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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 23, 2016

RECEIVED

Mr. Stephen Sallman LBC Partners, Ltd. 4925 Greenville Avenue, Suite 1020 Dallas, Texas 75206

DEC 06 2016

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: <mark>Star Canyon Wastewater Treatment Facility of FM 2722;</mark> Located on FM 2722, 3.5 miles north of State Highway 46 on the west side; New Braunfels, Texas

TYPE OF PLAN: Request for Extension of Time to Commence Regulated Activities Authorized by a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Regulated Entity No: RN106386972; Additional ID No. 13-14040301

Dear Mr. Sallman:

On October 1, 2016, the Texas Commission on Environmental Quality (TCEQ) received your request for an extension of time to commence regulated activities related to the above referenced WPAP approval. The request has been reviewed for compliance with 30 TAC §213.4(h) and §213.13 which set forth the procedures for requesting an extension of time to commence regulated activities authorized by the approval and was found to be in general agreement with these procedures. Therefore, the request for an extension to the term of approval for the referenced project is granted. A summary of the dates of approval and expiration are as follows:

Date of Original Approval:	May 29, 2014
Date of Expiration:	May 29, 2016
Date Extension Request Received	Date of Extension Expiration
April 4, 2016	November 29, 2016
October 1, 2016	May 29, 2017

The request and fee were received in compliance with 30 TAC §213.4(h) and §213.13. As indicated in the rules, an extension may not be granted if the proposed regulated activities or approved plan for the regulated activities have changed. As understood, there will be no changes or modifications to the originally approved plan. This request for extension expires on May 29, 2017. Should construction not commence before the end of the six (6) month period, another request for extension would be required to keep the Edwards Aquifer Protection Plan validated.

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

Mr. Stephen Sallman November 23, 2016 Page 2

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 Alex Grant of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4035.

Sincerely,

Lynn Bumguardner, Water Section Manager San Antonio Region Texas Commission on Environmental Quality RECEIVED

DEC 0 3 2013

LB/AG/eg

COUNTY ENGINEER

Mr. John J. Moy, Pawelek & Moy, Inc.
 Mr. Robert Camareno, City of New Braunfels
 Mr. Thomas Hornseth, P.E., Comal County
 Mr. H. L. Saur, Comal Trinity Groundwater Conservation District
 Mr. Roland Ruiz, Edwards Aquifer Authority
 TCEQ Central Records, Building F, MC 212





Unitmus

Edwards Aquifer Protection Plan Extension Request

Star Canyon Wastewater **Treatment Facility** (West of FM 2722)

Comal County, Texas

by PAWELEK & MOY, INC. Project No. 1210.02

October 03, 2016



130 W: Jahn Street, New Braunfels, Texas 78130) fel: (830) 829-2563 P.O. Box 311870 New Braunfels, Texas 28131-1870 fax: (830) 829-2564

RECEIVED

OCT 07 2016

COUNTY ENGINEER

Edwards Aquifer Protection Plan Extension Request

- Edwards Aquifer Application Cover Page (TCEQ-20705)
- Extension Request for an Edwards Aquifer Protection Plan (TCEQ-10260) Attachment A - Approval Letter or Extension Approval
- $\frac{X}{2}$ Agent Authorization Form (TCEQ-0599), if application submitted by agent
- $\frac{X}{2}$ Application Fee Form (TCEQ-0574)
- $\frac{X}{2}$ Check Payable to the "Texas Commission on Environmental Quality"
- X Core Data Form (TCEQ-10400)

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Extension Request for an Edwards Aquifer Protection Plan

Texas Commission on Environmental Quality

Relating to 30 TAC §213.4(g) Effective June 1, 1999

Regulated Entity Information

If requested by an agent, attach the agent authorization form.

- 1. Regulated Entity Name: Star Canyon Wastewater Treatment Facility West of FM 2722
- 2. Customer (Applicant): LBC Partners, Ltd.

 Contact Person: Stephen Sallman

 Entity: LBC Partners, Ltd.

 Mailing Address: 4925 Greenville Avenue, Suite 1020

 City, State: Dallas, Texas
 Zip: 75206

 Telephone: (214) 368-0238
 Fax: (214)368-0812

 Email Address: ssallman@warnergroup.com

3. Agent/Representative (if any): Pawelek & Moy, Inc.

Contact Person: John J. Moy, Jr. Entity: Pawelek & Moy, Inc. Mailing Address: 130 W. Jahn St. City, State: New Braunfels, Texas Telephone: (830) 629-2563 Email Address: johnmoy711@sbcglobal.net

Zip: <u>78130</u> Fax: <u>(830)</u> 629-2564

Extension Request

- 4. X Attachment A Approval Letter or Extension Approval. A copy of the last approval letter or the last approved extension is attached.
 Date of letter: May 04, 2016
 Expiration date: November 29, 2016
- 5. X This extension request is submitted not earlier than sixty (60) days prior to the expiration date of an approved Edwards Aquifer protection plan or a previously approved extension.
- 6. X A completed fee form is attached. The fee for a six-month extension of time is \$150.

Signature

Print Name of Customer/Agent: John J. Moy, Jr.

Date: 10/3/16

Signature of Customer/Agent:

TCEQ-10260 (Rev. 03-13-15)

1 of 1

ATTACHMENT A

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 4, 2016

Mr. Stephen Sallman LBC Partners, Ltd. 4925 Greenville Avenue, Suite 1020 Dallas, Texas 75206

Re: Edwards Aquifer, Comal County

Name of Project: Star Canyon Wastewater Treatment Facility West of FM 2722; Located on FM 2722, 3.5 miles north of State Highway 46 on the west side; New Braunfels, Texas

Type of Plan: Request for the Extension of Time to Commence Regulated Activities Authorized by a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Regulated Entity No: RN106386972, Additional ID No. 13-14040301-

Dear Mr. Sallman:

On April 4, 2016, the Texas Commission on Environmental Quality (TCEQ) received your request for an extension of time to commence regulated activities related to the above referenced Water Pollution Abatement Plan (WPAP) approval. The request has been reviewed for compliance with 30 TAC §213.4(h) and §213.13 which set forth the procedures for requesting an extension of time to commence regulated activities authorized by the approval and was found to be in general agreement with these procedures. Therefore, the request for an extension to the term of approval for the referenced project is granted. A summary of the dates of approval and expiration are as follows:

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TCEO Region 13 + 14250 Judson Rd. + San Antônio, Taxas 78233-4480 + 210-490-3096 + Fax 210-545-4329

Austin Handquarters: 512-239-1600 + Keq.texes.gov + How is the customer service? (ceq.texas.gov/onstomersuvey profet su revelat part Mr. Stephen Sallman May 4, 2016 Page 2

for extension expires on November 29, 2016. Should construction not commence before the end of the six (6) month period, another request for extension would be required to keep the Edwards Aquifer Protection Plan validated.

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. Joshua Vacek of the Edwards Aquifer Protection Program, San Antonio Regional Office at 210-403-4028.

