

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*

April 15, 2014

RECEIVED

APR 29 2014

COUNTY ENGINEER

Mr. Balous T. Miller  
281/46 Ridge LLC  
430 S. Santa Rosa St.  
San Antonio, Texas 78207

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: **Bulverde Miller Tract**; Located at the northeast corner of US Hwy 281 and SH 46; Bulverde, Texas

TYPE OF PLAN: Request for Approval of a **Contributing Zone Plan (CZP)**; 30 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer

Investigation No. 1151289; Regulated Entity No. RN107123309; Additional ID 13-14021304

Dear Mr. Miller:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Application for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of 281/46 Ridge LLC on February 13, 2014. Final review of the CZP was completed after additional material was received on April 1, 2014. As presented to the TCEQ, the Temporary Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are **hereby approved** subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

### PROJECT DESCRIPTION

This project only proposes clearing and mass grading of approximately 27.02 acres. The site is anticipated for future commercial use, but a site plan is not available at this time, so no construction of impervious cover is currently proposed.

### PERMANENT POLLUTION ABATEMENT MEASURES

Since this project only proposes clearing and mass grading, no permanent pollution abatement measures are proposed at this time.

### SPECIAL CONDITIONS

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

### 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. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved Contributing Zone Plan and this notice of approval shall be maintained at the project location until all regulated activities are completed.
5. Any modification to the activities described in the referenced CZP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.
6. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the name of the approved plan and file number for the regulated activity, the date on which the regulated activity will commence, and the name of the prime contractor with the name and telephone number of the contact person.
7. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved Storm Water Pollution Prevention Plan (SWPPP) must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges

from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

8. During the course of regulated activities related to this project, the applicant or his agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.
9. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been significantly reduced. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).
10. Intentional discharges of sediment laden water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.
11. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
12. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.
13. This approval does not authorize the installation of temporary aboveground storage tanks on this project. If the contractor desires to install a temporary aboveground storage tank for use during construction, an application to modify this approval must be submitted and approved prior to installation. The application must include information related to tank location and spill containment. Refer to Standard Condition No. 5, above.

After Completion of Construction:

14. Owners of permanent BMPs and measures must insure that the BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.
15. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

Mr. Balous T. Miller  
April 15, 2014  
Page 4

16. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Contributing Zone Plan. If the new owner intends to commence any new regulated activity on the site, a new Contributing Zone Plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.
17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

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 Dianne Pavlicek, P.G., of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4074.

Sincerely,



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

LB/DP/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625A

cc: Ms. Cara C. Tackett, P.E., Pape-Dawson Engineers, Inc.  
Mr. Thomas H. Hornseth, P.E., Comal County Engineer  
Mr. Bill Krawietz, City of Bulverde  
Mr. Roland Ruiz, Edwards Aquifer Authority  
TCEQ Central Records, Building F, MC212



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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 18, 2014

RECEIVED

FEB 21 2014

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

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County  
PROJECT NAME: Bulverde Miller Tract, located at the northeast corner of Highway 281  
North and Highway 46, Bulverde, Texas

PLAN TYPE: Application for Contributing Zone Water Pollution Abatement Plan (CZP)  
30 Texas Administration Code (TAC) Chapter 213; Edwards Aquifer Protection Program  
EAPP File No. and Regulated Entity No.: RN107123309, Additional ID: 13-14021304

Dear Mr. Hornseth:

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

Please forward your comments to this office by March 18, 2014.

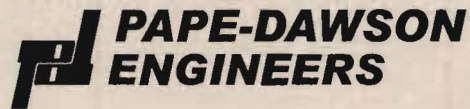
The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact the San Antonio Region Office at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

Sincerely

A handwritten signature in blue ink, appearing to read "Todd Jones".

Todd Jones  
Water Section Work Leader  
San Antonio Regional Office

TJ/eg



RECEIVED

FEB 21 2014

# BULVERDE MILLER TRACT

## Contributing Zone Plan Application

TCEQ-R13  
FEB 13 2014  
SAN ANTONIO

January 2014

# **BULVERDE MILLER TRACT**

## **Contributing Zone Plan Application**

**January 2014**

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Texas Board of Professional Engineers, Firm Registration # 470



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

January 29, 2014

Mr. Joel Anderson  
Texas Commission on Environmental Quality (TCEQ)  
Region 13  
14250 Judson Road  
San Antonio, Texas 78233-4480

Re: Bulverde Miller Tract  
Contributing Zone Plan Application

Dear Mr. Anderson:

Please find attached one (1) original and four (4) copies of the Bulverde Miller Tract Contributing Zone Plan. This Contributing Zone Plan has been prepared to be consistent with the regulations of the Texas Commission on Environmental Quality (30 TAC 213) and current policies for development over the Edwards Aquifer Recharge Zone.

This Contributing Zone Plan applies to an approximate 27.02-acre project limits within the Bulverde Miller Tract site. Please review the plan information for the items it is intended to address, and, if acceptable, provide a written approval of the plan in order that construction may begin at the earliest opportunity.

Appropriate review fees (\$6,500) and fee application are included. If you have questions regarding this information, please call our office.

Sincerely,  
Pape-Dawson Engineers, Inc.  
Texas Board of Professional Engineers, Firm Registration #470

Cara C. Tackett, P.E.  
Vice President

Attachments

P:\75\79\03\Word\Reports\CZP\131213 Letter\_A1.docx



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

Regulated Entity Name: **Bulverde Miller Tract**

County: **Comal**

Stream Basin: **Lewis Creek**

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

2. Customer (Applicant):

Contact Person: **Balous T. Miller**  
Entity: **281/46 Ridge LLC.**  
Mailing Address: **430 S. Santa Rosa St.**  
City, State: **San Antonio, Texas** Zip: **78207**  
Telephone: **(210) 225-4461** FAX: **(210) 302-1533**

Agent/Representative (If any):

Contact Person: **Cara C. Tackett, P.E.**  
Entity: **Pape-Dawson Engineers, Inc.**  
Mailing Address: **555 E. Ramsey**  
City, State: **San Antonio, Texas** Zip: **78216**  
Telephone: **(210) 375-9000** FAX: **(210) 375-9010**

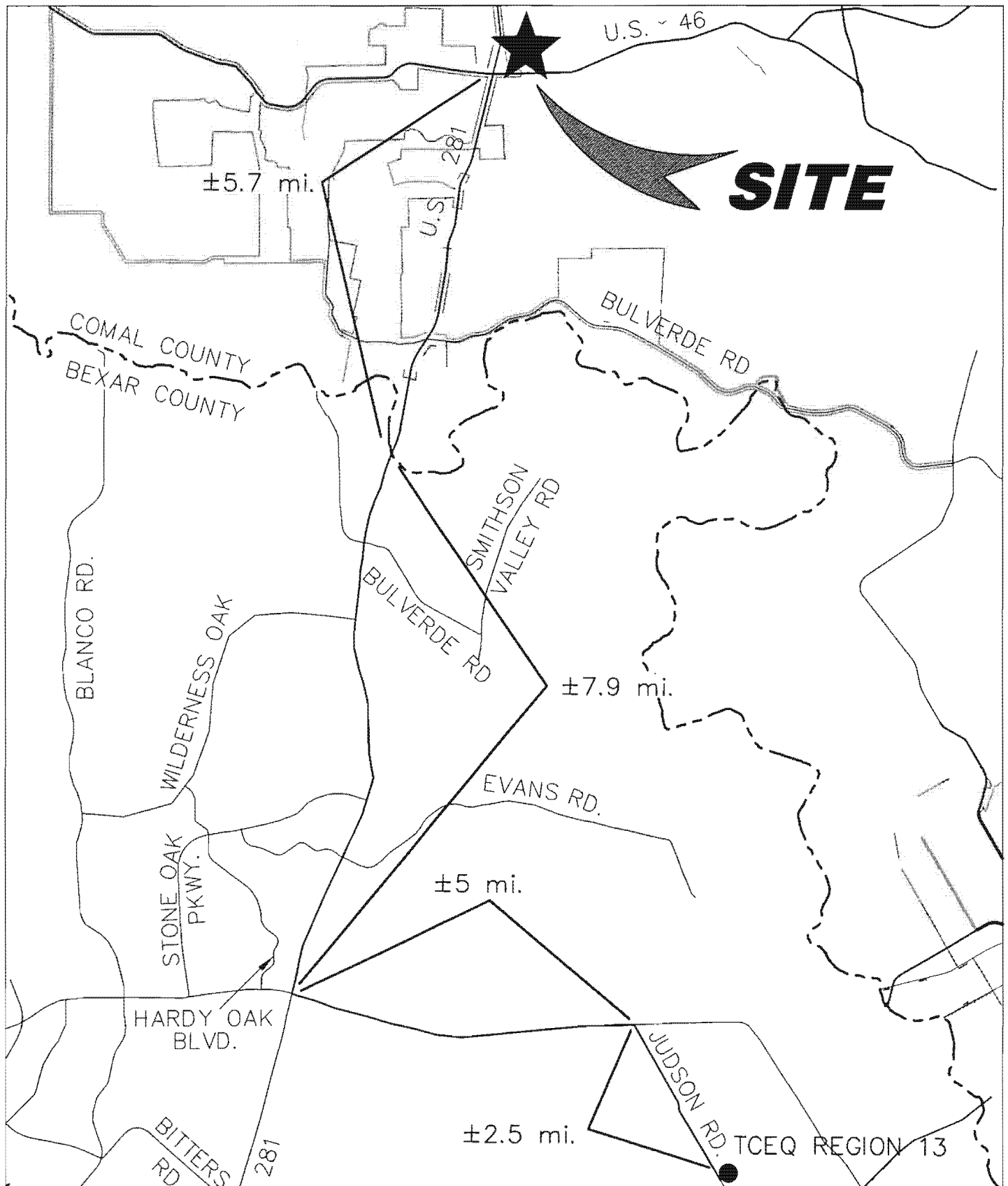
3. ☐ This project is inside the city limits of \_\_\_\_\_.  
☒ This project is **partially inside the city limits and partially** outside the city limits but inside the ETJ (extra-territorial jurisdiction) of **the City of Bulverde.**  
☐ This project is not located within any city's limits or ETJ.

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

**From TCEQ'S Regional office, travel north on Judson Road approximately 2.5 miles to Loop 1604. Turn left onto the access road and take the ramp onto Loop 1604 west-bound. Travel approximately 5 miles to US Hwy. 281 and make a right onto the access road. Proceed onto US Hwy. 281 North and travel approximately 13.6 miles to State Hwy. 46. The site is located at the northeast corner of US Hwy. 281 and SH 46.**

5. ☒ **ATTACHMENT A - Road Map.** A road map showing directions to and the location of the project site is found ~~as at the end of this form~~ **directly behind this sheet.**
6. ☒ **ATTACHMENT B - USGS Quadrangle Map.** A copy of the USGS Quadrangle Map (Scale: 1" = 2000') is found ~~at the end of this form~~ **behind this sheet.** The map(s) clearly shows:

**BULVERDE MILLER TRACT**  
**Contributing Zone Plan**





# BULVERDE MILLER TRACT

## Contributing Zone Plan

SCALE: 1" = 2000



SEE SHEET 2 Of 2


ANHALT TX, QUADRANGLE  
BULVERDE, TX QUADRANGLE  
→ → Drainage Flow  
Pape-Dawson Engineers, Inc.

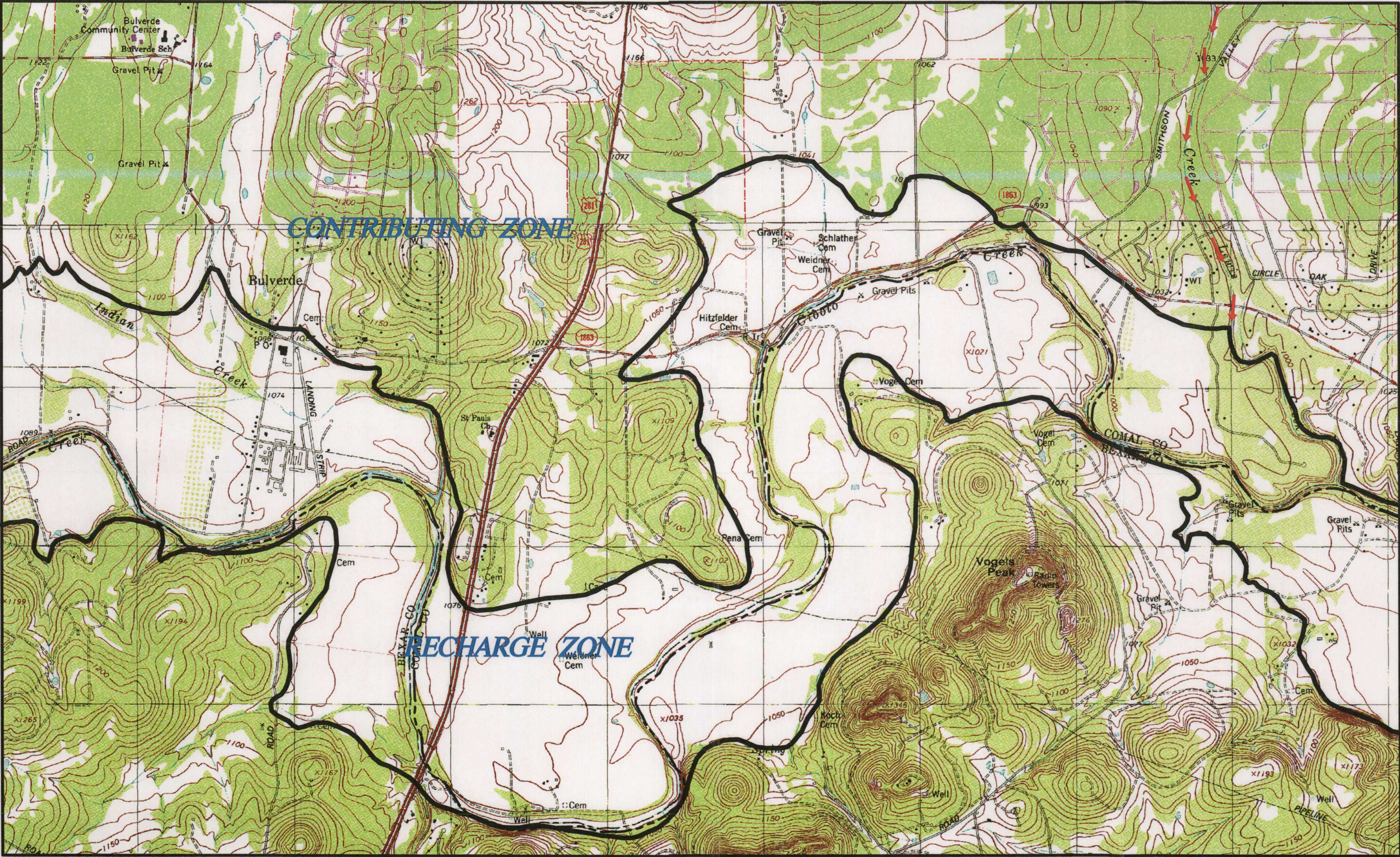
USGS/EDWARDS RECHARGE ZONE MAP  
Sheet 1 Of 2  
Attachment B



**BULVERDE MILLER TRACT**  
**Contributing Zone Plan**

SEE SHEET 1 OF 2

  
SCALE: 1" = 2000'



ANHALT TX, QUADRANGLE  
BULVERDE, TX QUADRANGLE  
→ → Drainage Flow  
Pape-Dawson Engineers, Inc.

USGS/EDWARDS RECHARGE ZONE MAP  
Sheet 2 Of 2  
Attachment B



- ☒ Project site boundaries.  
☒ USGS Quadrangle Name(s).

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

*The Bulverde Miller Tract is a 27.02-acre site located at the northeast corner of State Highway 46 and US Highway 281. It is located partially within the city limits of Bulverde and partially within its extra-territorial jurisdiction, in Comal County, Texas. The site is located over the Edwards Contributing Zone.*

*This Contributing Zone Plan (CZP) proposes clearing and mass grading of approximately 27.02 acres. The site is anticipated for future commercial use, but a site plan is not available at this time, so no construction of impervious cover is currently proposed. At such time as the site plan is completed, a future separate CZP MOD will be submitted to the Texas Commission on Environmental Quality (TCEQ) including proposed impervious cover areas and proposed permanent Best Management Practices (BMPs). Temporary BMPs will be installed prior to commencement of site clearing and grading and will be maintained until final site stabilization is completed.*

8. Existing project site conditions are noted below:

- ☐ Existing commercial site  
☐ Existing industrial site  
☐ Existing residential site  
☐ Existing paved and/or unpaved roads  
☒ Undeveloped (Cleared)  
☒ Undeveloped (Undisturbed/Uncleared)  
☐ Other: \_\_\_\_\_

## PROJECT INFORMATION

9. The type of project is:

- ☐ Residential: # of Lots: \_\_\_\_\_  
☐ Residential: # of Living Unit Equivalents: \_\_\_\_\_  
☒ Commercial (**Future development**)  
☐ Industrial  
☐ Other: \_\_\_\_\_

10. Total project area (size of site): 27.02 Acres  
Total disturbed area: 27.02 Acres

11. Projected population: 0

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

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	0	÷ 43,560 =	0
Parking	0	÷ 43,560 =	0
Other paved surfaces	0	÷ 43,560 =	0
Total Impervious Cover	0	÷ 43,560 =	0
Total Impervious Cover ÷ Total Acreage x 100 =			0%

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

*Potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the construction site include:*

- *Soil erosion due to the clearing of the site for roads, residential homes, and drainage structures.*
- *Oil, grease, fuel, and hydraulic fluid contamination from construction equipment and vehicle drippings.*
- *Hydrocarbons from asphalt paving operations.*
- *Miscellaneous trash and litter from construction workers and material wrappings.*
- *Construction debris.*
- *Concrete truck washout.*

*Potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharges from the site after development include:*

- *Oil, grease, fuel and hydraulic fluid contamination from vehicle and maintenance equipment drippings; and*
- *Miscellaneous trash and litter.*

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

#### FOR ROAD PROJECTS ONLY

Complete questions 15-20 if this application is exclusively for a road project.

***This application is not exclusively for a road project; therefore, Items 15-20 do not apply.***

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

16. Type of pavement or road surface to be used:  
☒ Concrete  
☐ Asphaltic concrete pavement  
☐ Other: \_\_\_\_\_

17. Length of Right of Way (R.O.W.): N/A feet.  
 Width of R.O.W.: \_\_\_\_\_ feet.  
 $L \times W = \text{_____ Ft}^2 \div 43,560 \text{ Ft}^2/\text{Acre} = \text{_____ acres.}$
18. Length of pavement area: N/A feet.  
 Width of pavement area: \_\_\_\_\_ feet.  
 $L \times W = \text{_____ Ft}^2 \div 43,560 \text{ Ft}^2/\text{Acre} = \text{_____ acres.}$   
 Pavement area \_\_\_\_\_ acres  $\div$  R.O.W. area \_\_\_\_\_ acres  $\times 100 = \text{_____ \%}$  impervious cover.
19. N/A A rest stop will be included in this project.  
 \_\_\_\_\_ A rest stop will **not** be included in this project.
20. N/A Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

#### STORMWATER TO BE GENERATED BY THE PROPOSED PROJECT

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

*For a 25-year storm event, the overall project will generate approximately 113 cfs. The runoff coefficient for the site is approximately 0.49 and is not anticipated to change significantly after this work. Values are based on the Rational Method using runoff coefficients per the City of San Antonio Unified Development Code.*

#### WASTEWATER TO BE GENERATED BY THE PROPOSED PROJECT

***As this application is solely clearing, grading, and drainage improvements, no wastewater is anticipated to be generated by this project at this stage; therefore Item 22 does not apply.***

22. Wastewater will be disposed of by:

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

N/A Sewage Collection System (Sewer Lines):  
 Wastewater is to be disposed of by conveyance to the (name) treatment plant for

treatment and disposal. The treatment facility is: \_\_\_\_\_  
 \_\_\_\_\_ existing.  
 \_\_\_\_\_ proposed.

