TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 22, 2008

Mr. Joy Clayton
Highway 46 Ltd.
3100 S Gessner, Suite 200
Houston, Texas 77063

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: River Crossing Lot 667; Located from the intersection US Hwy 281 and Hwy 46, 1.1 miles east off Bentwood Drive; 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 ID No.: 230.01; Investigation No. 683221; Regulated Entity No. RN105186480

Dear Ms. Clayton:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP application for the above-referenced project submitted to the San Antonio Regional Office by M & S Engineering, LTD on behalf of Highway 46 Ltd. on June 10, 2008. Final review of the CZP was completed after additional material was received on September 9, 2008. 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.*

PROJECT DESCRIPTION

The existing commercial project has an area of approximately 1.20 acres. It includes one existing building, related parking and a proposed permanent BMP shared with Lot 668. The impervious cover will be .85 acres (71 percent). According to a letter dated, August 10, 2005, signed by Mr. Sam Smith, with Comal County, the site in the development is acceptable for the use of on-site sewage facilities.

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, sedimentation/filteration basin designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: 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 764 pounds of TSS generated from the .85 acres of

impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The shared treatment measure with Lot 668, will consist of sand filter basin designed for the total watershed area of 2.41 acres and 1.31 acres of impervious cover. The basin will have a capture volume of 6,635 cubic feet (6,306 cubic feet required) and a sand filter area of 2,140 square feet (631 square feet required). The concrete lined basin will have a water depth of four feet and filter media composed of eighteen inches of sand separated by geotextile fabric from six inches of gravel over the perforated PVC piping system.

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. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.

III. 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:

1. 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.

2. 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.

3. 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.

4. 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:

5. 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.

6. 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).

7. 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.

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.

10. 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:

11. 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.

12. 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.

13. 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.

14. 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.

15. 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: Mr. Keith Strimple, P.E., M & S Engineering, LTD
Mr. Bob Barton, City of Bulverde
Mr. Tom Hornseth, P.E., Comal County
Ms. Velma Danielson, Edwards Aquifer Authority
TCEQ Central Records, Building F, MC212

Summary of Clarifications and Revisions
Revision #2

River Crossing Subdivision
4/20/2009

1. Inlet label has been added to sheet BMP Layout for the Vortech unit for Rodeo Lane North.

2. Standard diagrams for each Vortech unit size are provided in Attachment M. Copies of each are included here.

3. The provided table has been updated and confirmed. It has been included on Sheet BMP Calculations replacing the previous Total Project Summary table. The actual Uncaptured area is 0.41 acres (see Attachment K from Revision #1). Of this, 0.07 acres is onsite at the EMS entrances, 0.13 acres is onsite at the Highway 281 entrance, and 0.28 acres is offsite in the Highway 281 ROW. The 0.51 acres originally shown was a maximum uncaptured area that could be treated. The table has been corrected to define the Uncaptured area and Uncaptured Compensation as 0.48 acres. The Designed TSS Removal has been calculated as $L_M + L_{MU}$.

   Note: The TSS Removal values shown in the table are slightly different than when calculated by hand because these carry all digits through and only round at the end, while by hand rounding occurs at several stages of the calculations. The values in the table are accurate.

4. Several pervious area values had not been properly brought up to date. These values have been corrected and the changes carried through the calculations. The drainage area values now equal the Total Areas on the Drainage Area Map. The DA values for the Grassy Swales each include a portion of Drainage Area 10 which is not part of the Vortechs drainage areas. This amount is 0.36 acres for EMS Site West and 0.41 acres for EMS Site East.

Other Revisions:

A. Page 2 of Form F-10257 has been corrected with appropriate proposed impervious cover values.

B. The Project Narrative has been corrected with appropriate proposed impervious cover values.

connections to the stormwater system that should go to the sanitary sewer system in older urbanized areas. Consequently, a variety of contaminants that may be classified as hazardous or toxic may enter stormwater management systems. These contaminants include heavy metals, petroleum hydrocarbons, pesticides, and a variety of organic chemicals. Consequently, several federal and state laws and regulations may apply to the disposal of sediments which accumulate in stormwater systems or which are captured by street sweepers (Livingston et al., 1997).

Maintenance of BMPs frequently requires disposal of accumulated sediment and other material. These materials are normally classified as special wastes when disposed of in municipal landfills.

A Type 1 Municipal Solid Waste (MSW) landfill can accept household waste—anything else is a special waste as defined in 30 TAC 330.2 (137). Special waste is a waste that requires special handling at a Type I MSW landfill. Labeling a filter media or sediment as a special waste is not a waste characterization. The process to obtain authorization to dispose of a special waste begins with a request for approval called the "Request for Authorization for Disposal of Special Waste TCEQ Form 0152." The request is completed by the generator and submitted to the MSW permits section of the TCEQ for Executive Director review/approval. The MSW permits section performs the review described in.30 TAC 330.136 (reviews the request and either approves, disapproves, or requires additional information).

__ Existing residential site
__ Existing paved and/or unpaved roads
X Undeveloped (Cleared)
__ Undeveloped (Undisturbed/Uncleared)
__ Other: _____

PROJECT INFORMATION

9. The type of project is:
__ Residential: # of Lots: ____
__ Residential: # of Living Unit Equivalents: ____
X Commercial
__ Industrial
__ Other: _____

10. Total project area (size of site): 77.622 Acres
Total disturbed area: 21.32 Acres

11. Projected population: 0

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

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	24,838	÷ 43,560 =	0.57
Parking	51,653	÷ 43,560 =	1.19
Other paved surfaces *Road, Concrete Improvements, Sidewalk*	139,392	÷ 43,560 =	3.27
Total Impervious Cover	215,883	÷ 43,560 =	5.03
Total Impervious Cover ÷ Total Acreage x 100 =			6.48 %

See Project Narrative for a more detailed impervious cover description*

13. X **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. If applicable, this should included the location and description of any discharge associated with industrial activity other than construction.

14. X 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.

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.

PROJECT NARRATIVE

Rodeo Drive Subdivision is a 77.62-acre tract of undeveloped land that is located on the east side of Highway 281 across from Heimer Lange Road. This site is located in the Edwards Aquifer Contributing Zone. The site is outside of Bulverde city limits, however, a small section of the southwest corner of the property is within the ETJ. The City of Bulverde released the property from their ETJ during a council meeting held on 11/27/2007. The property is not located in the FEMA 100-Year Floodplain.

The master plan for this project involves developing the site into commercial and residential lots served by a proposed road to connect Highway 281 with Rodeo Drive. In addition, a 4.92 acre lot is being developed into the Bulverde/Spring Branch EMS facility. A regional detention pond will be constructed to mitigate the increase in stormwater runoff due to development. This CZP application is for Phase 1 of the project which includes the road, detention pond, EMS site development, and the platting of 15 1-2 acre commercial lots. The remaining land will be platted as commercial and low density single-family residential lots at a future date. At the present time no approval is being sought for regulated activity on the individual lots aside from the EMS site. Each commercial site owner will be required to file a modification to this CZP before commencing regulated activities on their lot, and a CZP modification will be filed in conjunction with platting the remainder of the property.

Permanent BMPs including Vortechs filters, Grassy Swales, and Vegetative Filter Strips will be installed to account for the impervious cover of the EMS site and the roadway serving commercial lots. DJL Ventures is assuming construction and maintenance responsibility for all BMPs, including those on the EMS site. Agent Authorization Forms from both DJL Ventures and the Bulverde/Spring Branch EMS are included.

The road network will disturb an area up to 9.83 acres during the removal of brush and other vegetation from the ROW. A proposed storm sewer pipe to be installed along Highway 281 will disturb up to 0.20 acres, but will not include any impervious cover. Construction of the Highway 281 entrance will disturb 0.90 acres.

Construction of the pond will disturb 4.57 acres of land. Drainage from the detention pond will be released through four 72-inch corrugated metal pipe (CMP) culverts directing flow towards the existing Highway 281 culverts before being released into the Hanz Creek drainage.

Construction and grading of the EMS site will disturb up to 4.90 acres.

Roadway construction and associated impervious cover from the road network are shown within the attached calculations. Impervious cover for the site was calculated based on an asphalt pavement width of 28 feet. Detailed drawings and calculations are attached for reference.

There is no existing onsite impervious cover for this project. The amount of existing offsite impervious cover in the project drainage area is 0.44 acres. The amount of proposed impervious cover for the EMS Site is 1.92 acres. This includes a 0.14 acre proposed future building. The amount of impervious cover for the Rodeo Drive Subdivision is 3.11 acres. The amount and type of impervious cover expected after construction is complete is shown below:

Total Project Impervious Cover

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	24,838	÷ 43,560 =	0.57
Parking	51,653	÷ 43,560 =	1.19
Other paved surfaces *Road, Concrete Improvements, Sidewalk*	142,615	÷ 43,560 =	3.27
Total Impervious Cover	219,107	÷ 43,560 =	5.03
Total Impervious Cover ÷ Total Acreage x 100 =			6.48 %

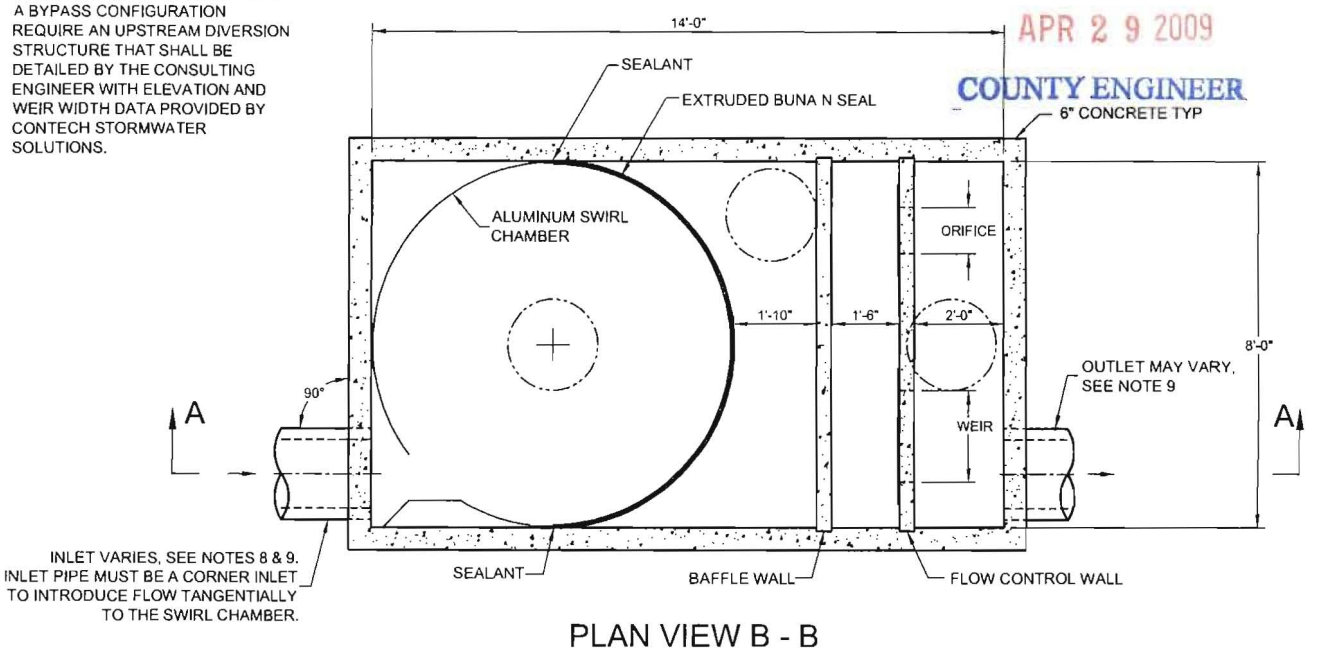
Rodeo Drive Subdivision Impervious Cover

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	0	÷ 43,560 =	0
Parking	0	÷ 43,560 =	0
Other paved surfaces *Road*	135,602	÷ 43,560 =	3.11
Total Impervious Cover	135,602	÷ 43,560 =	3.11
Total Impervious Cover ÷ Total Acreage x 100 =			4.28 %

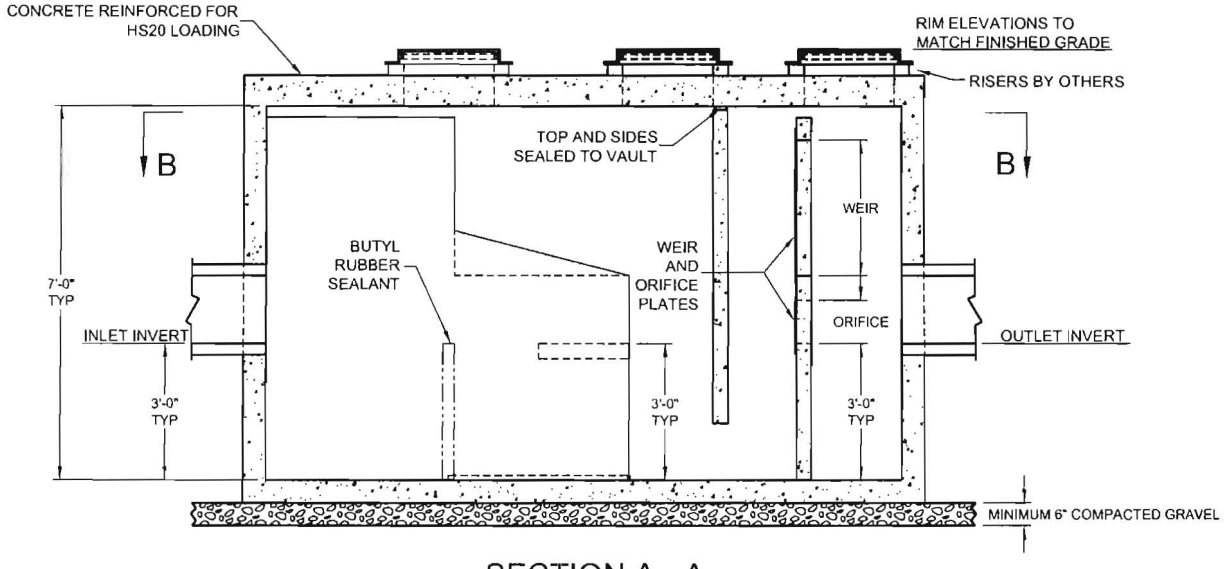
Bulverde/Spring Branch EMS Impervious Cover

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	24,838	÷ 43,560 =	0.57
Parking	51,653	÷ 43,560 =	1.19
Other paved surfaces *Concrete Improvements, Sidewalk*	7,013	÷ 43,560 =	0.16
Total Impervious Cover	83,505	÷ 43,560 =	1.92
Total Impervious Cover ÷ Total Acreage x 100 =			39.18 %

NOTE:
VORTECHS SYSTEMS INSTALLED IN A BYPASS CONFIGURATION REQUIRE AN UPSTREAM DIVERSION STRUCTURE THAT SHALL BE DETAILED BY THE CONSULTING ENGINEER WITH ELEVATION AND WEIR WIDTH DATA PROVIDED BY CONTECH STORMWATER SOLUTIONS.



PLAN VIEW B - B



SECTION A - A

NOTES:
1. STORMWATER TREATMENT SYSTEM (SWTS) SHALL HAVE:
   PEAK TREATMENT CAPACITY: 11 CFS
   SEDIMENT STORAGE: 4 CU YD
   SEDIMENT CHAMBER DIA: 8' MIN
2. SWTS SHALL BE CONTAINED IN ONE RECTANGULAR STRUCTURE
3. SWTS REMOVAL EFFICIENCY SHALL BE DOCUMENTED BASED ON PARTICLE SIZE
4. SWTS SHALL RETAIN FLOATABLES AND TRAPPED SEDIMENT UP TO AND INCLUDING PEAK TREATMENT CAPACITY
5. SWTS INVERTS IN AND OUT ARE TYPICALLY AT THE SAME ELEVATION
6. SWTS SHALL NOT BE COMPROMISED BY EFFECTS OF DOWNSTREAM TAILWATER
7. SWTS SHALL HAVE NO INTERNAL COMPONENTS THAT OBSTRUCT MAINTENANCE ACCESS
8. INLET PIPE MUST BE PERPENDICULAR TO THE STRUCTURE
9. PIPE ORIENTATION MAY VARY; SEE SITE PLAN FOR SIZE AND LOCATION
10. PURCHASER SHALL NOT BE RESPONSIBLE FOR ASSEMBLY OF UNIT
11. MANHOLE FRAMES AND PERFORATED COVERS SUPPLIED WITH SYSTEM, NOT INSTALLED
12. PURCHASER TO PREPARE EXCAVATION AND PROVIDE CRANE FOR OFF-LOADING AND SETTING AT TIME OF DELIVERY
13. VORTECHS SYSTEMS BY CONTECH STORMWATER SOLUTIONS; PORTLAND, OR (800)548-4667; SCARBOROUGH, ME (877) 907-8676; LINTHICUM, MD (866) 740-3318.

