if applicable)*
( ) -	2	( ) -

16. Federal Tax ID *(9 digits)*	17. TX State Franchise Tax ID *(11 digits)*	18. DUNS Number *(if applicable)*	19. TX SOS Filing Number *(if applicable)*

20. Number of Employees
☐ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

21. Independently Owned and Operated?
☐ Yes ☐ No

SECTION III: Regulated Entity Information

22. General Regulated Entity Information *(If 'New Regulated Entity" is selected below this form should be accompanied by a permit application)*

☐ New Regulated Entity ☐ Update to Regulated Entity Name ☐ Update to Regulated Entity Information ☒ No Change** *(See below)*

**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.

23. Regulated Entity Name *(name of the site where the regulated action is taking place)*

24. Street Address of the Regulated Entity: *(No P.O. Boxes)*							
	City		State		ZIP		ZIP + 4	
25. Mailing Address:							
	City		State		ZIP		ZIP + 4	

26. E-Mail Address:			
27. Telephone Number	28. Extension or Code	29. Fax Number *(if applicable)*	
( ) -		( ) -	

30. Primary SIC Code (4 digits)	31. Secondary SIC Code (4 digits)	32. Primary NAICS Code (5 or 6 digits)	33. Secondary NAICS Code (5 or 6 digits)

34. What is the Primary Business of this entity? *(Please do not repeat the SIC or NAICS description.)*

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:			
36. Nearest City	County	State	Nearest ZIP Code

37. Latitude (N) In Decimal:			38. Longitude (W) In Decimal:		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

☐ Dam Safety	☐ Districts	☐ Edwards Aquifer	☐ Industrial Hazardous Waste	☐ Municipal Solid Waste
☐ New Source Review – Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS	☐ Sludge
☐ Stormwater	☐ Title V – Air	☐ Tires	☐ Used Oil	☐ Utilities
☐ Voluntary Cleanup	☐ Waste Water	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name:	PAUL A. SCHROEDER/ALAMO CONSULT.	41. Title:	DIR. OF ENG./PRESIDENT

42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(210) 828-0691		(210) 824-3055	pas@aces-sa.com

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

Company:	RALPH E. FAIR, INC.	Job Title:	PRESIDENT
Name *(In Print)*:	ROBERT J. WEISS, JR.	Phone:	(830) 981-2436
Signature:	Robert J. Weiss Jr.	Date:	2/24/2009

GENERAL INFORMATION FORM

General Information Form
For Regulated Activities on the
Edwards Aquifer Recharge and Transition Zones
and Relating to 30 TAC §213.4(b) & §213.5(b)(2)(A), (B)
Effective June 1, 1999

REGULATED ENTITY NAME: Cibolo Trails Subdivision
COUNTY: Comal STREAM BASIN: Cibolo Creek

EDWARDS AQUIFER: X RECHARGE ZONE
__ TRANSITION ZONE

PLAN TYPE: X WPAP __ AST __ EXCEPTION
__ SCS __ UST X MODIFICATION

CUSTOMER INFORMATION

1. Customer (Applicant):

Contact Person: Robert J. Weiss, Jr.
Entity: Ralph E. Fair, Inc.
Mailing Address: 30260 Saratoga Lane
City, State: Fair Oaks Ranch, Texas Zip: 78015
Telephone: (830)981-2436 FAX:(830)755-2280

Agent/Representative (If any):

Contact Person: Paul A. Schroeder, P.E., R.P.L.S.
Entity: Alamo Consulting Engineering & Surveying, Inc.
Mailing Address: 140 Heimer Road, Suite 617
City, State: San Antonio, Texas Zip: 78232
Telephone: (210)828-0691 FAX: (210)824-3055

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

3. The location of the project site is described below. The description provides sufficient detail and clarity so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.

In far west Comal County, on the east side of Battle Intense. Approximately 1,000 feet south of Keenland.

4. X **ATTACHMENT A - ROAD MAP**. A road map showing directions to and the location of the project site is attached at the end of this form.

5. X **ATTACHMENT B - USGS / EDWARDS RECHARGE ZONE MAP**. A copy of the

official 7 ½ minute USGS Quadrangle Map (Scale: 1" = 2000') of the Edwards Recharge Zone is attached behind this sheet. The map(s) should clearly show:

X Project site.
X USGS Quadrangle Name(s).
X Boundaries of the Recharge Zone (and Transition Zone, if applicable).
X Drainage path from the project to the boundary of the Recharge Zone.

6. X Sufficient survey staking is provided on the project to allow TCEQ regional staff to locate the boundaries and alignment of the regulated activities and the geologic or manmade features noted in the Geologic Assessment. **The TCEQ must be able to inspect the project site or the application will be returned.**

7. X **ATTACHMENT C - PROJECT DESCRIPTION**. Attached at the end of this form is a detailed narrative description of the proposed project.

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

PROHIBITED ACTIVITIES

9. X I am aware that the following activities are prohibited on the **Recharge Zone** and are not proposed for this project:

(1) waste disposal wells regulated under 30 TAC Chapter 331 of this title (relating to Underground Injection Control);
(2) new feedlot/concentrated animal feeding operations, as defined in 30 TAC §213.3;
(3) land disposal of Class I wastes, as defined in 30 TAC §335.1;
(4) the use of sewage holding tanks as parts of organized collection systems; and
(5) new municipal solid waste landfill facilities required to meet and comply with Type I standards which are defined in §330.41(b), (c), and (d) of this title (relating to Types of Municipal Solid Waste Facilities).

10. N/A I am aware that the following activities are prohibited on the **Transition Zone** and are not proposed for this project:

(1) waste disposal wells regulated under 30 TAC Chapter 331 (relating to Underground Injection Control);
(2) land disposal of Class I wastes, as defined in 30 TAC §335.1; and
(3) new municipal solid waste landfill facilities required to meet and comply with Type I standards which are defined in §330.41 (b), (c), and (d) of this title.

ADMINISTRATIVE INFORMATION

11. The fee for the plan(s) is based on:

X For a Water Pollution Abatement Plan and Modifications, the total acreage of the site where regulated activities will occur.
__ For an Organized Sewage Collection System Plans and Modifications, the total linear footage of all collection system lines.
__ For a UST Facility Plan or an AST Facility Plan, the total number of tanks or piping systems.
__ A Contributing Zone Plan.
__ A request for an exception to any substantive portion of the regulations related to the protection of water quality.
__ A request for an extension to a previously approved plan.

12. Application fees are due and payable at the time the application is filed. If the correct fee is not submitted, the TCEQ is not required to consider the application until the correct fee is submitted. Both the fee and the Edwards Aquifer Fee Form have been sent to the Commission's:

__ TCEQ cashier
__ Austin Regional Office (for projects in Hays, Travis, and Williamson Counties)
X San Antonio Regional Office (for projects in Bexar, Comal, Kinney, Medina, and Uvalde Counties)

13. X Submit one (1) original and three (3) copies of the completed application to the appropriate regional office for distribution by the TCEQ to the local municipality or county, groundwater conservation districts, and the TCEQ's Central Office.

14. X No person shall commence any regulated activity until the Edwards Aquifer Protection Plan(s) for the activity has been filed with and approved by the executive director.
__ No person shall commence any regulated activity until the Contributing Zone Plan for the activity has been filed with the executive director.

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 **GENERAL INFORMATION FORM** is hereby submitted for TCEQ review. The application was prepared by:

Paul A. Schroeder, P.E., R.P.L.S.
Print Name of Customer/Agent

STATE OF TEXAS
PAUL A. SCHROEDER
57564
REGISTERED
PROFESSIONAL ENGINEER

Signature of Customer/Agent

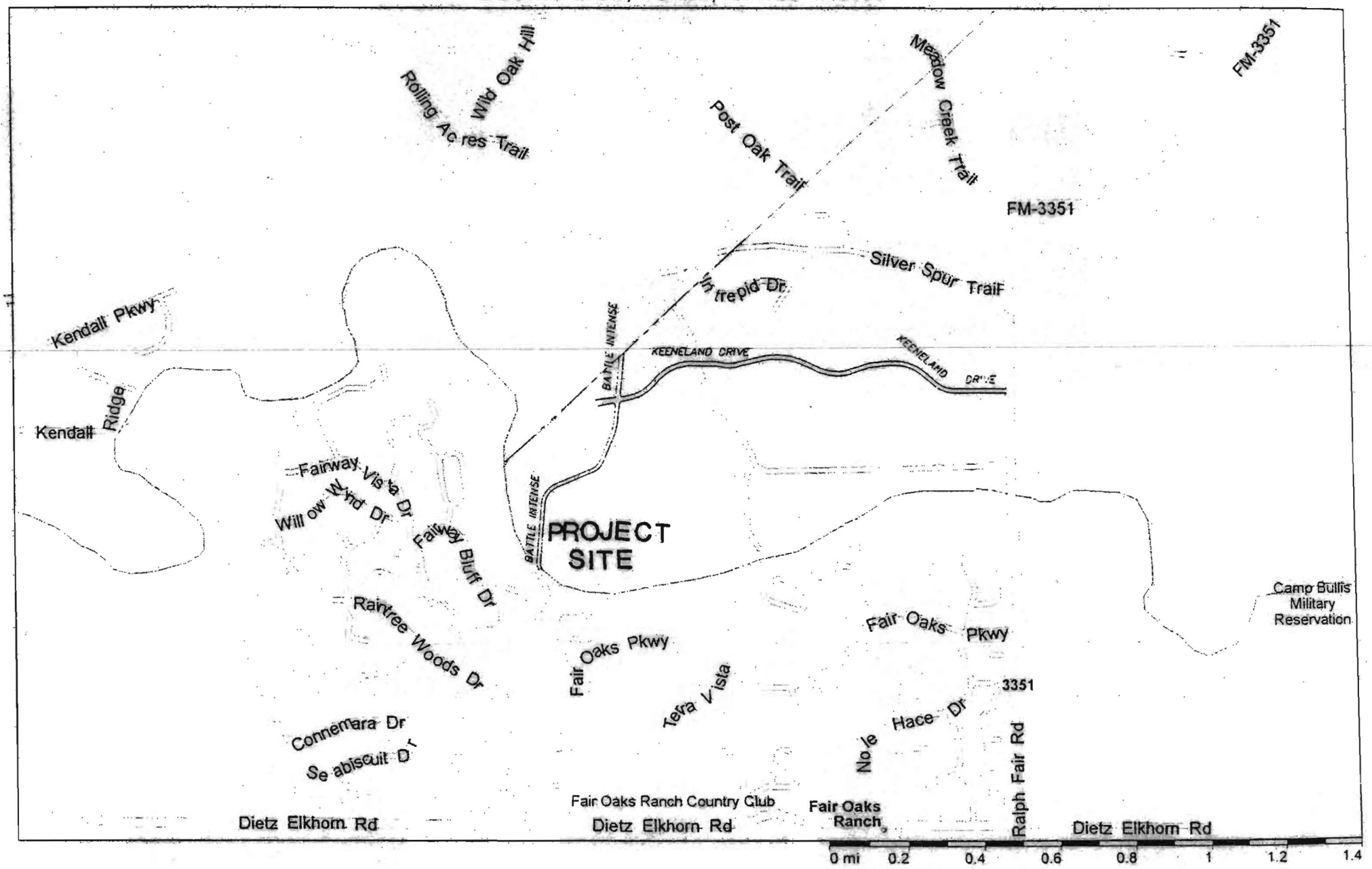
2/04/09
Date

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.

