Bryan W. Shaw, Ph.D., P.E., Chairman Toby Baker, Commissioner Zak Covar, Commissioner Richard A. Hyde, P.E., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 23, 2015

RECEIVED

Mr. Thad Rutherford Southstar at Vintage Oaks, LLC 1114 Lost Creek Blvd., Suite 270 Austin, Texas 78746

JAN 28 2015

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Vintage Oaks at the Vineyard, Unit 9; Located in the Vintage Oaks at the Vineyard Subdivision off Hwy-46 approximately 2.8 miles north of the Hwy-46 and S. Cranes Mill Road intersection; outside the extra-territorial jurisdiction of New Braunfels, Texas

TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Investigation No. 1196449; Regulated Entity No. RN107716839; Additional ID No. 13-14091503

Dear Mr. Rutherford:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP application for the above-referenced project submitted to the San Antonio Regional Office by M&S Engineering on behalf of Southstar at Vintage Oaks, LLC on September 15, 2014. Final review of the WPAP was completed after additional material was received on January 7, and January 15, 2015. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected 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.

PROJECT DESCRIPTION

The proposed single family residential development project will have an area of approximately 216.99 acres. It will include approximately 135 single-family residential homes, driveways,

TCEQ Region 13 • 14250 Judson Rd. • San Antonio, Texas 78233-4480 • 210-490-3096 • Fax 210-545-4329

Mr. Thad Rutherford Page 2 January 23, 2015

sidewalks and streets. The impervious cover will be 40.15 acres of impervious cover (18.50 percent). According to a letter dated, August 29, 2014, signed by Mr. Robert Boyd, P.E., with Comal County, the site in the development is acceptable for the use of on-site sewage facilities.

PERMANENT POLLUTION ABATEMENT MEASURES

This single-family residential project will not have more than 20 percent impervious cover.

GEOLOGY

According to the geologic assessment included with the application, rocks on the southern and eastern portion of the site are members of the Lower Cretaceous Edwards Kainer Formation. The western portion of the site is located in the Lower Cretaceous Glen Rose Formation, which is fault separated from the Kainer to the east. No sensitive features were noted. The San Antonio Regional Office site assessment conducted on December 2, 2014 revealed the site was generally as described in the geologic assessment.

SPECIAL CONDITIONS

I. Since this single family residential 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.

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

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JAN 28 2015

Mr. Thad Rutherford Page 3 January 23, 2015

> COUNTY ENGINEER ect location until all

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. No wells exist on site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and

Mr. Thad Rutherford Page 4 January 23, 2015

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 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 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. 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. A copy of the transfer form (TCEQ-10263) is enclosed.
- 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.

Mr. Thad Rutherford Page 5 January 23, 2015

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.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Mr. Ricardo Macias of the Edwards Aquifer Protection Program, San Antonio Regional Office at (210) 403-4065.

Sincerely,

Lynn M. Bumguardner, Water Section Manager San Antonio Region Office Texas Commission on Environmental Quality

LMB/RAM/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. Heath L. Woods, P.E., M&S Engineering, LLC. Mr. Thomas H. Hornseth, P.E., Comal County Engineer Mr. Roland Ruiz, Edwards Aquifer Authority TCEQ Central Records, Building F, MC 212

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JAN 28 2015

COUNTY ENGINEER

Bryan W. Shaw, Ph.D., Chairman Toby Baker, Commissioner Zak Covar, Commissioner Richard A. Hyde, P.E., Executive Director



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 16, 2014

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

SEP 1 9 2014

RECEIVED

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County PROJECT NAME: Vintage Oaks at the Vineyard, located approximately 2.8 miles from Highway 46, New Braunfels, Texas

PLAN TYPE: Application for Approval of Water Pollution Abatement Plan (WPAP) 30 Texas Administration Code (TAC) Chapter 213; Edwards Aquifer Protection Program EAPP Additional ID: 13-14091503

Dear Mr. Hornseth:

The referenced application 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. More information regarding this project may be obtained from the TCEQ Central Registry website at http://www.tceq.state.tx.us/permitting/central_registry/.

Please forward your comments to this office by October 16, 2014.

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.

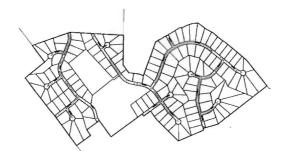
Sincerely

Todd Jones Water Section Work Leader San Antonio Regional Office

TJ/eg

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Vintage Oaks at the Vineyard, Unit 9



SAN ANTONIC

Prepared for:

Thad Rutherford Southstar at Vintage Oaks, LLC 1114 Lost Creek Blvd., Suite 270 Austin, TX 78746

Prepared by:

SEP 1 9 2014

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COUNTY ENGINEER

M&S Engineering Project Number: 7014BSW003

Main Office:

Post Office Box 970 6477 FM 311 Spring Branch, Texas 78070 Phone: (830) 228-5446 Fax: (830) 885-2170 *Web:* www.msengr.com



Heath Woods, P.E. M&S Engineering, L.L.C. Texas Registered Engineering Firm F-1394

AUGUST 2014

Branch Offices: Post Office Box 391 McQueeney, Texas 78123

376 Landa Street New Braunfels, Texas 78130



TCEQ Core Data Form

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

SECTION I: General Information	n of this form, please read	the Core Da	ata Form instructions or	Call 012-209-01	75.
1. Reason for Submission (If other is checked please	describe in space prov	ded)			
X New Permit, Registration or Authorization (Core Da	ta Form should be subi	nitted with	the program applicati	on)	Angen an un
Renewal (Core Data Form should be submitted wit	Ih the renewal form)	🗌 Oth	er		
2. Attachments Describe Any Attachments: (ex. Title V Application, Wa	ste Transpo	orter Application, etc.)		
XYes No WPAP					
3. Customer Reference Number (if issued)	Follow this link to search		gulated Entity Refere	ence Number	(if issued)
CN 604123554	for CN or RN numbers in Central Registry**	RN	N/A		
SECTION II: Customer Information					
5. Effective Date for Customer Information Updates (mm/dd/yyyy)				
6. Customer Role (Proposed or Actual) - as it relates to the	Regulated Entity listed or	this form. F	Please check only <u>one</u> o	f the following:	
X Owner Operator	🗌 Owner & Ope	rator			
Occupational Licensee Responsible Party	Voluntary Cle	anup Appli	cant Other:		
7. General Customer Information					
New Customer	pdate to Customer Infor	mation	Change ir	n Regulated Er	ntity Ownership
Change in Legal Name (Verifiable with the Texas Sec			X No Chance	<u>qe**</u>	
**/f "No Change" and Section I is complete, skip to S	ection III – Regulated	Entity Info	ormation.		
8. Type of Customer: Corporation	🗌 Individual		Sole Proprietors	hip- D.B.A	
City Government County Government	E Federal Gov	ernment	State Governme	ent	
Other Government General Partnership	Limited Partr	ership	Other:		
9. Customer Legal Name (If an individual, print last name i	first: ex: Doe, John)	lf new Cusi below	tomer, enter previous (Customer	End Date:
			_		
10. Mailing					
Address:					
City	State	ZIP		ZIP + 4	
11. Country Mailing Information (if outside USA)			dress (if applicable)		
13 Telephone Number	14. Extension or Code		ithstarcommuni		(a)
13. Telephone Number	14. Extension of Code		15. Fax Numb	ei (ii appiicao	5)
16. Federal Tax ID (9 digits) 17. TX State Franchise T	ax [D (11 diaits) 18	UNS Nun	ber(if applicable) 19.	- TX SOS Filing	Number (if applicable)
					(in approvable)
20. Number of Employees			21. Indeper	ndently Owne	d and Operated?
0-20 21-100 101-250 251-500	501 and higher			Yes	No

22. General Regulated Entity Information (If 'New Regulated Entity" is selected below this form should be accompanied by a permit application)								
X 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)								
VINTAGE OAKS	AT THE VINEYARD UNIT	· 9						

24. Street Address of the Regulated												
Entity: (No P.O. Boxes)	014	NTET I	יאדא כוכו		Chat-			701	200	-	10.4	
1101.0.00/00/	City	NEW	BRAUN	LPPPS	State	TEXAS	ZIP	/81	302	2	2IP + 4	
25. Mailing Address:										<u> </u>		
	City				State		ZIP			Z	ZIP + 4	
26. E-Mail Address:												
27. Telephone Numbe	er			28	Extension	or Code	29	9. Fax I	Number (if ap	plicable)		
() -							()	-			
30. Primary SIC Code	e (4 digits) 31. S	econdary S	SIC Cod	e (4 digits)	32. Primary (5 or 6 digits)	NAICS	S Code		Seconda 6 digits)	ary NAIC	S Code
1521			6552			2361	15			3721(0	
34. What is the Prima	ry Bus	iness of tl	his entity?	(Pleas	e do not repe	eat the SIC or I		lescriptic	on.)			
Resident												
Q	uestio	ns 34 – 37	address g	jeograp	nic location	n. Please ref	er to ti	ne insti	ructions for	applicab	oility.	
35. Description to Physical Location:	Thi Hwy	s site i 46 in N	s located	d in th Eels. I	e Vintage t is adja	e Oaks at 1 acent to Ui	he Vi	neyar	d Subdivis	sion of:	f	25
36. Nearest City				Co	ounty			State			Neares	t ZIP Code
New Braunfels				(Comal TX		ТΧ	X 78132		2		
37. Latitude (N) In D	Decima	1: 29.8	304333			38. Long	itude (W) Ir	Decimal:	98.26	9547	
Degrees	Minute		Se	econds		Degrees				conds		
29		48		1	5	9	98 16			10		
39. TCEQ Programs ar updates may not be made. If											submitted	on this form or the
Dam Safety		District	s		X Edwards Aquifer		Industrial Hazardous Wast		Waste	Municipal Solid Waste		
New Source Review	– Air	OSSF			Petroleur	n Storage Tanl] PWS			Sluc	dge
			_						-			
Stormwater		Title V	- Air		Tires			Used	Oil		Ut	ilities
								7.00			<u> </u>	
Voluntary Cleanup	D Waste Water			Wastewater Agriculture Water Rights		Other:						
SECTION IV:	Prep	<u>arer In</u>	format	ion								
40. Name: Lance	Klein	, P.E., P	.H., C.F.N	Λ.			1. Titl	e:	Engineer			
42. Telephone Numb	er	43. Ext	./Code	44.	ax Numbe	er	45. E-	Mail A	ddress			
(830)228-5446				(83	30)885.	2170	Iklei	n@ms	engr.com			
CECTION V.			~	,								

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:	M&S Engineering	Job Title:	Agent -	Engineer	
Name(In Print) :	Heath L. Woods, P.E.			Phone:	(830)228-5446
Signature:	Butte L. J.L			Date:	9/2/14

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

	LATED ENTITY TY: <u>Comal</u>	NAME: <u>Vintage Oaks at the Vineyard, Unit 9</u> STREAM BASIN: <u>Bexar Creek</u>						
EDWA	RDS AQUIFER:	X RECHARGE ZONE TRANSITION ZONE						
PLAN	TYPE:	X WPAPASTEXCEPTIONSCSUSTMODIFICATION						
CUST		ATION						
1.	Customer (Appl	licant):						
	Contact Person Entity: Mailing Address City, State: Telephone:	Southstar at Vintage Oaks, LLC						
	Agent/Represe	ntative (If any):						
	Contact Person Entity: Mailing Address City, State: Telephone:	M&S Engineering, LLC						
2.	 This project is inside the city limits of 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.	and clarity so t for a field inves This site Subdivisio	iš located in the Vintage Oaks at the Vineyard n off Hwy 46 in New Braunfels. It is adjacent to 8, approximately 2.8 miles off Hwy 46 into the						
4.		HMENT A - ROAD MAP . A road map showing directions to and the location of ject site is attached at the end of this form.						
5.		THMENT B - USGS / EDWARDS RECHARGE ZONE MAP. A copy of the 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:

- <u>X</u> X_ Project site.
 - USGS Quadrangle Name(s).
 - Boundaries of the Recharge Zone (and Transition Zone, if applicable).
 - Drainage path from the project to the boundary of the Recharge Zone.
- 6. <u>X</u>_ 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.
- ATTACHMENT C PROJECT DESCRIPTION. Attached at the end of this form is a 7. Χ_ detailed narrative description of the proposed project.
- 8. Existing project site conditions are noted below:
 - Existing commercial site
 - Existing industrial site
 - Existing residential site
 - Existing paved and/or unpaved roads
 - Undeveloped (Cleared)
 - Undeveloped (Undisturbed/Uncleared)
 - Other: Ex water lines, Detention pond, Water Tank

PROHIBITED ACTIVITIES

- 9. Χ_ 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
 - new municipal solid waste landfill facilities required to meet and comply with (5)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. I am aware that the following activities are prohibited on the Transition Zone and are Х not proposed for this project:
 - waste disposal wells regulated under 30 TAC Chapter 331 (relating to (1)**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:
 - For a Water Pollution Abatement Plan and Modifications, the total acreage of the site Χ_ 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 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 one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional 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.

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:

eath L. Woods

Print Name of Customer/Agent

Signature of Customer/Agent

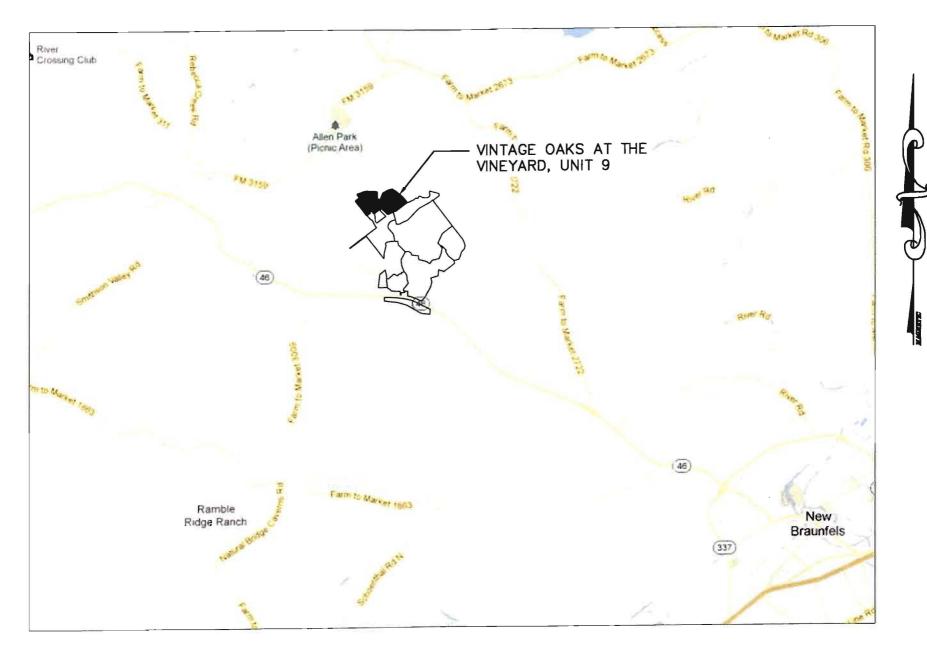
If you have questions on how to fill out this form or about the Edwards Aquifer protection program, please contact us at 210/490-3096 for projects located in the San Antonio Region or 512/339-2929 for projects located in the Austin Region.