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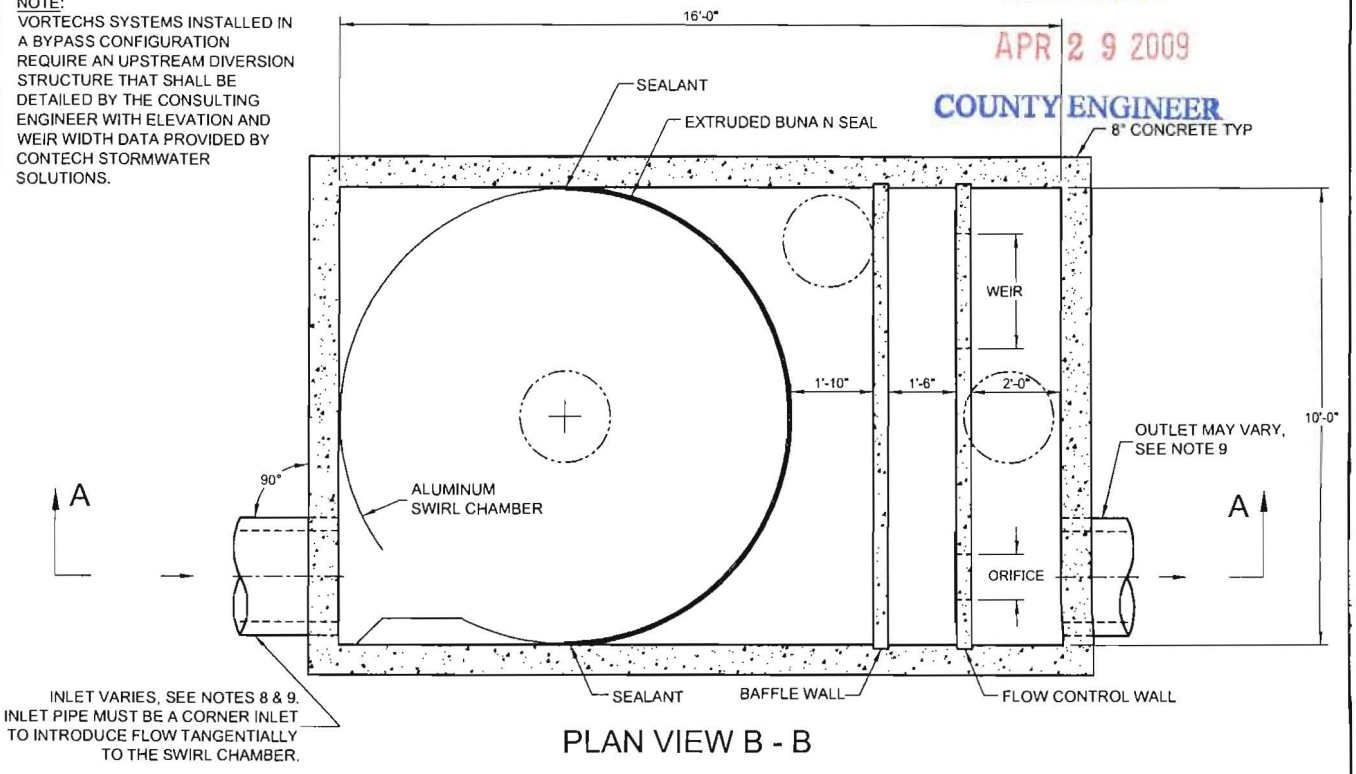
STANDARD DETAIL
STORMWATER TREATMENT SYSTEM
VORTECHS® MODEL 7000

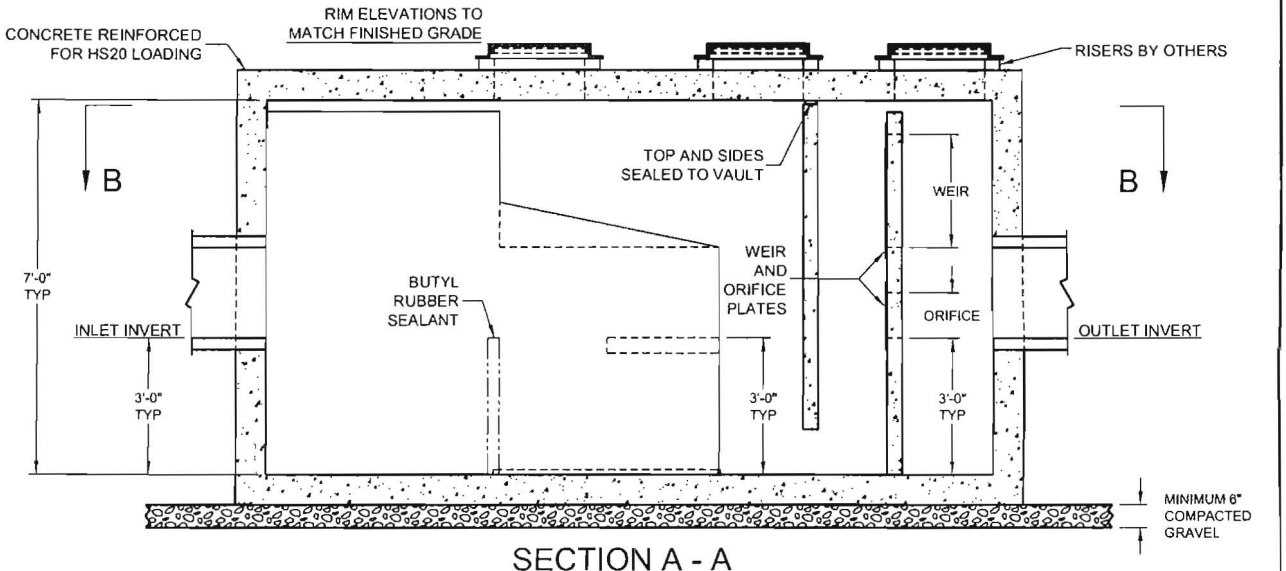
U.S. PATENT No. 5,759,415

DATE: 10/4/06	SCALE: NONE	FILE NAME: STD7k	DRAWN: JBS	CHECKED: NDG

NOTE:
VORTECHS SYSTEMS INSTALLED IN A BYPASS CONFIGURATION REQUIRE AN UPSTREAM DIVERSION STRUCTURE THAT SHALL BE DETAILED BY THE CONSULTING ENGINEER WITH ELEVATION AND WEIR WIDTH DATA PROVIDED BY CONTECH STORMWATER SOLUTIONS.



PLAN VIEW B - B



SECTION A - A

NOTES:
1. STORMWATER TREATMENT SYSTEM (SWTS) SHALL HAVE:
   PEAK TREATMENT CAPACITY: 17.5 CFS
   SEDIMENT STORAGE: 5.6 CU YD
   SEDIMENT CHAMBER DIA: 10' MIN
2. SWTS SHALL BE CONTAINED IN ONE RECTANGULAR STRUCTURE
3. SWTS REMOVAL EFFICIENCY SHALL BE DOCUMENTED BASED ON PARTICLE SIZE
4. SWTS SHALL RETAIN FLOATABLES AND TRAPPED SEDIMENT UP TO AND INCLUDING PEAK TREATMENT CAPACITY
5. SWTS INVERTS IN AND OUT ARE TYPICALLY AT THE SAME ELEVATION
6. SWTS SHALL NOT BE COMPROMISED BY EFFECTS OF DOWNSTREAM TAILWATER
7. SWTS SHALL HAVE NO INTERNAL COMPONENTS THAT OBSTRUCT MAINTENANCE ACCESS
8. INLET PIPE MUST BE PERPENDICULAR TO THE STRUCTURE
9. PIPE ORIENTATION MAY VARY; SEE SITE PLAN FOR SIZE AND LOCATION
10. PURCHASER SHALL NOT BE RESPONSIBLE FOR ASSEMBLY OF UNIT
11. MANHOLE FRAMES AND PERFORATED COVERS SUPPLIED WITH SYSTEM, NOT INSTALLED
12. PURCHASER TO PREPARE EXCAVATION AND PROVIDE CRANE FOR OFF-LOADING AND SETTING AT TIME OF DELIVERY
13. VORTECHS SYSTEMS BY CONTECH STORMWATER SOLUTIONS; PORTLAND, OR (800)548-4667; SCARBOROUGH, ME (877) 907-8676; LINTHICUM, MD (866) 740-3318.

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STANDARD DETAIL
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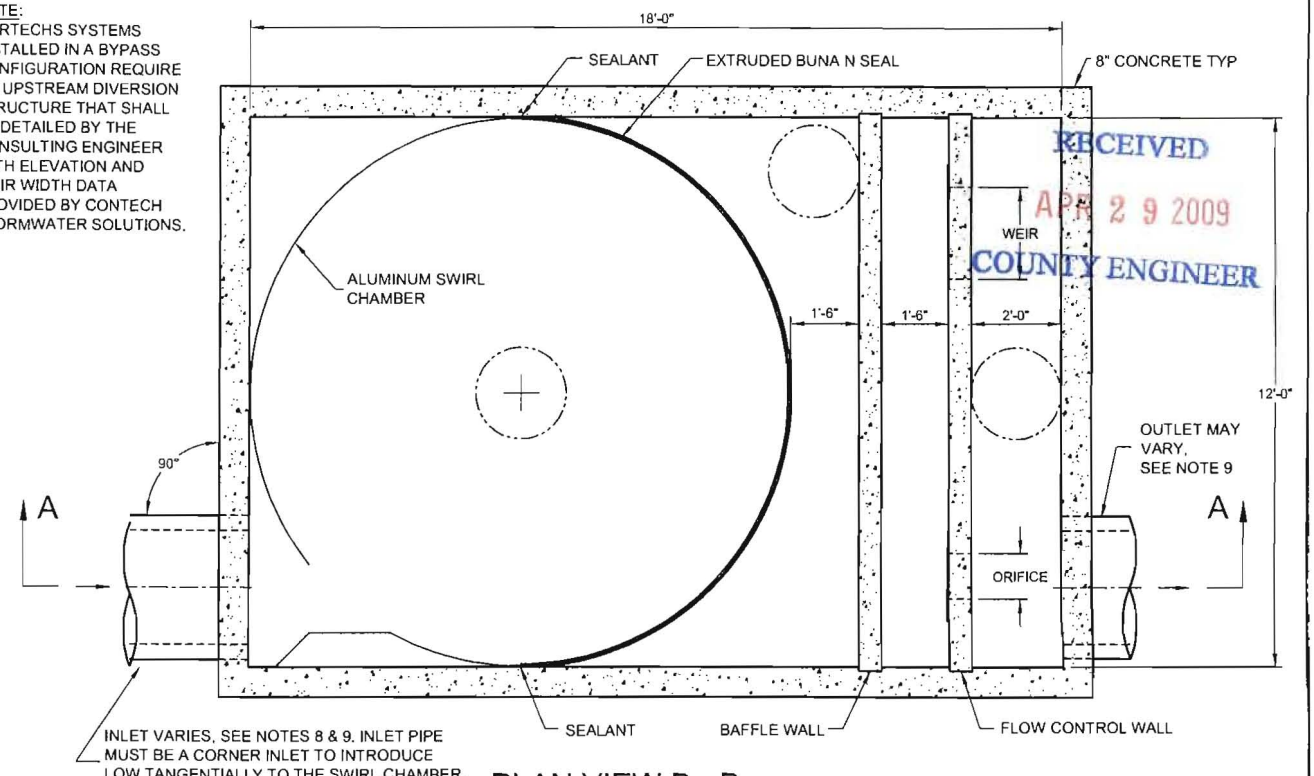
VORTECHS® MODEL 11000

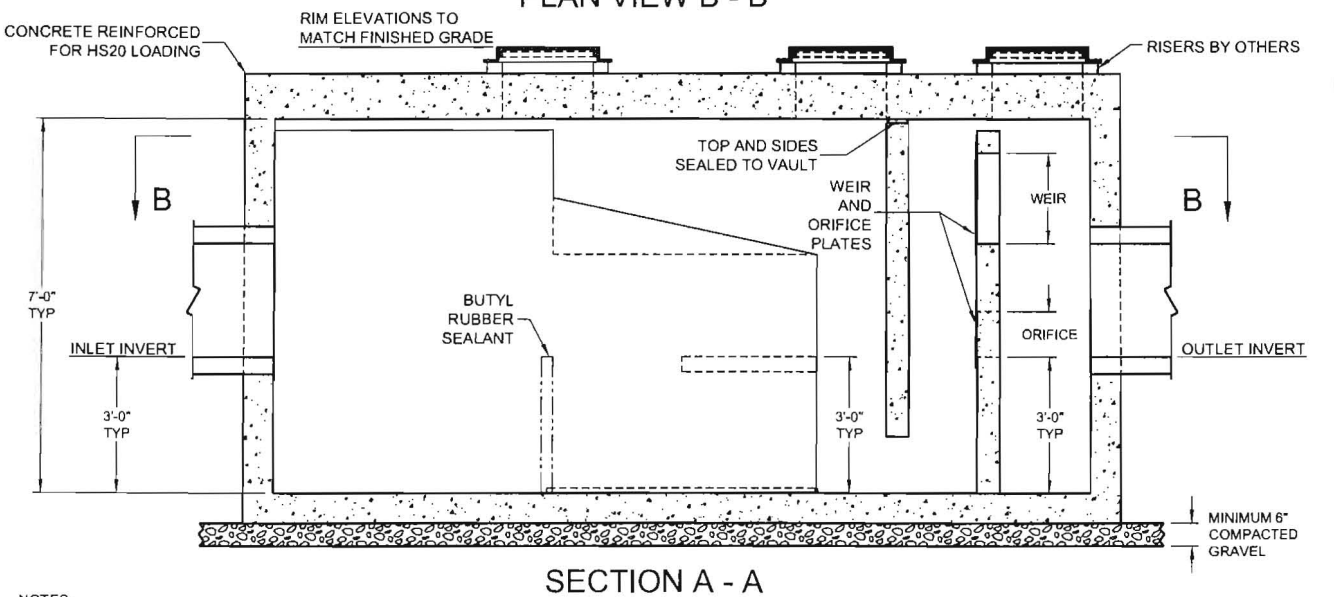
U.S. PATENT No. 5,759,415

DATE: 10/5/06	SCALE: NONE	FILE NAME: STD11k	DRAWN: JBS	CHECKED: NDG

NOTE:
VORTECHS SYSTEMS INSTALLED IN A BYPASS CONFIGURATION REQUIRE AN UPSTREAM DIVERSION STRUCTURE THAT SHALL BE DETAILED BY THE CONSULTING ENGINEER WITH ELEVATION AND WEIR WIDTH DATA PROVIDED BY CONTECH STORMWATER SOLUTIONS.



PLAN VIEW B - B



SECTION A - A

NOTES:
1. STORMWATER TREATMENT SYSTEM (SWTS) SHALL HAVE:
   PEAK TREATMENT CAPACITY: 25 CFS
   SEDIMENT STORAGE: 7.1 CU YD
   SEDIMENT CHAMBER DIA: 12' MIN
2. SWTS SHALL BE CONTAINED IN ONE RECTANGULAR STRUCTURE
3. SWTS REMOVAL EFFICIENCY SHALL BE DOCUMENTED BASED ON PARTICLE SIZE
4. SWTS SHALL RETAIN FLOATABLES AND TRAPPED SEDIMENT UP TO AND INCLUDING PEAK TREATMENT CAPACITY
5. SWTS INVERTS IN AND OUT ARE TYPICALLY AT THE SAME ELEVATION
6. SWTS SHALL NOT BE COMPROMISED BY EFFECTS OF DOWNSTREAM TAILWATER
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PROPRIETARY INFORMATION - NOT TO BE USED FOR CONSTRUCTION PURPOSES

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STANDARD DETAIL
STORMWATER TREATMENT SYSTEM
VORTECHS® MODEL 16000

U.S. PATENT No. 5,759,415

DATE: 10/5/06	SCALE: NONE	FILE NAME: STD16k	DRAWN: JBS	CHECKED: NDG

ATTACHMENT N
Inspection, Maintenance, Repair and Retrofit Plan

BMP Access:
Access to the BMPs by TCEQ or other designated inspectors will be granted via Rodeo Lane, Rodeo Drive, and the EMS driveways.

Documentation:
DJL Ventures or the entity to whom they transfer responsibility of maintenance will keep all inspection and maintenance records in their files for review at TCEQ request. The attached form will be used to document inspection, maintenance, repairs, and, if necessary, retrofits.

Vegetative Filter Strips:

Maintenance Schedule:

- BMP facilities will be inspected at least quarterly for the first 3 years, and at least twice a year afterwards to evaluate facility operation. Additional inspections will be conducted as needed.
- Debris and Litter removal will be performed at least quarterly.
- The filter strip will be mowed at least twice annually to limit vegetation height to 18 inches.