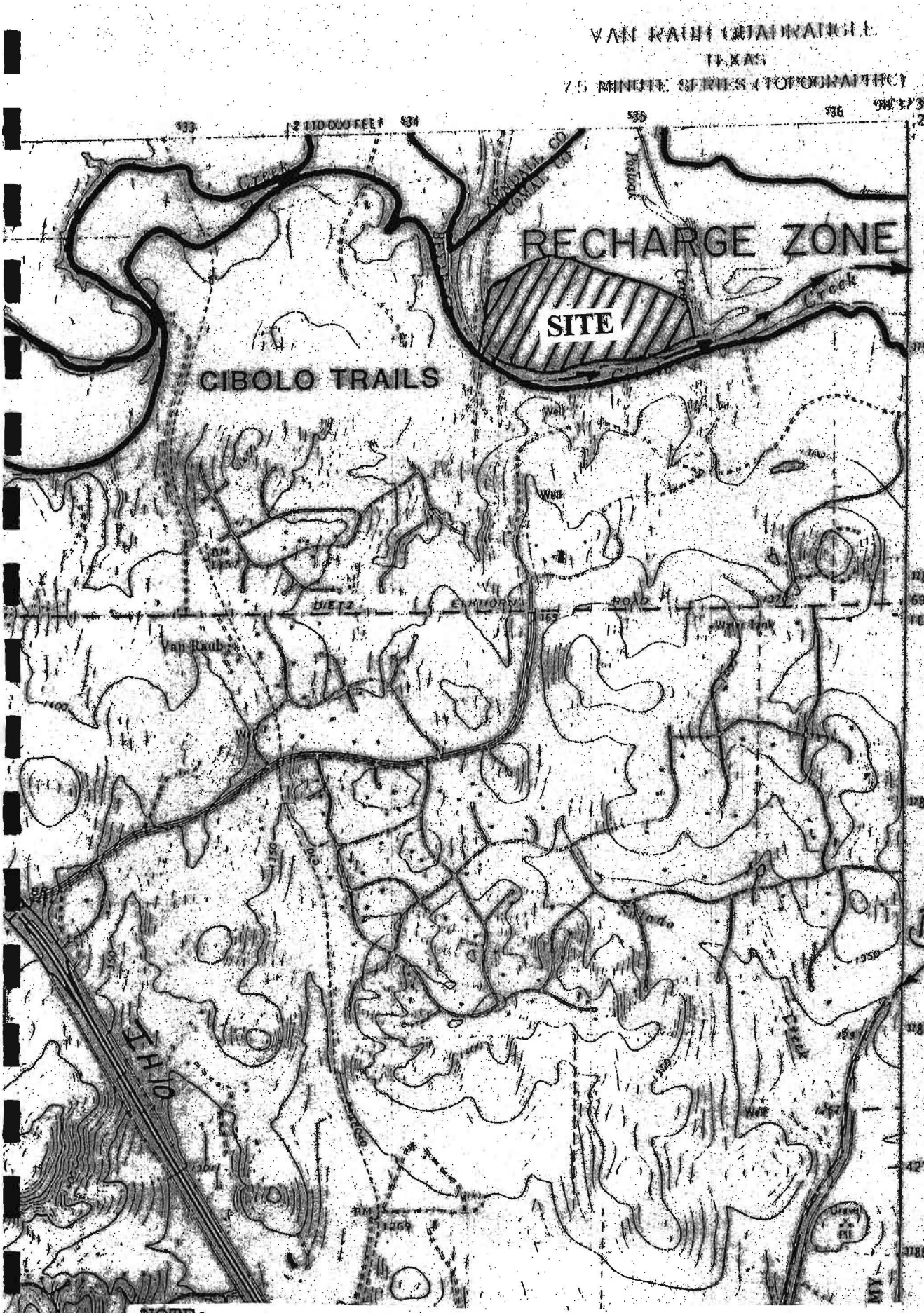
Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512/239-3282.

ATTACHMENT "A"
ROAD MAP

Boerne area, Texas, United States



ATTACHMENT "B"
RECHARGE ZONE MAP



SEE NOTE THIS PAGE

NOTE:

CIBOLO CREEK CONTINUES TO FLOW ACROSS THE RECHARGE ZONE FOR APPROXIMATELY 39 MILES AS SHOWN ON THE CAMP BULLIS, BULVERDE AND SCHERTZ U.S.G.S. QUAD MAPS.

Scale: 1" = 2000'

ATTACHMENT "C"
PROJECT DESCRIPTION

PROJECT DESCRIPTION

This project is the modification of an approved WPAP for 81.2 acres of land in the City of Fair Oaks Ranch, Comal County, Texas.

The modification consist of realignment of the previously approved streets and reconfiguration of the previously approved residential lots within this development.

The original site was undeveloped agricultural land. The current site is a development of single family residential lots.

The original project disturbed approximately 60 acres of the site. The modification will disturb approximately 80 acres of the project site. The original project impervious cover of 15.83 acres (approximately 19.5% of the site) is being reduced to 14.01 acres (approximately 17.26% of the site) of proposed impervious cover.

GEOLOGICAL ASSESSMENT

As taken from the originally approved WPAP

GEOLOGICAL ASSESSMENT

The Geologic Assessment (GA) included with this modification is a copy of the original GA. There is no need for an update due to existing conditions of the site and the fact that no new features were found during construction. The GA site map is now included.

Geologic Assessment
For Regulated Activities
on The Edwards Aquifer Recharge/transition Zones
and Relating to 30 TAC §213.5(b)(3), Effective June 1, 1999

REGULATED ENTITY NAME: CIBOLO TRAILS (Approx. 85 Acres) Comal County

TYPE OF PROJECT: XX WPAP __ AST __ SCS __ UST

LOCATION OF PROJECT: XX Recharge Zone __ Transition Zone __ Contributing Zone within the Transition Zone

PROJECT INFORMATION

1. XX Geologic or manmade features are described and evaluated using the attached **GEOLOGIC ASSESSMENT TABLE**.

2. Soil cover on the project site is summarized in the table below and uses the SCS Hydrologic Soil Groups* (*Urban Hydrology for Small Watersheds, Technical Release No. 55, Appendix A*, Soil Conservation Service, 1986). If there is more than one soil type on the project site, show each soil type on the site Geologic Map or a separate soils map.

Soil Units, Infiltration Characteristics & Thickness		
Soil Name	Group*	Thickness (feet)
Boerne fine sandy loam. (BoB)	B	5

* Soil Group Definitions (Abbreviated)

A. Soils having a high infiltration rate when thoroughly wetted.

B. Soils having a moderate infiltration rate when thoroughly wetted.

C. Soils having a slow infiltration rate when thoroughly wetted.

D. Soils having a very slow infiltration rate when thoroughly wetted.

3. XX A **STRATIGRAPHIC COLUMN** is attached at the end of this form that shows formations, members, and thicknesses. The outcropping unit should be at the top of the stratigraphic column.

4. XX A **NARRATIVE DESCRIPTION OF SITE SPECIFIC GEOLOGY** is attached at the end of this form. The description must include a discussion of the potential for fluid movement to the Edwards Aquifer, stratigraphy, structure, and karst characteristics of the site.

5. XX Appropriate **SITE GEOLOGIC MAP(S)** are attached:

The Site Geologic Map must be the same scale as the applicant's Site Plan. The minimum scale is 1" : 400'

Applicant's Site Plan Scale 1" = 200 '
Site Geologic Map Scale 1" = 200 '
Site Soils Map Scale (if more than 1 soil type) 1" = _____ '

6. Method of collecting positional data:
XX Global Positioning System (GPS) technology.
__ Other method(s).

7. XX The project site is shown and labeled on the Site Geologic Map.

8. XX Surface geologic units are shown and labeled on the Site Geologic Map.

9. XX Geologic or manmade features were discovered on the project site during the field investigation. They are shown and labeled on the Site Geologic Map and are described in the attached Geologic Assessment Table.

__ Geologic or manmade features were not discovered on the project site during the field investigation.

10. XX The Recharge Zone boundary is shown and labeled, if appropriate.

11. All known wells (test holes, water, oil, unplugged, capped and/or abandoned, etc.):

XX There are 1 (#) wells present on the project site and the locations are shown and labeled. (Check all of the following that apply.)

__ The wells are not in use and have been properly abandoned.

__ The wells are not in use and will be properly abandoned.

XX The wells are in use and comply with 16 TAC §76.

__ There are no wells or test holes of any kind known to exist on the project site.

ADMINISTRATIVE INFORMATION

12. XX One (1) original and three (3) copies of the completed assessment has been provided.

Date(s) Geologic Assessment was performed: March 28 & April 5, 2003
Date(s)

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. My signature certifies that I am qualified as a geologist as defined by 30 TAC 213.

David Seagraves
Print Name of Geologist

(210) 377-1603
Telephone

Fax

David Seagraves
Signature of Geologist

4-7-03
Date

Representing: Independent Consultant
(Name of Company)

If you have questions on how to fill out this form or about the Edwards Aquifer Protection Program, please contact us at 512/939-2929 (Austin) or 210/403-4024 (San Antonio).

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.

CIBOLO TRAILS (Approx. 85 Acres)
Comal County

SITE-SPECIFIC STRATIGRAPHIC COLUMN

Surface Soil Unit Transitional with;	5-6 Feet Thick	Fine sandy loam
Quaternary (Qal) Unconformable with;	20-25 Feet Thick	Gravelly loam - Alluvium and terrace deposits
Glen Rose Fm. (Kgr) Lower Member	Several hundred feet thick	Limestone - primarily medium to massive beds

CIBOLO TRAILS (Approx. 85 Acres)
Comal County

SITE SPECIFIC GEOLOGY

The on-site geological unit is Quaternary age alluvium and fluvial terrace deposits as referenced by the Geologic Map of the New Braunfels, Texas 30X60 Minute Quadrangle - 2000 (Bureau of Economic Geology) and field observations.
No geological features were noted at the surface on the site. No structural or karstic features were observed on the surface as well. Only one man-made feature was noted, a public water well, which is active as a source of water for the City of Fair Oaks.
An inferred fault is approximately 1/4 mile to the southeast as referenced by the New Braunfels Quad map.
Overall, due to the lack of geological features and a thick cover of soil and terrace deposits it appears that conditions at the site have the ability to impede fluid movement into the subsurface.

CIBOLO TRAILS (Approx. 85 Acres)
Comal County

SOIL UNIT

The on-site soil consists of approximately five to six feet of a light gray-brown fine sandy loam with some gravel size fragments. The soil type is the Boerne fine sandy loam (BoB) as referenced by the S.C.S. Soil Survey of Bexar County, Texas (1966) and field investigation. This soil type is in Soil Group "B" as referenced by the S.C.S. Hydrologic Soil Groups - Technical Release No. 55, Appendix A, and is defined as soils having a moderate infiltration rate when thoroughly wetted. This soil cover is very extensive and uniform on the site. The site has a very good grass cover (former pasture land) with a sparse tree cover. Slope is one percent or less and slopes towards the southeast.
The on-site soil unit is transitional with the underlying geological unit, which consists of gravelly loam (alluvium and fluvial terrace deposits.
Although the surface soil unit is within a soil group "B" it appears to have the ability to impede fluid movement into the subsurface.

CIBOLO TRAILS

GEOLOGIC ASSESSMENT TABLE — PROJECT NAME: ~85 ACRES - COMAL COUNTY

LOCATION			FEATURE CHARACTERISTICS											EVALUATION	SENSITIVITY		CATCHMENT AREA (ACRES)		PHYSICAL SETTING
1A	1B *	1C*	2A	2B	3	4			5	5A	6	7	8A	8B	9	10		11		12
FEATURE ID	LATITUDE	LONGITUDE	FEATURE TYPE	POINTS	FORMATION	DIMENSIONS (FEET)			TREND (DEGREES)	COM	DENSITY (NO/FT)	APERTURE (FEET)	INFILL	RELATIVE INFILTRATION RATE	TOTAL	<40	≥40	<1.8	≥1.8	TOPOGRAPHY
						X	Y	Z		10										
S-1	29 45 2	98 33 38	MB	30	Cret-Kgr									5	35	✓			✓	FLOODPLAIN

* DATUM: _____

2A TYPE	TYPE	2B POINTS
C	Cave	30
SC	Solution cavity	20
SF	Solution-enlarged fracture(s)	20
F	Fault	20
O	Other natural bedrock features	5
MB	Manmade feature in bedrock	30
SW	Swallow hole	30
SH	Sinkhole	20
CD	Non-karst closed depression	5
Z	Zone, clustered or aligned features	30

8A INFILLING	
N	None, exposed bedrock
C	Coarse - cobbles, breakdown, sand, gravel
O	Loose or soft mud or soil, organics, leaves, sticks, dark colors
F	Fines, compacted clay-rich sediment, soil profile, gray or red colors
V	Vegetation. Give details in narrative description
FS	Flowstone, cements, cave deposits
X	Other materials

12 TOPOGRAPHY
Cliff, Hilltop, Hillside, Drainage, Floodplain, Streambed

I have read, I understood, and I have followed the Texas Natural Resource Conservation Commission's Instructions to Geologists. The information presented here complies with that document and is a true representation of the conditions observed in the field.

My signature certifies that I am qualified as a geologist as defined by 30 TAC 213

Daniel Sandoval

Date 4-7-03

Sheet 1 of 1

TNRCC-0585-Table (Rev. 5-1-02)

CIBOLO TRAILS (Approx. 85 Acres)
Comal County

COMMENTS

S-1 Public Water Well, active well utilized by the City of Fair Oaks.

GEOLOGICAL SITE MAP

SITE GEOLOGIC MAP : (LEGEND)

SITE GEOLOGICAL UNIT : Qal – QUATERNARY ALLUVIUM FLUVIAL TERRACE DEPOSITS.

SITE SOIL UNIT : (BoB) – BOERNE FINE SANDY LOAM, 1 TO 3 PERCENT SLOPES.

0 50 100 200 300

BATTLE INTENSE

EXISTING DRAINAGE CHANNEL

Qal
"GEOLOGIC UNIT"

(BoB)
"SOIL UNIT"

GRAVEL DEPOSITS

S-1

28' ELECTRIC EASEMENT

28' ELECTRIC EASEMENT – VOL. 5124, PGS. 500-506

CIBOLO CREEK

NOTE : FEATURE "S-1". VERIFY LOCATION. WELL NEEDS A CONCRETE PAD.

UNIT Q
VOL. 9505, PG. 29

PLAT N/A

REVISIONS
RELEASED FOR CONSTRUCTION

ALAMO
CONSULTING ENGINEERING & SURVEYING, INC.

CIBOLO TRAILS SUBDIVISION

T.C.E.Q. W.P.A.P.