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

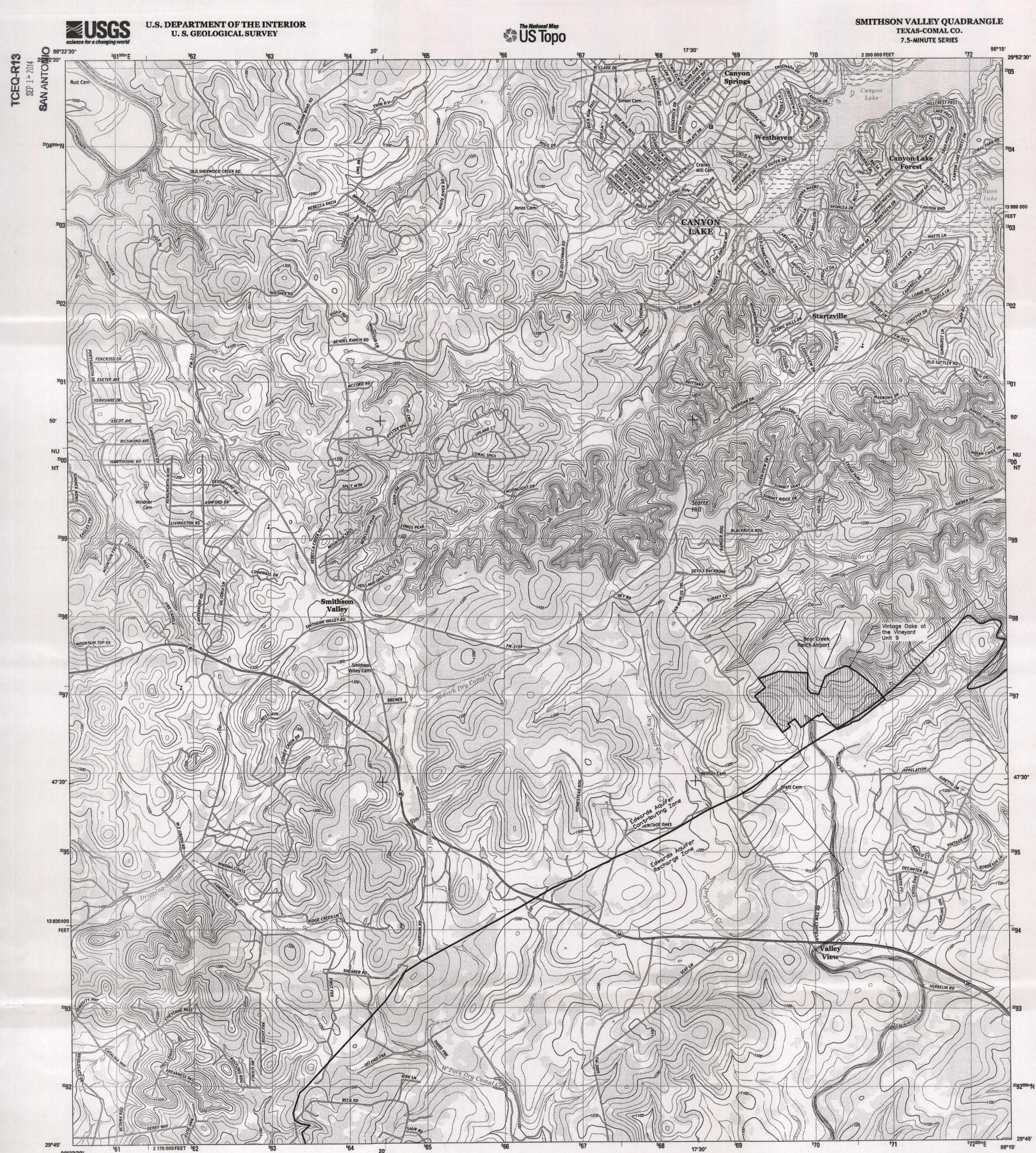
Road Map

ATTACHMENT A - ROAD MAP



Attachment B

USGS/Edwards Recharge Zone Map





Produced by the United States Geological Survey North American Datum of 1983 (NAD83) World Geodetic System of 1984 (WGS84). Projection and 1 000-meter grid: Universal Transverse Mercator, Zone 14R 10 000-foot ticks: Texas Coordinate System of 1983 (south control and central zone)

0" 20" 6 MILS

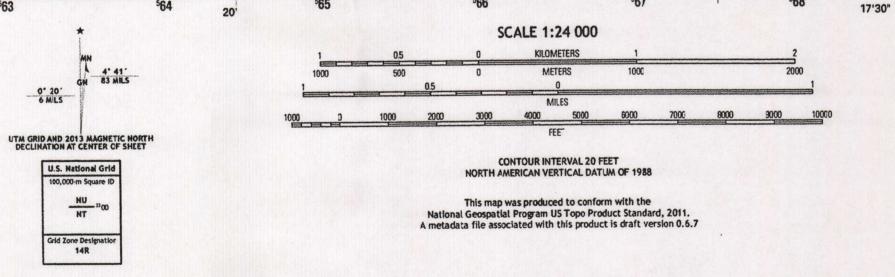
U.S. National Grid

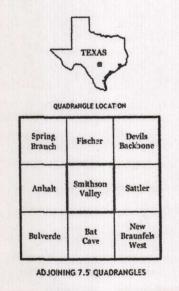
100,000-m Square ID

Grid Zone Designation

NT 300

Imagery	NAIP, May 2010
Roads	©2006-2012 TamTom
Names	
Hydrography.	National Hydrography Dataset, 2010
Contours	National Elevation Dataset, 2003
Boundaries	Census, IBWC, IBC, USGS, 1972 - 2012





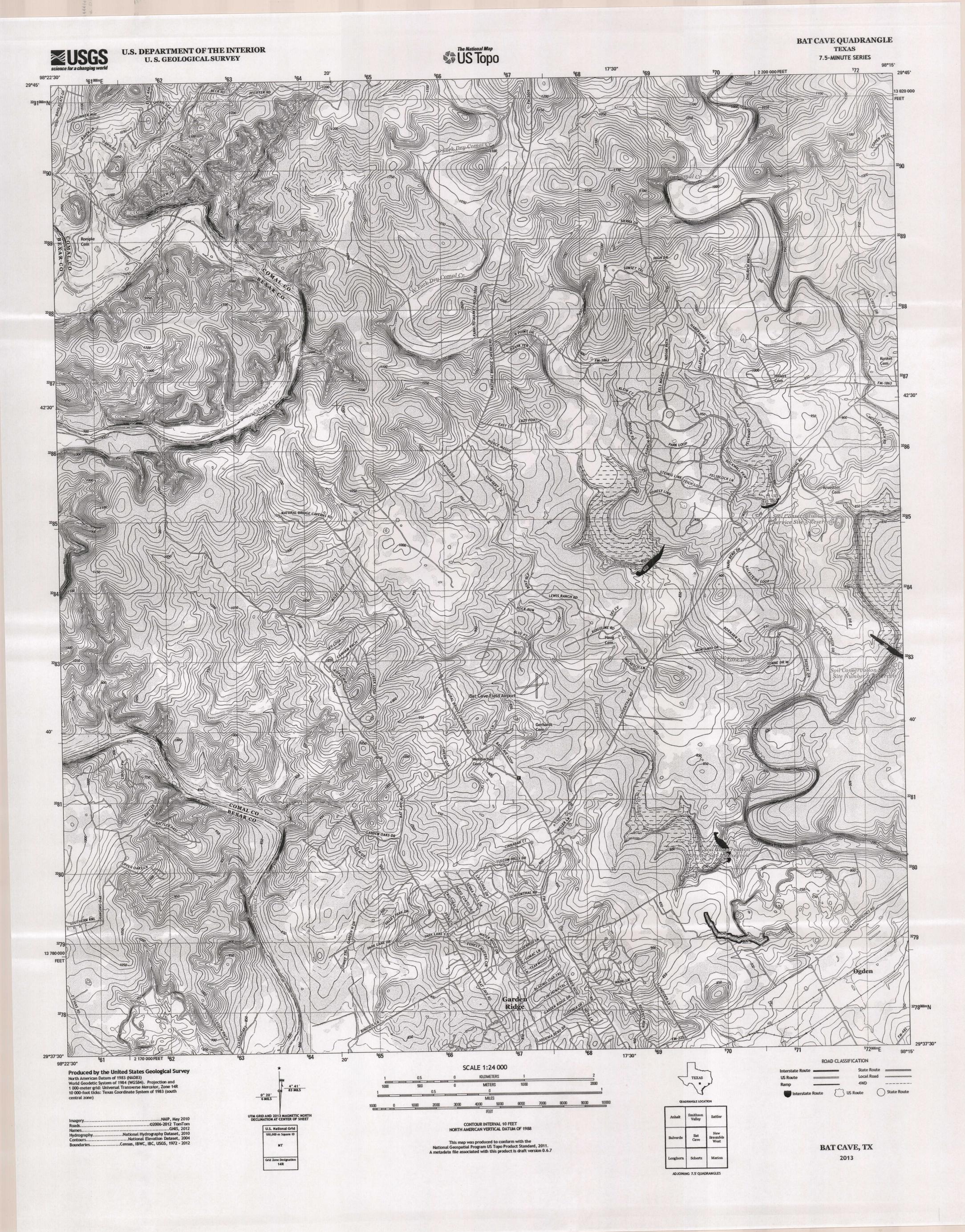
98°15'

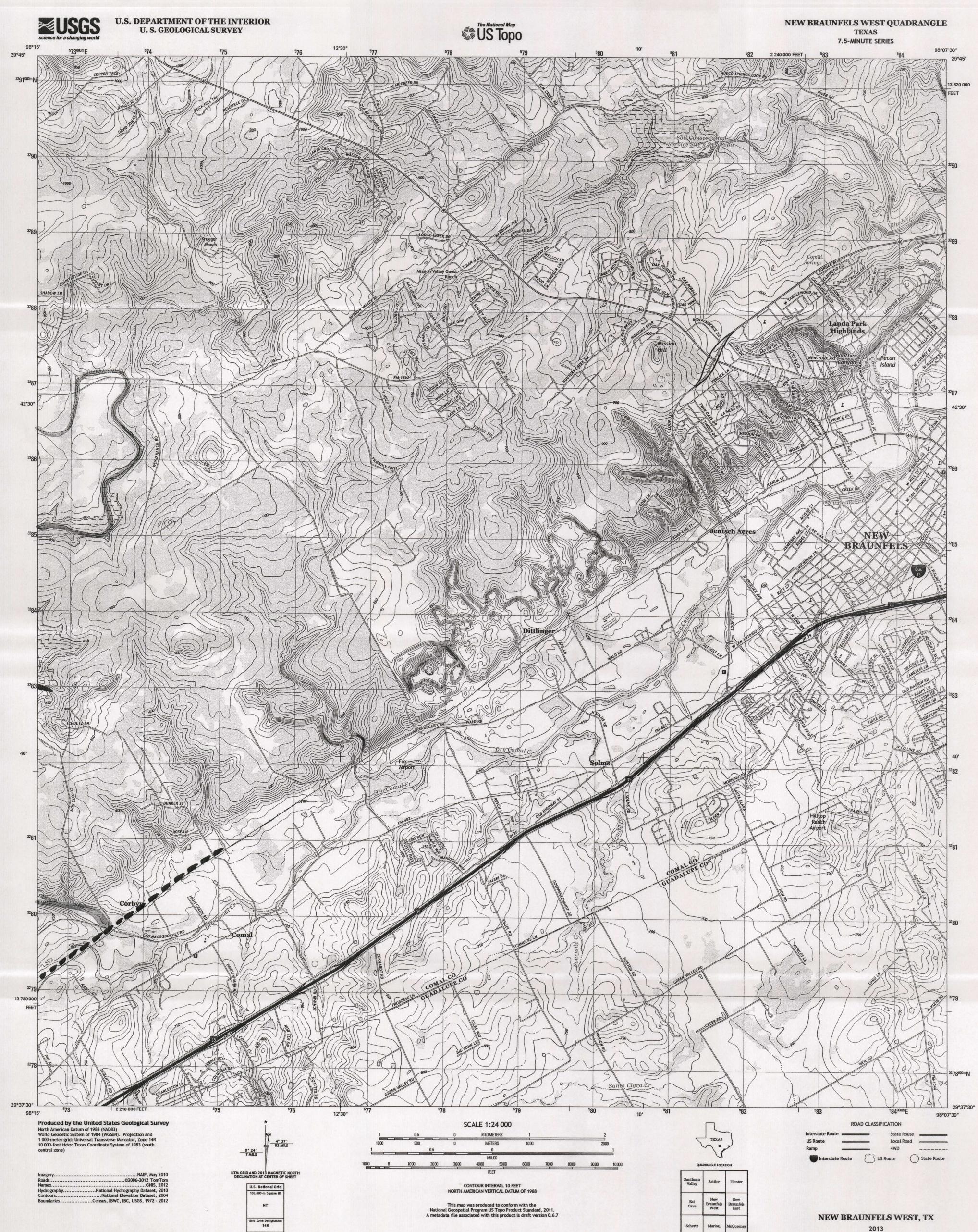
ROAD CLASSIFICATION

State Route Interstate Route Local Road **US** Route 4WD Ramp -----State Route US Route Interstate Route

SMITHSON VALLEY, TX

2013





Imagery	NAIP, May 2010
	©2006-2012 TomTom
Names	GNIS, 2012
Hydrography	National Hydrography Dataset, 2010
Contours	National Elevation Dataset, 2004
	Census, IBWC, IBC, USGS, 1972 - 2012

AD JOINING 7.5 QUADRANGLES

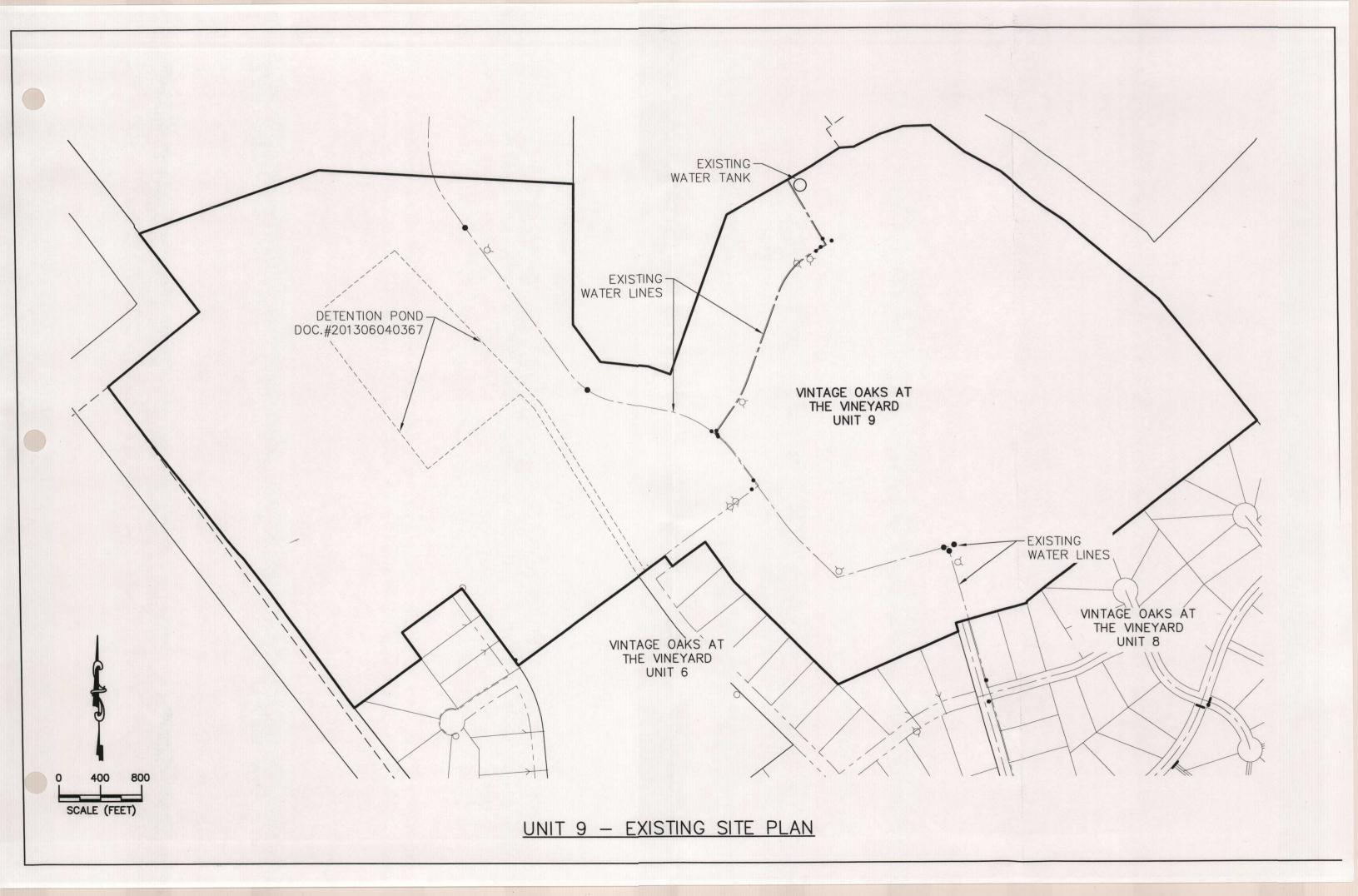
Attachment C

Project Description

PROJECT DESCRIPTION

The existing project site was at one point a residential tract. There is a building structure on site. There is also some developed water lines, a water storage tank and a detention pond. (See Attached Existing Site Plan) The proposed development is to be a Single Family Residential Subdivision, located on 216.99 acres, adjacent to the Unit 6 and Unit 8 of the Vintage Oaks at the Vineyard Subdivision. The site would ultimately include approximately 135 acres of single-family residential lots, and 20.66 acres of street right-of-way. No portion of this subdivision falls in any floodplain area. The streets are accounted for in the impervious cover calculations.