Maintenance Guidelines:
It is important to maximize water contact with vegetation and the soil surface. Therefore select fine, close-growing, water-resistant grasses. Vegetated Cover to be kept at a minimum of 80%

Once a vegetated area is well established, little additional maintenance is generally necessary. The key to establishing a viable vegetated feature is the care and maintenance it receives in the first few months after it is planted. Once established, all vegetated BMPs require some basic maintenance to insure the health of the plants including:

- *Pest Management.* An Integrated Pest Management (IPM) Plan has been developed for the vegetated areas. A copy of this plan will be made available to each person charged with maintenance of the vegetative BMPs. A copy of the IPM Plan is included at the en of this report for reference.
- *Seasonal Mowing and Lawn Care.* If the filter strip is made up of turf grass, it should be mowed as needed to limit vegetation height to 18 inches, using a mulching mower (or removal of clippings). If native grasses are used, the filter may require less frequent mowing, but a minimum of twice annually. Grass clippings and brush debris should not be deposited on vegetated filter strip areas. Regular mowing should also include weed control practices, however herbicide use should be kept to a minimum. Healthy grass can be maintained without using fertilizers because runoff usually contains sufficient nutrients. Irrigation of the site can help assure a dense and healthy vegetative cover.

- *Inspection.* Inspect filter strips at least twice annually for erosion or damage to vegetation; however, additional inspection after periods of heavy runoff is most desirable. The strip should be checked for uniformity of grass cover, debris and litter, and areas of sediment accumulation. More frequent inspections of the grass cover during the first few years after establishment will help to determine if any problems are developing, and to plan for long-term restorative maintenance needs. Bare spots and areas of erosion identified during semi-annual inspections must be replanted and restored to meet specifications. Construction of a level spreader device may be necessary to reestablish shallow overland flow.
- *Debris and Litter Removal.* Trash tends to accumulate in vegetated areas, particularly along highways. Any filter strip structures (i.e. level spreaders) should be kept free of obstructions to reduce floatables being flushed downstream, and for aesthetic reasons. The need for this practice is determined through periodic inspection, but should be performed no less than 4 times per year.
- *Sediment Removal.* Sediment removal is not normally required in filter strips, since the vegetation normally grows through it and binds it to the soil. However, sediment may accumulate along the upstream boundary of the strip preventing uniform overland flow. Excess sediment should be removed by hand or with flat-bottomed shovels.
- *Grass Reseeding and Mulching.* A healthy dense grass should be maintained on the filter strip. If areas are eroded, they should be filled, compacted, and reseeded so that the final grade is level. Grass damaged during the sediment removal process should be promptly replaced using the same seed mix used during filter strip establishment. If possible, flow should be diverted from the damaged areas until the grass is firmly established. Bare spots and areas of erosion identified during semi-annual inspections must be replanted and restored to meet specifications. Corrective maintenance, such as weeding or replanting should be done more frequently in the first two to three years after installation to ensure stabilization. Dense vegetation may require irrigation immediately after planting, and during particularly dry periods, particularly as the vegetation is initially established.

Grassy Swales:

Maintenance Schedule:

- BMP facilities will be inspected at least quarterly for the first 3 years, and at least twice a year afterwards to evaluate facility operation. Additional inspections will be conducted as needed.
- Debris and Litter removal will be performed at least twice annually.
- The grassy swale will be mowed at least twice annually to limit vegetation height to 18 inches.

Maintenance Guidelines:

Maintenance for grassy swales is minimal and is largely aimed at keeping the grass cover dense and vigorous.

- *Pest Management.* An Integrated Pest Management (IPM) Plan has been developed for the vegetated areas. A copy of this plan will be made available to each person charged with maintenance of the vegetative BMPs. A copy of the IPM Plan is included at the en of this report for reference.
- *Seasonal Mowing and Lawn Care.* Lawn mowing should be performed routinely, as need, throughout the growing season. Grass height should not exceed 18 inches. Grass cuttings should be collected and disposed of offsite, or a mulching mower can be used. Regular mowing should also include weed control practices; however, herbicide use should be kept to a minimum. Healthy grass can be maintained without using fertilizers because runoff usually contains sufficient nutrients.
- *Inspection.* Inspect swales at least twice annually for erosion or damage to vegetation; however, additional inspection after periods of heavy runoff is most desirable. The swale should be checked for uniformity of grass cover, debris and litter, and areas of sediment accumulation. More frequent inspections of the grass cover during the first few years after establishment will help to determine if any problems are developing, and to plan for long-term restorative maintenance needs. Bare spots and areas of erosion identified during semi-annual inspections should be replanted and restored to meet specifications. Construction of a level spreader device may be necessary to reestablish shallow overland flow.
- *Debris and Litter Removal.* Trash tends to accumulate in swale areas, particularly along highways. Any swale structures (i.e. check dams) should be kept free of obstructions to reduce floatables being flushed downstream, and for aesthetic reasons. The need for this practice is determined through periodic inspection, but should be performed no less than two times per year.
- *Sediment Removal.* Sediment accumulating near culverts and in channels needs to be removed when it builds up to 3 inches at any spot, or covers vegetation. Excess sediment should be removed by hand or with flat-bottomed shovels. If areas are eroded, they should be filled, compacted, and reseeded so that the final grade is level with the bottom of the swale. Sediment removal should be performed periodically, as determined through inspection.
- *Grass Reseeding and Mulching.* A healthy dense grass should be maintained in the channel and side slopes. Grass damaged during the sediment removal process should be promptly replaced using the same seed mix used during swale establishment. If possible, flow should be diverted from the damaged areas until the grass is firmly established.
- *Public Education.* The party responsible for maintenance should be made aware of the recommended practices. For example, mowing the swale too close to the ground, or excessive application of fertilizer and pesticides will all be detrimental to the performance of the swale. Pet waste can also be a problem in swales, and should be removed to avoid contamination from fecal coliform and other waste-associated bacteria. The delegation of maintenance responsibilities to individual landowners is a cost benefit to the locality. However, localities should provide an active educational program to encourage the recommended practices.

Vortechs Stormwater Treatment Systems:

Maintenance Schedule:

- BMP facilities will be inspected at least quarterly to evaluate facility operation and sediment accumulation. Additional inspections will be conducted as needed. Pollutant deposition and transport may vary from year to year and quarterly inspections ensure that systems are cleaned out at the appropriate time.
- 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.

Maintenance Guidelines:

Maintaining the Vortechs is easiest when there is no flow entering the system. For this reason, it is best to schedule the cleanout during dry weather. Cleanout of the Vortechs system with a vacuum truck is generally the most effective and convenient method of excavating pollutants from the system. Accumulated sediment is typically evacuated through the manhole over the swirl chamber. Simply remove the cover and insert the vacuum hose into the swirl chamber. As water is evacuated, the water level outside of the swirl chamber will drop to the same level as the crest of the lower aperture of the swirl chamber. It will not drop below this level due to the fact that the bottom and sides of the swirl chamber are sealed to the tank floor and walls. This "water lock" feature prevents water from migrating into the swirl chamber, exposing the bottom of the baffle wall. Floating pollutants will decant into the swirl chamber as the water level is drawn down. This allows most floating material to be withdrawn from the same access point above the swirl chamber.

In installations where the risk of large petroleum spills is small, liquid contaminants may not accumulate as quickly as sediment. However, an oil or gasoline spill should be cleaned out immediately. Motor oil and other hydrocarbons that accumulate on a more routine basis should be removed when an appreciable layer has been captured. To remove these pollutants, it may be preferable to use adsorbent pads since they are usually cheaper to dispose of than the oil water emulsion that may be created by vacuuming the oily layer.

Trash can be netted out if you wish to separate it from the other pollutants. If maintenance is not performed as recommended, sediment may accumulate outside the swirl chamber. If this is the case, it may be necessary to pump out all chambers. It is a good idea to check for accumulation in all chambers during each maintenance event to prevent sediment buildup there.

Manhole covers should be securely seated following cleaning activities, to ensure that surface runoff does not leak into the unit from above.

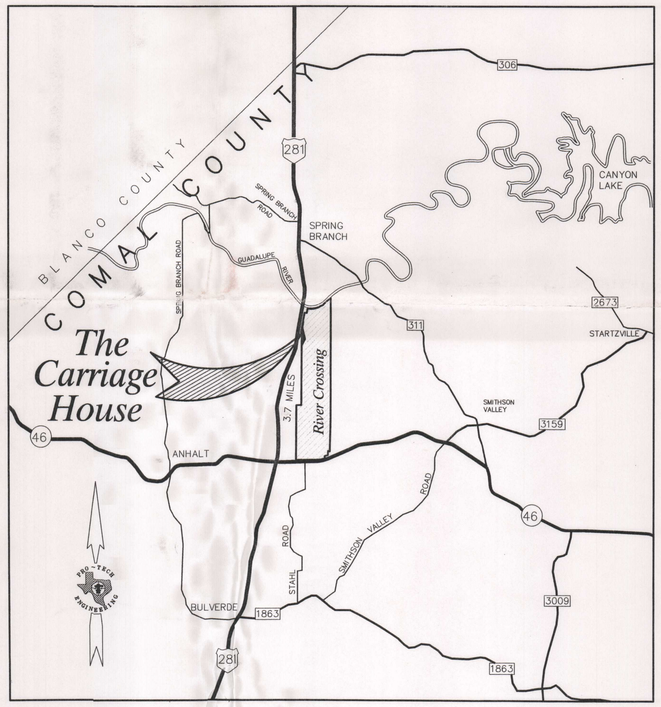
Sediment Disposal:

Stormwater pollutants include a variety of substances that are deposited on pervious and impervious surfaces and then transported by the next rainfall. In addition, there may be

THE CARRIAGE HOUSE
at
RIVER CROSSING
Permanent BMP Plan
Comal County, Texas

SHEET INDEX

1	Cover Sheet
2	Site Drainage/Grading Plan
3	Sedimentation/Filtration Basin Plan
4	Profiles
5	CZP Site Plan
6	Street Profile
7	Calculation Page



VICINITY MAP
N.T.S.

KELLY KILBER, P.E.

STATE OF TEXAS
KELLY KILBER
41187
LICENSED
PROFESSIONAL ENGINEER

PRO-TECH ENGINEERING GROUP
INCORPORATED

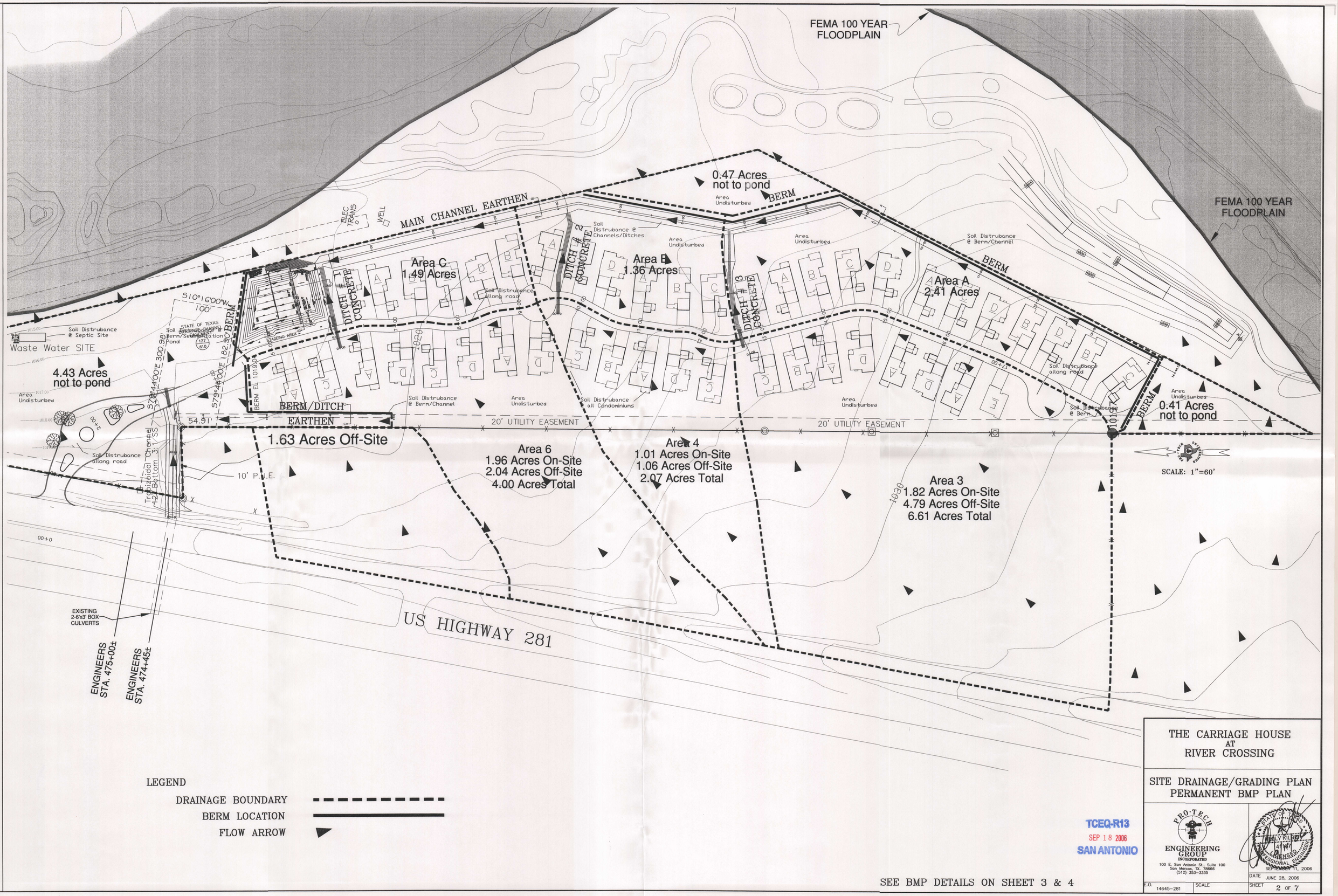
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

June 28, 2006
Rev: September 11, 2006

14645-281

TCEQ-R13
SEP 18 2006
SAN ANTONIO

CARRIAGE HOUSE @ RIVER X-ING 14645 Improvement Plans 09-11-06



LEGEND

DRAINAGE BOUNDARY

BERM LOCATION

FLOW ARROW

SEE BMP DETAILS ON SHEET 3 & 4

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THE CARRIAGE HOUSE AT RIVER CROSSING

SITE DRAINAGE/GRADING PLAN PERMANENT BMP PLAN

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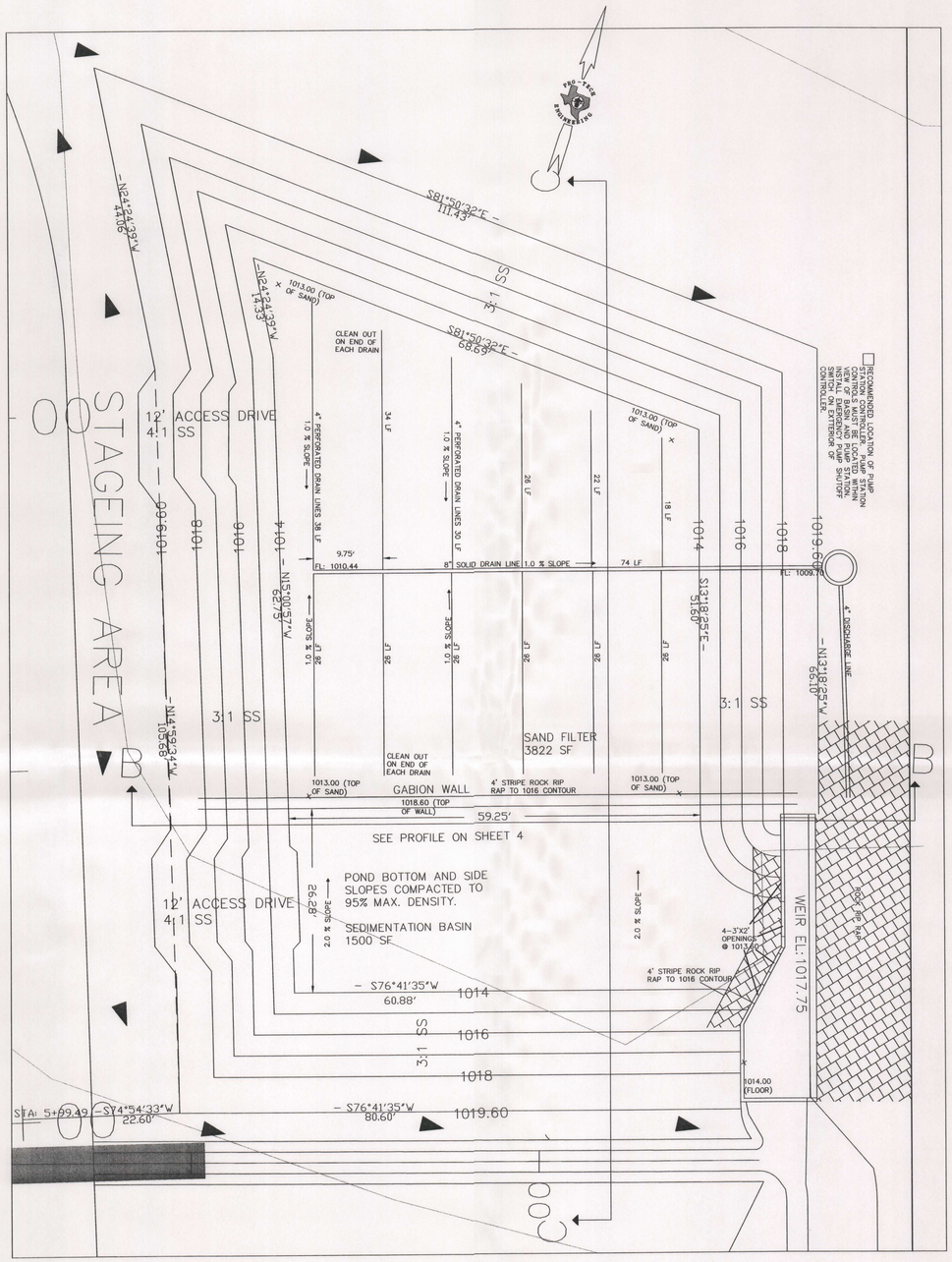
San Marcos, TX. 78666
(512) 353-3335