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

**FOR PERMANENT ABOVEGROUND STORAGE TANKS (ASTs) ≥ 500 GALLONS**

**Complete questions 23-29 if this project includes the installation of AST(s) with volume(s) greater than or equal to 500 gallons.**

***This project does not include the installation of AST(s) with volume(s) greater than or equal to 500 gallons; therefore, Items 23-29 do not apply.***

23. Tanks and substance stored:

AST Number	Size (Gallons)	Substance to be Stored	Tank Material
1	<b>N/A</b>		
2			
3			
4			
5			
Total		x 1.5 =	gallons

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

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

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

Length (L) (Ft.)	Width (W) (Ft.)	Height (H) (Ft.)	L x W x H = (Ft <sup>3</sup> )	Gallons
<b>N/A</b>				
Total				



26. N/A All piping, hoses, and dispensers will be located inside the containment structure.  
 \_\_\_\_\_ Some of the piping to dispensers or equipment will extend outside the containment structure.  
 \_\_\_\_\_ The piping will be aboveground  
 \_\_\_\_\_ The piping will be underground
27. N/A The containment area must be constructed of and in a material impervious to the substance(s) being stored. The proposed containment structure will be constructed of \_\_\_\_\_.
28. **ATTACHMENT H - AST Containment Structure Drawings.** A scaled drawing of the containment structure is found ~~at the end of this form~~ **in the Exhibits section of this application** that shows the following:
- N/A Interior dimensions (length, width, depth and wall and floor thickness).  
 \_\_\_\_\_ Internal drainage to a point convenient for the collection of any spillage.  
 \_\_\_\_\_ Tanks clearly labeled  
 \_\_\_\_\_ Piping clearly labeled  
 \_\_\_\_\_ Dispenser clearly labeled
29. Any spills must be directed to a point convenient for collection and recovery. Spills from storage tank facilities must be removed from the controlled drainage area for disposal within 24 hours of the spill.
- N/A In the event of a spill, any spillage will be removed from the containment structure within 24 hours of the spill and disposed of properly.  
 \_\_\_\_\_ In the event of a spill, any spillage will be drained from the containment structure through a drain and valve within 24 hours of the spill and disposed of properly. The drain and valve system are shown in detail on the scaled drawing.

## SITE PLAN

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

**See Exhibit 1 for site plan requirements.**

30. The Site Plan must have a minimum scale of 1" = 400'.  
 Site Plan Scale: 1" = 100'.
31. 100-year floodplain boundaries
- \_\_\_\_\_ Some part(s) of the project site is located within the 100-year floodplain. The floodplain is shown and labeled.  
✓ No part of the project site is located within the 100-year floodplain.

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

**FEMA (Flood Insurance Rate Map for Bexar County, Texas and Incorporated areas)**  
**Panel Number 220 out of 505, Map Number 48091C0220F, dated September 2, 2009.**

32. ✓ The layout of the development is shown with existing and finished contours at

appropriate, but not greater than ten-foot contour intervals. ~~Lots, recreation centers, buildings, roads, etc. are shown on the site plan.~~

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

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

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

***Drainage patterns are illustrated by arrows. Slopes vary throughout the site. Typical slopes in this project will range from 0.5% to 25.0%.***

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

***The nature of construction is such that it is difficult to predict areas that will be disturbed and revegetated. The construction plans include a note, which will require the contractor to revegetate disturbed areas with seeding, hydromulch or sod and sprinkling. All impervious cover areas will be disturbed. Approximately 27.02-acres may be disturbed.***

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

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

***The nature of construction is such that it is difficult to predict areas that will be disturbed and revegetated. The construction plans include a note, which will require the contractor to revegetate disturbed areas with seeding, hydromulch or sod and sprinkling. All impervious cover areas will be disturbed. Approximately 27.02 acres may be disturbed.***

38.   ✓   Surface waters (including wetlands).

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

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

***A temporary aboveground storage tank with a cumulative storage capacity less than 250 gallons may be located within the materials staging area shown on Exhibit 1, in accordance with 30 TAC 213.5(e)(1).***

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

***Construction of impervious cover is not proposed at this stage of development; therefore no BMPs are necessary.***

42.   N/A   Permanent BMPs and measures must be implemented to control the discharge of



pollution from regulated activities after the completion of construction.

43. N/A These practices and measures have been designed, and will be constructed, operated, and maintained to insure that 80% of the incremental increase in the annual mass loading of total suspended solids (TSS) from the site caused by the regulated activity is removed. These quantities have been calculated in accordance with technical guidance prepared or accepted by the executive director.
- The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.
- A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is provided below.
- 
44. N/A Owners must insure that permanent BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the appropriate regional office within 30 days of site completion.
45. N/A Where a site is used for low density single-family residential development and has 20 % or less impervious cover, other permanent BMPs are not required. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.
- This site will be used for low density single-family residential development and has 20% or less impervious cover.
- This site will be used for low density single-family residential development but has more than 20% impervious cover.
- This site will not be used for low density single-family residential development.
46. N/A The executive director may waive the requirement for other permanent BMPs for multi-family residential developments, schools, or small business sites where 20% or less impervious cover is used at the site. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.
- **ATTACHMENT I - 20% or Less Impervious Cover Waiver.** This site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is found at the end of this form.
- This site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.
- This site will not be used for multi-family residential developments, schools, or small business sites.

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

- ☐ A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is provided as **ATTACHMENT J** at the end of this form.
- ☐ If no surface water, groundwater or stormwater originates upgradient from the site and flows across the site, an explanation is provided as **ATTACHMENT J** at the end of this form.
- ☒ If permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, an explanation is provided as ~~ATTACHMENT J~~ at the end of this form **below**.

***Only clearing and grading is proposed in this application. Temporary BMPs will be in place for sediment and erosion control. No construction of impervious cover is proposed at this stage; therefore, no Permanent BMPs are required as Total Suspended Solids (TSS) is not being increased beyond its background levels.***

***Once a site plan has been finalized, a separate application for other construction activities will be submitted to the TCEQ to permit this work, including the construction of Permanent BMPs for treatment of runoff from impervious areas.***

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

- ☐ A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is provided as **ATTACHMENT K** at the end of this form.
- ☒ If permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, an explanation is provided as ~~ATTACHMENT K~~ at the end of this form **below**.

***Only clearing and grading is proposed in this application. Temporary BMPs will be in place for sediment and erosion control. No construction of impervious cover is proposed at this stage; therefore, no Permanent BMPs are required as Total Suspended Solids (TSS) is not being increased beyond its background levels.***

***Once a site plan has been finalized, a separate application for other construction activities will be submitted to the TCEQ to permit this work, including the construction of Permanent BMPs for treatment of runoff from impervious areas***

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

***Only clearing and grading is proposed in this application. Temporary BMPs will be in place for sediment and erosion control. No construction of impervious cover is proposed at this stage; therefore, no Permanent BMPs are required as***

***Total Suspended Solids (TSS) is not being increased beyond its background levels.***

***Once a site plan has been finalized, a separate application for other construction activities will be submitted to the TCEQ to permit this work, including the construction of Permanent BMPs for treatment of runoff from impervious areas.***

50. N/A **ATTACHMENT M - Construction Plans.** Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information have been signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed permanent BMPs and

measures are provided ~~at the end of this form~~ ***in the Exhibits section of this application.*** Design Calculations, TCEQ Construction Notes, all proposed structural measures, and appropriate details must be shown on the construction plans.

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

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

— Pilot-scale field testing (including water quality monitoring) may be required for BMPs that are not contained in technical guidance recognized by or prepared by the executive director.

N/A **ATTACHMENT O - Pilot-Scale Field Testing Plan.** A plan for pilot-scale field testing is provided at the end of this form.

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

***Where erosive velocities exist at drain discharge points energy dissipators will be constructed to reduce the potential for erosion.***

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

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

responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred.

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

#### ADMINISTRATIVE INFORMATION

56. ✓ Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.
57. ✓ Any modification of this Contributing Zone Plan may require TCEQ review and Executive Director approval prior to construction, and may require submission of a revised application, with appropriate fees.
58. ✓ The site description, controls, maintenance, and inspection requirements for the storm water pollution prevention plan (SWPPP) developed under the EPA NPDES general permits for stormwater discharges have been submitted to fulfill paragraphs 30 TAC §213.24(1-5) of the technical report. All requirements of 30 TAC §213.24(1-5) have been met by the SWPPP document.

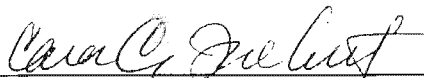
To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **CONTRIBUTING ZONE PLAN APPLICATION** is hereby submitted for TCEQ review and Executive Director approval.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

***Pape-Dawson Engineers, Inc.***

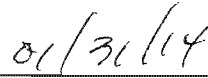
*Texas Board of Professional Engineers, Firm Registration # 470*

**Cara C. Tackett, P.E.**

Print Name of Customer/Agent



Signature of Customer/Agent



Date

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

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



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

REGULATED ENTITY NAME: **Bulverde Miller Tract**

**POTENTIAL SOURCES OF CONTAMINATION**

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

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

- ☒ Aboveground storage tanks with a cumulative storage capacity of less than 250 gallons will **may** be stored on the site for less than one (1) year.
- ☐ Aboveground storage tanks with a cumulative storage capacity between 250 gallons and 499 gallons will be stored on the site for less than one (1) year.
- ☐ Aboveground storage tanks with a cumulative storage capacity of 500 gallons or more will be stored on the site. An **Aboveground Storage Tank Facility Plan** application must be submitted to the appropriate regional office of the TCEQ prior to moving the tanks onto the project.
- ☐ Fuels and hazardous substances will not be stored on-site.

***Temporary aboveground storage tank(s) may be located within the construction staging area in compliance with 30 TAC §213.***

2. ☒ **ATTACHMENT A - Spill Response Actions.** A description of the measures to be taken to contain any spill of hydrocarbons or hazardous substances is provided at the end of this form.
3. ☒ Temporary aboveground storage tank systems of 250 gallons or more cumulative storage capacity must be located a minimum horizontal distance of 150 feet from any domestic, industrial, irrigation, or public water supply well, or other sensitive feature.
4. ☒ **ATTACHMENT B - Potential Sources of Contamination.** Describe **below** in an attachment at the end of this form any other activities or processes which may be a potential source of contamination.
- ☐ There are no other potential sources of contamination.

***Other potential sources of contamination during construction include:***

- |                             |   |  |
|-----------------------------|---|--|
| <b>Potential Source</b>     | • | <b><i>Oil, grease, fuel and hydraulic fluid contamination from construction equipment and vehicle dripping.</i></b>  |
| <b>Preventative Measure</b> | ■ | <b><i>Vehicle maintenance when possible will be performed within the construction staging area.</i></b>  |
|                             | ■ | <b><i>Construction vehicles and equipment shall be checked regularly for leaks and repaired immediately.</i></b>   |
| <b>Potential Source</b>     | • | <b><i>Accidental leaks or spills of oil, petroleum products and substances listed under 40 CFR parts 110, 117, and 302 used or stored temporarily on site.</i></b> |
| <b>Preventative Measure</b> | ■ | <b><i>Contractor to incorporate into regular safety meetings, a discussion of spill prevention and appropriate disposal procedures.</i></b>                        |

- *Contractor's superintendent or representative overseer shall enforce proper spill prevention and control measures.*
  - *Hazardous materials and wastes shall be stored in covered containers and protected from vandalism.*
  - *A stockpile of spill cleanup materials shall be stored on site where it will be readily accessible.*
- Potential Source**      • *Miscellaneous trash and litter from construction workers and material wrappings.*
- Preventive Measure**      ■ *Trash containers will be placed throughout the site to encourage proper trash disposal.*
- Potential Source**      • *Spills/Overflow of waste from portable toilets*
- Preventative Measure**      ■ *Portable toilets will be placed away from high traffic vehicular areas and storm drain inlets.*
- *Portable toilets will be placed on a level ground surface.*
- *Portable toilets will be inspected regularly for leaks and will be serviced and sanitized at time intervals that will maintain sanitary conditions.*

## SEQUENCE OF CONSTRUCTION

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

*The sequence of major activities which disturb soil during construction on this site will be clearing and grubbing of vegetation and mass grading. This will disturb approximately 27.02-acres. No further construction is proposed at this time.*

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

## TEMPORARY BEST MANAGEMENT PRACTICES (TBMPs)

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

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

***Please see Exhibit 1 for TBMP layout and the response to "a" through "d" below for more details.***

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

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

***No upgradient water will cross the site. Upgradient water will be intercepted by proposed interceptor channels located on the eastern and northern boundaries of the site.***

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

***Site preparation, which is the initiation of all activity on the project, will disturb the largest amount of soil. Therefore, before any of this work can begin, the clearing and grading contractor will be responsible for the installation of all on-site control measures. The methodology for pollution prevention of on-site stormwater will include: (1) erection of silt fences along the downgradient boundary of construction activities for temporary erosion and sedimentation controls, (2) installation of rock berms with silt fencing downgradient from areas of concentrated stormwater flow for temporary erosion control, (3) installation of stabilized construction entrance/exit(s) to reduce the dispersion of sediment from the site, and (4) installation of construction staging area(s).***

***Prior to the initiation of construction, all previously installed control measures will be repaired or reestablished for their designed or intended purpose. This work, which is the remainder of all activity on the project, may also disturb additional soil. The construction contractor will be responsible for the installation of all remaining on-site control measures that includes installation of the concrete truck washout pit(s), as construction phasing warrants.***

***Temporary measures are intended to provide a method of slowing the flow of runoff from the construction site in order to allow sediment and suspended solids to settle out of the runoff. By containing the sediment and solids within the site, they will not enter surface streams and/or sensitive features.***

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

***Since this project is located in the Edwards Aquifer Contributing Zone, a geologic assessment was not conducted and is not required by 30 TAC 213 regulations. Therefore, no naturally-occurring sensitive features are known to exist on-site. 30 TAC 213(f)(2) only applies to project located on the recharge zone.***



***Temporary measures are intended to provide a method of slowing the flow of runoff from the construction site in order to allow sediment and suspended solids to settle out of the runoff. By containing the sediment and solids within the site, they will not enter surface streams and/or sensitive features that may exist downstream.***

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

***As this site is over the Edwards Aquifer Contributing Zone, a geologic assessment was not performed and is not required. No sensitive features are known to exist on-site.***

***BMP measures utilized in this plan are intended to allow stormwater to continue downstream after passing through the BMPs. This will allow stormwater runoff to continue downgradient to streams or features that may exist downstream of the site.***

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

N/A **ATTACHMENT E - Request to Temporarily Seal a Feature.** A request to temporarily seal a feature is provided at the end of this form. The request includes justification as to why no reasonable and practicable alternative exists for each feature.  
  √   There will be no temporary sealing of naturally-occurring sensitive features on the site.

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

***The following structural measures will be installed prior to the initiation of site preparation activities:***

- Erection of silt fences along the downgradient boundary of construction activities and rock berms with silt fence for secondary protection, as located on Exhibit 1 and illustrated in Exhibit 2.***
- Installation of stabilized construction entrance/exit(s) and construction staging area(s), as located on Exhibit 1, and illustrated on Exhibit 2.***

***The following structural measures will be installed at the initiation of construction activities or as appropriate based on the construction sequencing:***

- Installation of concrete truck washout pit(s), as required and located on Exhibit 1 and illustrated on Exhibit 2***

10.   √   **ATTACHMENT G - Drainage Area Map.** A drainage area map is provided at the end of this form as Exhibit 1 to support the following requirements.

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

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

used.

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

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

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

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

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

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

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

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

#### SOIL STABILIZATION PRACTICES

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

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

*Interim on-site stabilization measures, which are continuous, will include minimizing soil disturbances by exposing the smallest practical area of land required for the shortest period of time and maximizing use of natural vegetation. As soon as practical, all disturbed soil will be stabilized as per project specifications in accordance with pages 1-35 to 1-60 of TCEQ's Technical*

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**Guidance Manual (TGM) RG-348 (2005). Mulching, netting, erosion blankets and seeding are acceptable.**

COUNTY ENGINEER

**Stabilization measures will be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and except as provided below, will be initiated no more than fourteen (14) days after the construction activity in that portion of the site has temporarily or permanently ceased. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within twenty-one (21) days, temporary stabilization measures do not have to be initiated on that portion of site. In areas experiencing droughts where the initiation of stabilization measures by the 14<sup>th</sup> day after construction activity has temporarily or permanently ceased is precluded by seasonably arid conditions, stabilization measures must be initiated as soon as practicable. Mulch can be used as temporary stabilization on-site. Temporary BMPs must remain in place until final stabilization can be achieved.**

18. ☒ Records must be kept at the site of the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
19. ☒ Stabilization practices must be initiated as soon as practicable where construction activities have temporarily or permanently ceased.

#### ADMINISTRATIVE INFORMATION

20. ☒ All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.
21. N/A If any geologic or manmade features, such as caves, faults, sinkholes, etc., are discovered, all regulated activities near the feature will be immediately suspended. The appropriate TCEQ Regional Office shall be immediately notified. Regulated activities must cease and not continue until the TCEQ has reviewed and approved the methods proposed to protect the aquifer from any adverse impacts.
22. ☒ Silt fences, diversion berms, and other temporary erosion and sediment controls will be constructed and maintained as appropriate to prevent pollutants from entering sensitive features discovered during construction.

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

**Pape-Dawson Engineers, Inc.**

*Texas Board of Professional Engineers, Firm Registration # 470*

**Cara C. Tackett, P.E.**

Print Name of Customer/Agent



Signature of Customer/Agent

01/31/14

Date

**Bulverde Miller Tract**  
**Contributing Zone Plan Application**

**Spill Response Actions**

In the event of an accidental leak or spill:

- Spill must be contained and cleaned up immediately.
- Spills will not be merely buried or washed with water.
- Contractor shall take action to contain spill. Contractor may use sand or other absorbent material stockpiled on site to absorb spill. Absorbent material should be spread over the spill area to absorb the spilled product.
- In the event of an uncontained discharge the contractor shall utilize onsite equipment to construct berms downgradient of the spill with sand or other absorbent material to contain and absorb the spilled product.
- Spill containment/absorbent materials along with impacted media must be collected and stored in such a way so as not to continue to affect additional media (soil/water). Once the spill has been contained, collected material should be placed on poly or plastic sheeting until removed from the site. The impacted media and cleanup materials should be covered with plastic sheeting and the edges weighed down with paving bricks or other similarly dense objects as the material is being accumulated. This will prevent the impacted media and cleanup materials from becoming airborne in windy conditions or impacting runoff during a rain event. The stockpiled materials should not be located within an area of concentrated runoff such as along a curb line or within a swale.
- Contaminated soils and cleanup materials will be sampled for waste characterization. When the analysis results are known the contaminated soils and cleanup materials will be removed from the site and disposed in a permitted landfill in accordance with applicable regulations.
- The contractor will be required to notify the owner, who will in turn contact TCEQ to notify them in the event of a significant hazardous/reportable quantity spill. Additional notifications as required by the type and amount of spill will be conducted by owner or owner's representative.

In the event of an accidental significant or hazardous spill:

- The contractor will be required to report significant or hazardous spills in reportable quantities to:
  - the National Response Center at (800) 424-8802
  - the Edwards Aquifer Authority at (210) 222-2204
  - the TCEQ Regional Office (210) 490-3096 (if during business hours: 8 AM to 5 PM) or
  - the State Emergency Response Center (800) 832-8224 (if after hours)

**Bulverde Miller Tract**  
**Contributing Zone Plan Application**

- Contaminated soils will be sampled for waste characterization. When the analysis results are known the contaminated soils will be removed from the site and disposed in a permitted landfill in accordance with applicable regulations.

Additional guidance can be obtained from TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) Section 1.4.16. Contractor shall review this section.

**Bulverde Miller Tract**  
**Contributing Zone Plan Application**

**INSPECTIONS & MAINTENANCE**

Designated and qualified person(s) shall inspect Pollution Control Measures weekly and within 24 hours after a storm event. An inspection report that summarizes the scope of the inspection, names and qualifications of personnel conducting the inspection, date of the inspection, major observations, and actions taken as a result of the inspection will be recorded and maintained as part of Storm Water TPDES data for a period of three years after the Notice of Termination (NOT) has been filed. A copy of the Inspection Report Form is provided in this Storm Water Pollution Prevention Plan.

As a minimum, the inspector shall observe: (1) significant disturbed areas for evidence of erosion, (2) storage areas for evidence of leakage from the exposed stored materials, (3) structural controls (rock berm outlets, silt fences, drainage swales, etc.) for evidence of failure or excess siltation (over 6 inches deep), (4) vehicle exit point for evidence of off-site sediment tracking, (5) vehicle storage areas for signs of leaking equipment or spills, (6) concrete truck rinse-out pit for signs of potential failure, (7) embankment, spillways, and outlet of sediment basin (where applicable) for erosion damage, and (8) sediment basins (where applicable) for evidence that basin has accumulated 50% of its volume in silt. Deficiencies noted during the inspection will be corrected and documented within seven calendar days following the inspection or before the next anticipated storm event if practicable.