Sincerely,

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

LB/JV

CC: Mr. John J. Moy, Jr., P.E., Pawelek & Moy, Inc. Mr. Robert Camareno, City Manager, City of New Braunfels Mr. Thomas Hornseth, P.E., Comal County Engineer Mr. Roland Ruiz, General Manager, Edwards Aquifer Authority Mr. George Wissmann, General Manager, Comal Trinity Water Control District TCEQ Central Records, Building F, MC 212

	Agent Authorization Form For Required Signature Edwards Aquifer Protection Program Relating to 30 TAC Chapter 213 Effective June 1, 1999	
I	Stephen L. Sallman	
I	Print Name	1
	Manager	
	Title - Owner/President/Other	······································
of	LBC Partners, Ltd. Corporation/Partnership/Entity Name	,
have authorized	John J. Moy, Jr. Print Name of Agent/Engineer	
of	Pawelek & Moy, Inc. Print Name of Firm	

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the Texas Commission on Environmental Quality (TCEQ) for the review and approval consideration of regulated activities.

I also understand that:

- 1. The applicant is responsible for compliance with 30 Texas Administrative Code Chapter 213 and any condition of the TCEQ's approval letter. The TCEQ is authorized to assess administrative penalties of up to \$10,000 per day per violation.
- 2. For 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 Mog1. 8/29/16 Date

THE STATE OF Texas §

County of Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared _Stephen L. Sallman 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 24 Mday of <u>Aug.</u> 2016. TAMARA MIGUEZ Typed or Printed Name of Notary TAMARA J MIGUEZ MY COMMISSION EXPIRES: 7-29-2018 My Commission Expires July 29, 2018

Application Fee Form

Texas Commission on Environme	ental Quality		Veet of EM 0700	
Name of Proposed Regulated Ent	tity: Star Canyon Waster	vater Treatment Facility v	Vest of FIVI 2722	
Regulated Entity Location: Locate		north of State Highway 4	6 on west side;New E Texas	Braunfels,
Name of Customer: LBC Partners	, Ltd.		Texas	>
Contact Person: Stephen L. Sallma	in Phoi	ne: <u>(214)</u> 368-0238		
Customer Reference Number (if i	ssued):CN <u>60333</u> 6405			
Regulated Entity Reference Num	ber (if issued):RN <u>1063</u>	36972		
Austin Regional Office (3373)				
Hays	Travis	W	illiamson	
San Antonio Regional Office (33	62)			
Bexar	Medina	Uv	alde	
X Comal	 Kinney			
Application fees must be paid by	check. certified check.	or m o ney order, payab	le to the Texas	
Commission on Environmental (
form must be submitted with yo				
Austin Regional Office	X	San Antonio Regional C	office	
Mailed to: TCEQ - Cashier		Overnight Delivery to: 1	CEQ - Cashier	
Revenues Section		12100 Park 35 Circle		
Mail Code 214	I	Building A, 3rd Floor		
P.O. Box 13088		Austin, TX 78753		
Austin, TX 78711-3088	((512)239-0357		
Site Location (Check All That Ap	ply):			
X Recharge Zone	Contributing Zone	e Transi	tion Zone	
Type of Pla	an	Size	Fee Due	
Water Pollution Abatement Plan	, Contributing Zone			
Plan: One Single Family Resident	ial Dwelling	Acres	\$	
Water Pollution Abatement Plan	, Contributing Zone			
Plan: Multiple Single Family Resid	dential and Parks	Acres	\$	
Water Pollution Abatement Plan	Contributing Zone			

Water Pollution Abatement Plan, Contributing Zone \$ Plan: Non-residential Acres \$ Sewage Collection System L.F. Lift Stations without sewer lines Acres \$ Underground or Aboveground Storage Tank Facility Tanks ¦\$ Piping System(s)(only) Each \$ \$ Exception Each \$ 150.00 Extension of Time 1 Each

Signature:

Date: 10/3/16

TCEQ-0574 (Rev. 02-24-15)

Application Fee Schedule

Texas Commission on Environmental Quality

Edwards Aquifer Protection Program 30 TAC Chapter 213 (effective 05/01/2008)

Water Pollution Abatement Plans and Modifications

Contributing Zone Plans and Modifications

Project	Project Area in Acres	Fee
One Single Family Residential Dwelling	< 5	\$650
Multiple Single Family Residential and Parks	< 5	\$1,500
	5 < 10	\$3,000
	10 < 40	\$4,000
	40 < 100	\$6,500
	100 < 500	\$8,000
	≥ 500	\$10,000
Non-residential (Commercial, industrial, institutional,	< 1	\$3,000
multi-family residential, schools, and other sites	1 < 5	\$4,000
where regulated activities will occur)	5 < 10	\$5,000
	10 < 40	\$6,500
	40 < 100	\$8,000
	≥ 100	\$10,000

Organized Sewage Collection Systems and Modifications

	Cost per Linear	Minimum Fee-
Project	Foot	Maximum Fee
Sewage Collection Systems	\$0.50	\$650 - \$6,500

Underground and Aboveground Storage Tank System Facility Plans and Modifications

	Cost per Tank or	Minimum Fee-
Project	Piping System	Maximum Fee
Underground and Aboveground Storage Tank Facility	\$650	\$650 - \$6,500

Exception Requests

Project	Fee
Exception Request	\$500

Extension of Time Requests

Project	Fee
Extension of Time Request	\$150

LBC PARTNERS, LTD. 4925 GREENVILLE AVENUE DALLAS, TEXAS 75206 (214) 368-0238	BANK OF TEXAS, N.A. DALLAS, TEXAS 32-1432/1110	1281
		8/29/2016
PAY TO THE TCEQ		\$**150.00
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#001281# #111014329	LONG THE REAL PROPERTY AND A	220 SIGINATORE



TCEQ Core Data Form

TCEQ Use Only

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Company:	Company: Pawelek & Moy, Inc. Name(In Print): Jehn J, Moy, Jr.		Project Engineer
Name(In Print):			(830)629-2563
Signature:	John May h	Date:	10/3/16
0			

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

Mr. Stephen Sallman

Dallas, Texas 75206

LBC Partners, Ltd.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 4, 2016

RECEIVED

MAY 09 2016

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

4925 Greenville Avenue, Suite 1020

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Regulated Entity No: RN106386972, Additional ID No. 13-14040301

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

Mr. Stephen Sallman May 4, 2016 Page 2

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Sincerely,

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

LB/JV

CC:

Mr. John J. Moy, Jr., P.E., Pawelek & Moy, Inc.
Mr. Robert Camareno, City Manager, City of New Braunfels
Mr. Thomas Hornseth, P.E., Comal County Engineer
Mr. Roland Ruiz, General Manager, Edwards Aquifer Authority
Mr. George Wissmann, General Manager, Comal Trinity Water Control District
TCEO Central Records, Building F, MC 212

RECEIVED APR 14 2016 COUNTREER

Texas Commission on Environmental Quality **Edwards Aquifer Application Cover**

Our Review of Your Application

The Edwards Aquifer Program staff conducts an administrative and technical review of all applications. The turnaround time for administrative review can be up to 30 days as outlined in 30 TAC 213.4(e). Generally administrative completeness is determined during the intake meeting or within a few days of receipt. The turnaround time for technical review of an administratively complete Edwards Aquifer application is 90 days as outlined in 30 TAC 213.4(e). Please know that the review and approval time is directly impacted by the quality and completeness of the initial application that is received. In order to conduct a timely review, it is imperative that the information provided in an Edwards Aquifer application include final plans, be accurate, complete, and in compliance with 30 TAC 213.