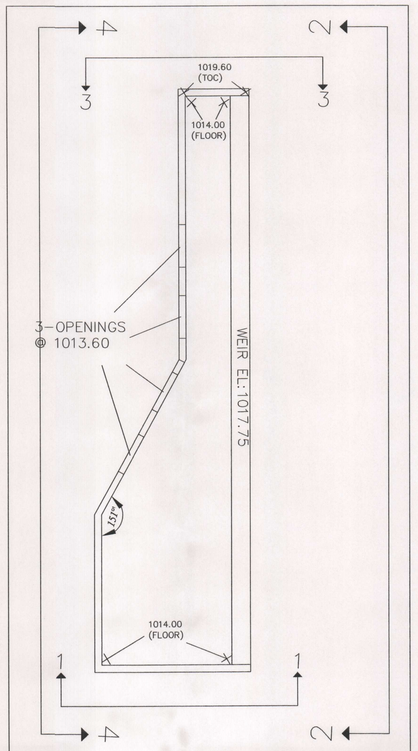
STATE OF TEXAS — KELLY KILGORE — 41147 — LICENSED PROFESSIONAL ENGINEER
SEPTEMBER 11, 2006

J.O. 14645-281	SCALE	DATE JUNE 28, 2006	SHEET 2 OF 7



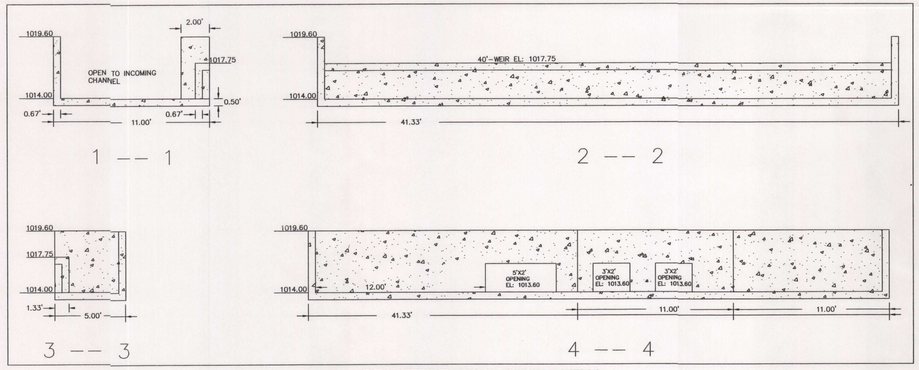
1"=10'

SEDIMENTATION BASIN PLAN VIEW
N.T.S.



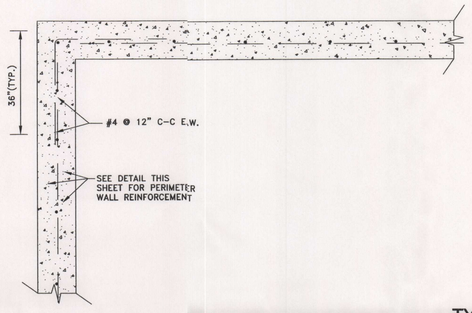
SPLITTER BOX PLAN VIEW
N.T.S.

1"=5'



SPLITTER BOX SIDE VIEW
N.T.S.

1"=5'



TYPICAL WALL CORNER & INTERSECTION
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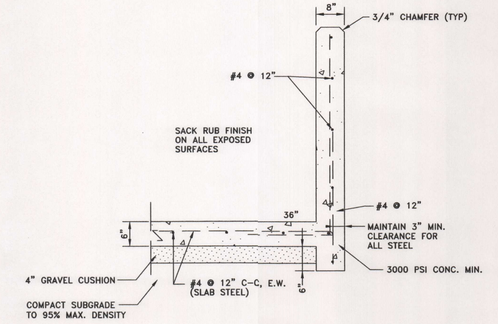
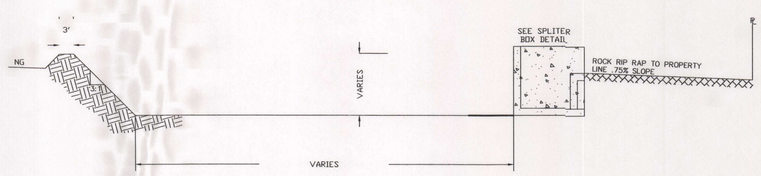
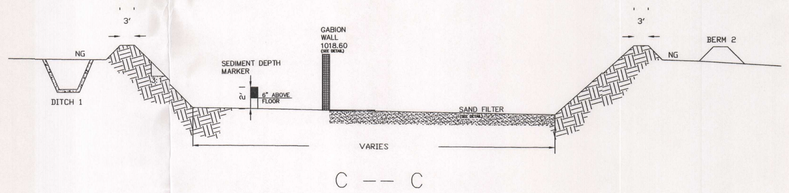


TYPICAL OUTLET STRUCTURE PERIMETER WALL SECTION
N.T.S.



B -- B

TYPICAL SEDIMENTATION BASIN PROFILE
N.T.S.



C -- C

TYPICAL SEDIMENTATION BASIN PROFILE
N.T.S.

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SEP 18 2006
SAN ANTONIO

THE CARRIAGE HOUSE AT RIVER CROSSING

SEDIMENTATION BASIN PLAN
PERMANENT BMP PLAN

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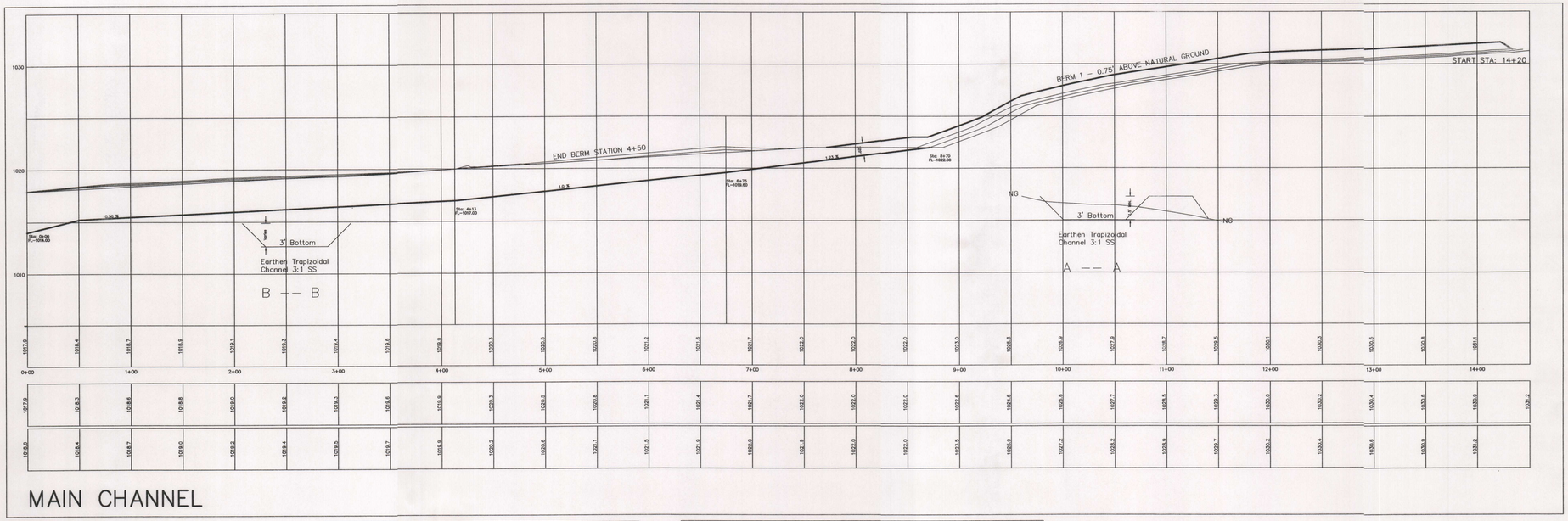
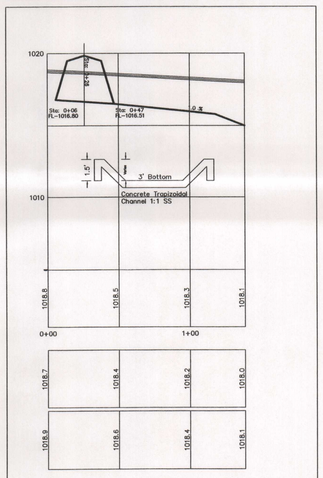
STATE OF TEXAS
KELLY KILGER
LICENSED PROFESSIONAL ENGINEER

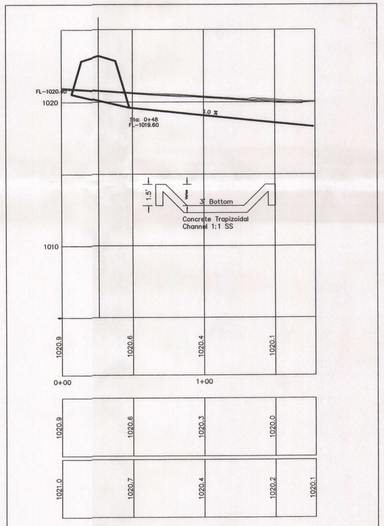
Rev: SEPTEMBER 11, 2006
DATE JUNE 28, 2006
E.O. 14645-281
SCALE
SHEET 3 OF 7



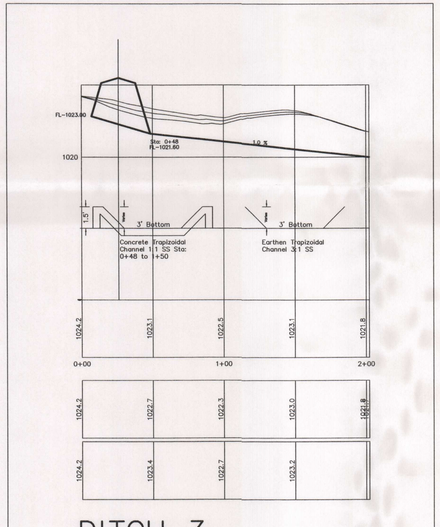
MAIN CHANNEL



DITCH 1



DITCH 2

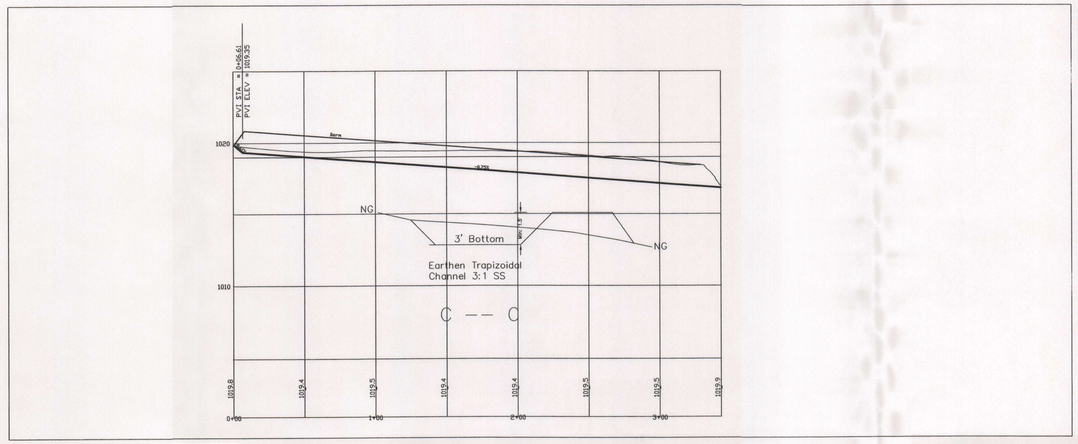


DITCH 3

NOTE:

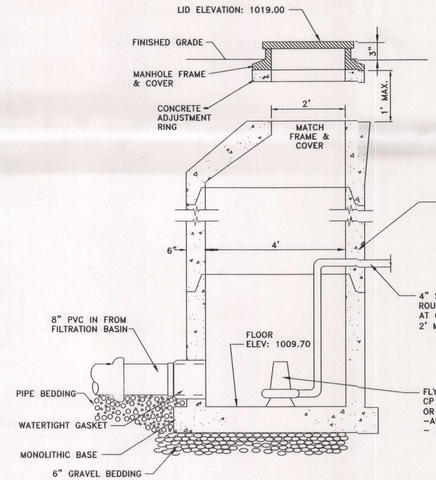
All vegitated channels must have at least 6 inches of topsoil stabilized with appropriate vegetation.

Sand filter BMP should not be placed into service until all site work has been completed and stabilization measures have been installed and are functioning properly.



LEGEND

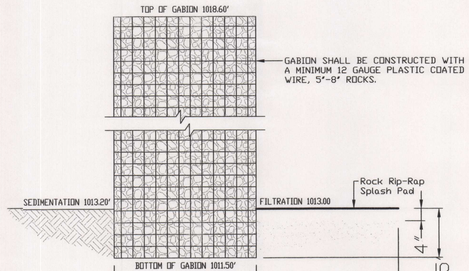
- N.G.RT.DITCH
- N.G.CL
- N.G.LT.DITCH
- CL DESIGN



1. INSTALL DUPLEX PUMP CONTROLLER WITH HIGH WATER ALARM AT LOCATION SPECIFIED BY OWNER. SUBMIT SHOP DRAWINGS FOR APPROVAL.
2. PUMP CONTROLLER MUST BE MOUNTED IN CLEAR VIEW OF BASIN AND PUMP STATION.
3. PROVIDE EASILY ACCESSIBLE EMERGENCY PUMP SHUTOFF SWITCH ON CONTROLLER EXTERIOR TO PREVENT OFF-SITE DISCHARGE OF CONTAMINANTS SHOULD A HAZARDOUS MATERIAL SPILL OCCUR UPSTREAM OF THE BASIN.

PUMP STATION

NOT TO SCALE



GABION WALL DETAIL

NTS

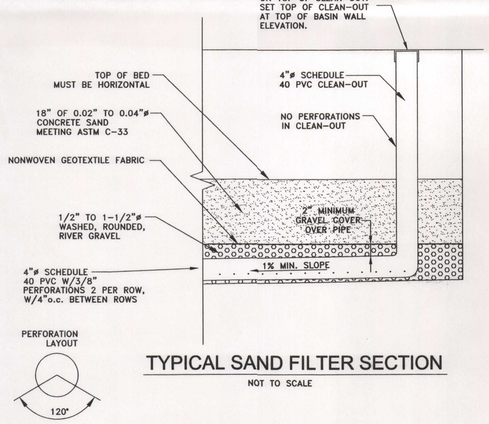
Regular, routine maintenance is essential to effective, long-lasting perfomance of sand filters. Neglect or failure to service the filters on a regular basis will lead to poor performance and eventual costly repairs. It is recommended that sand filter BMPs be inspected on a quarterly basis and after large storms for the first year of operation. This intensive monitoring is intended to ensure proper operation and povide maintenance personnel with a feel for the operational characteristics of the filter. Subsequent inspections can be limited to semi-annually or more often is deemed necessary,

Certain construction and maintanance practices are essential to efficient operation of the filter. The biggest threat to any filtering system is exposure to heavy sediment loads that clog the filter media. Construction within the watershed should be complete prior to exposing the filter to stromwater runoff. All exposed areas should be stabilized to minimize sediment loads. Runoff from any unstabilized construction areas should be treated via a seperate sediment system that bypasses the filter media.

Another important consideration in constructing the filter bed is to ensure that the top of the media is completely level. The filter desing is based on the use of the entire filter media surface area; a sloped filter surface would result in diproportionate use of the filter media.