Contractor shall review Sections 1.3 and 1.4 of TCEQ's Technical Guidance Manual for additional BMP inspection and maintenance requirements.



**Bulverde Miller Tract**  
Contributing Zone Plan Application

Pollution Prevention Measure	Inspected in Compliance	Corrective Action Required	
		Description (use additional sheet if necessary)	Date Completed
<b>Best Management Practices</b>			
Natural vegetation buffer strips			
Temporary vegetation			
Permanent vegetation			
Sediment control basin			
Silt fences			
Rock berms			
Gravel filter bags			
Drain inlet protection			
Other structural controls			
Vehicle exits (off-site tracking)			
Material storage areas (leakage)			
Equipment areas (leaks, spills)			
Concrete washout pit (leaks, failure)			
General site cleanliness			
Trash receptacles			
<b>Evidence of Erosion</b>			
Site preparation			
Roadway or parking lot construction			
Utility construction			
Drainage construction			
Building construction			
<b>Major Observations</b>			
Sediment discharges from site			
BMPs requiring maintenance			
BMPs requiring modification			
Additional BMPs required			

\_\_\_\_\_ A brief statement describing the qualifications of the inspector is included in this SWP3.

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

"I further certify I am an authorized signatory in accordance with the provisions of 30 TAC §305.128."

\_\_\_\_\_  
Inspector's Name

\_\_\_\_\_  
Inspector's Signature

\_\_\_\_\_  
Date



PROJECT MILESTONE DATES

Date when major site grading activities begin:

<u>Construction Activity</u>	<u>Date</u>
Installation of BMPs	

Dates when construction activities temporarily or permanently cease on all or a portion of the project:

<u>Construction Activity</u>	<u>Date</u>

Dates when stabilization measures are initiated:

<u>Stabilization Activity</u>	<u>Date</u>
Removal of BMPs	



## Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

### IMPORTANT:

- Use the INSTRUCTIONS to fill out each question in this form.
- Use the CHECKLIST to make certain all you filled out all required information. Incomplete applications **WILL** delay approval or result in automatic denial.
- Once processed your permit can be viewed at:  
[http://www2.tceq.texas.gov/wq\\_dpa/index.cfm](http://www2.tceq.texas.gov/wq_dpa/index.cfm)

**ePERMITS:** Sign up now for online NOI: <https://www3.tceq.texas.gov/steers/index.cfm>  
Pay a \$225 reduced application fee by using ePermits.

### APPLICATION FEE:

- You must pay the **\$325** Application Fee to TCEQ for the paper application to be complete.
- Payment and NOI must be mailed to separate addresses.
- Did you know you can pay on line?
  - Go to <https://www3.tceq.texas.gov/epay/index.cfm>
  - Select Fee Type: GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION
- **Provide your payment information below, for verification of payment:**

☐ Mailed      Check/Money Order No.: \_\_\_\_\_  
Name Printed on Check: \_\_\_\_\_  
☐ EPAY      Voucher No.: \_\_\_\_\_  
Is the Payment Voucher copy attached? ☐ Yes

**RENEWAL: Is this NOI a Renewal of an existing General Permit Authorization?**  
(Note: A permit cannot be renewed after June 3, 2013.)

☐ Yes      The Permit number is: TXR15 \_\_\_\_\_  
(If a permit number is not provided, a new number will be assigned.)  
☒ No

### 1) OPERATOR (Applicant)

- a)** If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? You may search for your CN at:  
<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN \_\_\_\_\_

- b) What is the Legal Name of the entity (applicant) applying for this permit?  
281\46 Ridge, LLC.  
 (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)
- c) What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in TAC 305.44(a).  
 Prefix (Mr. Ms. Miss): Mr.  
 First/Last Name: Balous T. Miller Suffix: \_\_\_\_\_  
 Title: Owner Credential: \_\_\_\_\_
- d) What is the Operator Contact's (Responsible Authority) contact information and mailing address as recognized by the US Postal Service (USPS)? You may verify the address at:  
<http://zip4.usps.com/zip4/welcome.jsp>  
 Phone #: (210) 225-4461 ext: \_\_\_\_\_ Fax #: (210) 302-1533  
 E-mail: \_\_\_\_\_  
 Mailing Address: 430 S. Santa Rosa St.  
 Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
 City: San Antonio State: TX ZIP Code: 78216  
 If outside USA: Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_
- e) Indicate the type of Customer (The instructions will help determine your customer type):
- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Individual       | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Sole Proprietorship-DBA |
| <input type="checkbox"/> Joint Venture    | <input type="checkbox"/> General Partnership | <input checked="" type="checkbox"/> Corporation  |
| <input type="checkbox"/> Trust            | <input type="checkbox"/> Estate              | <input type="checkbox"/> Federal Government      |
| <input type="checkbox"/> State Government | <input type="checkbox"/> County Government   | <input type="checkbox"/> City Government         |
| <input type="checkbox"/> Other Government |  |  |
- f) Independent Operator? ☒ Yes ☐ No  
 (If governmental entity, subsidiary, or part of a larger corporation, check "No".)
- g) Number of Employees:  
☒ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☐ 501 or higher
- h) Customer Business Tax and Filing Numbers:  
 (REQUIRED for Corporations and Limited Partnerships. Not Required for Individuals, Government, or Sole Proprietors)  
 State Franchise Tax ID Number: \_\_\_\_\_  
 Federal Tax ID: 464780117  
 Texas Secretary of State Charter (filing) Number: Not Listed  
 DUNS Number (if known): \_\_\_\_\_

## 2) APPLICATION CONTACT

If TCEQ needs additional information regarding this application, who should be contacted?

Is the application contact the same as the applicant identified above?

☒ Yes, go to Section 3). ☐ No, complete section below.

Prefix (Mr. Ms. Miss): \_\_\_\_\_  
 First/Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_  
 Title: \_\_\_\_\_ Credential: \_\_\_\_\_

Organization Name: \_\_\_\_\_  
Phone No.: \_\_\_\_\_ ext: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_  
Mailing Information if outside USA:  
Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_

### 3) REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

If the site of your business is part of a larger business site or if other businesses were located at this site before yours, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>.

If the site is found, provide the assigned Regulated Entity Reference Number and provide the information for the site to be authorized through this application below. The site information for this authorization may vary from the larger site information.

- a) TCEQ issued RE Reference Number (RN): RN \_\_\_\_\_
- b) Name of project or site (the name known by the community where located):  
Bulverde Miller Tract \_\_\_\_\_
- c) In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code):  
Land clearing and grading \_\_\_\_\_
- d) County (or counties if > 1) Comal \_\_\_\_\_
- e) Latitude: 29.79871 N \_\_\_\_\_ Longitude: 98.417512 W \_\_\_\_\_
- f) Does the site have a physical address?  
☐ Yes, complete Section A for a physical address.  
☒ No, complete Section B for site location information.

**Section A:** Enter the physical address for the site.

Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergency or other online map tools to confirm an address.

Physical Address of Project or Site:

Street Number: \_\_\_\_\_ Street Name: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

**Section B:** Enter the site location information.

If no physical address (Street Number & Street Name), provide a written location access description to the site. (Ex.: located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)

Northwest corner of the intersection of SH 46 and US Hwy. 281

City where the site is located or, if not in a city, what is the nearest city:  
Spring Branch

State: Texas ZIP Code where the site is located: 78070

**4) GENERAL CHARACTERISTICS**

**a)** Is the project/site located on Indian Country Lands?

- ☐ Yes - If the answer is Yes, you must obtain authorization through EPA, Region 6.  
☒ No

**b)** Is your construction activity associated with a facility that, when completed, would be associated with the exploration, development, or production of oil or gas or geothermal resources?

- ☐ Yes - If the answer is Yes, you may be under jurisdiction of the Railroad Commission of Texas and may need to obtain authorization through EPA, Region 6.  
☒ No

**c)** What is the Primary Standard Industrial Classification (SIC) Code that best describes the construction activity being conducted at the site?

Primary SIC Code: 1629

**d)** If applicable, what is the Secondary SIC Code(s): \_\_\_\_\_

**e)** What is the total number of acres disturbed? 27.02

**f)** Is the project site part of a larger common plan of development or sale?

- ☒ Yes - If the answer is Yes, the total number of acres disturbed can be less than 5 acres.  
☐ No - If the answer is No, the total number of acres disturbed must be 5 or more. If the total number of acres disturbed is less than 5 then the project site does not qualify for coverage through this Notice of Intent. Coverage will be denied. See the requirements in the general permit for small construction sites.

**g)** What is the name of the first water body(s) to receive the stormwater runoff or potential runoff from the site?

Lewis Creek

**h)** What is the segment number(s) of the classified water body(s) that the discharge will eventually reach?

1908



**i)** Is the discharge into an MS4?

☒ Yes - If the answer is Yes, provide the name of the MS4 operator below.

☐ No

If Yes, provide the name of the MS4 operator:

SAWS

Note: The general permit requires you to send a copy of the NOI to the MS4 operator.

**j)** Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) List of impaired waters?

☒ Yes - If the answer is Yes, provide the name(s) of the impaired water body(s) below.

☐ No

If Yes, provide the name(s) of the impaired water body(s):

Upper Cibolo Creek

**k)** Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer as defined in 30 TAC Chapter 213?

☒ Yes - If the answer is Yes, complete certification below by checking "Yes."

☐ No

I certify that a copy of the TCEQ approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) is either included or referenced in the Stormwater Pollution Prevention Plan.

☐ Yes

## 5) CERTIFICATION

Check Yes to the certifications below. Failure to indicate Yes to **ALL** items may result in denial of coverage under the general permit.

- a) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000). ☐ Yes
- b) I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas. ☐ Yes
- c) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. ☐ Yes
- d) I certify that a Stormwater Pollution Prevention Plan has been developed, will be implemented prior to construction and to the best of my knowledge and belief is compliant with any applicable local sediment and erosion control plans, as required in the general permit TXR150000. Note: For multiple operators who prepare a shared SWP3, the confirmation of an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator. ☐ Yes

### Operator Certification:

I, \_\_\_\_\_  
Typed or printed name Title

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

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Use blue ink)

## NOTICE OF INTENT CHECKLIST (TXR150000)

- Did you complete everything? Use this checklist to be sure!
- Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the general permit. (See NOI process description in the Instructions)

### Application Fee:

If paying by Check:

- ☐ Check was mailed **separately** to the TCEQs Cashier's Office. (See Instructions for Cashier's address and Application address.)
- ☐ Check number and name on check is provided in this application.

If using ePay:

- ☐ The voucher number is provided in this application or a copy of the voucher is attached.

### PERMIT NUMBER:

- ☐ Permit number provided – if this application is for renewal of an existing authorization.

### OPERATOR INFORMATION - Confirm each item is complete:

- ☐ Customer Number (CN) issued by TCEQ Central Registry
- ☒ Legal name as filed to do business in Texas (Call TX SOS 512/463-5555)
- ☒ Name and title of responsible authority signing the application
- ☒ Mailing address is complete & verifiable with USPS. [www.usps.com](http://www.usps.com)
- ☒ Phone numbers/e-mail address
- ☒ Type of operator (entity type)
- ☒ Independent operator
- ☒ Number of employees
- ☒ For corporations or limited partnerships – Tax ID and SOS filing numbers
- ☒ Application contact and address is complete & verifiable with USPS. <http://www.usps.com>

### REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete:

- ☐ Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ)
- ☒ Site/project name/regulated entity
- ☒ Latitude and longitude <http://www.tceq.texas.gov/gis/sqmaview.html>
- ☒ County
- ☒ Site/project physical address. Do not use a rural route or post office box.
- ☒ Business description

### GENERAL CHARACTERISTICS - Confirm each item is complete:

- ☒ Indian Country Lands –the facility is not on Indian Country Lands
- ☒ Construction activity related to facility associated to oil, gas, or geothermal resources
- ☒ Standard Industrial Classification (SIC) Code [www.osha.gov/oshstats/sicser.html](http://www.osha.gov/oshstats/sicser.html)
- ☒ Acres disturbed is provided and qualifies for coverage through a NOI
- ☒ Common plan of development or sale
- ☒ Receiving water body(s)
- ☒ Segment number(s)
- ☒ Impaired water body(s)
- ☒ MS4 operator
- ☒ Edwards Aquifer rule

### CERTIFICATION

- ☐ Certification statements have been checked indicating "Yes"
- ☐ Signature meets 30 Texas Administrative Code (TAC) 305.44 and is original.

## Texas Commission on Environmental Quality General Permit Payment Submittal Form

**Use this form to submit your Application Fee only if you are mailing your payment.**

- Complete items 1 through 5 below:
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NOI form.
- Do not mail this form to the same address as your NOI.

**Mail this form and your check to:**

*BY REGULAR U.S. MAIL*

Texas Commission on Environmental  
Quality  
Financial Administration Division  
Cashier's Office, MC-214  
P.O. Box 13088  
Austin, TX 78711-3088

*BY OVERNIGHT/EXPRESS MAIL*

Texas Commission on Environmental  
Quality  
Financial Administration Division  
Cashier's Office, MC-214  
12100 Park 35 Circle  
Austin, TX 78753

Fee Code: GPA	General Permit:	TXR150000
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1. Check / Money Order No:
2. Amount of Check/Money Order:
3. Date of Check or Money Order:
4. Name on Check or Money Order:
5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.

See Attached List of Sites (If more space is needed, you may attach a list.)

Project/Site (RE) Name:

Project/Site (RE) Physical Address:

Northwest corner of the intersection of SH 46 and US Hwy. 281  
Spring Branch, Texas 78070

**Staple Check in This Space**



## Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

### IMPORTANT:

- Use the INSTRUCTIONS to fill out each question in this form.
- Use the CHECKLIST to make certain all you filled out all required information. Incomplete applications **WILL** delay approval or result in automatic denial.
- Once processed your permit can be viewed at:  
[http://www2.tceq.texas.gov/wq\\_dpa/index.cfm](http://www2.tceq.texas.gov/wq_dpa/index.cfm)

**ePERMITS:** Sign up now for online NOI: <https://www3.tceq.texas.gov/steers/index.cfm>  
Pay a \$225 reduced application fee by using ePermits.

### APPLICATION FEE:

- You must pay the **\$325** Application Fee to TCEQ for the paper application to be complete.
- Payment and NOI must be mailed to separate addresses.
- Did you know you can pay on line?
  - Go to <https://www3.tceq.texas.gov/epay/index.cfm>
  - Select Fee Type: GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION
- **Provide your payment information below, for verification of payment:**

☐ Mailed      Check/Money Order No.: \_\_\_\_\_  
Name Printed on Check: \_\_\_\_\_  
☐ EPAY      Voucher No.: \_\_\_\_\_  
Is the Payment Voucher copy attached? ☐ Yes

**RENEWAL: Is this NOI a Renewal of an existing General Permit Authorization?**  
(Note: A permit cannot be renewed after June 3, 2013.)

☐ Yes      The Permit number is: TXR15\_\_\_\_\_

**(If a permit number is not provided, a new number will be assigned.)**

☒ No

### 1) OPERATOR (Applicant)

- a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? You may search for your CN at:  
<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN \_\_\_\_\_



**b)** What is the Legal Name of the entity (applicant) applying for this permit?

(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

**c)** What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in TAC 305.44(a).

Prefix (Mr. Ms. Miss): \_\_\_\_\_

First/Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

Title: \_\_\_\_\_ Credential: \_\_\_\_\_

**d)** What is the Operator Contact's (Responsible Authority) contact information and mailing address as recognized by the US Postal Service (USPS)? You may verify the address at:

<http://zip4.usps.com/zip4/welcome.jsp>

Phone #: \_\_\_\_\_ ext: \_\_\_\_\_ Fax #: \_\_\_\_\_

E-mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Internal Routing (Mail Code, Etc.): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

If outside USA: Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_

**e)** Indicate the type of Customer (The instructions will help determine your customer type):

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Individual       | <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Sole Proprietorship-DBA |
| <input type="checkbox"/> Joint Venture    | <input type="checkbox"/> General Partnership | <input type="checkbox"/> Corporation             |
| <input type="checkbox"/> Trust            | <input type="checkbox"/> Estate              | <input type="checkbox"/> Federal Government      |
| <input type="checkbox"/> State Government | <input type="checkbox"/> County Government   | <input type="checkbox"/> City Government         |
| <input type="checkbox"/> Other Government |  |  |

**f)** Independent Operator? ☐ Yes ☐ No  
(If governmental entity, subsidiary, or part of a larger corporation, check "No".)

**g)** Number of Employees:

☐ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☐ 501 or higher

**h)** Customer Business Tax and Filing Numbers:

(REQUIRED for Corporations and Limited Partnerships. Not Required for Individuals, Government, or Sole Proprietors)

State Franchise Tax ID Number: \_\_\_\_\_

Federal Tax ID: \_\_\_\_\_

Texas Secretary of State Charter (filing) Number: \_\_\_\_\_

DUNS Number (if known): \_\_\_\_\_

## 2) APPLICATION CONTACT

If TCEQ needs additional information regarding this application, who should be contacted?

Is the application contact the same as the applicant identified above?

☐ Yes, go to Section 3). ☐ No, complete section below.

Prefix (Mr. Ms. Miss): \_\_\_\_\_

First/Last Name: \_\_\_\_\_ Suffix: \_\_\_\_\_

Title: \_\_\_\_\_ Credential: \_\_\_\_\_

Organization Name: \_\_\_\_\_  
Phone No.: \_\_\_\_\_ ext: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Internal Routing (Mail Code, Etc.): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_  
Mailing Information if outside USA:  
Territory: \_\_\_\_\_ Country Code: \_\_\_\_\_ Postal Code: \_\_\_\_\_

### **3) REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE**

If the site of your business is part of a larger business site or if other businesses were located at this site before yours, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at:

<http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>.

If the site is found, provide the assigned Regulated Entity Reference Number and provide the information for the site to be authorized through this application below. The site information for this authorization may vary from the larger site information.

- a) TCEQ issued RE Reference Number (RN): RN \_\_\_\_\_
- b) Name of project or site (the name known by the community where located):  
Bulverde Miller Tract
- c) In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code):  
Land clearing and grading
- d) County (or counties if > 1) Comal
- e) Latitude: 29.79871 N Longitude: 98.417512 W
- f) Does the site have a physical address?  
☐ Yes, complete Section A for a physical address.  
☒ No, complete Section B for site location information.

**Section A:** Enter the physical address for the site.

Verify the address with USPS. If the address is not recognized as a delivery address, provide the address as identified for overnight mail delivery, 911 emergency or other online map tools to confirm an address.

Physical Address of Project or Site:

Street Number: \_\_\_\_\_ Street Name: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

**Section B:** Enter the site location information.

If no physical address (Street Number & Street Name), provide a written location access description to the site. (Ex.: located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)

Northwest corner of the intersection of SH 46 and US Hwy. 281

City where the site is located or, if not in a city, what is the nearest city:  
Spring Branch

State: Texas ZIP Code where the site is located: 78070

**4) GENERAL CHARACTERISTICS**

a) Is the project/site located on Indian Country Lands?

☐ Yes - If the answer is Yes, you must obtain authorization through EPA, Region 6.

☒ No

b) Is your construction activity associated with a facility that, when completed, would be associated with the exploration, development, or production of oil or gas or geothermal resources?

☐ Yes - If the answer is Yes, you may be under jurisdiction of the Railroad Commission of Texas and may need to obtain authorization through EPA, Region 6.

☒ No

c) What is the Primary Standard Industrial Classification (SIC) Code that best describes the construction activity being conducted at the site?

Primary SIC Code: 1629

d) If applicable, what is the Secondary SIC Code(s): \_\_\_\_\_

e) What is the total number of acres disturbed? 27.02

f) Is the project site part of a larger common plan of development or sale?

☒ Yes - If the answer is Yes, the total number of acres disturbed can be less than 5 acres.

☐ No - If the answer is No, the total number of acres disturbed must be 5 or more. If the total number of acres disturbed is less than 5 then the project site does not qualify for coverage through this Notice of Intent. Coverage will be denied. See the requirements in the general permit for small construction sites.

g) What is the name of the first water body(s) to receive the stormwater runoff or potential runoff from the site?

Lewis Creek

h) What is the segment number(s) of the classified water body(s) that the discharge will eventually reach?

1908



**i)** Is the discharge into an MS4?

☒ Yes - If the answer is Yes, provide the name of the MS4 operator below.

☐ No

If Yes, provide the name of the MS4 operator:

SAWS

Note: The general permit requires you to send a copy of the NOI to the MS4 operator.