Administrative Review

Edwards Aquifer applications must be deemed administratively complete before a technical review can begin. To be considered administratively complete, the application must contain completed forms and attachments, provide the requested information, and meet all the site plan requirements. The submitted application and plan sheets should be final plans. Please submit one full-size set of plan sheets with the original application, and half-size sets with the additional copies.

To ensure that all applicable documents are included in the application, the program has developed tools to guide you and web pages to provide all forms, checklists, and guidance. Please visit the below website for assistance: http://www.tceq.texas.gov/field/eapp.

- This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in 2 the application and brought to the administrative review meeting.
- 3. Administrative reviews are scheduled with program staff who will conduct the review. Applicants or their authorized agent should call the appropriate regional office, according to the county in which the project is located, to schedule a review. The average meeting time is one hour.
- In the meeting, the application is examined for administrative completeness. Deficiencies will be noted by staff and emailed or faxed to the applicant and authorized agent at the end of the meeting, or shortly after. Administrative deficiencies will cause the application to be deemed incomplete and returned.

An appointment should be made to resubmit the application. The application is re-examined to ensure all deficiencies are resolved. The application will only be deemed administratively complete when all administrative deficiencies are addressed.

- If an application is received by mail, courier service, or otherwise submitted without a review meeting, the administrative review will be conducted within 30 days. The applicant and agent will be contacted with the results of the administrative review. If the application is found to be administratively incomplete, it can be retrieved from the regional office or returned by regular mail. If returned by mail, the regional office may require arrangements for return shipping.
- 6. If the geologic assessment was completed before October 1, 2004 and the site contains "possibly sensitive" features, the assessment must be updated in accordance with the Instructions to Geologists (TCEO-0585 Instructions).

Technical Review

When an application is deemed administratively complete, the technical review period begins. The regional office will distribute copies of the application to the identified affected city, county, and groundwater conservation district whose jurisdiction includes the subject site. These entities and the public have 30 days to provide comments on the application to the regional office. All comments received are reviewed by TCEO

TCEOR-13

- A site assessment is usually conducted as part of the technical review, to evaluate the geologic assessment and observe existing site conditions. The site must be accessible to our staff. The site boundaries should be clearly marked, features identified in the geologic assessment should be flagged, roadways marked and the alignment of the Sewage Collection System and manholes should be staked at the time the application is submitted. If the site is not marked the application may be returned.
- 3. We evaluate the application for technical completeness and contact the applicant and agent via Notice of Deficiency (NOD) to request additional information and identify technical deficiencies. There are two deficiency response periods available to the applicant. There are 14 days to resolve deficiencies noted in the first NOD. If a second NOD is issued, there is an additional 14 days to resolve deficiencies. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application must be withdrawn or if not withdrawn the application will be denied and the application fee will be forfeited.
- 4. The program has 90 calendar days to complete the technical review of the application. If the application is technically adequate, such that it complies with the Edwards Aquifer rules, and is protective of the Edwards Aquifer during and after construction, an approval letter will be issued. Construction or other regulated activity may not begin until an approval is issued.

Mid-Review Modifications

It is important to have final site plans prior to beginning the permitting process with TCEQ to avoid delays.

Occasionally, circumstances arise where you may have significant design and/or site plan changes after your Edwards Aquifer application has been deemed administratively complete by TCEQ. This is considered a "Mid-Review Modification". Mid-Review Modifications may require redistribution of an application that includes the proposed modifications for public comment.

If you are proposing a Mid-Review Modification, two options are available to you:

- You can withdraw your application, and your fees will be refunded or credited for a resubmittal.
- TCEQ can continue the technical review of the application as it was submitted, and a modification application can be submitted at a later time.

If the application is withdrawn, the resubmitted application will be subject to the administrative and technical review processes and will be treated as a new application. The application will be redistributed to the effected inrisdictions.

Please contact the regional office if you have questions. If your project is located in Williamson, Travis, or Hays County, contact TCEQ's Austin Regional Office at 512-339-2929. If your project is in Comal, Bexar, Medina, Uvalde, or Kinney County, contact TCEQ's San Antonio Regional Office at 210-490-3096

1. Regulated Entity Name: Star Canyon Wastewater Treatment Facility				2. Regulated Entity No.: RN106386972					
3. Customer Name: LBC Partners, L Attn: Mr. Stephe			198	The second s		4. Customer No.: CN603336405			
5. Project Type: (Please circle/check one)	New		Modi	ficatior	1	Exter X	nsion	Exception	
6. Plan Type: (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: (Please circle/check one)	Resider	ntial	Non-	residen X	itial		8. Si	te (acres):	34.06 Acres
9. Application Fee:	\$150.00		10. Permanent l		BMP(s):		Less than 20% Impervious Cover		
11. SCS (Linear Ft.):	N/A		12. AST/UST (No		lo. Tanks):		N/A		
13. County:	Coma	al	14. W	aters	hed:		1752 - 1 - 2012 - 1	Little Bea	r Creek & Elm Creek

Please fill out all required fields below and submit with your application.

Application Distribution

Instructions: Use the table below to determine the number of applications required. One original and one copy of the application, plus additional copies (as needed) for each affected incorporated city, county, and groundwater conservation district are required. Linear projects or large projects, which cross into multiple jurisdictions, can require additional copies. Refer to the "Texas Groundwater Conservation Districts within the EAPP Boundaries" map found at:

http://www.tceq.texas.gov/assets/public/compliance/field_ops/capp/EAPP%20GWCD%20map.pdf

For more detailed boundaries, please contact the conservation district directly.

	Austin	Region	
County:	Hays	Travis	Williamson
Original (a req.)	-		
Region (1 req.)	en al contra de la c		
County(ies)		n an	
Groundwater Conservation District(s)	Edwards Aquifer Authority Barton Springs/ Edwards Aquifer Hays Trimty Plum Creek	Barton_Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	Austin Buda Dripping Springs Kyle Mountain City San Marcos Wimberley Woodcreek	Austin Bee Cave Pflugerville Rollingwood Round Rock Sunset Valley West Lake Hills	Austin Cedar Park Florence Georgetown Jerrell Leander Liberty Hill Pflugerville Round Rock

San Antonio Region					
County:	Bexar	Comal	Kinney	Medina	Uvalde
Original (1 req.)		<u>×</u>			
Region (1 req.)		<u>×</u>			
County(ies)		X .			1. H
Groundwater Conservation District(s)	Edwards Aquifer Authority Trinity-Glen Rose	Edwards Aquifer Authority X Trinity	Kinney	EAA Medina	EAA Uvalde
City(ies) Jurisdiction	Castle Hills Fair Oaks Ranch Helotes Hill Country Village Hollywood Park San Antonio (SAWS) Shavano Park	Bulverde, Fair Oaks Ranch Garden Ridge New Braunfels, Schertz	NA	San Antonio ETJ (SAWS)	NA

I certify that to the best of my knowledge, that the application is complete and accurate. This application is hereby submitted to TCEQ for administrative review and technical review.