Recommended Maintanance Guidlines:

- Inspections-BMP facilities must be inspected at least twice a year (once during or immediatley following wet weather) to evaluate facility operation. During each inspection, erosion areas inside and downstream of the BMP must be identified and repaired or revegetated immediately. With each inspection, any damage to the structural elements of the system (pipes, concrete drainage structures, retaining walls, etc.) must be identified and repaired immeniately. Cracks, voids and undermining should be patched/filled to prevent additional structural damage. Trees and root systems should be removed to prevent growth in cracks and joints that can cause structural damage.
- Sediment Removal-Remove sediment from the inlet structure and sedimentation chamber when sediment buildup reaches a depth of 6 inches or when the proper functioning of inlet and outlet structures is impaired. Sediment should be cleared from the inlet structure at least every year and from the sedimentation basin at least every 5 years.
- Media Replacement-Maintenance of the filter media is necessary when the drawdown time exceeds 48 hours. When this occurs, the upper layer of sand should be removed and replaced with new material meeting the original specifications. Any discolored sand should also be removed and replaced. In filters that have been regularly maintained, this should be limited to the top 2 to 3 inches.
- Debris and Litter Removal-Debris and litter will accumulate near the sedimentation basin outlet device and should be removed during regular mowing operations and inspections. Particular attention should be paid to floating debris that can eventually clog the control device or riser.
- Filter Underdrain-Clean underdrain piping network to remove any sediment buildup as needed to maintain design drawdown time.
- Mowing-Grass areas in and around sand filter must be mowed at least twice annually to limit vegetation height to 18 inches. More frequent mowing to maintain aesthetic appeal may be necessary in landscaped areas. Vegetation on the pond embankments should be mowed as appropriate to prevent the establishment of woody vegetation.



TYPICAL SAND FILTER SECTION

NOT TO SCALE

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SEP 18 2006
SAN ANTONIO

THE CARRIAGE HOUSE AT RIVER CROSSING

PROFILES PERMANENT BMP PLAN

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41167
LICENSED
PROFESSIONAL ENGINEER

Rev: SEPTEMBER 11, 2006
DATE: JUNE 28, 2006
J.O. 14645-281
SCALE: 1"=50' H, 1"=5' V
SHEET 4 OF 7

NOTE:

1. UPON COMPLETION OF EARTHMOVING ACTIVITY, ALL DISTURBED AREAS WILL BE IMMEDIATELY SEEDED WITH BERMUDA GRASS OR OTHER APPROPRIATE SEED. THIS ACTIVITY WILL BE DONE PRIOR TO PAVING OR SUBGRADE TREATMENT.

The contractor shall seed, hydromulch or sod all exposed cuts and fills upon completion of grading and installation of all utilities. The seeding or erosion control shall be applied at the specified rate over areas disturbed by construction as follows:

From September 15 to March 1, seeding shall be with a combination of (1) one pound per (1000) thousand square feet of unhulled bermuda and (3) three pounds per (1000) thousand square feet of winter rye with a purity of 95% with 85% germination.

From March 1 to September 15, seeding shall be with hulled bermuda grass (Cynoden Dactolyn) at a rate of (1) one pound per (1000) thousand square feet with a purity of 95% with 85% germination.

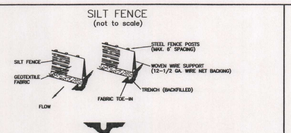
Fertilizer shall have an analysis of 15-10-5 and shall be applied at the rate of 600 pounds per acre. Mulch type to be Conwed, applied at a rate of 2100 pounds per acre. Restoration shall be acceptable when the grass has reached a height of at least 1-1/2" (95%) coverage and no bare spots larger than 16 square

The seeded or planted area is to be irrigated or sprinkled in a manner which will not erode the topsoil but will sufficiently soak the soil to a depth of 6 inches. The irrigation shall occur at seven day intervals for the first two months. Rainfall occurrences of at least 1 inch shall postpone the watering operation for one week.

General Notes:

1. All Best Management Practices to be installed and maintained in accordance with the publication "EDWARDS AQUIFER TECHNICAL GUIDANCE MANUAL" published June 20, 2005.
2. A vegetative buffer strip a minimum of 50' in width shall be maintained adjacent to all areas disturbed by construction activities. Any areas where construction prevents the buffer strip width from being maintained shall have silt fence installed to replace the vegetative buffer.
3. Existing drainage patterns and slopes are not to be altered.
4. Major areas of soil disturbance are road ROW, Condos, and Drainage structures.
5. Location of soil stabilization practices to be at drainge structures. Concrete headwalls to be installed at inlet and outlets of these structures.

SILT FENCE
(not to scale)



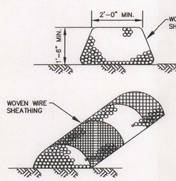
TRENCH CROSS-SECTION

GENERAL NOTES:

1. STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF ONE FOOT.
2. THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER. A TRENCH SHALL BE EXCAVATED 4 INCHES WIDE AND 8 INCHES DEEP ALONG THE LINE OF FLOW. WHERE FENCE CANNOT BE TRENCH IN (I.E. PAVEMENT) WEIGHT FABRIC FLAP WITH WASHED GRAVEL OR UPHILL SIDE TO PREVENT FLOW UNDER FENCE.
3. THE TRENCH MUST BE A MINIMUM OF 8 INCHES DEEP AND 8 INCHES WIDE TO ALLOW FOR THE SILT FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.
4. 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.
5. INSPECTION SHALL BE MADE WEEKLY OR AFTER EACH RAINFALL EVENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
6. SILT FENCE SHALL BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
7. ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES. THE SILT SHALL BE DISPOSED OF IN AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CONTRIBUTE TO ADDITIONAL SILTATION.

STANDARD SYMBOL SF
L=

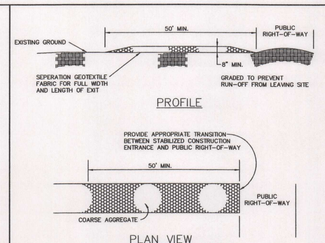
SILT FENCE



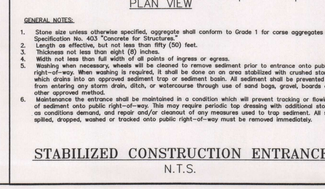
GENERAL NOTES

1. USE ONLY OPEN GRADED ROCK 3-5 INCHES DIAMETER.
2. THE ROCK BERM SHALL BE SECURED WITH A WOVEN WIRE SHEATHING HAVING MAXIMUM 1 INCH OPENINGS AND MINIMUM WIRE DIAMETER OF 20 GAUGE.
3. THE ROCK BERM SHALL BE INSPECTED WEEKLY OR AFTER EACH RAIN, AND THE STONE AND/OR FABRIC CORE - WOVEN WIRE SHEATHING SHALL BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTENDED. DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.
4. WHEN SILT REACHES A DEPTH OF ONE-THIRD THE HEIGHT OF THE BERM OR ONE FOOT, WHICHEVER IS LESS, THE SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CREATE A SILTATION PROBLEM.
5. DAILY INSPECTION SHALL BE MADE ON SEVERE SERVICE ROCK BERMS, SILT SHALL BE REMOVED WHEN ACCUMULATION REACHES 6 INCHES..
6. WHEN THE SITE IS COMPLETELY STABILIZED, THE BERM AND ACCUMULATED SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED MANNER.

ROCK BERM



PROFILE



PLAN VIEW

GENERAL NOTES:

1. Stone size unless otherwise specified, aggregate shall conform to Grade 1 for corse aggregates under Specification No. 403 "Concrete for Structures."
2. Length as effective, but not less than fifty (50) feet.
3. Thickness not less than eight (8) inches.
4. Width not less than full width of all points of ingress or egress.
5. Washing when necessary, wheels will be cleaned to remove sediment prior to entrance onto public right-of-way. When washing is required, it shall be done on an area stabilized with crushed stone which drains into an approved sediment trap or sediment basin. All sediment shall be prevented from entering any storm drain, ditch, or watercourse through use of sand bags, gravel, boards or other approved method.
6. Maintenance the entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public right-of-way. This may require periodic top dressing with additional stone as conditions demand, and repair and/or cleanout of any measures used to trap sediment. All sediment spilled, dropped, washed or tracked onto public right-of-way must be removed immediately.

STABILIZED CONSTRUCTION ENTRANCE
N.T.S.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CONTRIBUTING ZONE PLAN
GENERAL CONSTRUCTION NOTES

1. Written construction notification must be given to the appropriate TNRCC regional office no later than 48 hours prior to commencement of the regulated activity. Information must include the date on which the regulated activity will commence, the name of the approved plan for the regulated activity, and the name of the prime contractor and the name and telephone number of the contact person.

2. All contractors conducting regulated activities associated with this project must be provided with complete copies of the approved Contributing Zone Plan and the TCEQ letter indicating the specific conditions of its approval. During the course of these regulated activities, the contractors should keepcopies of the approved plan and approval letter on site.

3. No temporary aboveground hydrocarbon and hazardous substance storage tank system is installed within 150 feet of a domestic, industrial, irrigation, or public water supply well.

4. Prior to commencing construction, all temporary erosion and sedimentation (E&S) control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. Controls specified in in the SWPPP section of the approved Edwards Aquifer Contributing Zone Plan are required during construction. If inspections indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. The controls must remain in place until disturbed areas are revegetated and the areas have become permanently stabilized.

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).

% of the basin volume.

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 must be stored on-site with 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 possible.

10. The following records shall be maintained and made available to the TCEQ upon request: the dates when major grading activities occur; the dates when construction activities temporarily or permanently cease on a portion of the site; and the dates when stabilization measures are initiated.

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 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;

C. any change that would significantly impact the ability to prevent pollution of the Edwards Aquifer and hydrologically connected surface water; or

D. any development of land previously identified in a contributing zone plan as undeveloped,

Austin Regional Office
1921 Cedar Bend, Suite 150
Austin, Texas 78758-5336
Phone (512) 339-2929
Fax (512) 339-3795

San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
Phone (210) 490-3096
Fax (210) 545-4329

TCEQ-R13
SEP 18 2006
SAN ANTONIO

LEGEND

XXXXX ROCK BERM

DRAINAGE BASIN BOUNDARY

CONSTRUCTION ENTRANCE

SILT FENCE

THE CARRIAGE HOUSE AT RIVER CROSSING

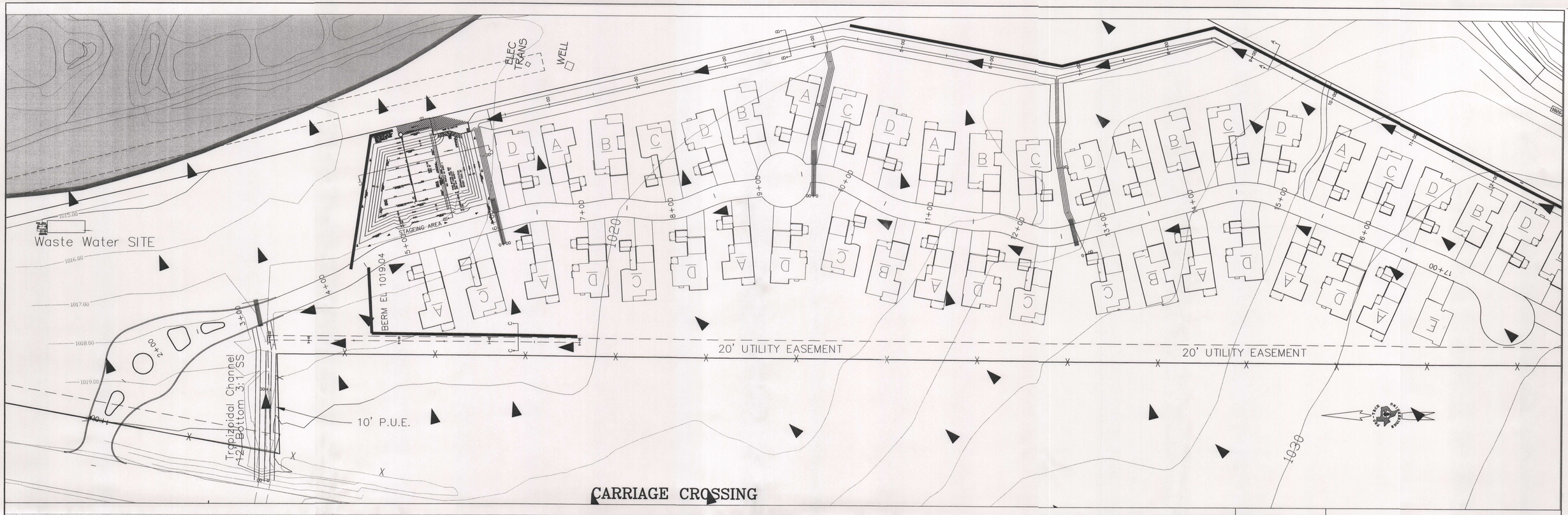
DRAINAGE & EROSION CONTROL PLAN
PERMANENT BMP PLAN

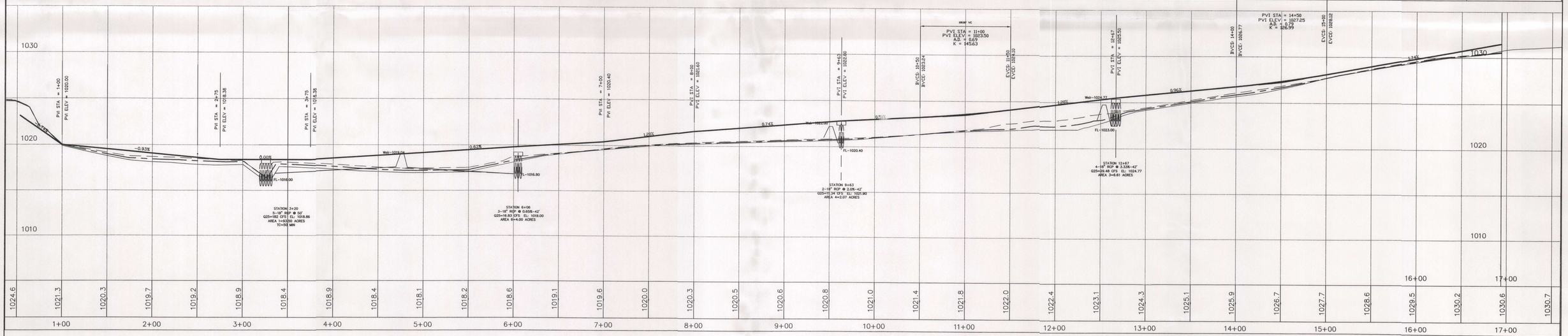
PRO-TECH ENGINEERING GROUP
INCORPORATED
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

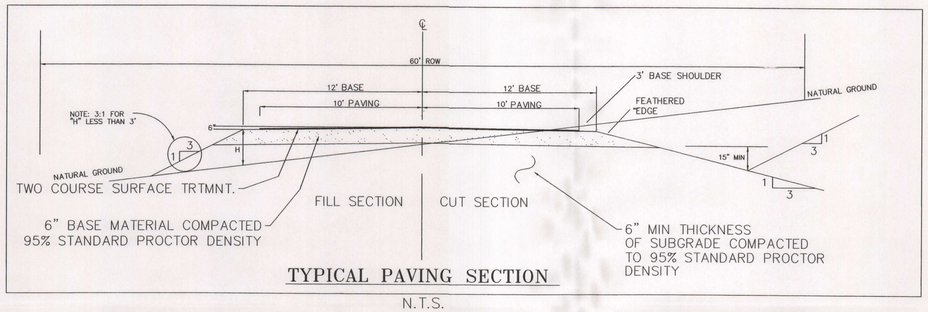
STATE OF TEXAS
KELLY KRUEGER
87107
LICENSED
PROFESSIONAL ENGINEER

Rev: SEPTEMBER 11, 2006

E.O. 14645-281	SCALE 1"=100'	DATE JUNE 28, 2006	SHEET 5 OF 7







TYPICAL PAVING SECTION

N.T.S.

LEGEND

- N.G.RT.DITCH
- N.G.CL
- N.G.LT.DITCH
- CL DESIGN

TCEQ-R13
SEP 18 2006
SAN ANTONIO

THE CARRIAGE HOUSE AT RIVER CROSSING

CARRIAGE CROSSING STA. 0+00 TO END

PLAN AND PROFILE COMAL COUNTY, TEXAS

PRO·TECH ENGINEERING GROUP INCORPORATED
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

STATE OF TEXAS — KELLY KILGORE — 41197 — LICENSED PROFESSIONAL ENGINEER

DATE: SEPTEMBER 11, 2006
E.O. 14645-281
SCALE H:1"=50' V:1"=5'
SHEET 6 OF 7

Texas Commission on Environmental Quality

TSS Removal Calculations 05-09-2006

Project Name: Carriage House
Date Prepared: 9/8/2006

Text shown in magenta provide instructions for the use of this spreadsheet.
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 are calculated fields. Changes to these fields will remove equations used in the spreadsheet.

