Jon Niermann, *Chairman* Emily Lindley, *Commissioner* Bobby Janecka, *Commissioner* Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 4, 2020

Mr. Ben Scott HEB Grocery Company, LP 646 South Flores Street San Antonio, Texas 78204

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Descending Dove Hills Commercial; Located approximately 0.15 miles East of Highway 281 and SH-46; Bulverde, Texas

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

Regulated Entity No. RN103117438; Additional ID No. 13001118;

Dear Mr. Scott:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of HEB Grocery Company, LP on April 14, 2020. Final review of the CZP was completed after additional material was received on May 26, 2020. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.

BACKGROUND

The first Contributing Zone Plan (CZP) for this site was approved December 21, 1999 for the HEB Bulverde CZP with stormwater treatment provided by a single chamber sedimentation filtration basin. This plan was modified June 11, 2010 as the Descending Dove Hills Commercial CZP Modification.

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

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

Mr. Ben Scott Page 2 June 4, 2020

PROJECT DESCRIPTION

The proposed commercial project will have an area of approximately 24.85 acres. It will include clearing, grading, excavation, installation of drainage improvements and replacement of the existing sedimentation filtration basin with one batch detention basin. The impervious cover will be 17.54-acres (70.58 percent). Project wastewater will be disposed of by conveyance to the existing SJWTX, Inc. Water Recycling Center owned by SJWTX, Inc.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, one batch detention basin, designed using the TCEQ technical guidance document, <u>Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005</u>), will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 15,744 pounds of TSS generated from the 17.54-acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

SPECIAL CONDITIONS

- I. This modification is subject to all Special and Standard Conditions listed in the CZP approval letters dated December 21, 1999 and June 11, 2010.
- II. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

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

Mr. Ben Scott Page 3 June 4, 2020

> 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 ensure 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

Mr. Ben Scott Page 4 June 4, 2020

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 Don Vandertulip, PE, BCEE of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4057.

Sincer<u>e</u>ly,

Robert Sadlier, Section Manager Edwards Aquifer Protection Program Texas Commission on Environmental Quality

RCS/dv

Enclosures: Change in Responsibility for Maintenance of Permanent BMPs, Form TCEQ-10263

cc: Ms. Shauna Weaver, PE, Pape-Dawson Engineers, Inc. Mr. Thomas H. Hornseth, PE, Comal County Mr. Roland Ruiz, Edwards Aquifer Authority The Honorable Bill Krawietz, City of Bulverde

Change in Responsibility for Maintenance on Permanent Best Management Practices and Measures

The applicant is no longer responsible for maintaining the permanent best management practice (BMP) and other measures. The project information and the new entity responsible for maintenance is listed below.

Customer:		
Regulated Entity Name	:	
Site Address:		
City, Texas, Zip:		
County:		
Approval Letter Date:		
BMPs for the project:		
New Responsible Party		
Name of contact:		
Mailing Address:		
City, State:		_ Zip:
Telephone:	FAX:	

Signature of New Responsible Party

Date

I acknowledge and understand that I am assuming full responsibility for maintaining all permanent best management practices and measures approved by the TCEQ for the site, until another entity assumes such obligations in writing or ownership is transferred.

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

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

TCEQ-10263 (10/01/04)

DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan Application Modification II

April 2020

DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan Application Modification II



April 2020

TBPE, Firm Registration # 470 | TBPLS, Firm Registration # 10028800





April 6, 2020

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

Re: Descending Dove Hills Commercial Contributing Zone Plan Application Modification II

Dear Mr. Sadlier:

Please find attached one (1) original, one (1) copy, and one (1) digital copy of the Descending Dove Hills Commercial Contributing Zone Plan Application Modification II. This Contributing Zone Plan Modification II has been prepared in accordance with the Texas Administrative Code (30 TAC 213) and current policies for development over the Edwards Aquifer Contributing Zone.

This Contributing Zone Application Modification II applies to an approximately 24.85-acre site as identified by the project limits. Please review the plan information for the items it is intended to address. If acceptable, please 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 form are included. If you have questions or require additional information, please call our office.

Sincerely, Pape-Dawson Engineers, Inc.

Shaura L. Wleaver

Shauna Weaver, P.E. Sr. Vice President

Attachments

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 TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

 San Antonio | Austin | Houston | Fort Worth | Dallas

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EDWARDS AQUIFER APPLICATION COVER PAGE

Texas Commission on Environmental Quality Edwards Aquifer Application Cover Page

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 <u>30 TAC 213</u>.

Administrative Review

1. <u>Edwards Aquifer applications</u> 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: <u>http://www.tceq.texas.gov/field/eapp</u>.

- 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 will be denied. Please note that because the technical review is underway, whether the application is withdrawn or denied **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:

- If the technical review has begun your application can be denied/withdrawn, your fees will be forfeited, and the plan will have to be resubmitted.
- 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 denied/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 affected 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.

1. Regulated Entity Name:				2. Regulated Entity No.:					
3. Customer Name:			4. Customer No.:						
5. Project Type: (Please circle/check one)	New		Modif	Modification Extension		Exception			
6. Plan Type: (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: (Please circle/check one)	Resider	ntial	Non-residential				8. Sit	e (acres):	
9. Application Fee:			10. Permanent BMP(s)			s):			
11. SCS (Linear Ft.):			12. AST/UST (No. Tanks			nks):			
13. County:			14. W	aters	hed:				

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

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)	Edwards Aquifer Authority Barton Springs/ Edwards Aquifer Hays Trinity Plum Creek	Barton Springs/ Edwards Aquifer	NA				
City(ies) Jurisdiction	Austin Buda Dripping Springs Kyle Mountain City San Marcos Wimberley Woodcreek	Austin Bee Cave Pflugerville Rollingwood Round Rock Sunset Valley West Lake Hills	Austin Cedar Park Florence Georgetown Jerrell Leander Liberty Hill Pflugerville Round Rock				

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

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

Print Name of Customer/Authorized Agent Signature of Customer/Authorized Agent

Date

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

MODIFICATION TO A PREVIOUSLY APPROVED PLAN

Modification of a Previously Approved Plan

Texas Commission on Environmental Quality

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

To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.

Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.

Signature

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

Print Name of Customer/Agent: Shauna Weaver, P.E.

Date: <u>4/7/</u>20

Signature of Customer/Agent:

Shaura L. Weaver

Project Information

 Current Regulated Entity Name: <u>Descending Dove Hills Commercial</u> Original Regulated Entity Name: <u>H.E.B. Bulverde</u> Regulated Entity Number(s) (RN): <u>103117428</u> Edwards Aquifer Protection Program ID Number(s): 1372.00

The applicant has not changed and the Customer Number (CN) is:

- The applicant or Regulated Entity has changed. A new Core Data Form has been provided.
- 2. Attachment A: Original Approval Letter and Approved Modification Letters. A copy of the original approval letter and copies of any modification approval letters are attached.

- 3. A modification of a previously approved plan is requested for (check all that apply):
 - Physical or operational modification of any water pollution abatement structure(s) including but not limited to ponds, dams, berms, sewage treatment plants, and diversionary structures;
 - Change in the nature or character of the regulated activity from that which was originally approved or a change which would significantly impact the ability of the plan to prevent pollution of the Edwards Aquifer;
 - Development of land previously identified as undeveloped in the original water pollution abatement plan;

Physical modification of the approved organized sewage collection system;

Physical modification of the approved underground storage tank system;

Physical modification of the approved aboveground storage tank system.

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

WPAP Modification	Approved Project	Proposed Modification
Summary		
Acres	<u>29</u>	<u>24.85</u>
Type of Development	<u>Commercial</u>	<u>Commercial</u>
Number of Residential	<u>N/A</u>	<u>N/A</u>
Lots		
Impervious Cover (acres)	<u>16.95</u>	<u>17.54</u>
Impervious Cover (%	<u>58.44</u>	<u>70.58</u>
Permanent BMPs	One (1) Sand Filter Basin	<u>One (1) Batch Basin</u>
Other		
SCS Modification	Approved Project	Proposed Modification
Summary		
Linear Feet		
Pipe Diameter		
Other		

AST Modification	Approved Project	Proposed Modification
Summary		
Number of ASTs		
Volume of ASTs		
Other		
UST Modification	Approved Project	Proposed Modification
ost woujication	Approved Hojeet	r roposed widdijiedtion
Summary		rioposed moujication
-		
Summary		

- 5. Attachment B: Narrative of Proposed Modification. A detailed narrative description of the nature of the proposed modification is attached. It discusses what was approved, including any previous modifications, and how this proposed modification will change the approved plan.
- 6. Attachment C: Current Site Plan of the Approved Project. A current site plan showing the existing site development (i.e., current site layout) at the time this application for modification is attached. A site plan detailing the changes proposed in the submitted modification is required elsewhere.
 - The approved construction has not commenced. The original approval letter and any subsequent modification approval letters are included as Attachment A to document that the approval has not expired.
 - The approved construction has commenced and has been completed. Attachment C illustrates that the site was constructed as approved.
 - The approved construction has commenced and has been completed. Attachment C illustrates that the site was **not** constructed as approved.

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

- The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was **not** constructed as approved.
- 7. The acreage of the approved plan has increased. A Geologic Assessment has been provided for the new acreage.
 - Acreage has not been added to or removed from the approved plan.
- 8. 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.

ATTACHMENT A

Robert J. Huston, *Chairman* R. B. "Ralph" Marquez, *Commissioner* John M. Baker, *Commissioner* Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

December 21, 1999

DEC 2 2 1999

FILE

Mr. Todd Piland Senior Vice President H.E. Butt Grocery Company 646 South Main Ave. San Antonio, TX 78204-1210

 Re: <u>Edwards Aquifer</u>, Comal County NAME OF PROJECT: H.E.B. Bulverde; Located on the southwest corner of State Highway 46 and Old Boerne Road; 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 Edwards Aquifer Protection Program File No. 1372.00

Dear Mr. Piland:

The Texas Natural Resource Conservation Commission (TNRCC) received the CZP application for the referenced project submitted to the San Antonio Regional Office by David M. McBeth, P.E., on behalf of H.E. Butt Grocery Company on October 20, 1999. As presented to the Texas Natural Resource Conservation Commission (TNRCC), the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed, and dated by a Texas Licensed Professional Engineer. Final review of the application was not completed within fifteen days; therefore, as required by 30 TAC §213.23(e)(3), approval of this Contributing Zone Plan application was granted. This approval is 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 Contributing Zone Plan. A motion for reconsideration must be filed no later than 20 days after the approval date. *This approval expires in two (2) years unless, prior to the expiration date, more than 10% of the construction has commenced on the project or an extension of time has been requested.*

PROJECT DESCRIPTION

The proposed commercial project will be located on 29 acres and will consist of the construction of an H.E.B grocery store, a commercial shopping complex (approximately 153,150 square feet) and approximately 585,011 square feet of associated parking. The proposed impervious cover for the development is approximately 16.95 acres (67.4% of the total area of the site).

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

Mr. Todd Piland December 15, 1999 Page 2

PERMANENT POLLUTION ABATEMENT MEASURES

The following measures will be taken to prevent pollution of stormwater originating on-site or up-gradient from the project site and potentially flowing across and off the site after construction:

- A partial sedimentation/filtration basin has been designed in accordance with the TNRCC Technical Guidance on Best Management Practices manual and is sized to capture the first 0.71 inches of stormwater run-off from 25.15 acres, providing a total capture volume of 77,782 cubic feet. The filtration system will consist of:
 - 1. 7,292 square feet of sand, which is 18 inches thick,
 - 2. an underdrain piping covered with geotextile fabric, and
 - 3. an impervious liner.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

- 2. 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 until all regulated activities are completed.
- 3. 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.
- 4. The applicant must provide written notification of intent to commence construction of the referenced project. Notification must be submitted to the Austin Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the date on which the regulated activity will commence, the name of the approved plan and file number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person.
- 5. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved 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 TNRCC may monitor

Mr. Todd Piland December 15, 1999 Page 3

> 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:

- 6. 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.
- 7. 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).
- 8. 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.
- 9. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

- 10. 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.
- 11. 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 (TNRCC-10263) is enclosed.

Mr. Todd Piland December 15, 1999 Page 4

- 12. 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.
- 13. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50% of the total construction has not been completed within ten years from the initial approval of a plan. A new 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.
- 14. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact Tom Gutierrez of the Edwards Aquifer Protection Program of the San Antonio Regional Office 210-403-4025.

Sincenely,

Jeffrey A. Saitas, P.E. Executive Director Texas Natural Resource Conservation Commission

JAS/TG/eg

Enclosure: Change in Responsibility for Maintenance on Permanent BMPs-Form TNRCC-10263

 cc: Mr. David McBeth, Pape-Dawson Engineering, Inc. Mr. Tom Hornseth, Comal County
 Mr. Greg Ellis, Edwards Aquifer Authority
 Mr. John Bohuslav, TXDOT San Antonio District
 TNRCC Field Operations, Austin, Texas Bryan W. Shaw, Ph.D., *Chairman* Buddy Garcia, *Commissioner* Carlos Rubinstein, *Commissioner* Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 11, 2010

Mr. William A. Reynolds HEB Grocery Company, Inc. 646 South Main Avenue San Antonio, Texas 78204

Re: Edwards Aquifer, Comal County
 NAME OF PROJECT: Descending Dove Hills Commercial; Located on the south side of State
 Highway 46 south of Windmill Ranch Road; Spring Branch, Texas
 TYPE OF PLAN: Request for Modification of an Approved Contributing Zone Plan (CZP); 30
 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer
 Edwards Aquifer Protection Program ID No. 1372.02; Investigation No. 796859; Regulated
 Entity No. RN103117438

Dear Mr. Reynolds:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP modification for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc., on behalf of HEB Grocery Company, Inc., on March 17, 2010. Final review of the CZP was completed after additional material was received on May 5, 2010, June 3, 2010, June 9, 2010 and June 10, 2010. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. 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.*

3

BACKGROUND

By letter dated December 21, 1999, approval was granted for a proposed commercial project that is located on 29 acres and consisted of construction of an H.E.B., grocery store, a commercial shopping complex (approximately 153,150 square feet), a partial sedimentation/filtration basin and approximately 585,011 square feet of associated parking. The proposed impervious cover for the development is 16.95 acres (67.4 percent) of the total area of the site.

The development was permitted under a Contributing Zone Plan (CZP) entitled "H.E.B. Bulverde" (EAPP No. 1372.00).

REPLY TO: REGION 13 • 14250 JUDSON RD. • SAN ANTONIO, TEXAS 78233-4480 • 210-490-3096 • FAX 210-545-4329

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

EXHIBIT A (Dage 1 of 5)

PROJECT DESCRIPTION

The site limits are approximately 62.58 acres, of which, the expansion project encompasses 34.25 acres. It will include a new HEB grocery store, restaurant/retail space and associated parking. Approximately 33.58 acres of the 34.25 acre project limits is an existing development containing 9 residential and commercial structures with associated storage sheds, pump houses, playgrounds, 9 on-site sewage facilities, and a pool. The demolition of existing structures is on going. The site for the first phase of the HEB development consists of three (3) buildings, a fueling station, carwash and associated parking. The impervious cover will be 20.83 acres (61 percent). Project wastewater will be disposed of by conveyance to the existing Bulverde-BexarMet Water Recycling Center owned by the Bexar Metropolitan Water District.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two partial sedimentation/filtration basins and two Vortech units, designed using the TCEQ technical guidance document, <u>Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices</u> (2005), will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 27,575 pounds of TSS generated from the 20.83 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

3

Drainage	Total	Existing	Proposed	Calc.	Design	Calc.Filter	Design	Min. TSS	Design
Area/Basin	Watershed	I.C.	I.C.	Min.	Capture	Area	Filter	Removal	TSS
	Area (ac.)	(ac)	(a.c)	Capture	Volume	(sq.ft)	Area	(lb/yr.)	Removal
				Volume	(cu.ft)		(sq.ft)		(lb./yr.)
				(cu.ft)					
Basin A	12.12	0.31	11.51	56,506	62,394	5,651	5,685	10,056.71	11,710.16
Basín B	5.24	1.26	4.98	25,492	26,057	2,549	2,892	3,337.28	5,062.81
Exist. Basin*	0.41	0.00	0.41	77,782	77,969	7,292	9,326	11,243.37	11,243.37
Vortech C	1.62	0.06	1.54	-	-	-	-	1,328.00	1,442.11
Vortech D	1.14	0.46	1.08	-	-	-	-	559.00	1,014.82
Open Space - Landscaping**	12.34	0.00	0.00	-	-	-	-	0.00	0.00
Total Uncaptured***	1.38	0.14	1.31	-	-	-		1,051.09	-
		Acres 1							
Total	34.25	2.23	20.83					27,575.45	30,473.27

* Note, the figures listed on this table apply only to the area within the project limits

** Areas that do not contain impervious cover

*** Total Uncaptured Area = Area F, G & H; Overtreatment provided in Basin B

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.

- II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated December 21, 1999.
- III. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.
- IV. All sediment and/or media removed from the water quality basins and vortech units during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.
- V. Activities observed during the site assessment investigation, conducted on May 25, 2010, are alleged to constitute construction without prior approval of the proposed contributing zone plan as required by Commission rules (30 TAC Chapter 213, Sub-Chapter B). Therefore, the applicant is hereby advised that the after-the-fact approval of the development, as provided by this letter, shall not absolve the applicant of any prior violations of Commission rules related to this project, and shall not necessarily preclude the Commission from pursuing appropriate enforcement actions and administrative penalties associated with such violations, as provided in 30 TAC §213.10 of Commission rules.

STANDARD CONDITIONS

 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.

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- 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.

EXHIBIT A (page 3 of 5)

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).

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- 10. Intentional discharges of sediment laden storm water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.
- 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.

EXHIBIT A (page 4 of 5)

- 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.

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If you have any questions or require additional information, please contact Stacy Tanner of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403-4078.

Sincerely,

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

MRV/SMT/eg

Enclosures: Deed Recordation Affidavit, Form TCEQ-0625A Change in Responsibility for Maintenance of Permanent BMPs, Form TCEQ-10263

 Ms. Shauna L. Weaver, P.E., Pape-Dawson Engineers, Inc. The Honorable Bill Krawietz, City of Bulverde Mr. Tom Hornseth, P.E., Comal County Mr. Karl J. Dreher, Edwards Aquifer Authority TCEQ Central Records, Building F, MC212

EXHIBIT À (page 5 of 5)

Filed and Recorded Official Public Records Joy Streater, County Clerk Comal County: Texas 08/06/2010 01:48:15 PM CASHTHREE 201006025870

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Joy Streater

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ATTACHMENT B

DESCENDING DOVE HILLS COMMERCIAL Modification of a Previously Approved Plan (TCEQ-0590)

Attachment B – Modification Summary

This Contributing Zone Plan Modification II for Descending Dove Hills Commercial proposes the modification of one (1) existing sand filter basin into one (1) batch detention basin. The project site is located within the City of Bulverde in Comal County, Texas. The site is located entirely over the Edwards Aquifer Contributing Zone. Only 0.93 Acres of the proposed 24.85acre project area will be disturbed as a result of this basin modification.

The proposed site will remain as commercial. Commercial developments associated with the original CZP approved in 1999 and the first CZP modification approved in 2010 were constructed as planned and remain operational. This second modification proposes demolition and reconstruction of the original sand-filtration basin approved in 1999.

This CZP modification proposes clearing, grading, excavation and installation of drainage improvements for this basin modification. 4.73 acres of impervious cover is proposed with this CZP however this basin modification will be including 0.39 acres of additional impervious cover previously approved with the Descending Dove Hills Commercial Contributing Zone Plan Modification I approved on June 11, 2010 and 12.42 acres of impervious cover approved with the HEB Bulverde Contributing Zone Plan approved on December 21, 1999. Approximately 17.54 acres of total impervious cover is included with this project and treated by the proposed batch detention basin, or 70.58% of the 24.85-acre site.

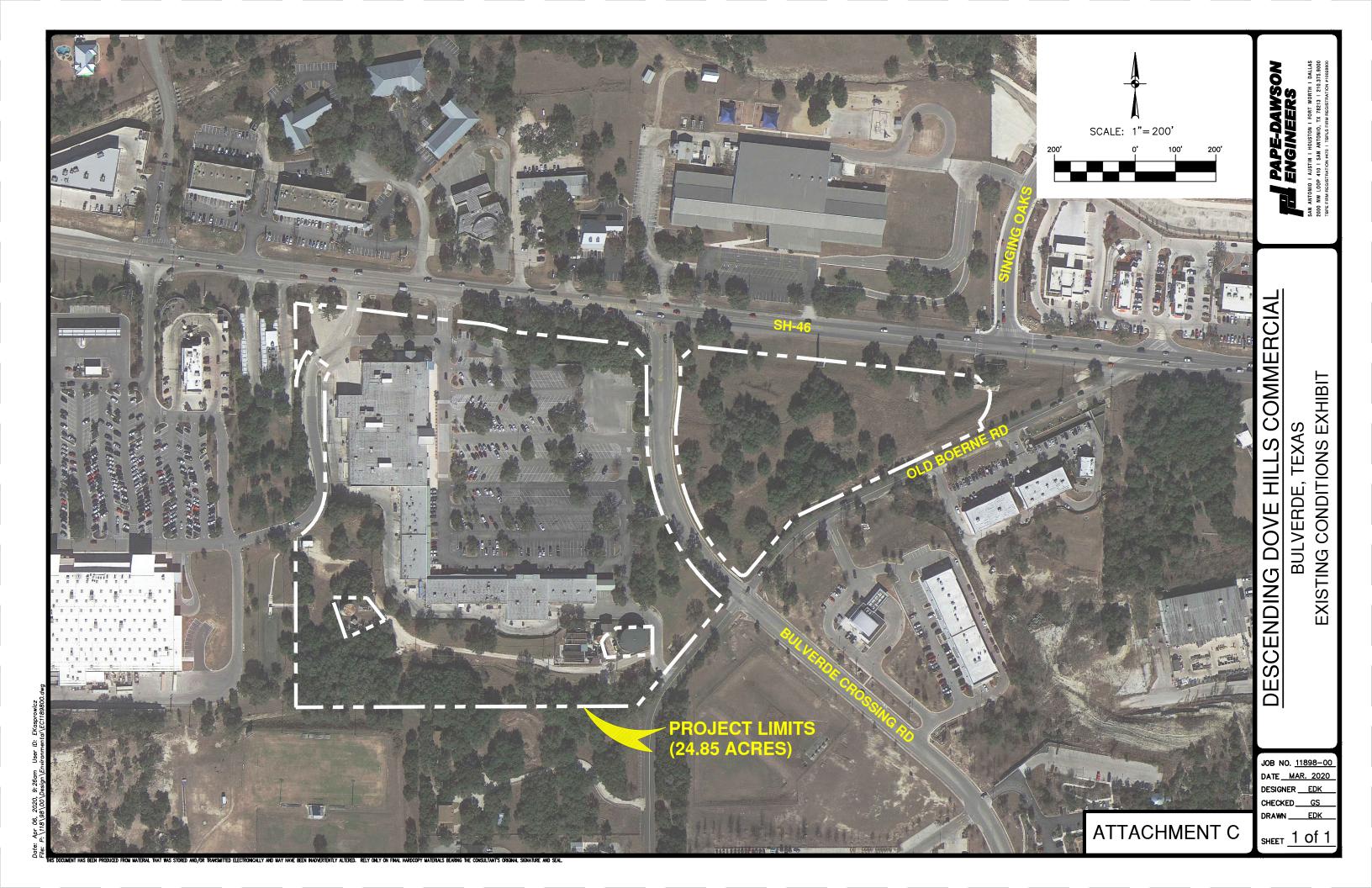
The permanent BMPs for this CZP is one (1) proposed batch detention basin which has been designed in accordance with the TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) to remove 80% of the increase in Total Suspended Solids (TSS) from the site. See TSS Treatment Summary Table for details.

Since this project is located entirely over the Edwards Aquifer Contributing Zone, a Geological Assessment was not conducted and is not required by 30 TAC 213 regulations. Therefore, no naturally-occurring sensitive features are known to exist on the site.

Potable water will be supplied by the Canyon Lake Water Supply Company (CLWSC). The proposed development will generate approximately 22,000 gallons per day (average flow) of domestic wastewater. Wastewater will be disposed of by conveyance to an onsite wastewater treatment facility owned by SJWTX, Inc.



ATTACHMENT C



CONTRIBUTING ZONE PLAN APPLICATION

Contributing Zone Plan Application

Texas Commission on Environmental Quality

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

To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.

Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.

Signature

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:

Print Name of Customer/Agent: Shauna Weaver, P.E.

Date: 4/7/20

Signature of Customer/Agent:

Shauna L. Weaver

Regulated Entity Name: Descending Dove Hills Commercial

Project Information

- 1. County: Comal
- 2. Stream Basin: Lewis Creek
- 3. Groundwater Conservation District (if applicable): Comal Trinity, Edwards Aquifer Authority
- 4. Customer (Applicant):

Contact Person: <u>Ben Scott</u> Entity: <u>H-E-B, LP.</u> Mailing Address: <u>646 South FLores Street</u> City, State: <u>San Antonio, Texas</u> Telephone: <u>(210) 938-0722</u> Email Address: <u>scott.ben@heb.com</u>

Zip: <u>78204</u> Fax: _____

TCEQ-10257 (Rev. 02-11-15)

1 of 11

5. Agent/Representative (If any):

Contact Person: <u>Shauna Weaver, P.E.</u> Entity: <u>Pape-Dawson Engineers, Inc.</u> Mailing Address: <u>2000 NW Loop 410</u> City, State: <u>San Antonio, Texas</u> Telephone: <u>(210) 375-9000</u> Email Address: <u>sweaver@pape-dawson.com</u>

Zip: <u>78213</u> Fax: <u>(210) 375-9010</u>

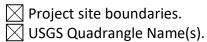
6. Project Location:

The project site is located inside the city limits of <u>Bulverde</u>.

- The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of _____.
- The project site is not located within any city's limits or ETJ.
- 7. 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 approximately 2.5 miles north on Judson Road to
Loop 1604. Turn left onto Loop 1604 and travel approximately 5 miles to U.S. Hwy
281. Exit right onto U.S. 281 and travel north approximately 13.1 miles to the exit for
SH-46. Turn left and proceed west on SH-46 and travel approximately 0.15 miles.
The project site is located at the southwest corner of Old Boerne Road and SH-46 in
<u>Bulverde, TX .</u>

- 8. Attachment A Road Map. A road map showing directions to and the location of the project site is attached. The map clearly shows the boundary of the project site.
- 9. Attachment B USGS Quadrangle Map. A copy of the official 7 ½ minute USGS Quadrangle Map (Scale: 1" = 2000') is attached. The map(s) clearly show:



10. Attachment C - Project Narrative. A detailed narrative description of the proposed project is attached. The project description is consistent throughout the application and contains, at a minimum, the following details:

Area of the site
 Offsite areas
 Impervious cover
 Permanent BMP(s)
 Proposed site use
 Site history
 Previous development
 Area(s) to be demolished

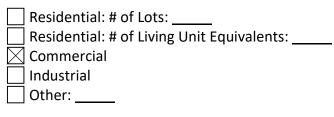
- 11. Existing project site conditions are noted below:
 - Existing commercial site
 - Existing industrial site

____ Existing residential site

- Existing paved and/or unpaved roads
- Undeveloped (Cleared)
- Undeveloped (Undisturbed/Not cleared)

Other:	

12. The type of project is:



13. Total project area (size of site): 26.27 Acres

Total disturbed area: 26.27 Acres

- 14. Estimated projected population: N/A
- 15. The amount and type of impervious cover expected after construction is complete is shown below:

 Table 1 - Impervious Cover

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	114,562.8	÷ 43,560 =	2.63
Parking	649,479.6	÷ 43,560 =	14.91
Other paved surfaces		÷ 43,560 =	
Total Impervious Cover	764,042.4	÷ 43,560 =	17.54

Total Impervious Cover <u>17.54</u> ÷ Total Acreage <u>24.85</u> X 100 = <u>70.58</u>% Impervious Cover

- 16. Attachment D Factors Affecting Surface Water Quality. A detailed description of all factors that could affect surface water quality is attached. If applicable, this includes the location and description of any discharge associated with industrial activity other than construction.
- 17. 🛛 Only inert materials as defined by 30 TAC 330.2 will be used as fill material.

For Road Projects Only

Complete questions 18 - 23 if this application is exclusively for a road project.

N/A

- 18. 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. 19. Type of pavement or road surface to be used: Concrete Asphaltic concrete pavement Other: 20. Right of Way (R.O.W.): Length of R.O.W.: _____ feet. Width of R.O.W.: feet. $L \times W = Ft^2 \div 43,560 Ft^2/Acre = acres.$ 21. Pavement Area: Length of pavement area: _____ feet. Width of pavement area: ______ feet. $L x W = ___Ft^2 \div 43,560 Ft^2/Acre = ____acres.$ Pavement area _____ acres ÷ R.O.W. area _____ acres x 100 = ____% impervious cover. 22. A rest stop will be included in this project. A rest stop will not be included in this project. 23. 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

Stormwater to be generated by the Proposed Project

lane require prior approval from the TCEQ.

24. Attachment E - Volume and Character of Stormwater. A detailed description of the volume (quantity) and character (quality) of the stormwater runoff which is expected to occur from the proposed project is attached. The estimates of stormwater runoff quality and quantity are based on area and type of impervious cover. Include the runoff coefficient of the site for both pre-construction and post-construction conditions.

Wastewater to be generated by the Proposed Project

25. 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.

🗌 N/A

26. Wastewater will be disposed of by:

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 (authorized agent) written approval is attached. 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.

Each lot in this project/development is at least one (1) acre (43,560 square feet) in size. The system will be designed by a licensed professional engineer or registered sanitarian and installed by a licensed installer in compliance with 30 TAC Chapter 285.

Sewage Collection System (Sewer Lines):

The sewage collection system will convey the wastewater to the <u>Onsite</u> (name) Treatment Plant. The treatment facility is:

Existing.

___ N/A

Permanent Aboveground Storage Tanks(ASTs) ≥ 500 Gallons

Complete questions 27 - 33 if this project includes the installation of AST(s) with volume(s) greater than or equal to 500 gallons.

N/A

27. Tanks and substance stored:

Table 2 - Tanks and Substance Storage

AST Number	Size (Gallons)	Substance to be Stored	Tank Material
1			
2			
3			

AST Number	Size (Gallons)	Substance to be Stored	Tank Material
4			
5			

Total x 1.5 = ____ Gallons

- 28. 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.
 - Attachment G Alternative Secondary Containment Methods. Alternative methods for providing secondary containment are proposed. Specifications showing equivalent protection for the Edwards Aquifer are attached.

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

Table 3 - Secondary Containment

Length (L)(Ft.)	Width(W)(Ft.)	Height (H)(Ft.)	L x W x H = (Ft3)	Gallons

Total: _____ Gallons

30. Piping:

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

- 31. 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:
- 32. Attachment H AST Containment Structure Drawings. A scaled drawing of the containment structure is attached that shows the following:

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

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Dispenser clearly labeled

33. 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.



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 Requirements

Items 34 - 46 must be included on the Site Plan.

34. \boxtimes The Site Plan must have a minimum scale of 1" = 400'.

Site Plan Scale: 1" = 100'.

35. 100-year floodplain boundaries:

Some part(s) of the project site is located within the 100-year floodplain. The floodplain is shown and labeled.

 $|\times|$ 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 Panel Number 48091C0220F, dated September 2, 2009.

36. \boxtimes 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.

- 37. \square A drainage plan showing all paths of drainage from the site to surface streams.
- 38. 🖂 The drainage patterns and approximate slopes anticipated after major grading activities.
- 39. \square Areas of soil disturbance and areas which will not be disturbed.
- 40. 🖂 Locations of major structural and nonstructural controls. These are the temporary and permanent best management practices.
- 41. 🛛 Locations where soil stabilization practices are expected to occur.
- 42. \boxtimes Surface waters (including wetlands).
 - N/A

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- 43. Locations where stormwater discharges to surface water.
 - There will be no discharges to surface water.
- 44. Temporary aboveground storage tank facilities.

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

45. Permanent aboveground storage tank facilities.

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

46. \square Legal boundaries of the site are shown.

Permanent Best Management Practices (BMPs)

Practices and measures that will be used during and after construction is completed.

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

🗌 N/A

48. 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: _____.

🗌 N/A

49. 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.

🗌 N/A

50. 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.

The site will be used for low density single-family residential development and has 20% or less impervious cover.

The site will be used for low density single-family residential development but has more than 20% impervious cover.

The site will not be used for low density single-family residential development.

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

Attachment I - 20% or Less Impervious Cover Waiver. The 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 attached.

The site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.

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

52. X 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 attached.

No surface water, groundwater or stormwater originates upgradient from the site and flows across the site, and an explanation is attached.

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, and an explanation is attached.

53. X 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 attached.

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, and an explanation is attached.

54. Attachment L - BMPs for Surface Streams. A description of the BMPs and measures that prevent pollutants from entering surface streams is attached.

N/A

55. 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, and are signed, sealed, and dated. Construction plans for the proposed permanent BMPs and measures are attached and include: Design calculations, TCEQ Construction Notes, all proposed structural plans and specifications, and appropriate details.
N/A
56. Attachment N - Inspection, Maintenance, Repair and Retrofit Plan. A site and BMP specific plan for the inspection, maintenance, repair, and, if necessary, retrofit of the permanent BMPs and measures is attached. The plan fulfills all of the following:
Prepared and certified by the engineer designing the permanent BMPs and measures
 Signed by the owner or responsible party Outlines specific procedures for documenting inspections, maintenance, repairs, and, if necessary, retrofit.
Contains a discussion of record keeping procedures
N/A
57. Attachment O - Pilot-Scale Field Testing Plan. Pilot studies for BMPs that are not recognized by the Executive Director require prior approval from the TCEQ. A plan for pilot-scale field testing is attached.
⊠ N/A
58. 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 attached. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity, which increase erosion that result in water quality degradation.

□ N/A

Responsibility for Maintenance of Permanent BMPs and Measures after Construction is Complete.

59. 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.

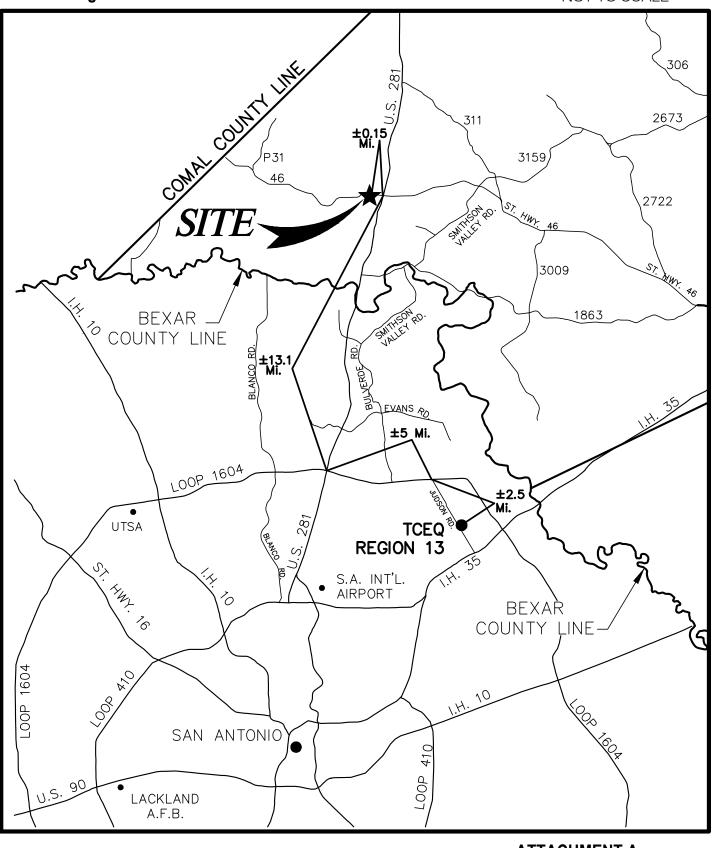
60. A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development, or a non-residential development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

Administrative Information

- 61. 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.
- 62. 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.
- 63. 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.
 - The Temporary Stormwater Section (TCEQ-0602) is included with the application.

