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TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

RECEIVED

JUL 23 1998

COUNTY ROAD DEPT.

July 23, 1998

Mr. Kenneth L. McPheeters
121 Ridge Trail
San Antonio, TX 78232

Re: EDWARDS AQUIFER, Comal County
PROJECT: Tract 14, Unit 2, Beck Ranch, Located at 700 Pfeiffer Road, Bulverde, Comal County, Texas; Project Number 995
TYPE: 30 Texas Administrative Code (TAC) §213.5(b); Edwards Aquifer Protection Program

Dear Mr. McPheeters:

On June 12, 1998 the San Antonio Regional Office of the Texas Natural Resource Conservation Commission (TNRCC) received your request for information about the use of the 12.47 acres, Tract 14, Unit 2, Beck Ranch. Final review of the submittal was completed after additional material was received on July 20, 1998. As presented, the referenced site is located on the Edwards Aquifer Recharge Zone.

Pursuant to 30 TAC §213.5(b), water pollution abatement plans (WPAP) are required for all regulated activities and/or developments on the Recharge Zone of the Edwards Aquifer. For residential subdivisions, if all lots or tracts are larger than five (5) acres and have only one (1) single-family residence, then the proposed project is not a regulated activity. However, construction of roads (not driveways) is a regulated activity that requires prior written approval from the TNRCC.

Therefore, constructing a single family residence on Tract 14, Lot 2, Beck Ranch is not a regulated activity nor development pursuant to 30 TAC 213 and does not require a WPAP. On-site sewerage facility (OSSF) systems located on the recharge zone of the Edwards Aquifer must be designed, installed, maintained, repaired, and replaced in accordance with §285.40 of this title (relating to OSSFs on the Recharge Zone of the Edwards Aquifer) and other applicable provisions contained in Chapter 285.

§285.40. OSSFs on the Recharge Zone of the Edwards Aquifer.

(a) Applicability. In addition to the requirements given in §285.2, the following additional provisions apply to the Edwards Aquifer recharge zone as defined in §285.2 of this title (relating to Definitions).

(b) Additional application requirements for new OSSFs.

REPLY TO: REGION 13 • 140 HEIMER RD., STE. 360 • SAN ANTONIO, TEXAS 78232-5042 • 210/490-3096 • FAX 210/545-4329

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tnrcc.state.tx.us

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(1) All planning and design materials shall be submitted by a professional engineer or sanitarian registered in Texas.

(2) Site evaluation to be conducted by a certified site evaluator possessing a valid certificate.

(c) Conditions for obtaining a permit to construct. In order to obtain a permit to construct in the Edwards Aquifer recharge zone, the following conditions must be met.

(1) Minimum lot sizes. Each lot or tract of land on the recharge zone on which OSSFs are to be located must have an area of at least one acre (43,560 square feet) per single family dwelling.

(2) Minimum separation distances from recharge features. The following separation distances shall be maintained from recharge features found during a site evaluation or in accordance with a geologic assessment performed in accordance with Chapter 213 of this title (relating to Edwards Aquifer). No sewage treatment tank or holding tank may be located within 50 feet of a recharge feature. No soil absorption system may be located within 150 feet of a recharge feature. These are summarized on the enclosed Table.

If you have any questions, contact Philip J. Farrell at this San Antonio office, 210/490-3096. Please reference project number 995.

Sincerely,



Bobby Caldwell
Water Section Manager
San Antonio Regional Office

BC/PJF/eg

Enclosure: Table X. Minimum Required Separation Distances for On-Site Sewage Facilities.

cc: Tom Hornseth, P.E., Comal County
Greg Ellis, Edwards Aquifer Authority
TNRCC Field Operations, Austin