Vintage Oaks at the Vineyards, Unit 9 is located within the Bear Creek watershed. The proposed development creates approximately 40.15 acres of impervious cover. The total acreage of the project is the 216.99 acres.



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:	Vintage Oaks	at The Vineγa	ards Unit 09	
TYPE OF PROJECT: <u>X</u> WPAP	AST	SCS	UST	
LOCATION OF PROJECT: <u>X</u> R	echarge Zone	Transition	Zone	Contributing Zone within the Transition Zone
PROJECT INFORMATION				

- 1. <u>X</u> 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, Ir Characteristics		* Soil Group Definitions (Abbreviated)	
Soil Name	Group*	Thickness (feet)	A. Soils having a <u>high infiltration</u> rate when thoroughly wetted.
Comfort-Rock outcrop complex, undulating (CrD)	В	1-3'	B. Soils having a <u>moderate infiltration</u> rate when thoroughly wetted.C. Soils having a <u>slow infiltration</u> rate
Doss silty clay (DoC)	В	1-3'	when thoroughly wetted.
Krum clay (KrB)	В	1-3'	D. Soils having a <u>very slow infiltration</u> rate when thoroughly wetted.

- 3. <u>X</u> 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. <u>X</u> 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. <u>X</u> 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 $1^{\prime\prime}$: 400'

Applicant's Site Plan Scale	1" = 400 '
Site Geologic Map Scale	1" = 400 '
Site Soils Map Scale (if more than 1 soil type)	1" = 400 '

- 6. Method of collecting positional data:
 - X Global Positioning System (GPS) technology.



Other method(s).

- 7. X The project site is shown and labeled on the Site Geologic Map.
- 8. _X_ Surface geologic units are shown and labeled on the Site Geologic Map.
- X 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. X The Recharge Zone boundary is shown and labeled, if appropriate.
- 11. All known wells (test holes, water, oil, unplugged, capped and/or abandoned, etc.):
 - <u>X</u> There is <u>one</u>(#) water well present on the project site and the location is shown and labeled. (Check all of the following that apply.)
 - ____ The (borings) wells are not in use and have been properly abandoned.
 - The wells are not in use and will be properly abandoned.
 - The wells are in use and comply with 16 TAC Chapter 76.
 - There are no wells or test holes of any kind known to exist on the project site.

ADMINISTRATIVE INFORMATION

12. X Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

Date(s) Geologic Assessment was performed: ______ June 20-23, 2014 _____ 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 Chapter 213.

John Langan Print Name of Geologist	JL 7/15/14 210/616 John Langan 210/342-9401	
Signature of Geologist	Geology 4871 CENSED CO/15/14 Date	Fax
Representing:	Professional Service Industries, Inc.	

(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 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.

Narrative Description of Geology

GEOLOGIC ASSESSMENT

For

VINTAGE OAKS AT THE VINEYARDS UNIT 9 HIGHWAY 46 COMAL COUNTY, TEXAS

Prepared for

M&S ENGINEERING LTD. 6477 F.M. 311, P.O. BOX 970 SPRING BRANCH, TEXAS 78070

Prepared by

Professional Service Industries, Inc. 7400 Blanco Road, Suite 257 San Antonio, Texas 78216 Telephone (210) 616-2119

PSI PROJECT NO.: 0435-1840

August 26, 2014









August 26, 2014

M&S Engineering, Ltd. 6477 F.M. 311, P.O. Box 970 Spring Branch, Texas 78070

Attn: Mr. Heath Woods, P.E.

Re: Geologic Assessment Vintage Oaks at The Vineyard Unit 9 Approximate 200-Acre Tract Highway 46, Comal County, Texas PSI Project No. 435-1840

Dear Mr. Woods:

Professional Service Industries, Inc. (PSI) has completed a geologic recharge assessment for the above referenced project in compliance with the Texas Commission on Environmental Quality (TCEQ) requirements for regulated developments located on the Edwards Aquifer Recharge Zone (EARZ). The purpose of this report is to describe surficial geologic units and identify the locations and extent of significant recharge features present in the development area.

AUTHORIZATION

Authorization to perform this assessment was given by a signed copy of PSI Proposal No. 126347- Rev between M&S Engineering, Ltd. and PSI dated June 23, 2014.

PROJECT DESCRIPTION

The subject site is located on the north side of Highway 46, east of Cranes Mill Road, in Comal County, Texas. The Unit 09 Tract is approximately 200-acres in size, and is an irregularly shaped parcel of undeveloped land that is hilly and rugged in places although some areas are open relatively flat fields of grass. The hillside slopes are occasionally steep and can dip in all directions. Northerly tributaries of Bear Creek drain the property in a general northeasterly or southeasterly direction. The site vegetation consists primarily of native grasses, ashe juniper, live oak, burr oak, cedar elm and persimmon trees, with abundant mountain laurel, agarita, and prickly pear cactus.

REGIONAL GEOLOGY

Physiography

Comal County lies within two physiographic provinces, the Edwards Plateau and the Blackland Prairie. Most of Comal County lies within the Edwards Plateau, which is

characterized by rugged and hilly terrain, with elevations in excess of 1,400' feet above sea level in the northwestern portion of the county. This area is underlain by beds of limestone that dip gently to the southeast. South of the Edwards Plateau is the Balcones Fault Zone, which is also the northernmost limit of the Blackland Prairie. The Balcones Fault Zone extends northeast-southwest across Comal County and is composed of fault blocks of limestone, chalk, shale and marl. The undulating, hilly topography of the Blackland Prairie ranges in elevation from about 650 feet to 1100 feet above sea level. The regional dip of the lower Cretaceous rocks in Comal County is approximately 15 feet per mile towards the southeast. The faults are predominantly normal, down-to-the southeast with near vertical throws. Elevations at the Vintage Oaks at the Vineyard Unit 09 Tract site range from approximately 1,165 feet above mean sea level in the southeast area of the tract to approximately 1,312 feet above mean sea level in the northeastern area of the tract.

Stratigraphy and Structure

Rocks on the southern and eastern portion of the site are members of the Lower Cretaceous Edwards Kainer Formation. The western portion of the site is mapped as the Lower Cretaceous Glen Rose Formation, which is fault separated from the Kainer to the east, which also defines the boundary of the EARZ and Transition Zones.

The site is covered with a thin veneer of soil, and scattered expanses of dense to vuggy and fractured rock outcrops which are exposed throughout the site. In general, the hillsides contained variable amounts of boulder float and soil with outcrops exhibiting varying degrees of fractures and vug development. According to "The Geologic Framework and Hydrogeologic Characteristics of the Edwards Aquifer Outcrop, Comal County Texas" written by the USGS, the Kainer Formation ranges between 260 and 310 feet thick and forms the lower member of the Edwards Group, beneath the Person Formation which compromises the Edwards Aquifer, a federally-designated sole source aquifer for the region. The Glen Rose Formation is composed of limestone, dolomite and marl, with alternating resistant and recessive beds which forms characteristic "stairstep" topography.

No sensitive features scoring more than 40 points on the F-0585 form were observed on the subject tract. A man-made feature consisted of a recently constructed relatively large storm water retention pond with earthen dam. The pond was dry on the day of the site reconnaissance. Many cubic yards of rock and soil were excavated during construction of the pond. Other non-sensitive features included extensive vuggy and fractured rock outcrops on hillsides and in some adjacent drainages, a former stock tank, a water well, and an area on a hillside cleared several years ago by heavy equipment.

SITE INVESTIGATION

The site investigation was performed by systematically traversing the subject tract, and mapping fractured or vuggy rock outcrops, closed depressions, sinkholes, caves, or indications of fault/fracture zones. The purpose of the site investigation was to delineate features with recharge potential that may warrant special protection or consideration. The results of the site investigation are included in the attached TCEQ report format.



SUMMARY

No sensitive features were noted on the subject tract. Non-sensitive features that scored less than 40 points were identified. Please note that subtle features, buried or obscured from view, may be present on the tract. It is possible that clearing/construction activities will reveal the presence of features currently hidden by thick vegetation and/or soil cover. If caves, sinkholes, or solution cavities are encountered during future clearing/construction activities, please contact our office for additional assistance.

We appreciate this opportunity to be of service to you. If you have any questions, please do not hesitate to contact our office.

Respectfully submitted,

PROFESSIONAL SERVICE INDUSTRIES, INC.

John Langan, P.G. Environmental Department Manager





WARRANTY

The field observations and research reported herein are considered sufficient in detail and scope to form a reasonable basis for a general geological recharge assessment of this PSI warrants that the findings and conclusions contained herein have been site. promulgated in accordance with generally accepted geologic methods, only for the site described in this report. These methods have been developed to provide the client with information regarding apparent indications of existing or potential conditions relating to the subject site and are necessarily limited to the conditions observed at the time of the site visit and research. This report is also limited to the information available at the time it was prepared. In the event additional information is provided to PSI following the report, it will be forwarded to the client in the form received for evaluation by the client. There is a possibility that conditions may exist which could not be identified within the scope of the assessment or which were not apparent during the site visit. PSI believes that the information obtained from others during the review of public information is reliable; however, PSI cannot warrant or guarantee that the information provided by others is complete or accurate.

This report has been prepared for the exclusive use of M&S Engineering, Ltd. for the site discussed herein. Reproductions of this report cannot be made without the expressed approval M&S Engineering, Ltd. The general terms and conditions under which this assessment was prepared apply solely to M&S Engineering, Ltd. No other warranties are implied or expressed.



STRATIGRAPHIC COLUMN

Vintage Oaks at The Vineyard Unit 09 Highway 46 Comal County, Texas

FORMATION	THICKNESS	LITHOLOGIC DESCRIPTION
Georgetown Formation	2-20'	Light tan limestone identified by proximity to Del Rio clay and diagnostic marker fossil: <i>waconella wacoensis</i> brachiopod; low porosity and permeability development.
Person Formation	180-224'	Limestones and dolomites, extensive porosity development in "honeycomb sections, interbedded with massive recrystallized limestones with more limited permeabilities (especially Regional Dense Member separating the Person and Kainer Formations.
Kainer Formation	260-310'	Hard, miliolid limestones, overlying calcified dolomites and dolomite. Leached evaporitic "Kirschberg" zone of very porous and permeable collapse breccia formed by the dissolution of gypsum. Overlies the basal nodular (Walnut) bed.
Glen Rose Limestone (upper)	350-500	Yellowish-tan thinly bedded limestone and marl. Alternating beds of varying hardness erodes to "stairstep" topography. Marine fossils common.



SOILS NARRATIVE

According to the Soil Survey of Comal County, published by the United States Department of Agriculture, Soil Conservation Service, in cooperation with the Texas Agricultural Extension Service, reissued in 1984, the soils beneath the subject property have been classified as Comfort-Rock outcrop complex, undulating (CrD), Doss silty clay (DoC), and Krum clay (KrB).

Comfort extremely stony clay makes up between 49 and 95% of the Comfort-Rock outcrop series, and indurated rock outcrop and soil less than 4 inches deep make up 5 to 36% of the complex. Typically, the surface layer is dark brown extremely stony soil about 6 inches thick. Cobbles, stones and "float" rock comprise about 45% of the surface. The subsoil extends to about 13 inches, and overlies the fractured limestone parent material. Comfort soil is well-drained, with slow to medium surface runoff, slow permeability, and very low water capacity.

Doss silty clay is a shallow, gently sloping soil on convex slopes of low hills and ridges on the Edwards Plateau uplands. The surface layer is dark grayish brown silty clay about 9 inches thick. The subsoil is a yellowish brown clay loam that extends to about 18 inches. From 18 to 24 inches is a weakly cemented weathered limestone and marl parent material. This soil is well drained, with medium surface runoff and moderately slow permeability, with low water capacity. Water erosion is a moderate hazard.

Krum clays are deep gently sloping soils on stream terraces and valley fills. Typically, the surface layer is dark gray clay roughly 16 inches thick. From 16 to 58 inches, the subsoil is grayish brown clay, which becomes browner and lighter colored with depth. This soil is well drained, with medium surface runoff, moderately slow permeability and high water capacity



the subject tract in the form of the storm water retention pond. Non-sensitive features included a former stock tank with dam now removed (S-1), an existing water well (S-2), a cleared area on a hillside (S-4), and vuggy and fractured rock outcrops on hillsides and in drainages (S-3, S-5, S-6, S-7 and S-9). One feature, S-40 from the original 2006 GA, was no longer visible as it was located within the new storm water retention pond (S-8). Please note that subtle features, buried or obscured from view, may be present on the tract. It is possible that clearing/construction activities will reveal the presence of features currently hidden by thick vegetation and/or soil cover. If caves, sinkholes, or solution cavities are encountered during future clearing/construction activities, please contact our office for additional assistance.



SITE GEOLOGIC NARRATIVE

Physiography

Comal County lies within two physiographic provinces, the Edwards Plateau and the Blackland Prairie. Most of Comal County lies within the Edwards Plateau, which is characterized by rugged and hilly terrain, with elevations in excess of 1,400' feet above sea level in the northwestern portion of the county. This area is underlain by beds of limestone that dip gently to the southeast. South of the Edwards Plateau is the Balcones Fault Zone, which is also the northernmost limit of the Blackland Prairie. The Balcones Fault Zone extends northeast-southwest across Comal County and is composed of fault blocks of limestone, chalk, shale and marl. The undulating, hilly topography of the Blackland Prairie ranges in elevation from about 650 feet to 1100 feet above sea level. The regional dip of the lower Cretaceous rocks in Comal County is 15 feet per mile towards the southeast. The faults are predominantly normal, down-to-the Gulf Coast, with near vertical throws. Elevations at the Vintage Oaks at the Vineyard Unit 09 site range from approximately 1,312 feet above mean sea level in the northeast area of the tract.

Stratigraphy and Structure

Rocks on the southern and eastern portion of the site are members of the Lower Cretaceous Edwards Kainer Formation. The western portion of the site is mapped as the Lower Cretaceous Glen Rose Formation, which is fault separated from the Kainer to the east, which also defines the boundary of the EARZ and Transition Zones.