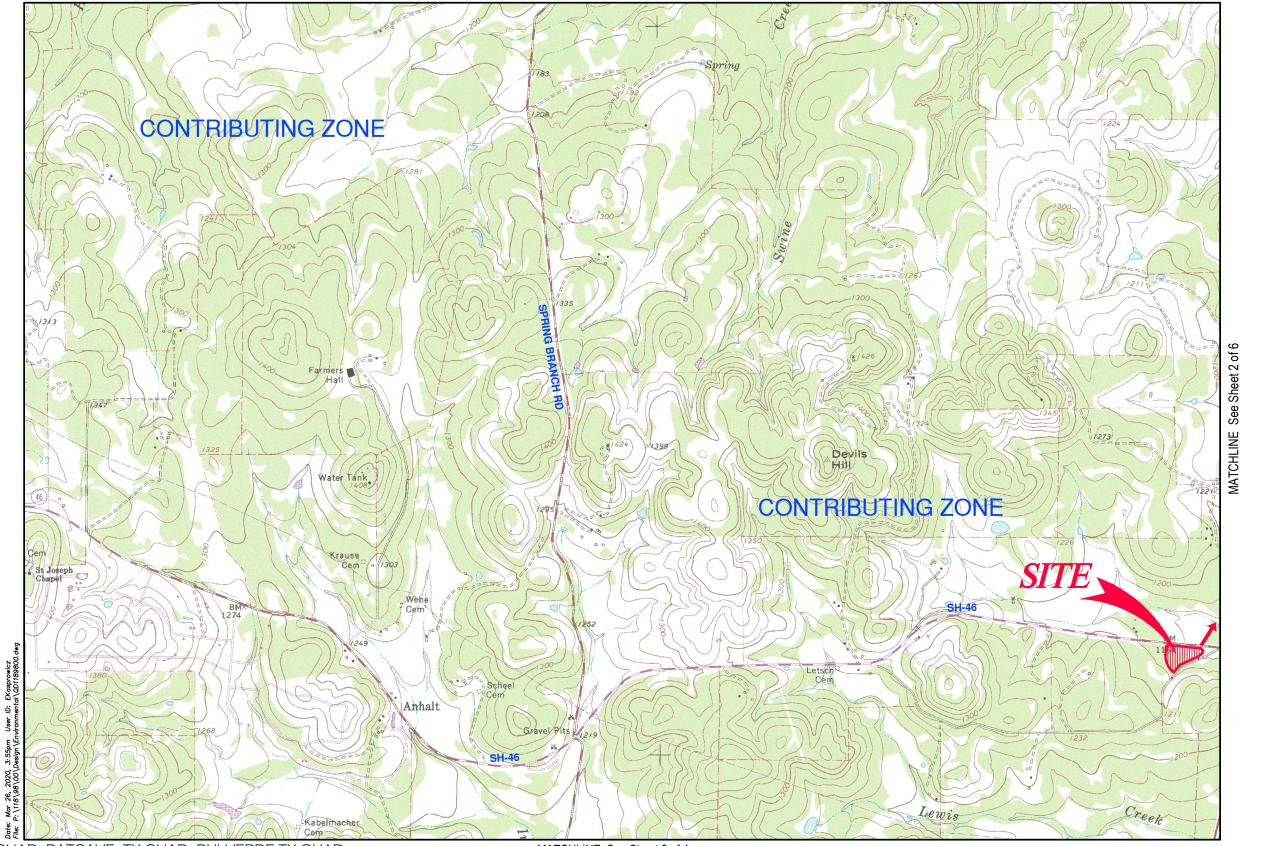
ATTACHMENT A





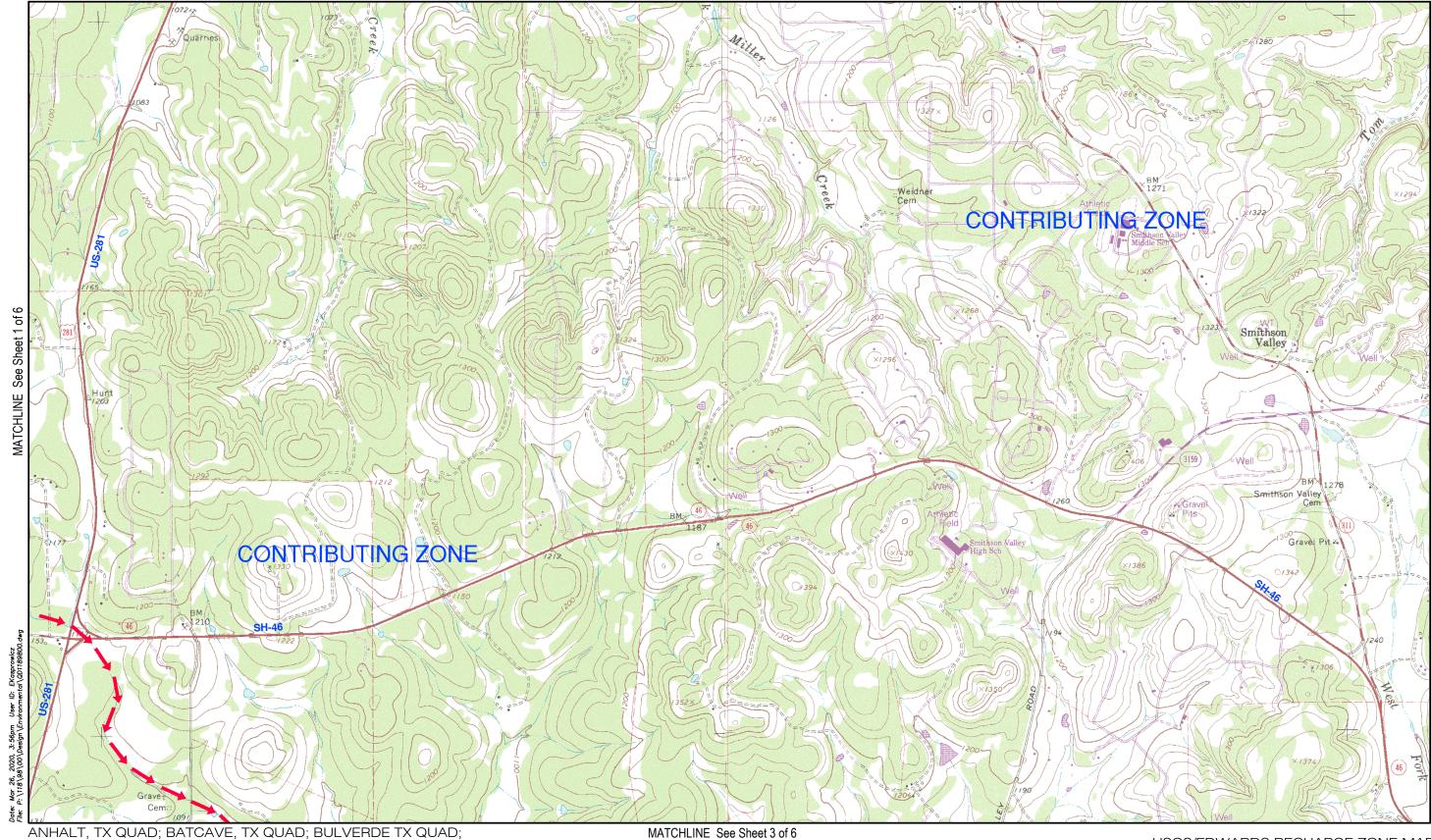
Pape-Dawson Engineers, Inc. Date: Mar 26, 2020, 2:57pm User ID: EKasprowicz File: P: \118\98\00\Design\Environmental\RM1189800.dwg ATTACHMENT A Road Map

ATTACHMENT B



ANHALT, TX QUAD; BATCAVE, TX QUAD; BULVERDE TX QUAD; LONGHORN, TX QUAD; SCHERTZ, TX QUAD; SMITHSON VALLEY, TX QUAD DRAINAGE FLOW \longrightarrow \longrightarrow Pape-Dawson Engineers, Inc. MATCHLINE See Sheet 2 of 4





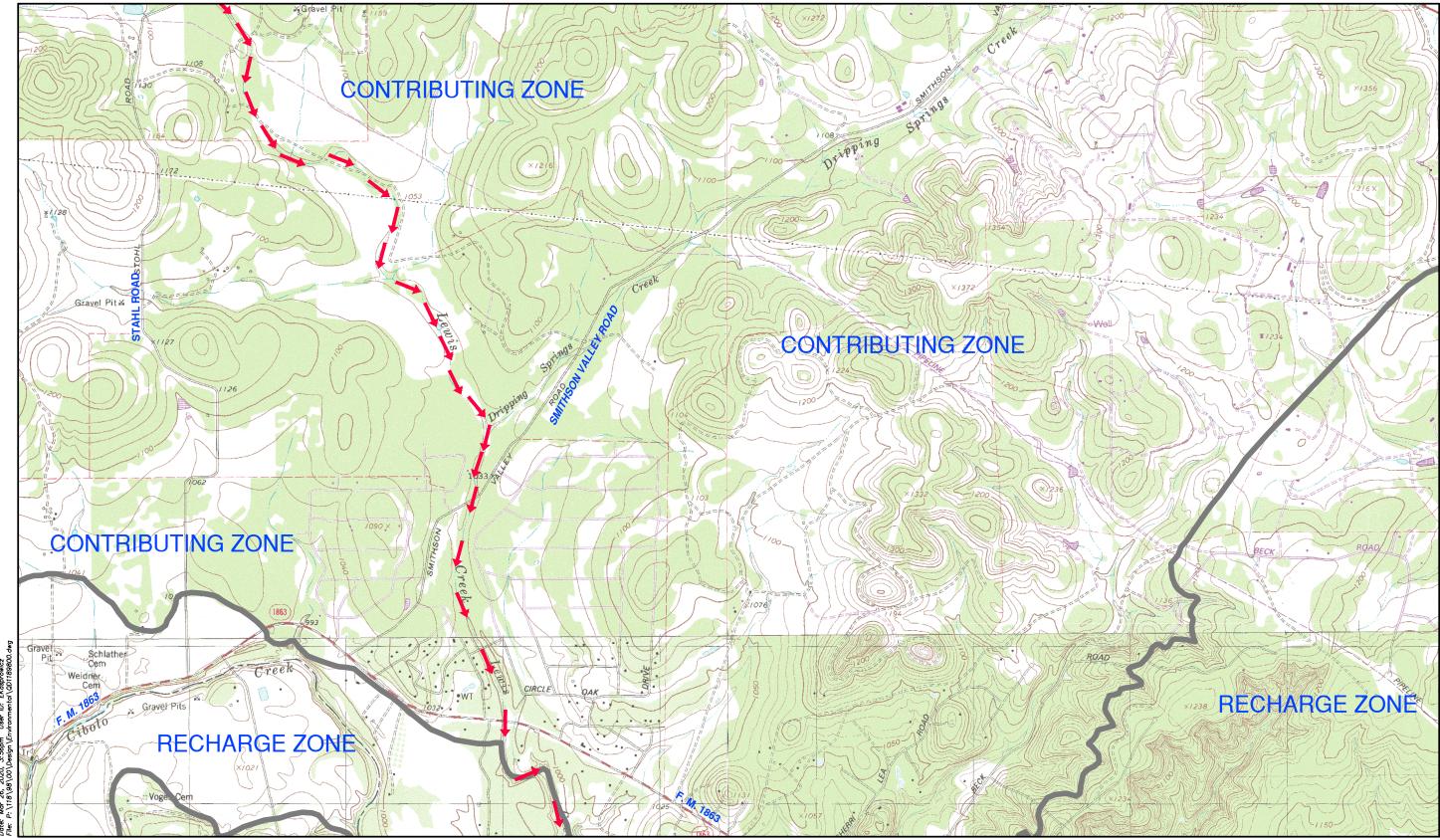
LONGHORN, TX QUAD; SCHERTZ, TX QUAD; SMITHSON VALLEY, TX QUAD Pape-Dawson Engineers, Inc.

MATCHLINE See Sheet 3 of 6



USGS/EDWARDS RECHARGE ZONE MAP Sheet 2 Of 6 ATTACHMENT B

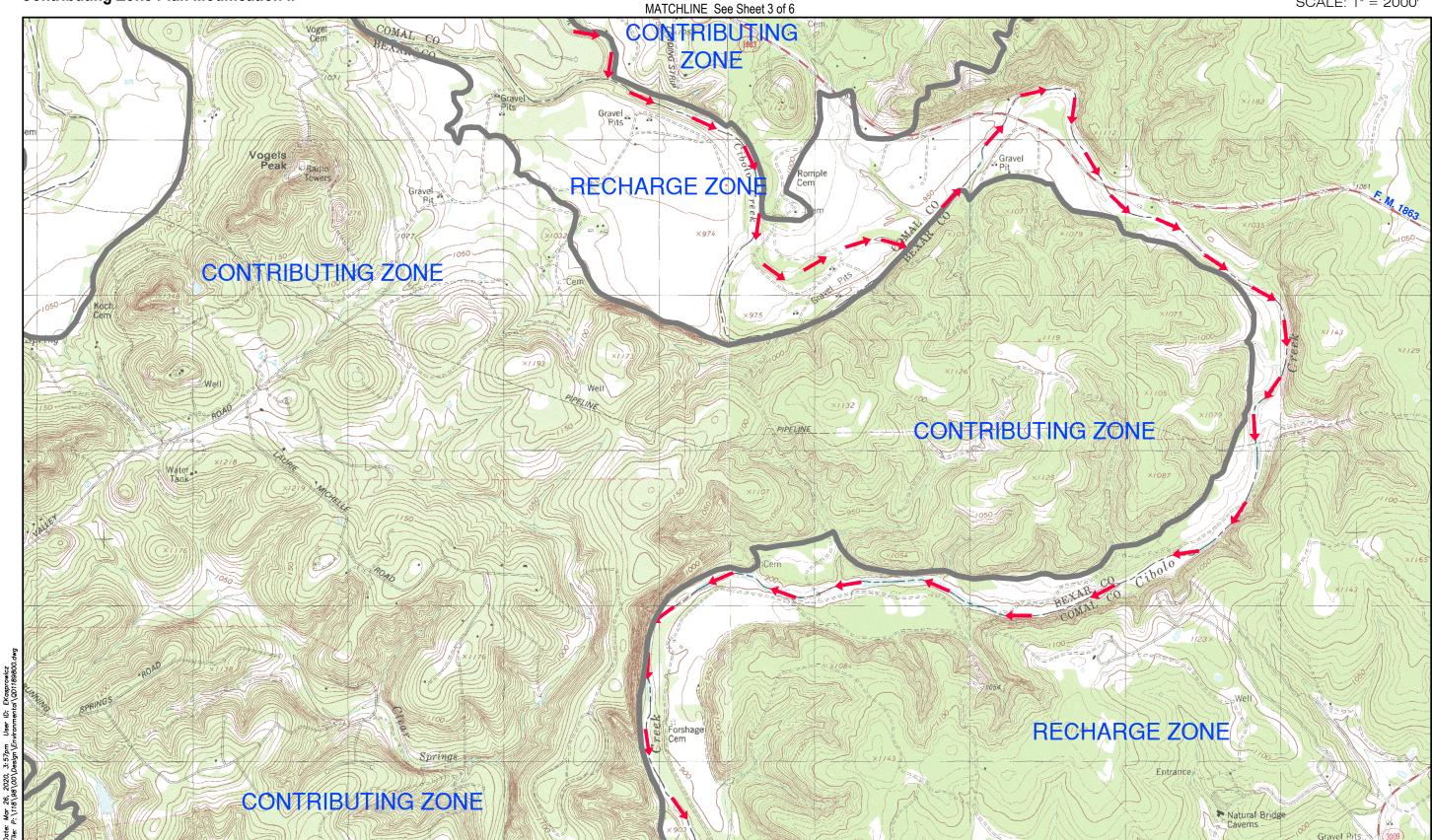
MATCHLINE See Sheet 2 of 6



ANHALT, TX QUAD; BATCAVE, TX QUAD; BULVERDE TX QUAD; LONGHORN, TX QUAD; SCHERTZ, TX QUAD; SMITHSON VALLEY, TX QUAD DRAINAGE FLOW \longrightarrow \longrightarrow Pape-Dawson Engineers, Inc. MATCHLINE See Sheet 4 of 6



USGS/EDWARDS RECHARGE ZONE MAP Sheet 3 Of 6 ATTACHMENT B



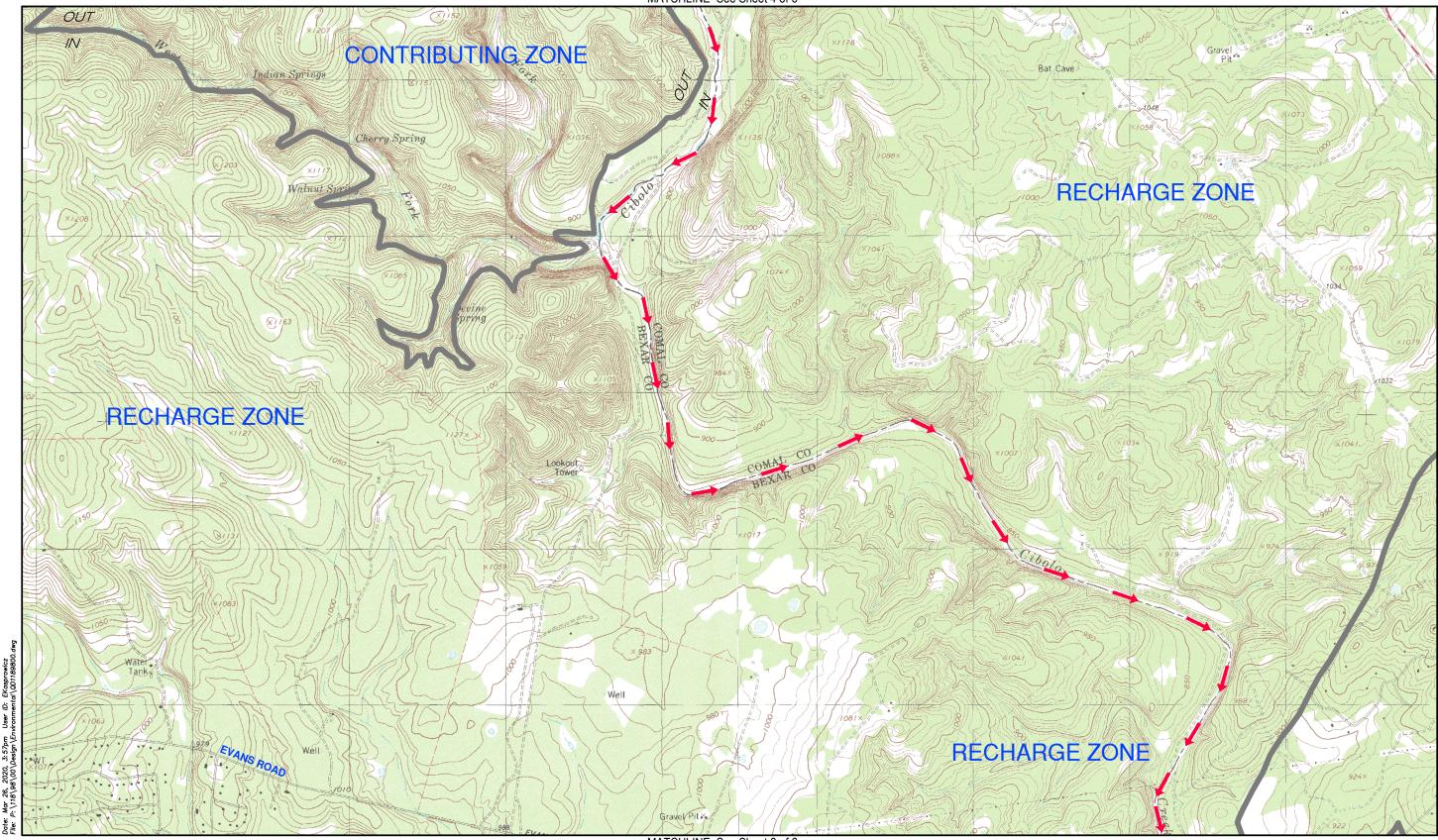
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MATCHLINE See Sheet 5 of 6



USGS/EDWARDS RECHARGE ZONE MAP Sheet 4 Of 6 ATTACHMENT B

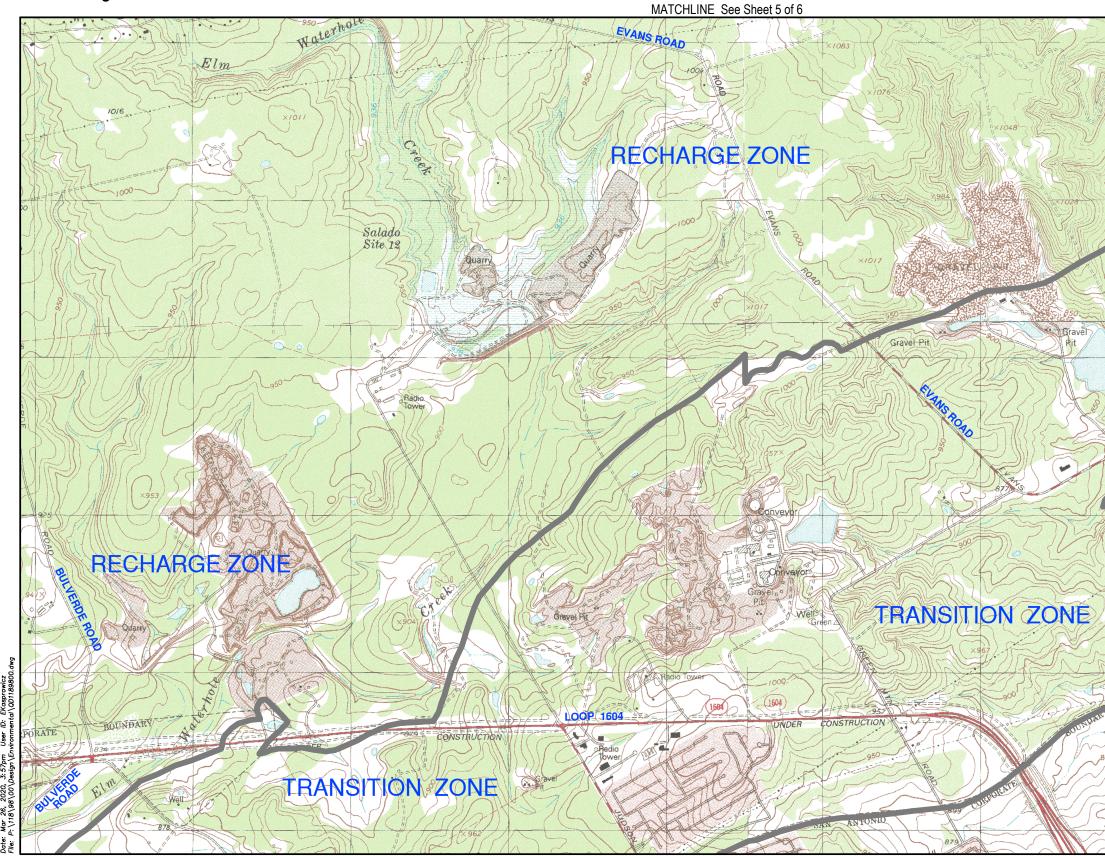
MATCHLINE See Sheet 4 of 6



ANHALT, TX QUAD; BATCAVE, TX QUAD; BULVERDE TX QUAD; LONGHORN, TX QUAD; SCHERTZ, TX QUAD; SMITHSON VALLEY, TX QUAD DRAINAGE FLOW \longrightarrow \longrightarrow Pape-Dawson Engineers, Inc. MATCHLINE See Sheet 6 of 6

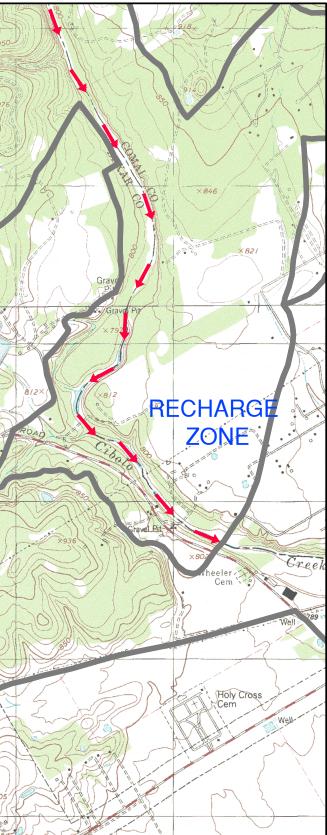


USGS/EDWARDS RECHARGE ZONE MAP Sheet 5 Of 6 ATTACHMENT B



ANHALT, TX QUAD; BATCAVE, TX QUAD; BULVERDE TX QUAD; LONGHORN, TX QUAD; SCHERTZ, TX QUAD; SMITHSON VALLEY, TX QUAD DRAINAGE FLOW \longrightarrow \longrightarrow Pape-Dawson Engineers, Inc.





ATTACHMENT C

Attachment C – Project Narrative

This Contributing Zone Plan Modification II for Descending Dove Hills Commercial proposes the modification of one (1) existing sand filter basin into one (1) batch detention basin. The project site is located within the City of Bulverde in Comal County, Texas. The site is located entirely over the Edwards Aquifer Contributing Zone. Only 0.93 Acres of the proposed 24.85acre project area will be disturbed as a result of this basin modification.

The proposed site will remain as commercial. Commercial developments associated with the original CZP approved in 1999 and the first CZP modification approved in 2010 were constructed as planned and remain operational. This second modification proposes demolition and reconstruction of the original sand-filtration basin approved in 1999.

This CZP proposes clearing, grading, excavation and installation of drainage improvements for this basin modification. 4.73 acres of impervious cover is proposed with this CZP however this basin modification will be including 0.39 acres of additional impervious cover previously approved with the Descending Dove Hills Commercial Contributing Zone Plan Modification I approved on June 11, 2010 and 12.42 acres of impervious cover approved with the HEB Bulverde Contributing Zone Plan approved on December 21, 1999. Approximately 17.54 acres of total impervious cover is included with this project and treated by the proposed batch detention basin, or 70.58% of the 24.85-acre site.

The permanent BMPs for this CZP is one (1) proposed batch detention basin which has been designed in accordance with the TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) to remove 80% of the increase in Total Suspended Solids (TSS) from the site. See TSS Treatment Summary Table for details.

Since this project is located entirely over the Edwards Aquifer Contributing Zone, a Geological Assessment was not conducted and is not required by 30 TAC 213 regulations. Therefore, no naturally-occurring sensitive features are known to exist on the site.

Potable water will be supplied by the Canyon Lake Water Supply Company (CLWSC). The proposed development will generate approximately 22,000 gallons per day (average flow) of domestic wastewater. Wastewater will be disposed of by conveyance to an onsite wastewater treatment facility owned by SJWTX, Inc.



ATTACHMENT D

Attachment D– Factors Affecting Surface Water Quality

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

- Soil erosion due to the clearing of the site;
- 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;
- Concrete truck washout.
- Potential overflow/spills from portable toilets

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

- Oil, grease, fuel and hydraulic fluid contamination from vehicle drippings;
- Dirt and dust which may fall off vehicles; and
- Miscellaneous trash and litter.



ATTACHMENT E

Attachment E- Volume and Character of Stormwater

Stormwater runoff will increase as a result of this development. For a 25-year storm event, the overall project will generate approximately 177.9 cfs. The runoff coefficient for the site changes from approximately 0.55 before development to 0.96 after development. Values are based on the Rational Method using runoff coefficients per the City of Bulverde building Code.



ATTACHMENT J

Attachment J – BMPs for Upgradient Stormwater

No upgradient stormwater will cross the project limits.

The permanent BMP for this CZP is one (1) proposed batch detention basin which has been designed in accordance with the TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) to remove 80% of the increase in Total Suspended Solids (TSS) from the site.



ATTACHMENT K

Attachment K – BMPs for Onsite Stormwater

The permanent BMP for this CZP is one (1) proposed batch detention basin which has been designed in accordance with the TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) to remove 80% of the increase in Total Suspended Solids (TSS) from the site.



ATTACHMENT L

Attachment L – BMPs for Surface Streams

The permanent BMP for this CZP is one (1) proposed batch detention basin which has been designed in accordance with the TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) to remove 80% of the increase in Total Suspended Solids (TSS) from the site.



ATTACHMENT M

<u>Attachment M – Construction Plans</u>

Construction of one (1) batch detention basin is proposed in this CZP. Please refer to the Exhibits Section of this application for the Contributing Zone Plan Site Plans.



ATTACHMENT N

PERMANENT POLLUTION ABATEMENT MEASURES MAINTENANCE SCHEDULE AND MAINTENANCE PROCEDURES

This document has been prepared to provide a description and schedule for the performance of maintenance on permanent pollution abatement measures. Maintenance measures to be performed will be dependent on what permanent pollution abatement measures are incorporated into the project. The project specific water pollution abatement plan should be reviewed to determine what permanent pollution abatement measures are incorporated in to a project.

It should also be noted that the timing and procedures presented herein are general guidelines, adjustment to the timing and procedures may have to be made depending on project specific characteristics as well as weather related conditions but may not be altered without TCEQ approval.

Where a project is occupied by the owner, the owner may provide for maintenance with his own skilled forces or contract for recommended maintenance of Permanent Best Management Practices. Where a project is occupied or leased by a tenant, the owner shall require tenants to contract for such maintenance services either through a lease agreement, property owners association covenants, or other binding document.

I understand that I am responsible for maintenance of the Permanent Pollution Abatement Measures included in this project until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property or ownership is transferred.

I, the owner, have read and understand the requirements of the attached Maintenance Plan and Schedule.

Ben Scott, Vice President Real Estate H-E-B, LP

4/10/20

Date



ATTACHMENT N Contributing Zone Plan Application

INSPECTION AND MAINTENANCE SCHEDULE FOR PERMANENT POLLUTION ABATEMENT MEASURES

Recommended Frequency	Task to be Performed												
	1	2	3	4	5	6	7	8	9	10	11	12	13
After Rainfall	1							\checkmark					\checkmark
Biannually*	V	\checkmark	V	V	V	V	V	V	\checkmark	\checkmark		\checkmark	\checkmark

*At least one biannual inspection must occur during or immediately after a rainfall event. $\sqrt{Indicates}$ maintenance procedure that applies to this specific site.

See description of maintenance task to be performed on the following pages. Frequency of maintenance tasks may vary depending on amount of rainfall and other weather-related conditions but may not be altered without TCEQ approval.

A written record should be kept of inspection results and maintenance performed.

Task No. & Description	Included in this project		
1. Mowing	Yes	No	
2. Litter and Debris Removal	Yes	No	
3. Erosion Control	Yes	No	
4. Level Sensor	Yes	No	
5. Nuisance Control	Yes	No	
6. Structural Repairs and Replacement	Yes	No	
7. Discharge Pipe	Yes	No	
8. Detention and Drawdown Time	Yes	No	
9. Sediment Removal	Yes	No	
10. Logic Controller	Yes	No	
11. Vegetated Filter Strips	Yes	No	
12. Visually Inspect Security Fencing for Damage or Breach	Yes	No	
13. Recordkeeping for Inspections, Maintenance, and Repairs	Yes	No	



MAINTENANCE PROCEDURES FOR PERMANENT POLLUTION ABATEMENT MEASURES

Note: Additional guidance can be obtained from TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) Section 3.5.

<u>Inspections</u>. Inspections should take place a minimum of twice a year. One inspection should take place during wet weather to determine if the basin is meeting the target detention time of 12 hours and a drawdown time of no more than 48 hours. The remaining inspections should occur between storm events so that manual operation of the valve and controller can be verified. The level sensor in the basin should be inspected and any debris or sediment in the area should be removed. The outlet structure and the trash screen should be inspected for signs of clogging. Debris and sediment should be removed from the orifice and outlet(s) as described in previous sections. Debris obstructing the valve should be removed. During each inspection, erosion areas inside and downstream of this BMP should be identified and repaired/revegetated immediately. *A written record should be kept of inspection results and corrective measures taken*

- 1. <u>Mowing</u>. The basin, basin side-slopes, and embankment of the basin must be mowed to prevent woody growth and control weeds. A mulching mower should be used, or the grass clippings should be caught and removed. Mowing should take place at least twice a year, or more frequently if vegetation exceeds 18 inches in height. More frequent mowing to maintain aesthetic appeal may be necessary in landscaped areas.
- 2. <u>Litter and Debris Removal</u>. Litter and debris removal should take place at least twice a year, as part of the periodic mowing operations and inspections. Debris and litter should be removed from the surface of the basin. Particular attention should be paid to floatable debris around the outlet structure. The outlet should be checked for possible clogging or obstructions and any debris removed.
- 3. <u>Erosion control</u>. The basin side slopes and embankment all may periodically suffer from slumping and erosion. To correct these problems, corrective action, such as regrading and revegetation, may be necessary. Correction of erosion control should take place whenever required based on the periodic inspections.
- 4. <u>Level Sensor</u>. The level sensor in the basin should be inspected and any debris or sediment in the area should be removed. Litter and debris removal should take place at least twice a year, as part of the periodic mowing operations and inspections. Debris and litter should be removed from the surface of the basin.
- 5. <u>Nuisance Control</u>. Standing water or soggy conditions may occur in the basin. Some standing water may occur after a storm event since the valve may close with 2 to 3 inches



of water in the basin. Some flow into the basin may also occur between storms due to spring flow and residential water use that enters the storm sewer system. Twice a year, the facility should be evaluated in terms of nuisance control (insects, weeds, odors, algae, etc.).

- 6. <u>Structural Repairs and Replacement</u>. With each inspection, any damage to structural elements of the basin (pipes, concrete drainage structures, retaining walls, etc.) should be identified and repaired immediately. An example of this type of repair can include patching of cracked concrete, sealing of voids, removal of vegetation from cracks and joints. The various inlet/outlet structures in a basin will eventually deteriorate and must be replaced. *A written record should be kept of inspection results and corrective measures taken*
- 7. <u>Discharge Pipe</u>. The basin discharge pipe shall be checked for accumulation of silt, debris or other obstructions which could block flow. Soil accumulations, vegetative overgrowth and other blockages should be cleared from the pipe discharge point. Erosion at the point of discharge shall be monitored. If erosion occurs, the addition of rock rubble to disperse the flow should be accomplished. *A written record should be kept of inspection results and corrective measures taken*
- 8. Detention and Drawdown Time. One inspection should take place during wet weather to determine if the basin is meeting the target detention time of 12 hours and a drawdown time of no more than 48 hours. This characteristic can be a sign of the need for maintenance. The minimum drawdown time is 24 hours. If drawdown time is less than 24 hours, the actuator valve shall be checked and partially closed to limit the drawdown time. Extensive drawdown time greater than 48 hours may indicated blockage of the discharge pipe. Corrective actions should be performed and completed within 15 working days. A written record of the inspection findings and corrective actions performed should be made.
- 9. <u>Sediment Removal</u>. A properly designed batch detention basin will accumulate quantities of sediment over time. The accumulated sediment can detract from the appearance of the facility and reduce the pollutant removal performance of the facility. The sediment also tends to accumulate near the outlet structure and can interfere with the level sensor operation. Sediment shall be removed from the basin at least every 5 years, when sediment depth exceeds 6 inches, when the sediment interferes with the level sensor or when the basin does not drain within 48 hours. Care should be taken not to compromise the basin lining during maintenance.
- 10. <u>Logic Controller</u>. The Logic Controller should be inspected as part of the twice yearly investigations. Verify that the external indicators (active, cycle in progress) are operating properly by turning the controller off and on, and by initiating a cycle by triggering the



DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan Application (TCEQ-10257)

level sensor in the basin. The valve should be manually opened and closed using the open/close switch to verify valve operation and to assist in inspecting the valve for debris. The solar panel should be inspected and any dust or debris on the panel should be carefully removed. The controller and all other circuitry and wiring should be inspected for signs of corrosion, damage from insects, water leaks, or other damage. At the end of the inspection, the controller should be reset.

- 11. <u>Vegetated Filter Strips</u>. Vegetation height for native grasses shall be limited to no more than 18-inches. When vegetation exceeds that height, the filter strip shall be cut to a height of approximately 4 inches. Turf grass shall be limited to a height of 4-inches with regular maintenance that utilizes a mulching mower. Trash and debris shall be removed from filter strip prior to cutting. Check filter strip for signs of concentrated flow and erosion. Areas of filter strip showing signs of erosion shall be repaired by scarifying the eroded area, reshaping, regrading and placement of solid block sod over the affected area. *A written record of the inspection findings and corrective actions performed should be made*
- 12. <u>Visually Inspect Security Fencing for Damage or Breach</u>. Check maintenance access gates for proper operation. Damage to fencing or gates shall be repaired within 5 working days. *A written record should be kept of inspection results and maintenance performed*.
- 13. Recordkeeping Procedures for Inspections, Maintenance, Repairs, and Retrofits.
 - Written records shall be kept by the party responsible for maintenance or a designated representative.
 - Written records shall be retained for a minimum of five years.



ATTACHMENT P

DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan Application (TCEQ-10257)

Attachment P - Measures for Minimizing Surface Stream Contamination

Any points where discharge from the site is concentrated and erosive velocities exist will include appropriately sized energy dissipators to reduce velocities to non-erosive levels.



TEMPORARY STORMWATER SECTION

Temporary Stormwater Section

Texas Commission on Environmental Quality

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

To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.

Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.

Signature

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:

Print Name of Customer/Agent: Shauna Weaver, P.E.

Date: 4/7/20

Signature of Customer/Agent:

Shawa L. Weaver

Regulated Entity Name: Descending Dove Hills Commercial

Project Information

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:

The following fuels and/or hazardous substances will be stored on the site: <u>located</u> within the construction staging area in compliance with <u>30TAC§213</u>.

These fuels and/or hazardous substances will be stored in:

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

TCEQ-0602 (Rev. 02-11-15)

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 the site.