**j)** Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) List of impaired waters?

☒ Yes - If the answer is Yes, provide the name(s) of the impaired water body(s) below.

☐ No

If Yes, provide the name(s) of the impaired water body(s):

Upper Cibolo Creek

**k)** Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer as defined in 30 TAC Chapter 213?

☒ Yes - If the answer is Yes, complete certification below by checking "Yes."

☐ No

I certify that a copy of the TCEQ approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) is either included or referenced in the Stormwater Pollution Prevention Plan.

☐ Yes

## 5) CERTIFICATION

Check Yes to the certifications below. Failure to indicate Yes to **ALL** items may result in denial of coverage under the general permit.

- a) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000). ☐ Yes
- b) I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas. ☐ Yes
- c) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. ☐ Yes
- d) I certify that a Stormwater Pollution Prevention Plan has been developed, will be implemented prior to construction and to the best of my knowledge and belief is compliant with any applicable local sediment and erosion control plans, as required in the general permit TXR150000. Note: For multiple operators who prepare a shared SWP3, the confirmation of an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator. ☐ Yes

### Operator Certification:

I, \_\_\_\_\_  
Typed or printed name Title

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

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Use blue ink)

## NOTICE OF INTENT CHECKLIST (TXR150000)

- Did you complete everything? Use this checklist to be sure!
- Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the general permit. (See NOI process description in the Instructions)

### Application Fee:

If paying by Check:

- ☐ Check was mailed **separately** to the TCEQs Cashier's Office. (See Instructions for Cashier's address and Application address.)
- ☐ Check number and name on check is provided in this application.

If using ePay:

- ☐ The voucher number is provided in this application or a copy of the voucher is attached.

### PERMIT NUMBER:

- ☐ Permit number provided – if this application is for renewal of an existing authorization.

### OPERATOR INFORMATION - Confirm each item is complete:

- ☐ Customer Number (CN) issued by TCEQ Central Registry
- ☐ Legal name as filed to do business in Texas (Call TX SOS 512/463-5555)
- ☐ Name and title of responsible authority signing the application
- ☐ Mailing address is complete & verifiable with USPS. [www.usps.com](http://www.usps.com)
- ☐ Phone numbers/e-mail address
- ☐ Type of operator (entity type)
- ☐ Independent operator
- ☐ Number of employees
- ☐ For corporations or limited partnerships – Tax ID and SOS filing numbers
- ☐ Application contact and address is complete & verifiable with USPS. <http://www.usps.com>

### REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete:

- ☐ Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ)
- ☒ Site/project name/regulated entity
- ☒ Latitude and longitude <http://www.tceq.texas.gov/gis/sqmaview.html>
- ☒ County
- ☒ Site/project physical address. Do not use a rural route or post office box.
- ☒ Business description

### GENERAL CHARACTERISTICS - Confirm each item is complete:

- ☒ Indian Country Lands –the facility is not on Indian Country Lands
- ☒ Construction activity related to facility associated to oil, gas, or geothermal resources
- ☒ Standard Industrial Classification (SIC) Code [www.osha.gov/oshstats/sicser.html](http://www.osha.gov/oshstats/sicser.html)
- ☒ Acres disturbed is provided and qualifies for coverage through a NOI
- ☒ Common plan of development or sale
- ☒ Receiving water body(s)
- ☒ Segment number(s)
- ☒ Impaired water body(s)
- ☒ MS4 operator
- ☒ Edwards Aquifer rule

### CERTIFICATION

- ☐ Certification statements have been checked indicating "Yes"
- ☐ Signature meets 30 Texas Administrative Code (TAC) 305.44 and is original.



# Texas Commission on Environmental Quality General Permit Payment Submittal Form

**Use this form to submit your Application Fee only if you are mailing your payment.**

- Complete items 1 through 5 below:
- Staple your check in the space provided at the bottom of this document.
- Do not mail this form with your NOI form.
- Do not mail this form to the same address as your NOI.

**Mail this form and your check to:**

*BY REGULAR U.S. MAIL*

Texas Commission on Environmental  
Quality  
Financial Administration Division  
Cashier's Office, MC-214  
P.O. Box 13088  
Austin, TX 78711-3088

*BY OVERNIGHT/EXPRESS MAIL*

Texas Commission on Environmental  
Quality  
Financial Administration Division  
Cashier's Office, MC-214  
12100 Park 35 Circle  
Austin, TX 78753

Fee Code: GPA	General Permit:	TXR150000
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1. Check / Money Order No:
2. Amount of Check/Money Order:
3. Date of Check or Money Order:
4. Name on Check or Money Order:
5. NOI INFORMATION

If the check is for more than one NOI, list each Project/Site (RE) Name and Physical Address exactly as provided on the NOI. DO NOT SUBMIT A COPY OF THE NOI WITH THIS FORM AS IT COULD CAUSE DUPLICATE PERMIT ENTRIES.

See Attached List of Sites (If more space is needed, you may attach a list.)

Project/Site (RE) Name:

Project/Site (RE) Physical Address:

Northwest corner of the intersection of SH 46 and US Hwy. 281  
Spring Branch, Texas 78070

**Staple Check in This Space**

# Notice of Intent (NOI) for Stormwater Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)

## General Information and Instructions

### GENERAL INFORMATION

#### Where to Send the Notice of Intent (NOI):

BY REGULAR U.S. MAIL  
Texas Commission on  
Environmental Quality  
Stormwater Processing Center  
(MC228)  
P.O. Box 13087  
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL  
Texas Commission on  
Environmental Quality  
Stormwater Processing Center  
(MC228)  
12100 Park 35 Circle  
Austin, TX 78753

#### TCEQ Contact List:

Application – status and form questions:	512/239-3700, <a href="mailto:swpermit@tceq.texas.gov">swpermit@tceq.texas.gov</a>
Technical questions:	512/239-4671, <a href="mailto:swgp@tceq.texas.gov">swgp@tceq.texas.gov</a>
Environmental Law Division:	512/239-0600
Records Management - obtain copies of forms:	512/239-0900
Reports from databases (as available):	512/239-DATA (3282)
Cashier's office:	512/239-0357 or 512/239-0187

#### Notice of Intent Process:

When your NOI is received by the program, the form will be processed as follows:

- 1) **Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as receiving regular mail delivery. Never give an overnight/express mailing address.
- 2) **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.
- 3) **Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.  
-or-  
**Denial of Coverage:** If the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

#### General Permit (Your Permit)

For NOIs submitted **electronically** through ePermits, provisional coverage under the general permit begins immediately following confirmation of receipt of the NOI form by the TCEQ.

For **paper** NOIs, provisional coverage under the general permit begins **7 days after a completed NOI is postmarked for delivery** to the TCEQ.

You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, on the TCEQ web site <http://www.tceq.texas.gov>. Search using key word TXR150000.

### **General Permit Forms**

The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) (including instructions) are available in Adobe Acrobat PDF format on the TCEQ web site <http://www.tceq.texas.gov>.

### **Change in Operator**

An authorization under the general permit is not transferable. If the operator of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted no later than 10 days prior to the change in Operator status.

### **TCEQ Central Registry Core Data Form**

The Core Data Form has been incorporated into this form. Do not send a Core Data Form to TCEQ. After final acknowledgment of coverage under the general permit, the program will assign a Customer Number and Regulated Entity Number.

You can find the information on the Central Registry web site at <http://www12.tceq.texas.gov/erpub/index.cfm>. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorizations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

### **Fees associated with a General Permit**

Payment of the fee may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

**Application Fee:** This fee is required to be paid at the time the NOI is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit.

#### **Mailed Payments:**

Payment must be mailed under separate cover at one of the addresses below using the attached Application Fee submittal form. (DO NOT SEND A COPY OF THE NOI WITH THE APPLICATION FEE SUBMITTAL FORM)

#### **BY REGULAR U.S. MAIL**

Texas Commission on Environmental Quality  
Financial Administration Division  
Cashier's Office, MC-214  
P.O. Box 13088  
Austin, TX 78711-3088

#### **BY OVERNIGHT/EXPRESS MAIL**

Texas Commission on Environmental Quality  
Financial Administration Division  
Cashier's Office, MC-214  
12100 Park 35 Circle  
Austin, TX 78753



ePAY Electronic Payment: <http://www.tceq.texas.gov/epay>

When making the payment you must select Water Quality, and then select the fee category "General Permit Construction Storm Water Discharge NOI Application". You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

## INSTRUCTIONS FOR FILLING OUT THE NOI FORM

**Renewal of General Permit.** Dischargers holding active authorizations under the expired General Permit are required to submit a NOI to continue coverage. The existing permit number is required. If the permit number is not provided or has been terminated, expired, or denied a new permit number will be issued.

### 1. Operator (Applicant)

#### a) Enter assigned Customer Number (CN)

TCEQ's Central Registry will assign each customer a number that begins with CN, followed by nine digits. **This is not a permit number, registration number, or license number.**

If this customer has not been assigned a CN, leave the space for the CN blank.

If this customer has already been assigned this number, enter the permittee's CN.

#### b) Legal Name

Provide the current legal name of the permittee, as authorized to do business in Texas. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, for more information related to filing in Texas. If filed in the county where doing business, provide a copy of the legal documents showing the legal name.

#### c) Person Signing Application

Provide information about person signing section 5) Certification.

#### d) Operator Contact's (Responsible Authority) Contact Information and Mailing Address

Provide a complete mailing address for receiving mail from the TCEQ. The address must be verifiable with the US Postal Service at <http://www.usps.com> for regular mail delivery (not overnight express mail). If you find that the address is not verifiable using the USPS web search, please indicate the address is used by the USPS for regular mail delivery.

The area code and phone number should provide contact to the operator. Leave Extension blank if not applicable.

The fax number and e-mail address are optional and should correspond to the operator.

#### e) Type of Customer (Entity Type)

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type. Note that the selected entity type also indicates the name that must be provided as an applicant for a permit, registration or authorization.

### **Sole Proprietorship – DBA**

A sole proprietorship is a customer that is owned by only one person and has not been incorporated. This business may:

- be under the person's name
- have its own name (doing business as or d.b.a.)
- have any number of employees

If the customer is a Sole Proprietorship or DBA, the 'legal name' of the individual business 'owner' must be provided. The DBA name is not recognized as the 'legal name' of the entity. The DBA name may be used for the site name (regulated entity).

### **Individual**

An individual is a customer who has not established a business, but conducts an activity that needs to be regulated by the TCEQ.

### **Partnership**

- A customer that is established as a partnership as defined by the Texas Secretary of State Office (TX SOS). A Limited Partnership or Limited Liability Partnership (Partnership) is required to file with the Texas Secretary of State. A General Partnership or Joint Venture is not required to register with the state.
- **Partnership (Limited Partnership or Limited Liability Partnership):** A limited partnership is defined in the Act as a partnership formed by two or more persons under the provisions of Section 3 of the Uniform Limited Partnership Act (Art. 6132a, Revised Civil Statutes of Texas) and having as members one or more general partners and one or more limited partners. The limited partners as such are not bound by the obligations of the partnership. Limited partners may not take part in the day-to-day operations of the business. A Limited Partnership must file with the Texas Secretary of State. A registered limited liability partnership is a general or limited partnership that is registered with the Texas Secretary of State. The partnership's name must contain the words "Registered Limited Liability Partnership" or the abbreviation "L.L.P." as the last words or letters of its name.
- **General Partnership:** A general partner may or may not invest, participates in running the partnership and is liable for all acts and debts of the partnership and any member of it. A General Partnership does not have limited partners. For a General Partnership, there is no registration with the state or even written agreement necessary for a general partnership to be formed. The legal definition of a partnership is generally stated as "an association of two or more persons to carry on as co-owners a business for profit" (Revised Uniform Partnership Act § 101 [1994]).
- **Joint Venture:** A joint venture is but another name for a special partnership. It might be distinguished from a general partnership in that the latter is formed for the transaction of a general business, while a joint venture is usually limited to a single transaction. That is, a joint venture is a special combination of persons in the nature of a partnership engaged in the joint prosecution of a particular transaction for mutual benefit or profit.

### **Corporation**

A customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country
- is recognized as a corporation by the Texas Secretary of State

- has proper operating authority to operate in Texas.
- The corporation's 'legal name' as filed with the Texas Secretary of State must be provided as applicant. An 'assumed' name of a corporation is not recognized as the 'legal name' of the entity.

#### **Government**

Federal, state, county, or city government (as appropriate)

The customer is either an agency of one of these levels of government or the governmental body itself. The government agency's 'legal name' must be provided as the applicant. A department name or other description of the organization should not be included as a part of the 'legal name' as applicant.

#### **Trust or Estate**

A trust and an estate are fiduciary relationships governing the trustee/executor with respect to the trust/estate property.

#### **Other Government**

A utility district, water district, tribal government, college district, council of governments, or river authority. Write in the specific type of government.

#### **f) Independent Entity**

Check No if this customer is a subsidiary, part of a larger company, or is a governmental entity. Otherwise, check Yes.

#### **g) Number of Employees**

Check one box to show the number of employees for this customer's entire company, at all locations. This is not necessarily the number of employees at the site named in the application.

#### **h) Customer Business Tax and Filing Numbers**

These are required for Corporations and Limited Partnerships. These are not required for Individuals, Government, and Sole Proprietors.

#### **State Franchise Tax ID Number**

Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.

#### **Federal Tax ID**

All businesses, except for some small sole proprietors, individuals, or general partnerships should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Sole proprietors, individuals, or general partnerships do not need to provide a federal tax ID.

#### **TX SOS Charter (filing) Number**

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512/463-5555.

#### **DUNS Number**

Most businesses have a DUNS (Data Universal Numbering System) number issued by Dun and Bradstreet Corp. If this customer has one, enter it here.



## **2. APPLICATION CONTACT**

Provide the name, title and communication information of the person that TCEQ can contact for additional information regarding this application.

## **3. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE**

### **a) Regulated Entity Reference Number (RN)**

A number issued by TCEQ's Central Registry to sites (a location where a regulated activity occurs) regulated by TCEQ. This is not a permit number, registration number, or license number. If this regulated entity has not been assigned an RN, leave this space blank.

If the site of your business is part of a larger business site, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at: <http://www12.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch>

If the site is found, provide the assigned Regulated Entity Reference Number (RN) and provide the information for the site to be authorized through this application. The site information for this authorization may vary from the larger site information.

An example is a chemical plant where a unit is owned or operated by a separate corporation that is accessible by the same physical address of your unit or facility. Other examples include industrial parks identified by one common address but different corporations have control of defined areas within the site. In both cases, an RN would be assigned for the physical address location and the permitted sites would be identified separately under the same RN.

### **b) Site/Project Name/Regulated Entity**

Provide the name of the site as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity name.

### **c) Description of Activity Regulated**

In your own words, briefly describe the primary business that you are doing that requires this authorization. Do not repeat the SIC Code description.

### **d) County**

Identify the county or counties in which the regulated entity is located.

### **e) Latitude and Longitude**

Enter the latitude and longitude of the site in degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to:

<http://www.tceq.texas.gov/gis/sqmapview.html> or <http://nationalmap.gov/ustopo>

### **f) Site/Project (RE) Physical Address/Location Information**

Enter the complete address for the site in Section A if the address can be validated through the US Postal Service. If the physical address is not recognized as a USPS delivery address, you may need to validate the address with your local police (911 service) or through an online map site used to locate a site. Please confirm this to be a complete and valid address. Do not use a rural route or post office box for a site location.

If a site does not have an address that includes a street (or house) number and street name, enter NO ADDRESS for the street name in Section A. In Section B provide a complete written location description. For example: "The site is located 2 miles west from intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane." Provide the city (or nearest city) and zip code of the facility location.

#### **4. GENERAL CHARACTERISTICS**

##### **a) Indian Country Lands**

If your site is located on Indian Country Lands, the TCEQ does not have authority to process your application. You must obtain authorization through EPA, Region 6, Dallas. Do not submit this form to TCEQ.

##### **b) Construction activity associated with facility associated with exploration, development, or production of oil, gas, or geothermal resources**

If your activity is associated with oil and gas exploration, development, or production, you may be under jurisdiction of the Railroad Commission of Texas and may need to obtain authorization from EPA Region 6. For more information, see:

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p\\_dir=&p\\_rloc=&p\\_tloc=&p\\_ploc=&pg=1&p\\_tac=&ti=16&pt=1&ch=3&rl=30](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=16&pt=1&ch=3&rl=30)

Construction activities associated with a facility related to oil, gas or geothermal resources may include the construction of a well site; treatment or storage facility; underground hydrocarbon or natural gas storage facility; reclamation plant; gas processing facility; compressor station; terminal facility where crude oil is stored prior to refining and at which refined products are stored solely for use at the facility; a carbon dioxide geologic storage facility; and a gathering, transmission, or distribution pipeline that will transport crude oil or natural gas, including natural gas liquids, prior to refining of such oil or the use of the natural gas in any manufacturing process or as a residential or industrial fuel.

Where required by federal law, discharges of stormwater associated with construction activities under the Railroad Commission's jurisdiction must be authorized by the EPA and the Railroad Commission of Texas, as applicable. Activities under Railroad Commission of Texas jurisdiction include construction of a facility that, when completed, would be associated with the exploration, development, or production of oil or gas or geothermal resources, such as a well site; treatment or storage facility; underground hydrocarbon or natural gas storage facility; reclamation plant; gas processing facility; compressor station; terminal facility where crude oil is stored prior to refining and at which refined products are stored solely for use at the facility; a carbon dioxide geologic storage facility under the jurisdiction of the Railroad Commission of Texas; and a gathering, transmission, or distribution pipeline that will transport crude oil or natural gas, including natural gas liquids, prior to refining of such oil or the use of the natural gas in any manufacturing process or as a residential or industrial fuel. The Railroad Commission of Texas also has jurisdiction over stormwater from land disturbance associated with a site survey that is conducted prior to construction of a facility that would be regulated by the Railroad Commission of Texas. Under 33 U.S.C. §1342(1)(2) and §1362(24), EPA cannot require a permit for discharges of stormwater from "field activities or operations associated with {oil and gas} exploration, production, processing, or treatment operations, or transmission facilities, including activities necessary to prepare a site for drilling and for the movement and placement of drilling equipment, whether or not such field activities or operations may be considered to be construction activities" unless the discharge is contaminated by contact with any overburden, raw material, intermediate product, finished product, byproduct, or waste product located on the site of the facility. Under §3.8 of this title (relating to Water Protection), the Railroad

Commission of Texas prohibits operators from causing or allowing pollution of surface or subsurface water. Operators are encouraged to implement and maintain best management practices (BMPs) to minimize discharges of pollutants, including sediment, in stormwater during construction activities to help ensure protection of surface water quality during storm events.

**c) Primary Standard Industrial Classification (SIC) Code**

Provide the SIC Code that best describes the construction activity being conducted at this site.

Common SIC Codes related to construction activities include:

- 1521 - Construction of Single Family Homes
- 1522 - Construction of Residential Bldgs. Other than Single Family Homes
- 1541 - Construction of Industrial Bldgs. and Warehouses
- 1542 - Construction of Non-residential Bldgs, other than Industrial Bldgs. and Warehouses
- 1611 - Highway and Street Construction, except Highway Construction
- 1622 - Bridge, Tunnel, and Elevated Highway Construction
- 1623 - Water, Sewer, Pipeline and Communications, and Power Line Construction

For help with SIC Codes, go to:

<http://www.osha.gov/pls/imis/sicsearch.html>

**d) Secondary SIC Code**

Secondary SIC Code(s) may be provided. Leave blank if not applicable. For help with SIC Codes, go to:

<http://www.osha.gov/pls/imis/sicsearch.html>

**e) Total Number of Acres Disturbed**

Provide the approximate number of acres that the construction site will disturb. Construction activities that disturb less than one acre, unless they are part of a larger common plan that disturbs more than one acre, do not require permit coverage. Construction activities that disturb between one and five acres, unless they are part of a common plan that disturbs more than five acres, do not require submission of an NOI. Therefore, the estimated area of land disturbed should not be less than five, unless the project is part of a larger common plan that disturbs five or more acres. Disturbed means any clearing, grading, excavating, or other similar activities.

If you have any questions about this item, please contact the stormwater technical staff by phone at (512)239-4671 or by email at [swgp@tceq.texas.gov](mailto:swgp@tceq.texas.gov).

**f) Common Plan of Development**

Construction activities that disturb less than five acres do not require submission of an NOI unless they are part of a common plan of development or for sale where the area disturbed is five or more acres. Therefore, the estimated area of land disturbed should not be less than five, unless the project is part of a larger common plan that disturbs five or more acres. Disturbed means any clearing, grading, excavating, or other similar activities.