John J. Moy, Jr. Print Name of Customer/Authorized Agent

Lih / Man the

Signifure of Justomer/Autorized Agent

<u> 4/4/16</u>

Date(s)Reviewed:	Date Ad	ministratively Complete:
Received From:	Correct	Number of Copies:
Received By:	Distribu	ition Date:
EAPP File Number:	Comple	· · · · · · · · · · · · · · · · · · ·
Admin: Review(s) (No.):	No. AR Rounds: Review Time Spent:	
Delinquent Fees (Y/N):		
Lat./Long. Verified:	SOS Customer Verification:	
Agent Authorization Complete/Notarized (Y/N):	Fee	Payable to TCEQ (Y/N):
Core Data Form Complete (Y/N):	Check:	Signed (Y/N):
Core Data Form Incomplete Nos .:		Less than 90 days old (Y/N):

TCEQ-20705 (10-30-14)



CIVIL ENGINEERING & CONSULTING SERVICES

- RESIDENTIAL DEVELOPMENT
- SITE DEVELOPMENT
- PUBLIC WORKS
- UTILITIES

Edwards Aquifer Protection Plan Extension Request

RECEIVED

APR 1 4 2016

COUNTY ENGINEER

Star Canyon Wastewater Treatment Facility (West of FM 2722) Comal County, Texas

by PAWELEK & MOY, INC. Project No. 1210.02

April 04, 2016

TCE0 R-13 2016 APR 04 08:15

Edwards Aquifer Protection Plan Extension Request

- **Edwards Aquifer Application Cover Page (TCEQ-20705)**
- Extension Request for an Edwards Aquifer Protection Plan (TCEQ-10260)
 Attachment A Approval Letter or Extension Approval
- **Agent Authorization Form (TCEQ-0599), if application submitted by agent**
- \underline{X} Application Fee Form (TCEQ-0574)
- ^X Check Payable to the "Texas Commission on Environmental Quality"
- ^X Core Data Form (TCEQ-10400)

Extension Request for an Edwards Aquifer Protection Plan

Texas Commission on Environmental Quality

Relating to 30 TAC §213.4(g) Effective June 1, 1999

Regulated Entity Information

If requested by an agent, attach the agent authorization form.

- 1. Regulated Entity Name: Star Canyon Wastewater Treatment Facility West of FM 2722
- 2. Customer (Applicant): LBC Partners, Ltd.

 Contact Person: Stephen Sallman

 Entity: LBC Partners, Ltd.

 Mailing Address: 4925 Greenville Avenue, Suite 1020

 City, State: Dallas, Texas
 Zip: 75206

 Telephone: (214) 368-0238
 Fax: (214)368-0812

 Email Address: ssallman@warnergroup.com

3. Agent/Representative (if any): Pawelek & Moy, Inc.

Contact Person: John J. Moy, Jr. Entity: Pawelek & Moy, Inc. Mailing Address: <u>130</u> W. Jahn St. City, State: <u>New Braunfels</u>, Texas Telephone: <u>(830)</u> 629-2563 Email Address: johnmoy711@sbcglobal.net

Zip: <u>78130</u> Fax: <u>(830)</u> 629-2564

Extension Request

4. X Attachment A - Approval Letter or Extension Approval. A copy of the last approval letter or the last approved extension is attached.

Date of letter: <u>May 29</u>, 2014 Expiration date: <u>May</u> 29, 2016

- 5. X This extension request is submitted not earlier than sixty (60) days prior to the expiration date of an approved Edwards Aquifer protection plan or a previously approved extension.
- 6. X A completed fee form is attached. The fee for a six-month extension of time is \$150.

Signature

Print Name of Customer/Agent: John J. Moy, Jr.

Date: 4

Signature of Customer/Agent:

TCEQ-10260 (Rev. 03-13-15)

1 of 1

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

May 29, 2014

Mr. Stephen Sallman LBC Partners, Ltd. 4925 Greenville Avenue, Suite 1020 Dallas, TX 75206

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Star Canyon Wastewater Treatment Facility West of FM 2722; Located on FM 2722, 3.5 miles north of State Highway 46 on the west side; New Braunfels, Texas

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

Investigation No. 1159819; Regulated Entity No. RN106386972; Additional ID No. 13-14040301

Dear Mr. Sallman:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP for the above-referenced project submitted to the San Antonio Regional Office by Pawelek & Moy, Inc. on behalf of LBC Partners, Ltd. on April 3, 2014. Final review of the WPAP was completed after additional material and received on May 21, 2014. As presented to the TCEQ, the Temporary Best Management Practices (BMPs) and construction plans were selected and 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 wastewater treatment facility will have an area of approximately 34.06 acres. It will include the construction of a wastewater treatment facility. Star Canyon Wastewater Treatment Facility will treat wastewater from Star Canyon Subdivision. The impervious cover of the project will be 3.85 acres (11.30 percent).

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

Austin Headquarters: 512-239-1000 · teeq.texas.gov · How is our customer service? teeq.texas.gov/customersurvey

Mr. Stephen Sallman Page 2 May 29, 2014

PERMANENT POLLUTION ABATEMENT MEASURES

This commercial project will not have more than 20 percent impervious cover.

GEOLOGY

According to the geologic assessment, included with the application, the Kirschberg Evaporite member and the Dolomitic member of the Kainer Formation are exposed at the site. The project geologist mapped one geologic feature, and one man manmade feature within the 34.06 acre site. No sensitive features were identified by the project geologists. The San Antonio Regional Office did not conduct a site assessment.

SPECIAL CONDITION

I. The applicant requested a waiver to the requirement for other permanent BMPs for this wastewater treatment facility project because the development will have less than 20 percent impervious cover. Based on the TCEQ's Review of the proposed activities and the site conditions, the required waiver is hereby granted. 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 Water Pollution Abatement Plan may no longer apply and the property owner must notify the San Antonio 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 WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.

Mr. Stephen Sallman Page 3 May 29, 2014

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

Mr. Stephen Sallman Page 4 May 29, 2014

- 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.
- 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.

Mr. Stephen Sallman Page 5 May 29, 2014

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 Monica Reyes of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4012.

Sincerely,

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

LMB/MR/eg

Enclosures: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. John J. Moy, P.E., Pawelek & Moy, Inc. Mr. James C. Klein, P.E., City of New Braunfels Mr. Thomas Hornseth, P.E., Comal County Mr. Roland Ruiz, Edwards Aquifer Authority TCEQ Central Records, Building F, MC 212

	Agent Authorization Form For Required Signature Edwards Aquifer Protection Program Relating to 30 TAC Chapter 213 Effective June 1, 1999	
1	Stephen L. Sallman	
• <u> </u>	Print Name	
	Manager	
	Title - Owner/President/Other	
of	LBC Partners, Ltd.	
	Corporation/Partnership/Entity Name	
have authorized	John J. Moy, Jr.	
	Print Name of Agent/Engineer	
of	Pawelek & Moy, Inc.	
	Print Name of Firm	

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the Texas Commission on Environmental Quality (TCEQ) for the review and approval consideration of regulated activities.

I also understand that:

- 1. The applicant is responsible for compliance with 30 Texas Administrative Code Chapter 213 and any condition of the TCEQ's approval letter. The TCEQ is authorized to assess administrative penalties of up to \$10,000 per day per violation.
- 2. For 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:

phi 2 Adlin, Mgr. 3/15/16 Date Applicant's Signature

THE STATE OF Texas §

County of Dallas ____§

BEFORE ME, the undersigned authority, on this day personally appeared Stephen L. Sallman 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 15th day of ______ Murth , 2016 .