- 2. Attachment A Spill Response Actions. A site specific description of the measures to be taken to contain any spill of hydrocarbons or hazardous substances is attached.
- 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. A description of any activities or processes which may be a potential source of contamination affecting surface water quality is attached.

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 attached.

For each activity described, an estimate (in acres) of the total area of the site to be disturbed by each activity is given.

For each activity described, include a description of appropriate temporary control measures and the general timing (or sequence) during the construction process that the measures will be implemented.

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: <u>Lewis Creek</u>

Temporary Best Management Practices (TBMPs)

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

7. Attachment D – Temporary Best Management Practices and Measures. 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 is attached:

 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. 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. A description of how BMPs and measures will prevent pollutants from entering surface streams, sensitive features, or the aquifer. 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.
The temporary sealing of a naturally-occurring sensitive feature which accepts recharge to the Edwards Aquifer as a temporary pollution abatement measure during active construction should be avoided.
 Attachment E - Request to Temporarily Seal a Feature. A request to temporarily seal a feature is attached. 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.
Attachment F - Structural Practices. A description of 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 is attached. Placement of structural practices in floodplains has been avoided.
Attachment G - Drainage Area Map. A drainage area map supporting the following requirements is attached:
 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 used in combination with other erosion and sediment controls within each 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 at one time.

Ľ	There are no areas greater than 10 acres within a common drainage area that will be
	disturbed at one time. Erosion and sediment controls other than sediment basins or
	sediment traps within each disturbed drainage area will be used.

- 11. Attachment H Temporary Sediment Pond(s) Plans and Calculations. Temporary sediment pond or basin construction plans and design calculations for a proposed temporary BMP or measure have 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 attached.
 - 🛛 N/A
- 12. Attachment I Inspection and Maintenance for BMPs. A plan for the inspection of each temporary BMP(s) and measure(s) and for their timely maintenance, repairs, and, if necessary, retrofit is attached. A description of the documentation procedures, recordkeeping practices, and inspection frequency are included in the plan and are specific to the site and/or BMP.
- 13. All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections by the applicant or the executive director, or other information indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations.
- 14. 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. 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.

- 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. \square All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.
- 21. 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.

ATTACHMENT A

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:
 - Notify the TCEQ by telephone as soon as possible and within 24 hours at 512-339-2929 (Austin) or 210-490-3096 (San Antonio) between 8 AM and 5 PM. After hours, contact the Environmental Release Hotline at 1-800-832-8224. It is the contractor's responsibility to have all emergency phone numbers at the construction site.



- For spills of federal reportable quantities, in conformance with the requirements in 40 CFR parts 110,119, and 302, the contractor should notify the National Response Center at (800) 424-8802.
- Notification should first be made by telephone and followed up with a written report.
- The services of a spills contractor or a Haz-Mat team should be obtained immediately. Construction personnel should not attempt to clean up until the appropriate and qualified staffs have arrived at the job site.
- Other agencies which may need to be consulted include, but are not limited to, the City Police Department, County Sheriff Office, Fire Departments, etc.
- 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.



ATTACHMENT B

Attachment B – Potential Sources of Contamination

Other potential sources of contamination during construction include:

- Asphalt products used on this project. **Potential Source Preventative Measure** After placement of asphalt, emulsion or coatings, the contractor will be responsible should immediate cleanup for an unexpected rain occur. For the duration of the asphalt product curing time, the contractor will maintain standby personnel and equipment to contain any asphalt wash-off should an unexpected rain occur. The contractor will be instructed not to place asphalt products on the ground within 48 hours of a forecasted rain. **Potential Source** Oil, grease, fuel and hydraulic fluid
 - ential Source Oil, grease, fuel and hydraulic fluid contamination from construction equipment and vehicle dripping.
 - *Preventative Measure* Vehicle maintenance when possible will be performed within the construction staging area.
 - Construction vehicles and equipment shall be checked regularly for leaks and repaired immediately.
 - Potential Source 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.
 - Preventative Measure Contractor to incorporate into regular safety meetings, a discussion of spill prevention and appropriate disposal procedures.
 - 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	•	Construction debris.
Preventive Measure	•	Construction debris will be monitored daily by contractor. Debris will be collected weekly and placed in disposal bins. Situations requiring immediate attention will be addressed on a case by case basis.
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.



ATTACHMENT C

Attachment C – Sequence of Major Activities

The sequence of major activities which disturb soil during construction on this site will be divided into two stages. The first is site preparation that will include installation of TBMP's as illustrated on Exhibit 1, clearing and grubbing of vegetation where applicable. This will disturb approximately 0.93-acres. The second is construction of the batch detention basin that will include grading, construction of the basin walls and basin bottom. This will disturb approximately the same 0.93-acres.



ATTACHMENT D

<u>Attachment D – Temporary Best Management Practices and Measures</u>

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.

There is no upgradient stormwater from undeveloped areas flowing onto the proposed site. All TBMPs are adequate for the drainage areas served.

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 includes: (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 as construction phasing warrants that include installation of the concrete truck washout pit(s) and placement of gravel filter bags for use in inlet protection and to prevent sediment migration off-site.

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 the aquifer, surface streams and/or sensitive features that may exist downstream of the site.

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

As this site is entirely over the Edwards Aquifer Contributing Zone, a Geologic Assessment was not conducted and is not required; therefore, no sensitive features were identified. 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.



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.

Since the project is located entirely over the Edwards 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 the site. 30 TAC 213(f)(2) only applies to projects over the Edwards Recharge Zone.



ATTACHMENT F

Attachment F – Structural Practices

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.
- Placement of rock berms along channels and the downgradient boundary of construction activities, 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 gravel filter bags, concrete truck washout pit(s), as required and located on Exhibit 1 and illustrated on Exhibit 2.



ATTACHMENT G

<u>Attachment G – Drainage Area Map</u>

Please refer to the Exhibits Section of this application for the Contributing Zone Plan Drainage Area Map.



ATTACHMENT I

Attachment I – Inspection and Maintenance for BMPs

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 shall be recorded and maintained as part of Storm Water TPDES data for a period of three years after the date of the inspection. 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.



Pollution	ted	Correctiv	ve Action
Prevention	spec	Corrective Action Description	Date
Measure	In	Description	Completed
General	<u> </u>		
Revegetation			
Erosion/sediment controls			
Vehicle exits			
Material areas			
Equipment areas			
Concrete rinse			
Construction debris			
Trash receptacles			
Infrastructure			
Roadway clearing			
Utility clearing			
Roadway grading			
Utility construction			
Drainage construction			
Roadway base			
Roadway surfaces			
Site cleanups			
Building			
Clearing for building			
Foundation grading			
Utility construction			
Foundation construction			
Building construction			
Site grading			
Site cleanup			

*Indicate N/A where measure does not apply.

By my signature below, I certify that all items are acceptable and the project site is in compliance with SWPPP.

Inspector's Name

Inspector's Signature

Name of Owner/Operator (Firm)

Date

Note: Inspector is to attach a brief statement of his qualifications to this report.

PROJECT MILESTONE DATES

Date when major site grading activities begin:

Construction Activity	Date
Dates when construction activities temporarily or perma	anently cease on all or a portion of the
project: Construction Activity	Date
Dates when stabilization measures are initiated:	
Stabilization Activity	Date



ATTACHMENT J

Attachment J - Schedule of Interim and Permanent Soil Stabilization Practices

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

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 14th day after construction activity has temporarily or permanently ceased is precluded by seasonably arid conditions, stabilization measures must be initiated as soon as practicable.



COPY OF NOTICE OF INTENT (NOI)

TCEQ Office Use Only Permit No: CN: RN:



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

IMPORTANT INFORMATION

Please read and use the General Information and Instructions prior to filling out each question in the NOI form.

Use the NOI Checklist to ensure all required information is completed correctly. **Incomplete applications delay approval or result in automatic denial.**

Once processed your permit authorization can be viewed by entering the following link into your internet browser: http://www2.tceq.texas.gov/wq_dpa/index.cfm or you can contact TCEQ Stormwater Processing Center at 512-239-3700.

ePERMITS

Effective September 1, 2018, this paper form must be submitted to TCEQ with a completed electronic reporting waiver form (TCEQ-20754).

To submit an NOI electronically, enter the following web address into your internet browser and follow the instructions: https://www3.tceq.texas.gov/steers/index.cfm

APPLICATION FEE AND PAYMENT

The application fee for submitting a paper NOI is \$325. The application fee for electronic submittal of a NOI through the TCEQ ePermits system (STEERS) is \$225.

Payment of the application fee can be submitted by mail or through the TCEQ ePay system. The payment and the NOI must be mailed to separate addresses. To access the TCEQ ePay system enter the following web address into your internet browser: http://www.tceq.texas.gov/epay.

Provide your payment information for verification of payment:

- If payment was mailed to TCEQ, provide the following:
 - Check/Money Order Number:
 - Name printed on Check:
- If payment was made via ePay, provide the following:
 - Voucher Number:
 - A copy of the payment voucher is attached to this paper NOI form.

RENEWAL (This portion of the NOI is not applicable after June 3, 2018)			
Is t	Is this NOI for a renewal of an existing authorization? \Box Yes \Box No		
If Y	If Yes, provide the authorization number here: TXR15		
NOTE: If an authorization number is not provided, a new number will be assigned.			
SE	CTION 1. OPERATOR (APPLICANT)		
a)	If the applicant is currently a customer with (CN) issued to this entity? CN	TCEQ, what is the Customer Nun	ıber
	(Refer to Section 1.a) of the Instructions)		
b)	What is the Legal Name of the entity (applicated legal name must be spelled exactly as filed we County, or in the legal document forming the	with the Texas Secretary of State,	ç
	Click here to enter text.		
c) What is the contact information for the Operator (Responsible Authority)?			
	Prefix (Mr. Ms. Miss):		
	First and Last Name:	Suffix:	
	Title: Credentials:	lick here to enter text.	
	Phone Number: Fax	Number:	
	E-mail: Click here to enter text		
	Mailing Address:		
	City, State, and Zip Code:	text.	
	Mailing Information if outside USA:		
	Territory:		
	Country Code: Posta	al Code:	
d)	Indicate the type of customer:		
	🗖 Individual	Federal Government	
	Limited Partnership	County Government	
	🗖 General Partnership	State Government	
	🗖 Trust	City Government	
	🗖 Sole Proprietorship (D.B.A.)	Other Government	
	Corporation	□ Other: Thek here to enter t	lext <u>.</u>
	🗆 Estate		
e)	Is the applicant an independent operator?	🗆 Yes 🛛 🗆 No	
	(If a governmental entity, a subsidiary, or pa	rt of a larger corporation, check M	No.)

- f) Number of Employees. Select the range applicable to your company.
 - □ 0-20

□ 21-100

121-100

□ 501 or higher

- □ 101-250
- g) 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):

SECTION 2. APPLICATION CONTACT

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

 \Box Yes, go to Section 3

 \Box No, complete this section

Prefix (Mr. Ms. Miss):	e to enter text.
First and Last Name:	e to enter text Suffix: Click here to enter text
Title: lick here to enter text	Credential:
Organization Name:	to enter text.
Phone Number:	Fax Number:
E-mail: how here to enter text	
Mailing Address:	enter text.
Internal Routing (Mail Code, E	tc.): Click here to enter text
City, State, and Zip Code:	chere to enter text.
Mailing information if outside	USA:
Territory:	
Country Code:	Postal Code:

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

a) If this is an existing permitted site, what is the Regulated Entity Number (RN) issued to this site? RN <u>103117438</u>

(Refer to Section 3.a) of the Instructions)

- b) Name of project or site (the name known by the community where it's located): Descending Dove Hills Commercial
- c) In your own words, briefly describe the type of construction occurring at the

TCEQ-20022 (3/6/2018)

Notice of Intent for Construction Stormwater Discharges under TXR150000

regulated site (residential, industrial, commercial, or other): <u>Commercial</u> <u>Construction</u>

- d) County or Counties (if located in more than one): <u>Comal</u>
- e) Latitude: <u>29.7973</u> Longitude: <u>-98.42885</u>
- f) Site Address/Location

If the site has a physical address such as 12100 Park 35 Circle, Austin, TX 78753, complete *Section A*.

If the site does not have a physical address, provide a location description in *Section B*. Example: located on the north side of FM 123, 2 miles west of the intersection of FM 123 and Highway 1.

Section A:

Street Number and Name:

City, State, and Zip Code:

Section B:

Location Description: Approx. 0.15 miles east of US Hwy 281 and SH-46

City (or city nearest to) where the site is located: <u>Bulverde, TX</u>

Zip Code where the site is located: <u>78163</u>

SECTION 4. GENERAL CHARACTERISTICS

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

Yes, do not submit this form. 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. Note: The construction stormwater runoff 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? <u>5411</u>
- d) What is the Secondary SIC Code(s), if applicable? <u>5149</u>
- e) What is the total number of acres to be disturbed? <u>0.93</u>
- f) Is the project part of a larger common plan of development or sale?

🛛 Yes

□ No. The total number of acres disturbed, provided in e) above, must be 5 or more. If the total number of acres disturbed is less than 5, do not submit this form. See the requirements in the general permit for small construction sites.

- g) What is the estimated start date of the project? <u>May 1, 2020</u>
- h) What is the estimated end date of the project? May 1, 2021
- i) Will concrete truck washout be performed at the site? \square Yes \square No
- j) What is the name of the first water body(ies) to receive the stormwater runoff or potential runoff from the site? <u>Lewis Creek</u>
- k) What is the segment number(s) of the classified water body(ies) that the discharge will eventually reach? <u>1908</u>
- 1) Is the discharge into a Municipal Separate Storm Sewer System (MS4)?

 \boxtimes Yes \Box No

If Yes, provide the name of the MS4 operator: <u>City of Bulverde</u>

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

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

 \boxtimes Yes, complete the certification below.

 \square No, go to Section 5

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

SECTION 5. NOI CERTIFICATION

- a) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000).
- 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.
- c) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.
- 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 Construction 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.

SECTION 6. APPLICANT CERTIFICATION SIGNATURE

Operator Signatory Name:

Operator Signatory Title:

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 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 (use blue ink):	Date:	
e		

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.

Confirm each item (or applicable item) in this form is complete. This checklist is for use by the applicant to ensure a complete application is being submitted. **Missing information may result in denial of coverage under the general permit.** (See NOI process description in the General Information and 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 and a copy of the voucher is attached.

RENEWAL

If this application is for renewal of an existing authorization, the authorization number is provided.

OPERATOR INFORMATION

Customer Number (CN) issued by TCEQ Central Registry

- □ Legal name as filed to do business in Texas. (Call TX SOS 512-463-5555 to verify.)
- □ Name and title of responsible authority signing the application.
- □ Phone number and e-mail address
- □ Mailing address is complete & verifiable with USPS. <u>www.usps.com</u>
- □ Type of operator (entity type). Is applicant an independent operator?
- \Box Number of employees.
- □ For corporations or limited partnerships Tax ID and SOS filing numbers.
- □ Application contact and address is complete & verifiable with USPS. <u>http://www.usps.com</u>

REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

- Regulated Entity Number (RN) (if site is already regulated by TCEQ)
- Site/project name and construction activity description
- \boxtimes County
- ☑ Latitude and longitude <u>http://www.tceq.texas.gov/gis/sqmaview.html</u>

Site Address/Location. Do not use a rural route or post office box.

GENERAL CHARACTERISTICS

- ☑ Indian Country Lands -the facility is not on Indian Country Lands.
- Construction activity related to facility associated to oil, gas, or geothermal resources
- ☑ Primary SIC Code that best describes the construction activity being conducted at the site. <u>www.osha.gov/oshstats/sicser.html</u>
- Estimated starting and ending dates of the project.
- ⊠ Confirmation of concrete truck washout.
- Acres disturbed is provided and qualifies for coverage through a NOI.
- ⊠ Common plan of development or sale.
- Receiving water body or water bodies.
- \boxtimes Segment number or numbers.
- \boxtimes MS4 operator.
- \boxtimes Edwards Aquifer rule.

CERTIFICATION

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

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

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

By Regular Mail: TCEQ Stormwater Processing Center (MC228) P.O. Box 13087 Austin, Texas 78711-3087 By Overnight or Express Mail: TCEQ Stormwater Processing Center (MC228) 12100 Park 35 Circle Austin, TX

Application Fee:

The application fee of \$325 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. Payment of the fee may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

Mailed Payments:

Use the attached General Permit Payment Submittal Form. The application fee is submitted to a different address than the NOI. Read the General Permit Payment Submittal Form for further instructions, including the address to send the payment.

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.

TCEQ Contact List:

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

- 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(es) on the form must be verified with the US Postal service as receiving regular mail delivery. Do not give an overnight/express mailing address.
- 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.

• 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 <u>http://www.tceq.texas.gov</u>. Search using keyword TXR150000.

Change in Operator

An authorization under the general permit is not transferable. If the operator of the regulated project or site 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, if one has not already been assigned to this customer or site.

For existing customers and sites, you can find the Customer Number and Regulated Entity Number by entering the following web address into your internet browser: http://www15.tceq.texas.gov/crpub/ or you can contact the TCEQ Stormwater Processing Center at 512-239-3700 for assistance. On the website, you can search by your permit number, the Regulated Entity (RN) number, or the Customer Number (CN). If you do not know these numbers, you can select "Advanced Search" to search by permittee name, site address, etc.

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 this permit, a Notice of Change form must be submitted to the program area.

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.

Section 1. OPERATOR (APPLICANT)

a) 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 the applicant is an existing TCEQ customer, the Customer Number is available at the following website: <u>http://www15.tceq.texas.gov/crpub/</u>. If the applicant is not an existing TCEQ customer, leave the space for CN blank.

b) Legal Name of Applicant

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

c) Contact Information for the Applicant (Responsible Authority)

Provide information for the person signing the application in the Certification section. This person is also referred to as the Responsible Authority.

Provide a complete mailing address for receiving mail from the TCEQ. The mailing address must be recognized by the US Postal Service. You may verify the address on the following website: <u>https://tools.usps.com/go/ZipLookupAction!input.action</u>.

The phone number should provide contact to the applicant.

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

d) 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 an authorization.

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). If the customer is a 'General Partnership' or 'Joint Venture' filed in the county (not filed with TX SOS), the legal name of each partner forming the 'General Partnership' or 'Joint Venture' must be provided. Each 'legal entity' must apply as a co-applicant.

Trust or Estate

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

Sole Proprietorship (DBA)

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

- 1. be under the person's name
- 2. have its own name (doing business as or DBA)
- 3. 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).

Corporation

A customer that meets all of these conditions:

- 1. is a legally incorporated entity under the laws of any state or country
- 2. is recognized as a corporation by the Texas Secretary of State
- 3. 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 is not recognized as the 'legal name'.

<u>Other</u>

This may include a utility district, water district, tribal government, college district, council of governments, or river authority. Provide the specific type of government.

e) Independent Entity

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

f) 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.

g) 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 the Tax ID number.

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.

Section 2. APPLICATION CONTACT

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

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

a) Regulated Entity Number (RN)

The RN is issued by TCEQ's Central Registry to sites where an activity is regulated by TCEQ. This is not a permit number, registration number, or license number. Search TCEQ's Central Registry to see if the site has an assigned RN at http://www15.tceq.texas.gov/crpub/. 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, an RN may already be assigned for the larger site. Use the RN assigned for the larger site.

If the site is found, provide the assigned 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) Name of the Project or Site

Provide the name of the site or project 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

Provide the name of the county where the site or project is located. If the site or project is located in more than one county, provide the county names as secondary.

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: <u>http://www.tceq.texas.gov/gis/sqmaview.html</u>.

f) Site Address/Location

If a site has an address that includes a street number and street name, enter the complete address for the site in *Section A*. 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 number and street name, provide a complete written location description in *Section B.* For example: "The site is located on the north side of FM 123, 2 miles west of the intersection of FM 123 and Highway 1."

Provide the city (or nearest city) and zip code of the site location.

Section 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 (RRC) and may need to obtain authorization from EPA Region 6.

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 RRC's jurisdiction must be authorized by the EPA and the RRC, as applicable. Activities under RRC 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 RRC; 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 RRC 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 RRC. Under 33 U.S.C. §1342(l)(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 RRC 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.

For more information about the jurisdictions of the RRC and the TCEQ, read the Memorandum of Understanding (MOU) between the RRC and TCEQ at 16 Texas Administrative Code, Part 1, Chapter 3, Rule 3.30, by entering the following link into an internet browser:

http://texreg.sos.state.tx.us/public/readtac\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&pg=1&p_tac=&ti=16&pt=1&ch=3&rl=30 or contact the TCEQ Stormwater Team at 512-239-4671 for additional information.

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 Buildings Other than Single Family Homes
- 1541 Construction of Industrial Buildings and Warehouses
- 1542 Construction of Non-residential Buildings, other than Industrial Buildings 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, enter the following link into your internet browser: <u>http://www.osha.gov/pls/imis/sicsearch.html</u> or you can contact the TCEQ Small Business and Local Government Assistance Section at 800-447-2827 for assistance.

d) Secondary SIC Code

Secondary SIC Code(s) may be provided. Leave this blank if not applicable. For help with SIC Codes, enter the following link into your internet browser: <u>http://www.osha.gov/pls/imis/sicsearch.html</u> or you can contact the TCEQ Small Business and Environmental Assistance Section at 800-447-2827 for assistance.

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.

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 a common plan of development is, refer to the definition of "Common Plan of Development" in the Definitions section of the general permit or enter the following link into your internet browser: www.tceq.texas.gov/permitting/stormwater/common_plan_of_development_steps.html

For further information, go to the TCEQ stormwater construction webpage enter the following link into your internet browser: <u>www.tceq.texas.gov/goto/construction</u> and search for "Additional Guidance and Quick Links". If you have any further questions about the Common Plan of Development you can contact the TCEQ Stormwater Team at 512-239-4671 or the TCEQ Small Business and Environmental Assistance at 800-447-2827.

g) Estimated Start Date of the Project

This is the date that any construction activity or construction support activity is initiated at the site. If renewing the permit provide the original start date of when construction activity for this project began.

h) Estimated End Date of the Project

This is the date that any construction activity or construction support activity will end and final stabilization will be achieved at the site.

i) Will concrete truck washout be performed at the site?

Indicate if you expect that operators of concrete trucks will washout concrete trucks at the construction site.

j) 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.

k) Identify the segment number(s) of the classified water body(s)

Identify the classified segment number(s) receiving a discharge directly or indirectly. Enter the following link into your internet browser to find the segment number of the classified water body where stormwater will flow from the site: <u>www.tceq.texas.gov/waterquality/monitoring/viewer.html</u> or by contacting the TCEQ Water Quality Division at (512) 239-4671 for assistance.

You may also find the segment number in TCEQ publication GI-316 by entering the following link into your internet browser: <u>www.tceq.texas.gov/publications/gi/gi-316</u> or by contacting the TCEQ Water Quality Division at (512) 239-4671 for assistance.

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.

l) 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.

m) Discharges to the Edwards Aquifer Recharge Zone and Certification

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.

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 by entering the following link into an internet browser: <u>www.tceq.texas.gov/field/eapp/viewer.html</u> or by contacting the TCEQ Water Quality Division at 512-239-4671 for assistance.

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.

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.

Section 5. NOI CERTIFICATION

- Note: 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 by entering the following link into an internet browser: <u>www.tceq.texas.gov/goto/construction</u> or you may contact the TCEQ Stormwater processing Center at 512-239-3700 for assistance.

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 the 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.

Section 6. APPLICANT CERTIFICATION SIGNATURE

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 TCEQ'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 decisionmaking 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).

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.

Instructions:

- 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 either of the following:

By Regular U.S. Mail	By Overnight or Express Mail
Texas Commission on Environmental Quality	Texas Commission on Environmental Quality
Financial Administration Division	Financial Administration Division
Cashier's Office, MC-214	Cashier's Office, MC-214
P.O. Box 13088	12100 Park 35 Circle
Austin, TX 78711-3088	Austin, TX 78753

Fee Code: GPA General Permit: TXR150000

- 1. Check or 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 or 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 application entries!**

If there is not enough space on the form to list all of the projects or sites the authorization will cover, then attach a list of the additional sites.

Project/Site (RE) Name: <u>4S Ranch Phase 4</u>

Project/Site (RE) Physical Address: <u>Approx. 1.5 miles east of Mustang Vista and Stahl Lane</u> <u>intersection</u>, <u>Bulverde</u>, <u>TX 78163</u>

Staple the check or money order to this form in this space.

AGENT AUTHORIZATION FORM

Agent Authorization Form For Required Signature Edwards Aquifer Protection Program Relating to 30 TAC Chapter 213

Effective June 1, 1999

I	Ben Scott	
	Print Name	,
	Vice President Real Estate	,
	Title - Owner/President/Other	
of	H-E-B, LP.	1.
	Corporation/Partnership/Entity Name	
have authorized	<i>Pape-Dawson Engineers, Inc.</i> 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 Aguifer Recharge Zone, Contributing Zone or Transition Zone until the appropriate application for the activity has been filed with and approved by the Executive Director.

SIGNATURE PAGE:

Applicant's Signature

4/10/20

Date

THE STATE OF Tekns § County of BEKAN

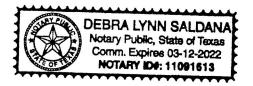
BEFORE ME, the undersigned authority, on this day personally appeared $\underline{BecScoH}$ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 10 day of April , 2020

NOTARY PUBLIC

Debla Lynn Saldana Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 3-12-2022



APPLICATION FEE FORM

Application Fee Form

Texas Commission on Environmental Quality							
Name of Proposed Regulated Entity: Descending Dove Hills Commercial							
Regulated Entity Location: Approx. 0.15 miles East of US Hwy 281 and SH-46							
Name of Customer: <u>H-E-B, LP.</u>							
Contact Person: <u>Ben Scott</u>	Phor	ne: <u>(210) 938-8697</u>					
Customer Reference Number (if i	ssued):CN <u>600282156</u>						
Regulated Entity Reference Numb	per (if issued):RN <u>10311</u>	.7438					
Austin Regional Office (3373)							
Hays	Travis	W	illiamson				
San Antonio Regional Office (336	52)						
Bexar	Medina		valde				
Comal	 Kinney						
Application fees must be paid by	check, certified check, o	or money order, payab	le to the Texas				
Commission on Environmental Q		• • • •					
form must be submitted with yo	ur fee payment . This p	ayment is being submi	itted to:				
Austin Regional Office	\boxtimes s	an Antonio Regional Office					
Mailed to: TCEQ - Cashier	Overnight Delivery to: TCEQ - Cashier						
Revenues Section	1	.2100 Park 35 Circle					
Mail Code 214	B	Building A, 3rd Floor					
P.O. Box 13088	A	Austin, TX 78753					
Austin, TX 78711-3088	()	512)239-0357					
Site Location (Check All That App	oly):						
Recharge Zone	Contributing Zone	Transi	tion Zone				
Type of Pla	ın	Size	Fee Due				
Water Pollution Abatement Plan,	Contributing Zone						
Plan: One Single Family Residenti	al Dwelling	Acres	\$				
Water Pollution Abatement Plan,	Contributing Zone						
Plan: Multiple Single Family Resid	lential and Parks	Acres	\$				
Water Pollution Abatement Plan,							
Plan: Non-residential	24.85 Acres	\$ 6 <i>,</i> 500					
Sewage Collection System	L.F. \$						
Lift Stations without sewer lines		Acres	\$				
Underground or Aboveground Sto	orage Tank Facility	Tanks	\$				
Piping System(s)(only)	Each	\$					
Exception	Each	\$					
Extension of Time		Each	\$				

Signature: Shawa L. Mann

Date: 4/7/20

Application Fee Schedule

Texas Commission on Environmental Quality

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

Water Pollution Abatement Plans and Modifications

Contributing Zone Plans and Modifications

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

Organized Sewage Collection Systems and Modifications

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

CORE DATA FORM



TCEQ Core Data Form

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

<u>SECTION</u>	<u> I: Ge</u>	eneral Infor	<u>mation</u>										
1. Reason for Submission (If other is checked please describe in space provided.)													
New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)													
Renewal (Core Data Form should be submitted with the renewal form) Other													
2. Customer Reference Number (if issued)				ow this			3	. Regula	ted Entity R	lefere	nce Numbe	er (if issued)	
CN					<u>CN or R</u> Central				RN				
SECTION	NII: C	ustomer Inf	formation	<u>1</u>									
4. General C	ustomer	Information	5. Effective	Date for	or Cus	tomer	Inforr	natic	on Updat	es (mm/dd/y	ууу)		
New Cus	tomer			Update	to Cus	tomer	Inform	atior	I	Chan	nge in	Regulated E	Entity Ownership
-		me (Verifiable wit											
The Custo	mer Na	me submitted	here may	be upo	dated	auto	matic	ally	' based	on what i	is cu	rrent and	active with the
Texas Sec	retary o	of State (SOS)	or Texas C	Compt	roller	of Pu	Iblic	Acc	ounts	(CPA).			
6. Customer	Legal Na	me (If an individua	l, print last nam	e first: e	g: Doe,	John)		<u> </u>	lf new Cu	stomer, enter	r previ	ous Custome	er below:
7. TX SOS/C	PA Filing	Number	8. TX State	e Tax ID (11 digits)				9. Federal Tax ID (9 digits) 10. DUNS Number (if appl			S Number (if applicable)		
11. Type of (Customer	: 🗌 Corporati	on			Individu	ual	Partnership: General Limited					
Government:	City	County 🗌 Federal] State 🔲 Othe	r		Sole Pr	opriet	prietorship Other:					
12. Number	of Employ						•		13. Inde	oendently O	wned	and Operat	ted?
0-20	21-100	101-250	251-500		501 an	nd high	er						
14. Custome	e r Role (Pr	roposed or Actual) -	- as it relates to	the Reg	ulated l	Entity lis	sted on	this	form. Plea	ise check one	of the	following:	
Owner		🗌 Opera	tor		0	wner &	Opera	ator					
	Occupational Licensee Responsible Party Voluntary Cleanup Applicant Other:												
15. Mailing Address:													
Auuress.	City			St	ate			ZIP	IP ZIP + 4				
16. Country	-	formation (if outs	ide (JSA)				17. E	E-Mail Address (if applicable)					
,										- (<i></i>	,		
18. Telephor	ne Numbe	r		19. Ex	tensio	on or C	ode			20. Fax Nu	umbe	r (if applicab	ole)
()	-									()	-		

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) New Regulated Entity Update to Regulated Entity Name Update to Regulated Entity Information 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.)

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)					710			710 . 4	
	City		State		ZIP			ZIP + 4	
24. County									
	Ent	ter Physical Lo	ocation Description	n if no s	street address i	s provide	d.		
25. Description to Physical Location:									
26. Nearest City						State		Ne	arest ZIP Code
27. Latitude (N) In Deci	mal:				28. Longitude (W) In D	ecimal:		
Degrees	Minutes		Seconds		Degrees	N	linutes		Seconds
29. Primary SIC Code (4 d	igits) 30.	Secondary SIC	Code (4 digits)	31. P I (5 or 6	imary NAICS C	ode	32. Sec (5 or 6 dig	ondary NA	ICS Code
33. What is the Primary B	Business of t	his entity? (Do not repeat the SIC or	NAICS d	escription.)				
34. Mailing Address:									
Autress.	City		State		ZIP			ZIP + 4	
35. E-Mail Address:		1							
36. Telepho	one Number		37. Extensio	on or C	ode	38. I	ax Numb	er <i>(if applic</i>	able)
()	-						()	-	
39. TCEQ Programs and II form. See the Core Data Form				mits/reg	stration numbers	that will be	affected by t	the updates s	submitted on this
Dam Safety	Districts		Edwards Aquife	r	Emissions	Inventory A	Air 🗌	Industrial H	azardous Waste
Municipal Solid Waste	New Sou	rce Review Air	OSSF		Petroleum	Storage Ta	ank 🗌	PWS	
Sludge	Storm W	ater	Title V Air		Tires			Used Oil	
Voluntary Cleanup	U Waste W	ater	U Wastewater Agi	riculture	U Water Rig	hts		Other:	

SECTION IV: Preparer Information

40. Name:			41. Title:	
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail /	Address
() -		() -		

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:		Job Title:		
Name(In Print) :			Phone:	() -
Signature:	Shaura L. Ulaver		Date:	

POLLUTANT LOAD AND REMOVAL CALCULATIONS Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell. Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348. Characters shown in red are data entry fields.

Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spr

1. The Required Load Reduction for the total project:	Calculations from RG-348	Pages 3-27 to 3-30
Page 3-29	Equation 3.3: $L_M = 27.2(A_N \times P)$	
where:	$L_{M TOTAL PROJECT}$ = Required TSS removal resulting from the	e proposed development = 80% of i

 A_N = Net increase in impervious area for the project

P = Average annual precipitation, inches

Site Data: Determine Required Load Removal Based on the Entire Project		
County =	Comal	
Total project area included in plan $*$ =	24.85	acres
Predevelopment impervious area within the limits of the plan $*$ =	0.00	acres
Total post-development impervious area within the limits of the plan* =	17.54	acres
Total post-development impervious cover fraction * =	0.71	
P =	33	inches
_		
L _{M TOTAL PROJECT} =	15744	lbs.
* The values entered in these fields should be for the total project area.		
Number of drainage basins / outfalls areas leaving the plan area =	1	



Project Name: HEB Bulverde Date Prepared: 4/6/2020

2. Drainage Basin Parameters (This information should be provided for each basin):

Drainage Basin/Outfall Area No. =	Basin 1	
Total drainage basin/outfall area = Predevelopment impervious area within drainage basin/outfall area = Post-development impervious area within drainage basin/outfall area = Post-development impervious fraction within drainage basin/outfall area =	22.48 0.00 17.54 0.78	acres acres acres
L _{M THIS BASIN} =	15744	lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP = **Extended Detention** Removal efficiency = **91** percent

> Aqualogic Cartridge Filte Bioretention Contech StormFilter Constructed Wetland Extended Detention Grassy Swale Retention / Irrigation Sand Filter Stormceptor Vegetated Filter Strips Vortechs Wet Basin Wet Vault

4. Calculate Maximum TSS Load Removed (L_R) for this Drainage Basin by the selected BMP Type.

RG-348 Page 3-33 Equation 3.7: $L_R = (BMP \text{ efficiency}) \times P \times (A_1 \times 34.6 + A_P \times 0.54)$

where:

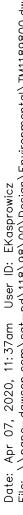
- A_{C} = Total On-Site drainage area in the BMP catchment area
- A_I = Impervious area proposed in the BMP catchment area
- A_P = Pervious area remaining in the BMP catchment area

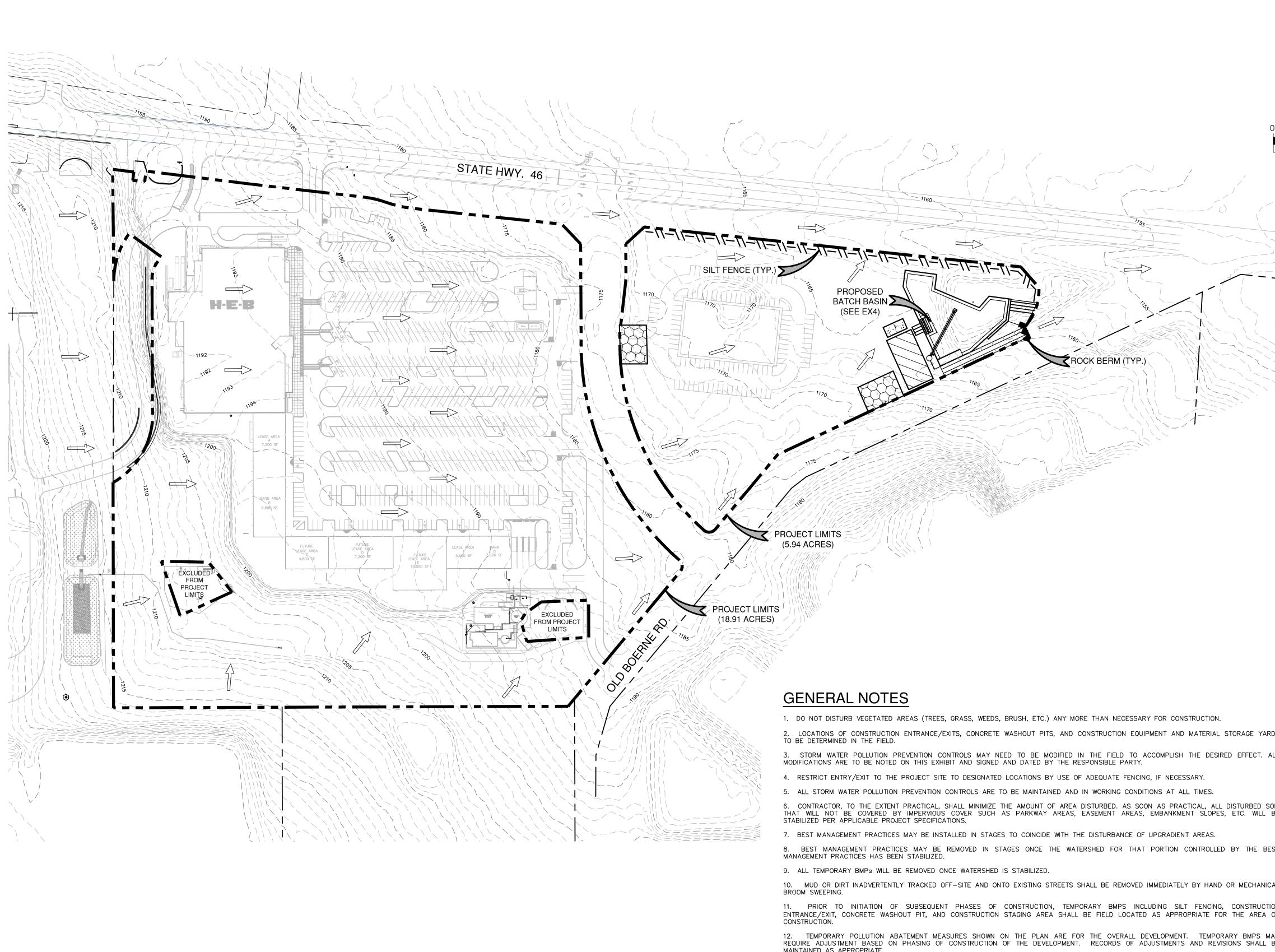
 L_R = TSS Load removed from this catchment area by the proposed BMP

A _C =	22.48	acres
A _I =	17.54	acres
A _P =	4.94	acres
L _R =	18305	lbs

5. Calculate Fraction of Annual Runoff to Treat the drainage basin / outfall a	area			
Desired L _{M THIS BASIN} =	15744	lbs.		
F =	0.86			
6. Calculate Capture Volume required by the BMP Type for this drainage ba	isin / outfall a	area. Calcu	Ilations from RG-348	Pages 3-3
Rainfall Depth = Post Development Runoff Coefficient =	1.38 0.60	inches		
On-site Water Quality Volume =	67274	cubic feet		
	Calculations	from RG-348 Page	s 3-36 to 3-37	
Off-site area draining to BMP =	0.00	acres		
Off-site Impervious cover draining to BMP =	0.00	acres		
Impervious fraction of off-site area =	0			
Off-site Runoff Coefficient =	0.00			
Off-site Water Quality Volume =	0	cubic feet		
Storage for Sediment =	13455			
Total Capture Volume (required water quality volume(s) x 1.20) =	80729	cubic feet		
The following sections are used to calculate the required water quality volu	ime(s) for th	e selected BMP.		
The values for BMP Types not selected in cell C45 will show NA.				
7. Retention/Irrigation System	Designed as	Required in RG-348	Pag	es 3-42 to 3-46
Required Water Quality Volume for retention basin =	NA	cubic feet		







THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL AERIAL IMAGERY PROVIDED BY GOOGLE UNLESS OTHERWISE NOTED. Imagery B' 2016, CAPCOG, Digital Globe, Texas Orthoimagery Program, USDA Farm Service Agency.