JOB NO.: 050300
HORIZ. SCALE: AS SHOWN
VERT. SCALE: N/A
CONTOUR INT.: 2'
DRAWN BY: G.G.M.
DESIGNED BY: G.G.M.
CHECKED BY: P.A.S.
FILE NAME: GEOL-TXH

MODIFICATION
OF A
PREVIOUSLY APPROVED PLAN
APPLICATION

Modification of a Previously Approved Plan

for Regulated Activities on the
Edwards Aquifer Recharge Zone and Transition Zone
and Relating to 30 TAC 213.4(j), Effective June 1, 1999

1. Current Regulated Entity Name: Cibolo Trails Subdivision
   Original Regulated Entity Name: Cibolo Trails Subdivision
   Assigned Regulated Entity Numbers (RN): 1) RN 103098885, 2) _____, 3) _____

   X The applicant has not changed and the Customer Number (CN) is: CN CN 601399892
   ___ The applicant has changed. A new Core Data Form has been provided.

2. X **Attachment A: Original Approval Letter and Approved Modification Letters:** A copy of the original approval letter and copies any letters approving modification are found at the end of this form.

3. A modification of a previously approved plan in requested for (check all that apply):

   X 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;
   ___ 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;
   ___ development of land previously identified as undeveloped in the original water pollution abatement plan;
   ___ physical modification of the approved organized sewage collection system;
   ___ physical modification of the approved underground storage tank system;
   ___ physical modification of the approved aboveground storage tank system.

4. Summary of Proposed Modifications (select plan type being modified). If the approved plan has been modified more than once, copy the appropriate table below, as necessary, and complete the information for each additional modification.

WPAP Modification Summary	Approved Project	Proposed Modification
Acres	81.2	81.2
Type of Development	Single Family	Single Family
Number of Residential Lots	160	141
Impervious Cover (acres)	15.83	13.98
Impervious Cover (%)	19.5	17.22
Permanent BMPs	0	0
Other	0	0

SCS Modification Summary	Approved Project	Proposed Modification
Linear Feet	n/a	n/a
Pipe Diameter	n/a	n/a
Other	n/a	n/a

AST Modification Summary	Approved Project	Proposed Modification
Number of ASTs	n/a	n/a
Volume of ASTs	n/a	n/a
Other	n/a	n/a

UST Modification Summary	Approved Project	Proposed Modification
Number of USTs	n/a	n/a
Volume of USTs	n/a	n/a
Other	n/a	n/a

5. X **Attachment B: Narrative of Proposed Modification**. A narrative description of the nature of the proposed modification is provided at the end of this form. It discusses what was approved, including previous modifications, and how this proposed modification will change the approved plan.

6. X **Attachment C: Current site plan of the approved project.** A current site plan showing the existing site development (i.e., current site layout) at the time this application for modification is provided at the end of this form. A site plan detailing the changes proposed in the submitted modification is required elsewhere.

___ The approved construction has not commenced. The original approval letter, and any subsequent modification approval letters are included as Attachment A to document that the approval has not expired.

___ The approved construction has commenced and has been completed. Attachment C illustrates that the site was constructed as approved.

___ The approved construction has commenced and has been completed. Attachment C illustrates that the site was **not** constructed as approved.

X The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was constructed as approved.

___ The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was **not** constructed as approved.

7. ___ The acreage of the approved plan has increased. A Geologic Assessment has been provided for the new acreage.

X Acreage has not been added to **or** removed from the approved plan.

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

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 request for a **MODIFICATION TO A PREVIOUSLY APPROVED PLAN** is hereby submitted for TCEQ review and executive director approval. The request was prepared by:

Paul A. Schroeder

Print Name of Customer/Agent

Signature of Customer/Agent

2/4/09

Date

ATTACHMENT A
ORIGINAL APPROVAL LETTER
May 23, 2003

PAUL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 23, 2003

Mr. Robert J. Weiss, Jr.
Ralph E. Fair, Inc.
30260 Saratoga Lane
Fair Oaks Ranch, Texas 78015

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Cibolo Trails Subdivision; Located to the east of Battle Intense Road and approximately 1,000' south of Keenland Drive; Fair Oaks Ranch, Texas
TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer, Edwards Aquifer Protection Program File No. 1979.00, Regulated Entity No. RN 103 098 885, Customer No. CN 601 399 892

Dear Mr. Weiss:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP application for the referenced project submitted to the San Antonio Regional Office by Paul Schroeder, P.E. of Alamo Consulting Engineering & Surveying, Inc. on behalf of Ralph E. Fair, Inc. on April 10, 2003. 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 Edwards Aquifer protection plan, modification to a plan, or exception. A motion for reconsideration must be filed no later than 20 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 have an area of approximately 81.2 acres and will have the following paramcters:

- The development will include 160 single-family residences, open space, park land, walking trails, and associated roads and driveways.
- The proposed impervious cover for the development is approximately 19.5% (15.83 acres) of the total area of the site.

- Project wastewater will be disposed of by conveyance to the existing Fair Oaks Ranch Sewage Treatment Plant owned by the Fair Oaks Ranch Utility.

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 impervious cover will be no more than 20 percent.

GEOLOGY

According to the geologic assessment included with the submittal, there is one existing water well on the site. There are no other geologic or manmade features. The San Antonio Regional Office did not conduct a site instigation.

SPECIAL CONDITIONS

1. Since this project will have not 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 San Antonio Regional Office of these changes.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

2. 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.

3. 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 WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.

4. Modification to the activities described in the referenced WPAP 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.

5. 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 date on which the regulated activity will commence, the name of the approved plan and file number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person. The executive director will use the notification to determine if the approved plan is eligible for an extension of an approved plan.

6. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved WPAP, 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. 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.

7. Abandoned injection wells must be closed under the requirements of 30 TAC Chapter 331 (relating to Underground Injection Control).

8. All borings with depths greater than or equal to 20 feet must be plugged with a non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of the hole must be backfilled with cuttings from the boring. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation. Voids may be filled with gravel.

During Construction:

9. 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.

10. If any sensitive feature is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify the San Antonio Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.

11. One well exists on the site. All identified abandoned water wells, including injection, dewatering, and monitoring wells must be plugged pursuant to requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Licensing and Regulation of Water Well Drillers and Water Well Pump Installers) and all other locally applicable rules, as appropriate. If any abandoned wells (including water, injection (injection well referenced in Item 7), dewatering, and monitoring well) are encountered during construction, they must be plugged pursuant to requirements of the Texas Department of Licensing and Regulation (16 TAC Chapter 76) and all other locally applicable rules, as appropriate.

12. 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 reduced by 50%. 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).

13. 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.

14. 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.

15. To the maximum extent practicable, BMPs and measures must maintain flow to naturally-occurring sensitive features identified in either the geologic assessment, executive director review, or during excavation, blasting, or construction. The temporary sealing of a naturally-occurring sensitive feature which accepts recharge to the Edwards Aquifer as a temporary pollution abatement measure during active construction should be avoided. A request to temporarily seal the feature must include a justification that no reasonable and practicable alternative exists. The request will be evaluated by the executive director on a case-by-case basis.

<u>After Completion of Construction:</u>

16. 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.

17. 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.

18. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Edwards Aquifer protection plan. If the new owner intends to commence any new regulated activity on the site, a new Edwards Aquifer protection 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.

19. An Edwards Aquifer protection 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 Edwards Aquifer protection 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.

20. 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 Margaret Hoffman
Executive Director
Texas Commission on Environmental Quality

MH/JKM/eg

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

cc: Mr. Paul Schroeder, P.E., Alamo Consulting Engineering & Surveying, Inc.
Mr. E. L. Gaubitz, City of Fair Oaks Ranch
Mr. John Bohuslav, TXDOT San Antonio District
Mr. Tom Hornseth, Comal County
Mr. Greg Ellis, Edwards Aquifer Authority
TCEQ Central Records MC 212

Doc# 200506005927

Doc# 200506005927

DEED RECORDATION AFFIDAVIT
Edwards Aquifer Protection Plan

THE STATE OF TEXAS §

County of COMAL §

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT J. WEISS, JR. who, being duly sworn by me, deposes and says:

(1) That my name is ROBERT J.WEISS, JR and that I own the real property described below.
PRESIDENT OF RALPH E. FAIR, INC.

(2) That said real property is subject to an EDWARDS AQUIFER PROTECTION PLAN which was required under the 30 Texas Administrative Code (TAC) Chapter 213.

(3) That the EDWARDS AQUIFER PROTECTION PLAN for said real property was approved by the TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC) on MAY 23, 2003.

A copy of the letter of approval from the TNRCC is attached to this affidavit as Exhibit A and is incorporated herein by reference.

(4) The said real property is located in COMAL County, Texas, and the legal description of the property is as follows:

82.1 acres of land out of the Maria De La Luz Guerra Survey No. 172, Abstract 173, Comal County, Texas.

Robert J. Weiss Jr.
LANDOWNER AFFIANT

SWORN AND SUBSCRIBED TO before me, on this 2 day of FEB 05.

LARRY W. DOLLE
Notary Public, State of Texas
My Commission Expires
MAY 6, 2008

Larry W Dolle
NOTARY PUBLIC

THE STATE OF TEXAS §

County of COMAL §

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT J. WEISS, JR 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 2 day of FEB 05.

Larry W Dolle
NOTARY PUBLIC

LARRY W. DOLLE
Notary Public, State of Texas
My Commission Expires
MAY 6, 2008

LARRY W. DOLLE
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: MAY 6, 08

TNRCC-0625 (Rev. 6/1/99)

ATTACHMENT B
NARRATIVE OF PROPOSED MODIFICATION

NARRATIVE OF PROPOSED MODIFICATION

The modification consist of realignment of the previously approved streets and reconfiguration of the previously approved residential lots within this development.

The original site was undeveloped agricultural land. The current site is a development of single family residential lots.

The original project disturbed approximately 60 acres of the site. The modification will disturb approximately 80 acres of the project site. The original project impervious cover of 15.83 acres (approximately 19.5% of the site) is being reduced to 14.01 acres (approximately 17.26% of the site) of proposed impervious cover.

The original Phase 1 & 2 are complete as previously approved, with Phase 3 being affected by this modification of the previously approved Water Pollution Abatement Plan. Detailed information about this Phase 3 is as follows:

Number of Phase 3 Residential Lots =	38
Total Phase 3 Site Acreage =	27.25

Impervious Cover of Proposed Phase 3:

Strucutres/Rooftops =	96,523.5 sf = 2.2 ac.
Other Paved Surfaces =	67,640.0 sf = 1.6 ac.
Total Impervious Cover =	164,163.5 sf =3.8 ac.
Total Impervious Cover =	13.8%

ATTACHMENT C
SITE PLAN

LEGEND

TEMPORARY BEST MANAGEMENT PRACTICES (BMPs)

SF — SILT FENCE

STABILIZED CONSTRUCTION EXIT

SITE GEOLOGIC MAP : (LEGEND)

SITE GEOLOGICAL UNIT : Qal – QUATERNARY ALLUVIUM FLUVIAL TERRACE DEPOSITS.

SITE SOIL UNIT : (BoB) – BOERNE FINE SANDY LOAM, 1 TO 3 PERCENT SLOPES.

0 50 100 200 300

BATTLE INTENSE

CIBOLO TRACE

CIBOLO RUN

CIBOLO COURT

CIBOLO RUT

COMAL COUNTY UNIT 8
(CIBOLO TRAILS)

COMAL COUNTY UNIT 7
(CIBOLO TRAILS)

COMAL COUNTY UNIT 9
(CIBOLO TRAILS)

EXISTING PHASE 1

EXISTING PHASE 2

PROPOSED PHASE 3

COMMON AREA LOT 1971 10.99 AC.

COMMON AREA LOT 1900 1.41 AC.

FEMA FLOOD LINE

(BoB) "SOIL UNIT"

Qal "GEOLOGIC UNIT"

GRAVEL DEPOSITS

DIRT PILE

28' ELECTRIC EASEMENT – VOL. 5124, PGS. 500–506

28' ELECTRIC EASEMENT

CIBOLO CREEK

NOTE : FEATURE "S-1", VERIFY LOCATION. WELL NEEDS A CONCRETE PAD.

UNIT Q
VOL. 9505, PG. 29

PLAT No. N/A

REVISIONS

	DESCRIPTION	DATE	APPRVD
0	RELEASED FOR CONSTRUCTION		
1			
2			
3			
4			
5			

PAUL A. SARRODEN 57584 REGISTERED PROFESSIONAL ENGINEER

4/21/07

ALAMO CONSULTING ENGINEERING & SURVEYING, INC.