1. The Required Load Reduction from 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:
- Lm = Required TSS removal
- A_N = Net increase in impervious area for site
- P = Average annual precipitation, inches

Site Data: Determine Required Load Removal Based on the Entire Project

County =	**bexar**	
Total project area included in plan * =	**15.36**	acres
Predevelopment impervious area within the limits of the plan * =	**0.00**	acres
Total post-development impervious area within the limits of the plan* =	**3.72**	acres
Total post-development impervious cover fraction * =	**0.24**	
P =	**33**	inches
Total L_M required for this plan =	**3339**	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**

Separate calculations should be prepared for each drainage basin / outfall area.
The calculations must include Sections 2 through 6 and the Section for the appropriate BMP proposed, e.g Section 9 for Sand Filters.
A summation of the load removal calculations must be provided.
It should include justifcations indicating that the project meets the requirements of the Edwards Aquifer Rules.
The permanent BMP calculations and summary must be signed, sealed, and dated by the P.E. making the submittal.

2. Calculations for the Required Load Reduction:

Drainage Basin / Outfall Area No. = 1

Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$

where:
- Lm = Required TSS removal
- A_N = Net increase in impervious area for site
- P = Average annual precipitation, inches

Site Data: Determine Required Load Removal Based on the Entire Project

Total drainage basin / outfall area * =	**15.36**	acres
Predevelopment impervious area within drainage basin / outfall area * =	**0.00**	acres
Post-development impervious area within drainage basin / outfall area * =	**3.72**	acres
Post-development impervious fraction within drainage basin / outfall area * =	**0.24**	
P =	**33**	inches
L_M =	**3339**	lbs.

*** The values entered in these fields should be for the drainage basin / outfall area.**

3. Indicate the Drainage Basin and Select the desired BMP Code for this Section.

Proposed BMP =	**af**	abbreviation
Removal efficiency =	**89**	percent

BMP Code:	BMP Type:
AC	Aqualogic Cartridge Filter
BR	Bioretention
CW	Constructed Wetland
ED	Extended Detention
GS	Grassy Swale
RI	Retention / Irrigation
SF	Sand Filter
WB	Wet Basin
WV	Wet Vault

4. Calculate TSS Load Removed (L_R) from this Drainage Basin by the Proposed BMP Type.

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

where:
- A_C = Total On-Site drainage area in the BMP Catchment Area
- A_I = Impervious area proposed in the BMP catchment
- A_P = Pervious area remaining in the BMP catchment
- L_R = TSS Load removed by the proposed BMP

A_C =	**10.05**	acres
A_I =	**3.49**	acres
A_P =	**6.56**	acres
L_R =	**3651**	lbs

5. Calculate Fraction of Annual Runoff to Treat the drainage basin / outfall area

F = **0.91** — **If F>1, then a more efficient BMP or a larger treatment area is required.**

6. Calculate Capture Volume required by the BMP Type for this drainage basin / outfall area. | **Calculations from RG-348** | **Pages 3-34 to 3-36**

Rainfall Depth =	**1.80**	inches
Post Development Runoff Coefficient =	**0.28**	**IC = Drainage Area to BMP / drainage Area to BMP**
On-site Water Quality Volume =	**18492**	cubic feet

Offsite drainage should be conveyed around or through the drainage basin / outfall area without entering the BMP.
If no offsite drainage flows across the drainage basin / outfall area or is bypassed through the site, enter 0 in cells C109 & C110.
If the offsite drainage is directed to the drainage basin, enter offsite area draining to BMP & offsite impervious cover draining to BMP in cells C109 & C110.

Calculations from RG-348 | **Pages 3-36 to 3-37**

Off-site area draining to BMP =	**7.89**	acres
Off-site Impervious cover draining to BMP =	**1.38**	acres
Impervious fraction of off-site area =	**0.17**	
Off-site Runoff Coefficient =	**0.18**	
Off-site Water Quality Volume =	**9489**	cubic feet
Storage for Sediment =	**5596**	
Total Capture Volume =	**33577**	cubic feet

The following sections are used to calculate the required water quality volume(s) for the selected BMP.
The values for the water quality volume of a BMP Type not selected in cell C84 will show NA.

7. Retention/Irrigation System | **Designed as Required in RG-348** | **Pages 3-42 to 3-46**

Required Water Quality Volume for retention basin = **NA** cubic feet

Irrigation Area Calculations:

Soil infiltration/permeability rate =	**0.1**	in/hr	**Enter determined permeability rate or assumed value of 0.1**
Irrigation area =	**NA**	square feet	
	NA	acres	

8. Extended Detention Basin System | **Designed as Required in RG-348** | **Pages 3-46 to 3-51**

Required Water Quality Volume for extended detention basin = **NA** cubic feet

9. Filter area for Sand Filters | **Designed as Required in RG-348** | **Pages 3-58 to 3-63**

9A. Full Sedimentation and Filtration System

Water Quality Volume for sedimentation basin =	**33577**	cubic feet	
Minimum filter basin area =	**1865**	square feet	
Maximum sedimentation basin area =	**16789**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**4197**	square feet	**For maximum water depth of 8 feet**

9B. Partial Sedimentation and Filtration System

Water Quality Volume for combined basins =	**33577**	cubic feet	
Minimum filter basin area =	**3358**	square feet	
Maximum sedimentation basin area =	**13431**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**839**	square feet	**For maximum water depth of 8 feet**

Elev. (ft)	SED-BASIN Volume (ac-ft)	SED-DASIN volume (ft^2)
1013.0000	0.00000	0
1014.0000	0.10825	4715.37
1015.0000	0.25235	10992.4
1016.0000	0.41808	18211.6
1017.0000	0.60761	26467.5
1017.7500	0.77122	33594.3
1018.0000	0.82576	35970.1
1019.6000	1.22666	53433.3

Drainage Area Watershed	Total Drainage Area (acres)	On-Site Watershed (acres)	Off-Site Watershed (acres)	Off-Site Impervious Cover (acres)	On-Site Impervious Cover (acres)	Runoff Depth (Inches)	Calc. Min. Capture Volume (ft^3)	Design Capture Volume (ft^3)	Calc. Min. Filter Area (ft^3)	Design Filter Area (ft^3)	Target TSS Load Removal (lb/yr)	Design TSS Load Removal (lb/yr)	Fraction (F)
To Basin	17.94	10.05	7.89	1.38	3.49	1.8	33577	33594	3358	3822	3133	3651	
Untreated	5.31	5.31	0	0	0.23						206	0	
Total	23.25	15.36	7.89	1.38	3.72						3339	3651	0.91

TCEQ-R13
SEP 18 2006
SAN ANTONIO

THE CARRIAGE HOUSE AT RIVER CROSSING

Calculation Page
COMAL COUNTY, TEXAS

PRO·TECH ENGINEERING GROUP INCORPORATED
100 E. San Antonio St., Suite 100
San Marcos, TX. 78666
(512) 353-3335

STATE OF TEXAS — KELLY KILBERT — 41141 — LICENSED PROFESSIONAL ENGINEER

E.O. 14645-281 | SCALE | DATE SEPTEMBER 11, 2006 | SHEET 7 OF 7

Texas Commission on Environmental Quality

TSS Removal Calculations 05-09-2006

Project Name: Carriage House
Date Prepared: 9/8/2006

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Total post-development impervious cover fraction * =	**0.24**	
P =	**33**	inches
Total L_M required for this plan =	**3339**	lbs.

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A_P =	**6.56**	acres
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TCEQ-R13
SEP 18 2006
SAN ANTONIO

THE CARRIAGE HOUSE AT RIVER CROSSING

Calculation Page
COMAL COUNTY, TEXAS

PRO·TECH ENGINEERING GROUP INCORPORATED
100 E. San Antonio St., Suite 100
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(512) 353-3335

STATE OF TEXAS — KELLY KILBERT — 41141 — LICENSED PROFESSIONAL ENGINEER

E.O. 14645-281 | SCALE | DATE SEPTEMBER 11, 2006 | SHEET 7 OF 7

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 11, 2008

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

Re: Edwards Aquifer, Comal County
PROJECT NAME: River Crossing, Lot 667, located at 18568 46 Parkway, Bulverde, 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 ID.: 230.01

Dear Mr. Hornseth:

The enclosed Contributing Zone Water Pollution Abatement Plan, received on June 10, 2008 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 July 9, 2007.

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.

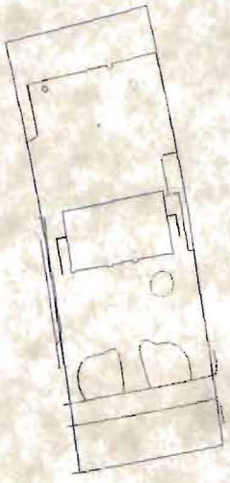
Sincerely

Lynn M. Bumguardner
Water Section Work Leader
San Antonio Regional Office

LMB/eg

CONTRIBUTING ZONE PLAN

FOR



River Crossing Lot 667

Prepared for:

Joy Clayton
3100 S Gessner, Suite 200
Houston, TX 77063

Prepared by:

M & S

Engineering, Ltd.
Engineers and Planners

Main Office:
P. O. Box 970
Spring Branch, Texas 78070
830/228-5446
830-885-2170 FAX

Branch Office:
P. O. Box 391
McQueen
830-

STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED
PROFESSIONAL ENGINEER

6/10/08

June 2008

TCEQ Use Only

TCEQ Core Data Form

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

SECTION I: General Information

1. Reason for Submission *(If other is checked please describe in space provided)*

☒ 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. Attachments **Describe Any Attachments:** *(ex. Title V Application, Waste Transporter Application, etc.)*

☒ Yes ☐ No — Contributing Zone Plan

3. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	4. Regulated Entity Reference Number *(if issued)*
CN 603165911		RN 105186480

SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy) 4/30/2008

6. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check only one of the following:*

☒ Owner ☐ Operator ☐ Owner & Operator
☐ Occupational Licensee ☐ Responsible Party ☐ Voluntary Cleanup Applicant ☐ Other: _____

7. General Customer Information

☒ New Customer ☐ Update to Customer Information ☐ Change in Regulated Entity Ownership
☐ Change in Legal Name (Verifiable with the Texas Secretary of State) ☐ No Change**

If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.

8. Type of Customer:			
☐ City Government	☐ County Government	☐ Federal Government	☐ State Government
☐ Other Government	☐ General Partnership	☒ Limited Partnership	☐ Other:

9. Customer Legal Name *(If an individual, print last name first: ex: Doe, John)* — *If new Customer, enter previous Customer below* — *End Date:*

Highway 46 Ltd.

10. Mailing Address:

3100 S. GESSNER
SUITE 200

City	State	ZIP	ZIP + 4
HOUSTON	TX	77063	

11. Country Mailing Information *(if outside USA)*

12. E-Mail Address *(if applicable)*

13. Telephone Number	14. Extension or Code	15. Fax Number *(if applicable)*
(713) 789-5293		(713) 952-0377

16. Federal Tax ID *(9 digits)*	17. TX State Franchise Tax ID *(11 digits)*	18. DUNS Number *(if applicable)*	19. TX SOS Filing Number *(if applicable)*
20-107133	32035604514		

20. Number of Employees

☒ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

21. Independently Owned and Operated?

☒ Yes ☐ No

SECTION III: Regulated Entity Information

22. General Regulated Entity Information *(If 'New Regulated Entity" is selected below this form should be accompanied by a permit application)*

☒ New Regulated Entity ☐ Update to Regulated Entity Name ☐ Update to Regulated Entity Information ☐ No Change** *(See below)*

**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.

23. Regulated Entity Name *(name of the site where the regulated action is taking place)*

River Crossing Lot 667

24. Street Address of the Regulated Entity: *(No P.O. Boxes)*								
	City		State		ZIP		ZIP + 4	
25. Mailing Address:								
	City		State		ZIP		ZIP + 4	

26. E-Mail Address:			
27. Telephone Number	28. Extension or Code	29. Fax Number *(if applicable)*	
( ) -		( ) -	

30. Primary SIC Code (4 digits)	31. Secondary SIC Code (4 digits)	32. Primary NAICS Code (5 or 6 digits)	33. Secondary NAICS Code (5 or 6 digits)
1542		236220	

34. What is the Primary Business of this entity? *(Please do not repeat the SIC or NAICS description.)*

Office building for lease

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

35. Description to Physical Location:	From the intersection of US Hwy 281 and Hwy 46 proceed 1.1 miles east. Turn left onto Bentwood Drive and left immediately onto Hwy 46 Parkway. Proceed approximately 410 feet. The property will be on your right

36. Nearest City	County	State	Nearest ZIP Code
Bulverde	Comal	TX	78070

37. Latitude (N) In Decimal:	29.798611		38. Longitude (W) In Decimal:	98.401944	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
29	47	55	98	24	07

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	☐ Districts	☒ Edwards Aquifer	☐ Industrial Hazardous Waste	☐ Municipal Solid Waste
☐ New Source Review – Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS	☐ Sludge
☐ Stormwater	☐ Title V – Air	☐ Tires	☐ Used Oil	☐ Utilities
☐ Voluntary Cleanup	☐ Waste Water	☐ Wastewater Agriculture	☐ Waler Rights	☐ Other:

SECTION IV: Preparer Information

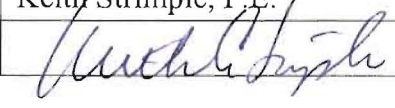
40. Name:	Stephen Jackson	41. Title:	Hydrologist

42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(830) 228-5446		(830) 885-2170	sjackson@msengr.com

SECTION V: Authorized Signature

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

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

Company:	M&S Engineering, LTD.	Job Title:	Agent - Engineer
Name *(In Print)* :	Keith Strimple, P.E.	Phone:	(830) 228-5446
Signature:		Date:	6/10/08

In This Section

TCEQ-10257
Contributing Zone Plan Application

Attachment A
Road Map

Attachment B
USGS Quadrangle Map

Attachment C
Project Narrative

Attachment D
Factors Affecting Surface Water Quality

Attachment E
Volume and Character of Stormwater

Attachment F
Suitability Letter from Authorized Agent

Attachment G
Alternative Secondary Containment Methods

Attachment H
AST Containment Structure Drawings

Attachment I
20% or Less Impervious Cover Waiver

Attachment J
BMPs for Upgradient Stormwater

Attachment K
BMPs for On-site Stormwater

Attachment L
BMPs for Surface Streams

Attachment M
Construction Plans

Attachment N
Inspection, Maintenance, Repair and Retrofit Plan

Attachment O
Pilot-Scale Field Testing Plan

Attachment P
Measures for Minimizing Surface Stream Contamination

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

Regulated Entity Name: River Crossing Lot 667
County: Comal Stream Basin: Cibolo Creek

1. ___ Regulated activities on this site will disturb at least 5 acres.
X 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: Joy Clayton
Entity: Highway 46 Ltd.
Mailing Address: 3100 S Gessner, Suite 200
City, State: Houston, TX Zip: 77063
Telephone: 713-789-5293 FAX: 713-952-0377

Agent/Representative (If any):

Contact Person: Keith Strimple, P.E.
Title: Agent - Engineer
Entity: M & S Engineering, LTD
Mailing Address: P.O. Box 970
City, State: Spring Branch, Texas Zip: 78070
Telephone: (830) 228-5446 FAX: (830) 885-2170

3. X This project is inside the city limits of Bulverde.
__ 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 the intersection of US Hwy 281 and Hwy 46 proceed 1.1 miles east. Turn left onto Bentwood Drive and left immediately onto Hwy 46 Parkway. Proceed approximately 410 feet. The property will be on your right.

5. X **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.

6. X **ATTACHMENT B - USGS Quadrangle Map.** A copy of the a USGS Quadrangle Map (Scale: 1" = 2000') is found at the end of this form. The map(s) clearly shows:
X Project site boundaries.
X USGS Quadrangle Name(s).

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

8. Existing project site conditions are noted below:

X 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: ____
X Commercial
__ Industrial
__ Other: _____

10. Total project area (size of site): 1.20 Acres
Total disturbed area: 1.00 Acres

11. Projected population: 0

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

Impervious Cover of Proposed Project ***	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	5,065	÷ 43,560 =	0.12
Parking *Includes Access Road*	31,403	÷ 43,560 =	0.72
Other paved surfaces *Concrete Improvements*	592	÷ 43,560 =	0.01
Total Impervious Cover	37,060	÷ 43,560 =	0.85
		Total Impervious Cover ÷ Total Acreage x 100 =	70.83 %

*****Note: This impervious cover chart is for Lot 667 only. See Project Description for entire project impervious cover.**

13. X **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. If applicable, this should included the location and description of any discharge associated with industrial activity other than construction.

14. X 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.

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.
L x W = _____ Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.

18. Length of pavement area: _____ feet.
Width of pavement area: _____ feet.
L x W = _____ Ft^2 ÷ 43,560 Ft^2/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. __ Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

STORMWATER TO BE GENERATED BY THE PROPOSED PROJECT

21. X **ATTACHMENT E - Volume and Character of Stormwater.** A description of the volume and character (quality) of the stormwater runoff which is expected to occur from the proposed project is found at the end of this form. 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.

WASTEWATER TO BE GENERATED BY THE PROPOSED PROJECT

22. Wastewater will be disposed of by:

X 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 _____ (name) treatment plant for treatment and disposal. The treatment facility is :
__ existing.
__ proposed.

__ 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.

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.)	L x W x H = (Ft^3) 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.