TEMPORARY BMP MO

DATE	SIGNATURE	

BATCH DETENTION BASIN DETAILS AND CALCULATIONS.

11. PRIOR TO INITIATION OF SUBSEQUENT PHASES OF CONSTRUCTION, TEMPORARY BMPS INCLUDING SILT FENCING, CONSTRUCTIO ENTRANCE/EXIT, CONCRETE WASHOUT PIT, AND CONSTRUCTION STAGING AREA SHALL BE FIELD LOCATED AS APPROPRIATE FOR THE AREA (

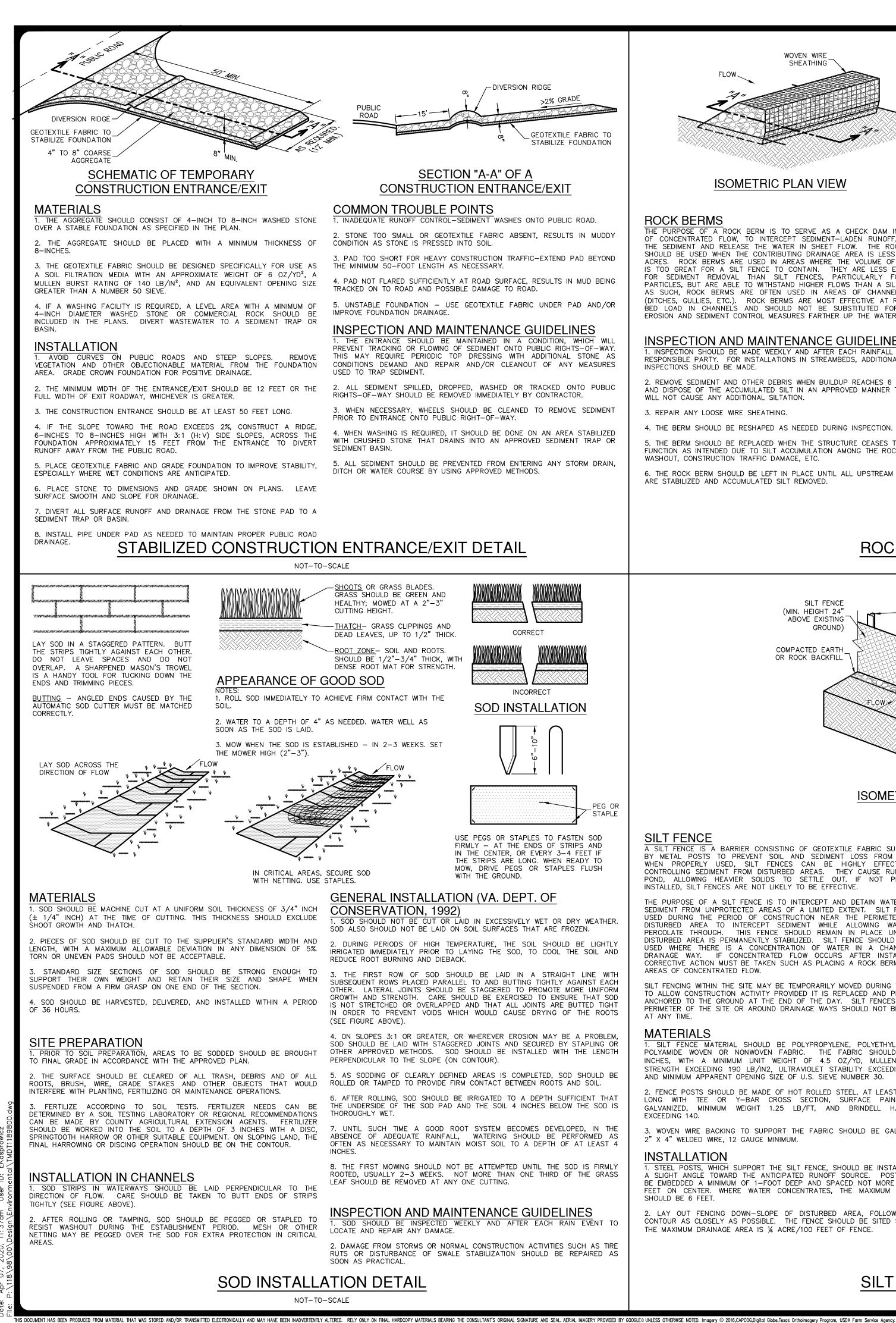
MAINTAINED AS APPROPRIATE.

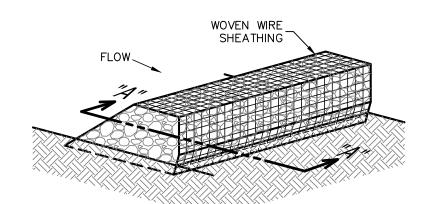
13. TEMPORARY BMPS SHOWN ON THIS SHEET ARE FOR GRAPHICAL PURPOSES AND MAY NOT BE TO SCALE. BMPS SHALL BE LOCATED WITH THE PROJECT LIMITS.

14. UPON COMPLETION OF THE PROJECT AND BEFORE FINAL PAYMENT IS ISSUED, CONTRACTOR SHALL REMOVE ALL SEDIMENT AND EROSIC CONTROL MEASURES.

15. CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION SEQUENCING AND REMOVAL OF TEMPORARY POLLUTION ABATEMENT MEASURE THAT CONFLICT WITH SITE IMPROVEMENTS SUCH AS LANDSCAPING AND FENCES SO AS TO PREVENT SEDIMENT FROM ESCAPING THE PROJECT SITE 16. BEST MANAGEMENT PRACTICES (BMPs) AND CALCULATIONS DEPICTED ON THIS PLAN ARE FOR TEMPORARY MEASURES ONLY. REFERENCE TH 4S RANCH, UNIT-7B, UNIT-7C, UNIT-9A, MUSTANG VISTA PHASE 4 AND AMENITY CENTER #2 CIVIL CONSTRUCTION PLANS FOR PERMANEN

	CATIONS IPTION	CITY OF BULVERDE		DATE	
	SCALE: 1"= 100'	STATE HWY 46 SITE SITE SITE SUB SITE SITE SUB SUB SITE SUB SUB SUB SITE SUB SUB SUB SUB SUB SUB SUB SUB SUB SUB		NO. REVISION	4/7/20 F 7.51 7.51 WEAVER 12
0'	100' 200' 300'	EXISTING CONTOUR	970 970	Shaura L	. Weaver
		FLOW ARROW (EXISTING) FLOW ARROW (PROPOSED) SILT FENCE			
		ROCK BERM (BERMS ARE TO SPAN ACROSS ENTIRE CHANNEL WIDTHS) STABILIZED CONSTRUCTION ENTRANCE/EXIT (FIELD LOCATE) CONSTRUCTION EQUIPMENT, VEHICLE & MATERIALS STORAGE AREA (FIELD LOCATE) CONCRETE TRUCK WASH-OUT PIT (FIELD LOCATE)		PE-DAWSON BINEERS	I HOUSTON I FORT WORTH I DALLAS N ANTONIO, TX 78213 I 210.375.9000 70 I TBPLS FIRM REGISTRATION #10028800
				PAF	NIO I AUSTIN I LOOP 410 I SAN REGISTRATION #470
					ANTONIO I NW LOOP FIRM REGIS ^T
					SAN A 2000 n TBPE FI
	TEX	AS COMMISSION ON ENVIRONMENTAL QUALITY CONTRIBUTING ZONE PLAN GENERAL CONSTRUCTION NOTES	-		
	LATER THAN 48 HOURS PRIOR TO COM THE DATE ON WHICH THE REGULATED	SHOULD BE PROVIDED TO THE APPROPRIATE TO MENCEMENT OF THE REGULATED ACTIVITY. INFOR ACTIVITY WILL COMMENCE, THE NAME OF THE AF THE PRIME CONTRACTOR WITH THE NAME AND TEL	MATION SHOULD INCLUDE PPROVED PLAN FOR THE	SIAL	
	WITH COMPLETE COPIES OF THE APPRO SPECIFIC CONDITIONS OF ITS APPRO CONTRACTOR(S) SHOULD KEEP COPIES OF	ULATED ACTIVITIES ASSOCIATED WITH THIS PROJEC OVED CONTRIBUTING ZONE PLAN AND THE TCEQ VAL. DURING THE COURSE OF THESE REGU THE APPROVED PLAN AND APPROVAL LETTER ON ROCARBON AND HAZARDOUS SUBSTANCE STORAGE	LETTER INDICATING THE JLATED ACTIVITIES, THE -SITE.	MERO	'ION II PLAN
	4. PRIOR TO COMMENCING CONSTRUCTION MUST BE PROPERLY SELECTED, INST SPECIFICATIONS AND GOOD ENGINEERIN APPROVED EDWARDS AQUIFER CONTRIBU INDICATE A CONTROL HAS BEEN USED MODIFY THE CONTROL FOR SITE SITUATION	TIC, INDUSTRIAL, IRRIGATION, OR PUBLIC WATER SU I, ALL TEMPORARY EROSION AND SEDIMENTATION (E ALLED, AND MAINTAINED IN ACCORDANCE WITH G PRACTICES. CONTROLS SPECIFIED IN THE S TING ZONE PLAN ARE REQUIRED DURING CONSTRI INAPPROPRIATELY, OR INCORRECTLY, THE APPLIC DNS. THE CONTROLS MUST REMAIN IN PLACE UNTI	E&S) CONTROL MEASURES THE MANUFACTURER'S SWPPP SECTION OF THE JCTION. IF INSPECTIONS CANT MUST REPLACE OR	COMM	DIFICAT EMENT
	FREQUENCY SUFFICIENT TO MINIMIZE OFFS	TION SITE, OFF-SITE ACCUMULATIONS OF SEDIMENT SITE IMPACTS TO WATER QUALITY (E.G., FUGITIVE SE		LLS EXAS	N MOI ABATI
	 WASHED INTO SURFACE STREAMS OR SEN 6. SEDIMENT MUST BE REMOVED FROM S CAPACITY HAS BEEN REDUCED BY 50%. SEDIMENT OCCUPIES 50% OF THE BASIN 	SEDIMENT TRAPS OR SEDIMENTATION PONDS NOT LA A PERMANENT STAKE MUST BE PROVIDED THAT		HIL E, ∃	PLA ION
RDS	FROM BECOMING A POLLUTANT SOURCE DAILY).	CONSTRUCTION CHEMICALS EXPOSED TO STORMWAT FOR STORMWATER DISCHARGES (E.G., SCREENING	G OUTFALLS, PICKED UP)VE Verd	ZONE
ALL	PROPER E&S CONTROLS INSTALLED.9. STABILIZATION MEASURES SHALL BI) GENERATED FROM THE PROJECT SITE AND STOR E INITIATED AS SOON AS PRACTICABLE IN PORTIC ARILY OR PERMANENTLY CEASED, AND CONSTRUCT	ONS OF THE SITE WHERE		
	RESUME WITHIN 21 DAYS. WHEN THE IN WEATHER CONDITIONS, STABILIZATION MEA 10. THE FOLLOWING RECORDS SHOULD DATES WHEN MAJOR GRADING ACTIVITIE	ITIATION OF STABILIZATION MEASURES BY THE 14TI ASURES SHALL BE INITIATED AS SOON AS PRACTICA BE MAINTAINED AND MADE AVAILABLE TO THE TCE IS OCCUR; THE DATES WHEN CONSTRUCTION ACT	H DAY IS PRECLUDED BY BLE. Q UPON REQUEST: THE IVITIES TEMPORARILY OR	UNG NG	TRIBUTING IPORARY P
SOIL BE	PERMANENTLY CEASE ON A PORTION OF 11. THE HOLDER OF ANY APPROVED CO	THE SITE; AND THE DATES WHEN STABILIZATION ME ONTRIBUTING ZONE PLAN MUST NOTIFY THE APPRO THE EXECUTIVE DIRECTOR PRIOR TO INITIATING AN	EASURES ARE INITIATED. OPRIATE REGIONAL OFFICE		Z≥
EST	INCLUDING BUT NOT LIMITED TO TEMPORA STRUCTURES;	MODIFICATION OF ANY BEST MANAGEMENT PRACT RY OR PERMANENT PONDS, DAMS, BERMS, SILT FE	NCES, AND DIVERSIONÀRÝ	C U U	CO
	APPROVED;	HARACTER OF THE REGULATED ACTIVITY FROM THA FICANTLY IMPACT THE ABILITY TO PREVENT POLL ED SURFACE WATER; OR		ES	
ION OF		USLY IDENTIFIED IN A CONTRIBUTING ZONE PLAN A	S UNDEVELOPED.		
BE	T4250 JUDSON ROAD SAN ANTONIO, TEXAS 78233-4480 PHONE (210) 490-3096 FAX (210) 545-4329	THE ENGINEERING SEAL HAS BEEN AFFIXED TO TH	S SHEET ONLY FOR THF	PLAT NO.	
ION		PURPOSE OF DEMONSTRATING COMPLIANCE WITH T SIZING AND TREATMENT REQUIREMENTS OF THE TE ENVIRONMENTAL QUALITY'S EDWARDS AQUIFER TEC	HE POLLUTION ABATEMENT XAS COMMISSION ON	JOB NO1	11898-00 RIL 2020
RES TE. THE		THIS SHEET HAS BEEN PREPARED FOR PURPOSES OF POLLUTION ABATEMENT ONLY. ALL OTHER CIVIL ENGINEERING RELATED INFORMATION SHOULD BE ACQUIRED FROM THE APPROPRIATE SHEET IN THE CIVIL INTERPOVEMENT DI ANS	EXHIBIT 1	DESIGNER	EK DRAWN <u>DD/EK</u>
ENT		THE CIVIL IMPROVEMENT PLANS.		SHEET	EX1





ISOMETRIC PLAN VIEW

ROCK BERMS

THE PURPOSE OF A ROCK BERM IS TO SERVE AS A CHECK DAM IN AREAS OF CONCENTRATED FLOW, TO INTERCEPT SEDIMENT-LADEN RUNOFF, DETAIN THE SEDIMENT AND RELEASE THE WATER IN SHEET FLOW. THE ROCK BERM SHOULD BE USED WHEN THE CONTRIBUTING DRAINAGE AREA IS LESS THAN 5 ACRES. ROCK BERMS ARE USED IN AREAS WHERE THE VOLUME OF RUNOFF IS TOO GREAT FOR A SILT FENCE TO CONTAIN. THEY ARE LESS EFFECTIVE FOR SEDIMENT REMOVAL THAN SILT FENCES. PARTICULARLY FOR FINE PARTICLES, BUT ARE ABLE TO WITHSTAND HIGHER FLOWS THAN A SILT FENCE. AS SUCH, ROCK BERMS ARE OFTEN USED IN AREAS OF CHANNEL FLOWS (DITCHES, GULLIES, ETC.). ROCK BERMS ARE MOST EFFECTIVE AT REDUCING BED LOAD IN CHANNELS AND SHOULD NOT BE SUBSTITUTED FOR OTHER EROSION AND SEDIMENT CONTROL MEASURES FARTHER UP THE WATERSHED.

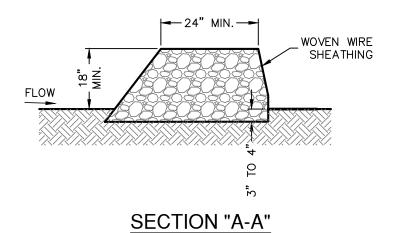
INSPECTION AND MAINTENANCE GUIDELINES , INSPECTION SHOULD BE MADE WEEKLY AND AFTER EACH RAINFALL BY THE RESPONSIBLE PARTY. FOR INSTALLATIONS IN STREAMBEDS, ADDITIONAL DAILY INSPECTIONS SHOULD BE MADE.

2. REMOVE SEDIMENT AND OTHER DEBRIS WHEN BUILDUP REACHES 6 INCHES AND DISPOSE OF THE ACCUMULATED SILT IN AN APPROVED MANNER THAT WILL NOT CAUSE ANY ADDITIONAL SILTATION. 3. REPAIR ANY LOOSE WIRE SHEATHING.

4. THE BERM SHOULD BE RESHAPED AS NEEDED DURING INSPECTION. 5. THE BERM SHOULD BE REPLACED WHEN THE STRUCTURE CEASES TO

FUNCTION AS INTENDED DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.

6. THE ROCK BERM SHOULD BE LEFT IN PLACE UNTIL ALL UPSTREAM AREAS ARE STABILIZED AND ACCUMULATED SILT REMOVED.



MATERIALS

1. THE BERM STRUCTURE SHOULD BE SECURED WITH A WOVEN WIRE SHEATHING HAVING MAXIMUM OPENING OF 1 INCH AND A MINIMUM WIRE DIAMETER OF 20 GAUGE GALVANIZED AND SHOULD BE SECURED WITH SHOAT

2. CLEAN, OPEN GRADED 3-INCH TO 5-INCH DIAMETER ROCK SHOULD BE USED, EXCEPT IN AREAS WHERE HIGH VELOCITIES OR LARGE VOLUMES OF FLOW ARE EXPECTED, WHERE 5-INCH TO 8-INCH DIAMETER ROCKS MAY BE USED

INSTALLATION

1. LAY OUT THE WOVEN WIRE SHEATHING PERPENDICULAR TO THE FLOW LINE. THE SHEATHING SHOULD BE 20 GAUGE WOVEN WIRE MESH WITH 1 INCH OPENINGS 2. BERM SHOULD HAVE A TOP WIDTH OF 2 FEET MINIMUM WITH SIDE SLOPES

BEING 2:1 (H: V) OR FLATTER. 3. PLACE THE ROCK ALONG THE SHEATHING AS SHOWN IN THE DIAGRAM TO

A HEIGHT NOT LESS THAN 18". 4. WRAP THE WIRE SHEATHING AROUND THE ROCK AND SECURE WITH TIE

WIRE SO THAT THE ENDS OF THE SHEATHING OVERLAP AT LEAST 2 INCHES, AND THE BERM RETAINS ITS SHAPE WHEN WALKED UPON. 5. BERM SHOULD BE BUILT ALONG THE CONTOUR AT ZERO PERCENT GRADE

OR AS NEAR AS POSSIBLE. 6. THE ENDS OF THE BERM SHOULD BE TIED INTO EXISTING UPSLOPE GRADE

AND THE BERM SHOULD BE BURIED IN A TRENCH APPROXIMATELY 3 TO 4 INCHES DEEP TO PREVENT FAILURE OF THE CONTROL.

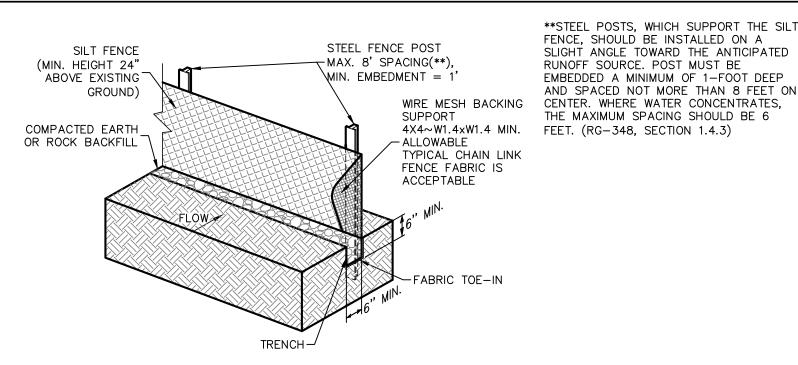
COMMON TROUBLE POINTS

1. INSUFFICIENT BERM HEIGHT OR LENGTH (RUNOFF QUICKLY ESCAPES OVER THE TOP OR AROUND THE SIDES OF BERM). 2. BERM NOT INSTALLED PERPENDICULAR TO FLOW LINE (RUNOFF ESCAPING

ROCK BERM DETAIL

AROUND ONE SIDE).

NOT-TO-SCALE



ISOMETRIC PLAN VIEW

SILT FENCE

A SILT FENCE IS A BARRIER CONSISTING OF GEOTEXTILE FABRIC SUPPORTED BY METAL POSTS TO PREVENT SOIL AND SEDIMENT LOSS FROM A SITE. WHEN PROPERLY USED. SILT FENCES CAN BE HIGHLY EFFECTIVE AT CONTROLLING SEDIMENT FROM DISTURBED AREAS. THEY CAUSE RUNOFF TO POND, ALLOWING HEAVIER SOLIDS TO SETTLE OUT. IF NOT PROPERLY INSTALLED, SILT FENCES ARE NOT LIKELY TO BE EFFECTIVE.

THE PURPOSE OF A SILT FENCE IS TO INTERCEPT AND DETAIN WATER-BORN SEDIMENT FROM UNPROTECTED AREAS OF A LIMITED EXTENT. SILT FENCE IS USED DURING THE PERIOD OF CONSTRUCTION NEAR THE PERIMETER OF A DISTURBED AREA TO INTERCEPT SEDIMENT WHILE ALLOWING WATER TO PERCOLATE THROUGH. THIS FENCE SHOULD REMAIN IN PLACE UNTIL THE DISTURBED AREA IS PERMANENTLY STABILIZED. SILT FENCE SHOULD NOT BE USED WHERE THERE IS A CONCENTRATION OF WATER IN A CHANNEL OR DRAINAGE WAY. IF CONCENTRATED FLOW OCCURS AFTER INSTALLATION, CORRECTIVE ACTION MUST BE TAKEN SUCH AS PLACING A ROCK BERM IN THE AREAS OF CONCENTRATED FLOW.

SILT FENCING WITHIN THE SITE MAY BE TEMPORARILY MOVED DURING THE DAY TO ALLOW CONSTRUCTION ACTIVITY PROVIDED IT IS REPLACED AND PROPERLY ANCHORED TO THE GROUND AT THE END OF THE DAY. SILT FENCES ON THE PERIMETER OF THE SITE OR AROUND DRAINAGE WAYS SHOULD NOT BE MOVED AT ANY TIME.

MATERIALS

. SILT FENCE MATERIAL SHOULD BE POLYPROPYLENE, POLYETHYLENE, OR POLYAMIDE WOVEN OR NONWOVEN FABRIC. THE FABRIC SHOULD BE 36 INCHES, WITH A MINIMUM UNIT WEIGHT OF 4.5 OZ/YD, MULLEN BURST STRENGTH EXCEEDING 190 LB/IN2, ULTRAVIOLET STABILITY EXCEEDING 70%, AND MINIMUM APPARENT OPENING SIZE OF U.S. SIEVE NUMBER 30.

2. FENCE POSTS SHOULD BE MADE OF HOT ROLLED STEEL, AT LEAST 4 FEET LONG WITH TEE OR Y-BAR CROSS SECTION, SURFACE PAINTED OR GALVANIZED, MINIMUM WEIGHT 1.25 LB/FT, AND BRINDELL HARDNESS EXCEEDING 140.

3. WOVEN WIRE BACKING TO SUPPORT THE FABRIC SHOULD BE GALVANIZED 2" X 4" WELDED WIRE, 12 GAUGE MINIMUM.

INSTALLATION

. STEEL POSTS, WHICH SUPPORT THE SILT FENCE, SHOULD BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POSTS MUST BE EMBEDDED A MINIMUM OF 1-FOOT DEEP AND SPACED NOT MORE THAN 8 FEET ON CENTER. WHERE WATER CONCENTRATES, THE MAXIMUM SPACING SHOULD BE 6 FEET.

2. LAY OUT FENCING DOWN-SLOPE OF DISTURBED AREA. FOLLOWING THE CONTOUR AS CLOSELY AS POSSIBLE. THE FENCE SHOULD BE SITED SO THAT THE MAXIMUM DRAINAGE AREA IS 1/4 ACRE/100 FEET OF FENCE.

3. THE TOE OF THE SILT FENCE SHOULD BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWN-SLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CANNOT BE TRENCHED IN (E.G., PAVEMENT OR ROCK OUTCROP), WEIGHT FABRIC FLAP WITH 3 INCHES OF PEA GRAVEL ON UPHILL SIDE TO PREVENT FLOW FROM SEEPING UNDER FENCE.

4. THE TRENCH MUST BE A MINIMUM OF 6 INCHES DEEP AND 6 INCHES WIDE TO ALLOW FOR THE SILT FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.

5. SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POST. THERE SHOULD BE A 3-FOOT OVERLAP, SECURELY FASTENED WHERE ENDS OF FABRIC MEET.

6. SILT FENCE SHOULD BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE. COMMON TROUBLE POINTS

FENCE NOT INSTALLED ALONG THE CONTOUR CAUSING WATER TO CONCENTRATE AND FLOW OVER THE FENCE.

2. FABRIC NOT SEATED SECURELY TO GROUND (RUNOFF PASSING UNDER FENCE).

3. FENCE NOT INSTALLED PERPENDICULAR TO FLOW LINE (RUNOFF ESCAPING AROUND SIDES).

4. FENCE TREATING TOO LARGE AN AREA, OR EXCESSIVE CHANNEL FLOW (RUNOFF OVERTOPS OR COLLAPSES FENCE).

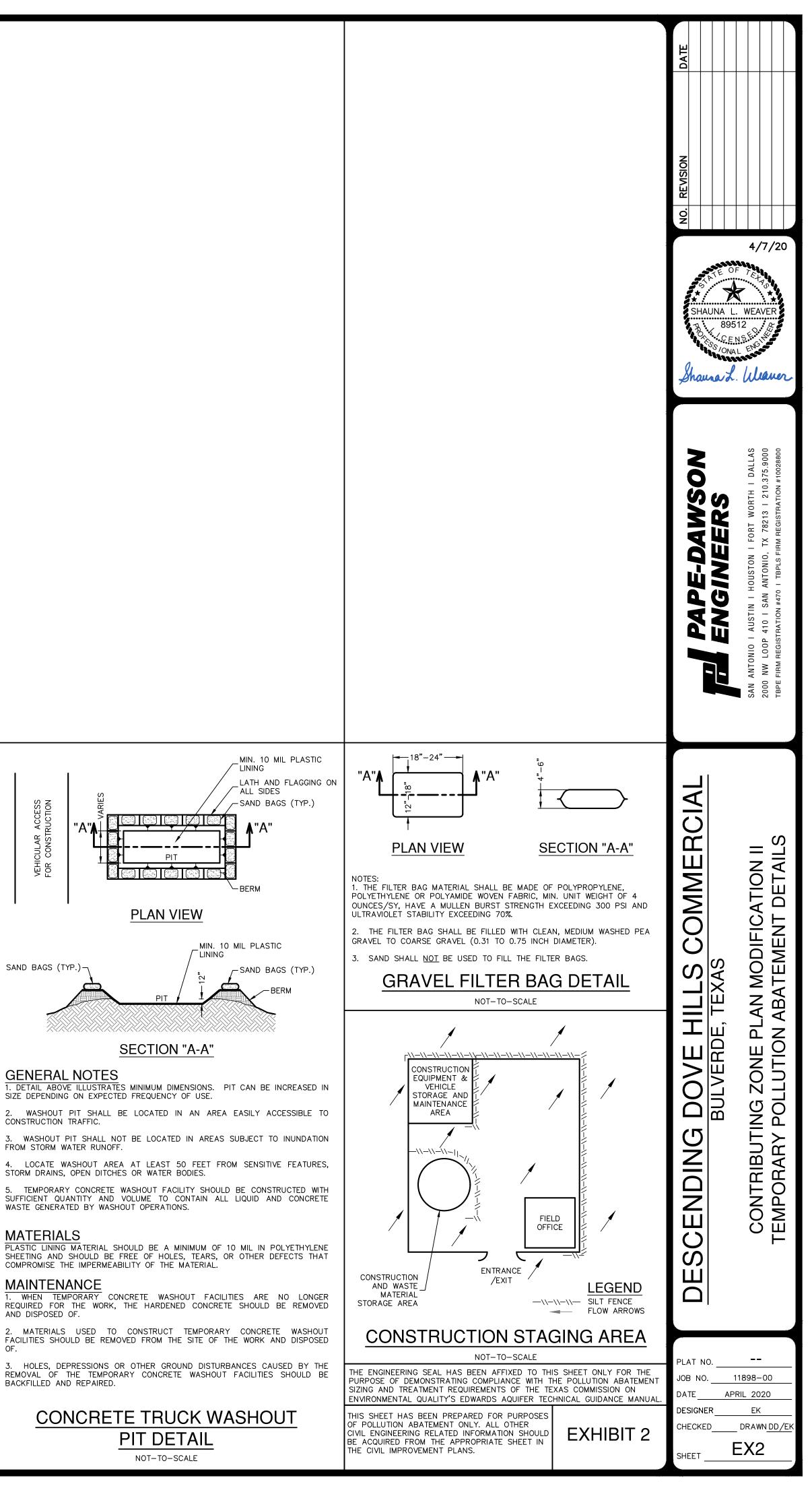
INSPECTION AND MAINTENANCE GUIDELINES 1. INSPECT ALL FENCING WEEKLY, AND AFTER RAINFALL.

2. REMOVE SEDIMENT WHEN BUILDUP REACHES 6 INCHES.

3. REPLACE TORN FABRIC OR INSTALL A SECOND LINE OF FENCING PARALLEL TO THE TORN SECTION.

4. REPLACE OR REPAIR SECTIONS CRUSHED OR COLLAPSED IN THE COURSE OF CONSTRUCTION ACTIVITY. IF A SECTION OF FENCE IS OBSTRUCTING VEHICULAR ACCESS, CONSIDER RELOCATING IT TO A SPOT WHERE IT WILL PROVIDE EQUAL PROTECTION, BUT WILL NOT OBSTRUCT VEHICLES. TRIANGULAR FILTER DIKE MAY BE PREFERABLE TO A SILT FENCE AT COMMON VEHICLE ACCESS POINTS.

. WHEN CONSTRUCTION IS COMPLETE, THE SEDIMENT SHOULD BE DISPOSED OF IN A MANNER THAT WILL NOT CAUSE ADDITIONAL SILTATION AND THE PRIOR LOCATION OF THE SILT FENCE SHOULD BE REVEGETATED. THE FENCE ITSELF SHOULD BE DISPOSED OF IN AN APPROVED LANDFILL.



SAND BAGS (TYP.)

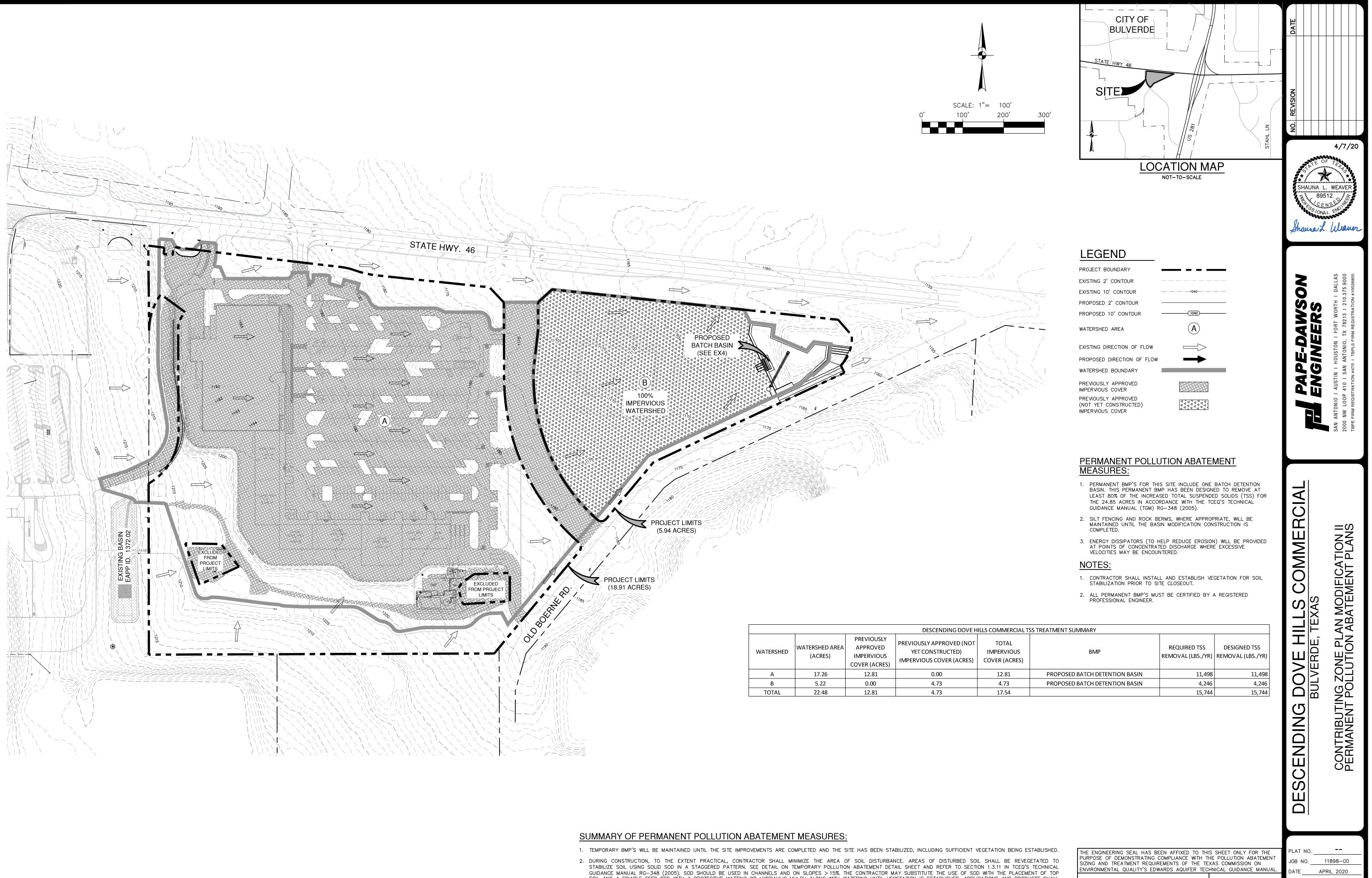
GENERAL NOTES

MATERIALS

MAINTENANCE

AND DISPOSED OF.

SILT FENCE DETAIL NOT-TO-SCALE



THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL AERIAL IMAGERY PROVIDED BY GOOGLE® UNLESS OTHERWISE NOTED. Imagery Provided BY CONCLESS OTHERWISE NOTED.