140 HEIMER RD., STE. 617, SAN ANTONIO, TX. 78232
PHONE: (210)828-0691 FAX: (210)824-3055

CIBOLO TRAILS SUBDIVISION

T.C.E.Q. W.P.A.P.
SITE PLAN

JOB NO.: 050300
HORIZ. SCALE: AS SHOWN
VERT. SCALE: N/A
CONTOUR INT.: 2'
DRAWN BY: L.W.D.
DESIGNED BY: L.W.D.
CHECKED BY: P.A.S.
FILE NAME: SITE
SHEET: 1 OF 1
PAGE: 1 OF 1

ORIGINAL WPAP APPLICATION
(APPROVED MAY 23, 2003)

Water Pollution Abatement Plan Application
for Regulated Activities
on the Edwards Aquifer Recharge Zone
and Relating to 30 TAC §213.5(b), Effective June 1, 1999

REGULATED ENTITY NAME: CIBOLO TRAILS SUBDIVISION

REGULATED ENTITY INFORMATION

1. The type of project is:
   - X Residential: # of Lots: 141
   - ___ Residential: # of Living Unit Equivalents: ____
   - ___ Commercial
   - ___ Industrial
   - ___ Other: _____

2. Total site acreage (size of property): 81.2

3. Projected population: 423

4. The amount and type of impervious cover expected after construction are shown below:

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	358,154	÷ 43,560 =	8.22
Parking	-0-	÷ 43,560 =	-0-
Other paved surfaces	250,814	÷ 43,560 =	5.76
Total Impervious Cover	608,969	÷ 43,560 =	13.98
Total Impervious Cover ÷ Total Acreage x 100 =			17.22 %

5. X **ATTACHMENT A - Factors Affecting Water Quality.** A description of any factors that could affect surface water and groundwater quality is provided at the end of this form.

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

FOR ROAD PROJECTS ONLY
Complete questions 7-12 if this application is exclusively for a road project.

7. Type of project:
N/A
   - ___ 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.

8. Type of pavement or road surface to be used:
N/A

__ Concrete
__ Asphaltic concrete pavement
__ Other: _____

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

10. Length of pavement area: _____ feet.
N/A 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.

11. __ A rest stop will be included in this project.
N/A __ A rest stop will **not** be included in this project.

12. N/A 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

13. **ATTACHMENT B - 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 provided at the end of this form. The estimates of stormwater runoff quality and quantity should be based on area and type of impervious cover. Include the runoff coefficient of the site for both pre-construction and post-construction conditions.

WASTEWATER TO BE GENERATED BY THE PROPOSED PROJECT

14. The character and volume of wastewater is shown below:

100 % Domestic	42,300 gallons/day
0 % Industrial	_____ gallons/day
0 % Commingled	_____ gallons/day
TOTAL	_____ gallons/day

15. Wastewater will be disposed of by:
__ **On-Site** Sewage Facility (OSSF/Septic Tank):
ATTACHMENT C - Suitability Letter from Authorized Agent. An on-site sewage facility will be used to treat and dispose of the wastewater. The appropriate licensing authority's (authorized agent) written approval is provided at the end of this form. It states that the land is suitable for the use of an on-site sewage facility or identifies areas that are not suitable.
__ Each lot in this project/development is at least one (1) acre (43,560 square feet) in size. The system will be designed by a licensed professional engineer or registered sanitarian and installed by a licensed installer in compliance with 30 TAC Chapter 285.

X Sewage Collection System (Sewer Lines):

__ Private service laterals from the wastewater generating facilities will be connected to an existing SCS.

X Private service laterals from the wastewater generating facilities will be connected to a proposed SCS.

__ The SCS was previously submitted on _____.

__ The SCS was submitted with this application.

X The SCS will be submitted at a later date. The owner is aware that the SCS may not be installed prior to executive director approval.

The sewage collection system will convey the wastewater to the _____ (name) Treatment Plant. The treatment facility is :

X existing.

__ proposed.

16. X All private service laterals will be inspected as required in 30 TAC §213.5.

SITE PLAN REQUIREMENTS

Items 17 through 27 must be included on the Site Plan.

17. The Site Plan must have a minimum scale of 1" = 400'.
Site Plan Scale: 1" = 200 '.

18. 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):
F.E.M.A. CLOMR DATED SEPTEMBER 30, 1999
COMMUNITY PANEL NO. 485463-0005E

19. __ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Show lots, recreation centers, buildings, roads, etc.

X The layout of the development is shown with existing contours. Finished topographic contours will not differ from the existing topographic configuration and are not shown.

20. All known wells (oil, water, unplugged, capped and/or abandoned, test holes, etc.):

X There are 1 (#) wells present on the project site and the locations are shown and labeled. (Check all of the following that apply)

__ The wells are not in use and have been properly abandoned.

__ The wells are not in use and will be properly abandoned.

X The wells are in use and comply with 30 TAC §238.

__ There are no wells or test holes of any kind known to exist on the project site.

21. Geologic or manmade features which are on the site:

X All **sensitive and possibly sensitive** geologic or manmade features identified in the Geologic Assessment are shown and labeled.

__ No **sensitive and possibly sensitive** geologic or manmade features were identified in the Geologic Assessment.

__ **ATTACHMENT D - Exception to the Required Geologic Assessment.** An exception to the Geologic Assessment requirement is requested and explained in ATTACHMENT D provided at the end of this form. Geologic or manmade features were found and are shown and labeled.

__ **ATTACHMENT D - Exception to the Required Geologic Assessment.** An exception to the Geologic Assessment requirement is requested and explained in ATTACHMENT D provided at the end of this form. No geologic or manmade features were found.

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

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

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

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

26. N/A Surface waters (including wetlands).

27. __ Locations where stormwater discharges to surface water or sensitive features.
X There will be no discharges to surface water or sensitive features.

ADMINISTRATIVE INFORMATION

28. X One (1) original and three (3) copies of the completed application have been provided.

29. X Any modification of this WPAP will require TCEQ executive director approval, prior to construction, and may require submission of a revised application, with appropriate fees.

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 **WATER POLLUTION ABATEMENT PLAN APPLICATION FORM** is hereby submitted for TCEQ review and executive director approval. The form was prepared by:

PAUL A. SCHROEDER, P.E., R.P.L.S.
Print Name of Customer/Agent

Signature of Customer/Agent

2/4/09
Date

__ **ATTACHMENT D - Exception to the Required Geologic Assessment.** An exception to the Geologic Assessment requirement is requested and explained in ATTACHMENT D provided at the end of this form. Geologic or manmade features were found and are shown and labeled.

__ **ATTACHMENT D - Exception to the Required Geologic Assessment.** An exception to the Geologic Assessment requirement is requested and explained in ATTACHMENT D provided at the end of this form. No geologic or manmade features were found.

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

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

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

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

26. N/A Surface waters (including wetlands).

27. __ Locations where stormwater discharges to surface water or sensitive features.
X There will be no discharges to surface water or sensitive features.

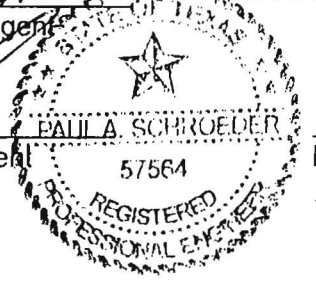
ADMINISTRATIVE INFORMATION

28. X One (1) original and three (3) copies of the completed application have been provided.

29. X Any modification of this WPAP will require TNRCC executive director approval, prior to construction, and may require submission of a revised application, with appropriate fees.

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 **WATER POLLUTION ABATEMENT PLAN APPLICATION FORM** is hereby submitted for TNRCC review and executive director approval. The form was prepared by:

PAUL A. SCHROEDER, P.E. / R.P.L.S.
Print Name of Customer/Agent



Signature of Customer/Agent

APRIL 9, 2003
Date

TEMPORARY STORMWATER SECTION

Temporary Stormwater Section
for Regulated Activities
on the Edwards Aquifer Recharge Zone
and Relating to 30 TAC §213.5(b)(4)(A), (B), (D)(I) and (G); Effective June 1, 1999

REGULATED ENTITY NAME: Cibolo Trails Subdivision

POTENTIAL SOURCES OF CONTAMINATION

Examples: Fuel storage and use, chemical storage and use, use of asphaltic products, construction vehicles tracking onto public roads, and existing solid waste.

1. Fuels for construction equipment and hazardous substances which will be used during construction:

   ___ Aboveground storage tanks with a cumulative storage capacity of less that 250 gallons will be stored on the site for less than one (1) year.

   ___ Aboveground storage tanks with a cumulative storage capacity between 250 gallons and 499 gallons will be stored on the site for less than one (1) year.

   ___ Aboveground storage tanks with a cumulative storage capacity of 500 gallons or more will be stored on the site. An **Aboveground Storage Tank Facility Plan** application must be submitted to the appropriate regional office of the TCEQ prior to moving the tanks onto the project.

   X Fuels and hazardous substances will not be stored on-site.

2. X **ATTACHMENT A - Spill Response Actions**. A description of the measures to be taken to contain any spill of hydrocarbons or hazardous substances is provided at the end of this form.

3. X Temporary aboveground storage tank systems of 250 gallons or more cumulative storage capacity must be located a minimum horizontal distance of 150 feet from any domestic, industrial, irrigation, or public water supply well, or other sensitive feature.

4. ___ **ATTACHMENT B - Potential Sources of Contamination.** Describe in an attachment at the end of this form any other activities or processes which may be a potential source of contamination.

   X The are no other potential sources of contamination.

SEQUENCE OF CONSTRUCTION

5. X **ATTACHMENT C - Sequence of Major Activities.** A description of the sequence of major activities which will disturb soils for major portions of the site (grubbing, excavation, grading, utilities, and infrastructure installation) is provided at the end of this form. For each activity described, an estimate of the total area of the site to be disturbed by each activity is given.

6. X Name the receiving water(s) at or near the site which will be disturbed or which will receive discharges from disturbed areas of the project: Cibolo Creek

TEMPORARY BEST MANAGEMENT PRACTICES (TBMPs)

Erosion control examples: tree protection, interceptor swales, level spreaders, outlet stabilization, blankets or matting, mulch, and sod. Sediment control examples: stabilized construction exit, silt fence, filter dikes, rock berms, buffer strips, sediment traps, and sediment basins. Please refer to the Technical Guidance Manual for guidelines and specifications. **All structural BMPs must be shown on the site plan.**

7. X **ATTACHMENT D - Temporary Best Management Practices and Measures.** A description of the TBMPs and measures that will be used during and after construction are provided at the end of this form. For each activity listed in the sequence of construction, include appropriate control measures and the general timing (or sequence) during the construction process that the measures will be implemented.

   X TBMPs and measures will prevent pollution of surface water, groundwater, and stormwater. The construction-phase BMPs for erosion and sediment controls have been designed to retain sediment on site to the extent practicable. The following information has been provided in the attachment at the end of this form

   a. A description of how BMPs and measures will prevent pollution of surface water, groundwater or stormwater that originates upgradient from the site and flows across the site.

   b. A description of how BMPs and measures will prevent pollution of surface water or groundwater that originates on-site or flows off site, including pollution caused by contaminated stormwater runoff from the site.

   c. A description of how BMPs and measures will prevent pollutants from entering surface streams, sensitive features, or the aquifer.

   d. A description of how, to the maximum extent practicable, BMPs and measures will maintain flow to naturally-occurring sensitive features identified in either the geologic assessment, TCEQ inspections, or during excavation, blasting, or construction.

8. The temporary sealing of a naturally-occurring sensitive feature which accepts recharge to the Edwards Aquifer as a temporary pollution abatement measure during active construction should be avoided.

   __ **ATTACHMENT E - Request to Temporarily Seal a Feature.** A request to temporarily seal a feature is provided at the end of this form. The request includes justification as to why no reasonable and practicable alternative exists for each feature.

   X There will be no temporary sealing of naturally-occurring sensitive features on the site.

9. X **ATTACHMENT F - Structural Practices.** Describe the structural practices that will be used to divert flows away from exposed soils, to store flows, or to otherwise limit runoff discharge of pollutants from exposed areas of the site. Placement of structural practices in floodplains has been avoided.

10. X **ATTACHMENT G - Drainage Area Map**. A drainage area map is provided at the end of this form to support the following requirements.

__ For areas that will have more than 10 acres within a common drainage area disturbed at one time, a sediment basin will be provided.

__ For areas that will have more than 10 acres within a common drainage area disturbed at one time, a smaller sediment basin and/or sediment trap(s) will be used.

__ For areas that will have more than 10 acres within a common drainage area disturbed at one time, a sediment basin or other equivalent controls are not attainable, but other TBMPs and measures will be used in combination to protect down slope and side slope boundaries of the construction area.

X There are no areas greater than 10 acres within a common drainage area that will be disturbed at one time. A smaller sediment basin and/or sediment trap(s) will be used in combination with other erosion and sediment controls within each disturbed drainage area.

11. X **ATTACHMENT H - Temporary Sediment Pond(s) Plans and Calculations.** Temporary sediment pond or basin construction plans and design calculations for a proposed temporary BMP or measure has been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information must be signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed temporary BMPs and measures are provided as at the end of this form.

12. X **ATTACHMENT I - Inspection and Maintenance for BMPs.** A plan for the inspection of temporary BMPs and measures and for their timely maintenance, repair, and, if necessary, retrofit is provided at the end of this form. A description of documentation procedures and recordkeeping practices is included in the plan.

13. X All control measures must be properly selected, installed, and maintained in accordance with the manufacturers specifications and good engineering practices. If periodic inspections by the applicant or the executive director, or other information indicates a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations.

14. X 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).

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

16. X 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).

SOIL STABILIZATION PRACTICES

Examples: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, or preservation of mature vegetation.