For more information on "What is a common plan of development?" go to:

[www.tceq.texas.gov/permitting/stormwater/common\\_plan\\_of\\_development\\_steps.html](http://www.tceq.texas.gov/permitting/stormwater/common_plan_of_development_steps.html)

For further information, go to the TCEQ stormwater construction webpage at:

[www.tceq.texas.gov/goto/construction](http://www.tceq.texas.gov/goto/construction) and search for "Additional Guidance and Quick Links". If



you have any further questions about this item, please call the stormwater technical staff at (512)239-4671.

**g) Identify the water body(s) receiving stormwater runoff**

The stormwater may be discharged directly to a receiving stream or through a MS4 from your site. It eventually reaches a receiving water body such as a local stream or lake, possibly via a drainage ditch. You must provide the name of the water body that receives the discharge from the site (a local stream or lake).

If your site has more than one outfall you need to include the name of the first water body for each outfall, if they are different.

**h) Identify the segment number(s) of the classified water body(s)**

Identify the classified segment number(s) receiving a discharge directly or indirectly. Go to the following link to find the segment number of the classified water body where stormwater will flow from the site: [www.tceq.texas.gov/waterquality/monitoring/viewer.html](http://www.tceq.texas.gov/waterquality/monitoring/viewer.html)

You may also find the segment number in TCEQ publication GI-316:  
[www.tceq.texas.gov/publications/gi/gi-316](http://www.tceq.texas.gov/publications/gi/gi-316)

If the discharge is into an unclassified receiving water and then crosses state lines prior to entering a classified segment, select the appropriate watershed:

- 0100 (Canadian River Basin)
- 0200 (Red River Basin)
- 0300 (Sulfur River Basin)
- 0400 (Cypress Creek Basin)
- 0500 (Sabine River Basin)

Call the Water Quality Assessments section at (512)239-4671 for further assistance.

**i) Discharge into MS4 – Identify the MS4 Operator**

The discharge may initially be into a municipal separate storm sewer system (MS4). If the stormwater discharge is into an MS4, provide the name of the entity that operates the MS4 where the stormwater discharges. An MS4 operator is often a city, town, county, or utility district, but possibly can be another form of government. Please note that the Construction General Permit requires the Operator to supply the MS4 with a copy of the NOI submitted to TCEQ. For assistance, you may call the technical staff at (512)239-4671.

**j) Surface Water bodies on list of impaired waters – Identify the impaired water body(s)**

Indicate Yes or No if any surface water bodies receiving discharges from the construction site are on the latest EPA-approved CWA 303(d) List of impaired waters. Provide the name(s) of surface water bodies receiving discharges or potential discharges from the construction site that are on the latest EPA-approved CWA 303(d) List of impaired waters. The EPA-approved CWA 303(d) List of impaired waters in Texas can be found at:  
[www.tceq.texas.gov/waterquality/assessment/305\\_303.html](http://www.tceq.texas.gov/waterquality/assessment/305_303.html)

NOTE: Do not use any "draft" documents.

#### **k) Discharges to the Edwards Aquifer Recharge Zone and Certification**

See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer at: [www.tceq.texas.gov/field/eapp/viewer.html](http://www.tceq.texas.gov/field/eapp/viewer.html)

If the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, a site specific authorization approved by the Executive Director under the Edwards Aquifer Protection Program (30 TAC Chapter 213) is required before construction can begin. The certification must be answered "Yes" for coverage under the Construction General Permit. The TCEQ approved plan must be readily available for TCEQ staff to review at the time that the NOI is submitted.

The general permit requires the approved Contributing Zone Plan or Water Pollution Abatement Plan to be included or referenced as a part of the Stormwater Pollution Prevention Plan.

For questions regarding the Edwards Aquifer Protection Program, contact the appropriate TCEQ Regional Office. For projects in Hays, Travis and Williamson Counties: Austin Regional Office, 12100 Park 35 Circle, Austin, TX 78753, 512-339-2929. For Projects in Bexar, Comal, Kinney, Medina and Uvalde Counties: TCEQ San Antonio Regional Office, 14250 Judson Rd., San Antonio, TX 78233-4480, 210-490-3096.

### **5. CERTIFICATIONS**

Failure to indicate **Yes** to ALL of the certification items may result in denial of coverage under the general permit.

#### **a) Certification of Understanding the Terms and Conditions of Construction General Permit (TXR150000)**

Provisional coverage under the Construction General Permit (TXR150000) begins 7 days after the completed paper NOI is postmarked for delivery to the TCEQ. (Electronic applications submitted through ePermits have immediate provisional coverage). You must obtain a copy and read the Construction General Permit before submitting your application. You may view and print the Construction General Permit for which you are seeking coverage at the TCEQ web site: [www.tceq.texas.gov/goto/construction](http://www.tceq.texas.gov/goto/construction)

#### **b) Certification of Legal Name**

The full legal name of the applicant as authorized to do business in Texas is required. The name must be provided exactly as filed with the Texas Secretary of State (SOS), or on other legal documents forming the entity, that is filed in the county where doing business. You may contact the SOS at (512)463 5555, for more information related to filing in Texas.

#### **c) Understanding of Notice of Termination**

A permittee shall terminate coverage under this Construction General Permit through the submittal of a NOT when the operator of the facility changes, final stabilization has been reached, the discharge becomes authorized under an individual permit, or the construction activity never began at this site.

#### **d) Certification of Stormwater Pollution Prevention Plan**

The SWP3 identifies the areas and activities that could produce contaminated runoff at your site and then tells how you will ensure that this contamination is mitigated. For example, in describing your mitigation measures, your site's plan might identify the devices that collect and

filter stormwater, tell how those devices are to be maintained, and tell how frequently that maintenance is to be carried out. You must develop this plan in accordance with the TCEQ general permit requirements. This plan must be developed and implemented before you complete this NOI. The SWP3 must be available for a TCEQ investigator to review on request.

**Operator Certification:**

The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code (TAC) §305.44.

**IF YOU ARE A CORPORATION:**

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

**IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:**

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at (512)239-0600.

**30 Texas Administrative Code**

**§305.44. Signatories to Applications**

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).



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

I **Balous T. Miller**  
Print Name

**Owner**  
Title - Owner/President/Other

have authorized **Balous T. Miller**  
Print Name of Agent/Engineer

of **28146 Ridge, LLC.**  
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:

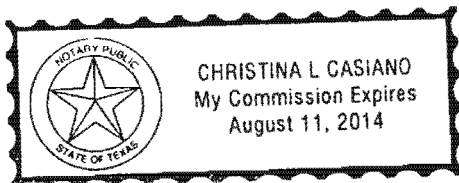
Balous Miller  
Applicant's Signature

2/6/14  
Date

THE STATE OF Texas §  
County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Balous Miller 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 6 day of February, 2014.



Christina Casiano  
NOTARY PUBLIC  
Christina Casiano  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: August 11, 2014.

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

I **Balous T. Miller & Jullie Miller**,  
Print Name

**Owners**,  
Title - Owner/President/Other

have authorized **Balous T. Miller**  
Print Name of Agent/Engineer

of **28146 Ridge, LLC.**  
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.
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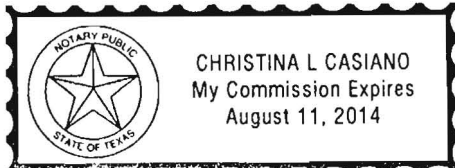
SIGNATURE PAGE:

Balous & Julie Miller 2/6/14  
Applicant's Signature Date

THE STATE OF Texas §  
County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Balous & Julie Miller 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 6 day of February 2014.



Christina Casiano  
NOTARY PUBLIC  
Christina Casiano  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: August 11, 2014



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

I **Balous T. Miller**,  
Print Name

**Owner**,  
Title - Owner/President/Other

of **281/46 Ridge, LLC.**,  
Corporation/Partnership/Entity Name

have authorized **Pape-Dawson Engineers, Inc.**,  
Print Name of Agent/Engineer

of **Pape-Dawson Engineers, 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.
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SIGNATURE PAGE:

Baldi  
Applicant's Signature

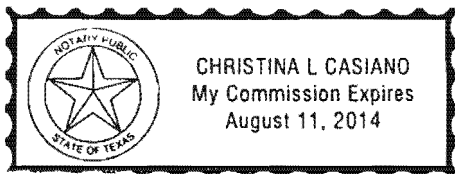
12/11/13  
Date

THE STATE OF Texas §

County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Baldus Muller 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 11 day of December 2013.



Christina L. Casiano  
NOTARY PUBLIC

Christina L. Casiano  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: August 11, 2014

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

NAME OF PROPOSED REGULATED ENTITY: Bulverde Miller Tract  
REGULATED ENTITY LOCATION: Northeast of the intersection of US Hwy. 281 and State Hwy. 46  
NAME OF CUSTOMER: 281/46 Ridge, LLC  
CONTACT PERSON: Balous T. Miller PHONE: (210) 302-1533  
(Please Print)

Customer Reference Number (if issued): CN \_\_\_\_\_ (nine digits)

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

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

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

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to (Check One):

☐ **Austin Regional Office**

☒ **San Antonio Regional Office**

☐ **Mailed to TCEQ:**

TCEQ – Cashier  
Revenues Section  
Mail Code 214  
P.O. Box 13088  
Austin, TX 78711-3088

☐ **Overnight Delivery to TCEQ:**

TCEQ - Cashier  
12100 Park 35 Circle  
Building A, 3rd Floor  
Austin, TX 78753  
512/239-0347

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

Type of Plan	Size	Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	<b>27.02 Acres</b>	<b>\$6,500</b>
Sewage Collection System	L.F.	\$
Lift Stations without sewer lines	Acres	\$
Underground or Aboveground Storage Tank Facility	Tanks	\$
Piping System(s)(only)	Each	\$
Exception	Each	\$
Extension of Time	Each	\$

  
Signature

02/03/14  
Date

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

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

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

**Water Pollution Abatement Plans and Modifications**  
**Contributing Zone Plans and Modifications**

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



FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A COLORED BACKGROUND AND MICROPRINTING IN THE BORDER

**BALOUS MILLER**  
**JULIE MILLER**  
P.O. BOX 839925  
SAN ANTONIO, TX 78283-3925

**JEFFERSON BANK**  
2900 FREDERICKSBURG RD, PO BOX 5190  
SAN ANTONIO, TX 78201

5916

12/11/2013

PAY TO THE ORDER OF Texas Commission on Environmental Quality

\$ \*\*6,500.00

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

DOLLARS

Texas Commission on Environmental Quality

MEMO

281/46 Ridge LLC



SECURITY FEATURES INCLUDED. DETAILS ON BACK



AUTHORIZED SIGNATURE

⑈005916⑈ ⑆114000763⑆ 13566730⑈

**BALOUS MILLER / JULIE MILLER**

WWW.COMPLCHECKS.COM 888.256.5681

Texas Commission on Environmental Quality

12/11/2013

5916

Water Pollution Abatement Plan, Contributing Zone PI

6,500.00

Jefferson Bank

281/46 Ridge LLC

6,500.00



TCEQ Use Only

# TCEQ Core Data Form

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

## SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided)		
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application)		
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input type="checkbox"/> Other	
2. Attachments Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.)		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Contributing Zone Plan & Exhibits		
3. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	4. Regulated Entity Reference Number (if issued)
CN		RN

## SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy)			
6. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check only one of the following:			
<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Operator	<input type="checkbox"/> Owner & Operator	
<input type="checkbox"/> Occupational Licensee	<input type="checkbox"/> Responsible Party	<input type="checkbox"/> Voluntary Cleanup Applicant	<input type="checkbox"/> Other: _____
7. General Customer Information			
<input checked="" type="checkbox"/> New Customer <input type="checkbox"/> Update to Customer Information <input type="checkbox"/> Change in Regulated Entity Ownership			
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State) <input type="checkbox"/> No Change**			
**If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.			
8. Type of Customer:	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship- D.B.A
<input type="checkbox"/> City Government	<input type="checkbox"/> County Government	<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government
<input type="checkbox"/> Other Government	<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Other: _____
9. Customer Legal Name (If an individual, print last name first: ex: Doe, John)		If new Customer, enter previous Customer below	
281/46 Ridge, LLC		End Date:	
10. Mailing Address:			
430 S. Santa Rosa St.			
City	San Antonio	State	TX
ZIP	78207	ZIP + 4	4551
11. Country Mailing Information (if outside USA)		12. E-Mail Address (if applicable)	
13. Telephone Number		14. Extension or Code	
( 210 ) 225-4461			
		15. Fax Number (if applicable)	
		( 210 ) 302-1533	
16. Federal Tax ID (9 digits)		17. TX State Franchise Tax ID (11 digits)	
464780117			
18. DUNS Number (if applicable)		19. TX SOS Filing Number (if applicable)	
		Not Listed	
20. Number of Employees		21. Independently Owned and Operated?	
<input checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## SECTION III: Regulated Entity Information

22. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input checked="" type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information <input type="checkbox"/> No Change** (See below)	
**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.	
23. Regulated Entity Name (name of the site where the regulated action is taking place)	
Bulverde Miller Tract	

24. Street Address of the Regulated Entity: (No P.O. Boxes)	Not yet assigned							
	City		State		ZIP		ZIP + 4	
25. Mailing Address:	430 S. Santa Rosa St.							
	City	San Antonio	State	TX	ZIP	78207	ZIP + 4	4551
26. E-Mail Address:								
27. Telephone Number		28. Extension or Code		29. Fax Number (if applicable)				
( 210 ) 225-4461				( 210 ) 302-1533				
30. Primary SIC Code (4 digits)		31. Secondary SIC Code (4 digits)		32. Primary NAICS Code (5 or 6 digits)		33. Secondary NAICS Code (5 or 6 digits)		
1629		N/A		23499		N/A		
34. What is the Primary Business of this entity? (Please do not repeat the SIC or NAICS description.)								
Land clearing								

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

35. Description to Physical Location:		Northeast corner of the intersection of SH 46 and US Hwy. 281					
36. Nearest City		County		State		Nearest ZIP Code	
Bulverde		Comal		Tx		78163	
37. Latitude (N) In Decimal:		29.79871 N		38. Longitude (W) In Decimal:		98.417512	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
29	47	55.3554	98	25	3.0432		

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

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input checked="" type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Industrial Hazardous Waste	<input type="checkbox"/> Municipal Solid Waste
<input type="checkbox"/> New Source Review – Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS	<input type="checkbox"/> Sludge
<input type="checkbox"/> Stormwater	<input type="checkbox"/> Title V – Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil	<input type="checkbox"/> Utilities
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

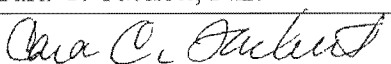
#### SECTION IV: Preparer Information

40. Name: Claire Martin		41. Title: Engineer I	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
( 210 ) 375-9000		( 210 ) 375-9000	cmartin@pape-dawson.com

#### SECTION V: Authorized Signature

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

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

Company:	Pape-Dawson Engineers, Inc.	Job Title:	Vice President
Name (In Print):	Cara C. Tackett, P.E.	Phone:	( 210 ) 375-9000
Signature:		Date:	01/31/14



April 9, 2018

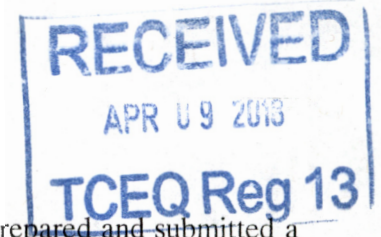
Ms. Lynn Bumguardner  
TCEQ Region 13  
14250 Judson Road  
San Antonio, Texas 78233-4480

RECEIVED

MAY 07 2018

COUNTY ENGINEER

Re: Bulverde Miller Tract  
TCEQ ID No. 13-14021304; RN107123309  
Contributing Zone Plan Extension – 5<sup>th</sup> Extension Request



Dear Ms. Bumguardner:

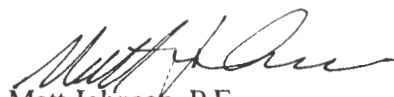
On behalf of our client, 281/46 Ridge, LLC, Pape-Dawson Engineers, Inc. prepared and submitted a Contributing Zone Plan (CZP) for the development of the above referenced project. The original CZP was approved by the Texas Commission on Environmental Quality (TCEQ) on April 15, 2014. Since then, four (4) extensions of time have been submitted on behalf of 281/46 Ridge, LLC and approved by the TCEQ. No activity has commenced on the project and the approval is currently set to expire on April 15, 2018.

The referenced tract is now owned by **Methodist Healthcare System of San Antonio, LTD., LLP.** who will submit a plan for construction of this development, but they are not prepared to begin construction at this time. Consequently, as provided for in the TCEQ regulations 30 TAC 213.23(g), we request approval of a six-month extension to the term of approval for the Bulverde Miller Tract. There are no changes or modifications proposed to the originally approved plan at this time. Attached you will find:

- Edwards Aquifer Application
- TCEQ Extension Request Form
- Copy of the Six-Month Extension Approval Letter
- Agent Authorization Form
- Fee Form
- Core Data Form
- Check in the amount of \$150

If you have questions regarding this request, please contact our office.

Sincerely,  
Pape-Dawson Engineers, Inc.

  
Matt Johnson, P.E.  
Sr. Vice President



Attachments

P:\75\79\09\Extension\180405 5th Extension Request Letter.docx

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

San Antonio | Austin | Houston | Fort Worth | Dallas

Transportation | Water Resources | Land Development | Surveying | Environmental

2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com



**EDWARDS AQUIFER  
APPLICATION COVER  
PAGE (TCEQ-20705)**

## Texas Commission on Environmental Quality

**Edwards Aquifer Application Cover Page** COUNTY ENGINEER

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**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**

1. 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>.

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in 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.
4. 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.

5. 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* (TCEQ-0585 Instructions).

**Technical Review**

1. 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 TCEQ.

2. 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 jurisdictions.

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

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

<b>1. Regulated Entity Name: Bulverde Miller Tract</b>				<b>2. Regulated Entity No.: 107123309</b>					
<b>3. Customer Name: Methodist Healthcare System of San Antonio, LTD., LLP.</b>				<b>4. Customer No.: 600327514</b>					
<b>5. Project Type:</b> (Please circle/check one)	New	Modification	<u>Extension</u>	Exception					
<b>6. Plan Type:</b> (Please circle/check one)	WPAP	<u>CZP</u>	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
<b>7. Land Use:</b> (Please circle/check one)	Residential	<u>Non-residential</u>			<b>8. Site (acres):</b>		27.02		
<b>9. Application Fee:</b>	\$150	<b>10. Permanent BMP(s):</b>							
<b>11. SCS (Linear Ft.):</b>		<b>12. AST/UST (No. Tanks):</b>							
<b>13. County:</b>	Comal	<b>14. Watershed:</b>			Lewis Creek				

# 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/eapp/EAPP%20GWCD%20map.pdf](http://www.tceq.texas.gov/assets/public/compliance/field_ops/eapp/EAPP%20GWCD%20map.pdf)

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

Austin Region			
County:	Hays	Travis	Williamson
Original (1 req.)	—	—	—
Region (1 req.)	—	—	—
County(ies)	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Barton Springs/ Edwards Aquifer <input type="checkbox"/> Hays Trinity <input type="checkbox"/> Plum Creek	<input type="checkbox"/> Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	<input type="checkbox"/> Austin <input type="checkbox"/> Buda <input type="checkbox"/> Dripping Springs <input type="checkbox"/> Kyle <input type="checkbox"/> Mountain City <input type="checkbox"/> San Marcos <input type="checkbox"/> Wimberley <input type="checkbox"/> Woodcreek	<input type="checkbox"/> Austin <input type="checkbox"/> Bee Cave <input type="checkbox"/> Pflugerville <input type="checkbox"/> Rollingwood <input type="checkbox"/> Round Rock <input type="checkbox"/> Sunset Valley <input type="checkbox"/> West Lake Hills	<input type="checkbox"/> Austin <input type="checkbox"/> Cedar Park <input type="checkbox"/> Florence <input type="checkbox"/> Georgetown <input type="checkbox"/> Jerrell <input type="checkbox"/> Leander <input type="checkbox"/> Liberty Hill <input type="checkbox"/> Pflugerville <input type="checkbox"/> Round Rock

San Antonio Region					
County:	Bexar	Comal	Kinney	Medina	Uvalde
Original (1 req.)	—	✓	—	—	—
Region (1 req.)	—	✓	—	—	—
County(ies)	—	✓	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Trinity-Glen Rose	<input type="checkbox"/> Edwards Aquifer Authority <input checked="" type="checkbox"/> Comal Trinity	<input type="checkbox"/> Kinney	<input type="checkbox"/> EAA <input type="checkbox"/> Medina	<input type="checkbox"/> EAA <input type="checkbox"/> Uvalde
City(ies) Jurisdiction	<input type="checkbox"/> Castle Hills <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Helotes <input type="checkbox"/> Hill Country Village <input type="checkbox"/> Hollywood Park <input type="checkbox"/> San Antonio (SAWS) <input type="checkbox"/> Shavano Park	<input checked="" type="checkbox"/> Bulverde <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Garden Ridge <input type="checkbox"/> New Braunfels <input type="checkbox"/> Schertz <input type="checkbox"/> Spring Branch	NA	<input type="checkbox"/> 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.