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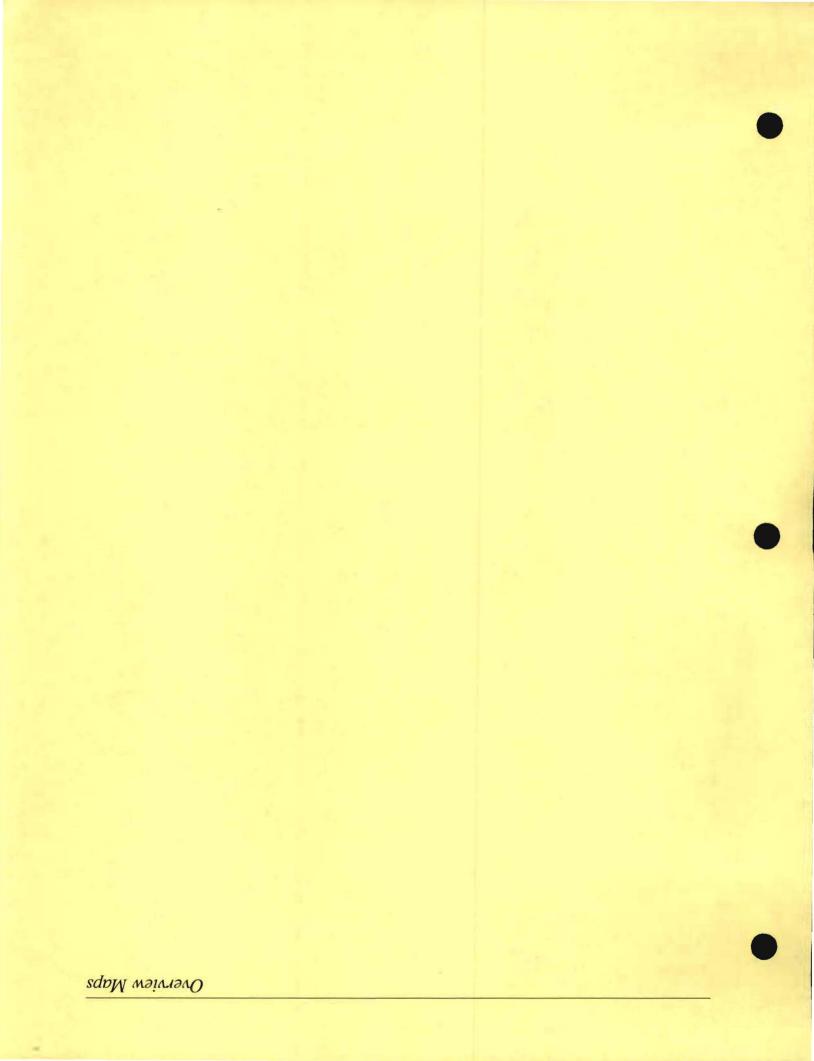
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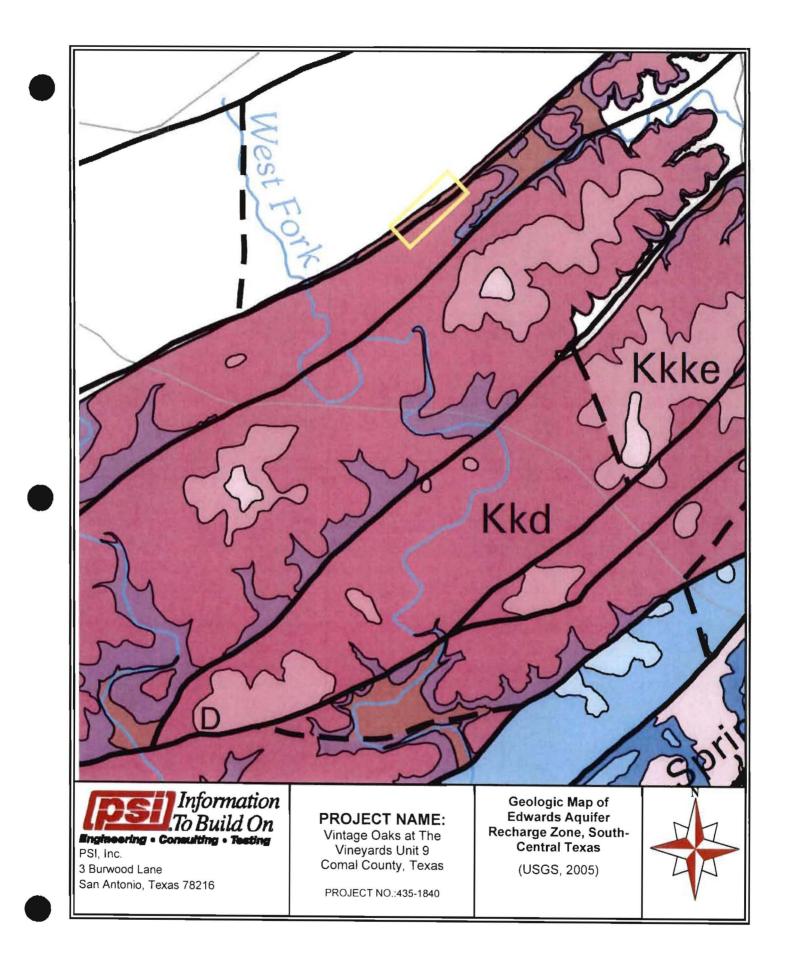


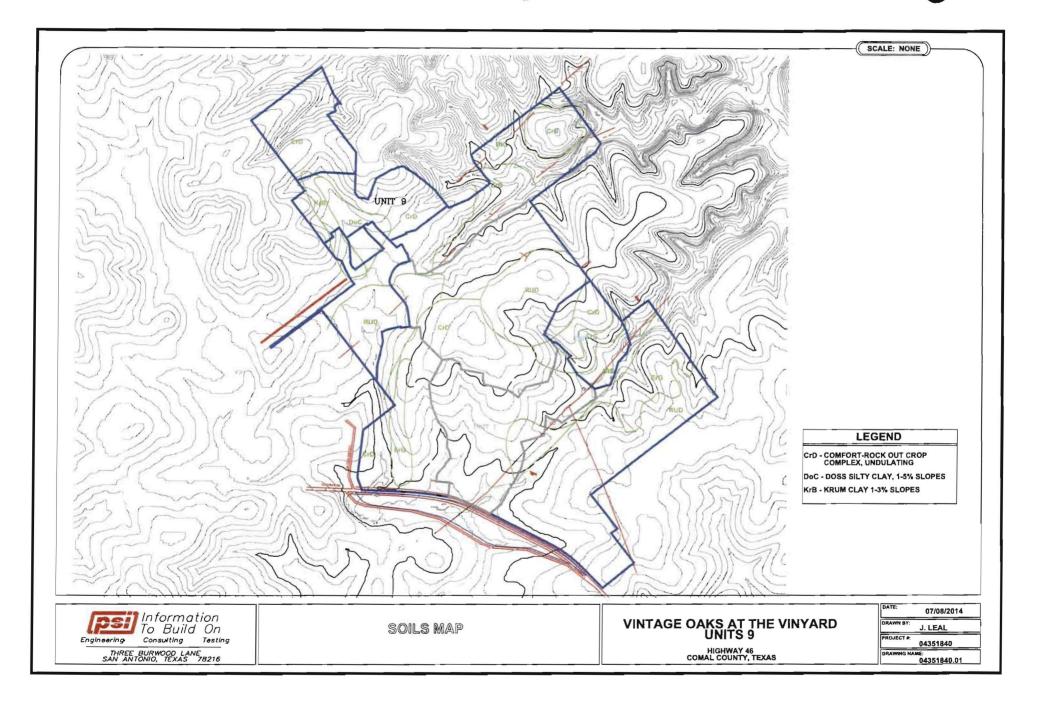
SUMMARY

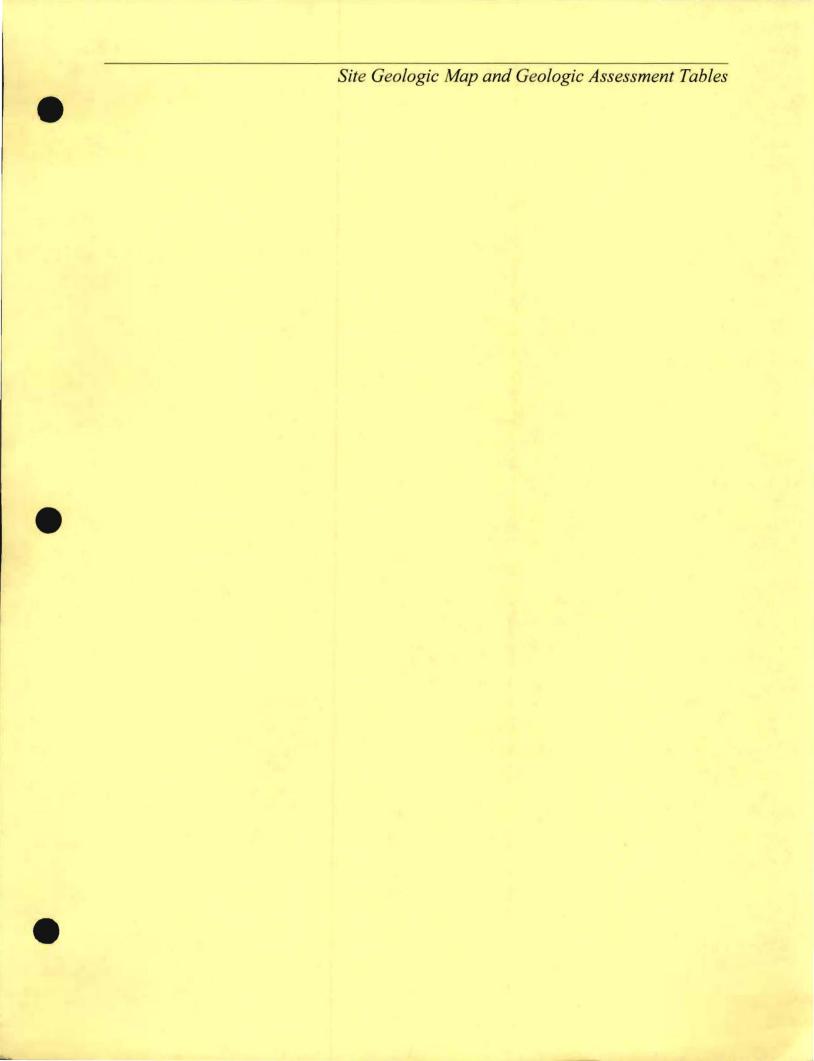
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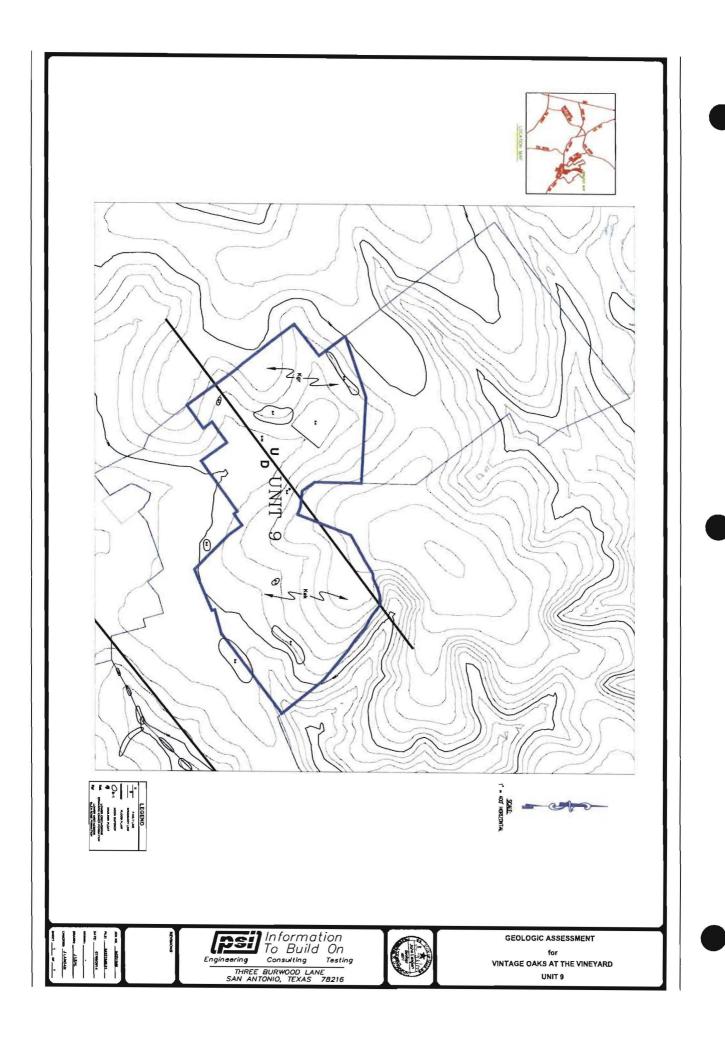












GEOL	OGIC A	SSESS	MENT	TABL	E		PR	OJE	CT NA	ME	5 2 3 m \$	Vintage	e Oak	s at the Vin	leyard	Unit	09			
LOCATION				FEA	FEATURE CHARACTERISTICS					EVALUATION		PHYSICAL SETTING								
1A	18.	1C*	2A	28	з		4		5	SA	6	7	8A	88	s		10		1	12
FEATURE (D	LATITUDE	LONOTTUDE	FEATURE TYPE	POINTS	FORMATION	DIME	DIMENSIONS (FEET)		TREND	00u	DENSITY (NO/FT)	APERTURE (FEET)	INFILL	RELATIVE INFR. MAATION RATE	YOTAL	SENS	אטאוז		ENT AREA RES)	тородяарну
						×	Y	z		10						<40	<u>≥4</u> 0	<1.6	>16	
S-1	29-47-53	98-16-23	MB	30	Kek	200	60	10						5	35	X			х	Stocktank
S-2	29-48-4	98-16-31	MB	30	Kek	٦	١	>100						5	35	х		Х		Well
S-3	29-48-4	98-16-20	0	5	Kek	150	15	15			Q.5	0.1	O, F	15	20	Х			Х	Drainage
S-4	29-48-4.44	98-16-6.55	MB	30	Kek	800	150							5	35	Х			х	Cleared Hillside
S-5	29-47-59	98-16-5	0	5	Kek	1200	200	5			2	0.2	0, F	15	20	х			Х	Hillside
S-6	29-47-55	98-16-48	0	5	Kek	250	50	3			3	0.2	0	15	20	х			Х	Hillside
S-7	29-48-3	98-16-45	0	5	Kgr	700	250	30			2	0.2	۴	25	30	Х			Х	Hilisidə
S-8	29-48-7,64	98-16-44 03	MB	30	Kgr	900	400	15						9	39	X			х	Pond
S-9	29-48-11	98-16-56	0	5	Kek	725	150	25			2	0.1	F	25	35	Х			Х	Hillside
S-10	29-47-38.5	98-16-40	F.	20	Kek	>2500	75		NE-SW	10				9	39	Х			х	Hillside
								┝												
								┝──┤												*****

* DATUM:

DATU	V1.	100000000000000000000000000000000000000		
2A TYP	E TYPE	28 POINTS		8A INFILLING
C	Cave	30	N	None, exposed bedrock
SC	Solution cavity	20	С	Coarse - cobbles, breakdown, sand, gravel
SF	Solution-enlarged fracture(s)	20	0	Leose or soft mud or soil, organics, leaves, sticks, dark colors
F	Fault	20	F	Fines, compacted clay-rich sediment, soll profile, gray or red colors
0	Other natural bedrock features	5	v	Vegetation. Give details in narrative description
MB	Manmade feature in bedrock	. 30	FS	Flowstone, cements, cave deposits
SW	Swallow hole	30	Х	Other materials
SH	Sinkhole	20		
CD	Non-karst closed depression	5		12 TOPOGRAPHY
Z	Zone, clustered or aligned leatures	30	Cli	ff, Hilltop, Hillside, Drainage, Floodplain, Streambed

I have read, I understood, and I have followed the Texas Commission on Environmental Quality'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 Chapter 213.