17. X **ATTACHMENT J - Schedule of Interim and Permanent Soil Stabilization Practices.** A schedule of the interim and permanent soil stabilization practices for the site is attached at the end of this form.

18. X Records must be kept at the site of 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.

19. X Stabilization practices must be initiated as soon as practicable where construction activities have temporarily or permanently ceased.

ADMINISTRATIVE INFORMATION

20. X All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.

21. X If any geologic or manmade features, such as caves, faults, sinkholes, etc., are discovered, all regulated activities near the feature will be immediately suspended. The appropriate TCEQ Regional Office shall be immediately notified. Regulated activities must cease and not continue until the TCEQ has reviewed and approved the methods proposed to protect the aquifer from any adverse impacts.

22. X Silt fences, diversion berms, and other temporary erosion and sediment controls will be constructed and maintained as appropriate to prevent pollutants from entering sensitive features discovered during construction.

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 **TEMPORARY STORMWATER SECTION** is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

Paul A. Schroeder, P.E., R.P.L.S.
Print Name of Customer/Agent

Signature of Customer/Agent

2/04/09
Date

5. **ATTACHMENT A - Factors Affecting Water Quality.**

A description of any factors that could affect surface water and groundwater quality is provided at the end of this form.

This Project is not anticipated to have any factors that could affect surface water and groundwater quality other than the normal hydrocarbons, typically present on streets and fertilizers, pesticides, and other miscellaneous use chemicals which are typically present in single family residential lawns.

13. **ATTACHMENT B - 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 provided at the end of this form. The estimates of stormwater runoff quality and quantity should be based on area and type of impervious cover. Include the runoff coefficient of the site for both preconstruction and post-construction conditions.

This Project is exclusively for the development of a multi-unit residential subdivision. As such it will have stormwater runoff from roofs, patios, and sidewalks onto the grass areas. Runoff from the yards, typically remaining in sheet flow, will eventually make it's way to streets, which will convey the stormwater to a discharge point to then flow across the grassed park areas.

Stormwater runoff quantity will be increased by only 20% due to the majority of the site being maintained as grass area. See attached calculation.

ATTACHMENT A - Spill Response Actions.

A description of the measures to be taken to contain any spill of hydrocarbons or hazardous substances is provided at the end of this form.

All hydrocarbons, or other hazardous substances, used during construction are typically present in only relatively small quantities. As such, it is anticipated that any spill would normally not be of a reportable magnitude. Any small spill that may occur would likely be released directly onto the ground and immediately absorbed by the soil. Thus the potential for any spilled hydrocarbons, or other hazardous substances, to travel to a significant recharge feature, or to a drainageway, is minimal, or does not exist. The Contractor is instructed in the General Notes of the Storm Water Pollution Prevention Plan to immediately remove and properly dispose of any and all soil that does become contaminated. Should a spill of reportable magnitude occur, the TCEQ shall be notified.

ATTACHMENT C - Sequence of Major Activities.

A description of the sequence of major activities which will disturb soils for major portions of the site (grubbing, excavation, grading, utilities, and infrastructure installation) is provided at the end of this form. For each activity described, an estimate of the total area of the site to be disturbed by each activity is given.

Typically the sequence of major soil disturbing activities during construction are:

A) Implementation of initial pollution prevention and erosion control measures.
B) Clearing of surface vegetation to be removed.
C) Grading of streets to subgrade.
D) Construction of sanitary sewers and water mains.
E) Installation of utilities (electric, gas, telephone, cable TV, etc.)
F) Re-grading of utility areas and fill as required.
G) Construction drainage facilities.
H) Placement of base, curbs and asphalt.
I) Final grading, and placement of topsoil as needed.
J) Re-establish vegetation.
K) Removal of temporary prevention measures.
L) New home construction.

*Estimated total acreage to be disturbed by each major activity for **Phase 3**.*

	Onsite	*Offsite*
Streets	2.39	*0*
Sanitary Sewer	*1.7*	*2*
Water	*0.25*	*0*
Utilities	*0.25*	*0*
Drainage Channels	*0.7*	*0*
New Homes	2.21	*0*

It is estimated that the total acreage of the site to be disturbed by this activity = 27 acres.

ATTACHMENT D - Temporary Best Management Practices and Measures.

A description of the TBMPs and measures that will be used during and after construction are provided at the end of this form. For each activity listed in the sequence of construction, include appropriate control measures and the general timing (or sequence) during the construction process that the measures will be implemented.

Prior to the clearing and grading, silt fencing is to be installed along the down-gradient limits of the property. This silt fencing is to remain in place through out construction, until final grading is complete. Stabilized construction exits are to be placed at the exits from the property. The silt fencing and construction exits are to remain until the disturbed areas for which they are intended, are permanently stabilized.

ATTACHMENT F - Structural Practices.

Describe the structural practices that will be used to divert flows away from exposed soils, to store flows, or to otherwise limit runoff discharge of pollutants from exposed areas of the site. Placement of structural practices in flood plains has been avoided.

Due to the nature of drainage for this site, (Battle intense Road along the west and a major channel along the north property line) there will be no flow from areas outside of the property site and, therefore, the only runoff in the disturbed areas shall be that which occurs on site.

ATTACHMENT H - Temporary Sediment Pond(s) Plans and Calculations.

Temporary sediment pond or basin construction plans and design calculations for a proposed temporary BMP or measure has been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information must be signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed temporary BMPs and measures are provided a the end of this form.

There are no areas greater than 10 acres within a common drainage area that will be disturbed at one time, therefore, temporary sediment ponds or basins are not required for this Project.

ATTACHMENT I - Inspection and Maintenance for BMPs.

A plan for the inspection of temporary BMPs and measures and for their timely maintenance, repair, and, if necessary, retrofit is provided a the end of this form. A description of documentation procedures and record keeping practices is included in the plan.

Reference Sections A. "Maintenance" and B. "Inspection of Control Measures" of the "Stormwater Pollution Prevention Plan General Notes".

The project's General Contractor shall designate a person, or entity, to be responsible for the inspection of all project 'stormwater pollution prevention' (temporary BMPs) measures whether on-site or off-site. Inspections shall occur at least once every seven calendar days or within 24-hours after any 1/2 inch or greater rainfall. Written documentation of the inspections in the form of reports shall be made and shall include all appropriate information such as:

- *date of inspection;*
- *recommended or required actions to repair/maintain measures, or to resolve observed deficiencies;*
- *satisfactory completion of any actions noted in previous inspection reports;*
- *recommended changes to the Plan for the implementation of measures.*

As a minimum the inspector shall observe the following:

- *disturbed areas for evidence of unchecked erosion;*
- *storage areas for evidence of, or the potential for, the improper storage of on-site materials;*
- *general tidiness of the site - that trash and debris is routinely picked up and properly disposed of;*
- *that control measures are in good working order and that they are functioning as intended;*

that the stabilized exits are being used and are functioning such that tracking of sediment by vehicles is minimized to the extent practicable;
construction equipment for signs of vehicle drippings beyond the normal amount; along the site perimeter, especially at points of concentrated discharge to ascertain whether the BMPs are effective.

The report shall be faxed or delivered to the Developer /Applicant and/or the Engineer within 24-hours of the inspection. All noted required repairs, maintenance, corrective actions shall be completed and re-inspected within seven calendar days of the original inspection. Based upon the results and recommendations of these inspections, the control measures may be modified where appropriate and practicable, on a case by case basis within the intent of the Plan and the governing regulations, to improve the control provided by the measures implemented.

ATTACHMENT J - Schedule of Interim and Permanent Soil Stabilization Practices.

A schedule of the interim and permanent soil stabilization practices for the site is attached at the end of this form.

A record of the major grading activities start date and when stabilization measures are initiated shall be documented in the same manner as prescribed for temporary abatement feature inspections.

The "Stormwater Pollution Prevention Plan General Notes" state that disturbed areas where construction has been completed, temporary halted, or no further work is planned within the next 21 days, shall be temporarily stabilized within 14 days of the last activity by some form of seeding or mulching which will provide appropriate and effective results in reducing erosion of the disturbed areas to the extent that is practical.

The Plans instruct the General Contractor that as part of the final grading and site cleanup , all disturbed areas (where the soil is exposed and unprotected from erosion) are to be sodded, seeded, or mulched as appropriate (or as instructed elsewhere in the Plans by the Engineer) to provide effective results in preventing the erosion of these areas. The Contractor shall be responsible for maintaining the stabilization (such as continued water of sod or seeded grass until the grass becomes established) until responsibility can be assumed by the Owner or as stipulated by other construction documents.

DISCHARGE CALCULATIONS - COMAL COUNTY UNIT 7 (CIBOLO TRAILS)

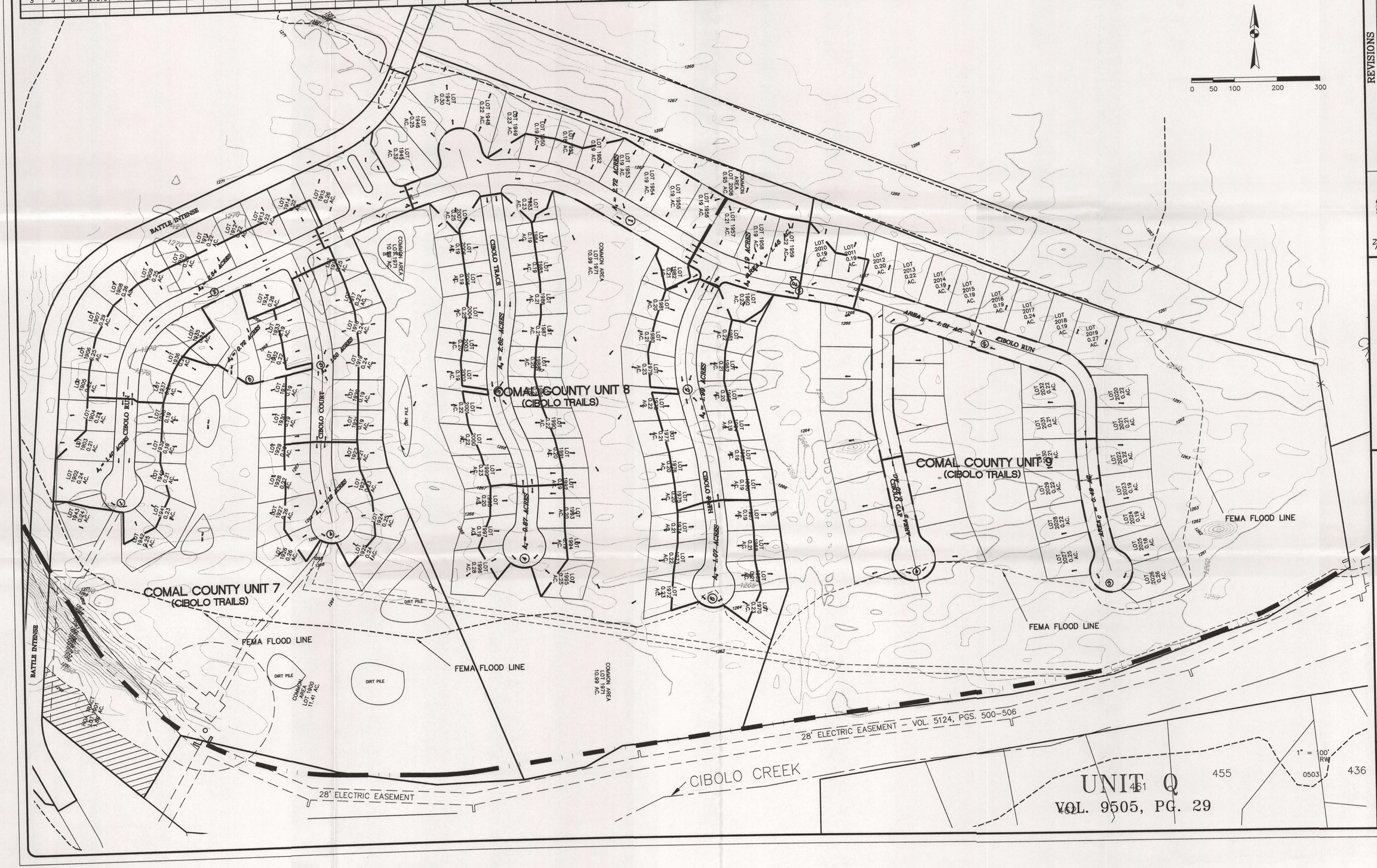
STUDY POINT	STUDY AREA	ACCUMULATED AREA	ACCUMULATED ACRES	C VALUE	TIME OF CONCENTRATION: OVERLAND FLOW S (%)	OVERLAND FLOW L (ft.)	OVERLAND FLOW To (min.)	STREET/CHANNEL FLOW LENGTH (ft.)	STREET/CHANNEL FLOW EST. VEL. (fps)	STREET/CHANNEL FLOW Tt (min.)	Tc (min.)	EVENT FREQUENCY 10-year I ("/hr.)	10-year Q (cfs)	25-year I ("/hr.)	25-year Q (cfs)	100-year I ("/hr.)	100-year Q (cfs)	DRAIN. CUL.	SWALE
1	1	1.40	1	1.40	0.65	1	65	14	255		2	16	5.46	5.0	6.26	5.7	7.53	6.9	
2	2	2.54	2	2.54	0.65	1	65	14	370		2	16	5.46	9.0	6.26	10.4	7.53	12.5	
3	3	1.50	3	1.50	0.65	1	65	14	235		1	15	5.56	5.5	6.36	6.2	7.64	7.5	
4	4	1.12	4	1.12	0.65	1	65	14	225		1	15	5.56	4.1	6.36	4.7	7.64	5.6	
5	5	0.72	2+3+5	4.76	0.65						15	5.56	17.2	6.36	19.7	7.64	23.7		