Matt Johnson, P.E.

*Matt Johnson*

Print Name of Customer/Authorized Agent

4/9/18

Signature of Customer/Authorized Agent

Date

**FOR TCEQ INTERNAL USE ONLY**			
Date(s) Reviewed:		Date Administratively Complete:	
Received From:		Correct Number of Copies:	
Received By:		Distribution Date:	
EAPP File Number:		Complex:	
Admin. Review(s) (No.):		No. AR Rounds:	
Delinquent Fees (Y/N):		Review Time Spent:	
Lat./Long. Verified:		SOS Customer Verification:	
Agent Authorization Complete/Notarized (Y/N):		Fee Check:	Payable to TCEQ (Y/N):
Core Data Form Complete (Y/N):			Signed (Y/N):
Core Data Form Incomplete Nos.:			Less than 90 days old (Y/N):

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**EXTENSION REQUEST  
FOR A CONTRIBUTING  
ZONE PLAN (TCEQ-10261)**

# Extension Request for a Contributing Zone Plan

Texas Commission on Environmental Quality

Relating to 30 TAC §213.23(g) Effective June 1, 1999

## Regulated Entity Information

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

1. Regulated Entity Name: Bulverde Miller Tract

2. Customer (Applicant)

Contact Person: Mr. Raymond Winn

Entity: Methodist Healthcare System of San Antonio, LTD., LLP.

Mailing Address: 8109 Fredericksburg Rd.

City, State: San Antonio, Texas

Zip: 78229-3311

Telephone: 210-575-0156

Fax: \_\_\_\_\_

Email Address: Raymond.Winn@mhshealth.com

3. Agent/Representative (if any):

Contact Person: Matt Johnson, P.E.

Entity: Pape-Dawson Engineers, Inc.

Mailing Address: 2000 NW Loop 410

City, State: San Antonio, Texas

Zip: 78213

Telephone: 210-375-9000

Fax: 210-375-9010

Email Address: mjohnson@pape-dawson.com

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## Extension Request

4. ☒ **Attachment A - Approval Letter or Extension Approval.** Attach a copy of the last approval letter or the last approved extension.

Date of letter: November 3, 2017

Expiration date: April 15, 2018

5. ☒ 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.

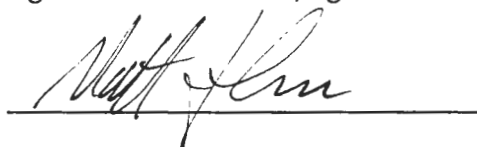
6. ☒ A completed fee form is attached. The fee for a six-month extension of time is \$150.

## Signature

Print Name of Customer/Agent: Matt Johnson, P.E.

Date: 04/09/18

Signature of Customer/Agent:



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**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*

November 3, 2017

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MAY 07 2018

Mr. Balous Miller  
430 South Santa Rosa Street  
San Antonio, Texas 78207

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Bulverde Miller Tract; Located at the northeast corner of US Highway 281 and SH 46; Bulverde, Texas

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

Regulated Entity No: RN107123309; Additional ID No. 13-14021304

Dear Mr. Miller:

On October 6, 2017, the Texas Commission on Environmental Quality (TCEQ) received your request for an extension of time to commence regulated activities related to the above referenced CZP approval. The request has been reviewed for compliance with 30 TAC §213.23(g) and §213.28 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:	April 15, 2014
Date of Expiration:	April 15, 2016
Date Extension Request Received	Date of Extension Expiration
April 7, 2016	October 15, 2016
October 7, 2016	April 15, 2017
April 11, 2017	October 15, 2017
October 6, 2017	April 15, 2018

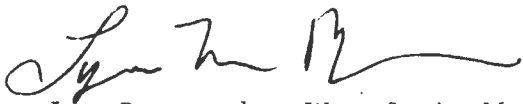
The request and fee were received in compliance with 30 TAC §213.23(g) and §213.28. As indicated in the rules, an extension may not be granted if the proposed regulated activities or

Mr. Balous Miller  
November 3, 2017  
Page 2

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 April 15, 2018. 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 Alex Grant of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4035.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Bumguardner', with a long horizontal flourish extending to the right.

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

LB/AG/eg

cc: Mr. Matt Johnson, P.E., Pape-Dawson Engineers, Inc.  
The Honorable Bill Krawietz, City of Bulverde  
Mr. Thomas Hornseth, P.E., Comal County Engineer  
Mr. Roland Ruiz, Edwards Aquifer Authority  
Mr. H. L. Saur, Comal Trinity Groundwater Conservation District

**AGENT AUTHORIZATION  
FORM (TCEQ-0599)**

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

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I Ray Winn \_\_\_\_\_ **COUNTY ENGINEER**  
Print Name

AVP- OPERATIONS \_\_\_\_\_  
Title - Owner/President/Other

of Methodist Healthcare System of San Antonio, LTD., LLP. \_\_\_\_\_  
Corporation/Partnership/Entity Name

have authorized Pape-Dawson Engineers, Inc. \_\_\_\_\_  
Print Name of Agent/Engineer

of Pape-Dawson Engineers, 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:

[Signature]  
Applicant's Signature

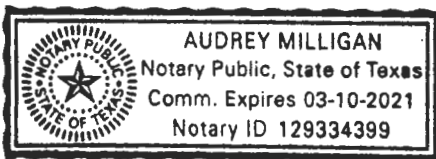
4-4-18  
Date

THE STATE OF Texas §

County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Ray Winn 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 4<sup>th</sup> day of April, 2018.



Audrey Milligan  
NOTARY PUBLIC

Audrey Milligan  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 03/10/2021

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# **APPLICATION FEE FORM (TCEQ-0574)**

# Application Fee Form

## Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: Bulverde Miller Tract

Regulated Entity Location: Northeast corner of US Hwy 281 and SH 46, Bulverde, TX

Name of Customer: Methodist Healthcare System of San Antonio, LTD., LLP.

Contact Person: Raymond Winn

Phone: 210-575-0156

Customer Reference Number (if issued): CN 600327514

Regulated Entity Reference Number (if issued): RN 107123309

**Austin Regional Office (3373)**

☐ Hays

☐ Travis

☐ Williamson

**San Antonio Regional Office (3362)**

☐ Bexar

☐ Medina

☐ Uvalde

☒ Comal

☐ Kinney

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to:

☐ Austin Regional Office

☒ San Antonio Regional Office

☐ Mailed to: TCEQ - Cashier

☐ Overnight Delivery to: TCEQ - Cashier

Revenues Section

Mail Code 214

P.O. Box 13088

Austin, TX 78711-3088

12100 Park 35 Circle

Building A, 3rd Floor

Austin, TX 78753

(512)239-0357

**Site Location (Check All That Apply):**

☐ Recharge Zone

☒ Contributing Zone

☐ Transition Zone

Type of Plan	Size	Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	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 Storage Tank Facility	Tanks	\$
Piping System(s)(only)	Each	\$
Exception	Each	\$
Extension of Time	1 Each	\$ 150

Signature: 

Date: 4/9/18

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# 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***

<b><i>Project</i></b>	<b><i>Project Area in Acres</i></b>	<b><i>Fee</i></b>
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, multi-family residential, schools, and other sites where regulated activities will occur)	< 1	\$3,000
	1 < 5	\$4,000
	5 < 10	\$5,000
	10 < 40	\$6,500
	40 < 100	\$8,000
	≥ 100	\$10,000

### ***Organized Sewage Collection Systems and Modifications***

<b><i>Project</i></b>	<b><i>Cost per Linear Foot</i></b>	<b><i>Minimum Fee- Maximum Fee</i></b>
Sewage Collection Systems	\$0.50	\$650 - \$6,500

### ***Underground and Aboveground Storage Tank System Facility Plans and Modifications***

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

### ***Exception Requests***

<b><i>Project</i></b>	<b><i>Fee</i></b>
Exception Request	\$500

### ***Extension of Time Requests***

<b><i>Project</i></b>	<b><i>Fee</i></b>
Extension of Time Request	\$150

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# **CORE DATA FORM (TCEQ-10400)**





TCEQ Use Only

# TCEQ Core Data Form

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

## SECTION I: General Information

<b>1. Reason for Submission</b> (If other is checked please describe in space provided.) <input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.) <input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form) <input type="checkbox"/> Other		
<b>2. Customer Reference Number (if issued)</b>  CN 600327514	Follow this link to search for CN or RN numbers in Central Registry**	<b>3. Regulated Entity Reference Number (if issued)</b>  RN 107123309

## SECTION II: Customer Information

<b>4. General Customer Information</b>		<b>5. Effective Date for Customer Information Updates (mm/dd/yyyy)</b>	
<input type="checkbox"/> New Customer <input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts) <input type="checkbox"/> Update to Customer Information <input checked="" type="checkbox"/> Change in Regulated Entity Ownership			
<b>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).</b>			
<b>6. Customer Legal Name</b> (If an individual, print last name first: eg: Doe, John) Methodist Healthcare System of San Antonio, LTD., LLP.		If new Customer, enter previous Customer below: 281/46 Ridge LLC	
<b>7. TX SOS/CPA Filing Number</b>	<b>8. TX State Tax ID</b> (11 digits)	<b>9. Federal Tax ID</b> (9 digits)	<b>10. DUNS Number</b> (if applicable)
<b>11. Type of Customer:</b> <input type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other:			
<b>12. Number of Employees</b> <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<b>13. Independently Owned and Operated?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>14. Customer Role</b> (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following: <input type="checkbox"/> Owner <input type="checkbox"/> Operator <input checked="" type="checkbox"/> Owner & Operator <input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
<b>15. Mailing Address:</b> 8109 Fredericksburg Rd. City San Antonio State TX ZIP 78229 ZIP + 4 3311		RECEIVED MAY 07 2018 COUNTY ENGINEER	
<b>16. Country Mailing Information</b> (if outside USA)		<b>17. E-Mail Address</b> (if applicable) Raymond.Winn@mhshealth.com	
<b>18. Telephone Number</b> (210) 575 0156	<b>19. Extension or Code</b>	<b>20. Fax Number</b> (if applicable) ( ) -	

## SECTION III: Regulated Entity Information

<b>21. General Regulated Entity Information</b> (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application) <input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input checked="" type="checkbox"/> Update to Regulated Entity Information	
<b>The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC.)</b>	
<b>22. Regulated Entity Name</b> (Enter name of the site where the regulated action is taking place.) Bulverde Miller Tract	

23. Street Address of the Regulated Entity: (No PO Boxes)							
	City		State		ZIP		ZIP + 4
24. County	Comal						

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:							
26. Nearest City					State	Nearest ZIP Code	
27. Latitude (N) In Decimal:				28. Longitude (W) In Decimal:			
Degrees	Minutes	Seconds		Degrees	Minutes	Seconds	
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)		
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)							
34. Mailing Address:	8109 Fredericksburg Rd.						
	City	San Antonio	State	TX	ZIP	78229	ZIP + 4 3311
35. E-Mail Address:	Raymond.Winn@mhshealth.com						
36. Telephone Number		37. Extension or Code		38. Fax Number (if applicable)			
(210) 575 0156				( ) -			

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

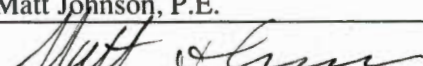
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input checked="" type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

#### SECTION IV: Preparer Information

40. Name:	Jean Pritchett, P.E., CESSWI	41. Title:	Project Engineer
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(210) 375-9000		(210) 375-9010	jpritchett@pape-dawson .com

#### SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Pape-Dawson Engineers, Inc.	Job Title:	Sr. Vice President
Name(In Print):	Matt Johnson, P.E.	Phone:	(210) 375 9000
Signature:		Date:	4/9/18



Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Stephanie Bergeron Perdue, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 21, 2018

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JUN 19 2018

Mr. Raymond Winn  
Methodist Healthcare System of San Antonio, LTD., LLP.  
8109 Fredericksburg Rd.  
San Antonio, Texas 78229-3311

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: **Bulverde Miller Tract**; Located at the northeast corner of US Hwy 281 and SH 46; Bulverde, Texas

TYPE OF PLAN: **Request for Extension of Time to Commence Regulated Activities Authorized by a Contributing Zone Plan (CZP)**; 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Regulated Entity No: RN107123309, Additional ID No. 13-14021304

Dear Mr. Winn:

On April 9, 2018, the Texas Commission on Environmental Quality (TCEQ) received your request for an extension of time to commence regulated activities related to the above referenced CZP approval. The request has been reviewed for compliance with 30 TAC §213.23(g) and §213.28 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 is enclosed.

Date of Original Approval:	April 15, 2014
Date of Expiration:	April 15, 2016
Date Extension Request Received:	Date of Extension Expiration:
April 7, 2016	October 15, 2016
October 7, 2016	April 15, 2017
April 11, 2017	October 15, 2017
October 6, 2017	April 15, 2018
April 9, 2018	October 15, 2018

The request and fee were received in compliance with 30 TAC §213.23(g) and §213.28. As indicated in the rules, an extension may not be granted if the proposed regulated activity or approved plan for the regulated activity has changed. As understood, there will be no changes or modifications to the originally approved plan. This request for extension expires on October 15, 2018. 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 Dianne Pavlicek-Mesa, P.G., of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4074.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Bumguardner', is written over a horizontal line.

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

LB/DPM/eg

cc: Mr. Matt Johnson, P.E., Pape-Dawson Engineers, Inc.  
Mr. Thomas H. Hornseth, P.E., Comal County Engineer  
Mr. Bill Krawietz, City of Bulverde  
Mr. H. L. Saur, Comal Trinity Groundwater Conservation District  
Mr. Roland Ruiz, Edwards Aquifer Authority

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, 2017

RECEIVED

MAY 16 2017

Mr. Balous T. Miller  
281/46 Ridge, LLC  
430 S. Santa Rosa St.  
San Antonio, Texas 78207

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Bulverde Miller Tract; Located at the northeast corner of US Hwy 281 and SH 45; Bulverde, Texas

TYPE OF PLAN: Request for Extension of Time to Commence Regulated Activities  
Authorized by a Contributing Zone Plan (CZP); 30 Texas Administrative code (TAC)  
Chapter 213; Edwards Aquifer

Regulated Entity No. RN107123309; Additional ID No. 13-14021304

Dear Mr. Miller:

On April 11, 2017, the Texas Commission on Environmental Quality (TCEQ) received your request for an extension of time to commence regulated activities related to the above referenced CZP 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:	April 15, 2014
Date of Expiration:	April 15, 2016
Date Extension Request Received	Date of Extension Expiration
April 7, 2016	October 15, 2016
October 7, 2016	April 15, 2017
April 11, 2017	October 15, 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



Mr. Balous T. Miller  
May 4, 2017  
Page 2

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 October 15, 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.

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 Andra Nava-Garcia of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4052.

Sincerely,



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

LB/ANG/eg

RECEIVED

MAY 16 2017

COUNTY ENGINEER

cc: Mr. Matt Johnson, P.E., Pape-Dawson Engineers, Inc.  
Mr. Roland Ruiz, Edwards Aquifer Authority  
Mr. Thomas Hornseth, P.E., Comal County Engineer  
The Honorable Bill Krawietz, City of Bulverde  
Mr. H. L. Saur, Comal Trinity GWCD



April 15, 2016

Ms. Lynn Bumguardner  
TCEQ Region 13  
14250 Judson Road  
San Antonio, Texas 78233-4480

TCEQ R-13 2016 APR 15 12:54

Re: **Bulverde Miller Tract (TCEQ File No. 13-14021304)**  
**Contributing Zone Plan Extension – 1<sup>st</sup> Extension Request**

Dear Ms. Bumguardner:

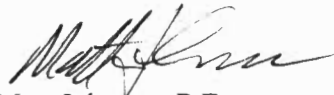
On behalf of our client, 281/46 Ridge, LLC, Pape-Dawson Engineers, Inc. prepared and submitted a Contributing Zone Plan (CZP) for the development of the above referenced project. The original CZP was approved by the Texas Commission on Environmental Quality (TCEQ) on April 15, 2014. No activity has commenced on the project and the approval is currently set to expire on April 15, 2016.

281/46 Ridge, LLC continues to plan for construction of this development, but they are not prepared to begin construction at this time. Consequently, as provided for in the TCEQ regulations 30 TAC 213.23(g), we request approval of a six-month extension to the term of approval for the Bulverde Miller Tract. There are no changes or modifications proposed to the originally approved plan at this time. Attached you will find:

- Edwards Aquifer Application
- TCEQ Extension Request Form
- Copy of the Six-Month Extension Approval Letter
- Agent Authorization Form
- Fee Form
- Core Data Form
- Check in the amount of \$150

Should you have questions regarding this request, please contact our office.

Sincerely,  
Pape-Dawson Engineers, Inc.

  
Matt Johnson, P.E.  
Vice President

**Attachments**

P:\75\79\05\Word\Reports\CZP\Extension\Extension Request Cover Letter.docx

**EDWARDS AQUIFER  
APPLICATION COVER  
PAGE (TCEQ-20705)**

# Texas Commission on Environmental Quality

## Edwards Aquifer Application Cover Page

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### 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

1. 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>.

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in 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.
4. 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.

5. 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* (TCEQ-0585 Instructions).

### Technical Review

1. 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 TCEQ.



2. 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 jurisdictions.

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

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

<b>1. Regulated Entity Name:</b> Bulverde Miller Tract					<b>2. Regulated Entity No.:</b> 107123309				
<b>3. Customer Name:</b> 281/46 Ridge, LLC					<b>4. Customer No.:</b> 604526863				
<b>5. Project Type:</b> (Please circle/check one)	New	Modification			Extension		Exception		
<b>6. Plan Type:</b> (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
<b>7. Land Use:</b> (Please circle/check one)	Residential	Non-residential				<b>8. Site (acres):</b>		27.02	
<b>9. Application Fee:</b>	\$150	<b>10. Permanent BMP(s):</b>							
<b>11. SCS (Linear Ft.):</b>		<b>12. AST/UST (No. Tanks):</b>							
<b>13. County:</b>	Comal	<b>14. Watershed:</b>			Lewis Creek				



# 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/eapp/EAPP%20GWCD%20map.pdf](http://www.tceq.texas.gov/assets/public/compliance/field_ops/eapp/EAPP%20GWCD%20map.pdf)

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

Austin Region			
County:	Hays	Travis	Williamson
Original (1 req.)	—	—	—
Region (1 req.)	—	—	—
County(ies)	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Barton Springs/ Edwards Aquifer <input type="checkbox"/> Hays Trinity <input type="checkbox"/> Plum Creek	<input type="checkbox"/> Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	<input type="checkbox"/> Austin <input type="checkbox"/> Buda <input type="checkbox"/> Dripping Springs <input type="checkbox"/> Kyle <input type="checkbox"/> Mountain City <input type="checkbox"/> San Marcos <input type="checkbox"/> Wimberley <input type="checkbox"/> Woodcreek	<input type="checkbox"/> Austin <input type="checkbox"/> Bee Cave <input type="checkbox"/> Pflugerville <input type="checkbox"/> Rollingwood <input type="checkbox"/> Round Rock <input type="checkbox"/> Sunset Valley <input type="checkbox"/> West Lake Hills	<input type="checkbox"/> Austin <input type="checkbox"/> Cedar Park <input type="checkbox"/> Florence <input type="checkbox"/> Georgetown <input type="checkbox"/> Jerrell <input type="checkbox"/> Leander <input type="checkbox"/> Liberty Hill <input type="checkbox"/> Pflugerville <input type="checkbox"/> Round Rock

San Antonio Region					
County:	Bexar	Comal	Kinney	Medina	Uvalde
Original (1 req.)	—	✓	—	—	—
Region (1 req.)	—	✓	—	—	—
County(ies)	—	✓	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Trinity-Glen Rose	<input checked="" type="checkbox"/> Edwards Aquifer Authority	<input type="checkbox"/> Kinney	<input type="checkbox"/> EAA <input type="checkbox"/> Medina	<input type="checkbox"/> EAA <input type="checkbox"/> Uvalde
City(ies) Jurisdiction	<input type="checkbox"/> Castle Hills <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Helotes <input type="checkbox"/> Hill Country Village <input type="checkbox"/> Hollywood Park <input type="checkbox"/> San Antonio (SAWS) <input type="checkbox"/> Shavano Park	<input checked="" type="checkbox"/> Bulverde <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Garden Ridge <input type="checkbox"/> New Braunfels <input type="checkbox"/> Schertz	NA	<input type="checkbox"/> 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.