Tamara Miguez NOTARY PUBLIC IAMARA MIGNEZ Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 7-24-2018

TCEQ-0599 (Rev.04/01/2010)

Application Fee Form

Texas Commission on Environme	ntal Quality			
Name of Proposed Regulated Enti	ty: <u>Star Canyon Wastew</u>	vater Treatment Facility V	Vest of FM 2722	
Regulated Entity Location: Locate	d on FM 2722, 3.5 miles i	horth of State Highway 4	6 on west side;New	Braunfels,
Name of Customer: LBC Partners,			Теха	S
Contact Person: Stephen L. Sallmar	n Phor	ie: <u>(214)</u> 368-0238		
Customer Reference Number (if is	sued):CN 603336405			
Regulated Entity Reference Numb	er (if issued):RN <u>10638</u>	6972		
Austin Regional Office (3373)				
Hays	Travis	Πw	illiamson	
San Antonio Regional Office (336				
Bexar	Medina		alde	
			alde	
X Comal	Kinney		–	
Application fees must be paid by				
Commission on Environmental Q				
form must be submitted with you	ur fee payment. This p	ayment is being subm	tted to:	
Austin Regional Office	X S	an Antonio Regional C	office	
Mailed to: TCEQ - Cashier	Overnight Delivery to: TCEQ - Cashier			
Revenues Section	1	2100 Park 35 Circle		
Mail Code 214	E	Building A, 3rd Floor		
P.O. Box 13088	A	Austin, TX 78753		
Austin, TX 78711-3088	((512)239-0357		
Site Location (Check All That App	ly):			
X Recharge Zone	Contributing Zone	Transi	tion Zone	
Type of Pla	n	Size	Fee Due	
Water Pollution Abatement Plan,	Contributing Zone			1
Plan: One Single Family Residential Dwelling		Acres	\$	
Water Pollution Abatement Plan,]
Plan: Multiple Single Family Resid	ential and Parks	Acres	\$	
Water Pollution Abatement Plan,	Contributing Zone			
Plan: Non-residential		Acres	\$	
Sewage Collection System		L.F.	\$	

Signature: Afmin

Underground or Aboveground Storage Tank Facility

Date: 4/4/16

Acres \$

Tanks \$

Each

Each

Each

1

\$

\$

\$ 150.00

TCEQ-0574 (Rev. 02-24-15)

Lift Stations without sewer lines

Piping System(s)(only)

Extension of Time

Exception

1 of 2

Application Fee Schedule

Texas Commission on Environmental Quality

Edwards Aquifer Protection Program 30 TAC Chapter 213 (effective 05/01/2008)

Water Pollution Abatement Plans and Modifications

Contributing Zone Plans and Modifications

Project	Project Area in Acres	Fee
One Single Family Residential Dwelling	< 5	\$650
Multiple Single Family Residential and Parks	< 5 5 < 10 10 < 40 40 < 100 100 < 500 ≥ 500	\$1,500 \$3,000 \$4,000 \$6,500 \$8,000 \$10,000
Non-residential (Commercial, industrial, institutional, multi-family residential, schools, and other sites where regulated activities will occur)	< 1 1 < 5 5 < 10 10 < 40 40 < 100 ≥ 100	\$3,000 \$4,000 \$5,000 \$6,500 \$8,000 \$10,000

Organized Sewage Collection Systems and Modifications

Project	Cost per Linear Foot	Minimum Fee- Maximum Fee
Sewage Collection Systems	\$0.50	\$650 - \$6,500

Underground and Aboveground Storage Tank System Facility Plans and Modifications

Project	Cost per Tank or Piping System	Minimum Fee- Maximum Fee
Underground and Aboveground Storage Tank Facility	\$650	\$650 - \$6,500

Exception Requests

Project	Fee
Exception Request	\$500

Extension of Time Requests

Project	Fee
Extension of Time Request	\$150

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LBC PARTNERS, LTD 4925 GREENVILLE AVENUE DALLAS, TEXAS 75206 (214) 368-0238		E	BANK OF TEXA DALLAS, TEX 32-1432/111	AS	1: 3/15/2016	274
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TCEQ Core Data Form

TCEQ Use Only

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

Renew	al (Core Data Form shou	ld be submitted w	ith the rer	newal form)	X Ot	her EAPP Extensio	n Request
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22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)

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Name(In Print):	John J. Moy, Jr.
Signature:	Ohlman

(830)629-2563

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Phone:

Date:

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

May 29, 2014

RECEIVED

Mr. Stephen Sallman LBC Partners, Ltd. 4925 Greenville Avenue, Suite 1020 Dallas, TX 75206

JUN 09 2014

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Star Canyon Wastewater Treatment Facility West of FM 2722; Located on FM 2722, 3.5 miles north of State Highway 46 on the west side; New Braunfels, Texas

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

Investigation No. 1159819; Regulated Entity No. RN106386972; Additional ID No. 13-14040301

Dear Mr. Sallman:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP for the above-referenced project submitted to the San Antonio Regional Office by Pawelek & Moy, Inc. on behalf of LBC Partners, Ltd. on April 3, 2014. Final review of the WPAP was completed after additional material and received on May 21, 2014. As presented to the TCEO, the Temporary Best Management Practices (BMPs) and construction plans were selected and 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 wastewater treatment facility will have an area of approximately 34.06 acres. It will include the construction of a wastewater treatment facility. Star Canyon Wastewater Treatment Facility will treat wastewater from Star Canyon Subdivision. The impervious cover of the project will be 3.85 acres (11.30 percent).

TCEQ Region 13 · 14250 Judson Rd. · San Antonio, Texas 78233-4480 · 210-490-3096 · Fax 210-545-4329
PERMANENT POLLUTION ABATEMENT MEASURES

This commercial project will not have more than 20 percent impervious cover.

GEOLOGY

According to the geologic assessment, included with the application, the Kirschberg Evaporite member and the Dolomitic member of the Kainer Formation are exposed at the site. The project geologist mapped one geologic feature, and one man manmade feature within the 34.06 acre site. No sensitive features were identified by the project geologists. The San Antonio Regional Office did not conduct a site assessment.

SPECIAL CONDITION

I. The applicant requested a waiver to the requirement for other permanent BMPs for this wastewater treatment facility project because the development will have less than 20 percent impervious cover. Based on the TCEQ's Review of the proposed activities and the site conditions, the required waiver is hereby granted. If the percent impervious cover ever ever increases above 20 percent or the land use changes, the exemption for the whole site as increases above 20 percent or the land use changes, the exemption for the whole site as described in the Water Pollution Abatement Plan may no longer apply and the property described in the Water Pollution Regional Office of these changes.

STANDARD CONDITIONS

- 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.
- 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 property boundaries shall be included in the deed recordation in the county deed records. A suggested form (Deed Recordation Affidavit, TCEQ-0625) that you may use to deed record the approved WPAP is enclosed.
- 5. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.

Mr. Stephen Sallman Page 3 May 29, 2014

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

- 14. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity inter 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 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 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 transferred. A copy of the transfer of responsibility must be filed with the executive director transferred. A copy of the transfer of responsibility must be filed with the executive director transferred. A copy of the transfer of responsibility must be filed with the transfer through San Antonio Regional Office within 30 days of the transfer. A copy of the transfer through CEQ-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 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 percent protector prior to commencing any additional regulated activities.
- 22. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

Mr. Stephen Sallman Page 5 May 29, 2014

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 Monica Reyes of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4012.