DISCHARGE CALCULATIONS - COMAL COUNTY UNIT 8 (CIBOLO TRAILS)

STUDY POINT	STUDY AREA	STUDY ACRES	ACCUMULATED AREA	ACCUMULATED ACRES	C VALUE	TIME OF CONCENTRATION: OVERLAND FLOW S (%)	OVERLAND FLOW L (ft.)	OVERLAND FLOW To (min.)	STREET/CHANNEL FLOW LENGTH (ft.)	STREET/CHANNEL FLOW EST. VEL. (fps)	STREET/CHANNEL FLOW Tt (min.)	Tc (min.)	EVENT FREQUENCY 10-year I ("/hr.)	10-year Q (cfs)	25-year I ("/hr.)	25-year Q (cfs)	100-year I ("/hr.)	100-year Q (cfs)	DRAIN. CUL.	SWALE
1	1	2.72	1	2.72	0.65	1	120	16	167	1.45	2	18	5.27	9.3	6.06	10.7	7.31	12.9	A	
2	2	1.19	2	1.19	0.65	1	120	16	282	1.45	3	19	5.17	4.0	5.96	4.6	7.20	5.6	–	
3	3	2.62	3	2.62	0.65	1	60	12	380	1.45	4	16	5.46	9.3	6.26	10.7	7.53	12.9	B	
4	4	0.87	4	0.87	0.65	1	60	12	182	1.45	2	14	5.72	3.2	6.56	3.7	7.86	4.4	C	
5	5	1.99	5	1.99	0.65	1	60	12	262	1.45	3	15	5.56	7.2	6.36	8.2	7.64	9.9	D	
6	6	1.07	6	1.07	0.65	1	60	12	245	1.45	3	15	5.56	3.9	6.36	4.4	7.64	5.3	E	

DISCHARGE CALCULATIONS - COMAL COUNTY UNIT 9 (CIBOLO TRAILS)

STUDY POINT	STUDY AREA	STUDY ACRES	ACCUMULATED AREA	ACCUMULATED ACRES	C VALUE	TIME OF CONCENTRATION: OVERLAND FLOW S (%)	OVERLAND FLOW L (ft.)	OVERLAND FLOW To (min.)	STREET/CHANNEL FLOW LENGTH (ft.)	STREET/CHANNEL FLOW EST. VEL. (fps)	STREET/CHANNEL FLOW Tt (min.)	Tc (min.)	EVENT FREQUENCY 10-year I ("/hr.)	10-year Q (cfs)	25-year I ("/hr.)	25-year Q (cfs)	100-year I ("/hr.)	100-year Q (cfs)	DRAIN. CUL.	SWALE
1	A	1.45	1	1.45	0.65	1	130	16	180	1.45	2	18	5.27	4.97	6.06	5.71	7.31	6.89	A	
2	B	1.31	2	1.31	0.65	–	–	–	383	1.45	4	4	7.95	6.77	9.05	7.71	10.79	9.19	B	
3	C	0.49	3	0.49	0.65	–	–	–	350	1.45	4	4	7.95	2.53	9.05	2.88	10.79	3.44	C	
4	D	0.40	4	0.40	0.65	–	–	–	180	1.45	3	3	8.24	2.14	9.36	2.43	11.15	2.90	D	



REVISIONS

NO.	DESCRIPTION	DATE	APPRVD
1	RELEASED FOR CONSTRUCTION		

PLAT No. N/A

PAUL A. SCHROEDER 57584 REGISTERED PROFESSIONAL ENGINEER
2/4/09

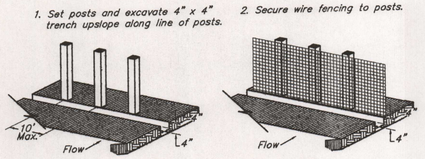
ALAMO CONSULTING ENGINEERING & SURVEYING, INC.
140 HEIMER RD., STE. 617, SAN ANTONIO, TX. 78232
PHONE: (210)828-0691 FAX: (210)824-3055

CIBOLO TRAILS SUBDIVISION

T.C.E.Q. W.P.A.P.
MASTER DRAINAGE PLAN

JOB NO.:	050300
HORIZ. SCALE:	AS SHOWN
VERT. SCALE:	N/A
CONTOUR INT.:	2'
DRAWN BY:	L.W.D.
DESIGNED BY:	L.W.D.
CHECKED BY:	P.A.S.
FILE NAME:	SITE
SHEET:	1 OF 1
PAGE:	1 OF 1

LEGEND
TEMPORARY BEST MANAGEMENT PRACTICES (BMPs)
SF
SILT FENCE
STABILIZED CONSTRUCTION EXIT
SITE GEOLOGIC MAP : (LEGEND)
SITE GEOLOGICAL UNIT : Qal – QUATERNARY ALLUVIUM FLUVIAL TERRACE DEPOSITS.
SITE SOIL UNIT : (BoB) – BOERNE FINE SANDY LOAM, 1 TO 3 PERCENT SLOPES.
0 50 100 200 300
PLAT No. N/A
REVISIONS
RELEASED FOR CONSTRUCTION
DATE
DESCRIPTION
APPRVD
PAUL A. SCHROEDER
57564
REGISTERED PROFESSIONAL ENGINEER
2/4/09
ALAMO CONSULTING ENGINEERING & SURVEYING, INC.
140 HEIMER RD., STE. 617, SAN ANTONIO, TX. 78232
PHONE: (210)828-0691 FAX: (210)824-3055
CIBOLO TRAILS SUBDIVISION
T.C.E.Q. W.P.A.P.
TEMPORARY ABATEMENT
/ SW3P
JOB NO.: 050300
HORIZ. SCALE: AS SHOWN
VERT. SCALE: N/A
CONTOUR INT.: 2'
DRAWN BY: L.W.D.
DESIGNED BY: L.W.D.
CHECKED BY: P.A.S.
FILE NAME: SITE
SHEET: 1 OF 1
PAGE: 1 OF 1
BATTLE INTENSE
CIBOLO RUN
CIBOLO COURT
CIBOLO TRACE
CIBOLO PATH
CIBOLO GAP
COMAL COUNTY UNIT 7
(CIBOLO TRAILS)
COMAL COUNTY UNIT 8
(CIBOLO TRAILS)
COMAL COUNTY UNIT 9
(CIBOLO TRAILS)
COMMON AREA LOT 1971 10.69 AC.
COMMON AREA LOT 1900 11.41 AC.
COMMON AREA LOT 2008 0.95 AC.
FEMA FLOOD LINE
DIRT PILE
(BoB) "SOIL UNIT"
Qal "GEOLOGIC UNIT"
GRAVEL DEPOSITS
28' ELECTRIC EASEMENT – VOL. 5124, PGS. 500–506
28' LECTRIC EASEMENT
CIBOLO CREEK
NOTE : FETURE "S-1", VERIFY LOCATION. WEL NEEDS A CONCRETE PAD.
UNIT Q
VOL. 9505, PG. 29
1" = 100'



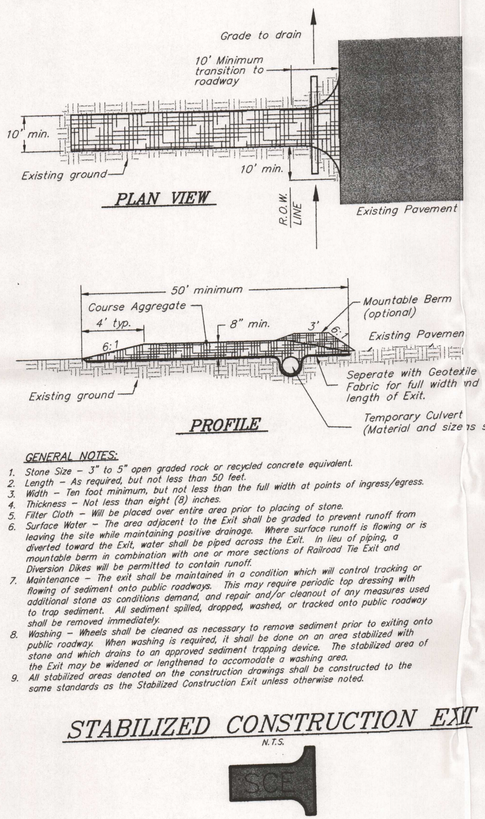
GENERAL NOTES:

1. Filter cloth to be fastened securely to woven wire fence, with ties spaced every 24 inches at top and midsection.
2. When two sections of filter cloth adjoin each other, they shall be overlapped 6 inches at the posts, and folded.

SILT FENCE DETAIL

N.T.S.

SF



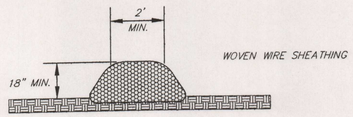
GENERAL NOTES:

1. Stone Size – 3" to 5" open graded rock or recycled concrete equivalent.
2. Length – As required, but not less than 50 feet.
3. Width – Ten foot minimum, but not less than the full width at points of ingress/egress.
4. Thickness – Not less than eight (8) inches.
5. Filter Cloth – Will be placed over entire area prior to placing of stone.
6. Surface Water – The area adjacent to the Exit shall be graded to prevent runoff from leaving the site while maintaining positive drainage. Where surface runoff is flowing or is diverted toward the Exit, water shall be piped across the Exit. In lieu of piping, a mountable berm in combination with one or more sections of Railroad Tie Exit and Diversion Dikes will be permitted to contain runoff.
7. Maintenance – The exit shall be maintained in a condition which will control tracking or flowing of sediment onto public roadways. 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 roadway shall be removed immediately.
8. Washing – Wheels shall be cleaned as necessary to remove sediment prior to exiting onto public roadway. When washing is required, it shall be done on an area stabilized with stone and which drains to an approved sediment trapping device. The stabilized area of the Exit may be widened or lengthened to accomodate a washing area.
9. All stabilized areas denoted on the construction drawings shall be constructed to the same standards as the Stabilized Construction Exit unless otherwise noted.

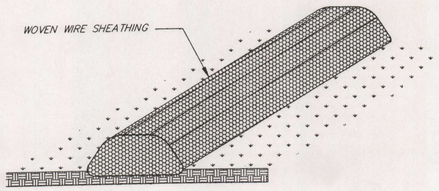
STABILIZED CONSTRUCTION EXIT

N.T.S.

SCE



ROCK BERM CROSS SECTION



GENERAL NOTES:

1. Use only open graded rock 4–8 inch diameter for streamflow condition; use open graded rock 3–5 inches diameter for other conditions.
2. The rock berm shall be secured with a woven wire sheathing having maximum 1 inch opening and a minimum wire opening of 20 gauge.
3. The rock berm shall be inspected weekly or after each rain, and the stone and/or fabric core–woven wire sheathing shall be replaced when the structure ceases to function as intended, due to silt accumulation among the rocks, washout,construction traffic damage , etc.
4. When silt reaches a depth equal to one–third the height of the berm or one foot , whichever is less, the silt shall be removed and disposed of in an approved site and in a manner as to not create a siltation problem.
5. Daily inspection shall be made on serve service rock berms; silt shall be removed when accumulation reaches 6" inches.
6. When the site is completely stabilized, the berm and accumulated silt shall be removed and disposed of in a approved manner.

ROCK BERM DETAIL

N.T.S.

RB

TNRCC–0592 (Rev. 5/01/02) Page 1 of 2
Texas Natural Resource Conservation Commission
Water Pollution Abatement Plan
General Construction Notes

1. Written construction notification must be given to the appropriate TNRCC 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 Water Pollution Abatement Plan and the TNRCC 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. If any sensitive feature is discovered during construction, all regulated activities near the sensitive feature must be suspended immediately. The appropriate TNRCC regional office must be immediately notified of any sensitive features encountered during construction. The regulated activities near the sensitive feature may not proceed until the TNRCC has reviewed and approved the methods proposed to protect the sensitive feature and the Edwards Aquifer from any potentially adverse impacts to water quality.
4. 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.
5. 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 temporary storm water section of the approved Edwards Aquifer Protection 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.
6. 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).
7. 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.
8. 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).
9. All spoils (excavated material) generated from the project site must be stored on–site with proper E&S controls. For storage or disposal of spoils at another site on the Edwards Aquifer Recharge Zone, the owner of the site must receive approval of a water pollution abatement plan for the placement of fill material or mass grading prior to the placement of spoils at the other site.