- SOIL AND A FRIABLE SEED BED WITH A PROTECTIVE MATTING OR HYDRAULIC MULCH ALONG WITH WATERING UNTIL VEGETATION IS ESTABLISHED. APPLICATIONS AND PRODUCTS SHALL BE THOSE APPROVED BY TXDOT AS OF FEBRUARY 2001 AND IN COMPLIANCE WITH THE TGM RG-348 (2005). SEED MIXTURE AND/OR GRASS TYPE TO BE DETERMINED BY OWNER AND SHOULD BE IN COMPLIANCE WITH TGM RG-348 (2005) GUIDELINES. IRRIGATION MAY BE REQUIRED IN ORDER TO ESTABLISH SUFFICIENT VEGETATION.
- 3. FOR DISTURBED AREAS WHERE INSUFFICIENT SOIL EXISTS TO ESTABLISH VEGETATION, CONTRACTOR SHALL PLACE A MINIMUM OF 6" OF TOPSOIL PRIOR TO REVEGETATION. 4. TYPICAL SLOPES ON THIS PROJECT RANGE FROM APPROXIMATELY 1% TO 15%.

THIS SHEET HAS BEEN PREPARED FOR PURPOSES OF POLLUTION ABATEMENT ONLY. ALL OTHER CIVIL ENGINEERING RELATED INFORMATION SHOULD BE ACQUIRED FROM THE APPROPRIATE SHEET IN THE CIVIL IMPROVEMENT PLANS.

EXHIBIT 3

DESIGNER

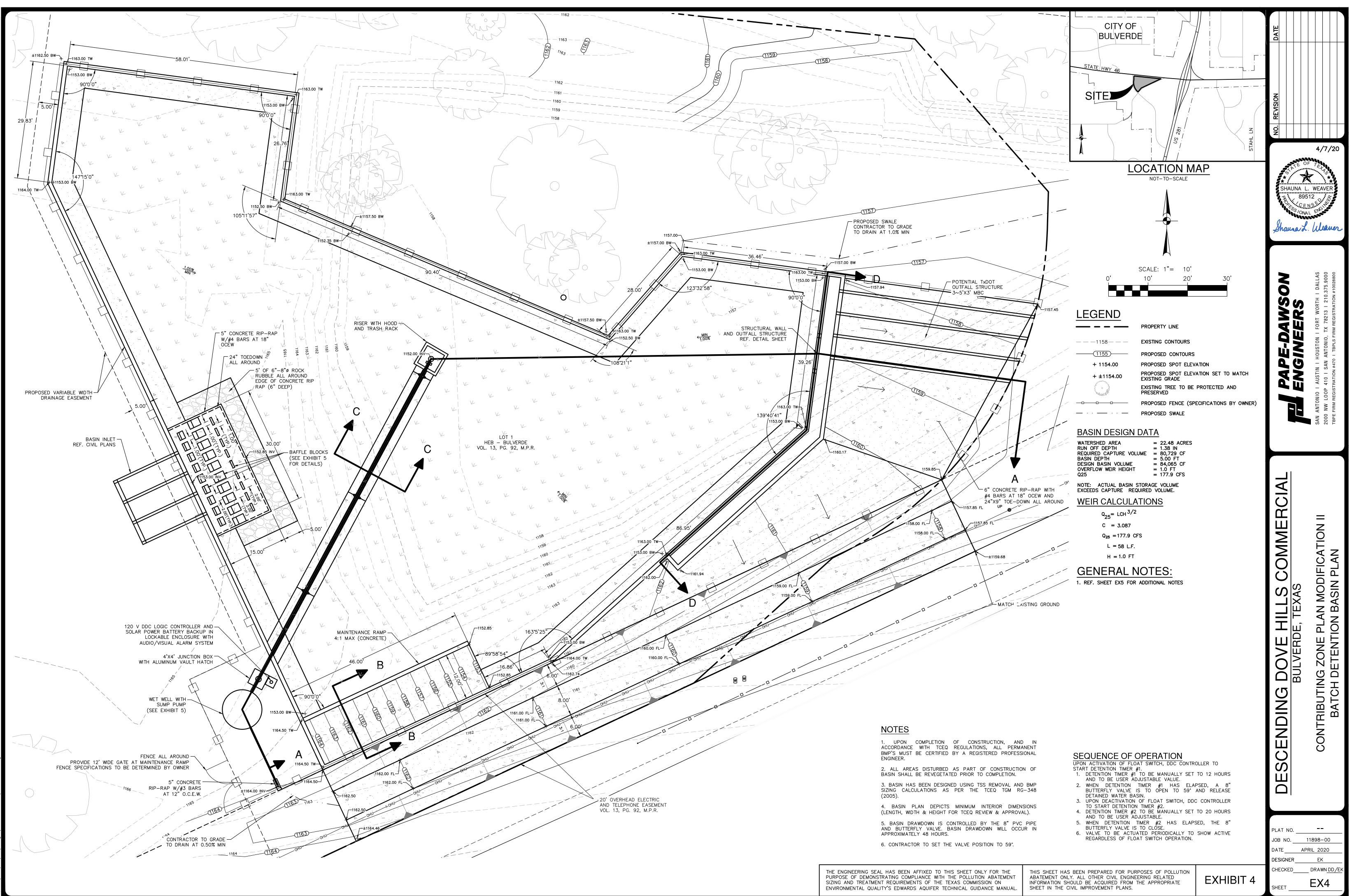
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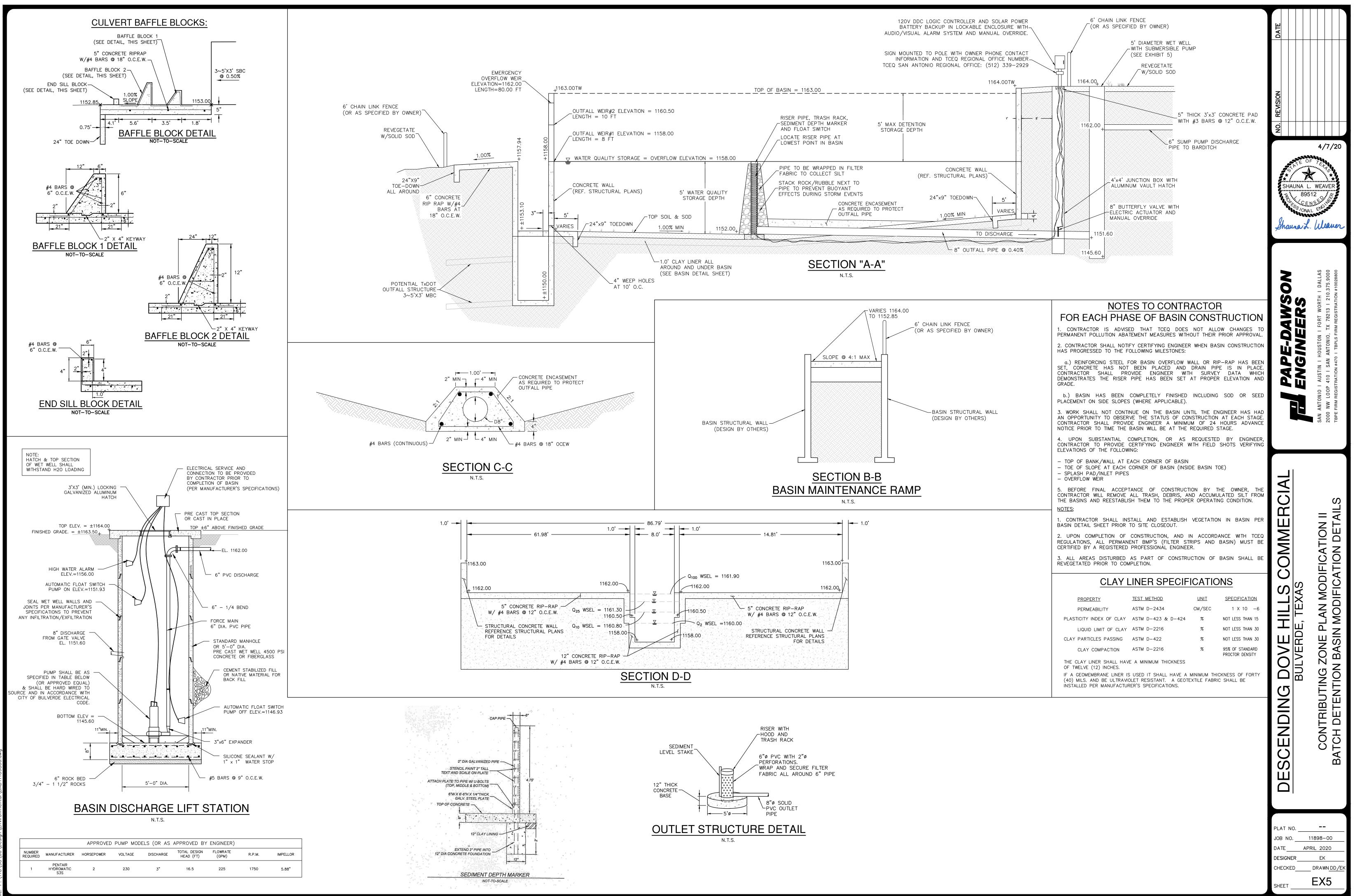
SHEET

ΕK

DRAWN DD/E

EX3





THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INADVERTENTLY ALTERED. RELY ONLY ON FINAL HARDCOPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL AERIAL IMAGERY PROVIDED BY GOOGLE® UNLESS OTHERWISE NOTED. Imagery Provided BY GOOGLE® UNLESS OTHERWISE NOTED. Imagery Program, USDA Farm Service Agency.

Bryan W. Shaw, Ph.D., *Chairman* Buddy Garcia. *Commissioner* Carlos Rubinstein, *Commissioner* Mark R. Vickery, P.G., *Executive Director*



RECEIVED

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 11, 2010

Mr. William A. Reynolds HEB Grocery Company, Inc. 646 South Main Avenue San Antonio, Texas 78204

Re: Edwards Aquifer, Comal County
 NAME OF PROJECT: Descending Dove Hills Commercial; Located on the south side of State
 Highway 46 south of Windmill Ranch Road; Spring Branch, Texas
 TYPE OF PLAN: Request for Modification of an Approved Contributing Zone Plan (CZP); 30
 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer
 Edwards Aquifer Protection Program ID No. 1372.02; Investigation No. 796859; Regulated
 Entity No. RN103117438

Dear Mr. Reynolds:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP modification for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc., on behalf of HEB Grocery Company, Inc., on March 17, 2010. Final review of the CZP was completed after additional material was received on May 5, 2010, June 3, 2010, June 9, 2010 and June 10, 2010. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

By letter dated December 21, 1999, approval was granted for a proposed commercial project that is located on 29 acres and consisted of construction of an H.E.B., grocery store, a commercial shopping complex (approximately 153,150 square feet), a partial sedimentation/filtration basin and approximately 585.011 square feet of associated parking. The proposed impervious cover for the development is 16.95 acres (67.4 percent) of the total area of the site.

The development was permitted under a Contributing Zone Plan (CZP) entitled "H.E.B. Bulverde" (EAPP No. 1372.00).

REPL TO: REGION 13 • 14250 JUDSON RD. • SAN ANTONIO, TEXAS 78233-4480 • 210-490-3096 • FAX 210-545-4329

PROJECT DESCRIPTION

The site limits are approximately 62.58 acres, of which, the expansion project encompasses 34.25 acres. It will include a new HEB grocery store, restaurant/retail space and associated parking. Approximately 33.58 acres of the 34.25 acre project limits is an existing development containing 9 residential and commercial structures with associated storage sheds, pump houses, playgrounds, 9 on-site sewage facilities, and a pool. The demolition of existing structures is on going. The site for the first phase of the HEB development consists of three (3) buildings, a fueling station, carwash and associated parking. The impervious cover will be 20.83 acres (61 percent). Project wastewater will be disposed of by conveyance to the existing Bulverde-BexarMet Water Recycling Center owned by the Bexar Metropolitan Water District.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two partial sedimentation/filtration basins and two Vortech units, designed using the TCEQ technical guidance document, <u>Complying with the Edwards Aquifer Rules:</u> Technical Guidance on Best Management Practices (2005), will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 27,575 pounds of TSS generated from the 20.83 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

Drainage	Total	Existing	Proposed	Calc.	Design	Calc.Filter	Design	Min. TSS	Design
Area/Basin	Watershed	I.C.	I.C.	Min.	Capture	Area	Filter	Removal	TSS
	Area (ac.)	(ac)	(a.c)	Capture	Volume	(sq.ft)	Area	(lb/yr.)	Removal
				Volume	(cu.ft)		(sq.ft)		(lb./yr.)
				(cu.ft)					
Basin A	12.12	0.31	11.51	56,506	62,394	5,651	5,685	10,056.71	11,710.16
Basin B	5.24	1.26	4.98	25,492	26,057	2,549	2,892	3,337.28	5,062.81
Exist. Basin*	0.41	0.00	0.41	77,782	77,969	7,292	9,326	11,243.37	11,243.37
Vortech C	1.62	0.06	1.54	-	-	w	-	1,328.00	1,442.11
Vortech D	1.14	0.46	1.08	-		*	-	559.00	1,014.82
Open Space -			-						
Landscaping**	12.34	0.00	0.00	**	-	-	-	0.00	0.00
Total									
Uncaptured***	1.38	0.14	1.31	-	-	-	-	1.051.09	-
		, j					<		
Total	34.25	2.23	20.83					27.575.45	30.473.27

* Note, the figures listed on this table apply only to the area within the project limits

** Areas that do not contain impervious cover

*** Total Uncaptured Area = Area F, G & H; Overtreatment provided in Basin B

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.

Mr. William A. Reynolds June 11, 2010 Page 3

- 11. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated December 21, 1999.
- III. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.
- IV. All sediment and/or media removed from the water quality basins and vortech units during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.
- V. Activities observed during the site assessment investigation, conducted on May 25, 2010, are alleged to constitute construction without prior approval of the proposed contributing zone plan as required by Commission rules (30 TAC Chapter 213, Sub-Chapter B). Therefore, the applicant is hereby advised that the after-the-fact approval of the development, as provided by this letter, shall not absolve the applicant of any prior violations of Commission rules related to this project, and shall not necessarily preclude the Commission from pursuing appropriate enforcement actions and administrative penalties associated with such violations, as provided in 30 TAC §213.10 of Commission rules.

STANDARD CONDITIONS

- 1. Pursuant to Chapter 7 Subchapter C of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.
- 2. The holder of the approved Edwards Aquifer protection plan must comply with all provisions of 30 TAC Chapter 213 and all best management practices and measures contained in the approved plan. Additional and separate approvals, permits, registrations and/or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, UIC) can be required depending on the specifics of the plan.
- 3. In addition to the rules of the Commission, the applicant may also be required to comply with state and local ordinances and regulations providing for the protection of water quality.

Prior to Commencement of Construction:

- 4. 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.

Mr. William A. Reynolds June 11, 2010 Page 4

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 storm water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.
- 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.

Mr. William A. Reynolds June 11, 2010 Page 5

- 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.

If you have any questions or require additional information, please contact Stacy Tanner of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403-4078.

Sincerely,

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

MRV/SMT/eg

Enclosures: Deed Recordation Affidavit, Form TCEQ-0625A Change in Responsibility for Maintenance of Permanent BMPs, Form TCEQ-10263

 cc: Ms. Shauna L. Weaver, P.E., Pape-Dawson Engineers, Inc. The Honorable Bill Krawietz, City of Bulverde Mr. Tom Hornseth, P.E., Comal County Mr. Karl J. Dreher, Edwards Aquifer Authority TCEQ Central Records, Building F, MC212 Bryan W. Shaw, Ph.D., *Chairman* Buddy Garcia, *Commissioner* Carlos Rubenstein, *Commissioner* Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

RECEIVED

March 22, 2010

MAR 2 4 2010

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: Descending Dove Hills Commercial, located on the south side of State Highway 46 south of Windmill Ranch Road, Comal County, Texas PLAN TYPE: Application for Approval of a Contributing Zone Water Pollution Abatement Plan (CZP) request, 30 Texas Administration Code (TAC) Chapter 213; Edwards Aquifer Protection Program

EAPP File No.: 1372.02

Dear Mr. Hornseth:

The enclosed Contributing Zone Water Pollution Abatement Plan, received on March 17, 2010 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 April 16, 2010.

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

Sincerely

Lynn M. Bumguardner

Water Section Manager San Antonio Regional Office

LMB/eg

REPLY TO: REGION 13 • 14250 JUDSON RD. • SAN ANTONIO, TEXAS 78233-4480 • 210-490-3096 • FAX 210-545-4329

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address: www.tceq.state.tx.us printed on recycled paper using soy-based ink

1372.02



DESCENDING DOVE HILLS COMMERCIAL

Contributing Zone Plan Modification Application

RECEIVED

MAR 2 4 2010

COUNTY ENGINEER

TCEO-R13 MAR 1 7 2210 S.A.M. PARTONIO

March 2010



MAR 2 4 2010 COUNTY ENGINEER

DESCENDING DOVE HILLS COMMERCIAL

Contributing Zone Plan Modification Application

March 2010

Texas Board of Professional Engineers, Firm Registration # 470



PAPE-DAWSON ENGINEERS

LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

March 16, 2010

Mr. Richard Garcia TCEQ Region 13 14250 Judson Road San Antonio, Texas 78233-4480

Re: Descending Dove Hills Commercial Contributing Zone Plan Modification Application

Dear Mr. Garcia:

Please find attached one (1) original and three (3) copies of the Descending Dove Hills Commercial Contributing Zone Plan Modification application. This Contributing Zone Plan Modification (CZP MOD) has been prepared in accordance with the Texas Administrative Code (30 TAC 213) and current policies for development over the Edwards Aquifer Contributing Zone.

This CZP MOD applies to an approximate 62.58-acre site. Approximately 29 acres of this 62.58 acre area was previously approved under the "H.E.B. Bulverde" CZP permit (EAPP No. 1372.00). This application is a Modification to the 1999 permit. Approximately 34.25 acres are the limits of new construction. Please review the plan information for the items it is intended to address. If acceptable, please provide a written approval of the plan in order that construction may begin at the earliest opportunity.

Appropriate review fees (\$8,000) and fee application are included. If you have any questions or require additional information, please do not hesitate to contact me at your earliest convenience.

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

hanna ! allaver

Shauna Weaver, P.E. Vice President, Land Development

Attachments

M:\4546\46\Word\Reports\CZP\100217a1.doc

APPLICATION

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	VName:	Descending	Dove Hills	Commercial

County: Comal

Stream Basin: Lewis Creek

1. \checkmark 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:	William A. Reynolds		
Entity:	HEB Grocery Company, LP		
Mailing Address	646 South Main Avenue		
City, State:	San Antonio, Texas	Zip:	78204
Telephone:	(210) 938-8000	FAX: (210) 938-8091	1

Agent/Representative (If any):

Contact Persor	n: Shauna L. Weaver, P.E		
Title:	Vice President, Land D	evelopment	
Entity:	Pape-Dawson Enginee	rs, Inc.	
Mailing Address	s: 555 E. <u>Ramsey</u>		
City, State:	San Antonio, Texas	Zip:_ 78216	
Telephone:	(210) 375-9000	FAX: <u>(210) 375-9030</u>	

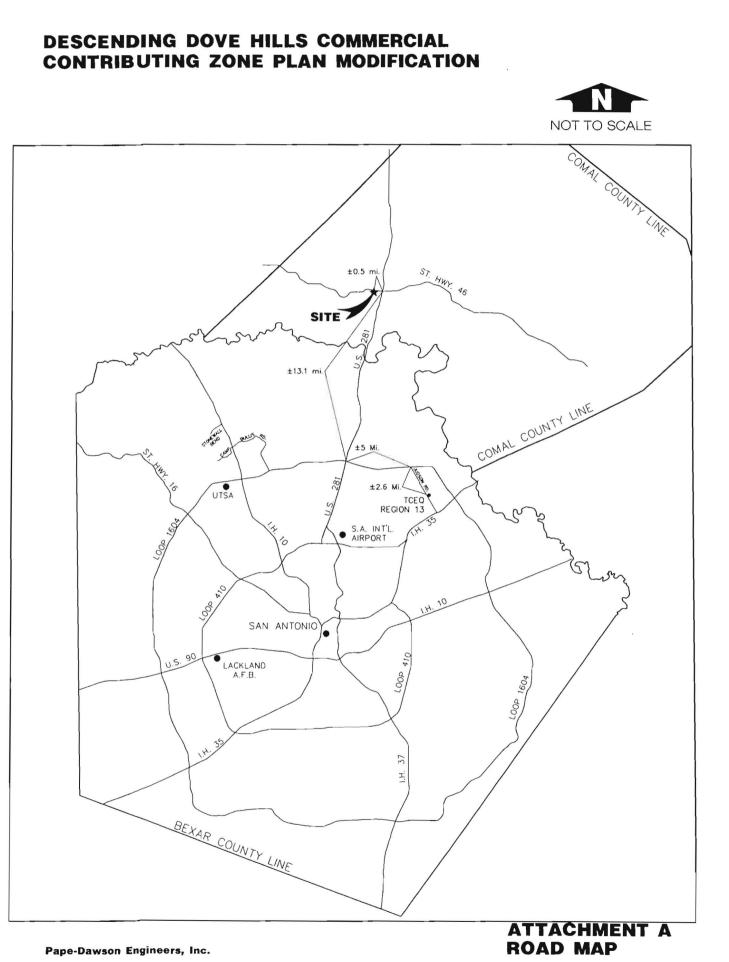
3. ✓ This project is *partially* inside the city limits of <u>Bulverde and partially within the ETJ</u> of the City of Bulverde in Comal County. Please see the map attached behind this sheet.

This project is outside the city limits but inside the ETJ (extra-territorial jurisdiction) of

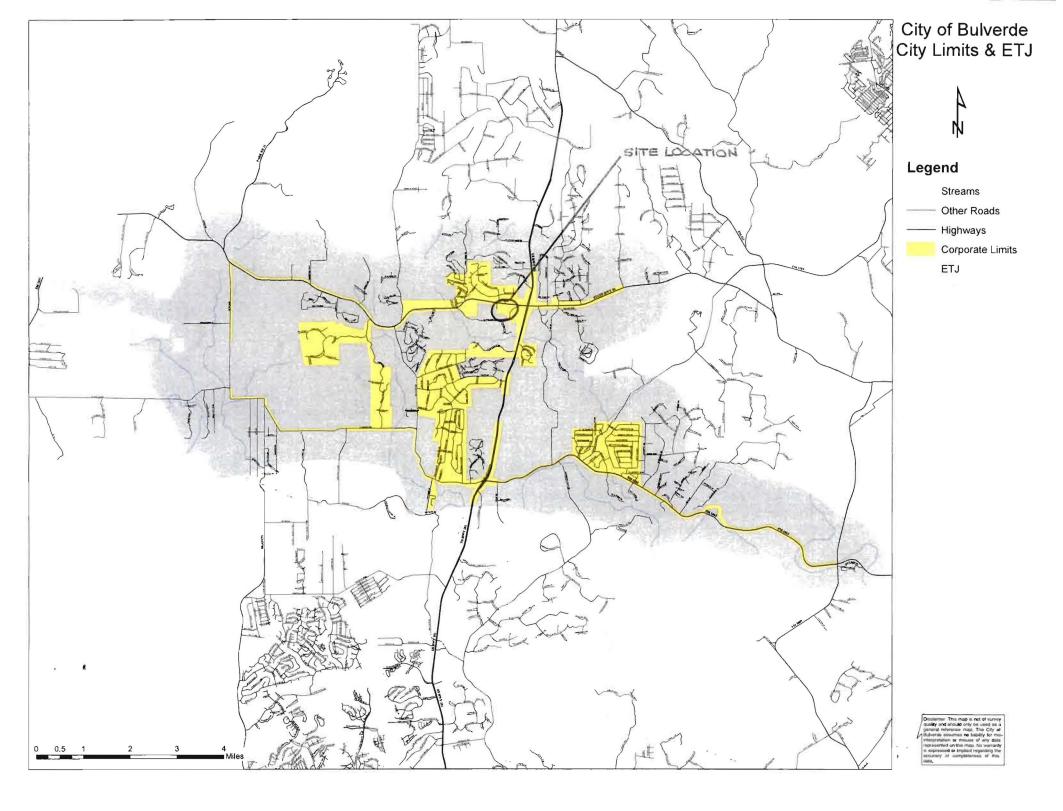
- This project is not located within any city's limits or ETJ.
- 4. The location of the project site is described below. Sufficient detail and clarity has been provided so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.

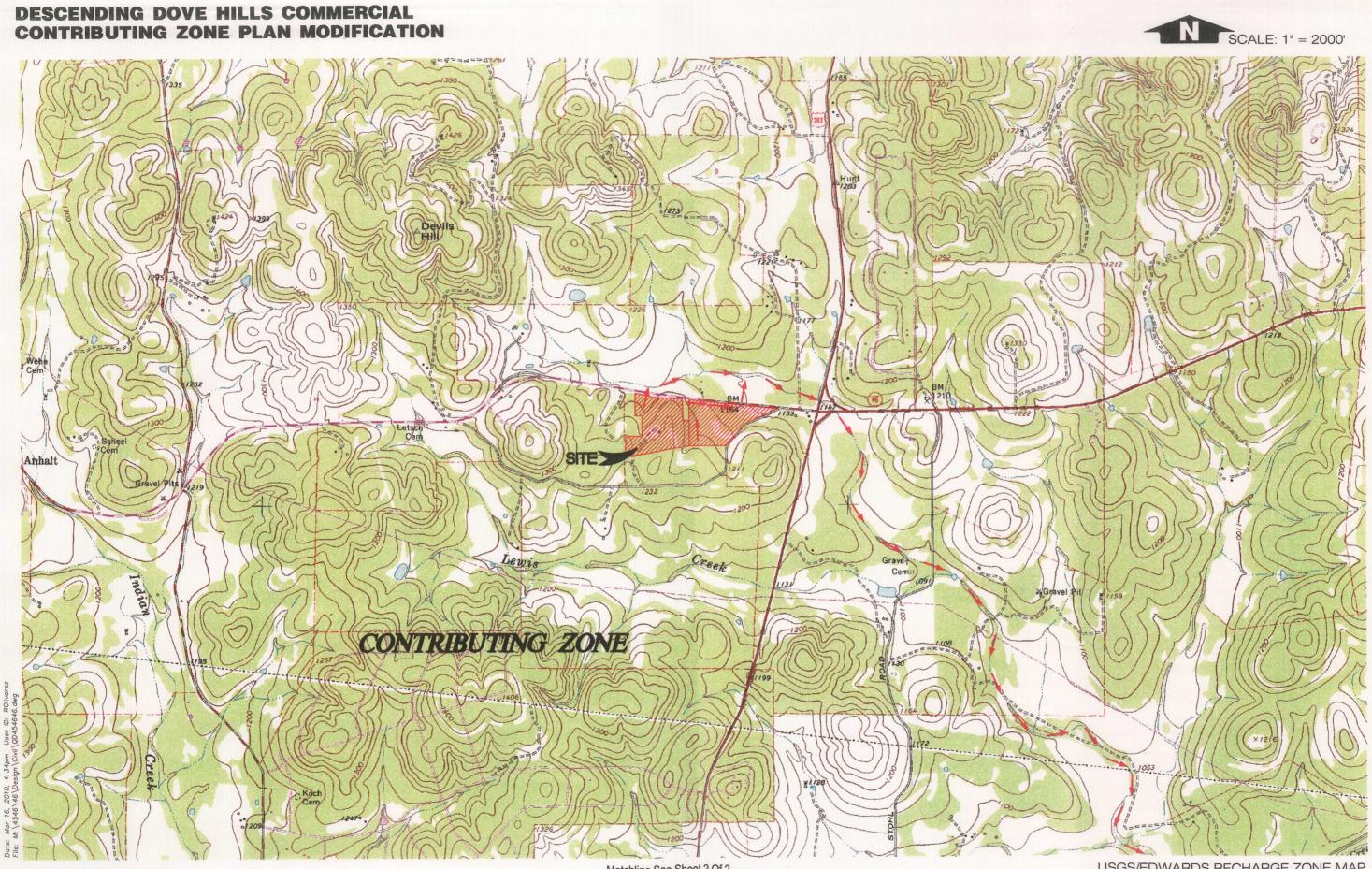
From TCEQ's Regional Office, take Judson Road north approximately 2.6 miles to Loop 1604; travel west on Loop 1604 approximately 5 miles to US-281; proceed north on US-281 approximately 13.1 miles; travel west on SH-46 approximately 0.5 miles. The site is located on the south side of SH-46 south of Windmill Ranch Road.

- 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 a USGS Quadrangle Map (Scale: 1" = 2000') is found at the end of this form *directly behind this sheet*. The



Date. Mar 16. 2010, 2:14pm User 10. MBrianes File: M. \4546\45\Design\Civil\RM454646.d+g

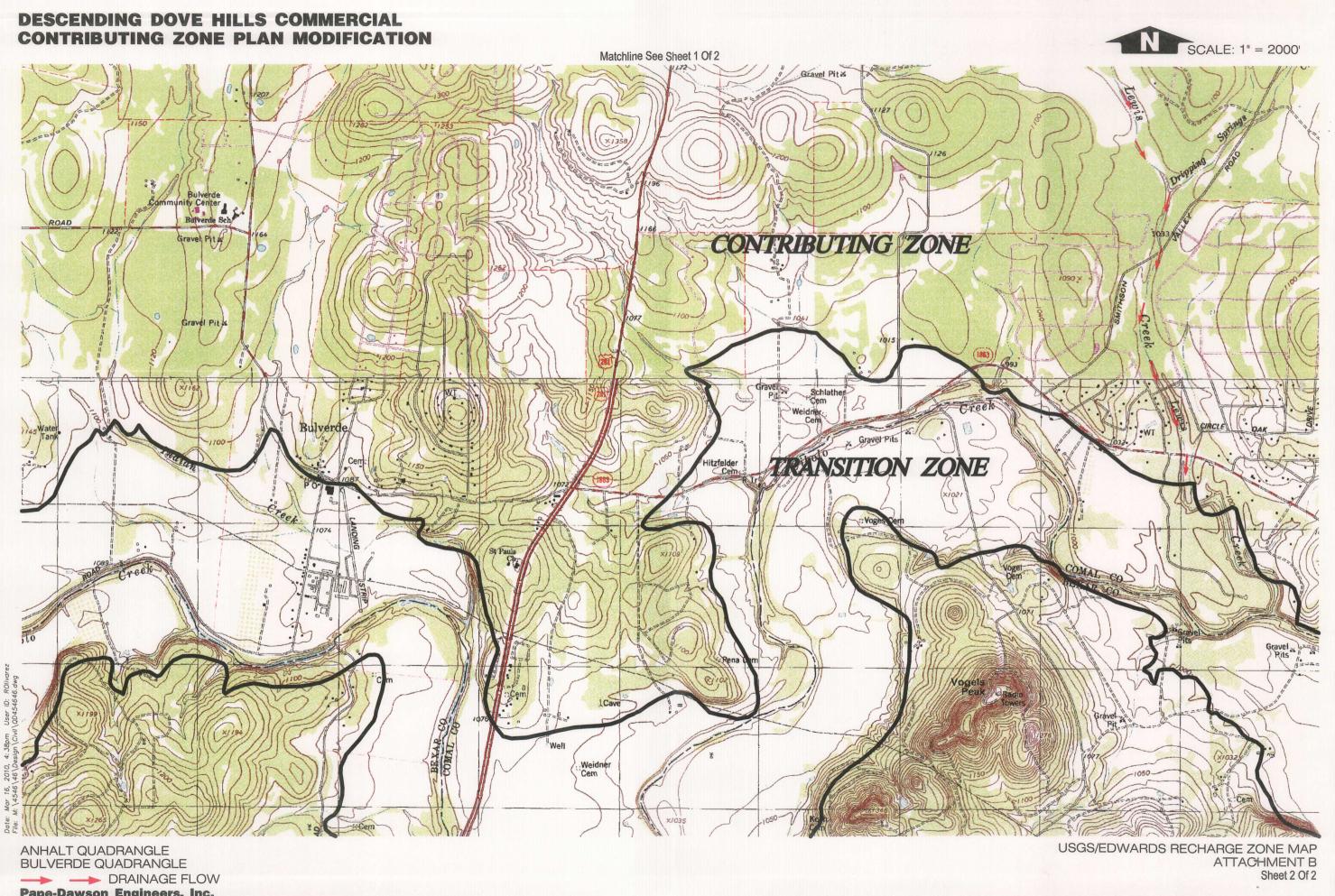




ANHALT QUADRANGLE BULVERDE QUADRANGLE ----> DRAINAGE FLOW Pape-Dawson Engineers, Inc.

Matchline See Sheet 2 Of 2

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



Pape-Dawson Engineers, Inc.

map(s) clearly shows:

 $\frac{\checkmark}{\checkmark}$ Project site boundaries.

USGS Quadrangle Name(s).

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

> The Descending Dove Hills Commercial project is a proposed expansion of an existing commercial development partially within the city limits of Bulverde and partially within the ETJ of the City of Bulverde in Comal County. It is located west of the SH 46 and US Hwy. 281 intersection.

> The site limits are approximately 62.58-acres, of which, the expansion project encompasses 34.25 acres. Approximately 29 acres of the 62.58-acre site is an existing commercial development. This development was permitted under a Contributing Zone Plan (CZP) entitled "H.E.B. Bulverde" (EAPP No. 1372.00), approved by the Texas Natural Resource Conservation Commission (TNRCC) by letter dated December 21, 1999. Approximately 16.95 acres of impervious cover was approved for construction, including an H.E.B. grocery store, a commercial shopping complex and associated parking. One sand filter basin was to serve as the permanent BMP. The site has been constructed as approved.

> The current proposed improvements are over a 34.25-acre area adjacent to the existing HEB grocery store and shopping center. Approximately 0.67 acres of the 34.25-acre project limits are on the adjoining tract and were part of the original CZP covering the 29 acres. This 0.67 acres consists of a drive to be built on the existing HEB site to connect it to the new development. A new HEB arocery store, restaurant/retail space and associated parking are proposed for construction. The site plan for the first phase of the HEB development consists of three (3) buildings, a fueling station, carwash and associated parking. A site plan for the remaining three (3) pad sites within the site has been provided and is labeled as "future development" on Exhibits 1 and 3.

> The total proposed impervious cover on the 34.25-acre project will be 20.81 (61% of 34.25 acres).

> Permanent Best Management Practices (PBMPs) will be provided to treat on-site stormwater. Two (2) single-chamber sand filter basins and two (2) Vortech units have been designed in accordance with TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) to remove 80% of the increased TSS from this development. A connecting drive will be built on the existing HEB property. Runoff from this area will be treated by the existing basin on-site. No modification to the existing basin is necessary as it has adequate capacity to treat this area. Any stormwater runoff from impervious areas not able to be directed to a PBMP will be overtreated for by the proposed PBMPs.

> Potable water service is to be provided by Canyon Lake Water Service Company (CLWSC). Wastewater flows for the proposed development are estimated at 21,586 gpd and will be discharged to an on-site sewage treatment facility owned and operated by Bexar Metropolitan Water District (BexarMet).

- Existing project site conditions are noted below: 8.
 - ✓ 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 Industrial Other:		
10.	Total project area (size of site): Total disturbed area:	<u>62.58</u> <u>34.25</u>	Acres Acres
11.	Projected population:	<u>0*</u>	

*As this is a commercial development, there is no associated permanent population.

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

The figures below represent the impervious cover proposed for construction on the 34.25-acre project area.

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	160,736	÷ 43,560 =	3.69
Parking	745,748	÷ 43,560 =	17.12
Other paved surfaces	0	÷ 43,560 =	0
Total Impervious Cover	906,484	÷ 43,560 =	20.81
Total Impervious Cover ÷ Total Acre	61%*		

*20.81 acres/34.25 acres = 61%. Total onsite impervious cover, including the existing HEB development, is: (20.81 acres + 16.95 acres) /62.58 acres = 60%

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, buildings, 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 through 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.):
 _____feet.

 Width of R.O.W.:
 _____feet.
 _____feet.

 L x W = _____Ft²) 43,560 Ft²/Acre = _____acres.
 _____acres.
- 18. Length of pavement area: _____feet.
 Width of pavement area: _____feet.
 L x W = _____ Ft²) 43,560 Ft²/Acre = _____acres.
 Pavement area _____ acres) R.O.W. area _____ acres x 100 = ___% impervious cover.
- 19. ____ A rest stop will be included in this project.

A rest stop will **not** be included in this project.

20. <u>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.</u>

STORMWATER TO BE GENERATED BY THE PROPOSED PROJECT

21. 🧹 ATTACHMENT E - Volume and Character of Stormwater. A description of the volumement of the

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.