Sincerely,

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

LMB/MR/eg

Enclosures: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. John J. Moy, P.E., Pawelek & Moy, Inc. Mr. James C. Klein, P.E., City of New Braunfels Mr. Thomas Hornseth, P.E., Comal County Mr. Roland Ruiz, Edwards Aquifer Authority TCEQ Central Records, Building F, MC 212 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

May 29, 2014

Mr. Stephen Sallman LBC Partners, Ltd. 4925 Greenville Avenue, Suite 1020 Dallas, TX 75206 RECEIVED

JUN 09 2014

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Star Canyon Wastewater Treatment Facility West of FM 2722; Located on FM 2722, 3.5 miles north of State Highway 46 on the west side; New Braunfels, Texas

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Investigation No. 1159819; Regulated Entity No. RN106386972; Additional ID No. 13-14040301

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PROJECT DESCRIPTION

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

Mr. Stephen Sallman Page 2 May 29, 2014

PERMANENT POLLUTION ABATEMENT MEASURES

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This commercial project will not have more than 20 percent impervious cover.

GEOLOGY

According to the geologic assessment, included with the application, the Kirschberg Evaporite member and the Dolomitic member of the Kainer Formation are exposed at the site. The project geologist mapped one geologic feature, and one man manmade feature within the 34.06 acre site. No sensitive features were identified by the project geologists. The San Antonio Regional Office did not conduct a site assessment.

SPECIAL CONDITION

I. The applicant requested a waiver to the requirement for other permanent BMPs for this wastewater treatment facility project because the development will have less than 20 percent impervious cover. Based on the TCEQ's Review of the proposed activities and the site conditions, the required waiver is hereby granted. 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 Water Pollution Abatement Plan may no longer apply and the property owner must notify the San Antonio Regional Office of these changes.

STANDARD CONDITIONS

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Mr. Stephen Sallman Page 3 May 29, 2014

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- 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.
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After Completion of Construction:

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- 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.
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Mr. Stephen Sallman Page 5 May 29, 2014

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Sincerely,

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

LMB/MR/eg

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cc: Mr. John J. Moy, P.E., Pawelek & Moy, Inc. Mr. James C. Klein, P.E., City of New Braunfels Mr. Thomas Hornseth, P.E., Comal County Mr. Roland Ruiz, Edwards Aquifer Authority TCEQ Central Records, Building F, MC 212



CIVIL ENGINEERING & CONSULTING SERVICES

- RESIDENTIAL DEVELOPMENT
- SITE DEVELOPMENT
- PUBLIC WORKS
- UTILITIES

Edwards Aquifer Protection Plan Extension Request

Star Canyon Wastewater Treatment Facility (West of FM 2722) Comal County, Texas

RECEIVED OCT 1 0 2017 COUNTY ENGINEER

PAWELEK & MOY, INC. Project No. 1210.02

October 2, 2017

by

Hand Delivered TCEQ Reg 13

130 W. Jahn Street, New Braunfels, Texas 78130 P.O. Box 311870 New Braunfels, Texas 78131-1870 tel: (830) 629-2563 fax: (830) 629-2564

Edwards Aquifer Protection Plan Extension Request

- **Edwards Aquifer Application Cover Page (TCEQ-20705)**
- Extension Request for an Edwards Aquifer Protection Plan (TCEQ-10260) Attachment A - Approval Letter or Extension Approval
- **Agent Authorization Form (TCEQ-0599), if application submitted by agent**
- \underline{X} Application Fee Form (TCEQ-0574)
- Check Payable to the "Texas Commission on Environmental Quality"
- $\frac{X}{2}$ Core Data Form (TCEQ-10400)

COUNTY ENGINEER

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Extension Request for an Edwards Aquifer Protection Plan

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OCT 1 0 2017

Relating to 30 TAC §213.4(g) Effective June 1, 1999

COUNTY ENGINEER

Regulated Entity Information

Texas Commission on Environmental Quality

If requested by an agent, attach the agent authorization form.

- 1. Regulated Entity Name: Star Canyon Wastewater Treatment Facility West of FM 2722
- 2. Customer (Applicant): LBC Partners, Ltd.

Contact Person: <u>Stephen Sallman</u> Entity: <u>LBC Partners</u>, Ltd. Mailing Address: <u>4925 Greenville Avenue</u>, Suite 1020 City, State: <u>Dallas</u>, Texas Telephone: <u>(214)</u> 368-0238 Email Address: <u>ssallman@warnergroup.com</u>

Zip: 75206 Fax: (214)368-0812

3. Agent/Representative (if any): Pawelek & Moy, Inc.

Contact Person: John J. Moy, Jr. Entity: Pawelek & Moy, Inc. Mailing Address: 130 W. Jahn St. City, State: New Braunfels, Texas Telephone: (830) 629-2563 Email Address: johnmoy711@sbcglobal.net

Zip: 78130 Fax: (830) 629-2564

Extension Request

4. X Attachment A - Approval Letter or Extension Approval. A copy of the last approval letter or the last approved extension is attached.

Date of letter: <u>May 12</u>, 2107 Expiration date: November 29, 2017

- 5. X This extension request is submitted not earlier than sixty (60) days prior to the expiration date of an approved Edwards Aquifer protection plan or a previously approved extension.
- 6. X A completed fee form is attached. The fee for a six-month extension of time is \$150.

Signature

Print Name of Customer/Agent: John J. Moy, Jr.

Date: /

Signature of Customer/Agent:

TCEQ-10260 (Rev. 03-13-15)

Attachment A

Bryan W. Shate, Phyl., P.E., Chair Hoty Toby Baken, Commissioner Jon Niermann, Commissioner Jon Niermann, Commissioner Stehard A. Phyle, P.B., Executive Director



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TEXAS CONDUCTION ON ENVIRONMENTAL QUALTY

Protesting Toxes by Androhig and Anevesting Polluties

May 12, 3017

Mr. Stephen Sallman LBC Partners, Ltd. 4925 Greenville Avenue, Suite 1020

Dallas, Texas 75206

Re: Edwards Agenter, Connal County

or Treatmonth Rectifies Located West of the 2222, 3-3 miles ally Level An Provide Sta and the second Nambool Interplate that the Content Type of Plan: Request for the Extension of Time to Commence Regulated Activities Authorized by a Water Pollution Abatement Plan (WPAP), 30 Texas Administrative Code (TAC) Chapter 213 a Water Foundatie Edwards Aquifer

Regulated Fruity and RMF06386678, Anthrenal 2D Mo. D3-14040586.