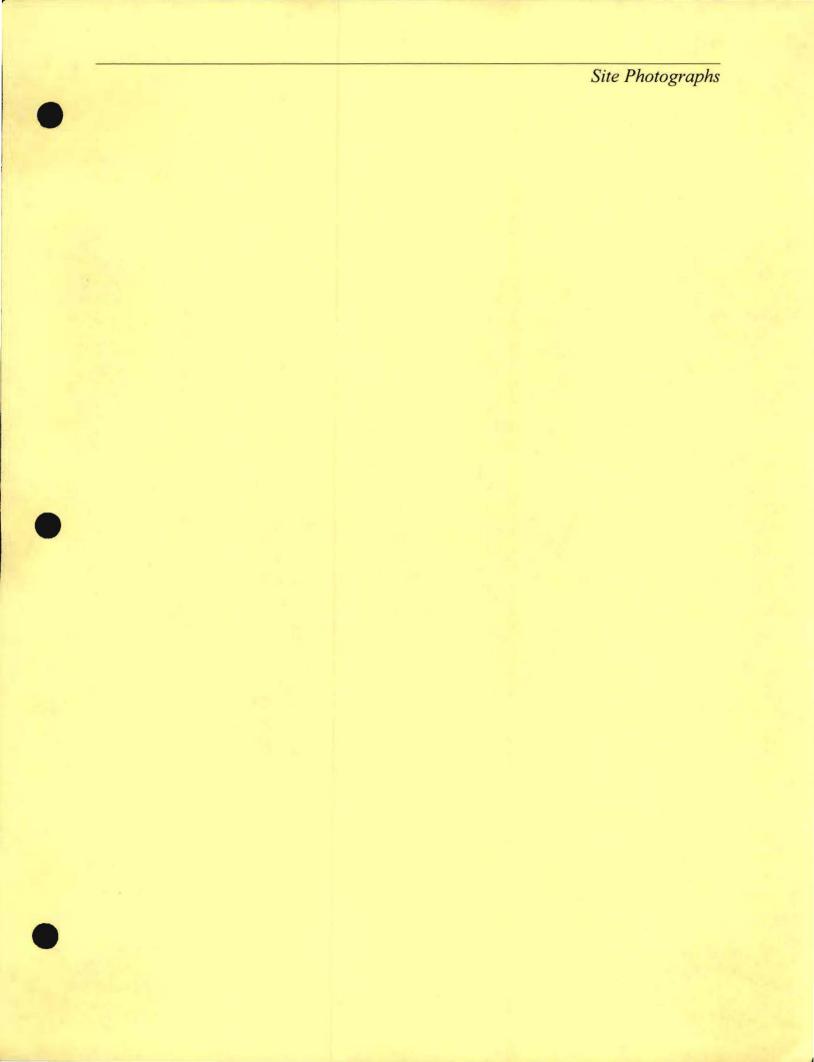
Date: August 26, 2014

John Ja

Sheet ____1___ of ____1___



TCEQ-0585-Table (Rev. 10-01-04)





1. View of feature S-1 at Unit 09.



2. View of feature S-2 at Unit 09.



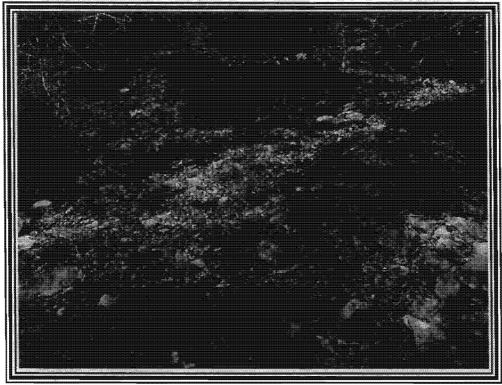
3. View of feature S-3 at Unit 09.



4. View of feature S-5 at Unit 09.



5. View of feature S-6 at Unit 09.



6. View of feature S-7 at Unit 09.



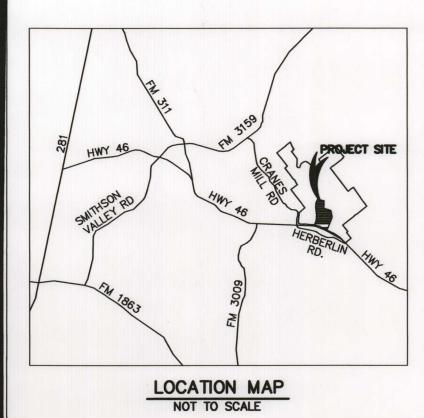
7. View of former site of feature S- 40 (original GA) at Unit 09.

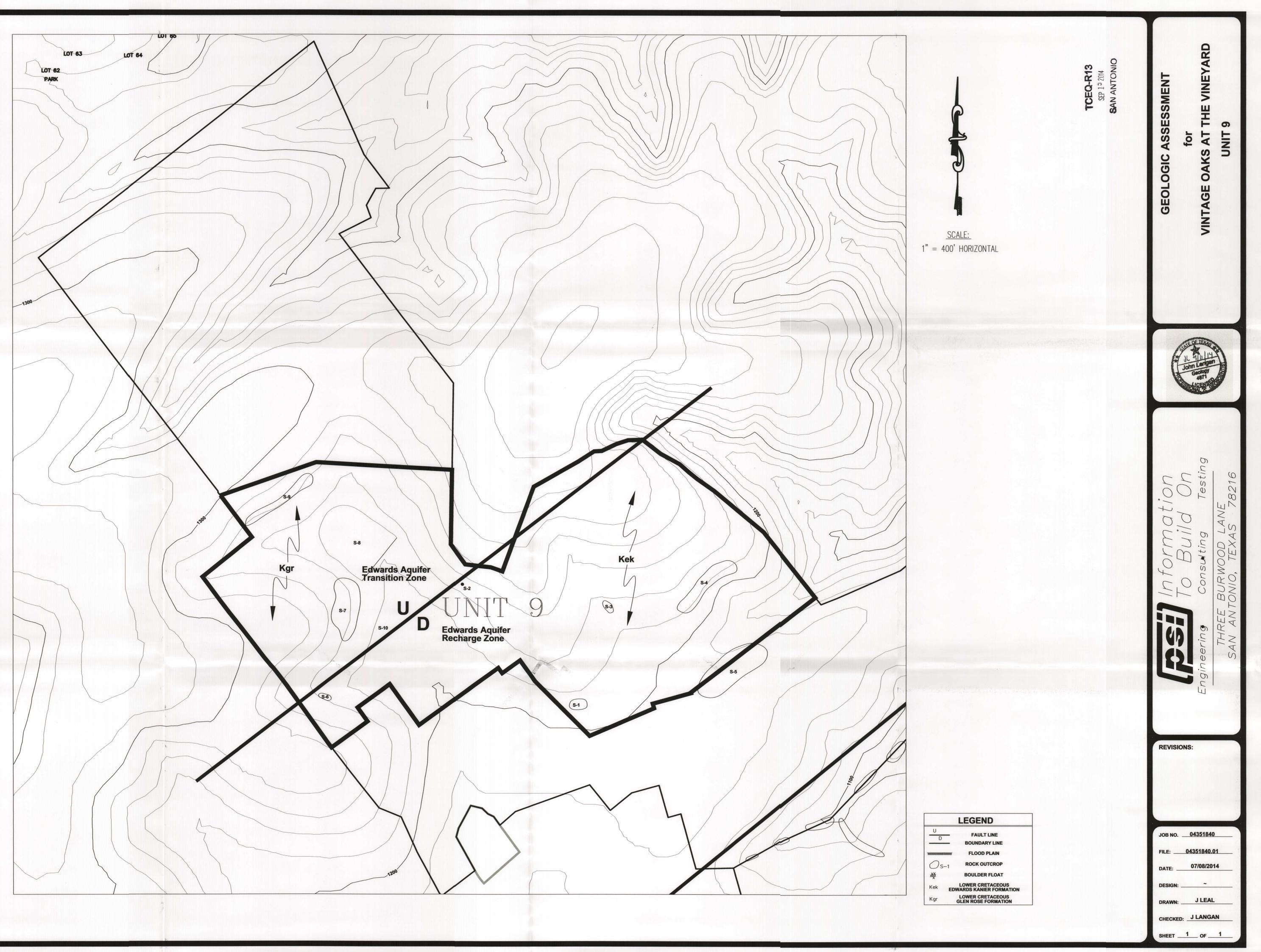


8. View of new manmade feature S-8 at Unit 09.



9. View of feature S-9 at Unit 09.





TEXAS COMMISSION ON ENVIRONMENTAL QUALITY WATER POLLUTION ABATEMENT PLAN

GENERAL CONSTRUCTION NOTES 1. WRITTEN CONSTRUCTION NOTIFICATION MUST BE GIVEN TO THE APPROPRIATE TCEQ REGIONAL OFFICE NO LATER THAN 48 HOURS PRIOR TO COMMENCEMENT OF THE REGULATED ACTIVITY. INFORMATION MUST INCLUDE THE DATE ON WHICH THE REGULATED ACTIVITY WILL COMMENCE, THE NAME OF THE APPROVED PLAN FOR THE REGULATED ACTIVITY, AND THE NAME OF THE PRIME CONTRACTOR AND THE NAME AND TELEPHONE NUMBER OF THE CONTACT PERSON.

2. ALL CONTRACTORS CONDUCTING REGULATED ACTIVITIES ASSOCIATED WITH THIS PROJECT MUST BE PROVIDED WITH COMPLETE COPIES OF THE APPROVED WATER POLLUTION ABATEMENT PLAN AND THE TCEQ LETTER INDICATING THE SPECIFIC CONDITIONS OF ITS APPROVAL. DURING THE COURSE OF THESE REGULATED ACTIVITIES, THE CONTRACTORS ARE REQUIRED TO KEEP ON-SITE COPIES OF THE APPROVED PLAN AND APPROVAL LETTER.

3. IF ANY SENSITIVE FEATURE IS DISCOVERED DURING CONSTRUCTION, ALL REGULATED ACTIVITIES NEAR THE SENSITIVE FEATURE MUST BE SUSPENDED IMMEDIATELY. THE APPROPRIATE TCEQ 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 TCEQ 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.

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 TCEQ UPON REQUEST: THE DATES WHEN MAJOR GRADING ACTIVITIES OCCUR; THE DATES WHEN CONSTRUCTION ACTIVITIES TEMPORARILY OR PERMANENTLY CEASE ON A PORTION OF THE SITE; AND THE DATES WHEN STABILIZATION MEASURES ARE INITIATED.

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 2800 S. IH 35, SUITE 100 AUSTIN, TEXAS 78704-5712 PHONE (512) 339-2929 FAX (512) 339-3795

SAN ANTONIO REGIONAL OFFICE 14250 JUDSON ROAD SAN ANTONIO, TEXAS 78233-4480 PHONE (210) 490-3096 FAX (210) 545-4329

THESE GENERAL CONSTRUCTION NOTES MUST BE INCLUDED ON THE CONSTRUCTION PLANS PROVIDED TO THE CONTRACTOR AND ALL SUBCONTRACTORS.

TEMPORARY BMP NOTE: SEE ATTACHED SHEETS FOR TEMPORARY BMP DETAILS. ADDITIONAL BMP DETAILS PROVIDED BUT NOT CALLED OUT ON PLANS MAY BE USED AT CONTRACTOR'S DISCRETION.

SOIL DISTURBANCE NOTE

SOIL DISTURBANCES WILL OCCUR TO CLEARING, GRUBBING, AND GRADING OF AREAS TO BE USED FOR THE RESIDENTIAL LOTS, ROADS, ROAD RIGHT-OF-WAY, AND DETENTION POND. THESE DISTURBANCES CAN BE ATTRIBUTED TO, BUT NOT LIMITED TO, CLEARING AND GRUBBING RELATED TO BUILDING PAD, DRIVEWAY, UTILITY INSTALLATION, AND LANDSCAPE PREPARATION. THE REMAINING PORTIONS OF THE SITE NOT INVOLVED IN ANY OF THESE ACTIVITIES WILL REMAIN UNDISTURBED.

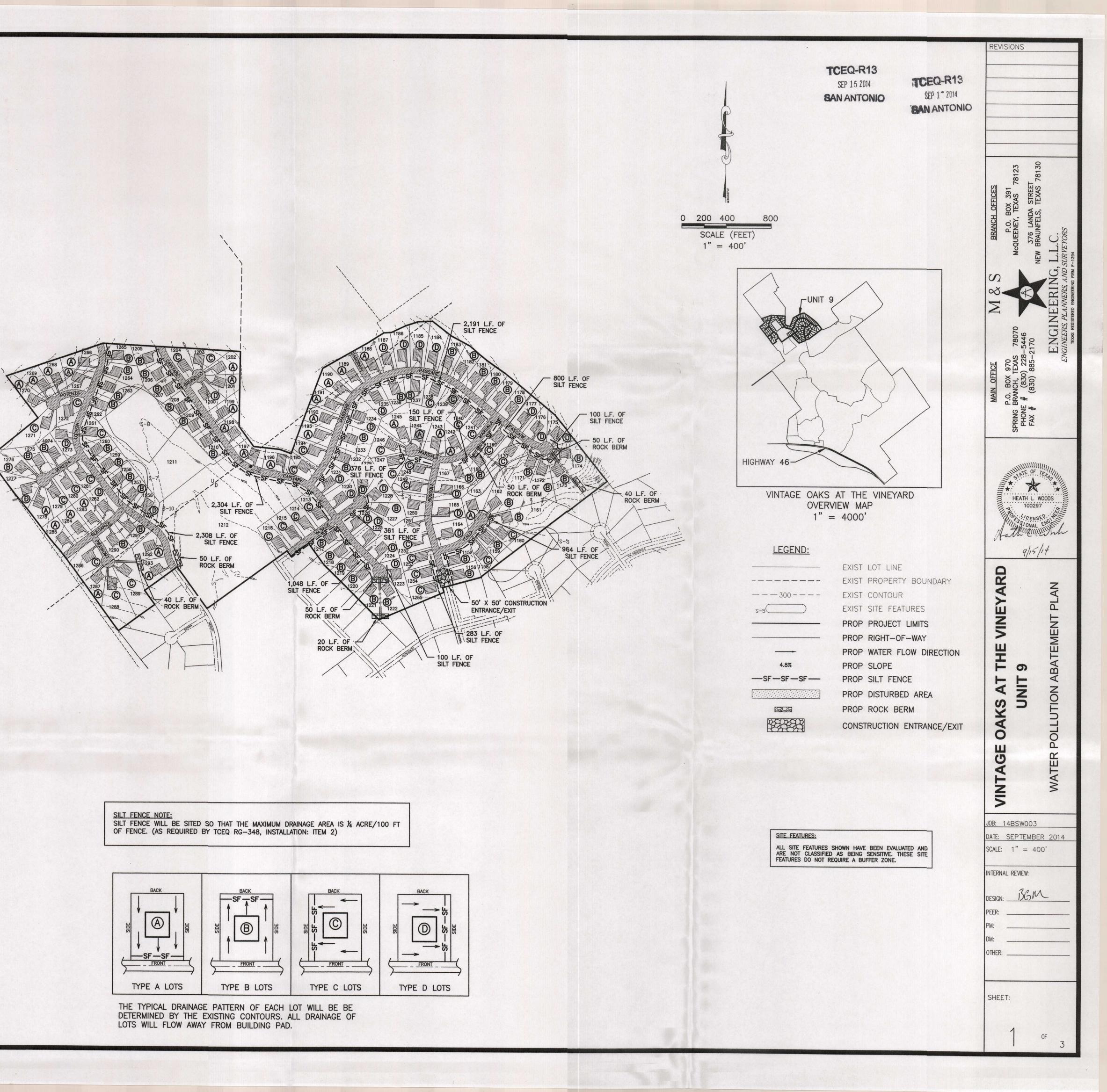
TEMPORARY GRAVEL CONSTRUCTION ENTRANCE SHALL BE INSTALLED TO PROVIDE A STABLE ENTRANCE/EXIT CONDITION FROM THE CONSTRUCTION SITE TO KEEP MUD AND SEDIMENT OFF PUBLIC ROADWAYS (REFER TO THE EDWARDS AQUIFER TECHNICAL GUIDANCE MANUAL FOR CONSTRUCTION INFORMATION).