The existing HEB store and commercial development has an associated Q for the 25-year storm event of approximately 145 cfs. This new proposed commercial development will be constructed on a partially developed commercial tract. The increased runoff associated with proposed impervious cover will be mitigated by three (3) proposed detention basins. The pre-development runoff coefficient associated with the site is 0.55; post-development is 0.79 for the Detention Basin #1 watershed, 0.98 for the Detention Basin #2 watershed and 0.91 for the Detention Basin #3 watershed. For a 25-year storm event, the new development will generate approximately 188.8 cfs. These values are based on the Rational Method using runoff coefficients per the City of Bulverde Code of Ordinances.

WASTEWATER TO BE GENERATED BY THE PROPOSED PROJECT

22. Wastewater will be disposed of by:

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.
- ✓ Sewage Collection System (Sewer Lines):

Wastewater is to be disposed of by conveyance to the **Bulverde-BexarMet**

- ___(name) treatment plant for treatment and disposal. The treatment facility is:
 - existing.
 - _ proposed.

This treatment plant is an existing facility located within an easement on the original 29 acre development. It was permitted by the TCEQ and formally transferred to BexarMet for operation and maintenance.

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 500 gallons.

This project does not include the installation of AST(s) with volume(s) greater than 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			
2			
3			
4		· · · · · · · · · · · · · · · · · · ·	
5			
Total		x 1.5 =	gallons

- 24. ____ 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.
 - 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.)	$\begin{array}{c} L x W x H = \\ (Ft^3)^2 \end{array}$	Gallons
Total				

- 26. 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. ____ 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 that shows the following:
 - 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.
 - 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 Exhibits 1 and 3 for site plan requirements.

30. The Site Plan must have a minimum scale of 1" = 400'. Site Plan Scale: 1" = <u>60</u>'.

The proposed development is shown on Exhibits 1 and 3 at 1"=60' for ease of viewing. Please see supplemental exhibits for a view of the entire 62.58 acres.

- 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.
 - \checkmark 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 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. \checkmark A drainage plan showing all paths of drainage from the site to surface streams.
- 34. <u>

 The drainage patterns and approximate slopes anticipated after major grading activities.</u>

Drainage patterns are illustrated by arrows. Slopes vary throughout the site. Typical slopes in this project will range from 1.0% to 33.0%. 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 on Exhibit 3, which will require the contractor to revegetate disturbed areas with seeding, hydromulch or sod and sprinkling. All impervious cover areas will be disturbed. Approximately 34.25 acres may be subject to disturbance.

- 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 on Exhibit 3, which will require the contractor to revegetate disturbed areas with seeding, hydromulch or sod and sprinkling. All impervious cover areas will be disturbed. Approximately 34.25 acres may be subject to disturbance.

- 38. **N/A** 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.

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

- 42. <u>
 v</u> Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.
- 43. ✓ 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. ✓ 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.
 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. ✓ The executive director may waive the requirement for other permanent BMPs for multifamily residential developments, schools, or small business sites where 20% or less impervious cover is used at the site. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.
 - <u>N/A</u> 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**.

Upgradient stormwater from the southern part of the property will be diverted via a proposed interceptor channel to a proposed on-site detention basin. This stormwater runoff is from an undeveloped area of the property and will not cross impervious areas of the site. PBMPs are not necessary for this upgradient area as there is no associated increase in TSS load.

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 below.

Permanent Best Management Practices (PBMPs) will be used to treat on-site stormwater. Two (2) single-chamber sand filter basins and two (2) Vortech units have been designed in accordance with TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) to remove 80% of the increased TSS from this development. A connecting drive will be built on the existing HEB property. Runoff from this area will be treated by the existing basin on-site. No modification to the existing basin is necessary as it has adequate capacity to treat this area. Any stormwater runoff from impervious areas not able to be directed to a PBMP will be overtreated for by the proposed PBMPs.

- _____ 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.
- 49. <u>ATTACHMENT L BMPs for Surface Streams.</u> A description of the BMPs and measures that prevent pollutants from entering surface streams is provided at the end of this form below.

There are no surface streams on or adjacent to the site; however, PBMPs will be provided to treat on site stormwater prior to discharge. Please see the response to Item 48 above.

- 50. 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 report. Design Calculations, TCEQ Construction Notes, all proposed structural measures, and appropriate details must be shown on the construction plans.
- 51. 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. <u>✓</u> 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. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity which increase erosion that results in water quality degradation.

Any points where discharge from the site is concentrated and erosive velocities exits will include approximately sized energy dissipaters to reduce velocities to non-erosive levels.

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

- 54. ✓ 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. 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. One (1) original and three (3) copies of the complete application has been provided.
- 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

<u>Shauna L. Weaver, P.E.</u> Print Name of Customer/Agent

ICILIAN.

Signature of Customer/Agent

<u>3./6./0</u> 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.

DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan

PERMANENT POLLUTION ABATEMENT MEASURES MAINTENANCE SCHEDULE AND MAINTENANCE PROCEDURES

This document has been prepared to provide a description and schedule for the performance of maintenance on permanent pollution abatement measures. Maintenance measures to be performed will be dependent on what permanent pollution abatement measures are incorporated into the project. The project specific water pollution abatement plan should be reviewed to determine what permanent pollution abatement measures are incorporated in to a project.

It should also be noted that the timing and procedures presented herein are general guidelines, adjustment to the timing and procedures may have to be made depending on project specific characteristics as well as weather related conditions.

Where a project is occupied by the owner, the owner may provide for maintenance with his own skilled forces or contract for recommended maintenance of Permanent Best Management Practices. Where a project is occupied or leased by a tenant, the owner shall require tenants to contract for such maintenance services either through a lease agreement, property owners association covenants, or other binding document.

I understand that I am responsible for maintenance of the Permanent Pollution Abatement Measures included in this project until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property or ownership is transferred.

I, the owner, have read and understand the requirements of the attached Maintenance Plan and Schedule.

HEB Grocery Company, LP

2/19/2010 Date



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INSPECTION AND MAINTENANCE SCHEDULE FOR PERMANENT POLLUTION ABATEMENT MEASURES

Recommended Frequency		Task to be Performed												
· · · · · ·	1	2	3	4	5	6	7	8	9	10	11	12	13	14
After Rainfall								\checkmark	\checkmark					
Biannually*	\checkmark	V	V	1	1	1	\checkmark	\checkmark	\checkmark					V

*At least one biannual inspection must occur during or immediately after a rainfall event. $\sqrt{Indicates}$ maintenance procedure that applies to this specific site.

See description of maintenance task to be performed on the following pages. Frequency of maintenance tasks may vary depending on amount of rainfall and other weather related conditions.

A written record should be	kept of inspect	ion results and mainter	nance performed.
11 millen recer is ensured as	mprogrampere		

Task No. & Description	Included in t	his project
1. Check Depth of Vegetation	Yes	No
2. Check Depth of Silt Deposit in Basin	Yes	No
3. Removal of Debris and Trash	Yes	No
4. Cut-off Valve	Yes	No
5. Inlet Splash Pad	Yes	No
6. Underdrain System	Yes	No
7. Structural Integrity	Yes	No
8. Discharge Pipe	Yes	No
9. Drawdown Time	Yes	No
10. Vegetated Filter Strips	Yes	No
11. For Pump Stations	Yes	No
12. For Pump Stations	Yes	No
13. For Pump Stations	Yes	No
14. Visually Inspect Security Fencing for Damage or Breach	Yes	No



MAINTENANCE PROCEDURES FOR PERMANENT POLLUTION ABATEMENT MEASURES

Note: Additional guidance can be obtained from TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) Section 3.5.

- <u>Check Depth of Vegetation</u>. Vegetation in the basin shall not exceed 18-inches in depth. When vegetation needs to be cut, it shall be cut to an approximately 4-inch height. A written record should be kept of inspection results and maintenance performed.
- <u>Check Depth of Silt Deposit in Basin</u>. Top of cleanouts shall be set 4-inches above sand layer. When silt has accumulated to top of cleanouts, the silt shall be removed the top 2 inches of the sand media shall also be removed and replaced with clean silica based sand. Written record should be kept of inspection results and maintenance performed.
- 3. <u>Removal of Debris and Trash</u>. The basin and inlet structure shall be checked for the accumulation of debris and trash such as brush, limbs, leaves, paper cups, aluminum cans, plastic bottles etc. Accumulated trash and debris shall be raked or collected from the basin and inlet structure and disposed of properly. *Written record should be kept of inspection results and maintenance performed*.
- 4. <u>Cut-off Valve</u>. The cut-off valve shall be turned to confirm full opening and full closure. Prior to operating the valve, the valve setting shall be checked to determine the position to which the valve is to be returned (which should limit drawdown time of the basin between 24-hours and 48-hours). Count should be kept of number of turns to open and close the valve so that the valve can be reset to the starting position. Defects in the operation of the cut-off valve shall be corrected within 7 working days. A written record should be kept of inspection results and maintenance performed.



DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan

- 5. <u>Inlet Splash Pad</u>. The filter area around the inlet splash pad shall be checked for erosion and for the condition of the rock rubble. Erosion or disturbance of the rock rubble should be corrected by removing the rock rubble, restoring missing sand media to appropriate depth and replacement of the rock rubble. If the condition persists in subsequent inspections, the size of the rock rubble should be increased. Rubble should be placed to a density that minimizes the amount of exposed sand between the rock rubble. Deficiencies should be corrected within seven working days. A written record should be kept of inspection results and maintenance performed.
- 6. <u>Underdrain System</u>. The underdrain system shall be visually inspected for the accumulation of silt in the pipe system. The pipe clean-outs shall have the caps removed and visually inspected for accumulation of silt deposits. If silt deposits appear to have accumulated so as to significantly reduce the drain capacity of the pipes then maintenance shall be performed. When silt deposits have accumulated to the stage described above, the clean-outs and drainpipes can be flushed with a high-pressure water flushing process. Clean-out caps must be replaced onto the clean-outs after maintenance so as to avoid the possibility of short circuiting the filtering process. Sediment accumulation at outlet pipe or in wet well due to flushing shall be removed and disposed of properly. *A written record should be kept of inspection results and the maintenance performed*.
- 7. <u>Structural Integrity</u>. In addition to Items 1 through 6 the following are measures which should be reviewed during a check of structural integrity:
- Observe the height of the confining berm for visible signs of erosion or potential breach. Signs of erosion should be corrected within 2 weeks or immediately in case of emergency conditions. Corrective measures include but are not limited to addition of topsoil or appropriate soil material so as to restore the original berm height of the sand filter basin. Restored areas shall be protected through placement of block sod in a checkerboard pattern.
- Bypass of filter process. This condition can manifest itself in several ways. One way is by visually inspecting the clean-outs for accumulation of silt as described in Item 6. Significant



DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan

accumulations of silt could be a sign of a torn filter fabric. Observations should be made over several inspection cycles to determine whether the condition persists. A second nonintrusive way of making observations for structural condition would be to visually look for collapsed or depressed areas along the edge of the filter media interface with basin side slope. If condition exists, corrective action should be performed within 15 working days. Removal of sand and replacement of filter fabric and/or pipe and gravel may be necessary. *A written record should be kept of inspection results and corrective measures taken*.

- 8. <u>Discharge Pipe</u>. The basin discharge pipe shall be checked for accumulation of silt, debris or other obstructions which could block flow. Soil accumulations, vegetative overgrowth and other blockages should be cleared from the pipe discharge point. Erosion at the point of discharge shall be monitored. If erosion occurs, the addition of rock rubble to disperse the flow should be accomplished. A written record should be kept of inspection results and corrective measures taken
- 9. <u>Drawdown Time</u>. This characteristic can be a sign of the need for maintenance. The minimum drawdown time is 24 hours. If drawdown time is less than 24 hours, the gate valve shall be checked and partially closed to limit the drawdown time. Extensive drawdown time greater than 48 hours may indicate blockage of the sand media, the underdrain system and/or the discharge pipe. Corrective actions should be performed and completed within 15 working days. A written record of the inspection findings and corrective actions performed should be made.
- 10. <u>Vegetated Filter Strips</u>. Vegetation height for native grasses shall be limited to no more than 18-inches. When vegetation exceeds that height, the filter strip shall be cut to a height of approximately 4 inches. Turf grass shall be limited to a height of 4-inches with regular maintenance that utilizes a mulching mower. Trash and debris shall be removed from filter strip prior to cutting. Check filter strip for signs of concentrated flow and erosion. Areas of filter strip showing signs of erosion shall be repaired by scarifying the eroded area,



reshaping, regrading and placement of block sod in a checkerboard pattern over the affected area. A written record of the inspection findings and corrective actions performed should be made

- 11. For Pump Stations. Check wet well discharge pipe to confirm flow through the pump system. If flow is not present, allow sufficient time for pump to cycle on and off. If flow does not occur, the wet well should be checked for the level of water. The wet well should be opened and the on/off float switches should be moved up and down to activate the pump. If the pump does not start, a repair technician shall be called in to repair the malfunction within 5 working days. *A written record of the inspection findings and corrective actions performed should be made*
- 12. For Pump Stations. Check the wet well for accumulation for trash, debris and silt. Trash and debris shall be removed and disposed of properly. Silt depth can be checked by probing the bottom of the wet well with a stick or PVC pipe. Silt accumulations should be removed when silt collects to a depth of 6 inches over the entire wet well bottom. Silt can be removed by vacuum pump method. If silt buildup continues, underdrain system shall be inspected. *Written record should be kept of inspection results and maintenance performed*.
- 13. For Pump Stations. Visually check aboveground pump wiring and connections for damage. Damaged or loose connections should be repaired within 5 working days. *A written record should be kept of inspection results and the maintenance performed.*
- 14. <u>Visually Inspect Security Fencing for Damage or Breach</u>. Check maintenance access gates for proper operation. Damage to fencing or gates shall be repaired within 5 working days. *A written record should be kept of inspection results and maintenance performed*.

DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan Application

VORTECHS[®] SYSTEM MONITORING & MAINTENENANCE PLAN

This document has been prepared to provide a description and schedule for the performance of monitoring and maintenance of the Vortechs[®] system.

MONITORING

The Vortechs[®] system should be inspected at regular intervals and maintained when necessary to ensure optimum performance. CONTECH Stormwater Solutions recommends ongoing quarterly inspections of the accumulated sediment and annual maintenance. A record must be kept of each inspection and can be logged on the inspection and maintenance form attached. All accumulated sediment, trash, litter, and debris must be removed from the system annually or when the sediment fills more than 25% of the space between the permanent water surface and the bottom of the swirl chamber, whichever occurs first.

PROCEDURE

Monitoring the Vortech[®] unit requires a stadia rod or similar measuring device. A normal monitoring scenario requires removal of the manhole cover and lowering the stadia rod into the swirl chamber. Record pollutant levels on the "Vortechs[®] Inspection & Maintenance Log" attached. Maintenance is required if the sediment level is as described in the prior section above.

MAINTENANCE

Cleaning of the Vortechs[®] system should be done during dry weather conditions when no flow is entering the system. Clean-out of the Vortechs[®] system with a vacuum truck is generally the most effective and convenient method of removing pollutants from the system.

The following procedure is to be performed by a vacuum service company to clean out the Vortechs[®]:

- 1. Check for oil.
- 2. Remove any oil separately using adsorbent pads.
- 3. Remove floating trash. Trash can be netted out.
- 4. Insert a vacuum hose into the swirl chamber and evacuate the chamber of water and pollutants.
- 5. Skim floating material from the baffle chamber if it does not decant into the swirl chamber.
- 6. Dispose of all material removed in accordance with applicable regulations.
- 7. Securely seat the manhole cover following cleaning activities to ensure surface runoff does not enter the unit from above.

DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan Application

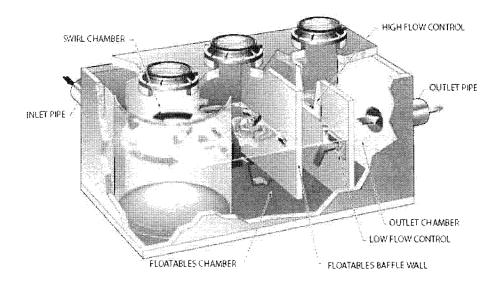
VORTECHS[®] SYSTEM MAINTENANCE

Maintenance Task Item ⁽¹⁾	Description of Maintenance/Repairs to be Performed ⁽²⁾⁽³⁾	Typical Frequency
Pollutant Monitoring	Check the level of sediment using a stadia rod or similar measuring device. If level exceeds that described on page 1, maintenance is required.	Quarterly
Trash Removal	Remove floating trash. Trash can be netted out. ⁽⁴⁾	Once a year (minimum) or during regular inspections
Oil Removal	Remove any oil separately using adsorbent pads and dispose of in accordance with applicable regulations. ⁽⁴⁾	Once a year or when directed by the pollutant levels described on page 1
Sediment Removal	Remove sludge/sediments from the bottom of the unit using a vacuum truck. Properly dispose of removed materials in accordance with applicable regulations. ⁽⁴⁾	Once a year or when directed by the pollutant levels described on page 1
Documentation ⁽³⁾	Prepare site visit report noting all items of maintenance, repair, or replacement performed during each site visit on the "Vortechs® Inspection & Maintenance Log". Include manifest from vacuum service ⁽⁵⁾ .	Each site visit during regular inspections

Notes:

- (1) Maintenance of installed Vortechs® systems is carried out by the vacuum service industry
- (2) All maintenance activities will be performed in accordance with applicable OSHA regulations.
- (3) Owner will be notified of repair or maintenance items, and facility concerns.
- (4) Properly dispose of trash and sediment in accordance with applicable regulations.
- (5) Documentation to be maintained

THE VORTECHS[®] SYSTEM



1, the owner, have read and understand the requirements of the attached Monitoring and Maintenance Plan and Schedule. I understand that I am responsible for monitoring and maintenance of the Vortechs[®] system until such time as the maintenance obligation is either assumed in writing by another entity having control of the property or until ownership is transferred.

entity having control of the property or units 2, CROUP VP - Facility Alliance 2/19/2010 Print of Customer/Agent Signature

ATTACHMENT N

DESCENDING DOVE HILLS COMMERCIAL Contributing Zone Plan Application

Vortechs Inspection & Maintenance Log

Vortech Model: _____ Location: _____

Date	Water depth to sediment ¹	Floatable Layer Thickness ²	Describe Maintenance Performed	Maintenance Personnel	Comments
-					

- The water depth to sediment is determined by taking two measurements with a stadia rod: one measurement 1. from the manhole opening to the top of the sediment pile and the other from the manhole opening to the water surface. If the difference between these measurements is less than eighteen inches the system should be cleaned out. Note: To avoid underestimating the volume of sediment in the chamber, the measuring device must be carefully lowered to the top of the sediment pile.
- For optimum performance, the system should be cleaned out when the floating hydrocarbon layer 2. accumulates to an appreciable thickness. In the event of an oil spill, the system should be cleaned immediately.

Modification of a Previously Approved Contributing Zone Plan

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

- - $\sqrt{}$ The applicant has not changed and the Customer Number (CN) is: CN <u>600282156</u> The applicant has changed. A new Core Data Form has been provided.
- 2. <u> $\sqrt{}$ </u> Attachment A: Original Approval Letter and Approved Modification Letters: A copy of the original approval letter and copies any letters approving modification are found at the end of this form.
- 3. A modification of a previously approved plan in requested for (check all that apply):
 - ____ any physical or operational modification of any best management practices or structure(s), including but not limited to temporary or permanent ponds, dams, berms, silt fences, and diversionary structures;
 - _____ any change in the nature or character of the regulated activity from that which was originally approved;
 - a change that would significantly impact the ability to prevent pollution of the Edwards Aquifer and hydrologically connected surface water; or
 - $\underline{\sqrt{}}$ any development of land previously identified in a contributing zone plan as undeveloped.
- 4. Summary of Proposed Modifications (select plan type being modified). If the approved plan has been modified more than once, copy the appropriate table below, as necessary, and complete the information for each additional modification.

CZP Modification Summary	Approved Project	Proposed Modification	
Acres	29	62.58	
Type of Development	Commercial	Commercial	
Number of Residential Lots	N/A	N/A	
Impervious Cover (acres)	16.95	37.76 (16.95 + 20.81)	
Impervious Cover (%)	58.4% of 29 acres*	60% (of 62.58 acres)	
Permanent BMPs	Sand filter basin	Sand filter basin & Vortech	
Other	Bexar**	Comal	

*Approval letter lists 67.4%, based on the 25.15-acre basin watershed, not site limits. ** Central Registry lists Bexar County, should be Comal.

AST Modification Summary	Approved Project	Proposed Modification
Number of ASTs Other		
UST Modification Summary	Approved Project	Proposed Modification
Number of USTs Other		

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

The Descending Dove Hills Commercial project is a proposed expansion of an existing commercial development partially within the city limits of Bulverde and partially within the ETJ of the City of Bulverde in Comal County. It is located west of the SH 46 and US Hwy. 281 intersection.

The site limits are approximately 62.58-acres, of which, the expansion project encompasses 34.25 acres. Approximately 29 acres of the 62.58-acre site is an existing commercial development. This development was permitted under a Contributing Zone Plan (CZP) entitled "H.E.B. Bulverde" (EAPP No. 1372.00), approved by the Texas Natural Resource Conservation Commission (TNRCC) by letter dated December 21, 1999. Approximately 16.95 acres of impervious cover was approved for construction, including an H.E.B. grocery store, a commercial shopping complex and associated parking. One sand filter basin was to serve as the permanent BMP. The site has been constructed as approved.

The current proposed improvements are over a 34.25-acre area adjacent to the existing HEB grocery store and shopping center. Approximately 0.67 acres of the 34.25-acre project limits are on the adjoining tract and were part of the original CZP covering the 29 acres. This 0.67 acres consists of a drive to be built on the existing HEB site to connect it to the new development. A new HEB grocery store, restaurant/retail space and associated parking are proposed for construction. The site plan for the first phase of the HEB development consists of three (3) buildings, a fueling station, carwash and associated parking. A site plan for the remaining three (3) pad sites within the site has been provided and is labeled as "future development" on Exhibits 1 and 3.

The total proposed impervious cover on the 34.25-acre project will be 20.81 (61% of 34.25 acres).

Permanent Best Management Practices (PBMPs) will be provided to treat on-site stormwater. Two (2) single-chamber sand filter basins and two (2) Vortech units have been designed in accordance with TCEQ's Technical Guidance Manual (TGM) RG-348 (2005) to remove 80% of the increased TSS from this development. A connecting drive will be built on the existing HEB property. Runoff from this area will be treated by the existing basin on-site. No modification to the existing basin is necessary as it has adequate capacity to treat this area. Any stormwater runoff from impervious areas not able to be directed to a PBMP will be overtreated for by the proposed PBMPs.

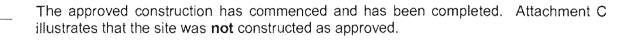
The following is a summary of the above proposed modifications to the original plan:

- Addition of 33.58 acres to the original 29-acre site
- [29 acres + (34.25 acre project limits 0.67 acres of driveway on existing site)]
- Addition of 20.81 acres to the original 16.95 acres of impervious cover
- Addition of four (4) permanent BMPs (2 sand filter basins and 2 Vortech units)
- 6. $\sqrt{}$ Attachment C: Current site plan of the approved project. A current site plan showing the existing site development (i.e., current site layout) at the time this application for modification is provided at the end of this form. A site plan detailing the changes proposed in the submitted modification is required elsewhere.

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

 $\sqrt{}$

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



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

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

- Acreage has not been added to or removed from the approved plan. 7.
 - Acreage has been added to or removed from the approved plan and is discussed in Attachment $\sqrt{}$ B: Narrative of Proposed Modification.
- One (1) original and 3 copies of the complete application has been provided. 8. $\sqrt{}$

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 MODIFICATION OF A PREVIOUSLY APPROVED CONTRIBUTING ZONE PLAN is hereby submitted for TCEQ review and executive director approval. The request was prepared by:

Pape-Dawson Engineers, Inc. Texas Board of Professional Engineers, Firm Registration # 470 Shauna Weaver, P.E., LEED[®] AP Print Name of Customer/Agent

Signature of Customer/Agen

3.16.10

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.

Robert J. Huston, *Chairman* R. B. "Ralph" Marquez, *Commissioner* John M. Baker, *Commissioner* Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

December 21, 1999

DEC 22 1999

 $F_{11} \in$

Mr. Todd Piland Senior Vice President H.E. Butt Grocery Company 646 South Main Ave. San Antonio, TX 78204-1210

Re: <u>Edwards Aquifer</u>, Comal County NAME OF PROJECT: H.E.B. Bulverde; Located on the southwest corner of State Highway 46 and Old Boerne Road; 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 Edwards Aquifer Protection Program File No. 1372.00

Dear Mr. Piland:

The Texas Natural Resource Conservation Commission (TNRCC) received the CZP application for the referenced project submitted to the San Antonio Regional Office by David M. McBeth, P.E., on behalf of H.E. Butt Grocery Company on October 20, 1999. As presented to the Texas Natural Resource Conservation Commission (TNRCC), the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed, and dated by a Texas Licensed Professional Engineer. Final review of the application was not completed within fifteen days; therefore, as required by 30 TAC §213.23(e)(3), approval of this Contributing Zone Plan application was granted. This approval is 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 Contributing Zone Plan. A motion for reconsideration must be filed no later than 20 days after the approval date. *This approval expires in two (2) years unless, prior to the expiration date, more than 10% of the construction has commenced on the project or an extension of time has been requested.*

PROJECT DESCRIPTION

The proposed commercial project will be located on 29 acres and will consist of the construction of an H.E.B grocery store, a commercial shopping complex (approximately 153,150 square feet) and approximately 585,011 square feet of associated parking. The proposed impervious cover for the development is approximately 16.95 acres (67.4% of the total area of the site).

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

Mr. Todd Piland December 15, 1999 Page 2

PERMANENT POLLUTION ABATEMENT MEASURES

The following measures will be taken to prevent pollution of stormwater originating on-site or up-gradient from the project site and potentially flowing across and off the site after construction:

A partial sedimentation/filtration basin has been designed in accordance with the TNRCC Technical Guidance on Best Management Practices manual and is sized to capture the first 0.71 inches of stormwater run-off from 25.15 acres, providing a total capture volume of 77,782 cubic feet. The filtration system will consist of:

- 1. 7,292 square feet of sand, which is 18 inches thick,
- 2. an underdrain piping covered with geotextile fabric, and
- 3. an impervious liner.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

- 2. 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 until all regulated activities are completed.
- 3. 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.
- 4. The applicant must provide written notification of intent to commence construction of the referenced project. Notification must be submitted to the Austin Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the date on which the regulated activity will commence, the name of the approved plan and file number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person.
- 5. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved 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 TNRCC may monitor

Mr. Todd Piland December 15, 1999 Page 3

> 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:

- 6. 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.
- 7. 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).
- 8. 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.
- 9. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

- 10. 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.
- 11. 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 (TNRCC-10263) is enclosed.

Mr. Todd Piland December 15, 1999 Page 4

- 12. 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.
- 13. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50% of the total construction has not been completed within ten years from the initial approval of a plan. A new 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.
- 14. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact Tom Gutierrez of the Edwards Aquifer Protection Program of the San Antonio Regional Office 210-403-4025.

Sincerely.

Jeffrey A. Saitas, P.E. Executive Director Texas Natural Resource Conservation Commission

JAS/TG/eg

Enclosure: Change in Responsibility for Maintenance on Permanent BMPs-Form TNRCC-10263

Mr. David McBeth, Pape-Dawson Engineering, Inc.
 Mr. Tom Hornseth, Comal County
 Mr. Greg Ellis, Edwards Aquifer Authority
 Mr. John Bohuslav, TXDOT San Antonio District
 TNRCC Field Operations, Austin, Texas



DESCENDING DOVE HILLS COMMERCIAL - 2009 AERIAL PHOTOGRAPHY

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TEMPORARY STORMWATER

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: <u>Descending Dove Hills Commercial</u> 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:
 - \checkmark Aboveground storage tanks with a cumulative storage capacity of less that 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.

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

- 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. <u>ATTACHMENT B Potential Sources of Contamination</u>. 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:

Oil, grease, fuel and hydraulic fluid contamination from construction equipment and vehicle dripping.

Preventative Measure

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Potential Source

- Vehicle maintenance when possible will be performed within the construction staging area.
- Construction vehicles and equipment shall be checked regularly for leaks and repaired immediately.
- Potential Source 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.
 - Preventative Measure Contractor to incorporate into regular safety meetings, a discussion of spill prevention and appropriate disposal procedures.

- 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. Trash containers will be placed throughout Preventive Measure . the site to encourage proper trash disposal. Potential Source Construction debris. Preventive Measure Construction debris will be monitored daily by contractor. Debris will be collected weekly and placed in disposal bins. Situations reauirina immediate attention will be addressed on a case by case basis. Potential Source Spills/overflow of waste from portable toilets. Preventive Measure Portable toilets will be placed away from high traffic vehicular areas and storm drain inlets. Portable toilets will be placed on a level 102 ground surface.
 - Portable toilets will be inspected regularly for leaks and will be serviced and sanitized at time intervals and 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 below. 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 divided into two stages. The first is site preparation that will include clearing, grubbing of vegetation where applicable. This will disturb approximately 34.25-acres. The second is construction, which will include site grading, utility installation, construction of storm drain system, buildings, parking lots, driveways and other paved areas, landscaping and site cleanup. This will disturb approximately the same 34.25-acres. The total disturbed area is expected to be 34.25-acres.

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: <u>Lewis Creek</u>_____

TEMPORARY BEST MANAGEMENT PRACTICES (TBMPs)

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

on the site plan.

7. ✓ 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.

See response to items a through d below.

- ✓ 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.
 Upgradient stormwater from the southern part of the property will be diverted via a proposed interceptor channel to a proposed on-site detention basin.

via a proposed interceptor channel to a proposed on-site detention basin. This stormwater runoff is from an area of the property to remain pervious and runoff will not cross impervious areas of the site. Downstream TBMPs are to be in place for this area if it becomes disturbed during construction.

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 stabilized construction entrance/exit(s) to reduce the dispersion of sediment from the site, and (3) 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 inlet protection, 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 the aquifer or surface streams and/or sensitive features that may exist downgradient of the site.

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

Temporary measures are proposed and 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 the aquifer or surface streams and/or sensitive features that may exist downgradient of the site.

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.

Since this project is located on the 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 213.5(f)(e) only applies to projects located on the Recharge Zone.

However, BMP measures utilized in this plan will allow stormwater runoff to continue downgradient to streams or features that may exist downstream of the site.

- 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.
 - <u>N/A</u> 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.

This project is located on the Contributing Zone; therefore, no recharge features exist onsite.

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, as located on Exhibit 1 and illustrated in Exhibit 3.
- Installation of stabilized construction entrance/exit(s) and construction staging area(s), as located on Exhibit 1, and illustrated on Exhibit 3.

The following structural measure will be installed as appropriate, based on the construction sequencing:

- Installation of inlet protection, as required and located on Exhibit 1 and illustrated on Exhibit 3.
- 10. ATTACHMENT G Drainage Area Map. A drainage area map is provided at the end of this form in Exhibit 1 & 3 to support the following requirements.
 - $\sqrt{}$ 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

8.

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.

A combination of measures will be used for disturbed areas under 10 acres within a common drainage area, to protect down slope and side slope boundaries of the construction area. Temporary measures such as silt fence and inlet protection will be utilized. Please see the Exhibit 1 for more details.

- 11. ATTACHMENT H Temporary Sediment Pond(s) Plans and Calculations. Temporary sediment pond or basin construction plans and design calculations for a proposed temporary BMP or measure has been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information must be signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed temporary BMPs and measures are provided as at the end of this form in the Exhibits section of this report.
- 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. _✓ 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 Guidance Manual (TGM) RG-348 (2005). Mulching, netting, erosion blankets and seeding are acceptable.

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 14th day after construction activity has temporarily or permanently ceased is precluded by seasonably arid conditions, stabilization measures must be initiated as soon as practicable.

- 18. \checkmark 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. <u>✓</u> Stabilization practices must be initiated as soon as practicable where construction activities have temporarily or permanently ceased.

ADMINISTRATIVE INFORMATION

- 20. \checkmark All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.
- 21. ✓ 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

Shauna Weaver, P.E., LEED[®] AP Print Name of Customer/Agent

uver

Signature of Customer/Agent

3.16.10

Date

Spill Response Actions

In the event of an accidental spill:

- 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.
- Sand or material used to contain the spill should be collected and stored in such a way so as not to continue to affect additional ground. Once the spill has been contained, collected material should be placed on poly or plastic sheeting until removed from the site. In the event of potential rainfall the material should be covered with poly or plastic sheeting to prevent contaminating runoff.
- The contractor will be required to notify the owner, who will in turn contact TCEQ to notify them in the event of a 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)
- 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.

1

INSPECTIONS

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 shall be recorded and maintained as part of Storm Water TPDES data for a period of three years after the date of the inspection. 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.



Pollution	ted	Corrective Action		
Prevention	Inspected		Date	
Measure	Ĕ	Description	Completed	
General	<i>i</i>			
Revegetation				
Erosion/sediment controls				
Vehicle exits				
Material areas				
Equipment areas				
Concrete rinse				
Construction debris				
Trash receptacles				
Infrastructure				
Roadway clearing				
Utility clearing				
Roadway grading				
Utility construction				
Drainage construction				
Roadway base				
Roadway surfaces				
Site cleanups				
Building				
Clearing for building				
Foundation grading				
Utility construction				
Foundation construction				
Building construction				
Site grading				
Site cleanup				

*Indicate N/A where measure does not apply.

By my signature below, I certify that all items are acceptable and the project site is in compliance with SWPPP.

Inspector's Name

Inspector's Signature

Name of Owner/Operator (Firm)

Date

Note: Inspector is to attach a brief statement of his qualifications to this report.



PROJECT MILESTONE DATES

Date when major site grading activities begin:

Construction Activity	Date

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

Construction Activity	Date
Dates when stabilization measures are initiated:	
Stabilization Activity	Date



AGENT AUTHORIZATION

	Agent Authorization Form For Required Signature			
	Edwards Aquifer Protection Program			
Relating to 30 TAC Chapter 213				
	e			
	Effective June 1, 1999			
1	WILLIAM A. KEYNOLDES			
	Print Name			
	GROUP VP-FACILITY ALLIANCE			
······	Title - Owner/President/Other			
of	HEB Grocery Company, LP			
	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:

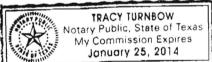
.

- 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 applicants who are not the property owner, but who have the right to control and possess the property, additional authorization is required from the owner.
- 3. Application fees are due and payable at the time the application is submitted. The application fee must be sent to the TCEQ cashier or to the appropriate regional office. The application will not be considered until the correct fee is received by the commission.
- 4. A notarized copy of the Agent Authorization Form must be provided for the person preparing the application, and this form must accompany the completed application.