Matt Johnson, P.E.

Print Name of Customer/Authorized Agent

*Matt Johnson*

*9/14/16*

Signature of Customer/Authorized Agent

Date

**\*\*FOR TCEQ INTERNAL USE ONLY\*\***

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

**EXTENSION REQUEST  
FOR A CONTRIBUTING  
ZONE PLAN  
(TCEQ-10261)**

# Extension Request for a Contributing Zone Plan

Texas Commission on Environmental Quality

Relating to 30 TAC §213.23(g) Effective June 1, 1999

## Regulated Entity Information

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

1. Regulated Entity Name: Bulverde Miller Tract

2. Customer (Applicant)

Contact Person: Mr. Balous Miller

Entity: 281/46 Ridge, LLC

Mailing Address: 430 S. Santa Rosa St.

City, State: San Antonio, Texas

Zip: 78207

Telephone: 210-225-4461

Fax: 210-302-1533

Email Address: \_\_\_\_\_

3. Agent/Representative (if any):

Contact Person: Matt Johnson, P.E.

Entity: Pape-Dawson Engineers, Inc.

Mailing Address: 2000 NW Loop 410

City, State: San Antonio, Texas

Zip: 78213

Telephone: 210-375-9000

Fax: 210-375-9010

Email Address: mjohnson@pape-dawson.com

## Extension Request

4. ☒ **Attachment A - Approval Letter or Extension Approval.** Attach a copy of the last approval letter or the last approved extension.

Date of letter: April 15, 2014

Expiration date: April 15, 2016

5. ☒ 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. ☒ A completed fee form is attached. The fee for a six-month extension of time is \$150.

## Signature

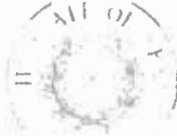
Print Name of Customer/Agent: Matt Johnson, P.E.

Date: 9/19/16

Signature of Customer/Agent:



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*

April 15, 2014

Mr. Balous T. Miller  
281/46 Ridge LLC  
430 S. Santa Rosa St.  
San Antonio, Texas 78207

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Bulverde Miller Tract; Located at the northeast corner of US Hwy 281 and SH 46; Bulverde, Texas

TYPE OF PLAN: Request for Approval of a Contributing Zone Plan (CZP); 30 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer

Investigation No. 1151289; Regulated Entity No. RN107123309; Additional ID 13-14021304

Dear Mr. Miller:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Application for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of 281/46 Ridge LLC on February 13, 2014. Final review of the CZP was completed after additional material was received on April 1, 2014. As presented to the TCEQ, the Temporary Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

### PROJECT DESCRIPTION

This project only proposes clearing and mass grading of approximately 27.02 acres. The site is anticipated for future commercial use, but a site plan is not available at this time, so no construction of impervious cover is currently proposed.



#### PERMANENT POLLUTION ABATEMENT MEASURES

Since this project only proposes clearing and mass grading, no permanent pollution abatement measures are proposed at this time.

#### SPECIAL CONDITIONS

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

#### 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. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved Contributing Zone Plan and this notice of approval shall be maintained at the project location until all regulated activities are completed.
5. Any modification to the activities described in the referenced CZP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.
6. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the name of the approved plan and file number for the regulated activity, the date on which the regulated activity will commence, and the name of the prime contractor with the name and telephone number of the contact person.
7. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved Storm Water Pollution Prevention Plan (SWPPP) must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges

from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

8. During the course of regulated activities related to this project, the applicant or his agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.
9. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been significantly reduced. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).
10. Intentional discharges of sediment laden water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.
11. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
12. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.
13. This approval does not authorize the installation of temporary aboveground storage tanks on this project. If the contractor desires to install a temporary aboveground storage tank for use during construction, an application to modify this approval must be submitted and approved prior to installation. The application must include information related to tank location and spill containment. Refer to Standard Condition No. 5, above.


After Completion of Construction:

14. Owners of permanent BMPs and measures must insure that the BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.
15. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

16. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Contributing Zone Plan. If the new owner intends to commence any new regulated activity on the site, a new Contributing Zone Plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.
17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

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 Dianne Pavlicek, P.G., of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4074.

Sincerely,



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

LB/DP/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625A

cc: Ms. Cara C. Tackett, P.E., Pape-Dawson Engineers, Inc.  
Mr. Thomas H. Hornseth, P.E., Comal County Engineer  
Mr. Bill Krawietz, City of Bulverde  
Mr. Roland Ruiz, Edwards Aquifer Authority  
TCEQ Central Records, Building F, MC212

# AGENT AUTHORIZATION FORM



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

I **Balous T. Miller**  
Print Name

**Owner**  
Title - Owner/President/Other

of **281/46 Ridge, LLC.**  
Corporation/Partnership/Entity Name

have authorized **Pape-Dawson Engineers, Inc.**  
Print Name of Agent/Engineer

of **Pape-Dawson Engineers, 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:

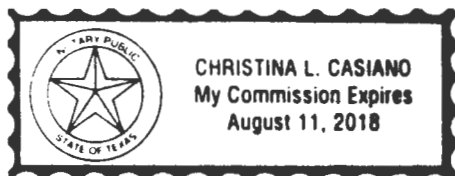
Balou Miller  
Applicant's Signature

4/7/16  
Date

THE STATE OF Texas §  
County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Balou Miller 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 7 day of April 2016



Christina L. Casiano  
NOTARY PUBLIC

Christina L. Casiano  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: August 11, 2018

**APPLICATION FEE FORM  
(TCEQ-0574)**

# Application Fee Form

## Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: Bulverde Miller Tract

Regulated Entity Location: Northeast of the intersection of US Hwy. 281 and State Hwy. 46

Name of Customer: 281/46 Ridge, LLC

Contact Person: Balous Miller

Phone: 210-225-4461

Customer Reference Number (if issued): CN 604526863

Regulated Entity Reference Number (if issued): RN 107123309

### Austin Regional Office (3373)

☐

Hays

☐

Travis

☐

Williamson

### San Antonio Regional Office (3362)

☒

Bexar

☐

Medina

☐

Uvalde

☐

Comal

☐

Kinney

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to:

☐

Austin Regional Office

☒

San Antonio Regional Office

☐

Mailed to: TCEQ - Cashier

☐

Overnight Delivery to: TCEQ - Cashier

Revenues Section

Mail Code 214

P.O. Box 13088

Austin, TX 78711-3088

12100 Park 35 Circle

Building A, 3rd Floor

Austin, TX 78753

(512)239-0357

### Site Location (Check All That Apply):

☐

Recharge Zone

☐

Contributing Zone

☐

Transition Zone

Type of Plan	Size	Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	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 Storage Tank Facility	Tanks	\$
Piping System(s)(only)	Each	\$
Exception	1 Each	\$ 150
Extension of Time	Each	\$

Signature: 

Date: 8/14/16

# 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***

<b><i>Project</i></b>	<b><i>Project Area in Acres</i></b>	<b><i>Fee</i></b>
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, multi-family residential, schools, and other sites where regulated activities will occur)	< 1	\$3,000
	1 < 5	\$4,000
	5 < 10	\$5,000
	10 < 40	\$6,500
	40 < 100	\$8,000
	≥ 100	\$10,000

### ***Organized Sewage Collection Systems and Modifications***

<b><i>Project</i></b>	<b><i>Cost per Linear Foot</i></b>	<b><i>Minimum Fee- Maximum Fee</i></b>
Sewage Collection Systems	\$0.50	\$650 - \$6,500

### ***Underground and Aboveground Storage Tank System Facility Plans and Modifications***

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

### ***Exception Requests***

<b><i>Project</i></b>	<b><i>Fee</i></b>
Exception Request	\$500

### ***Extension of Time Requests***

<b><i>Project</i></b>	<b><i>Fee</i></b>
Extension of Time Request	\$150



**CORE DATA FORM  
(TCEQ-10400)**



# 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

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in <b>Central Registry**</b>	3. Regulated Entity Reference Number (if issued)
CN 604526863		RN 107123309

## SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input type="checkbox"/> New Customer <input type="checkbox"/> Update to Customer Information <input type="checkbox"/> Change in Regulated Entity Ownership			
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)			
<b>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).</b>			
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 applicable)
11. Type of Customer:		Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited	
<input type="checkbox"/> Corporation <input type="checkbox"/> Individual			
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other		<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role (Proposed or Actual) - as it relates to the Regulated Entity listed on this form. Please check one of the following:			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Owner & Operator			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:			
City			
State			
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)	
		( ) -	

## SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information	
<b>The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).</b>	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	

23. Street Address of the Regulated Entity: (No PO Boxes)								
	City		State		ZIP		ZIP + 4	
24. County								

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:								
26. Nearest City					State		Nearest ZIP Code	
27. Latitude (N) In Decimal:			28. Longitude (W) In Decimal:					
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
29. Primary SIC Code (4 digits)		30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)		
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)								
34. Mailing Address:								
		City		State		ZIP		ZIP + 4
35. E-Mail Address:								
36. Telephone Number			37. Extension or Code			38. Fax Number (if applicable)		
( ) -						( ) -		

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.


<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input checked="" type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

#### SECTION IV: Preparer Information

40. Name: Jean Pritchett, EIT		41. Title: Environmental Specialist	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
( 210 ) 375 - 9000		( 210 ) 375 - 9010	jpritchett@pape-dawson.com

#### SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Pape-Dawson Engineers, Inc.	Job Title:	Vice President
Name (In Print):	Matt Johnson, P.E.	Phone:	(210) 375-9000
Signature:		Date:	4/14/16





October 5, 2016

RECEIVED  
OCT 12 2016  
COUNTY ENGINEER

Ms. Lynn Bumguardner  
TCEQ Region 13  
14250 Judson Road  
San Antonio, Texas 78233-4480



Re: Bulverde Miller Tract  
TCEQ ID No. 13-14021304; RN107123309  
Contributing Zone Plan Extension – 2<sup>nd</sup> Extension Request

Dear Ms. Bumguardner:

On behalf of our client, 281/46 Ridge, LLC, Pape-Dawson Engineers, Inc. prepared and submitted a Contributing Zone Plan (CZP) for the development of the above referenced project. The original CZP was approved by the Texas Commission on Environmental Quality (TCEQ) on April 15, 2014. Since then, one (1) extension of time has been submitted on behalf of 281/46 Ridge, LLC and approved by the TCEQ. No activity has commenced on the project and the approval is currently set to expire on October 15, 2016.

281/46 Ridge, LLC continues to plan for construction of this development, but they are not prepared to begin construction at this time. Consequently, as provided for in the TCEQ regulations 30 TAC 213.23(g), we request approval of a six-month extension to the term of approval for the Bulverde Miller Tract. There are no changes or modifications proposed to the originally approved plan at this time. Attached you will find:

- Edwards Aquifer Application
- TCEQ Extension Request Form
- Copy of the Six-Month Extension Approval Letter
- Agent Authorization Form
- Fee Form
- Core Data Form
- Check in the amount of \$150

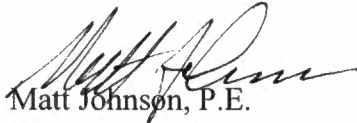




Ms. Lynn Bumguardner  
Bulverde Miller Tract (TCEQ ID No. 13-14021304)  
Contributing Zone Plan Extension – 2<sup>nd</sup> Extension Request  
October 5, 2016  
Page 2 of 2

If you have questions regarding this request, please contact our office.

Sincerely,  
Pape-Dawson Engineers, Inc.

  
Matt Johnson, P.E.  
Sr. Vice President

#### Attachments

P:\75\79\05\Word\Reports\CZP\Extension\Extension 2\161004A1 2nd Extension Request Letter.docx

**EDWARDS AQUIFER  
APPLICATION COVER  
PAGE (TCEQ-20705)**

# Texas Commission on Environmental Quality

## Edwards Aquifer Application Cover Page

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### 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

1. 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>.
2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in 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.
4. 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.
5. 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* (TCEQ-0585 Instructions).

### Technical Review

1. 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 TCEQ.

2. 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 jurisdictions.

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

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

<b>1. Regulated Entity Name:</b> Bulverde Miller Tract					<b>2. Regulated Entity No.:</b> 107123309				
<b>3. Customer Name:</b> 281/46 Ridge, LLC					<b>4. Customer No.:</b> 604526863				
<b>5. Project Type:</b> (Please circle/check one)	New	Modification			<u>Extension</u>		Exception		
<b>6. Plan Type:</b> (Please circle/check one)	WPAP	<u>CZP</u>	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
<b>7. Land Use:</b> (Please circle/check one)	Residential	<u>Non-residential</u>				<b>8. Site (acres):</b>		27.02	
<b>9. Application Fee:</b>	\$150	<b>10. Permanent BMP(s):</b>							
<b>11. SCS (Linear Ft.):</b>		<b>12. AST/UST (No. Tanks):</b>							
<b>13. County:</b>	Comal	<b>14. Watershed:</b>			Lewis Creek				

# 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/eapp/EAPP%20GWCD%20map.pdf](http://www.tceq.texas.gov/assets/public/compliance/field_ops/eapp/EAPP%20GWCD%20map.pdf)

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

Austin Region			
County:	Hays	Travis	Williamson
Original (1 req.)	—	—	—
Region (1 req.)	—	—	—
County(ies)	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Barton Springs/ Edwards Aquifer <input type="checkbox"/> Hays Trinity <input type="checkbox"/> Plum Creek	<input type="checkbox"/> Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	<input type="checkbox"/> Austin <input type="checkbox"/> Buda <input type="checkbox"/> Dripping Springs <input type="checkbox"/> Kyle <input type="checkbox"/> Mountain City <input type="checkbox"/> San Marcos <input type="checkbox"/> Wimberley <input type="checkbox"/> Woodcreek	<input type="checkbox"/> Austin <input type="checkbox"/> Bee Cave <input type="checkbox"/> Pflugerville <input type="checkbox"/> Rollingwood <input type="checkbox"/> Round Rock <input type="checkbox"/> Sunset Valley <input type="checkbox"/> West Lake Hills	<input type="checkbox"/> Austin <input type="checkbox"/> Cedar Park <input type="checkbox"/> Florence <input type="checkbox"/> Georgetown <input type="checkbox"/> Jerrell <input type="checkbox"/> Leander <input type="checkbox"/> Liberty Hill <input type="checkbox"/> Pflugerville <input type="checkbox"/> Round Rock

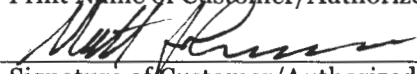
San Antonio Region					
County:	Bexar	Comal	Kinney	Medina	Uvalde
Original (1 req.)	—	✓	—	—	—
Region (1 req.)	—	✓	—	—	—
County(ies)	—	✓	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Trinity-Glen Rose	<input checked="" type="checkbox"/> Edwards Aquifer Authority <input checked="" type="checkbox"/> Comal-Trinity	<input type="checkbox"/> Kinney	<input type="checkbox"/> EAA <input type="checkbox"/> Medina	<input type="checkbox"/> EAA <input type="checkbox"/> Uvalde
City(ies) Jurisdiction	<input type="checkbox"/> Castle Hills <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Helotes <input type="checkbox"/> Hill Country Village <input type="checkbox"/> Hollywood Park <input type="checkbox"/> San Antonio (SAWS) <input type="checkbox"/> Shavano Park	<input checked="" type="checkbox"/> Bulverde <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Garden Ridge <input type="checkbox"/> New Braunfels <input type="checkbox"/> Schertz	NA	<input type="checkbox"/> 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.

Matt Johnson, P.E.

Print Name of Customer/Authorized Agent



10/5/16

Signature of Customer/Authorized Agent

Date

**\*\*FOR TCEQ INTERNAL USE ONLY\*\***

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

**EXTENSION REQUEST  
FOR A CONTRIBUTING  
ZONE PLAN (TCEQ-10261)**

# Extension Request for a Contributing Zone Plan

Texas Commission on Environmental Quality

Relating to 30 TAC §213.23(g) Effective June 1, 1999

## ***Regulated Entity Information***

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

1. Regulated Entity Name: Bulverde Miller Tract

2. Customer (Applicant)

Contact Person: Mr. Balous Miller

Entity: 281/46 Ridge, LLC

Mailing Address: 430 S. Santa Rosa St.

City, State: San Antonio, Texas

Zip: 78207

Telephone: 210-225-4461

Fax: 210-302-1533

Email Address: \_\_\_\_\_

3. Agent/Representative (if any):

Contact Person: Matt Johnson, P.E.

Entity: Pape-Dawson Engineers, Inc.

Mailing Address: 2000 NW Loop 410

City, State: San Antonio, Texas

Zip: 78213

Telephone: 210-375-9000

Fax: 210-375-9010

Email Address: mjohnson@pape-dawson.com

## ***Extension Request***

4. ☒ **Attachment A - Approval Letter or Extension Approval.** Attach a copy of the last approval letter or the last approved extension.

Date of letter: May 12, 2016

Expiration date: October 15, 2016

5. ☒ 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.

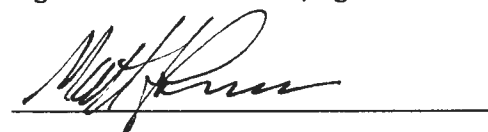
6. ☒ A completed fee form is attached. The fee for a six-month extension of time is \$150.

## ***Signature***

Print Name of Customer/Agent: Matt Johnson, P.E.

Date: 10/5/16

Signature of Customer/Agent:



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 12, 2016

Mr. Balous T. Miller  
281/46 Ridge, LLC  
430 S. Santa Rosa St.  
San Antonio, Texas 78207

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Bulverde Miller Tract; Located at the northeast corner of US Hwy 281 and SH 45; Bulverde, Texas

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

Regulated Entity No: RN107123309, Additional ID No. 13-14021304

Dear Mr. Miller:

On April 15, 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 CZP approval. The request has been reviewed for compliance with 30 TAC §213.23(g) and §213.28 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 is enclosed.

Date of Original Approval:	April 15, 2014
Date of Expiration:	April 15, 2016
Date Extension Request Received:	Date of Extension Expiration:
April 15, 2016	October 15, 2016

The request and fee were received in compliance with 30 TAC §213.23(g) and §213.28. As indicated in the rules, an extension may not be granted if the proposed regulated activity or approved plan for the regulated activity has changed. As understood, there will be no changes or modifications to the originally approved plan. This request for extension expires on October 15, 2016. Should construction not commence before the

Mr. Balous T Miller  
May 12, 2016  
Page 2

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 Dianne Pavlicek-Mesa, P.G., of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4074.

Sincerely,



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

LB/DPM/eg

cc: Mr. Matt Johnson, P.E., Pape-Dawson Engineers, Inc.  
Mr. Thomas H. Hornseth, P.E., Comal County Engineer  
The Honorable Bill Krawietz, City of Bulverde  
Mr. George Wissmann, Comal Trinity Groundwater Conservation District  
Mr. Roland Ruiz, Edwards Aquifer Authority  
TCEQ Central Records, Building F, MC 212



# **AGENT AUTHORIZATION FORM**

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

I **Balous T. Miller**,  
Print Name

**Owner**,  
Title - Owner/President/Other

of **281/46 Ridge, LLC.**,  
Corporation/Partnership/Entity Name

have authorized **Pape-Dawson Engineers, Inc.**,  
Print Name of Agent/Engineer

of **Pape-Dawson Engineers, 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:

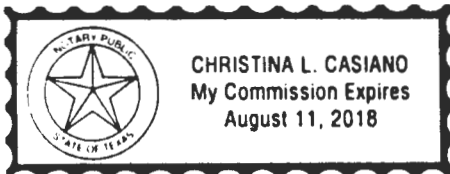
Balou Miller  
Applicant's Signature

9/27/16  
Date

THE STATE OF Texas §  
County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Balou Miller, 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 27 day of September, 2016.