TNRCC–0592 (Rev. 5/01/02) Page 2 of 2

10. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Where the initiation of stabilization measures by the 14th day after construction activity temporary or permanently cease is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of site. In areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.
11. The following records shall be maintained and made available to the TNRCC 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. 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
1921 Cedar Bend, Suite 150
Austin, Texas 78758–5336
Phone (512) 339–2929
Fax (512) 339–3795

San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233–4480
Phone (210) 490–3096
Fax (210) 545–4329

STORMWATER POLLUTION PREVENTION PLAN GENERAL NOTES

I. PERMITEE NOTICE

This Stormwater Pollution Prevention Plan (SW3P) is prepared in accordance with the guidelines in the Federal Register, Volume 63, No. 128, dated Monday, July 6, 1998, pgs. 36502–36505, "Part IV. Storm Water Pollution Plans".

In compliance with the above guidelines, the contractor shall post a notice (regarding the NPDES permit) on the construction site.

The Contractor and his subcontractors shall avoid the pollution of runoff water by adhering to the measures outlined in this "Plan". Contractor shall be held responsible for his actions and the actions of all of his subsequent subcontractors.

The Contractor shall provide the following Certification in writing to the Engineer prior to starting construction:

> "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 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."

II. SITE DESCRIPTION

The CONTRACTOR, the OWNER/ DEVELOPER, and any other parties responsible for daily construction activitities on the project site, shall EACH file a Notice of Intent (N.O.I.) with the Environmental Protection Agency (E.P.A.). This requirement is in compliance with the N.P.D.E.S. General Permit.

The above parties shall also file a "Notice of Termination" (N.O.T.) with the E.P.A. for the construction activities after the areas disturbed by the proposed construction have been permanently stabilized.

Refer to the supplemental EPA NPDES report prepared for this project for project description and additional contractor responsibilities.

III. STRUCTURAL PRACTICES

A. DIVERSION OF STORM WATER

Private driveways will be used along with concrete and earthen drainage channels to divert stormwater runoff through the project site and to direct this stormwater to discharge locations shown on the Stormwater Pollution Prevention Plan and noted in the Supplemental E.P.A. N.P.D.E.S. Report.

The pollution abatement measures noted below have been designed with consideration given to the created drainage patterns and to the locations of concentrated stormwater runoff.

B. STORAGE OF STORM WATER

The Permanent Detention Basin for this development shall act as a Temporary Sediment Filtration Basin. Refer to the Supplemental E.P.A. N.P.D.E.S. Report.

C. POST–CONSTRUCTION CONTROLS

As noted in Part II.D of the Supplemental E.P.A. N.P.D.E.S. Report after construction and stabilization of soils, concentrations of suspended solids in the stormwater runoff from the site are expected to be approximately at pre–development levels. Therefore, no permanent pollution abatement measures are proposed as a part of this development.

D. CONTOLS USED TO PREVENT SOLID MATERIALS

Should the Temporary Pollution Abatement Measures described below fail to control the discharge of solid materials (including building materials) from with storm water runoff from the project site, it is the contractors responsibility to enact additional control measures.

No discharge of solid materials from the project site is allowed.

E. OFFSITE TRACKING CONTROLS

Construction entrances, parking and staging areas, shall be stabilized with course aggregate or as otherwise directed.

The Stabilized Construction Entrance(s) shown on the improvement plans is (are) designed to control the tracking of sediments onto public roadways. The contractor shall maintain these entrances to ensure it's successful operation throughout the construction period.

Construction vehicles shall exclusively utilize these entrances to gain access to the project site.

F. COMPLIANCE WITH LOCAL AND STATE REGULATIONS

The contractor shall comply with all applicable Federal, State, and local stormwater pollution prevention control regulations for construction activities that this project may be within the jurisdiction of.

G. ON–SITE MATERIAL STORAGE

Construction materials shall be stored at a location that will facilitate the drainage of runoff from said materials to the Temporary Pollution Abatement measures noted below. Where this is not feasible, the contractor is responsible for installing appropriate Temporary Pollution Abatements to control runoff from said materials. The contractor is also responsible for revising the Stormwater Pollution Prevention Plan accordingly and submitting the revised plan to the E.P.A. and the Engineer immediately.

H. OFFSITE AND SUPPORT ACTIVITIES

There will be no off–site dedicated support activities (e.g. asphalt/ concrete plants) associated with this project.

No off–site storage of construction materials is allowed.

I. AREAS OF SOIL DISTURBANCE

Soil disturbances shall be minimized by exposing only the smallest practical area of land required for the construction activity and for the shortest practical period of time. Trenching and associated backfilling for utilities and storm drainage shall be coordinated to minimize the time period of the disturbance. Maximum practical use of natural vegetation for erosion control will be used by leaving this vegetation in place until clearing is necessary.

IV. STABILIZATION PRACTICES

All disturbed areas where construction has been completed, temporarily halted, or no further work is planned for 21 days or longer, shall be stabilized within 14 days of the last construction activity.

A. TEMPORARY POLLUTION ABATEMENT MEASURES

Temporary control of pollution, soil erosion and sedimentation in particular, for this project will be accomplished through the installation of structural barriers (rock berms and a sand filtration basin) to trap and filter silt from runoff waters.

The supplemental EPA NPDES report prepared for this project describes the critera used in selecting thes controls.

Temporary pollution abatement measures shall remain in place until the construction is complete and vegetation upstream of the control measures has been re–established.

B. PERMANENT POLLUTION ABATEMENT MEASURES

Permanent control will be achieved by permanently stabilizing disturbed areas through sodding or seeding with standard lawn or native grasses.

The control measures specified on the "Stormwater Pollution Prevention Plan" for the site will be installed and maintained by the Contractor(s) during the entire time that construction is in progress. Once construction is complete, and until the N.O.T. is filed, the Contractor and/ or the Owner/ Developer, shall be responsible for the maintenance of the control measures. Upon filing of the N.O.T., the responsible party shall remove all temporary abatement control measures.

V. OTHER MISCELLANEOUS PRACTICES

A. MAINTENANCE PROCEEDURES

During construction, all control measures, as well as general site conditions, shall be inspected at least once every fourteen (14) calendar days and within 24 hours following any 1/2 inch, or greater, rainfall.

Silt accumulations in excess of 12 inches, 50% of the control measure capacity, or 1/4 of the height/ depth of the control measure; whichever is less, shall be removed.

Any sediment in the drainage structures/culverts in excess of the previous criteria shall likewise be removed.

The removed silt shall be deposited within the Project limits at an approved location not subjected to concentrated runoff.

Any damaged or non–functioning control measure(s) shall be repaired immediately.

Until such time that the Construction Contract is 100% complete, the Contractor shall remain fully responsible for the maintenance of the erosion control measures installed for this Project.

Any silt fences or other erosion control barrier temporarily moved from its designated location to facilitate work shall be replaced at the end of each work day or if rain appears imminent. Control measures shall be removed after the appropriate disturbed areas become stabilized.

The Contractor shall avoid the pollution of runoff water by using "best management practices". supplemental EPA NPDES report prepared for this project contains a partial list of best acceptable management practices which the Contractor shall be expected to conform to.

In the period between completion of construction and filing of the N.O.T., all Stabilized areas shall be inspected at least once every four (4) weeks.

B. INSPECTION OF CONTROL MEASURES

The Contractor shall designate a person(s) or entity to be responsible for the inspection of pollution prevention and erosion control measures for the subject site.

Reports of the weekly inspections shall be made recording the scope of the inspection, name of the inspector and date of the inspection, major observations related to the Plan's implementation, and the actions taken as a result of the inspection. A copy of each weekly report shall be immediately provided to the Engineer. As part of the Storm Water N.P.D.E.S., the Contractor shall retain these reports for three (3) years after the N.O.T for this Project is filed.

As a minimum, the inspector shall observe:

- disturbed areas for evidence of unchecked erosion;
- storage areas for evidence of, or potential for, leakage from stored materials;
- control measures to ensure that they are functioning correctly;
- stabilized construction exits for evidence of off–site sediment tracking;
- vehicle storage areas for signs of leaking equipment or spills;
- concrete truck rinse–out pit for signs of potential failure;
- discharge locations to ascertain whether control measures are effective;
- vehicle/equipment wash area for proper drainage and maintenance of sediment trap and wash equipment.

All deficiencies noted during the inspection will be documented and corrected within seven (7) calendar days following the inspection. Based upon the results of these inspections, the control measures of the SW3P will be modified where appropriate to provide more effective control.

C. NON STORMWATER DISCHARGES

Small discharges associated with activities such as pressure testing of newly–installed water system and sewer system facilities, water blasting curbs, and cleaning and testing activities for construction are expected. For such activities, the Contractor is hereby directed to use reasonable diligence to avoid causing unnecessary erosion. Any observed eroded areas shall be promptly corrected by Contractor.

PLAT No.
N/A

REVISIONS

	DATE	DESCRIPTION	APPRVD
0		RELEASED FOR CONSTRUCTION	
1			
2			
3			
4			
5			

ALAMO
CONSULTING ENGINEERING
& SURVEYING, INC.
140 HEIMER RD., STE. 617, SAN ANTONIO, TX. 78232
PHONE: (210)828–0691 FAX: (210)824–3055

CIBOLO TRAILS SUBDIVISION

T.C.E.Q. W.P.A.P.
S. W. 3 P. DETAILS & NOTES

JOB NO: 050300
HORIZ. SCALE: N.T.S.
VERT. SCALE: N/A
CONTOUR INT.:
DRAWN BY: L.W.D.
DESIGNED BY: L.W.D.
CHECKED BY: P.A.S.
FILE NAME: SW3P-DET
SHEET: 2 OF 2
PAGE: 2 OF 2

F:\PROJECT\050300\050300\dwg\SW3P-DET.dwg Mon Sep 08 14:27:41 2003

PERMANENT STORMWATER SECTION

Permanent Stormwater Section
for Regulated Activities
on the Edwards Aquifer Recharge Zone
and Relating to 30 TAC §213.5(b)(4)(C), (D)(li), (E), and (5), Effective June 1, 1999

REGULATED ENTITY NAME: Cibolo Trails Subdivision

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

1. X Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.

2. X 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.

   X 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

   _____

   _____

   _____

   _____

3. X 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.

4. 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.

5. 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.

N/A **ATTACHMENT A - 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.

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

6. **ATTACHMENT B - 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 identified as **ATTACHMENT B** at the end of this form.

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

__ 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 B** at the end of this form .

7. **ATTACHMENT C - 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 identified as **ATTACHMENT C** 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 C** at the end of this form.

8. X **ATTACHMENT D - BMPs for Surface Streams.** A description of the BMPs and measures that prevent pollutants from entering surface streams, sensitive features, or the aquifer is provided at the end of this form. Each feature identified in the Geologic Assessment as "sensitive" or "possibly sensitive" has been addressed.

9. X The applicant understands that to the extent practicable, BMPs and measures must maintain flow to naturally occurring sensitive features identified in either the geologic assessment, executive director review, or during excavation, blasting, or construction.

__ The permanent sealing of or diversion of flow from a naturally-occurring "sensitive" or "possibly sensitive" feature that accepts recharge to the Edwards Aquifer as a permanent pollution abatement measure has not been proposed for any naturally-occurring "sensitive" or "possibly sensitive" features on this site.

N/A **ATTACHMENT E - Request to Seal Features.** A request to seal a naturally-occurring "sensitive" or "possibly sensitive" feature, that includes a justification as to why no reasonable and practicable alternative exists, is found at the end of this form. A request and justification has been provided for each feature.

10. N/A **ATTACHMENT F - 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 man-made or naturally occurring geologic features, all proposed structural measures, and appropriate details must be shown on the construction plans.

11. N/A **ATTACHMENT G - 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.

12. X 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 H - Pilot-Scale Field Testing Plan.** A plan for pilot-scale field testing is provided at the end of this form.

13. X **ATTACHMENT I -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.

14. X 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.

15. X 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.

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 **PERMANENT STORMWATER SECTION** is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

Paul A. Schroeder P.E., R.P.L.S.
Print Name of Customer/Agent

2/04/09
Signature of Customer/Agent Date

ATTACHMENT A - 20% or Less Impervious Cover Waiver. NOT APPLICABLE

This is a single family residential development with approximately 17% impervious cover.

ATTACHMENT B - BMPs for Up-gradient Stormwater.

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

There is no surface water or groundwater that originates up-gradient from the site. The up-gradient boundary's of the site are adjacent to a public street and a drainage channel. These facilities prevent runoff across the site.

ATTACHMENT C - BMPs for On-site Stormwater.

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 C** at the end of this form.

Stormwater runoff that originates on-site from the roof and sidewalks will flow over the grass area as sheet flow, not as concentrated flow. Flows leaving the site shall be restricted to a non-erosive velocity of less than six (6) feet per second.

ATTACHMENT D - BMPs for Surface Streams.

A description of the BMPs and measures that prevent pollutants from entering surface streams, sensitive features, or the aquifer is provided at the end of this form. Each feature identified in the Geologic Assessment as "sensitive" or "possible sensitive" has been addressed.
There are no sensitive features identified on the site by the Geologic Assessment.

The only feature is an existing public water supply well. Said well has a concrete sanitation block, a well casing above the 100-year flood plain, and no flow is directed towards it.

ATTACHMENT E - Request to Seal Features. NOT APPLICABLE

No permanent or temporary sealing of recharge features is proposed.