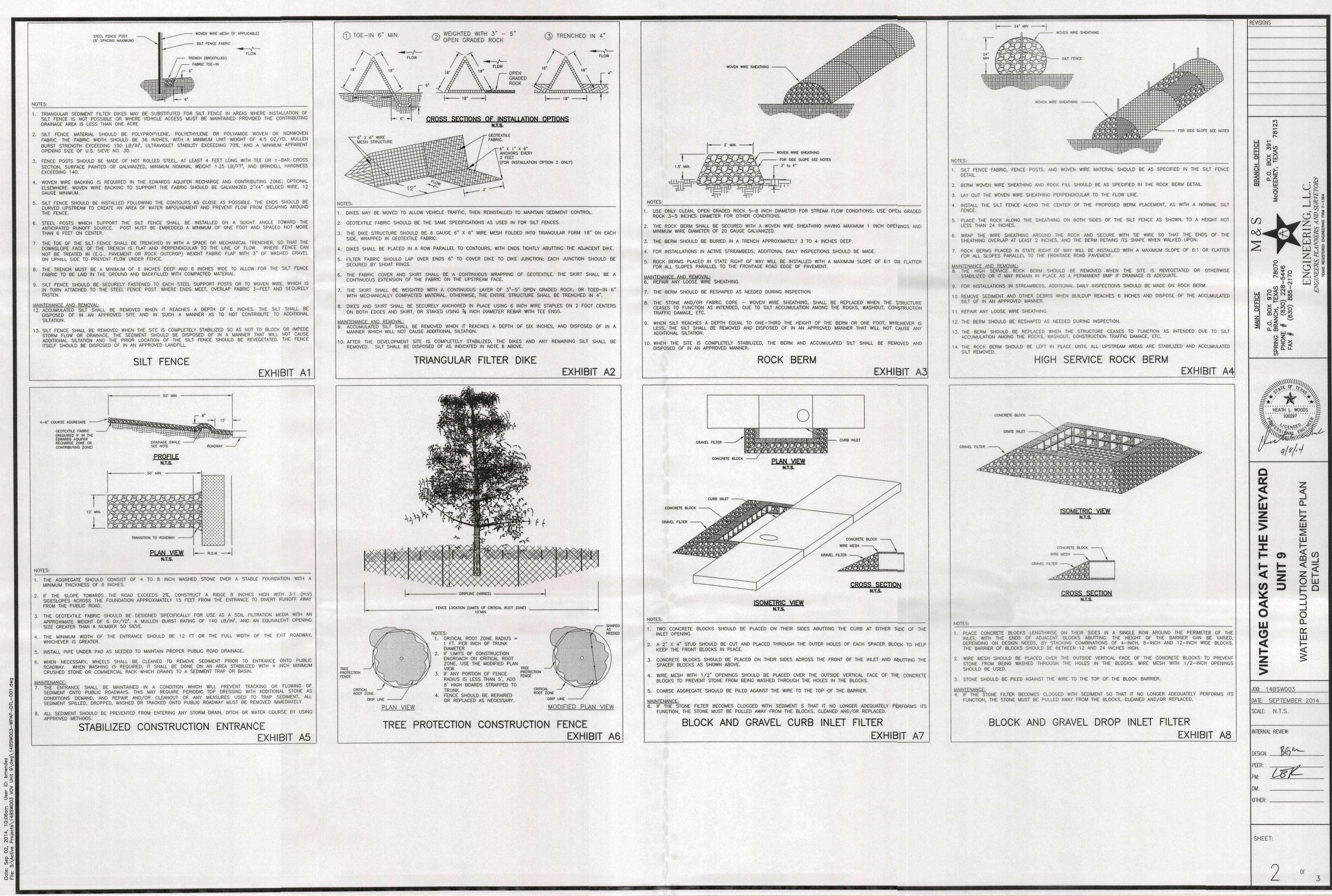
SOIL STABILIZATION NOTE

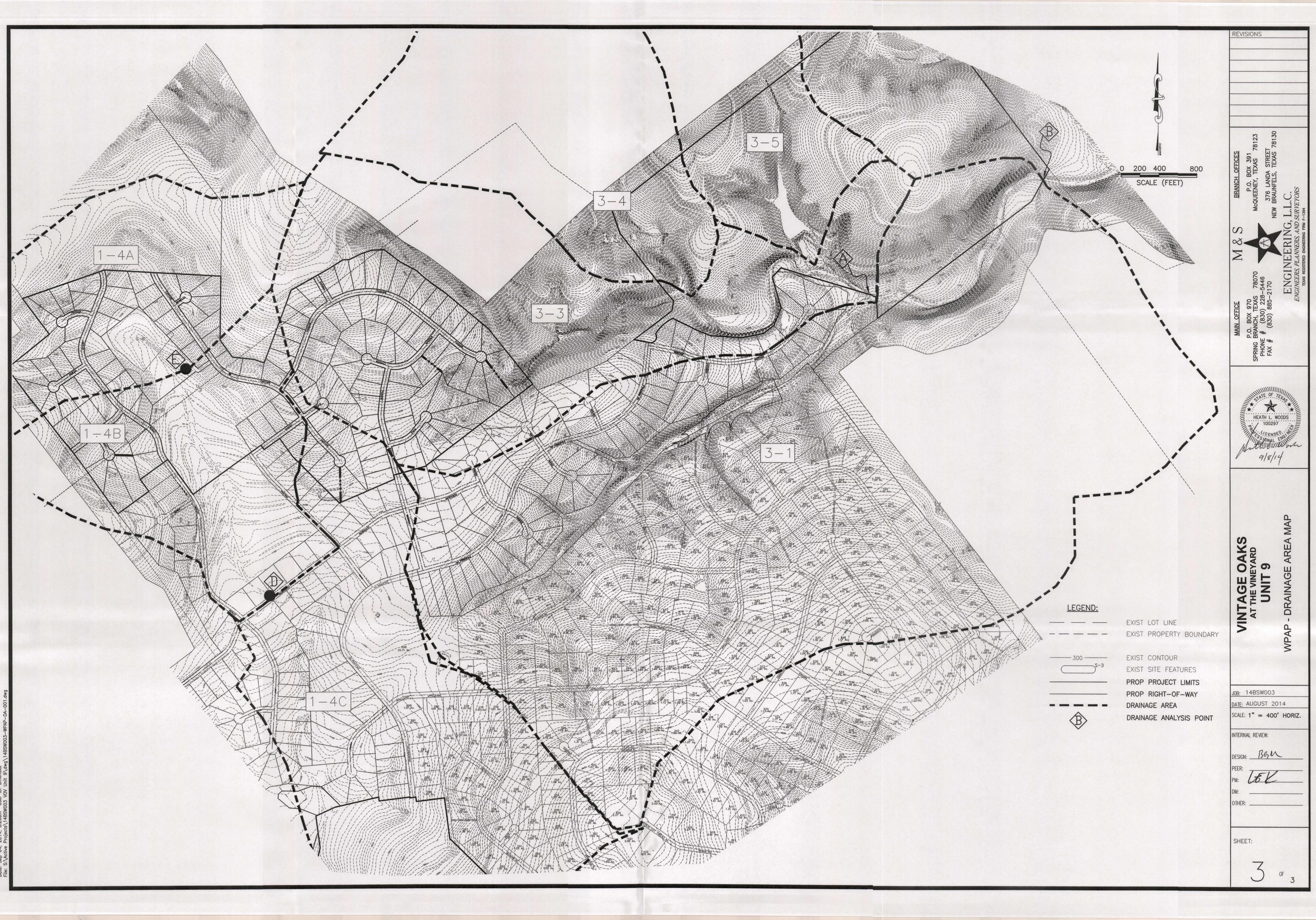
ESTABLISHED.

TEMPORARY EROSION CONTROL MEASURES WILL BE USED TO STABILIZE DISTURBED AREAS (REFER TO EDWARDS AQUIFER TECHNICAL GUIDANCE MANUAL FOR CONSTRUCTION OF EROSION CONTROL MEASURES). TRAFFIC WILL BE ROUTED AROUND THESE AREAS TO REDUCE THE EXTENT OF DISTURBED AREAS BY REDUCING SEDIMENT LOADS TO SURFACE WATER.

BARE SOILS SHOULD BE SEEDED OR OTHERWISE STABILIZED WITHIN 14 CALENDAR DAYS AFTER FINAL GRADING OR WHERE CONSTRUCTION ACTIVITY HAS TEMPORARILY CEASED FOR MORE THAN 21 DAYS. MULCHING/MATS CAN BE USED TO PROTECT THE DISTURBED AREAS WHILE VEGETATION BECOMES







Water Pollution Abatement Plan Application

135

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

REGULATED ENTITY NAME: Vintage Oaks at the Vineyard, Unit 9

REGULATED ENTITY INFORMATION

- The type of project is:
 X Residential: # of Lots:
 - Residential: # of Living Unit Equivalents:
 - ___ Commercial
 - ____ Industrial
 - ___ Other: _____
- 2. Total site acreage (size of property): <u>216.99</u>
- 3. Projected population: <u>338</u>
- 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	1,350,000	÷ 43,560 =	30.99	
Parking (Driveways)	135,000	÷ 43,560 =	3.10	
Other paved surfaces	263,999	÷ 43,560 =	6.06	
Total Impervious Cover	1748999	÷ 43,560 =	40.15	
Total Impervious Cover ÷ Total Acr	18.50%			

- 5. <u>X</u> **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:
 - 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:
 - ____ Concrete
 - Asphaltic concrete pavement
 - ____ Other: ____

- 9. Length of Right of Way (R.O.W.): _____feet. Width of R.O.W.: _____feet. L x W = _____Ft² ÷ 43,560 Ft²/Acre = _____acres.
 10. Length of pavement area: ______feet. Width of pavement area: _____feet. L x W = _____Ft² ÷ 43,560 Ft²/Acre = _____acres. Pavement area _____acres ÷ R.O.W. area _____acres x 100 = ____% impervious cover.
- 11. ____ A rest stop will be included in this project. A rest stop will **not** be included in this project.
- 12. ____ 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. X_ 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:

%	Domestic		gallons/day
%	Industrial	0	gallons/day

			0	
%	Commingled	0	gallons/di	aγ

TOTAL 0 gallons/day

- 15. Wastewater will be disposed of by:
 - X 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.
 - ____ Sewage Collection System (Sewer Lines):
 - Private service laterals from the wastewater generating facilities will be connected to an existing SCS.
 - 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.
- 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:

- 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" = 400.
- 18. 100-year floodplain boundaries
 - _ Some part(s) of the project site is located within the 100-year floodplain. The floodplain is shown and labeled.
 - X 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):

- 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.
 - <u>X</u> 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.):
 - There are 0 (#) 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.
 - The wells are in use and comply with 16 TAC §76.
 - X 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:
 - _____All **sensitive** geologic or manmade features identified in the Geologic Assessment are shown and labeled.
 - X No **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 at the end of this form.
- 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 Х Locations of major structural and nonstructural controls. These are the temporary and permanent best management practices.
- 25. Locations where soil stabilization practices are expected to occur. Х
- 26 Х Surface waters (including wetlands).
- 27. Х Locations where stormwater discharges to surface water or sensitive features. There will be no discharges to surface water or sensitive features.

ADMINISTRATIVE INFORMATION

- Submit one (1) original and one (1) copy of the application, plus additional copies as 28. Х needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.
- Any modification of this WPAP will require Executive Director approval, prior to 29. Х 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:

Heath L. Woods Print Name of Customer/Agent

the I. work

Signature of Customer/Agent

9/2/14 Date

Attachment A

Factors Affecting Water Quality

Factors Affecting Water Quality

Potential sources of pollution that may be expected to affect the quality of storm water discharges from the site during construction include:

- Soil erosion due to clearing of site.
- Oil, grease, fuel and hydraulic fluid contamination from construction equipment and vehicle drippings.
- Hydrocarbons from asphalt paving.
- Trash and litter from construction workers and material wrappings.
- Concrete truck washout.
- Tar, fertilizers, cleaning solvents, detergents, and petroleum based products.

Potential sources of pollution that may be expected to affect the quality of storm water discharges from the site after development include:

- Oil, grease fuel and hydraulic fluid contamination from vehicle drippings.
- Dirt and dust from vehicles.
- Trash and litter.

Attachment B

Volume and Character of Stormwater

Volume and Character of Stormwater

The contributing drainage area to the discharge points is approximately 3,000 acres and is made up of undeveloped areas and 1-acre residential lots. The stormwater runoff for Unit 9 is primarily across rocky soil, with native grasses. The site has an average slope ranging from 2% to 12%. Using SCS methods peak discharges for each sub-basin were calculated. A summary of the pre- and post-project conditions follows.

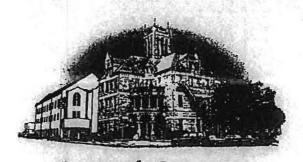
Condition	Analysis Point	Drainage Area(s)	Composite CN	10-Year Q	100-Year Q
				(cfs)	(cfs)
Pre-Project	A	3-3 thru 3-5	72	1097	2185
	В	3-1 thru 3-5	72	1723	3451
	D	1-4A	75	451	862
	E	1-4A thru 1-4B	73	751	1462
Post-Project	A	3-3 thru 3-5	75	1219	2327
	В	3-1 thru 3-5	77	1845	3328
	D	1-4A	79	503	917
	E	1-4A thru 1-4B	81	915	1640

The characteristics of the post-project stormwater generated onsite will be influenced by site features that generate non-point pollution. This non-point pollution will include oil and grease from the paved areas, suspended solids, sedimentation, and nutrients for lawn care, and possible pesticides and herbicides. The stormwater runoff will flow across pervious areas of rocky soil, with native grasses before discharging into Dry Comal Creek and Bear Creek.



Attachment C

Suitability Letter from Authorized Agent



Comal County office of comal county engineer

August 29, 2014

Mr. Brian Mendez M&S Engineering, LLC P.O. Box 970 Spring Branch, TX 78070

> Re: Vintage Oaks at the Vineyard Unit 9 On-Site Sewage Facility Suitability Letter, within Comal County, Texas

Dear Mr. Mendez:

In accordance with TAC §213.5(b)(4)(F)(ii), Comal County has found that the entire referenced site is suitable for the use of private sewage facilities and will meet the special requirements for on-site sewage facilities located on the Edwards Aquifer recharge zone as specified in TAC §285.40-42 based on the following information submitted to our office on August 27, 2014:

- The Revised Geologic Assessment, prepared by Professional Service Industries, Inc.
- The Water Pollution Abatement Plan, prepared by M&S Engineering, LLC

According to TAC §285.42(a), if any recharge feature, not listed above, is discovered during construction of an OSSF, all regulated activities near the feature shall be suspended immediately. The owner shall immediately notify the TCEQ San Antonio office of the discovery of the feature. All activities regulated under TAC §213 shall not proceed near the feature until Comal County, in conjunction with the TCEQ San Antonio office, has reviewed and approved a plan proposed to protect the feature, the structural integrity of the OSSF, and the water quality of the aquifer. The plan shall be sealed, signed, and dated by a professional engineer.

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

Sincere Robert Boyd, P.E

Comal County Assistant Engineer

cc: Donna Eccleston, Comal County Commissioner Precinct No. 1

Attachment D

Exception to the Required Geologic Assessment

Not Applicable

Temporary Stormwater Sect

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: Vintage Oaks at the Vineyard, Unit 9

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.
 - <u>x</u> Fuels and hazardous substances will not be stored on-site.
 - 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. <u>X</u> 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. <u>X</u> 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.
 - ____ There are no other potential sources of contamination.

SEQUENCE OF CONSTRUCTION

2.

- 5. <u>X</u> **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. <u>X</u> 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: <u>Bear Creek</u>

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. <u>X</u> **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.
 - X 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.