30. The Site Plan must have a minimum scale of 1" = 400'.
Site Plan Scale: 1" = 30 '.

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.
X No part of the project site is located within the 100-year floodplain.

The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s):
Comal County GIS Proposed FEMA Floodplain © 2004 accessed 4/08/2008

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

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

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

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

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

38. X Surface waters (including wetlands).

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

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

41. __ Permanent aboveground storage tank facilities.
X 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. X Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.

43. X These practices and measures have been designed, and will be constructed, operated, and maintained to insure that 80% of the incremental increase in the annual mass loading of total suspended solids (TSS) from the site caused by the regulated activity is removed. These quantities have been calculated in accordance with technical guidance prepared or accepted by the executive director.

X 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. X Owners must insure that permanent BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the appropriate regional office within 30 days of site completion.

45. X Where a site is used for low density single-family residential development and has 20 % or less impervious cover, other permanent BMPs are not required. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

__ 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.

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

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

__ **ATTACHMENT I - 20% or Less Impervious Cover Waiver.** This site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is found at the end of this form.

X 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.**

X 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.

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

X A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is provided as **ATTACHMENT K** at the end of this form.

__ If permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, an explanation is provided as **ATTACHMENT K** at the end of this form.

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

50. X **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. Design Calculations, TCEQ Construction Notes, all proposed structural measures, and appropriate details must be shown on the construction plans.

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

53. X **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.

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

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

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

ADMINISTRATIVE INFORMATION

56. X One (1) original and three (3) copies of the complete application has been provided.

57. X 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. X 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:

Keith C. Stringle
Print Name of Customer/Agent

Signature of Customer/Agent

4/10/08
Date

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

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CONTRIBUTING ZONE PLAN
GENERAL CONSTRUCTION NOTES

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

2. 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 PROPERLY SELECTED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND GOOD ENGINEERING PRACTICES. CONTROLS SPECIFIED IN THE SWPPP SECTION OF THE APPROVED EDWARDS AQUIFER CONTRIBUTING ZONE PLAN ARE REQUIRED DURING CONSTRUCTION. IF INSPECTIONS INDICATE A CONTROL HAS BEEN USED INAPPROPRIATELY, OR INCORRECTLY, THE APPLICANT MUST REPLACE OR MODIFY THE CONTROL FOR SITE SITUATIONS. THE CONTROLS MUST REMAIN IN PLACE UNTIL DISTURBED AREAS ARE REVEGETATED AND THE AREAS HAVE BECOME PERMANENTLY STABILIZED.

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;

   C. ANY CHANGE THAT WOULD SIGNIFICANTLY IMPACT THE ABILITY TO PREVENT POLLUTION OF THE EDWARDS AQUIFER AND HYDROLOGICALLY CONNECTED SURFACE WATER; OR

   D. ANY DEVELOPMENT OF LAND PREVIOUSLY IDENTIFIED IN A CONTRIBUTING ZONE PLAN AS UNDEVELOPED.

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AUSTIN, TEXAS 78704-5712
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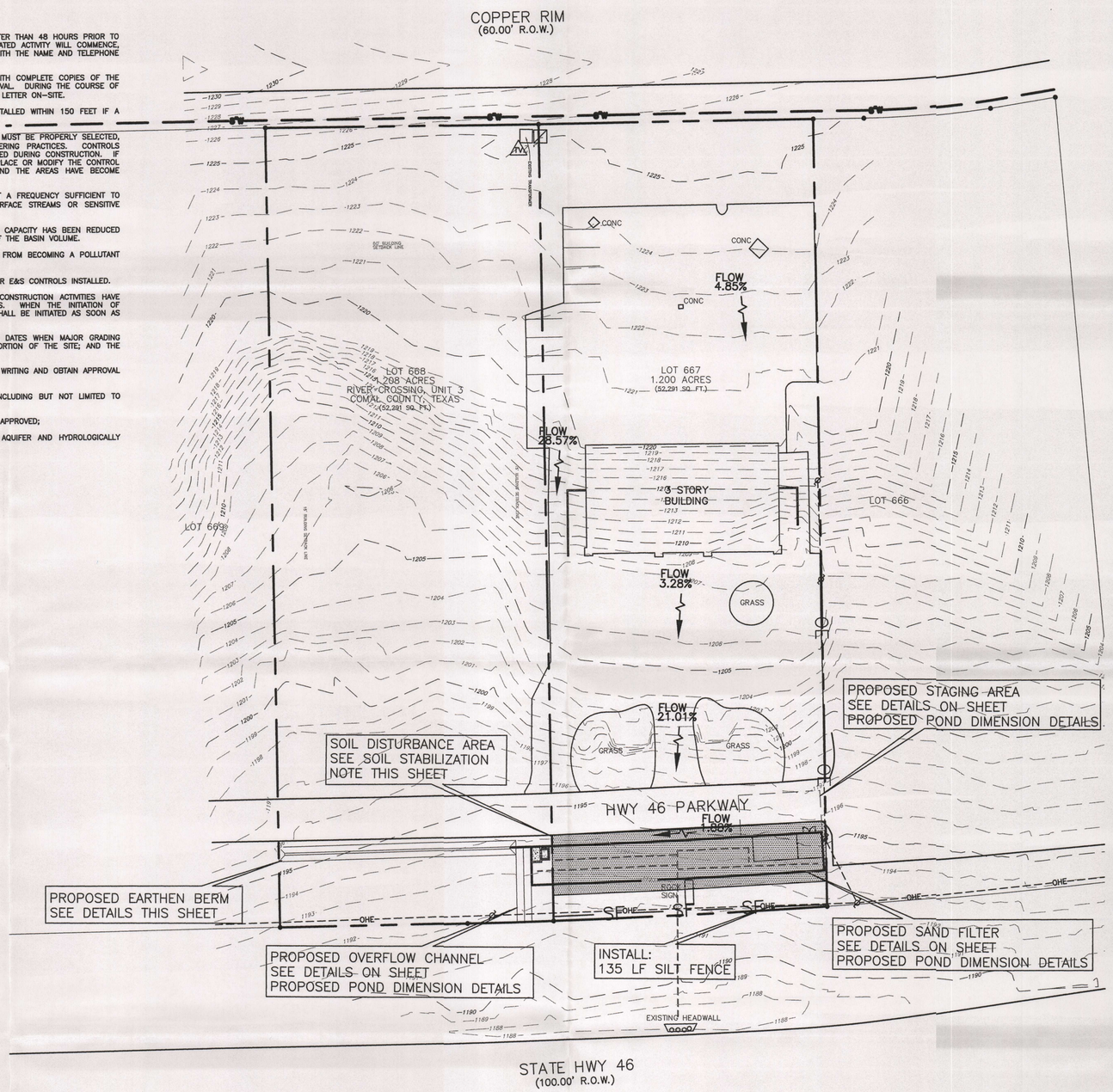
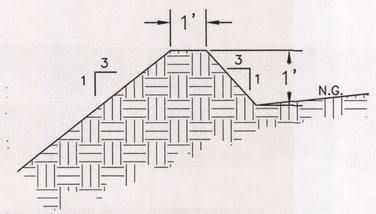
FAX (512) 339-3795

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

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





EARTHEN BERM DETAILS
NOT TO SCALE

0 15 30 60
SCALE (FEET)

GRADING NOTE:

PROPOSED CONTOURS TO MATCH EXISTING CONTOURS EXCEPT FOR EARTHEN BERM AND OVERFLOW CHANNEL. SEE DETAILS THIS SHEET AND SHEET PROPOSED POND DIMENSION DETAILS.

PROJECT NOTE:

OWNERS OF LOTS 667 AND 668 ARE JOINTLY CONSTRUCTING A SINGLE SAND FILTER TO TREAT THE STORMWATER RUNOFF FROM BOTH SITES.

SOIL STABILIZATION NOTES:

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

BARE SOILS SHOULD BE SEEDED OR OTHERWISE STABILIZED WITHIN 14 CALENDAR DAYS AFTER FINAL GRADING OR WHERE CONSTRUCTION ACTIVITY HAS TEMPORARILY CEASED FOR MORE THAN 21 DAYS.

MULCHING/MATS CAN BE USED TO PROTECT THE DISTURBED AREAS WHILE VEGETATION BECOMES ESTABLISHED.

LEGEND

- 1070 — EXISTING MAJOR 5' CONTOURS
- 1072 — EXISTING MINOR 1' CONTOURS
- 1072 — PROPOSED MAJOR 5' CONTOURS
- 1072 — PROPOSED MINOR 1' CONTOURS
- PROPOSED EDGE OF PAVEMENT
- PROPOSED RIGHT OF WAY
- PROPERTY BOUNDARY
- SF — SF — PROPOSED SILT FENCE
- PROPOSED CONSTRUCTION ENTRANCE
- SOIL DISTURBANCE AREAS

REVISIONS

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PHONE # (830) 228-5446
FAX # (830) 885-2170

STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED PROFESSIONAL ENGINEER
6/10/08

RIVER CROSSING
LOT 667
CONTRIBUTING ZONE SITE PLAN

DESIGNED BY: DWK / SRJ
CHECKED BY: KCS
DRAWN BY: SRJ / RL
JOB: 8JCLAYT001
DATE: MAY 2008
SCALE: 1" = 30'

TCEQ-R13
JUN 10 2008
SAN ANTONIO

SHEET: 1 OF 3

Date: Jun 04, 2008, 7:45am User ID: sjackson
File: S:\Active Projects\8JCLAYT001 Joy Drayton Site\DWGS\8JCLAYT001-HYDR-LOT667-CZP-001.dwg

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CONTRIBUTING ZONE PLAN
GENERAL CONSTRUCTION NOTES

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

2. 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 PROPERLY SELECTED, INSTALLED, AND MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND GOOD ENGINEERING PRACTICES. CONTROLS SPECIFIED IN THE SWPPP SECTION OF THE APPROVED EDWARDS AQUIFER CONTRIBUTING ZONE PLAN ARE REQUIRED DURING CONSTRUCTION. IF INSPECTIONS INDICATE A CONTROL HAS BEEN USED INAPPROPRIATELY, OR INCORRECTLY, THE APPLICANT MUST REPLACE OR MODIFY THE CONTROL FOR SITE SITUATIONS. THE CONTROLS MUST REMAIN IN PLACE UNTIL DISTURBED AREAS ARE REVEGETATED AND THE AREAS HAVE BECOME PERMANENTLY STABILIZED.

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;

   C. ANY CHANGE THAT WOULD SIGNIFICANTLY IMPACT THE ABILITY TO PREVENT POLLUTION OF THE EDWARDS AQUIFER AND HYDROLOGICALLY CONNECTED SURFACE WATER; OR

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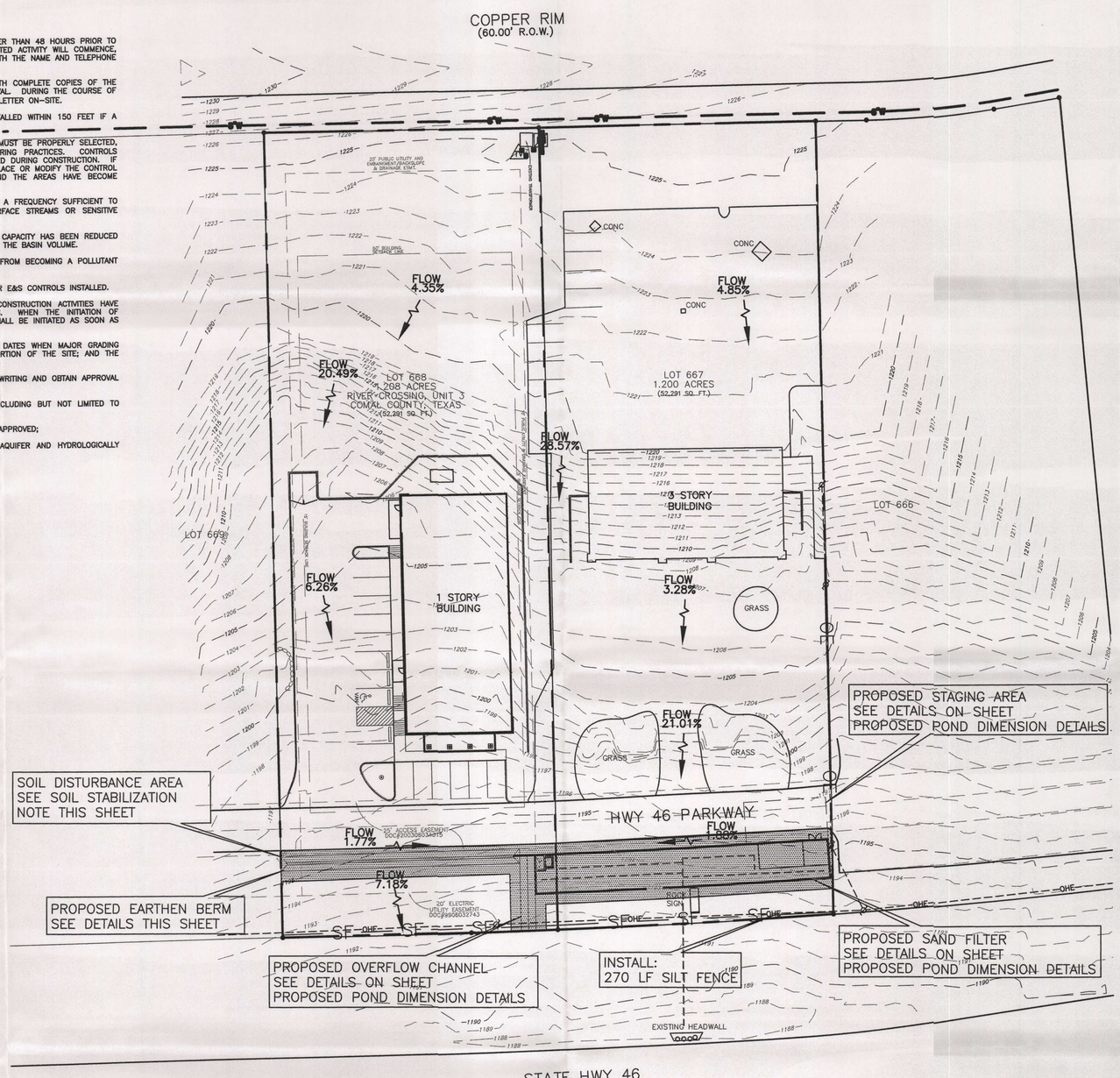

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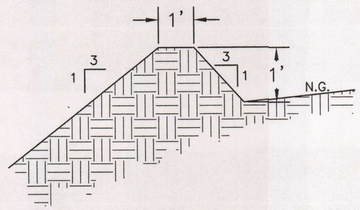

EARTHEN BERM DETAILS
NOT TO SCALE

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STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED PROFESSIONAL ENGINEER
4/10/08

RIVER CROSSING
LOT 667
PROJECT SITE PLAN

DESIGNED BY: DWK / SRJ
CHECKED BY: KCS
DRAWN BY: SRJ / RL
JOB: 8JCLAYT001
DATE: MAY 2008
SCALE: 1" = 30'

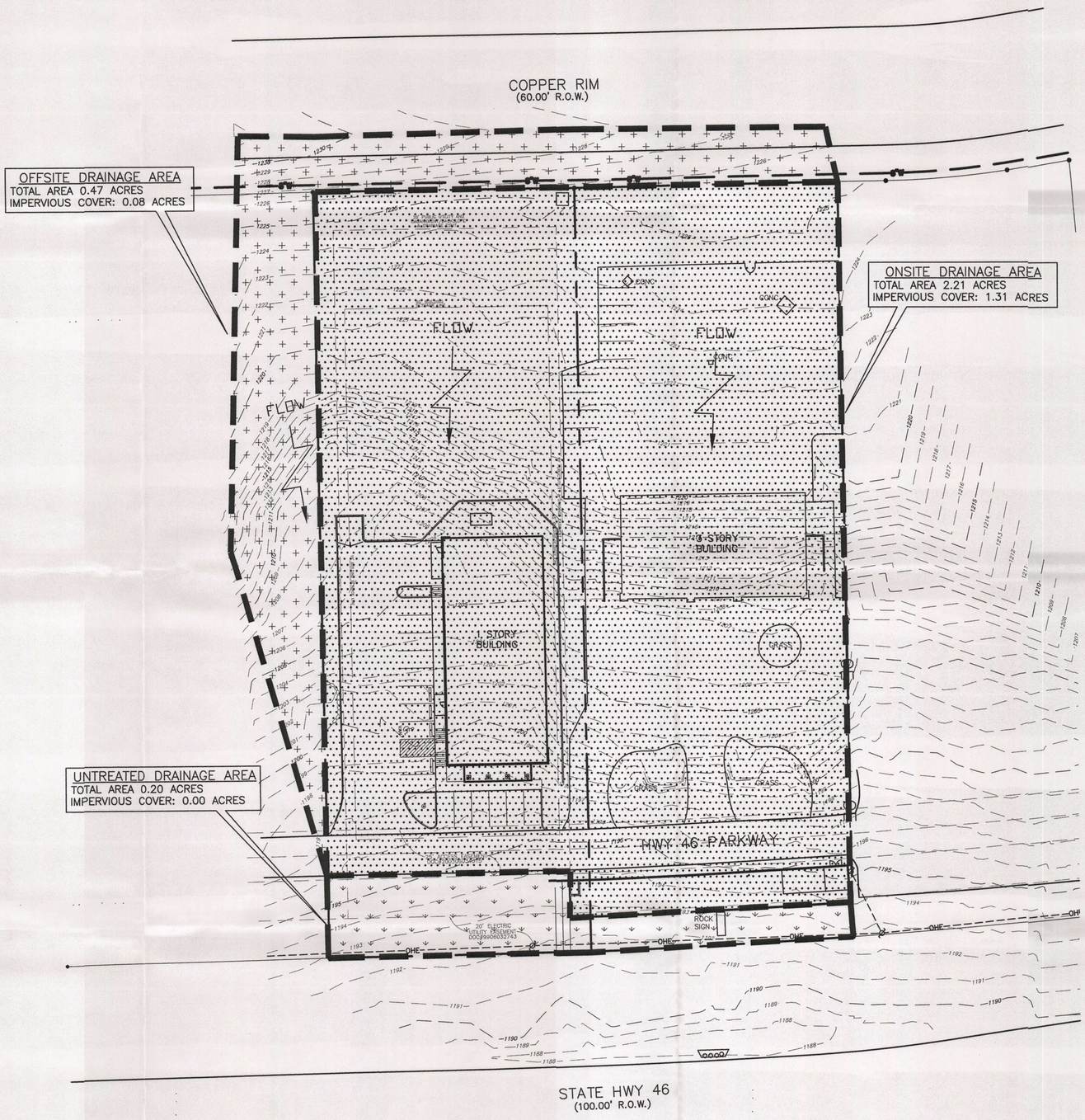
TCEQ-R13
JUN 10 2008
SAN ANTONIO

SHEET: 2 OF 3

Date: Jun 04, 2008, 7:39am User ID: sjackson
File: S:\Active Projects\8JCLAYT001 Joy Clayton Site\DWGS\8JCLAYT001-HYDR-LOT667-PRJCT-SPN-001.dwg

NOTE:

DRAINAGE AREAS AND HYDROLOGY WERE CALCULATED FOR LOTS 667 AND 668 TREATING THE PROJECT AS A WHOLE.