Dear Mar. Saltiment

<u>برو</u>

30 TAC §213.4(h) and §213.13 which set forth the procedures for requesting an extension of time to commence regulated activities authorized by the approval and was found to be in general agreement with these procedures. Therefore, the request for an extension to the term of approval for the referenced project is granted. A summary of the dates of approval and On April 3, 2017, the Texas Commission on Environmental Quality (TCEQ) neceived your request for an extension of time to commence regulated activities related to the above referenced Water Pollution Abatement Plan (WPAP) approval. The request has been reviewed for compliance with expiration are as follows:

May 29, 2014	May 29, 2016	Date of Extension Expiration	November 29, 2016	May 29, 2017	November 29, 2017
Date of Original Approval:	Date of Expiration:	Date Extension Request Received	April 4, 2016	October 1, 2016	April 3, 2017

approved plan for the regulated activities have changed. As understood, there will be no changes or modifications to the originally approved plan. This request for extension expires on November 29, 2017, Should construction not commence before the end of the six (6) month period, mother request for extension would be required to keep the Edwards Aquifer Protection indicated in the rules, an extension may not be granted if the proposed regulated activities or The request and fee were received in compliance with 30 TAC \$213.4(h) and \$213.13. As Plan validated.

 14250 Judicht Rd.
Sen Antonio, Texes 78233-4480 × 210-490-3056
Fax 210-515-6329 TCEO Region 13

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Mr. John J. Moy, Jr., Pawelek & Moy, Inc. Mr. Robert Camareno, City Manager, City of New Braunfels Mr. Rohand Ruiz, General Manager, Edwards Aquifer Authority Mr. Roland Ruiz, General Manager, Edwards Aquifer Authority Mr. H. L. Saur, General Manager, Comal Trinity Groundwater Conservation District

Ba/AL/TI

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Livin Bunguardner, Water Section Manager San Antonio Region Texas Commission on Environmental Quality

Algorerely,

Commission on Environmental Ouslity. If you have any questions or require additional information, please contact Mr. Jeshua Vacek of the Edwards Aquifer Protection Program, San Antonio Regional Office at 210-403-4028. This action is taken under authority delegated by the Executive Director of the Texas

行用に

Page 2 May 12, 2017 Mr. Stephen Sallman

n Vorge metanov V. A - del A	Agent Authorization Form For Required Signature Edwards Aquifer Protection Program Relating to 30 TAC Chapter 213 Effective June 1, 1999	
1	Stephen L. Sallman	
	Print Name	· · · · · · · · · · · · · · · · · · ·
	Manager	
	Title - Owner/President/Other	
of	LBC Partners, Ltd.	
	Corporation/Partnership/Entity Name	· · · ·
have authorized	John J. Moy, Jr.	
	Print Name of Agent/Engineer	24 24
of	Pawelek & Moy, Inc.	1960 - <u>196</u> 0 - 1960
	Print Name of Firm	·. ·
the purpose of pre	ct on the behalf of the above named Corporation, Par eparing and submitting this plan application to the Te vality (TCEQ) for the review and approval conside	exas Commission on

I also understand that:

- 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.
- 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.

TCEQ-0599 (Rev.04/01/2010)

SIGNATURE PAGE:

Ball Mg. Applicant's Signature

28/17 Date

THE STATE OF Texas §

County of Dallas §

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BEFORE ME, the undersigned authority, on this day personally appeared <u>Stephen L. Sallman</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 May of MUNST, 2017

VIL (NOTARY

IAMARA MIGUEZ

Typed or Printed Name of Notary

MY COMMISSION EXPIRES:

7-29-18

TAMARA J. MIGUEZ Notary ID # 1593476 My Commission Expires July 29, 2018

Page 2 of 2

TCEQ-0599 (Rev.04/01/2010)

Application Fee Form

Texas Commission on Environmental Quality

Name of Proposed Regulated Enti	Star Canvon Wastew	ater Treatment Facility V	Vest of FM 2722		
Regulated Entity Location: Located	d on FM 2722, 3.5 miles r	orth of State Highway 4	6 on west side:New Braunfels		
Name of Customer: LBC Partners,			Texas		
Contact Person: Stephen L. Sallmar		e: (214) 368-0238			
Customer Reference Number (if is			· · · · · · · · · · · · · · · · · · ·		
Regulated Entity Reference Numb		6972	a international design of the second s		
Austin Regional Office (3373)					
Hays	Travis	- Ew	illiamson		
San Antonio Regional Office (336					
		i,	- 1.1		
Bexar	Medina		valde		
X Comal	Kinney				
Application fees must be paid by o					
Commission on Environmental Q	-		1		
form must be submitted with you	ir fee payment . This p	ayment is being subm	itted to:		
Austin Regional Office	X S	an Antonio Regional Office			
Mailed to: TCEQ - Cashier		Overnight Delivery to: TCEQ - Cashier			
Revenues Section		L2100 Park 35 Circle			
Mail Code 214	-	Building A, 3rd Floor			
P.O. Box 13088		Austin, TX 78753			
Austin, TX 78711-3088		512)239-0357	N. Contraction of the second s		
Site Location (Check All That App	-				
X Recharge Zone	Contributing Zone	Transi	tion Zone		
Type of Pla		Size	Fee Due		
Water Pollution Abatement Plan,	-				
Plan: One Single Family Residentia		Acres	\$		
Water Pollution Abatement Plan,	-				
Plan: Multiple Single Family Reside		Acres	\$		
Water Pollution Abatement Plan,	Contributing Zone				
Plan: Non-residential		Acres	\$		
Sewage Collection System		L.F.	\$		
Lift Stations without sewer lines		Acres	\$		
Underground or Aboveground Sto	rage Tank Facility	Tanks	\$		
Piping System(s)(only)		Each	\$		
Exception		Each	\$		
Extension of Time		1 Each	\$ 150.00		
$() \land \land$	Λ	1. 1. 1.			

Signature: _ 6

Date: <u>10/2/17</u>

TCEQ-0574 (Rev. 02-24-15)

1 of 2

Application Fee Schedule

Texas Commission on Environmental Quality

Edwards Aquifer Protection Program 30 TAC Chapter 213 (effective 05/01/2008)

Water Pollution Abatement Plans and Modifications

Contributing Zone Plans and Modifications

Project	Project Area in Acres	Fee
One Single Family Residential Dwelling	< 5	\$650
Multiple Single Family Residential and Parks	< 5	\$1,500
	5 < 10	\$3,000
	10 < 40	\$4,000
	40 < 100	\$6,500
	100 < 500	\$8,000
	≥ 500	\$10,000
Non-residential (Commercial, industrial, institutional,	<1	\$3,000
multi-family residential, schools, and other sites	1<5	\$4,000
where regulated activities will occur)	5 < 10	\$5,000
	10 < 40	\$6,500
	40 < 100	\$8,000
	≥ 100	\$10,000

Organized Sewage Collection Systems and Modifications

	Cost per Linear	Minimum Fee-
Project	Foot	Maximum Fee
Sewage Collection Systems	\$0.50	\$650 - \$6,500

Underground and Aboveground Storage Tank System Facility Plans and Modifications

Project	Cost per Tank or Piping System	Minimum Fee- Maximum Fee
Underground and Aboveground Storage Tank Facility	\$650	\$650 - \$6,500

Exception Requests

Project	Fee		
Exception Request	\$500		

Extension of Time Requests

Project	Fee
Extension of Time Request	\$150

TCEQ-0574 (Rev. 02-24-15)

2 of 2

LBC PARTNERS, LTD. **4925 GREENVILLE AVENUE** DALLAS, TEXAS 75206 (214) 368-0238

BANK OF TEXAS, N.A. DALLAS, TEXAS 32-1432/1110

8/28/2017

1305

DOLLARS

1305

150.00

150.00

PAY TO THE ORDER OF_ TCEQ

**150,00 \$

One Hundred Fifty and 00/100*

TCEQ P.O. Box 13089 Austin, Texas 78711-3089;

MEMO

WPAP Extension

"001305" ::111014325: "8091637064"

TCEQ PRE DEV COSTS: TCEQ

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WPAP Extension (Wastewater Treatment)

AUTHORIZED SIGNATURE

amara U

8/28/2017

WPAP Extension LBC-MM (BOTx)

guas.