TATA Applicant's Signature THE STATE OF Ş

2 Da

GIVEN under my hand and seal of o	ffice on this 22 day of FEBTUAVIA, 2010.
	Read White to a
	NOTARY PUBLIC
	Trach Turnbow
	Typed or Printed Name of Notary
the state of the s	



County of

MY COMMISSION EXPIRES:

M:\4546\45\Word\Reports\CZP\Agent Authorization doc

FEE FORM

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

NAME OF PROPOSED REGULATED ENTITY: <u>Descent</u> REGULATED ENTITY LOCATION: <u>0.5 miles west of th</u> NAME OF CUSTOMER: <u>HEB Grocery Company, LP</u> CONTACT PERSON: <u>William A. Reynolds</u>		81 & St. Hwy 46			
(Please Print)					
Customer Reference Number (if issued): CN 60028	3 2156 (nir	ne digits)			
Regulated Entity Reference Number (if issued): RN10311	7438 (nii	ne 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:Overnight Delivery to TCEQ:TCEQ - CashierTCEQ - CashierRevenues Section12100 Park 35 CircleMail Code 214Building A, 3rd FloorP.O. Box 13088Austin, TX 78753Austin, TX 78711-3088512/239-0347					
Site Location (Check All That Apply): Recharge Zor	ne 🛛 Contributing Zone	Transition Zone			
Type of Plan	Size	Fee Due			
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acre	s \$			
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acre	s \$			
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	62.58 Acre	s \$ <i>8,000</i>			
Sewage Collection System	L.F. \$				
Lift Stations without sewer lines	Acre	s \$			
Underground or Aboveground Storage Tank Facility	Tank	s \$			
Piping System(s)(only)	Eac	h \$			
Exception	Eac	h \$			

Exception

Extension of Time

ama I. Meaner

3.16.10 Date

Each

\$

Signature

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

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

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

Water Pollution Abatement Plans and Modifications Contributing Zone Plans and Modifications

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

Organized Sewage Collection Systems and Modifications

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

Underground and Aboveground Storage Tank System Facility Plans and Modifications

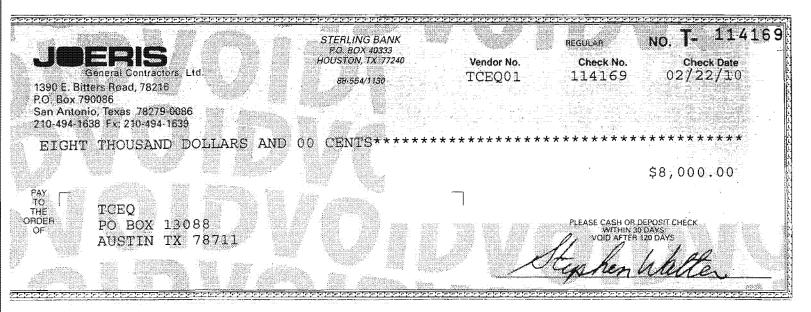
PROJECT	COST PER TANK OR PIPING SYSTEM	MINIMUM FEE MAXIMUM FEE	
Underground and Aboveground Storage Tank Facility	\$650	\$650 - \$6,500	

Exception Requests

PROJECT	FEE
Exception Request	\$500

Extension of Time Requests

PROJECT	FEE
Extension of Time Request	\$150



#114169# #113005549# #3041006012#

JOERIS GENERAL CONTR	RACTORS, LTD • REGULA	R				- 114169
TCEQ01 TCEQ	2			02/2 Check Date:	2/10	114169
INVOICE NO.	INVOICE DATE	REFERENCE		GROSS	DISCOUNT	NET AMOUNT
090400	02/19/10 HEB#	BULVERDE-NEW (CON	8,000.00	.00	8,000.00



TOTAL

8,000.00

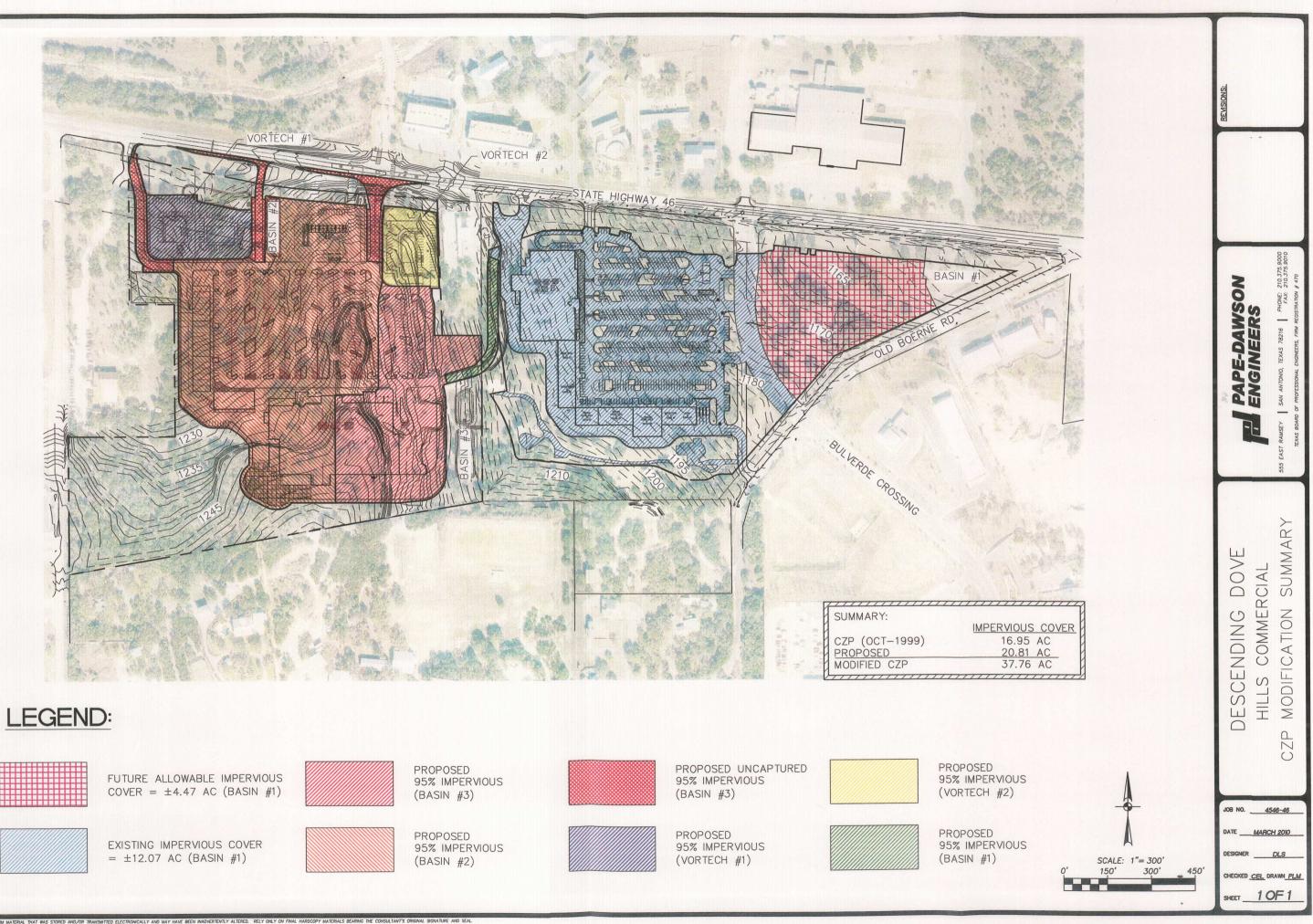
.00 8,000.00

SAFEGUARD

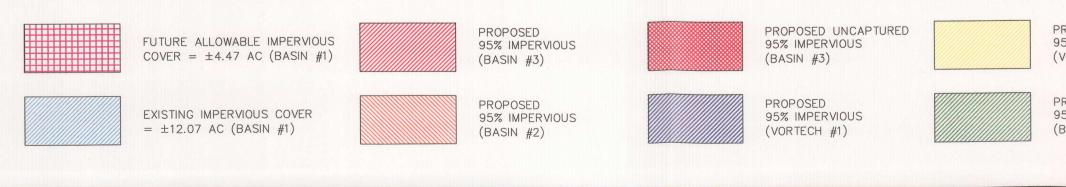
REORDER FROM YOUR LOCAL SAFEGUARD DISTRIBUTOR, CALL 210-308-7400

M05SF017567M 12/09

APPENDIX A







EXHIBITS



TCEO Coro Data Form

				- 11 5 4 0 0 0 0 5 4 5	
For detailed instructions regarding completion	on of this form, plea	se read the Core D	ala Form instructions or c	call 512-239-517	5.
SECTION I: General Information 1 Reason for Submission (If other is checked please	doscribe in space				
			the program application	n)	
Renewal (Core Data Form should be submitted w Attachments Describe Any Attachments:					
			nter Application, etc.)		
3. Customer Reference Number (<i>if issued</i>)	Follow this link to		gulated Entity Refere	nce Number (if issued)
	for CN or RN nur	nbers in		nee number (in issued)
CN 600282156	Central Regis	try** KN	103117438		
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		sted on this form. F	Please check only one of	the following:	
Owner Operator	Owner	& Operator			
Occupational Licensee 🛛 Responsible Party	Volunta	ry Cleanup Appli	cant Other:		
7. General Customer Information					
New Customer	date to Custome	r Information	Change in	Regulated En	tity Ownership
Change in Legal Name (Verifiable with the Texas Sec			🛛 <u>No Chang</u>	<u>e**</u>	
**If "No Change" and Section I is complete, skip to S	ection III – Regu	lated Entity Info	ormation.		
8. Type of Customer: Corporation	🔲 Individu	lal	Sole Proprietors	hip- D.B.A	
City Government County Government	E Federa	l Government	State Governme	nt	
Other Government General Partnership	Limited	Partnership	Other:		
9. Customer Legal Name (If an individual, print last name I	îrst: ex: Doe, John)	If new Cust below	omer, enter previous C	ustomer	End Date:
10. Mailing					·····
Address:				·	
City	State	ZIP		ZIP + 4	
11. Country Mailing Information (if outside USA)		12. E-Mail Ad	dress (if applicable)		
13. Telephone Number 1	4. Extension or	Code	15. Fax Numb	er (if applicabl	e)
		18. DUNS Num		V COC Eiling	Number (if applicable)
16. Federal Tax ID (9 digits) 17. TX State Franchise Ta	IX ID (11 digits)	To. DONS NUR			Number (if applicable)
20. Number of Employees			21. Indeper	idently Owne	d and Operated?
0-20 21-100 101-250 251-500	501 and hig	her		Yes	No
SECTION III: Regulated Entity Infor	mation				
22. General Regulated Entity Information (If 'New Reg		elected below th	nis form should be acc	companied by	a permit application

nit application) No Change** (See below) Update to Regulated Entity Name Dupdate to Regulated Entity Information New Regulated Entity "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) Descending Dove Hills Commercial

]
24. Street Address of the Regulated	207	25 Hwy. 46	W					- 			
Entity:		<u>-</u>									
(No P.O. Boxes)	City	Spring Bra	inch	State	TX	ZIP	780	70		ZIP + 4	6126
25. Mailing Address:	646	South Main	Avenue								
Autress.	City	San Anton	io	State	TX	ZIP	78204			ZIP + 4	1210
26. E-Mail Address:						-					1
27. Telephone Numb	er		2	8. Extensio	n or Code	29	. Fax N	lumber (if a	oplicable)		
(210) 938-8000						(2	210)	938-809	1		
30. Primary SIC Code	e (4 digits	31. Second	ary SIC Co	de (4 digits)	32. Primary (5 or 6 digits)	NAICS	Code		Second 6 digits)	ary NAIC	S Code
1542		5411			23332				511		
34. What is the Prima											
Construction of a	a com	mercial deve	lopment	including	a grocery s	store	and u	Indeterm	ined re	etail spa	nce
G	Juestio	ns 34 - 37 addre	ess geograp	ohic locatio	n. Please refe	r to th	e instr	uctions for	applica	bility.	
35. Description to Physical Location:	0.5	miles west of	f the inter	rsection o	of SH 46 an	d US	Hwy	281			
36. Nearest City			С	ounty			State			Neares	t ZIP Code
Bulverde			C	Comal			TX			78163	
37. Latitude (N) In E)ecima	: 29.7973			38. Longit	ude (V	V) In	Decimal:	98.42	2885	
Degrees	Minutes		Seconds		Degrees			Minutes		Se	conds
29	47		50.3		98			25		4	3.9
39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.											
Dam Safety	<u> </u>	Districts	1	Edwards .				al Hazardou		Mu	nicipal Solid Waste
New Source Review	– Air	OSSF		Petroleum	n Storage Tank	PWS				Slu	dge
Stormwater		Title V – Air		Tires			Used (Dil		U []	ilities

SECTION IV: Preparer Information

Voluntary Cleanup

Waste Water

40. Name:	Shauna L.	Weaver, P.E.		41. Title:	Vice President, Land Development
42. Telephon	e Number	43. Ext./Code	44. Fax Number	45. E-Mail	Address
(210)375	-9000		(210)375-9030	sweaver	@pape-dawson.com

Wastewater Agriculture

Water Rights

Other:

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 Pr			resident, Land Development		
Name(In Print) :	Shauna L. Weaver, P.E.			Phone:	(210)375-9000	
Signature:	Shamad. We and			Date:	3.16.10	



POLLUTANT LOAD AND REMOVAL CALCULATIONS

TSS Removal Calculations		Project: Watershed:	нев (нwy 46) Д	
Input By User Automatically Calculated	I Variables	Job No.: Date:		
1. Calculate Required Load Re	duction			
	27.2(An x P)			
An =	Required TSS removal Net increase in impervi Average annual precipi	ious area for project		
Site Data: County = Basin watershed area = Predevelopment impervious area = Post-development impervious fraction= Postdevelopment impervious fraction= P =	COMAL 12.12 0.31 11.51 0.95	acres acres acres inches		
Lm =	10,056.71	lbs 🖣	0.00 lb	s included for overtreatment of uncaptured area
2. Select BMP Proposed BMP = Removal efficiency =	SF 89	abbreviation percent		AC= Aqualogic TM Cartridge Filter BR= Bioretention CW= Constructed Wetland RI= Retention / Irrigation SF= Sand Filter WB= Wet Basin
3. Calculate TSS Load Remove	ed by BMP			
where: LR = Ai =	(BMP efficiency) x P x TSS Load removed by Impervious area of BM Pervious area of BMP	BMP P catchment		
Ai = Ap = Lr =	11,51 0.61 11,710.16	acres acres Ibs		
4. Calculate Fraction of Annua	I Runoff to Treat			
F =	0.86	ок		
5. Calculate Capture Volume				
Rainfall Depth = Post Development Runoff Coefficient = Runoff Volume = Storage for Sediment=	1.38 0.78 47,088 9,418	inches cubic feet		
Total Capture Volume	56,506	cubic feet		
6. Calculate Sand Area Require	red			
	WQV/10 (for systems com WQV/18 (for systems com			
Required Sand Area	4,709	square feet	Check if Partial	Sedimentation Is Used
Required Sand Area	2,616	square feet	Check if Full Sec	limentation Is Used

TSS Removal Calculations		Project: Watershed:	HEB (HWY 46)	
Input By User Automatically Calculate	d Variables	Job No.: Date:	4546-39 3/10/2010	
1. Calculate Required Load R	eduction			
Lm =	= 27.2(An x P)			
An =	 Required TSS removal from deve Net increase in impervious area f Average annual precipitation, incl 	or project		
Site Data County = Basin watershed area = Predevelopment impervious area = Post-development impervious fraction= P = Lm =	COMAL acres 5.24 acres 1.26 acres 4.98 acres 0.95 inches		1051.09 lbs	DA-F, G, H included for overtreatment of uncaptured area
2. Select BMP				
Proposed BMP = Removal efficiency =	89 percent	on	×	AC= Aqualogic [™] Cartridge Filter BR= Bioretention CW= Constructed Wetland RI= Retention / Irrigation SF= Sand Filter WB= Wet Basin
3. Calculate TSS Load Remov	ed by BMP			
LR =	(BMP efficiency) x P x (A _t x 34.6 ·	⊦ A _P x 0.54)		
Ai =	a ta	nt		
4. Calculate Fraction of Annua				
5. Calculate Capture Volume				
Rainfall Depth = Post Development Runoff Coefficient = Runoff Volume = Storage for Sediment=	1.44 inches 0.78 21,243 cubic feet 4,249			
Total Capture Volume	25,492 cubic fe	et		
6. Calculate Sand Area Requir	red			
Af=	WQV/10 (for systems combining filtratic WQV/18 (for systems combining filtratic			
Required Sand Area	2,124 square	feet	Check if Partial Se	dimentation Is Used
Required Sand Area	1,180 square	feet	Check if Full Sedir	nentation Is Used

TSS Removal Calculations	Project: Watershed:	HEB (HWY 46) F, G, H
Input By User Automatically Calculated Variables	Job No.: Date:	
Uncaptured Required Load Reduction		
Lm = 27.2(An x	P)	
An = Net increa	TSS removal from proposed developr use in impervious area for project innual precipitation, inches	ment
Site Data: County = C	omal	
	1.38 acres	
Predevelopment impervious area =	0.14 acres	
Post-development impervious area =	1.31 acres	
Post-development impervious fraction=	0.95.00000000 33.00000000000000000000000000	
Lm = 1,0	51.09 lbs	

TSS Removal Calculations		Project: Watershed:	HEB (HWY	46)
Input By User Automatically Calculated	l Variables	Job No.: Date:	454 6-39 3/10/2010	
1. Calculate Required Load Re	duction			
Lm =	27.2(An x P)			
An =	Required TSS remov Net increase in imper Average annual preci	a ana a a an a an an an an an an an an a	ment	
Site Data: County = Basin watershed area = Predevelopment impervious area = Post-development impervious fraction= Post-development impervious fraction= P =	Comal 5.24 1.26 4.98 0.95 33	acres acres acres inches		
Lm =	3,337.28	lbs 🖣	0.00	Ibs included for overtreatment of uncaptured area
2. Select BMP				
Proposed BMP = Removal efficiency =	89 89	abbreviation percent		AC= Aqualogic TM Cartridge Filter BR= Bioretention CW= Constructed Wetland RI= Retention / Irrigation SF= Sand Filter WB= Wet Basin
3. Calculate TSS Load Remove	ed by BMP	_		
where: Lr = Ai =	TSS Load removed b Impervious area of BI Pervious area of BMF	MP catchment		
4. Calculate Fraction of Annua	Runoff to Treat			
F =	0.66	ок		
5. Calculate Capture Volume				
Rainfall Depth = Post-development Runoff Coefficient = Runoff Volume = Storage for Sediment=	0.69 0.78 10,223 2,045	inches cubic feet cubic feet		
Total Capture Volume	12,268	cubic feet		
6. Calculate Sand Area Requir	ed			

 Alculate Sand Area Required

 Af= WQV/10 (for systems combining filtration and sedimentation in a single basin; Partial Sedimentation)

 Af= WQV/18 (for systems combining filtration and sedimentation in a separate basins; Full Sedimentation)

 Required Sand Area
 1,022
 square feet
 Check if Partial Sedimentation Is Used

 Required Sand Area
 568
 square feet
 Check if Full Sedimentation Is Used

TSS Removal Calculations 04-20-2009

Project Name: Descending Dove Hills Commercial Date Prepared: 3/5/2010

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.

Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.

Characters shown in red are data entry fields.

Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spreadsheet.

1. The Required Load Reduction for the total project:	Calculations from R	G-348	Pages 3-27 to 3-30		
Page 3-29 Equation 3.3: L _M	= 27.2(A _N x P)				
where: $L_{M TOTAL PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load A_N = Net increase in impervious area for the project P = Average annual precipitation, inches					
Site Data: Determine Required Load Removal Based on the Entire Project County : Total project area included in plan * Predevelopment impervious area within the limits of the plan * Total post-development impervious area within the limits of the plan * Total post-development impervious cover fraction * P :	= comal = 1.14 acre = 0.46 acre = 1.08 acre = 0.95	95 95			
L _{M TOTAL PROJECT}	= 559 lbs.				
* The values entered in these fields should be for the total project area.					
Number of drainage basins / outfalls areas leaving the plan area	= 1				
<u>2. Drainage Basin Parameters (This information should be provided for ea</u> Drainage Basin/Outfall Area No. =					
= Total drainage basin/outfall area = Predevelopment impervious area within drainage basin/outfall area					
Post-development impervious area within drainage basin/outfall area =	= 1.08 acre				
Post-development impervious fraction within drainage basin/outfall area = L_{M} THIS BASIN =					

	Overflow Rate = Rounded Overflow Rate = BMP Efficiency % = L _R Value =	#VALUE! #VALUE! #VALUE! #VALUE!	V _{or} V _{or} % Ibs
	TSS Load Credit =	#VALUE!	lbs
	Is Sufficient Treatment Available? (TSS Credit TSS Uncapt.)	#VALUE!	
	TSS Treatment by BMP (LM + TSS Uncapt.) =	#VALUE!	
21. Vortech			
<u>21. vontein</u>	Required TSS Removal in BMP Drainage Area= Impervious Cover Overtreatment= TSS Removal for Uncaptured Area = BMP Sizing	559.20 0.0000 0.00	lbs ac Ibs
	Effective Area = Calculated Model Size(s) =	0.98 Vx11000	EA
	Actual Model Size (if choosing larger model size) =	Vx11000	Pick Model Size
	Surface Area = Overflow Rate = Rounded Overflow Rate = BMP Efficiency % = L _R Value =	0.013675 0.014000 82.00	ft ² V _{or} % Ibs
	TSS Load Credit =	455.62	lbs
	ls Sufficient Treatment Available? (TSS Credit ≥ TSS Uncapt.	Yes	
	TSS Treatment by BMP (LM + TSS Uncapt.) =	559.20	

-

TSS Removal Calculations 04-20-2009

Project Name: Descending Dove Hills Commercial Date Prepared: 3/5/2010

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.

Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.

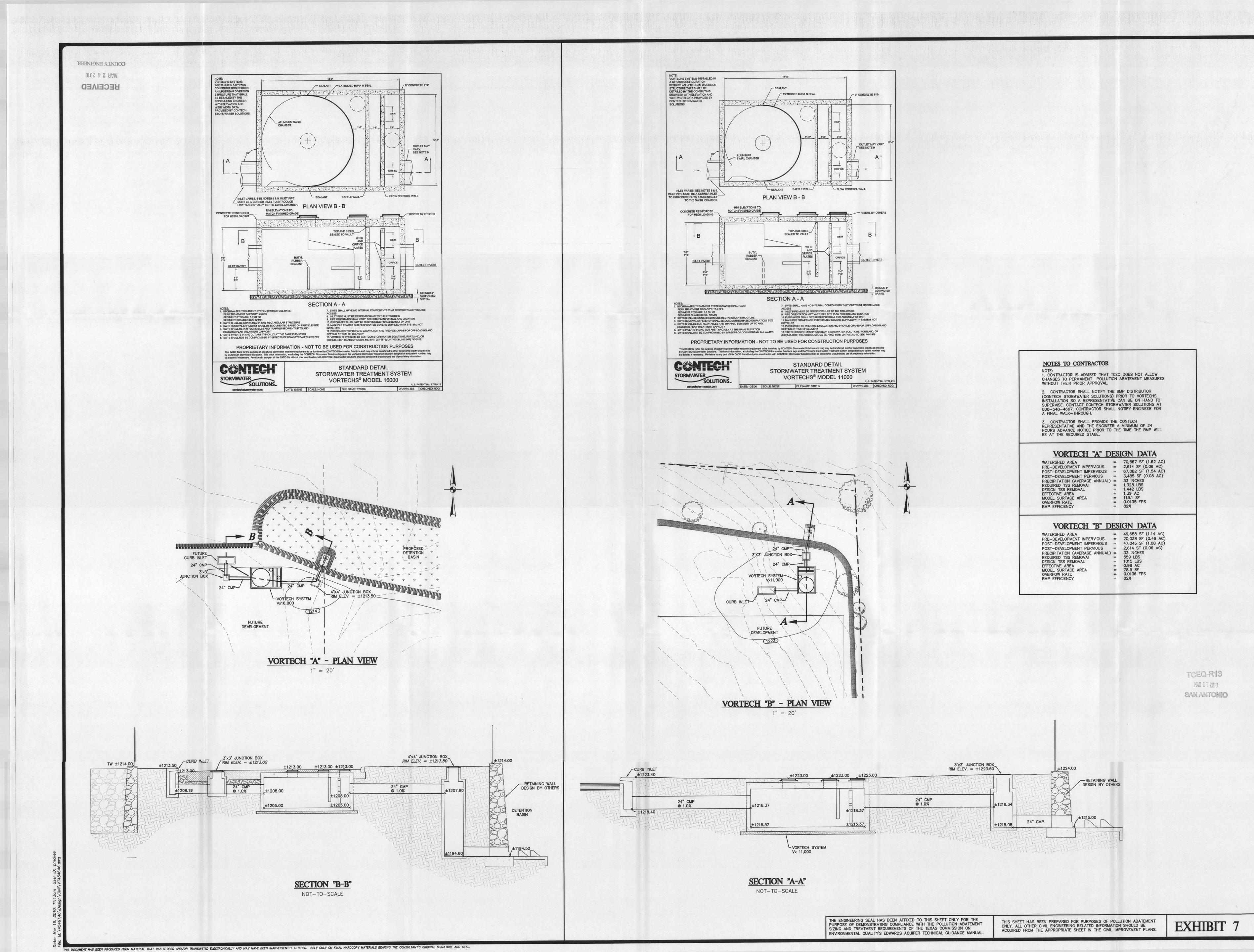
Characters shown in red are data entry fields.

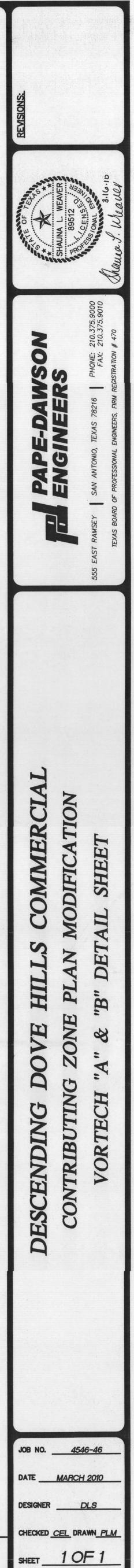
Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spreadsheet.

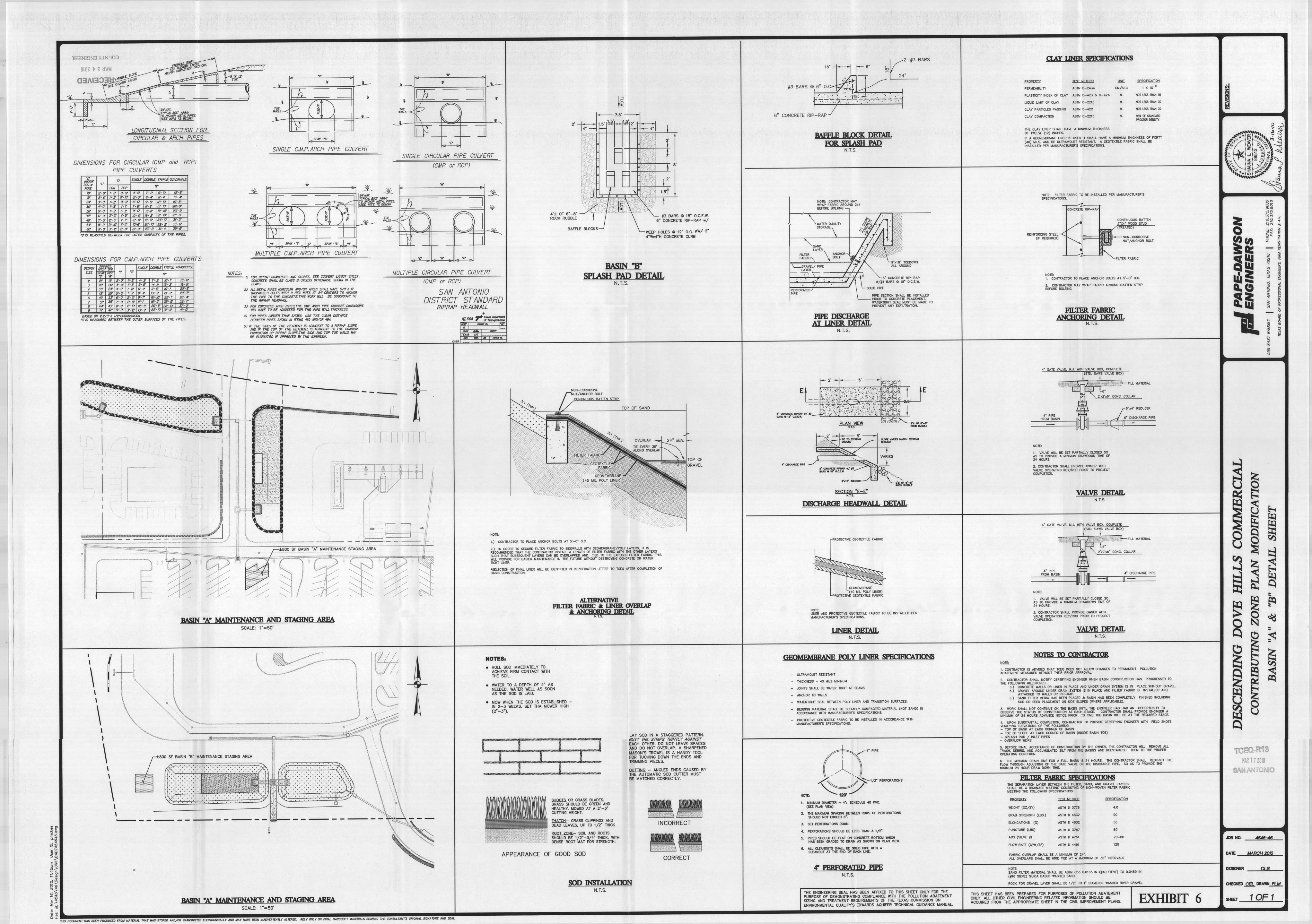
1. The Required Load Redu	ction for the total project:	Calculations	from RG-34	8 Pages 3-27 to 3-30			
Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$							
where:	where: L _{M TOTAL PROJECT} = Required TSS removal resulting from the proposed development = 80% of increased load A _N = Net increase in impervious area for the project P = Average annual precipitation, inches						
Predevelopm Total post-developn	equired Load Removal Based on the Entire Project County = Total project area included in plan * = ent impervious area within the limits of the plan * = nent impervious area within the limits of the plan* = tal post-development impervious cover fraction * = P =	comal 1.62 0.06 1.54 0.95	acres acres acres inches	Drainage Area C			
	L _{M TOTAL PROJECT} =	1328	lbs.				
* The values entered in the	se fields should be for the total project area.						
Number of drain	nage basins / outfalls areas leaving the plan area =	1					
2. Drainage Basin Paramete	ers (This information should be provided for ea	ch basin):					
	Drainage Basin/Outfall Area No. =	: 1					
	Total drainage basin/outfall area =		acres				
Predevelopment in	mpervious area within drainage basin/outfall area =	0.06	acres				
Post-development in	npervious area within drainage basin/outfall area = ervious fraction within drainage basin/outfall area =	1.54 0.95	acres				
rost-development imp	L _{M THIS BASIN}		lbs.				

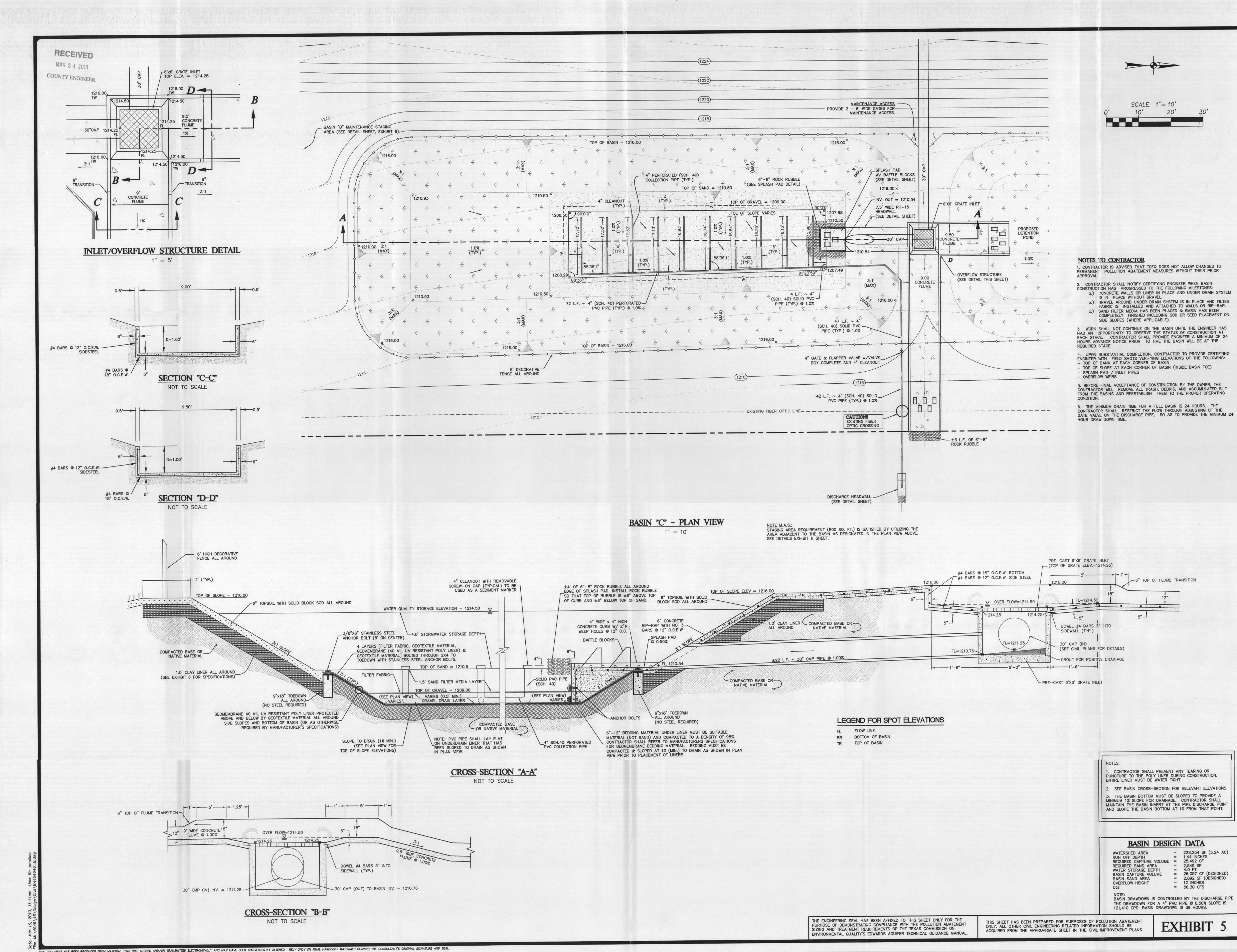
	Overflow Rate = Rounded Overflow Rate = BMP Efficiency % = L _R Value =	#VALUE! #VALUE! #VALUE! #VALUE!	V _{or} V _{or} % Ibs
	TSS Load Credit =	#VALUE!	lbs
	Is Sufficient Treatment Available? (TSS Credit	#VALUE!	
	TSS Treatment by BMP (LM + TSS Uncapt.) =	#VALUE!	
21 Vortach			
<u>21. Vortech</u>	Required TSS Removal in BMP Drainage Area= Impervious Cover Overtreatment= TSS Removal for Uncaptured Area = BMP Sizing	1327.55 0.0000 0.00	lbs ac lbs
	Effective Area = Calculated Model Size(s) =	1.39 Vx16000	EA
	Actual Model Size (if choosing larger model size) =	Vx16000	Pick Model Size
	Surface Area = Overflow Rate = Rounded Overflow Rate = BMP Efficiency % =	113.10 0.013495 0.014000 82.00	ft ² V _{or} %
	L _R Value =	1442.11	lbs
	TSS Load Credit =	114.56	lbs
	Is Sufficient Treatment Available? (TSS Credit	Yes	
	TSS Treatment by BMP (LM + TSS Uncapt.) =	1327.55	