ATTACHMENT F - Construction Plans.

See attached plans at end of this report.

ATTACHMENT G - Inspection, Maintenance, Repair and Retrofit Plan.

NOT APPLICABLE

ATTACHMENT H - Pilot-Scale Field Testing Plan. NOT APPLICABLE

ATTACHMENT I - 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 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.

The way in which the surface water leaves the site and flow toward the stream will remain unchanged. The flow occurs as shallow sheet flow at a non-erosive velocity of less than six (6) feet per second. Additionally, this stream flow occurs across a grassy area.

AGENT AUTHORIZATION FORM

Agent Authorization Form
For Required Signature
Edwards Aquifer Protection Program
Relating to 30 TAC Chapter 213
Effective June 1, 1999

I Robert J. Weiss, Jr.,
Print Name

President
Title - Owner/President/Other

of Ralph E. Fair, INC
Corporation/Partnership/Entity Name

have authorized Paul A. Schroder, P.E., R.P.L.S.
Print Name of Agent/Engineer

of ALAMO CONSULTING ENGINEERING & SURVEYING, 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.

Robert J. Weiss Jr.
Applicant's Signature

2/24/2009
Date

THE STATE OF Texas §

County of Comal §

BEFORE ME, the undersigned authority, on this day personally appeared Robert J. Weiss, Jr. 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 24th day of February, 2009

DENA CANTU
My Commission Expires
August 12, 2010

Dena Cantu
NOTARY PUBLIC

Dena Cantu
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 8/12/2010

APPLICATION FEE FORM

Texas Commission on Environmental Quality
Edwards Aquifer Protection Program
Application Fee Form

NAME OF PROPOSED REGULATED ENTITY: Cibolo Trails Subdivision
REGULATED ENTITY LOCATION: On Battle Intense approx. 1000' south of Keeneland
NAME OF CUSTOMER: Ralph E. Fair, Inc.
CONTACT PERSON: Robert J. Weiss, Jr. PHONE: (830)981-2436
(Please Print)

Customer Reference Number (if issued): CN 601399892 (nine digits)

Regulated Entity Reference Number (if issued): RN **103098885** (nine digits)

Austin Regional Office (3373) ☐ Hays ☐ Travis ☐ Williamson

San Antonio Regional Office (3362) ☐ Bexar x Comal ☐ Medina ☐ Kinney ☐ Uvalde

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. 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):

☐ **Austin Regional Office**

☐ **Mailed to TCEQ**:
TCEQ – Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

x **San Antonio Regional Office**

☐ **Overnight Delivery to TCEQ**:
TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
512/239-0347

Site Location (Check All That Apply): X Recharge Zone ☐ Contributing Zone ☐ Transition Zone

Type of Plan	Size	Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	81.2 Acres	$6,500.00
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	Acres	$
Sewage Collection System	L.F.	$
Lift Stations without sewer lines	Acres	$
Underground or Aboveground Storage Tank Facility	Tanks	$
Piping System(s)(only)	Each	$
Exception	Each	$
Extension of Time	Each	$

Robert J. Weiss Jr
Signature

2/24/2009
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.

Texas Commission on Environmental Quality
Edwards Aquifer Protection Program
Application Fee Schedule
30 TAC Chapter 213 (effective 05/01/2008)

Water Pollution Abatement Plans and Modifications
Contributing Zone Plans and Modifications

PROJECT	PROJECT AREA IN ACRES	FEE
One Single Family Residential Dwelling	< 5	$650
Multiple Single Family Residential and Parks	< 5 5 < 10 10 < 40 40 < 100 100 < 500 ≥ 500	$1,500 $3,000 $4,000 $6,500 $8,000 $10,000
Non-residential (Commercial, industrial, institutional, multi-family residential, schools, and other sites where regulated activities will occur)	< 1 1 < 5 5 < 10 10 < 40 40 < 100 ≥ 100	$3,000 $4,000 $5,000 $6,500 $8,000 $10,000

Organized Sewage Collection Systems and Modifications

PROJECT	COST PER LINEAR FOOT	MINIMUM FEE MAXIMUM FEE
Sewage Collection Systems	$0.50	$650 - $6,500

Underground and Aboveground Storage Tank System Facility Plans and Modifications

PROJECT	COST PER TANK OR PIPING SYSTEM	MINIMUM FEE MAXIMUM FEE
Underground and Aboveground Storage Tank Facility	$650	$650 - $6,500

Exception Requests

PROJECT	FEE
Exception Request	$500

Extension of Time Requests

PROJECT	FEE
Extension of Time Request	$150

PLAT No. N/A
REVISIONS
RELEASED FOR CONSTRUCTION
DATE
DESCRIPTION
APPRVD
PAUL A. SCHROEDER
57564
REGISTERED
2/4/09
ALAMO CONSULTING ENGINEERING & SURVEYING, INC.
140 HEIMER RD., STE. 617, SAN ANTONIO, TX. 78232
PHONE: (210)828-0691 FAX: (210)824-3055
CIBOLO TRAILS SUBDIVISION
T.C.E.Q. W.P.A.P.
ATTACHMENT "F"
JOB NO.: 050300
HORIZ. SCALE: AS SHOWN
VERT. SCALE: N/A
CONTOUR INT.: 2'
DRAWN BY: L.W.D.
DESIGNED BY: L.W.D.
CHECKED BY: P.A.S.
FILE NAME: SITE
SHEET: 1 OF 1
PAGE: 1 OF 1
0 50 100 200 300
COMAL COUNTY UNIT 7
(CIBOLO TRAILS)
COMAL COUNTY UNIT 8
(CIBOLO TRAILS)
COMAL COUNTY UNIT 9
(CIBOLO TRAILS)
CIBOLO RUN
CIBOLO COURT
CIBOLO TRACE
CIBOLO GAP
BATTLE INTENSE
FEMA FLOOD LINE
DIRT PILE
COMMON AREA LOT 1971 10.99 AC.
COMMON AREA LOT 1900 11.41 AC.
28' ELECTRIC EASEMENT - VOL. 5124, PGS. 500-506
21' ELECTRIC EASEMENT
CIBOLO CREEK
UNIT Q
VOL. 9505, PG. 29
1" = 100'

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

4725

FAIR OAKS SUBDIVISION
JOINT VENTURE GENERAL ACCOUNT
30260 SARATOGA LANE
FAIR OAKS RANCH, TEXAS 78015
(830) 981-2436

Frost Bank BOERNE, TEXAS

30-9/1140

2/24/2009

PAY TO THE ORDER OF TEXAS COMMISSION ON ENVIRONMENTAL QUALITY $ **6,500.00

Six Thousand Five Hundred and 00/100********** DOLLARS

TEXAS COMMISSION ON ENVIRONMENTAL QUA

Chris Monroe Young

MEMO CN 601399892

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

Details on back. Security Features Included

⑈004725⑈ ⑆114000093⑆ 260037958⑈

FAIR OAKS SUBDIVISION JOINT VENTURE GENERAL ACCOUNT

4725

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY 2/24/2009
RN 103098885 6,500.00

Frost National Checki CN 601399892 6,500.00

Texas Commission on Environmental Quality
Edwards Aquifer Protection Program
Application Fee Form

NAME OF PROPOSED REGULATED ENTITY: Cibolo Trails Subdivision
REGULATED ENTITY LOCATION: On Battle Intense approx. 1000' south of Keeneland
NAME OF CUSTOMER: Ralph E. Fair, Inc.
CONTACT PERSON: Robert J. Weiss, Jr. PHONE: (830)981-2436
(Please Print)

Customer Reference Number (if issued): CN 601399892 (nine digits)

Regulated Entity Reference Number (if issued): RN 103098885 (nine digits)

Austin Regional Office (3373) ☐ Hays ☐ Travis ☐ Williamson

San Antonio Regional Office (3362) ☐ Bexar x Comal ☐ Medina ☐ Kinney ☐ Uvalde

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. 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):

☐ **Austin Regional Office**

☐ **Mailed to TCEQ:**
TCEQ – Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

x **San Antonio Regional Office**

☐ **Overnight Delivery to TCEQ:**
TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
512/239-0347

Site Location (Check All That Apply): X Recharge Zone ☐ Contributing Zone ☐ Transition Zone

Type of Plan	Size	Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	81.2 Acres	$6,500.00
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Lift Stations without sewer lines	Acres	$
Underground or Aboveground Storage Tank Facility	Tanks	$
Piping System(s)(only)	Each	$
Exception	Each	$
Extension of Time	Each	$

Robert J. Weiss Jr
Signature

2/24/2009
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.

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

4725

FAIR OAKS SUBDIVISION
JOINT VENTURE GENERAL ACCOUNT
30260 SARATOGA LANE
FAIR OAKS RANCH, TEXAS 78015
(830) 981-2436

Frost Bank BOERNE, TEXAS
30-9/1140

2/24/2009

PAY TO THE ORDER OF TEXAS COMMISSION ON ENVIRONMENTAL QUALITY $ **6,500.00

Six Thousand Five Hundred and 00/100********** DOLLARS

TEXAS COMMISSION ON ENVIRONMENTAL QUA

Chris Monroe Young

MEMO CN 601399892

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 23, 2003

Mr. Robert J. Weiss, Jr.
Ralph E. Fair, Inc.
30260 Saratoga Lane
Fair Oaks Ranch, Texas 78015

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Cibolo Trails Subdivision; Located to the east of Battle Intense Road and approximately 1,000' south of Keenland Drive; Fair Oaks Ranch, Texas
TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer, Edwards Aquifer Protection Program
File No. 1979.00, Regulated Entity No. RN 103 098 885, Customer No. CN 601 399 892

Dear Mr. Weiss:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP application for the referenced project submitted to the San Antonio Regional Office by Paul Schroeder, P.E. of Alamo Consulting Engineering & Surveying, Inc. on behalf of Ralph E. Fair, Inc. on April 10, 2003. 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 Edwards Aquifer protection plan, modification to a plan, or exception. A motion for reconsideration must be filed no later than 20 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 have an area of approximately 81.2 acres and will have the following parameters:

- The development will include 160 single-family residences, open space, park land, walking trails, and associated roads and driveways.
- The proposed impervious cover for the development is approximately 19.5% (15.83 acres) of the total area of the site.

- Project wastewater will be disposed of by conveyance to the existing Fair Oaks Ranch Sewage Treatment Plant owned by the Fair Oaks Ranch Utility.

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 impervious cover will be no more than 20 percent.

GEOLOGY

According to the geologic assessment included with the submittal, there is one existing water well on the site. There are no other geologic or manmade features. The San Antonio Regional Office did not conduct a site instigation.

SPECIAL CONDITIONS

I. Since this project will have not 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 San Antonio Regional Office of these changes.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

2. 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.

3. 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 WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.

4. Modification to the activities described in the referenced WPAP 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.

5. 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 date on which the regulated activity will commence, the name of the approved plan and file number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person. The executive director will use the notification to determine if the approved plan is eligible for an extension of an approved plan.

6. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved WPAP, 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. 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.

7. Abandoned injection wells must be closed under the requirements of 30 TAC Chapter 331 (relating to Underground Injection Control).

8. All borings with depths greater than or equal to 20 feet must be plugged with a non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of the hole must be backfilled with cuttings from the boring. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation. Voids may be filled with gravel.

<u>During Construction:</u>

9. 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.

10. If any sensitive feature is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify the San Antonio Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.

11. One well exists on the site. All identified abandoned water wells, including injection, dewatering, and monitoring wells must be plugged pursuant to requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Licensing and Regulation of Water Well Drillers and Water Well Pump Installers) and all other locally applicable rules, as appropriate. If any abandoned wells (including water, injection (injection well referenced in Item 7), dewatering, and monitoring well) are encountered during construction, they must be plugged pursuant to requirements of the Texas Department of Licensing and Regulation (16 TAC Chapter 76) and all other locally applicable rules, as appropriate.

12. 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 reduced by 50%. 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).

13. 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.

14. 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.

15. To the maximum extent practicable, BMPs and measures must maintain flow to naturally-occurring sensitive features identified in either the geologic assessment, executive director review, or during excavation, blasting, or construction. The temporary sealing of a naturally-occurring sensitive feature which accepts recharge to the Edwards Aquifer as a temporary pollution abatement measure during active construction should be avoided. A request to temporarily seal the feature must include a justification that no reasonable and practicable alternative exists. The request will be evaluated by the executive director on a case-by-case basis.

<u>After Completion of Construction:</u>

16. 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.

17. 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.

18. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Edwards Aquifer protection plan. If the new owner intends to commence any new regulated activity on the site, a new Edwards Aquifer protection 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.

19. An Edwards Aquifer protection 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 Edwards Aquifer protection 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.

20. 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 Margaret Hoffman
Executive Director
Texas Commission on Environmental Quality

MH/JKM/eg

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

cc: Mr. Paul Schroeder, P.E., Alamo Consulting Engineering & Surveying, Inc.
Mr. E. L. Gaubitz, City of Fair Oaks Ranch
Mr. John Bohuslav, TXDOT San Antonio District
Mr. Tom Hornseth, Comal County
Mr. Greg Ellis, Edwards Aquifer Authority
TCEQ Central Records MC 212