- 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. ____ 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, repairs, 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 manufacturer's specifications and good engineering practices. If periodic inspections by the applicant or the executive director, or other information indicate 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. All structural controls will be inspected and maintained according to the submitted and Х approved operation and maintenance plan for the project.
- 21. Х 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. Silt fences, diversion berms, and other temporary erosion and sediment controls will be Х 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 Aguifer. This TEMPORARY STORMWATER SECTION is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

Heath L. Wreds Print Name of Customer/Agent

Signature of Customer/Agent

9/2/14 Date

Attachment A

Spill Response Actions

Spill Response Action

Spill Prevention and Control

The objective of this section is to describe measures to prevent or reduce the discharge of pollutants to drainage systems or watercourses from leaks and spills by reducing the chance for spills, stopping the source of spills, containing and cleaning up spills, properly disposing of spill materials, and training employees.

The following steps will help reduce the stormwater impacts of leaks and spills:

Education

- (1) Be aware that different materials pollute in different amounts. Make sure that each employee knows what a "significant spill" is for each material they use, and what is an appropriate response for "significant" and "insignificant" spills. Employees should also be aware of when spill must be reported to the TCEQ. Information available in 30 TAC 327.4 and 40 CFR 302.4.
- (2) Educate employees and subcontractors on potential dangers to humans and the environment fro spills and leaks.
- (3) Hold regular meetings to discuss and reinforce appropriate disposal procedures (incorporate into regular safety meetings).
- (4) Establish a continuing education program to indoctrinate new employees.
- (5) Have contractor's superintendent or representative oversee and enforce proper spill prevention and control measures.

General Measures

- (1) To the extent that the work can be accomplished safely, spills of oil, petroleum products, substances listed under 40 CFR parts 110, 117, and 302, and sanitary and septic wastes should be contained and cleaned up immediately.
- (2) Store hazardous materials and wastes in covered containers and protect form vandalism.
- (3) Place a stockpile of spill cleanup materials where it will be readily accessible.
- (4) Train employees in spill prevention and cleanup.
- (5) Designate responsible individuals to oversee and enforce control measures.
- (6) Spills should be covered and protected from stormwater runon during rainfall to the extent that it doesn't compromise clean up activities.
- (7) Do not bury or wash spills with water.

- (8) Store and dispose of used clean up materials, contaminated materials, and recovered spill material that is no longer suitable for the intended purpose in conformance with the provisions in applicable BMPs.
- (9) Do not allow water used for cleaning and decontamination to enter storm drains or watercourses. Collect and dispose of contaminated water in accordance with applicable regulations.
- (10) Contain water overflow or minor water spillage and do not allow it to discharge into drainage facilities or watercourses.
- (11) Place Material Safety Data Sheets (MSDS), as well as proper storage, cleanup, and spill reporting instructions for hazardous materials stored or used on the project site in an open, conspicuous, and accessible location.
- (12) Keep waste storage areas clean, well organized, and equipment with ample cleanup supplies as appropriate for the materials being stored. Perimeter controls, containment structures, covers, and liners should be repaired or replaced as needed to maintain proper function.

Cleanup

- (1) Clean up leaks and spills immediately.
- (2) Use a rag for small spills on paved surfaces, a damp mop for general mop for general cleanup, and absorbent material for larger spills. If the spilled material is hazardous, then the used cleanup materials are also hazardous and must be disposed of as hazardous waste.
- (3) Never hose down or bury dry material spills. Clean up as much as the material as possible and dispose of properly. See the waste management BMPs in this section for specific information.

Minor Spills

- (1) Minor spills typically involve small quantities of oil, gasoline, paint, etc. which can be controlled by the first responder at the discovery of the spill.
- (2) Use absorbent material on small spills rather than hosing down or burying the spill.
- (3) Absorbent material should be promptly removed and disposed of properly.
- (4) Follow the practice below for a minor spill:
- (5) Contain the spread of the spill.
- (6) Recover spilled material.

(7) Clean the contaminated area and properly dispose of contaminated materials.

Semi-Significant Spills

Semi-significant spills still can be controlled by the first responder along with the aid of other personnel such as laborers and the foreman, etc. This response may require the cessation of all other activities.

Spills should be cleaned up immediately:

- (1) Contain spread of the spill
- (2) Notify the project foreman immediately.
- (3) If the spill occurs on paved or impermeable surfaces, clean up using "dry" methods (absorbent materials, cat litter and/or rags). Contain the spill by encircling with absorbent materials and do not let the spill spread widely.

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- (4) If the spill occurs in dirt areas, immediately contain the spill be constructing an earthen dike. Dig up and properly dispose of contaminated soil.
- (5) If the spill occurs during rain, cover spill with tarps or other material to prevent contaminating runoff.

Significant/Hazardous Spills

For significant or hazardous spills that are in reportable quantities:

- (1) Notify the TCEQ by telephone as soon as possible and within 24 hours at 512-339-2929 (Austin) or 210-490-3096 (San Antonio) between 8 AM and 5 PM. After hours, contact the Environmental Release Hotline at 1-800-832-8224. It is the contractor's responsibility to have all emergency phone numbers at the construction site.
- (2) For spills of federal reportable quantities, in conformance with the requirements in 40 CFR parts 110, 119, and 302, the contractor should notify the National Response Center at (800) 424-8802.
- (3) Notification should first be made by telephone and followed up with a written report.
- (4) He services of a spills contractor or a Haz-Mat team should be obtained immediately. Construction personnel should not attempt to clean up until the appropriate and qualified staffs have arrived at the job site.
- (5) Other agencies which may need to be consulted include, but are not limited to, the County Sheriff Office, Fire Departments, etc.

More information on spill rules and appropriate responses is available on the TCEQ website at http://www.tnrcc.state.tx.us/enforcement/emergency_response.html

Vehicle and Equipment Fueling

- (1) If maintenance must occur onsite, use a designated area and a secondary containment, located away from drainage courses, to prevent the runon of stormwater and the runoff of spills.
- (2) Regularly inspect onsite vehicles and equipment for leaks and repair immediately.
- (3) Check incoming vehicles and equipment (including delivery trucks, and employee and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment onsite.
- (4) Always use secondary containment, such as a drain pan or drop cloth, to catch spills or leaks when removing or changing fluids.
- (5) Place drip pans or absorbent materials under paving equipment when not in use.
- (6) Use absorbent materials on small spills rather than hosing down or burying the spill. Remove the absorbent materials promptly and dispose of properly.
- (7) Promptly transfer used fluids to the proper waste or recycle drums. Don't leave full drip pans or other open containers lying around.
- (8) Oil filters disposed of in trashcans or dumpsters can leak oil and pollute stormwater. Place the oil filter in a funnel over a waste oil-recycling drum to drain excess oil before disposal. Oil filters can also be recycled. Ask the oil supplier or recycler about recycling oil filters.
- (9) Store cracked batteries in a non-leaking secondary container. Do this with all cracked batteries even if you think all the acid has drained out. If you drop a battery, treat it as if it is cracked. Put it into the containment area until you are sure it is not leaking.

Vehicle and Equipment Fueling

- (1) If fueling must occur on site, use designated areas, located away from drainage courses, to prevent the runon of stormwater and the runoff of spills.
- (2) Discourage "topping off" of fuel tanks.
- (3) Always use secondary containment, such as a drain pan, when fueling to catch spills/leaks.

Attachment B

Potential Sources of Contamination

- Oil, grease, fuel and hydraulic contamination from construction equipment and vehicle leakage.
 Remedy: Lubrication and fueling will be preformed in a designated area. This area will be monitored daily for contamination.
- 2. Miscellaneous trash and litter form construction workers. Remedy: Designated receptacles will be strategically located and workers will be directed to deposit trash there.
- 3. Construction debris.

Remedy: Debris will be collected weekly and deposited in bins for offsite disposal. Situations requiring immediate attention will be handled on a case by case basis.

4. Asphalt products.

Remedy: After placement of asphalt, emulsion or coatings, the contractor will be responsible for immediate cleanup should an unexpected rain occur. For the duration of the asphalt product curing time, the contractor will maintain standby personnel and equipment to maintain and asphalt wash-off should and unexpected rain occurs. The contractor will be instructed not to place asphalt products on the ground within 48 hours of a forecasted rain.

Attachment C

Sequence of Major Activities

Sequence of Major Activities

1. Site Preparation:

Site preparation will include the clearing, grubbing, and grading of construction areas. These areas include driveway, roadway, drainage easements, and excavation of proposed hike and bike. Additionally, lots will undergo limited site preparation for building pads, driveways, and landscaping.

2. Construction:

Construction activities will consist of constructing driveway, roadway, utilities, landscaping and site cleanup, including removal of excess materials. An approximate area of 20.66 acres will be disturbed during the construction of streets and utilities. Additionally, lots will undergo construction for building pads, driveways, and landscaping.

Construction entrances for site will be accessed from Unit 9.

Attachment D

Temporary Best Management Practices and Measures

Temporary Best Management Practices and Measures

All TBMPs will be installed prior to the beginning of site preparation and construction activities as per the Storm Water Pollution Prevention Plan. The TBMPs will remain in place and will be maintained until all construction has ceased and a perennial vegetative cover with a density of 70 percent has been established.

- a. Stabilized Construction Entrance, Silt fences and rock berms will be used to protect disturbed soils during construction in order to prevent pollution of surface water, groundwater or stormwater that originates upgradient from the site and flows across the site.
- b. Stabilized Construction Entrance, Silt fences and rock berms will be used to protect disturbed soils during construction in order to 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. Not applicable.
- d. Not applicable.

Attachment E

Request to Temporarily Seal a Feature

NOT APPLICABLE

Attachment F

Structural Practices

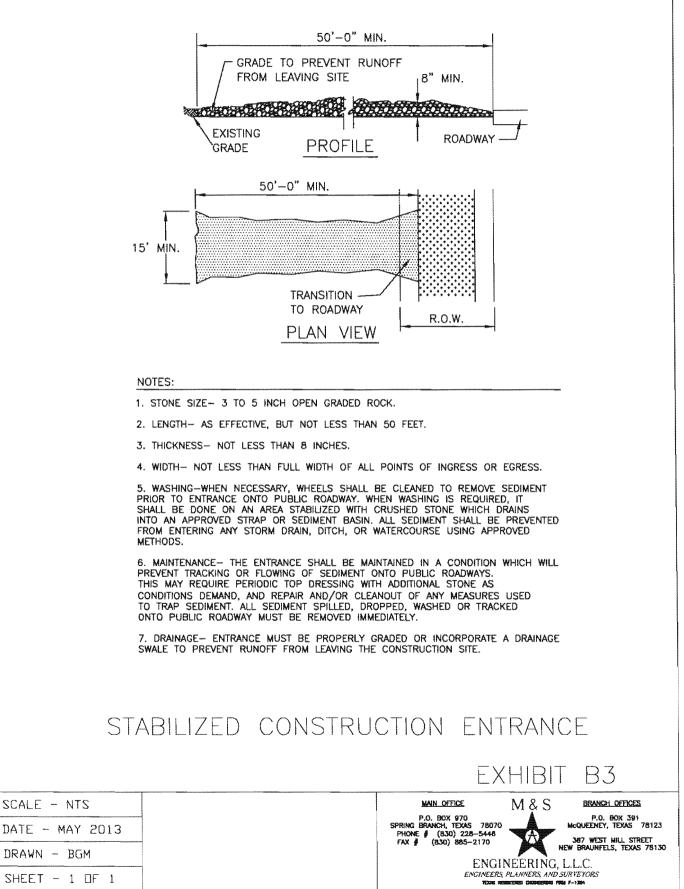
Structural Practices

The structural practices that will limit runoff discharge of pollutants form exposed areas of the site will be the use of a stabilized construction entrance, rock berms and silt fences to prevent the excavated material from leaving the site.

Attachment F

WOVEN WIRE SHEATHING		
1.5' MIN. THE SHEATH THE SHEATH FOR SIDE SLOPE S THE SHEATH THE SHEATH T		
1. USE ONLY CLEAN, OPEN GRADED ROCK 4-8 INCH DIAMETER FOR STREAM FLOW CONDITIONS; 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 OPENINGS AND MINIMUM WIRE DIAMETER OF 20 GAUGE GALVANIZED.		
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 CEASED 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 SUCH A MANNER AS TO NOT CREATE A SILTATION PROBLEM.		
5. DAILY INSPECTION SHALL BE MADE ON SEVERE SERVICE ROCK BERMS, SILT SHALL BE REMOVED WHEN ACCUMULATION REACHES 6 INCHES.		
 WHEN THE SITE IS COMPLETELY STABILIZED, THE BERM AND ACCUMULATED SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED MANNER. 		
ROCK BERM		
EXHIBIT B1		
SCALE - NTS	MAIN OFFICE M&S BRANCH OFFICES	
DATE - MAY 2013	P.O. BOX 970 SPRING BRANCH, TEXAS 78070 PHONE (830) 228-5448 FAX (830) 865-2170 PHONE (830) 865-2170 PHON	
DRAWN - BGM	ENGINEERING, L.L.C.	
SHEET - 1 OF 1	YQUE REXEINTERED ENDINGERING FILL F-1304	

	SILT FENCE GEOTEXTILE FABRIC	STEEL FENCE POSTS (MAX. 6' SPACING) WOVEN WIRE SUPPORT (12–1/2 GA. WIRE NET BACKING) TRENCH (BACKFILLED) FABRIC TOE-IN	
	TRENCH CROSS-SE	6" MIN.	
NOTES:			
1	. STEELPOSTS WHICH SUPPORT THE SILT FENCE ANGLE TOWARD THE ANTICIPATED RUNOFF SOUR MINIMUM OF ONE FOOT.		
2	 THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CAN NOT BE TREATED (e.g. pavement) WEIGHT FABRIC FLAP WITH WASHED GRAVEL ON UPHILL SIDE TO PREVENT FLOW UNDER FENCE. 		
3	THE TRENCH MUST BE A MINIMUM OF 6 INCHES DEEP AND 6 INCHES WIDE TO ALLOW FOR THE SILT FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.		
	 SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POST. INSPECTION SHALL BE MADE WEEKLY OR AFTER EACH RAINFALL EVENT AND REPAIR 		
	OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED. 6. SILT FENCE SHALL BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED SO AS		
NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE. 7. ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES. THE SILT SHALL BE DISPOSED OF IN AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CONTRIBUTE TO ADDITIONAL SILTATION.			
	SILT FEN	ICE	
	SITED SO THAT THE MAXIMUM DRAINAGE FT OF FENCE. (AS REQUIRED BY TCEQ N: ITEM 2)	EXHIBIT B2	
SCALE - NTS		MAN OFFICE M&S BRANCH OFFICES	
DATE - MAY 2013		P.O. BOX 391 SPRING BRANCH, TDUS 78070 PHIONE (830) 228-5445	
DRAWN - BGM		ENGINEERING, L.L.C.	
SHEET - 1 OF 1		ENGINEERS, PLANNERS, AND SURVEYORS TRANS RECORDER CONSISTERS FOR PORT P-1304	



SHEET - 1 OF 1

Attachment G

Drainage Area Map

Temporary sediment basins are not attainable in this development due to the numerous subbasins that drain the property. It would be more efficient to use a regional sediment pond, but due to the large amount of drainage area it is not feasible to build a temporary structure of the necessary magnitude to treat large point discharges. Instead, silt fences will be used to limit pollutant discharges before becoming concentrated channel flow.

A rock berm will be used to further limit runoff discharge of pollutants from the site.