No. C



TCEQ Core Data Form

TCEQ Use Only

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

New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)
Renewal (Core Data Form should be submitted with the renewal form)
Renewal (Core Data Form should be submitted with the renewal form) Image: Other EAPP Extension Request 2. Customer Reference Number (if issued) 3. Regulated Entity Reference Number (if issued)
CN 603336405 CN 603336405 Central Registry**
SECTION II: Customer Information
4. General Customer Information 5. Effective Date for Customer Information Updates (mm/dd/yyyy)
New Customer Update to Customer Information Change in Regulated Entity Ownership Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts) Change in Regulated Entity Ownership
The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).
6. Customer Legal Name (If an individual, print last name first: e.g.: Doe, John) If new Customer, enter previous Customer below:
7. TX SOS/CPA Filing Number 8 TX State Tax ID (11 digits) 9. Federal Tax ID (9 digits) 10. DUNS Number (if applicab
11. Type of Customer: Corporation Individual Partnership: General ILimited
Government: City County Federal State Other Other: 12. Number of Employees 13. Independently Owned and Operated? 12. 0.20 21-100 101-250 251-500 501 and higher Yes No
14. Customer Role (Proposed or Actual) - as it relates to the Regulated Entity listed on this form. Please check one of the following:
Image: Constant of the constant
15. Mailing Address:
City State ZIP ZIP ZIP + 4
16. Country Mailing Information (if outside USA) 17. E-Mail Address (if applicable)
18. Telephone Number 19. Extension or Code 20. Fax Number (if applicable)
ECTION III: Regulated Entity Information
1. General Regulated Entity Information (If 'New Regulated Entity" is selected below this form should be accompanied by a permit application)
New Regulated Entity Department of Regulated Entity Name Department of Regulated Entity Information
The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (remove of organizational endings such as Inc, LP, or LLC).
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)

Regulated Entity: (No PO Boxes)	City	State		ZIP		ZIP+4
24. County		ne itt nation	1			Com Minister II I I I I I
	Enter Physical I	ocation Description	on if no street a	address is p	rovided.	
25. Description to Physical Location:						
26. Nearest City		and share			State	Nearest ZIP Cod
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27. Latitude (N) In Decima Degrees	Al: Minutes	Seconds	28. Lon Degrees	gitude (W)	In Decimal: Minutes	Seconds
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29. Primary SIC Code (4 digi	ts) 30. Secondary SIC	Code (4 digits)	31. Primary (5 or 6 digits)	NAICS Co		econdary NAICS Code 6 digits)
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33. What is the Primary Bus	siness of this entity? (Do no	t repeat the SIC or NA	ICS description.)	Section 1	antitude in the set	COMPANY STATES
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35. E-Mail Address:				En .		
36. Telepho	ne Number	37. Extens	sion or Code		38. Fax Numb	per (if applicable)
()	· .	1.3	2-91		(-
39. TCEQ Programs and ID Num Form instructions for additional guilt	bers Check all Programs and write	e in the permits/registra	ation numbers that	t will be affecte	d by the updates subr	mitted on this form. See the Core I
Dam Safety	Districts	Edwards	Aquifer	Emiss	ions Inventory Air	Industrial Hazardous Wa
				HUGH		
Municipal Solid Waste	New Source Review A	Vir 🔲 OSSF		Petrole	um Storage Tank	PWS
Contract Street	Contraction of the second		1. 3.33	1111		
Sludge	Storm Water	Title V Ai	r	Tires		Used Oil
AND THE POINT	STAL BURGER DE LES AN				State of the second	
	Waste Water	Wastewate	er Agriculture	U Wate	r Rights	Other:
Voluntary Cleanup			Section 2			
Voluntary Cleanup						
	Information	1				
SECTION IV: Preparer	Information		(1)判断的问题	41. Title:	Project Engineer	
SECTION IV: Preparer	Information 43. Ext./Code	44. Fax Numb	Der	41. Title: 45. E-Mai		
SECTION IV: Preparer 40. Name: John J. Moy, Jr.	Selfer and the self-		per 9 - 2564	45. E-Mai		t

Company: Pawelek & Moy, Inc.		Job Title:	Project Engineer
Name(In Print):	John Moy dr.	Phone:	(830)629-2563
Signature:	ahon h	Date:	10/2/17
	0 / 0 /		

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

May 29, 2014

RECEIVED

Mr. Stephen Sallman LBC Partners, Ltd. 4925 Greenville Avenue, Suite 1020 Dallas, TX 75206

JUN 09 2014

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Star Canyon Wastewater Treatment Facility West of FM 2722; Located on FM 2722, 3.5 miles north of State Highway 46 on the west side; New Braunfels, Texas

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

Investigation No. 1159819; Regulated Entity No. RN106386972; Additional ID No. 13-14040301

Dear Mr. Sallman:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP for the above-referenced project submitted to the San Antonio Regional Office by Pawelek & Moy, Inc. on behalf of LBC Partners, Ltd. on April 3, 2014. Final review of the WPAP was completed after additional material and received on May 21, 2014. As presented to the TCEO, the Temporary Best Management Practices (BMPs) and construction plans were selected and 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 wastewater treatment facility will have an area of approximately 34.06 acres. It will include the construction of a wastewater treatment facility. Star Canyon Wastewater Treatment Facility will treat wastewater from Star Canyon Subdivision. The impervious cover of the project will be 3.85 acres (11.30 percent).

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

Mr. Stephen Sallman Page 2 May 29, 2014

PERMANENT POLLUTION ABATEMENT MEASURES

This commercial project will not have more than 20 percent impervious cover.

GEOLOGY

According to the geologic assessment, included with the application, the Kirschberg Evaporite member and the Dolomitic member of the Kainer Formation are exposed at the site. The project geologist mapped one geologic feature, and one man manmade feature within the 34.06 acre site. No sensitive features were identified by the project geologists. The San Antonio Regional Office did not conduct a site assessment.

SPECIAL CONDITION

I. The applicant requested a waiver to the requirement for other permanent BMPs for this wastewater treatment facility project because the development will have less than 20 percent impervious cover. Based on the TCEQ's Review of the proposed activities and the site conditions, the required waiver is hereby granted. 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 Water Pollution Abatement Plan may no longer apply and the property owner must notify the San Antonio 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 WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.

Mr. Stephen Sallman Page 3 May 29, 2014

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

Mr. Stephen Sallman Page 4 May 29, 2014

- 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.
- 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.

Mr. Stephen Sallman Page 5 May 29, 2014

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 Monica Reyes of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4012.

Sincerely,

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

LMB/MR/eg

Enclosures: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. John J. Moy, P.E., Pawelek & Moy, Inc. Mr. James C. Klein, P.E., City of New Braunfels Mr. Thomas Hornseth, P.E., Comal County Mr. Roland Ruiz, Edwards Aquifer Authority TCEQ Central Records, Building F, MC 212