Christina L. Casiano  
NOTARY PUBLIC

Christina L. Casiano  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: August 11, 2018

**APPLICATION FEE FORM  
(TCEQ-0574)**

# Application Fee Form

## Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: Bulverde Miller Tract

Regulated Entity Location: Northeast of the intersection of US Hwy. 281 and State Hwy. 46

Name of Customer: 281/46 Ridge, LLC

Contact Person: Balous Miller

Phone: 210-225-4461

Customer Reference Number (if issued): CN 604526863

Regulated Entity Reference Number (if issued): RN 107123309

### Austin Regional Office (3373)

☐ Hays

☐ Travis

☐ Williamson

### San Antonio Regional Office (3362)

☐ Bexar

☐ Medina

☐ Uvalde

☒ Comal

☐ Kinney

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to:

☐ Austin Regional Office

☒ San Antonio Regional Office

☐ Mailed to: TCEQ - Cashier

☐ Overnight Delivery to: TCEQ - Cashier

Revenues Section

Mail Code 214

P.O. Box 13088

Austin, TX 78711-3088

12100 Park 35 Circle

Building A, 3rd Floor

Austin, TX 78753

(512)239-0357

### Site Location (Check All That Apply):

☐ Recharge Zone

☒ Contributing Zone

☐ Transition Zone

Type of Plan	Size	Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	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 Storage Tank Facility	Tanks	\$
Piping System(s)(only)	Each	\$
Exception	1 Each	\$ 150
Extension of Time	Each	\$

Signature: 

Date: 10/5/16



# 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***

<b><i>Project</i></b>	<b><i>Project Area in Acres</i></b>	<b><i>Fee</i></b>
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, multi-family residential, schools, and other sites where regulated activities will occur)	< 1	\$3,000
	1 < 5	\$4,000
	5 < 10	\$5,000
	10 < 40	\$6,500
	40 < 100	\$8,000
	≥ 100	\$10,000

### ***Organized Sewage Collection Systems and Modifications***

<b><i>Project</i></b>	<b><i>Cost per Linear Foot</i></b>	<b><i>Minimum Fee- Maximum Fee</i></b>
Sewage Collection Systems	\$0.50	\$650 - \$6,500

### ***Underground and Aboveground Storage Tank System Facility Plans and Modifications***

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

### ***Exception Requests***

<b><i>Project</i></b>	<b><i>Fee</i></b>
Exception Request	\$500

### ***Extension of Time Requests***

<b><i>Project</i></b>	<b><i>Fee</i></b>
Extension of Time Request	\$150

**CORE DATA FORM  
(TCEQ-10400)**



# 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

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in <b>Central Registry**</b>	3. Regulated Entity Reference Number (if issued)
CN 604526863		RN 107123309

## SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input type="checkbox"/> New Customer <input type="checkbox"/> Update to Customer Information <input type="checkbox"/> Change in Regulated Entity Ownership			
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)			
<b>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).</b>			
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 applicable)
11. Type of Customer: <input type="checkbox"/> Corporation <input type="checkbox"/> Individual		Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited	
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other		<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other:	
12. Number of Employees <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		13. Independently Owned and Operated? <input type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role (Proposed or Actual) - as it relates to the Regulated Entity listed on this form. Please check one of the following:			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Owner & Operator			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:			
City	State	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)	
( ) -		( ) -	

## SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information	
<b>The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).</b>	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	



23. Street Address of the Regulated Entity: (No PO Boxes)								
	City		State		ZIP		ZIP + 4	
24. County								

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:								
26. Nearest City					State		Nearest ZIP Code	
27. Latitude (N) In Decimal:			28. Longitude (W) In Decimal:					
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)			
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)								
34. Mailing Address:								
	City		State		ZIP		ZIP + 4	
35. E-Mail Address:								
36. Telephone Number			37. Extension or Code		38. Fax Number (if applicable)			
( ) -					( ) -			

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

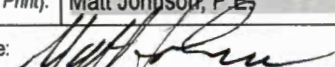
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input checked="" type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

#### SECTION IV: Preparer Information

40. Name:	Jean Pritchett, EIT		41. Title:	Environmental Specialist
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address	
( 210 ) 375 - 9000		( 210 ) 375 - 9010	jpritchett@pape-dawson.com	

#### SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Pape-Dawson Engineers, Inc.	Job Title:	Sr. Vice President
Name(In Print):	Matt Johnson, P.E.	Phone:	(210) 375 - 9000
Signature:		Date:	

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 3, 2017

Mr. Balous Miller  
430 South Santa Rosa Street  
San Antonio, Texas 78207

RECEIVED  
DEC 05 2017

COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Bulverde Miller Tract; Located at the northeast corner of US Highway 281 and SH 46; Bulverde, Texas

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

Regulated Entity No: RN107123309; Additional ID No. 13-14021304

Dear Mr. Miller:

On October 6, 2017, the Texas Commission on Environmental Quality (TCEQ) received your request for an extension of time to commence regulated activities related to the above referenced CZP approval. The request has been reviewed for compliance with 30 TAC §213.23(g) and §213.28 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:	April 15, 2014
Date of Expiration:	April 15, 2016
Date Extension Request Received	Date of Extension Expiration
April 7, 2016	October 15, 2016
October 7, 2016	April 15, 2017
April 11, 2017	October 15, 2017
October 6, 2017	April 15, 2018

The request and fee were received in compliance with 30 TAC §213.23(g) and §213.28. As indicated in the rules, an extension may not be granted if the proposed regulated activities or

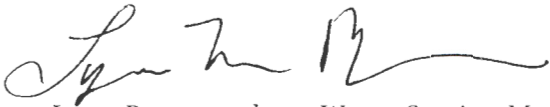


Mr. Balous Miller  
November 3, 2017  
Page 2

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 April 15, 2018. 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 Alex Grant of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4035.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Bumguardner', with a long horizontal flourish extending to the right.

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

LB/AG/eg

cc: Mr. Matt Johnson, P.E., Pape-Dawson Engineers, Inc.  
The Honorable Bill Krawietz, City of Bulverde  
Mr. Thomas Hornseth, P.E., Comal County Engineer  
Mr. Roland Ruiz, Edwards Aquifer Authority  
Mr. H. L. Saur, Comal Trinity Groundwater Conservation District



October 2, 2017

Ms. Lynn Bumguardner  
TCEQ Region 13  
14250 Judson Road  
San Antonio, Texas 78233-4480



Re: Bulverde Miller Tract  
TCEQ ID No. 13-14021304; RN107123309  
Contributing Zone Plan Extension – 4<sup>th</sup> Extension Request

Dear Ms. Bumguardner:

On behalf of our client, 281/46 Ridge, LLC, Pape-Dawson Engineers, Inc. prepared and submitted a Contributing Zone Plan (CZP) for the development of the above referenced project. The original CZP was approved by the Texas Commission on Environmental Quality (TCEQ) on April 15, 2014. Since then, three (3) extensions of time have been submitted on behalf of 281/46 Ridge, LLC and approved by the TCEQ. No activity has commenced on the project and the approval is currently set to expire on October 15, 2017.

281/46 Ridge, LLC continues to plan for construction of this development, but they are not prepared to begin construction at this time. Consequently, as provided for in the TCEQ regulations 30 TAC 213.23(g), we request approval of a six-month extension to the term of approval for the Bulverde Miller Tract. There are no changes or modifications proposed to the originally approved plan at this time. Attached you will find:

- Edwards Aquifer Application
- TCEQ Extension Request Form
- Copy of the Six-Month Extension Approval Letter
- Agent Authorization Form
- Fee Form
- Core Data Form
- Check in the amount of \$150

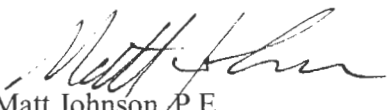
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NOV 02 2017

COUNTY ENGINEER

If you have questions regarding this request, please contact our office.

Sincerely,  
Pape-Dawson Engineers, Inc.

  
Matt Johnson, P.E.  
Sr. Vice President

#### Attachments

P:\75\79 05 Word\Reports CZP Extension\Extension 4 170928 4th Extension Request Letter.docx

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

San Antonio | Austin | Houston | Fort Worth | Dallas

Transportation | Water Resources | Land Development | Surveying | Environmental

2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

**EDWARDS AQUIFER  
APPLICATION COVER  
PAGE (TCEQ-20705)**

# Edwards Aquifer Application Cover Page

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## 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

1. 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>.

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in 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.
4. 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.

5. 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* (TCEQ-0585 Instructions).

## Technical Review

1. 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 TCEQ.



2. 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 jurisdictions.

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

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

<b>1. Regulated Entity Name:</b> Bulverde Miller Tract				<b>2. Regulated Entity No.:</b> 107123309			
<b>3. Customer Name:</b> 281/46 Ridge, LLC				<b>4. Customer No.:</b> 604526863			
<b>5. Project Type:</b> (Please circle/check one)	New	Modification		<u>Extension</u>	Exception		
<b>6. Plan Type:</b> (Please circle/check one)	WPAP	<u>CZP</u>	SCS	UST	AST	EXP	EXT
						Technical Clarification	Optional Enhanced Measures
<b>7. Land Use:</b> (Please circle/check one)	Residential	<u>Non-residential</u>			<b>8. Site (acres):</b>		27.02
<b>9. Application Fee:</b>	\$150	<b>10. Permanent BMP(s):</b>					
<b>11. SCS (Linear Ft.):</b>		<b>12. AST/UST (No. Tanks):</b>					
<b>13. County:</b>	Comal	<b>14. Watershed:</b>			Lewis Creek		



# 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/eapp/EAPP%20GWCD%20map.pdf](http://www.tceq.texas.gov/assets/public/compliance/field_ops/eapp/EAPP%20GWCD%20map.pdf)

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

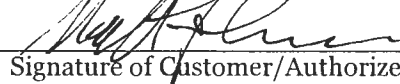
Austin Region			
County:	Hays	Travis	Williamson
Original (1 req.)	—	—	—
Region (1 req.)	—	—	—
County(ies)	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Barton Springs/ Edwards Aquifer <input type="checkbox"/> Hays Trinity <input type="checkbox"/> Plum Creek	<input type="checkbox"/> Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	<input type="checkbox"/> Austin <input type="checkbox"/> Buda <input type="checkbox"/> Dripping Springs <input type="checkbox"/> Kyle <input type="checkbox"/> Mountain City <input type="checkbox"/> San Marcos <input type="checkbox"/> Wimberley <input type="checkbox"/> Woodcreek	<input type="checkbox"/> Austin <input type="checkbox"/> Bee Cave <input type="checkbox"/> Pflugerville <input type="checkbox"/> Rollingwood <input type="checkbox"/> Round Rock <input type="checkbox"/> Sunset Valley <input type="checkbox"/> West Lake Hills	<input type="checkbox"/> Austin <input type="checkbox"/> Cedar Park <input type="checkbox"/> Florence <input type="checkbox"/> Georgetown <input type="checkbox"/> Jerrell <input type="checkbox"/> Leander <input type="checkbox"/> Liberty Hill <input type="checkbox"/> Pflugerville <input type="checkbox"/> Round Rock

San Antonio Region					
County:	Bexar	Comal	Kinney	Medina	Uvalde
Original (1 req.)	—	✓	—	—	—
Region (1 req.)	—	✓	—	—	—
County(ies)	—	✓	—	—	—
Groundwater Conservation District(s)	<input type="checkbox"/> Edwards Aquifer Authority <input type="checkbox"/> Trinity-Glen Rose	<input checked="" type="checkbox"/> Edwards Aquifer Authority <input checked="" type="checkbox"/> Comal-Trinity	<input type="checkbox"/> Kinney	<input type="checkbox"/> EAA Medina	<input type="checkbox"/> EAA Uvalde
City(ies) Jurisdiction	<input type="checkbox"/> Castle Hills <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Helotes <input type="checkbox"/> Hill Country Village <input type="checkbox"/> Hollywood Park <input type="checkbox"/> San Antonio (SAWS) <input type="checkbox"/> Shavano Park	<input checked="" type="checkbox"/> Bulverde <input type="checkbox"/> Fair Oaks Ranch <input type="checkbox"/> Garden Ridge <input type="checkbox"/> New Braunfels <input type="checkbox"/> Schertz	NA	<input type="checkbox"/> 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.

Matt Johnson, P.E.

Print Name of Customer/Authorized Agent



10/2/17

Signature of Customer/Authorized Agent

Date

**\*\*FOR TCEQ INTERNAL USE ONLY\*\***

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

RECEIVED

NOV 02 2017

COUNTY ENGINEER

**EXTENSION REQUEST  
FOR A CONTRIBUTING  
ZONE PLAN (TCEQ-10261)**

# Extension Request for a Contributing Zone Plan

Texas Commission on Environmental Quality

Relating to 30 TAC §213.23(g) Effective June 1, 1999

## ***Regulated Entity Information***

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

1. Regulated Entity Name: Bulverde Miller Tract

2. Customer (Applicant)

Contact Person: Mr. Balous Miller

Entity: 281/46 Ridge, LLC

Mailing Address: 430 S. Santa Rosa St.

City, State: San Antonio, Texas

Telephone: 210-225-4461

Email Address: N/A

RECEIVED

NOV 02 2017

Zip: 78207

Fax: 210-302-1533 COUNTY ENGINEER

3. Agent/Representative (if any):

Contact Person: Matt Johnson, P.E.

Entity: Pape-Dawson Engineers, Inc.

Mailing Address: 2000 NW Loop 410

City, State: San Antonio, Texas

Telephone: 210-375-9000

Email Address: mjohnson@pape-dawson.com

Zip: 78213

Fax: 210-375-9010

## ***Extension Request***

4. ☒ **Attachment A - Approval Letter or Extension Approval.** Attach a copy of the last approval letter or the last approved extension.

Date of letter: May 4, 2017

Expiration date: October 15, 2017

5. ☒ 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. ☒ A completed fee form is attached. The fee for a six-month extension of time is \$150.

## ***Signature***

Print Name of Customer/Agent: Matt Johnson, P.E.

Date: 10/2/17

Signature of Customer/Agent:



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**ATTACHMENT A**



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



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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 4, 2017

Mr. Balous T. Miller  
281/46 Ridge, LLC  
430 S. Santa Rosa St.  
San Antonio, Texas 78207

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Bulverde Miller Tract; Located at the northeast corner of US Hwy 281 and SH 45; Bulverde, Texas

TYPE OF PLAN: Request for Extension of Time to Commence Regulated Activities Authorized by a Contributing Zone Plan (CZP); 30 Texas Administrative code (TAC) Chapter 213; Edwards Aquifer

Regulated Entity No. RN107123309; Additional ID No. 13-14021304

Dear Mr. Miller:

On April 11, 2017, the Texas Commission on Environmental Quality (TCEQ) received your request for an extension of time to commence regulated activities related to the above referenced CZP 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:	April 15, 2014
Date of Expiration:	April 15, 2016
Date Extension Request Received	Date of Extension Expiration
April 7, 2016	October 15, 2016
October 7, 2016	April 15, 2017
April 11, 2017	October 15, 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

Mr. Balous T. Miller  
May 4, 2017  
Page 2

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 October 15, 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.

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 Andra Nava-Garcia of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4052.

Sincerely,



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

LB/ANG/eg

cc: Mr. Matt Johnson, P.E., Pape-Dawson Engineers, Inc.  
Mr. Roland Ruiz, Edwards Aquifer Authority  
Mr. Thomas Hornseth, P.E., Comal County Engineer  
The Honorable Bill Krawietz, City of Bulverde  
Mr. H. L. Saur, Comal Trinity GWCD

**AGENT AUTHORIZATION  
FORM (TCEQ-0599)**

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

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I **Balous T. Miller** COUNTY ENGINEER  
Print Name

**Owner**  
Title - Owner/President/Other

of **281/46 Ridge, LLC.**  
Corporation/Partnership/Entity Name

have authorized **Pape-Dawson Engineers, Inc.**  
Print Name of Agent/Engineer

of **Pape-Dawson Engineers, 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:

Balou Miller  
Applicant's Signature

9/25/17  
Date

THE STATE OF Texas §  
County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Balou Miller 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 25 day of September, 2017.



Christina L. Casiano  
NOTARY PUBLIC  
Christina L. Casiano  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: August 11, 2018



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# APPLICATION FEE FORM (TCEQ-0574)

# Application Fee Form

## Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: Bulverde Miller Tract

Regulated Entity Location: Northeast of the intersection of US Hwy. 281 and State Hwy. 46

Name of Customer: 281/46 Ridge, LLC

Contact Person: Balous Miller

Phone: 210-225-4461

Customer Reference Number (if issued): CN 604526863

Regulated Entity Reference Number (if issued): RN 107123309

### Austin Regional Office (3373)

☐ Hays

☐ Travis

☐ Williamson

### San Antonio Regional Office (3362)

☐ Bexar

☐ Medina

☐ Uvalde

☒ Comal

☐ Kinney

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to:

☐ Austin Regional Office

☒ San Antonio Regional Office

☐ Mailed to: TCEQ - Cashier

☐ Overnight Delivery to: TCEQ - Cashier

Revenues Section

Mail Code 214

P.O. Box 13088

Austin, TX 78711-3088

12100 Park 35 Circle

Building A, 3rd Floor

Austin, TX 78753

(512)239-0357

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### Site Location (Check All That Apply):

☐ Recharge Zone

☒ Contributing Zone

☐ Transition Zone

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Type of Plan	Size	Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	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 Storage Tank Facility	Tanks	\$
Piping System(s)(only)	Each	\$
Exception	Each	\$
Extension of Time	1 Each	\$ 150

Signature: [Signature]

Date: 10/2/17

# 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***

<b><i>Project</i></b>	<b><i>Project Area in Acres</i></b>	<b><i>Fee</i></b>
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, multi-family residential, schools, and other sites where regulated activities will occur)	< 1	\$3,000
	1 < 5	\$4,000
	5 < 10	\$5,000
	10 < 40	\$6,500
	40 < 100	\$8,000
	≥ 100	\$10,000

### ***Organized Sewage Collection Systems and Modifications***

<b><i>Project</i></b>	<b><i>Cost per Linear Foot</i></b>	<b><i>Minimum Fee- Maximum Fee</i></b>
Sewage Collection Systems	\$0.50	\$650 - \$6,500

### ***Underground and Aboveground Storage Tank System Facility Plans and Modifications***

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

### ***Exception Requests***

<b><i>Project</i></b>	<b><i>Fee</i></b>
Exception Request	\$500

### ***Extension of Time Requests***

<b><i>Project</i></b>	<b><i>Fee</i></b>
Extension of Time Request	\$150



# 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

1. Reason for Submission (If other is checked please describe in space provided.)		
<input type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
<input checked="" type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)		<input type="checkbox"/> Other
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in <b>Central Registry**</b>	3. Regulated Entity Reference Number (if issued)
CN 604526863		RN 107123309

## SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input type="checkbox"/> New Customer <input type="checkbox"/> Update to Customer Information <input type="checkbox"/> Change in Regulated Entity Ownership			
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)			
<b>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).</b>			
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 applicable)
11. Type of Customer:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Individual	Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role (Proposed or Actual) - as it relates to the Regulated Entity listed on this form. Please check one of the following:			
<input type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Owner & Operator			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:			
City	State	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)	
( ) -		( ) -	

## SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If "New Regulated Entity" is selected below this form should be accompanied by a permit application)	
<input type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information	
<b>The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).</b>	
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)	



23. Street Address of the Regulated Entity: (No PO Boxes)							
	City		State		ZIP		ZIP + 4
24. County							

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:							
26. Nearest City					State		Nearest ZIP Code
27. Latitude (N) In Decimal:			28. Longitude (W) In Decimal:				
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		
29. Primary SIC Code (4 digits)		30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)	
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)							
34. Mailing Address:							
		City		State		ZIP	
35. E-Mail Address:							
36. Telephone Number			37. Extension or Code		38. Fax Number (if applicable)		
( ) -					( ) -		

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

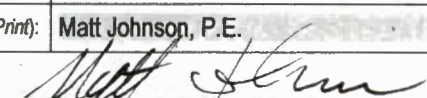
<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input checked="" type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

#### SECTION IV: Preparer Information

40. Name: Jean Pritchett, EIT, CESSWI		41. Title: Engineer III	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
( 210 ) 375 - 9000		( 210 ) 375 - 9010	jpritchett@pape-dawson.com

#### SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	Pape-Dawson Engineers, Inc.	Job Title:	Sr. Vice President
Name(In Print):	Matt Johnson, P.E.	Phone:	( 210 ) 375 - 9000
Signature:		Date:	