Attachment H

Temporary Sediment Pond(s) Plans and Calcualtions

NOT APPLICABLE

Attachment I

Inspection and Maintenance of BMPs

Inspection and Maintenance for BMPs

The BMPs for the construction of this project will be the use of rock berms and silt fencing. The following inspection and maintenance procedures will be implemented:

- 1. Stabilized Construction Entrance/Exit, Silt fencing and rock berms must be in place prior to the start of construction and will remain in place until construction has been complete and the site stabilized from further erosion.
- 2. The contractor will inspect the rock berms and silt fencing at least once a week and within 24 hours of a storm of 0.5 inches or more in depth. The contractor will repair or replace any damaged TBMPs. The contractor shall correct damage or deficiencies as soon as practical after the inspection but no later than 7 days after the inspection. a. For Rock Berms:
 - 1. Contractor shall remove sediment and other debris when buildup reaches 6 inches and dispose of the accumulated silt in an approval manner that will not cause any additional siltation.
 - 2. The berm should be replaced when the structures ceases to function as intended due to silt accumulation among the rocks, washout, construction traffic damage, etc.
 - b. For Temporary Construction Entrance/Exit:
 - 1. All sediment spilled, dropped, washed or tracked onto public right-of-way should be removed immediately by contractor.
 - 2. When necessary, wheels should be cleaned to remove sediment prior to entrance onto right-of-way.
 - 3. When washing is required, it should be done on an area stabilized with crushed stone that drains into an approved sediment trap or sediment basin.
 - c. For Silt Fence:
 - 1. Remove sediment when buildup reaches 6 inches.
 - 2. When construction is complete, the sediment should be disposed of in a manner that will not cause additional siltation and the prior location if the silt fence should be revegetated. The fence itself should be disposed of in an approved landfill.
- 3. Contractor will place trench excavation on the upgradient side of the trench.
- 4. All soil, sand, gravel, and excavated material stockpiled on-site will have appropriately sized silt fencing placed upgradient and down gradient.
- 5. The contractor will keep a record of the weekly inspections, noting the condition of the rock berms, silt fencing and construction entrance and any corrective action taken to maintain the erosion control structures. In addition to the inspection and maintenance reports, the operator should keep records of the construction activity onsite, in particular, the following information should be kept.
 - a. The dates when major grading activities occur in a particular area.
 - b. The dates when construction activities cease in an area, temporarily or permanently.

Attachment I

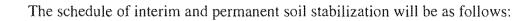
- c. The dates when an area is stabilized, temporarily or permanently.
- d. Records to be maintained in SWPPP.

Attachment I

Attachment J

Schedule of Interim and Permanent Soil Stabilization Practices

Schedule of Interim and Permanent Soil Stabilization Practices



- 1. Once construction of the project has commenced, the construction activity is planned to continue until the project is complete. The water, electrical, cable TV and telephone trenches will be excavated. The trenches will then be re-excavated and the water, electrical, cable TV and telephone lines will be installed. This work is intended to continue until all the lines are installed. The utility lines are located within the project boundaries as shown on the site plan. As soon as the underground utilities are installed, the road base will be installed and compacted providing the interim soil stabilization for the paved area and the permanent soil stabilization for the parking areas. Once the individual residential buildings are built and landscaped this will provide permanent soil stabilization for the building areas.
- 2. Much of the excavation for this project will be in solid rock, helping to minimize the amount of loose soil which has the potential to become suspended in runoff and washed downstream.
- 3. 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 temporary or permanently ceased. Where the initiation of stabilization measures by the 14th day after construction activity temporary or permanently cease in precluded by weather conditions, stabilization measures shall be initiated as soon as practicable. Where construction 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.

Permanent Stormwater Section

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

REGULATED ENTITY NAME: Vintage Oaks at the Vineyard, Unit 9

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

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

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

7. **ATTACHMENT C - BMPs for On-site Stormwater.**

- X 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. <u>X</u> **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" 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.
 - X 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.
 - **ATTACHMENT E Request to Seal Features.** A request to seal a naturallyoccurring "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. <u>X</u> **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.

- ATTACHMENT G Inspection, Maintenance, Repair and Retrofit Plan. A plan for the 11. X 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.
- The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs 12. X 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.
- ATTACHMENT I -Measures for Minimizing Surface Stream Contamination. 13. X Α 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 guality 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 Aguifer. This PERMANENT STORMWATER SECTION is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

Heath L. Woods Print Name of Customer/Agent

the L. W. h g/2/14

Signature of Customer/Agent

TCEQ-0600 (Rev. 10/01/04)

Attachment A

20% or Less Impervious Cover Waiver

Attachment A

20% Or Less Impervious Cover Waiver

NOT APPLICABLE

Attachment A

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Attachment B

BMPs for Ungradient Stormwater

BMPs for Upgradient Stormwater

The upgradient stormwater would continue to be accepted onto the project site. The stormwater runoff from the areas that are immediately upgradient acres are currently undeveloped. No BMPs are required because the site will be re-vegetated after construction is complete.

,

Attachment C

BMPs for On-site Stormwater

Attachment C

BMPs for On-Site Stormwater

The proposed Vintage Oaks at the Vineyard, Unit 9 is less than 20% impervious cover, therefore no permanent BMP is required for the runoff entering the Bear Creek.

Attachment D

BMPs for Surface Streams

BMPs for Surface Streams

The proposed Vintage Oaks at the Vineyard, Unit 9 is less than 20% impervious cover, therefore not filtration is required for the runoff the Bear Creek.

According to the geologic assessment, there were no sensitive features identified on this site that required permanent filtration BMPs.

Attachment D

Attachment E

Request to Seal Features

Request To Seal Features

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NOT APPLICABLE

Attachment F

Construction Plans

Attachment F

Construction Plans

NOT APPLICABLE

Attachment F

Attachment G

Inspection, Maintenance, Repair and Retrofit Plan

Attachment G

Inspection, Maintenance, Repair, And Retrofit Plan

NOT APPLICABLE

Attachment G

Attachment H

Pilot-Scale Field Testing Plan

Attachment H

Pilot-Scale Field Testing Plan

NOT APPLICABLE

Attachment H

Attachment I

Measures for Minimizing Surface Stream Contamination

Attachment I

Measures for Minimizing Surface Stream Contamination

The proposed Vintage Oaks at the Vineyard, Unit 9 is less than 20% impervious cover, therefore not filtration is required for the runoff the Bear Creek.

According to the geologic assessment, there were no sensitive features identified on this site that required permanent filtration BMPs. However, all TBMPs will be installed prior to the beginning of site preparation and construction activities as per the Storm Water Pollution Prevention Plan. The TBMPs will remain in place and will be maintained until all construction has ceased and a perennial vegetative cover with a density of 70 percent has been established.

	Agent Authorization Form For Required Signature Edwards Aquifer Protection Program Relating to 30 TAC Chapter 213 Effective June 1, 1999	
1	Thad Rutherford	
	Print Name	,
	Chief Operating Officer	
	Title - Owner/President/Other	,
of	Southstar at Vintage Oaks, LLC Corporation/Partnership/Entity Name	1
have authorized	Heath L. Woods Print Name of Agent/Engineer	
of	M & S Engineering Print Name of Firm	
	e behalf of the above named Corporation, Partners and submitting this plan application to the Texas	

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 those submitting an application 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.
- 5. No person shall commence any regulated activity on the Edwards Aquifer Recharge Zone, Contributing Zone or Transition Zone until the appropriate application for the activity has been filed with and approved by the Executive Director.



SIGNATURE PAGE:

Applicant's Signature

7-2-14

Date

THE STATE OF	Texas §
County of \underline{TY}	ivis §

BEFORE ME, the undersigned authority, on this day personally appeared <u>had</u> 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 February, 2014



NO

Heather Hayes Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 2/

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

NAME OF PROPOSED REGULATED ENTITY: Vintage C REGULATED ENTITY LOCATION: Adjacent to Units 6 & NAME OF CUSTOMER: Thad Rutherford, Southstar at V CONTACT PERSON: Heath L. Woods, P.E. (Please Print)	8 of Vintage Oaks at the	Vineyard		
Customer Reference Number (if issued): CN 60412	3554	(nine digits)		
Regulated Entity Reference Number (if issued): RN		(nine digits)		
Austin Regional Office (3373)	Travis 🗌 Williamso	n		
	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	San Antonio Region	al Office		
Mailed to TCEQ:Overnight Delivery to TCEQ:TCEQ - CashierTCEQ - CashierRevenues Section12100 Park 35 CircleMail Code 214Building A, 3rd FloorP.O. Box 13088Austin, TX 78753Austin, TX 78711-3088512/239-0347				
Site Location (Check All That Apply): Recharge Zor	e Contributing Zo	one Transition Zone		
Type of Plan	Size	Fee Due		
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Ad	cres \$		
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	216.99 Ad	cres \$8,000		
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	A0	cres \$		
Sewage Collection System		L.F. \$		
Lift Stations without sewer lines	A	cres \$		
Underground or Aboveground Storage Tank Facility	Ta	anks \$		
Piping System(s)(only)	E	ach \$		
Exception	E	ach \$		
Extension of Time	E	Each \$		

9/2/14 Date

Signature

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.

TCEQ-0574 (Rev. 4/25/08)

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

Water Pollution A	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)	<pre>< 1 1 < 5 5 < 10 10 < 40 40 < 100 ≥100</pre>	\$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 Reguests

PROJECT	FEE
Exception Request	\$500

Extension of Time Requests

PROJECT	FEE
Extension of Time Request	\$150

Mr. Thad Rutherford Page 5 January 23, 2015

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.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Mr. Ricardo Macias of the Edwards Aquifer Protection Program, San Antonio Regional Office at (210) 403-4065.

Sincerely,

Lynn M. Bumguardner, Water Section Manager San Antonio Region Office Texas Commission on Environmental Quality

LMB/RAM/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. Heath L. Woods, P.E., M&S Engineering, LLC. Mr. Thomas H. Hornseth, P.E., Comal County Engineer Mr. Roland Ruiz, Edwards Aquifer Authority TCEQ Central Records, Building F, MC 212

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JAN 28 2015

COUNTY ENGINEER

Mr. Thad Rutherford Page 5 January 23, 2015

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JAN 28 2015

COUNTY ENGINEER

Bryan W. Shaw, Ph.D., P.E., *Chairman* Toby Baker, *Commissioner* Zak Covar, *Commissioner* Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 23, 2015

RECEIVED

Mr. Thad Rutherford Southstar at Vintage Oaks, LLC 1114 Lost Creek Blvd., Suite 270 Austin, Texas 78746

JAN 28 2015

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Vintage Oaks at the Vineyard, Unit 9; Located in the Vintage Oaks at the Vineyard Subdivision off Hwy-46 approximately 2.8 miles north of the Hwy-46 and S. Cranes Mill Road intersection; outside the extra-territorial jurisdiction of New Braunfels, Texas

TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Investigation No. 1196449; Regulated Entity No. RN107716839; Additional ID No. 13-14091503

Dear Mr. Rutherford:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP application for the above-referenced project submitted to the San Antonio Regional Office by M&S Engineering on behalf of Southstar at Vintage Oaks, LLC on September 15, 2014. Final review of the WPAP was completed after additional material was received on January 7, and January 15, 2015. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected 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.

PROJECT DESCRIPTION

The proposed single family residential development project will have an area of approximately 216.99 acres. It will include approximately 135 single-family residential homes, driveways,

TCEQ Region 13 • 14250 Judson Rd. • San Antonio, Texas 78233-4480 • 210-490-3096 • Fax 210-545-4329

Mr. Thad Rutherford Page 2 January 23, 2015

sidewalks and streets. The impervious cover will be 40.15 acres of impervious cover (18.50 percent). According to a letter dated, August 29, 2014, signed by Mr. Robert Boyd, P.E., with Comal County, the site in the development is acceptable for the use of on-site sewage facilities.

PERMANENT POLLUTION ABATEMENT MEASURES

This single-family residential project will not have more than 20 percent impervious cover.

GEOLOGY

According to the geologic assessment included with the application, rocks on the southern and eastern portion of the site are members of the Lower Cretaceous Edwards Kainer Formation. The western portion of the site is located in the Lower Cretaceous Glen Rose Formation, which is fault separated from the Kainer to the east. No sensitive features were noted. The San Antonio Regional Office site assessment conducted on December 2, 2014 revealed the site was generally as described in the geologic assessment.

SPECIAL CONDITIONS

I. Since this single family residential 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.

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

JAN 28 2015

Mr. Thad Rutherford Page 3 January 23, 2015

COUNTY ENGINEER

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. No wells exist on site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and

Mr. Thad Rutherford Page 4 January 23, 2015

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 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 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. 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. A copy of the transfer form (TCEQ-10263) is enclosed.
- 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.

Mr. Thad Rutherford Page 5 January 23, 2015

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.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Mr. Ricardo Macias of the Edwards Aquifer Protection Program, San Antonio Regional Office at (210) 403-4065.

Sincerely,

Lynn M. Bumguardner, Water Section Manager San Antonio Region Office Texas Commission on Environmental Quality

LMB/RAM/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. Heath L. Woods, P.E., M&S Engineering, LLC. Mr. Thomas H. Hornseth, P.E., Comal County Engineer Mr. Roland Ruiz, Edwards Aquifer Authority TCEQ Central Records, Building F, MC 212

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JAN 28 2015

COUNTY ENGINEER

Permanent Stormwater Section

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

REGULATED ENTITY NAME: Vintage Oaks at the Vineyard, Unit 9

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

- Permanent BMPs and measures must be implemented to control the discharge of 1. Х pollution from regulated activities after the completion of construction.
- N/A 2. 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 These quantities have been calculated in accordance with technical removed. guidance prepared or accepted by the executive director.
 - The TCEQ Technical Guidance Manual (TGM) was used to design permanent nm 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 610 guidance that was used is provided below: S
- N NIA Owners must insure that permanent BMPs and measures are constructed and function 3. 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.
- Where a site is used for low density single-family residential development and has 20 4. X % 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.
- The executive director may waive the requirement for other permanent BMPs for multi-5. X family residential developments, schools, or small business sites where 20% or less impervious cover is used at the site. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

- _____ ATTACHMENT 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.
- 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.
- X If permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, an explanation is provided as **ATTACHMENT 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. <u>X</u> **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" has been addressed.
- 9. <u>X</u> 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.
 - X 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.
 - **ATTACHMENT E Request to Seal Features.** A request to seal a naturallyoccurring "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. NA 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.

- N/A 11. 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.
- NA 12. The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.
 - NA 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 NA testing is provided at the end of this form.
- 13. Х ATTACHMENT I -Measures for Minimizing Surface Stream Contamination. А 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.

- NIA 14. 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. NIA 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.

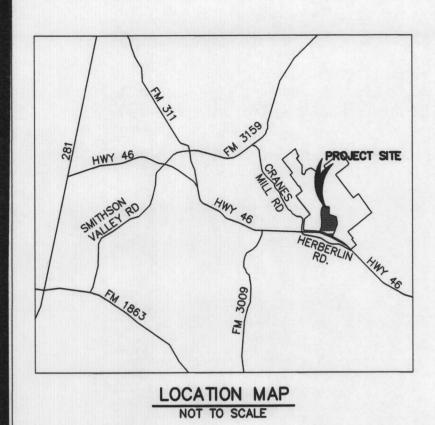
To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This PERMANENT STORMWATER SECTION is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

<u>Heath L</u> Woods Print Name of Customer/Agent

the 1. which

Signature of Customer/Agent

TCEQ-0600 (Rev. 10/01/04)





		RECEIVED TCEQ SAN ANTONIO REGION	
	<image/>	OD ST NA 2 O PARE 2102 BECEIVED JAN 23 2015 COUNTY ENGINER	GEOLOGIC ASSESSMENT for VINTAGE OAKS AT THE VINEYARD UNIT 9 Cond County
			John Langan Geology 4871
			To Build On Consulting Testing FE BURWOOD LANE ANTONIO, TEXAS 78216
lon			REVISIONS:
	LEGEND U D FAULT LINE BOUNDARY LINE FLOOD PLAIN G S-1 ROCK OUTCROP Kek LOWER CRETACEOUS Kek LOWER CRETACEOUS GLEN ROSE FORMATION		JOB NO. 04351840 FILE: 04351840.01 FILE: 07/08/2014 DATE: 07/08/2014 DESIGN: ~ DRAWN: J LEAL CHECKED: J LANGAN SHEET 1 OF 1