-

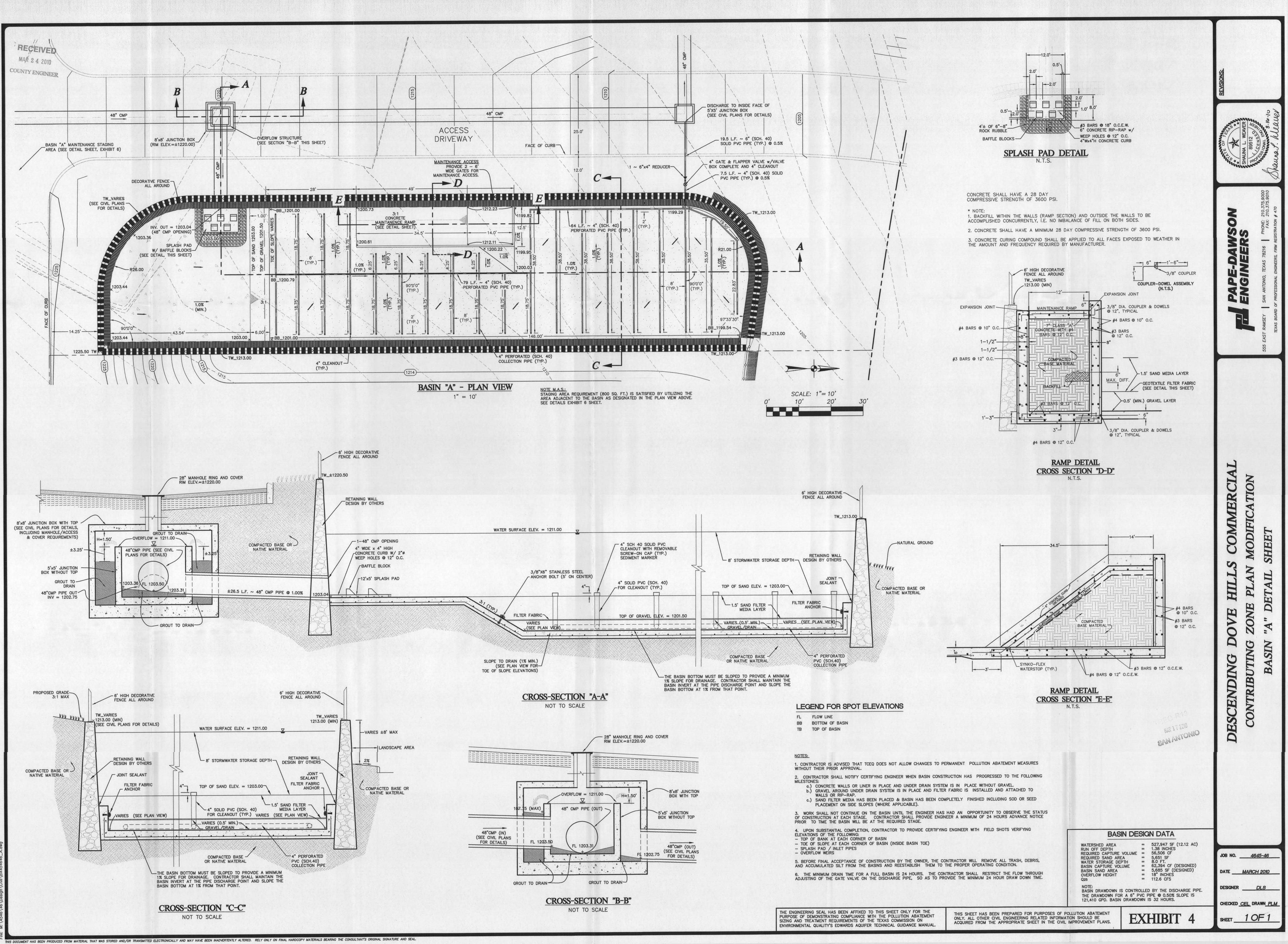


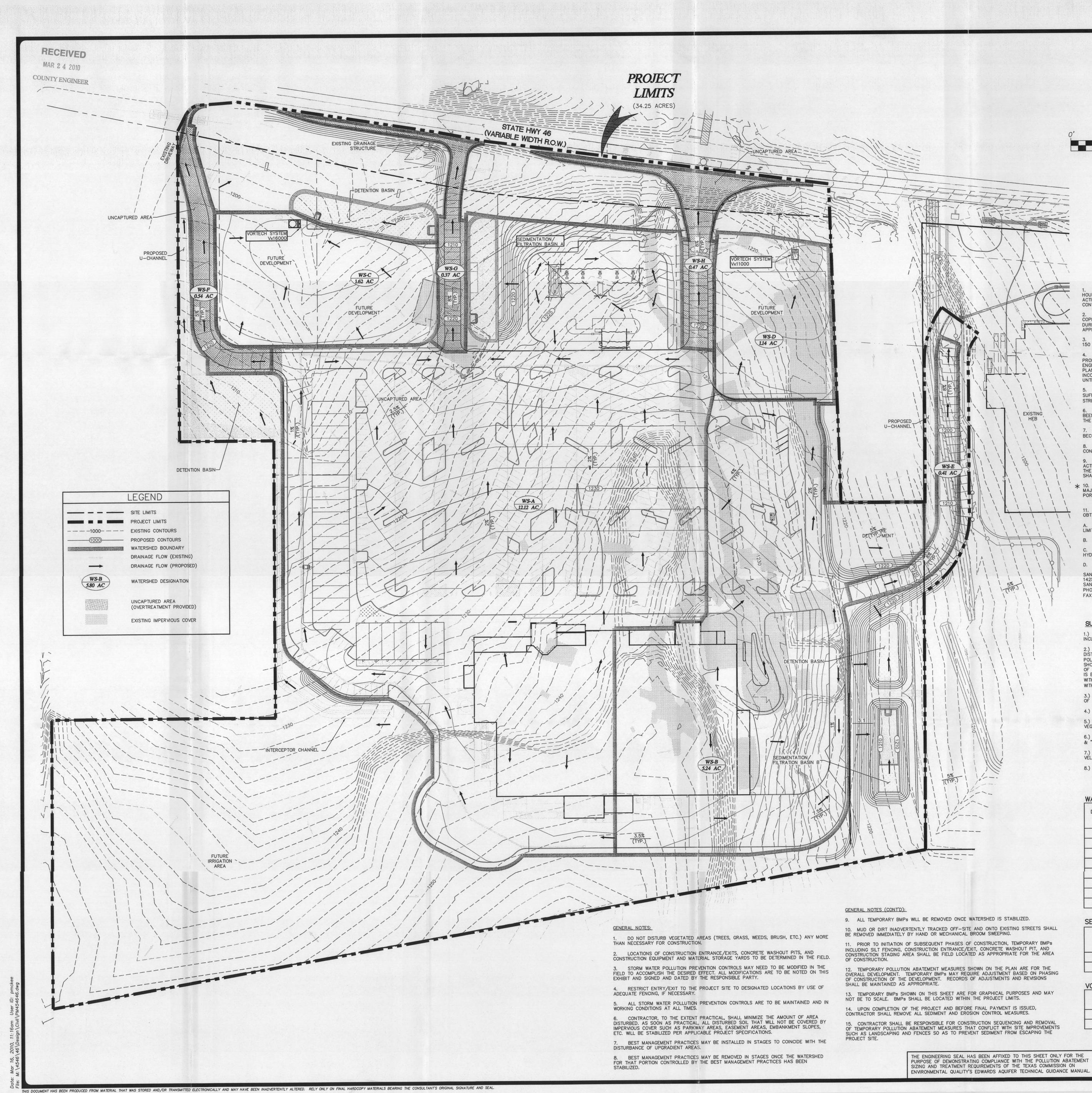


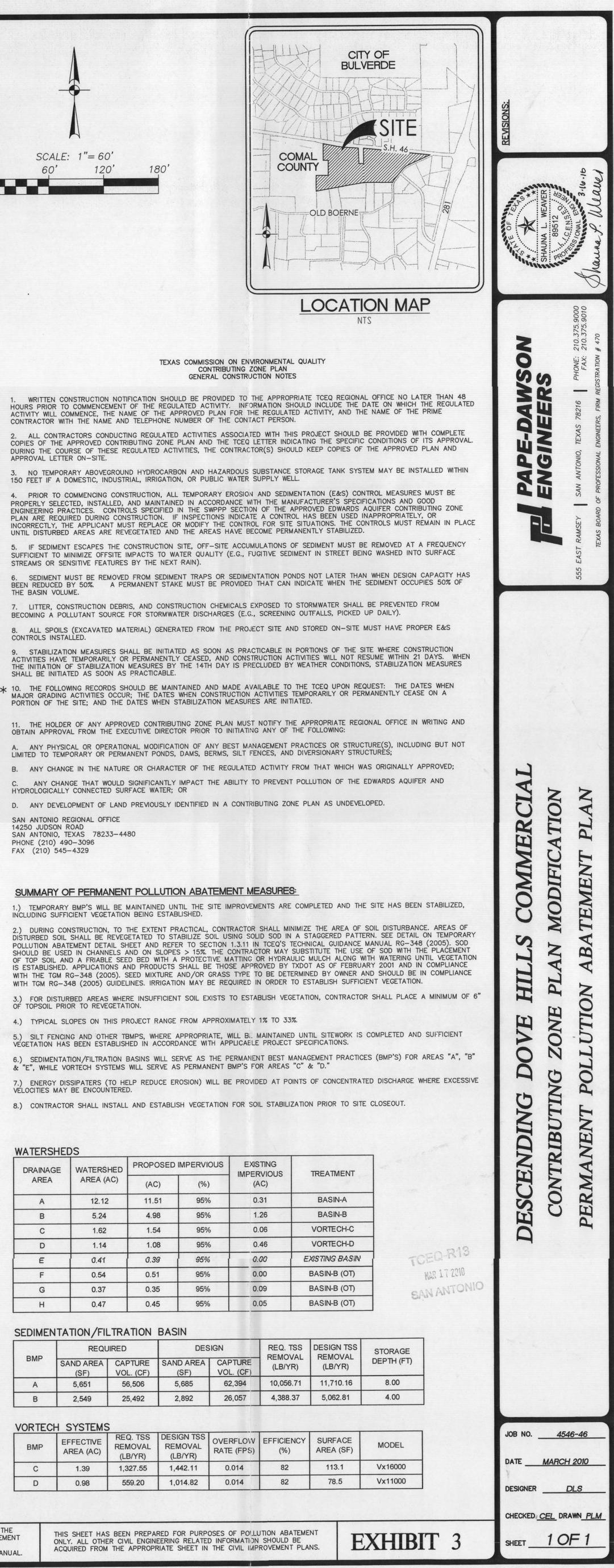




Su Ng I 6 NOIL COMMERCI MODIFICA SHEET S H HIL A PL ZONE D VE B 0 SIN DN D CONTRIBUTI SCENDING BA E D TCEQ-R13 MAR 17 2010 SAN ANTONIA JOB NO. 4546-46 DATE MARCH 2010 = 56.30 CFS DESIGNER <u>DLS</u> CHECKED CEL DRAWN PLM SHEET 10F1







TEXAS COMMISSION ON ENVIRONMENTAL QUALITY CONTRIBUTING ZONE PLAN GENERAL CONSTRUCTION NOTES

CONTRACTOR WITH THE NAME AND TELEPHONE NUMBER OF THE CONTACT PERSON. ALL CONTRACTORS CONDUCTING REGULATED ACTIVITIES ASSOCIATED WITH THIS PROJECT SHOULD BE PROVIDED WITH COMPLETE COPIES OF THE APPROVED CONTRIBUTING ZONE PLAN AND THE TCEQ LETTER INDICATING THE SPECIFIC CONDITIONS OF ITS APPROVAL. DURING THE COURSE OF THESE REGULATED ACTIVITIES, THE CONTRACTOR(S) SHOULD KEEP COPIES OF THE APPROVED PLAN AND APPROVAL LETTER ON-SITE.

3. NO TEMPORARY ABOVEGROUND HYDROCARBON AND HAZARDOUS SUBSTANCE STORAGE TANK SYSTEM MAY BE INSTALLED WITHIN 150 FEET IF A DOMESTIC, INDUSTRIAL, IRRIGATION, OR PUBLIC WATER SUPPLY WELL. 4. PRIOR TO COMMENCING CONSTRUCTION, ALL TEMPORARY EROSION AND SEDIMENTATION (E&S) CONTROL MEASURES MUST BE

INCORRECTLY, THE APPLICANT MUST REPLACE OR MODIFY THE CONTROL FOR SITE SITUATIONS. THE CONTROLS MUST REMAIN IN PLACE UNTIL DISTURBED AREAS ARE REVEGETATED AND THE AREAS HAVE BECOME PERMANENTLY STABILIZED. 5. 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). 6. SEDIMENT MUST BE REMOVED FROM SEDIMENT TRAPS OR SEDIMENTATION PONDS NOT LATER THAN WHEN DESIGN CAPACITY HAS BEEN REDUCED BY 50%. A PERMANENT STAKE MUST BE PROVIDED THAT CAN INDICATE WHEN THE SEDIMENT OCCUPIES 50% OF THE BASIN VOLUME.

7. 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). 8. ALL SPOILS (EXCAVATED MATERIAL) GENERATED FROM THE PROJECT SITE AND STORED ON-SITE MUST HAVE PROPER E&S CONTROLS INSTALLED.

9. 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.

★ 10. THE FOLLOWING RECORDS SHOULD BE MAINTAINED AND MADE AVAILABLE TO THE TCEQ UPON REQUEST: THE DATES WHEN MAJOR GRADING ACTIVITIES OCCUR; THE DATES WHEN CONSTRUCTION ACTIVITIES TEMPORARILY OR PERMANENTLY CEASE ON A PORTION OF THE SITE; AND THE DATES WHEN STABILIZATION MEASURES ARE INITIATED.

11. THE HOLDER OF ANY APPROVED CONTRIBUTING ZONE PLAN MUST NOTIFY THE APPROPRIATE REGIONAL OFFICE IN WRITING AND OBTAIN APPROVAL FROM THE EXECUTIVE DIRECTOR PRIOR TO INITIATING ANY OF THE FOLLOWING: A. ANY PHYSICAL OR OPERATIONAL MODIFICATION OF ANY BEST MANAGEMENT PRACTICES OR STRUCTURE(S), INCLUDING BUT NOT LIMITED TO TEMPORARY OR PERMANENT PONDS, DAMS, BERMS, SILT FENCES, AND DIVERSIONARY STRUCTURES; B. ANY CHANGE IN THE NATURE OR CHARACTER OF THE REGULATED ACTIVITY FROM THAT WHICH WAS ORIGINALLY APPROVED;

HYDROLOGICALLY CONNECTED SURFACE WATER; OR D. ANY DEVELOPMENT OF LAND PREVIOUSLY IDENTIFIED IN A CONTRIBUTING ZONE PLAN AS UNDEVELOPED. SAN ANTONIO REGIONAL OFFICE

14250 JUDSON ROAD SAN ANTONIO, TEXAS 78233-4480 PHONE (210) 490-3096

FAX (210) 545-4329

SCALE: 1'' = 60'

120'

180

SUMMARY OF PERMANENT POLLUTION ABATEMENT MEASURES:

1.) TEMPORARY BMP'S WILL BE MAINTAINED UNTIL THE SITE IMPROVEMENTS ARE COMPLETED AND THE SITE HAS BEEN STABILIZED, INCLUDING SUFFICIENT VEGETATION BEING ESTABLISHED.

DISTURBED SOIL SHALL BE REVEGETATED TO STABILIZE SOIL USING SOLID SOD IN A STAGGERED PATTERN. SEE DETAIL ON TEMPORARY POLLUTION ABATEMENT DETAIL SHEET AND REFER TO SECTION 1.3.11 IN TCEQ'S TECHNICAL GUIDANCE MANUAL RG-348 (2005). SOD SHOULD BE USED IN CHANNELS AND ON SLOPES > 15%. THE CONTRACTOR MAY SUBSTITUTE THE USE OF SOD WITH THE PLACEMENT OF TOP SOIL AND A FRIABLE SEED BED WITH A PROTECTIVE MATTING OR HYDRAULIC MULCH ALONG WITH WATERING UNTIL VEGETATION IS ESTABLISHED. APPLICATIONS AND PRODUCTS SHALL BE THOSE APPROVED BY TXDOT AS OF FEBRUARY 2001 AND IN COMPLIANCE WITH THE TGM RG-348 (2005). SEED MIXTURE AND/OR GRASS TYPE TO BE DETERMINED BY OWNER AND SHOULD BE IN COMPLIANCE WITH TGM RG-348 (2005) GUIDELINES. IRRIGATION MAY BE REQUIRED IN ORDER TO ESTABLISH SUFFICIENT VEGETATION. 3.) FOR DISTURBED AREAS WHERE INSUFFICIENT SOIL EXISTS TO ESTABLISH VEGETATION, CONTRACTOR SHALL PLACE A MINIMUM OF 6" OF TOPSOIL PRIOR TO REVEGETATION.

4.) TYPICAL SLOPES ON THIS PROJECT RANGE FROM APPROXIMATELY 1% TO 33%.

5.) SILT FENCING AND OTHER TBMPS, WHERE APPROPRIATE, WILL B. MAINTAINED UNTIL SITEWORK IS COMPLETED AND SUFFICIENT VEGETATION HAS BEEN ESTABLISHED IN ACCORDANCE WITH APPLICAELE PROJECT SPECIFICATIONS. 6.) SEDIMENTATION /FILTRATION BASINS WILL SERVE AS THE PERMANENT BEST MANAGEMENT PRACTICES (BMP'S) FOR AREAS "A", "B" & "E", WHILE VORTECH SYSTEMS WILL SERVE AS PERMANENT BMP'S FOR AREAS "C" & "D."

7.) ENERGY DISSIPATERS (TO HELP REDUCE EROSION) WILL BE PROVIDED AT POINTS OF CONCENTRATED DISCHARGE WHERE EXCESSIVE VELOCITIES MAY BE ENCOUNTERED.

8.) CONTRACTOR SHALL INSTALL AND ESTABLISH VEGETATION FOR SOIL STABILIZATION PRIOR TO SITE CLOSEOUT.

WATERSHEDS

DRAINAGE AREA	WATERSHED	PROPOSED IMPERVIOUS		EXISTING	TREATMENT
	AREA (AC)	(AC)	(%)	IMPERVIOUS (AC)	IREAIMENT
A	12.12	11.51	95%	0.31	BASIN-A
В	5.24	4.98	95%	1.26	BASIN-B
С	1.62	1.54	95%	0.06	VORTECH-C
D	1.14	1.08	95%	0.46	VORTECH-D
E	0.41	0.39	95%	0.00	EXISTING BASIN
F	0.54	0.51	95%	0.00	BASIN-B (OT)
G	0.37	0.35	95%	0.09	BASIN-B (OT)
Н	0.47	0.45	95%	0.05	BASIN-B (OT)

SEDIMENTATION/FILTRATION BASIN

DNAD	REQUIRED		DESIGN		REQ. TSS REMOVAL	DESIGN TSS REMOVAL	STC
BMP S	SAND AREA (SF)	CAPTURE VOL. (CF)	SAND AREA (SF)	CAPTURE VOL. (CF)	(LB/YR)	(LB/YR)	DEP
A	5,651	56,506	5,685	62,394	10,056.71	11,710.16	8
В	2,549	25,492	2,892	26,057	4,388.37	5,062.81	4

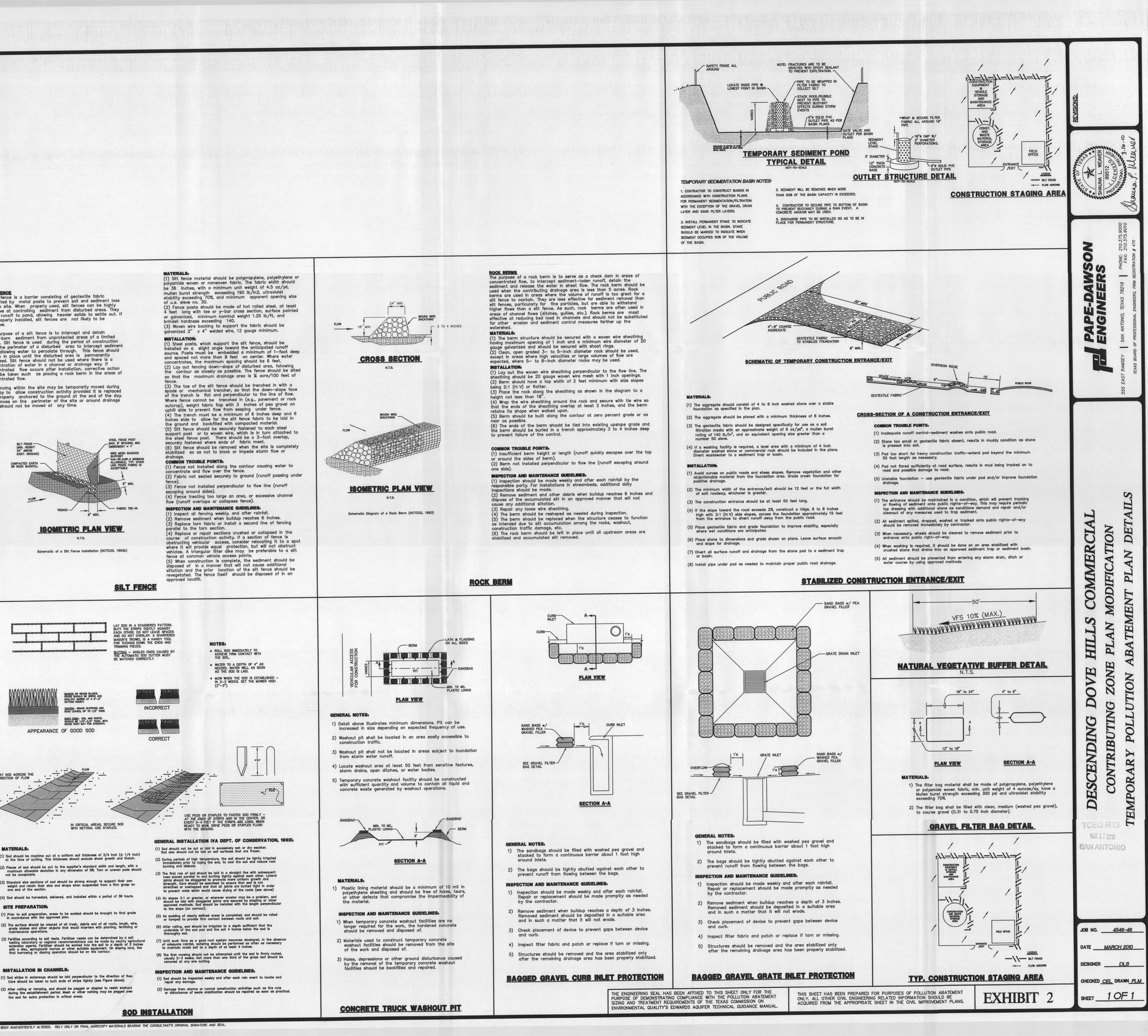
VORTECH	SYSTEMS	5					
BMP	EFFECTIVE AREA (AC)	REQ. TSS REMOVAL (LB/YR)	DESIGN TSS REMOVAL (LB/YR)	OVERFLOW RATE (FPS)	EFFICIENCY (%)	SURFACE AREA (SF)	МС
С	1.39	1,327.55	1,442.11	0.014	82	113.1	Vx
D	0.98	559.20	1,014.82	0.014	82	78.5	Vx

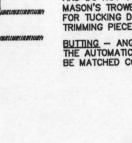
THIS SHEET HAS BEEN PREPARED FOR PURPOSES OF POLLUTION ABATEMENT ONLY. ALL OTHER CIVIL ENGINEERING RELATED INFORMATION SHOULD BE ACQUIRED FROM THE APPROPRIATE SHEET IN THE CIVIL IMPROVEMENT PLANS.

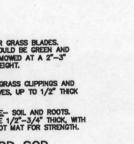
RECEIVED MAR 2 4 2010 **COUNTY ENGINEER**

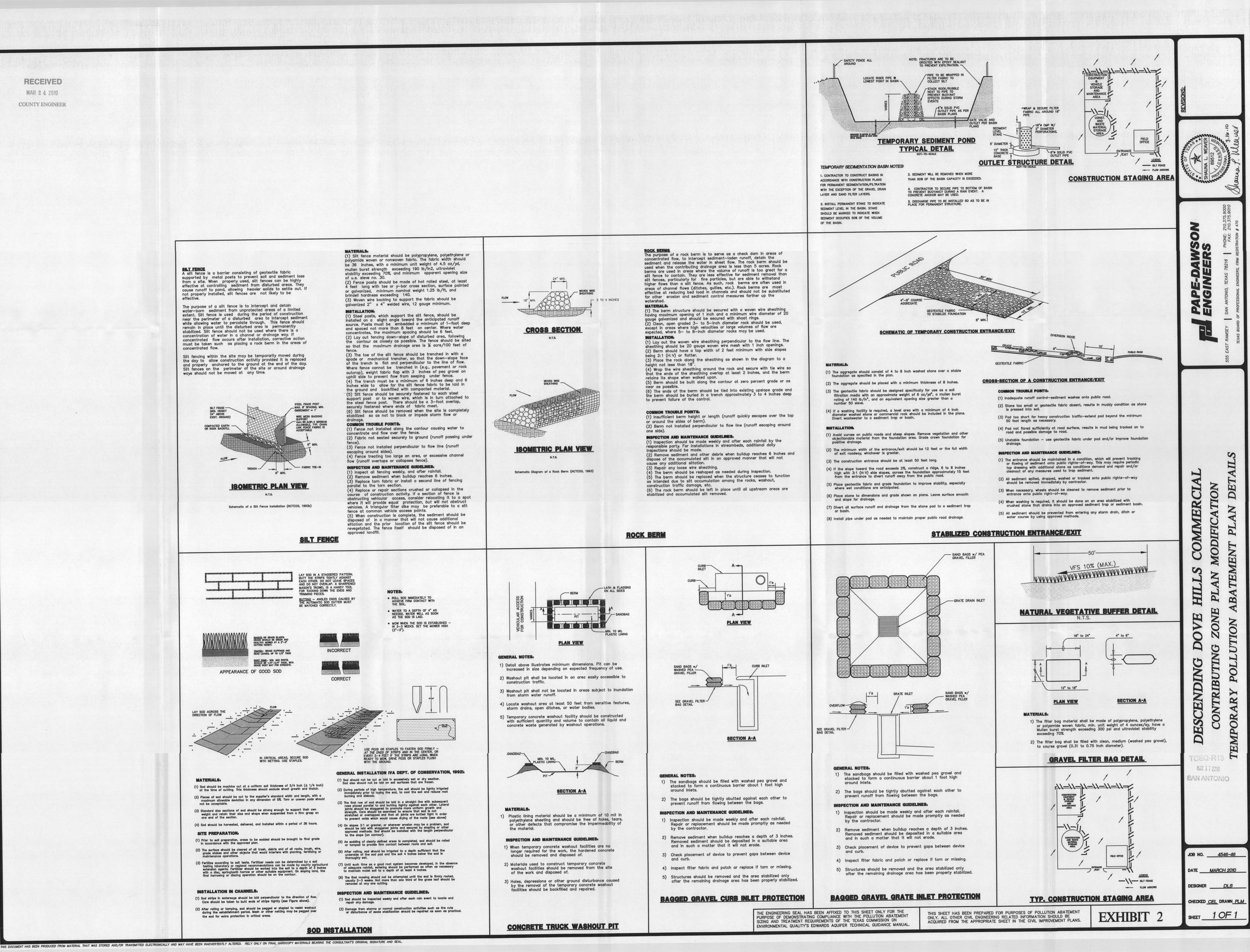
> water-born sediment from unprotected areas of a limited while allowing water to percolate through. This fence should remain in place until the disturbed area is permanently stabilized. Silt fence should not be used where there is a concentration of water in a channel or drainage way. If concentrated flow occurs after installation, corrective action concentrated flow.

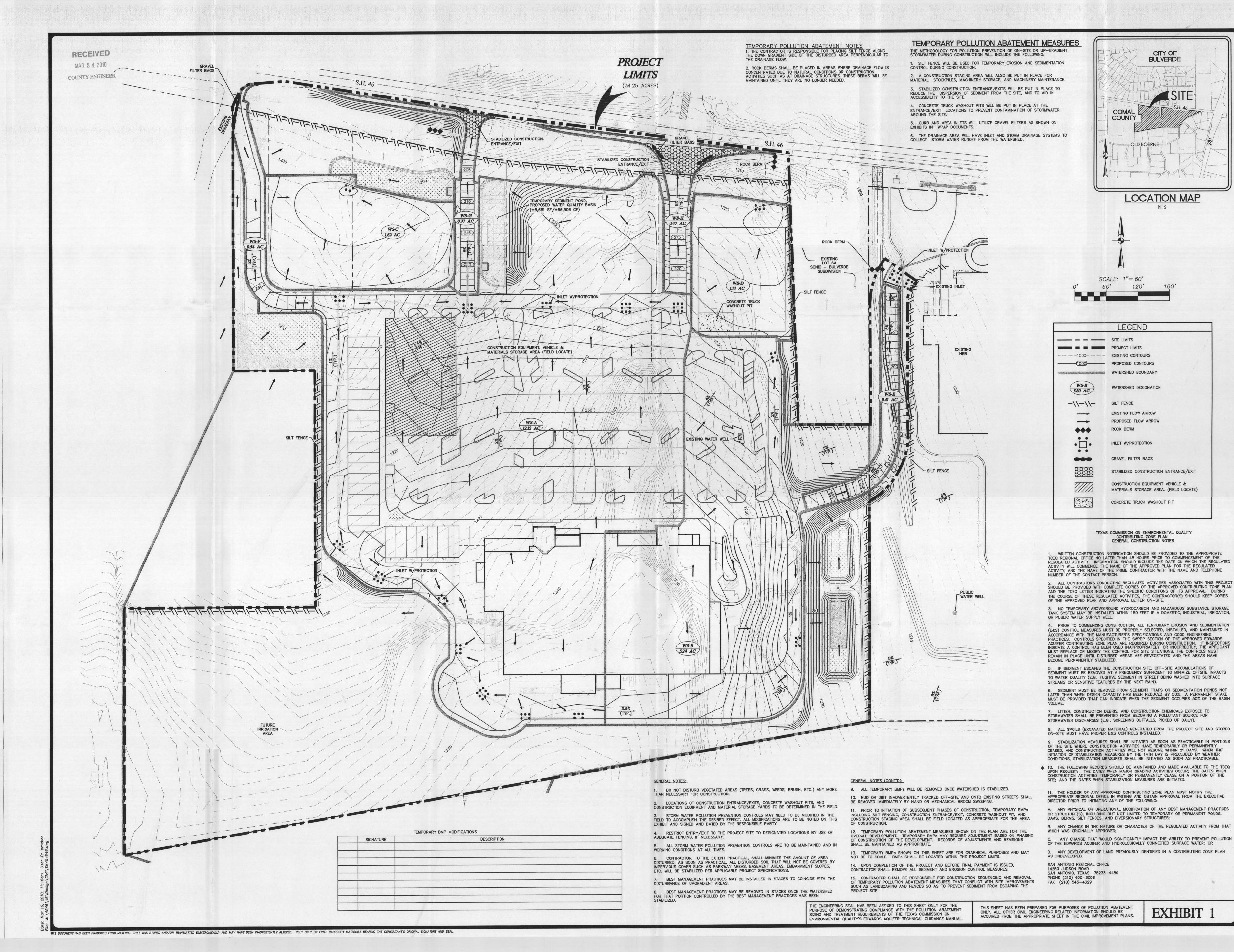
the day to allow construction activity provided it is replaced and properly anchored to the ground at the end of the day. Silt fences on the perimeter of the site or around drainage ways should not be moved at any time.



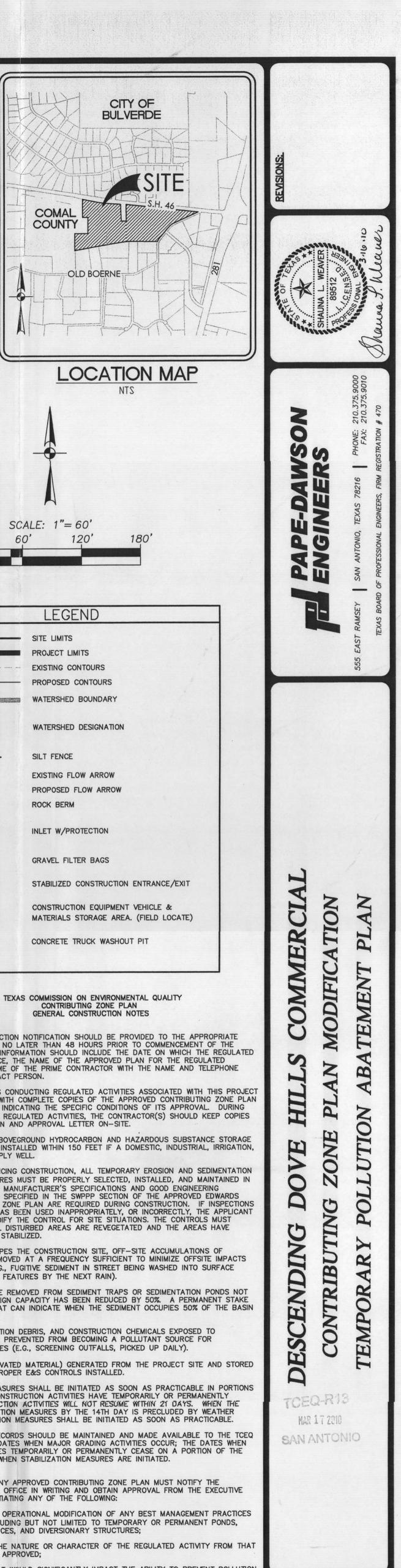








EXHIBIT



OLD BOERNE

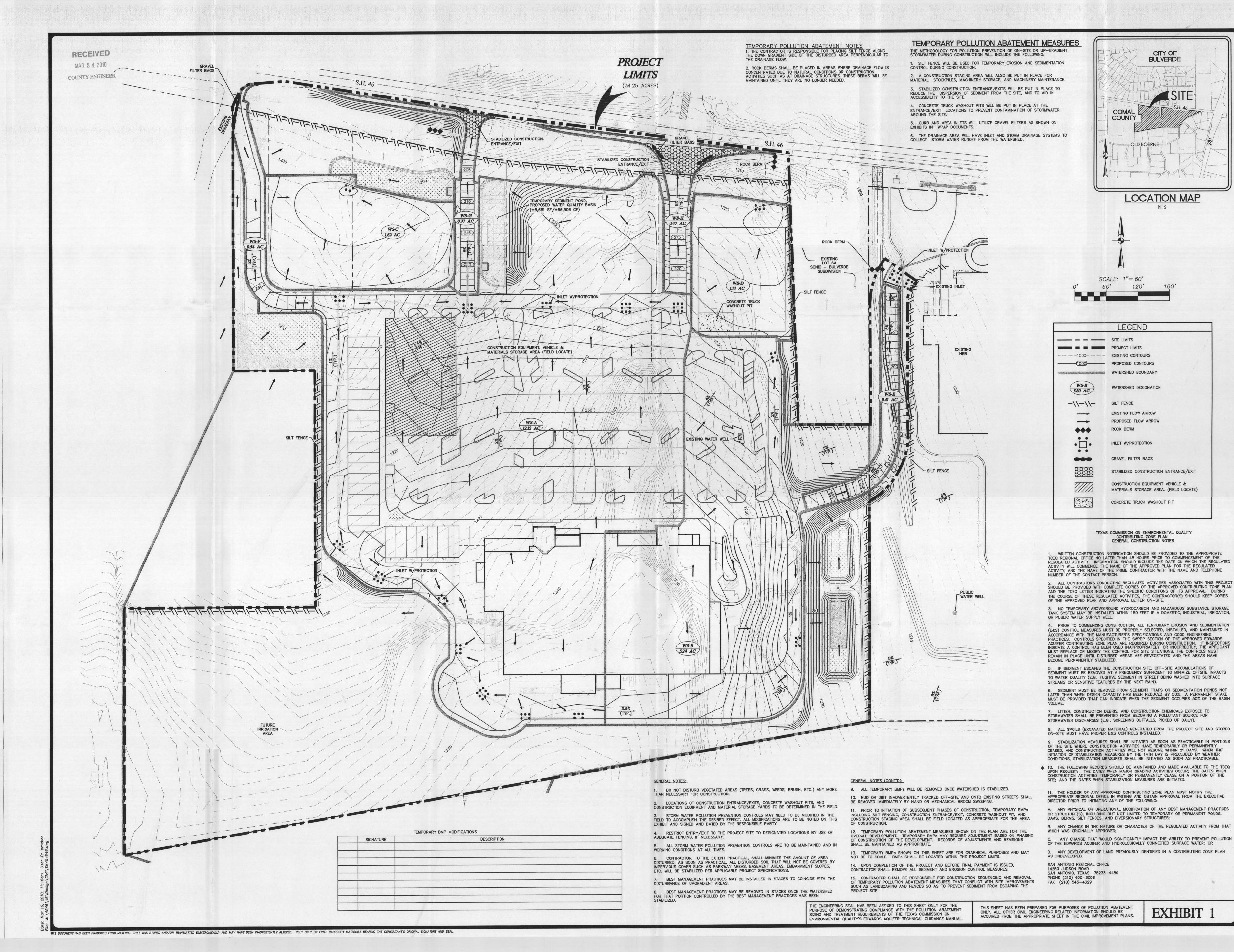
NTS

ANY CHANGE THAT WOULD SIGNIFICANTLY IMPACT THE ABILITY TO PREVENT POLLUTION

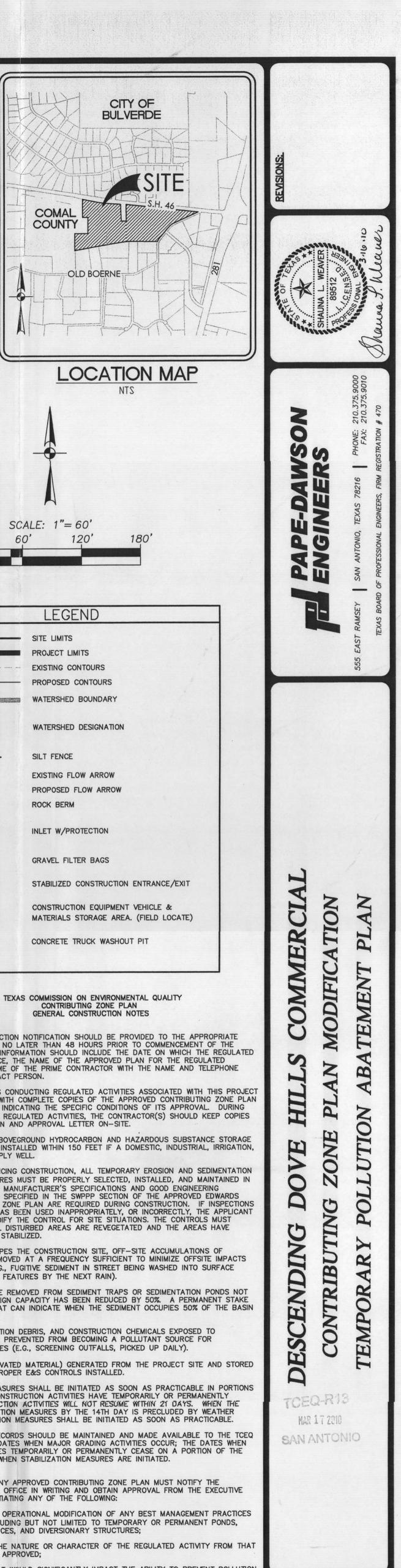
ATE MARCH 2010 DESIGNER DLS CHECKED CEL DRAWN PLM 1 OF 1 SHEET

JOB NO.

4546-46



EXHIBIT



OLD BOERNE

NTS

ANY CHANGE THAT WOULD SIGNIFICANTLY IMPACT THE ABILITY TO PREVENT POLLUTION

ATE MARCH 2010 DESIGNER DLS CHECKED CEL DRAWN PLM 1 OF 1 SHEET

JOB NO.

4546-46