0 15 30 60
SCALE (FEET)

REVISIONS

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STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED
PROFESSIONAL ENGINEER
6/10/08

RIVER CROSSING
LOT 667
DRAINAGE AREA MAP

DESIGNED BY: DWK
CHECKED BY: KCS
DRAWN BY: SRJ
JOB: 8JCLAYT001
DATE: MAY 2008
SCALE: 1" = 30'

TCEQ-R13
JUN 10 2008
SAN ANTONIO

SHEET:
3 OF 3

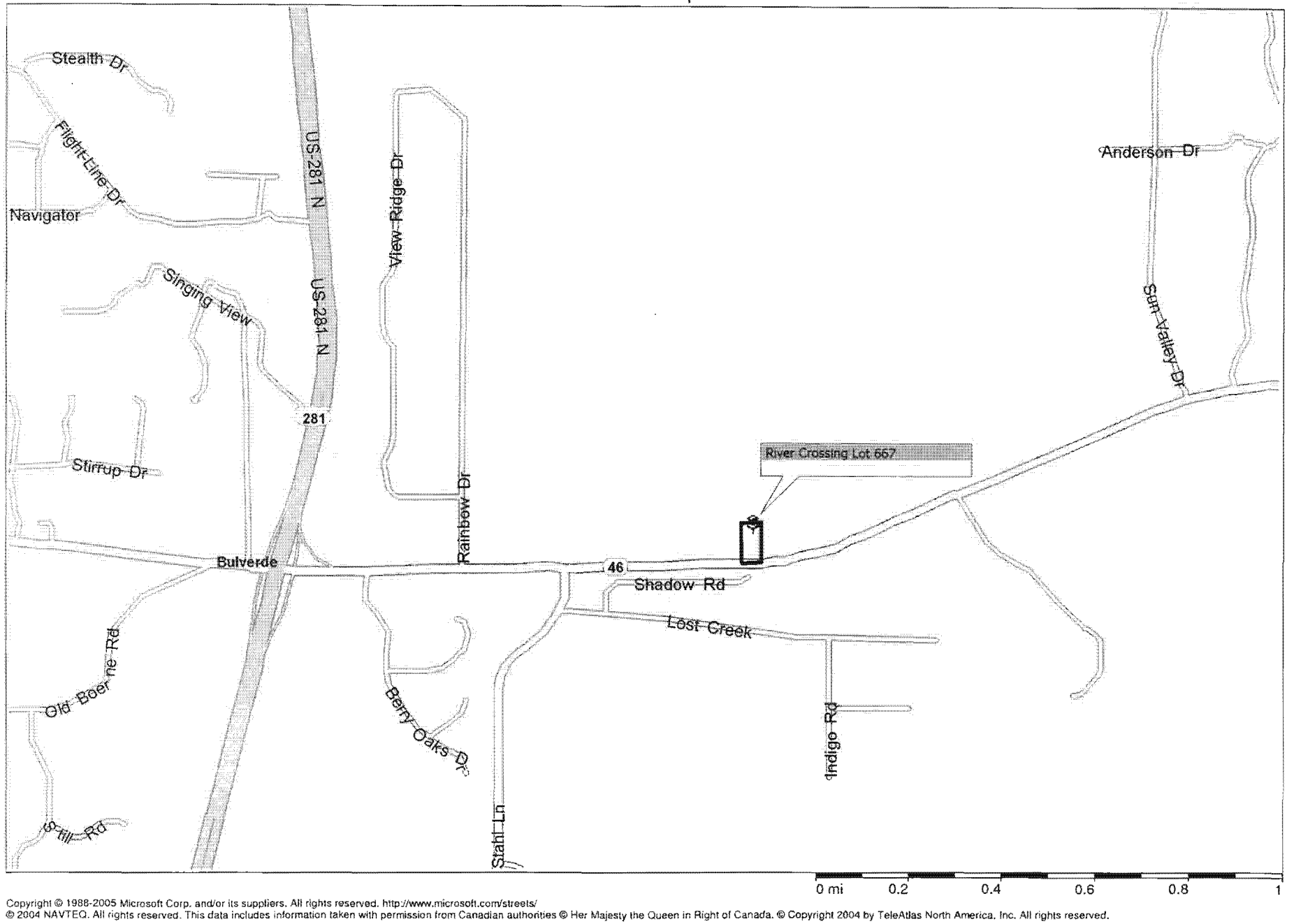
LEGEND

- MAJOR (10') CONTOUR LINES
- MINOR (2') CONTOUR LINES
- PROPOSED LOT LINES
- PROPOSED CENTER LINE
- PROPOSED RIGHT OF WAY
- SF — SF — PROPOSED SILT FENCE
- PROPERTY BOUNDARY
- PROPOSED ROCK BERM

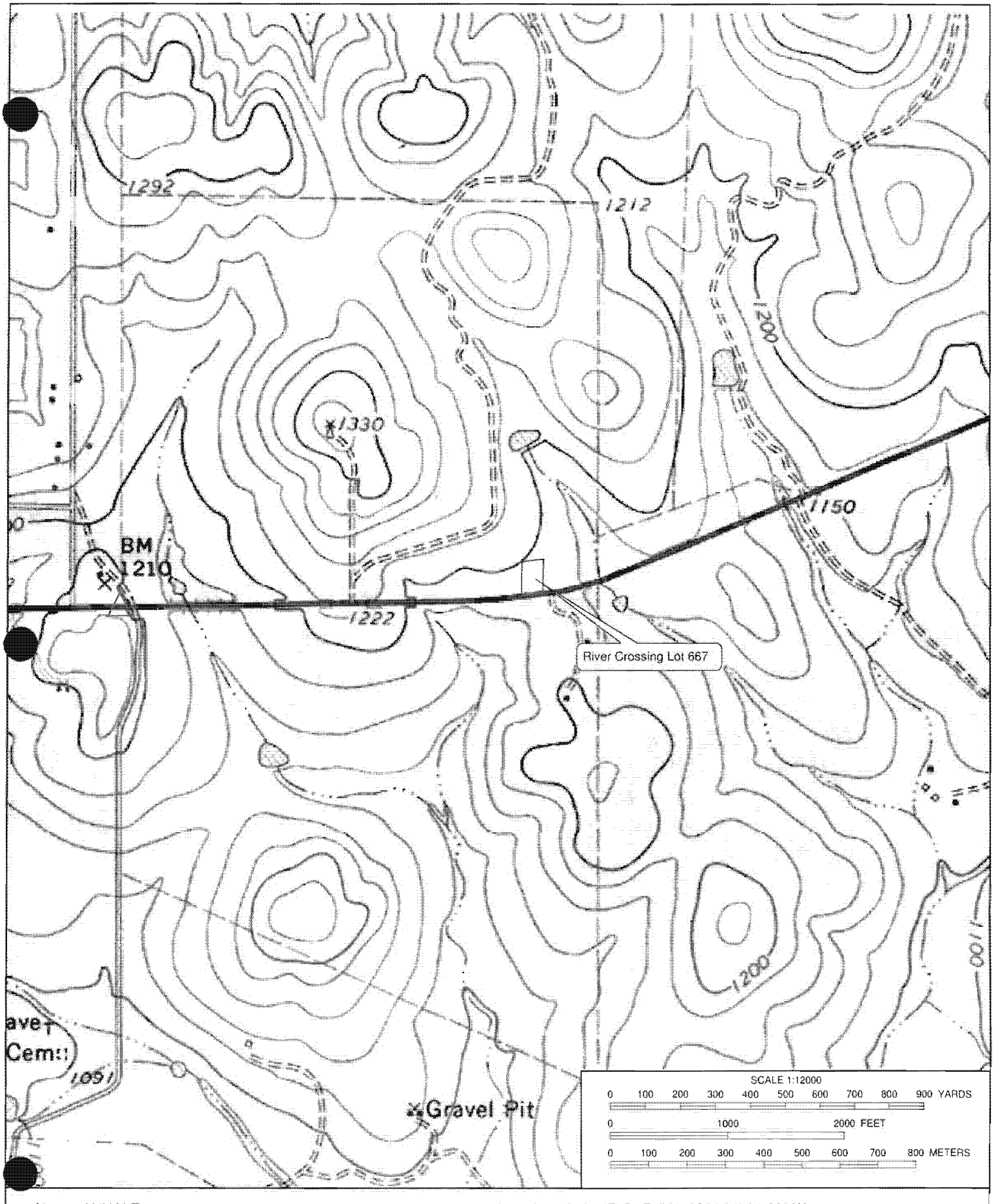
Date: Jun 04, 2008, 7:40am User ID: sjackson
File: S:\Active Projects\8JCLAYT001 Joy Clayton Site\DWGS\8JCLAYT001-HYDR-LOT667-DA-001.dwg

Road Map

Road Map



USGS Quadrangle Map



Name: ANHALT
Date: 5/5/2008
Scale: 1 inch equals 1000 feet

Location: 029° 47' 51.72" N 098° 24' 04.23" W

Project Narrative

PROJECT NARRATIVE

The property is located off of Highway 46 near the intersection with Highway 281 North. This site is located within the City of Bulverde and the Edwards Aquifer Contributing Zone. It is not located in the 100-Year FEMA floodplain. The site consists of a 1.2 acre which has already been developed commercially.

This project involves building a permanent BMP to bring this lot and the neighboring Lot 668 into compliance with the TCEQ Edwards Aquifer regulations. The lots are separately owned, but the owners have elected to construct a single sand filter designed to treat the runoff from both lots. See Attachment N for the Joint BMP Agreement. In the calculations, Existing Conditions was taken to be estimated pre-development conditions for both lots. The Proposed Conditions include a building and parking area on each lot, an asphalt roadway, a sand filtration basin, and a graded channel.

The project is made up of a single drainage area with 0.47 acres of off-site area. The basin drains to the southern border of the property towards a culvert under Highway 46.

The amount of existing impervious cover for Lot 667 is 0 acres. The amount and type of impervious cover expected on Lot 667 after construction is complete is shown below:

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	5,065	÷ 43,560 =	0.12
Parking *Includes Access Road*	31,403	÷ 43,560 =	0.72
Other paved surfaces *Concrete Improvements*	592	÷ 43,560 =	0.01
Total Impervious Cover	37,060	÷ 43,560 =	0.85
		Total Impervious Cover ÷ Total Acreage x 100 =	70.83 %

The total impervious cover expected for Lots 667 and 668 is shown below:

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	11,097	÷ 43,560 =	0.25
Parking *Includes Access Road*	45,404	÷ 43,560 =	1.04
Other paved surfaces *Concrete Improvements*	734	÷ 43,560 =	0.02
Total Impervious Cover	57,235	÷ 43,560 =	1.31
		Total Impervious Cover ÷ Total Acreage x 100 =	54.36 %

Phasing of Construction

The phasing of the construction of this project is such that there should never be more than 10 acres disturbed at any one time. Construction of the building and parking area for Lot 667 is already complete. The phasing of construction for the proposed sand filter will be as follows:

Phase I

Installation of the erosion and sedimentation control devices. The total acreage disturbed for this phase will be 0.03 acres.

Phase II

Excavation of the sand filter. The total acreage disturbed for this phase will be 0.09 acres.

Phase III

Installation of landscaping and hydro mulch to the disturbed areas will cover the areas where permanent BMPs are going to be installed and surrounding areas, this area will be 0.09 acres.

Phase IV

Re-vegetating the disturbed areas will be the final phase that will involve any items pertinent to soil erosion control. The estimate for re-vegetated area is 0.05 acres.

In light of this analysis and the fact that the entire project area is only 2.4 acres, it is our conclusion that there will be no more than 10 acres disturbed at any one time on this project.

Factors Affecting Surface Water Quality

FACTORS AFFECTING SURFACE WATER QUALITY

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

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

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

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

Volume and Character of Stormwater

VOLUME AND CHARACTER OF STORMWATER

Hydrology for this project was calculated treating Lots 667 and 668 together.

The overall contributing drainage area for this project is 2.63 acres. This includes 0.47 acres of off-site area. The stormwater runoff for the pre-project conditions would be across rocky soil, with native grasses. The site has an average slope ranging from 5% to 35%. Peak discharges were calculated using the Rational Method.

Peak Discharge Summary

River Crossing Lots 667 and 668

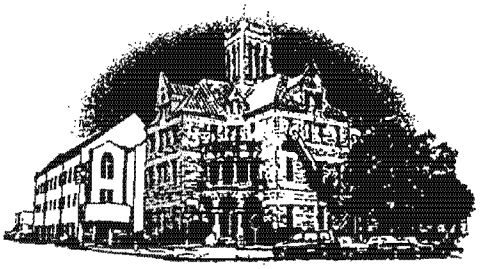
Basin 1

HYDROLOGY - RATIONAL METHOD

	C	A	2-Year		5-Year		10-Year		25-Year		50-Year		100-Year	
			I	Q	I	Q	I	Q	I	Q	I	Q	I	Q
		(acres)	(in/hr)	(cfs)	(in/hr)	(cfs)	(in/hr)	(cfs)	(in/hr)	(cfs)	(in/hr)	(cfs)	(in/hr)	(cfs)
Existing Hydrology	0.70	2.63	7.84	14.43	9.89	18.21	11.35	20.89	12.94	23.83	13.98	25.74	16.14	29.71
Proposed Hydrology	0.83	2.63	8.63	18.84	10.85	23.69	12.44	27.17	14.17	30.95	15.29	33.39	17.68	38.62
Increase in runoff due to development =				**4.41**		**5.49**		**6.28**		**7.13**		**7.65**		**8.91**
Existing T_c (minutes) =		3.43												
Proposed T_c (minutes) =		2.09												

The characteristics of the post-project stormwater generated onsite will be influenced by site features that generate non-point pollution. This non-point pollution will include oil and grease from the paved areas, suspended solids, sedimentation, and nutrients for lawn care, and possible pesticides and herbicides. The stormwater runoff will flow across asphalt and pervious areas of rocky soil, with native grasses into a sand filtration pond designed to remove 80% of the incremental increase in the annual mass loading of total suspended solids (TSS) from the site before discharge into the Highway 46 right of way.

Suitability Letter from Authorized Agent



Comal County

OFFICE OF COMAL COUNTY ENGINEER

License to Operate

On-site Sewage Treatment and Disposal Facility

Date Issued: 8/10/2005 Permit Number: 86608

Location Description:	18568 Forty Six Parkway, Bulverde, TX 78163
	Lot 667, River Crossing Unit 3 Subdivision
Type of System:	Septic Tank Treatment with Leaching Chambers Discharge
License issued to:	Highway 46, LTD

This license is authorization for the owner to operate and maintain a private facility at the location described in accordance to the rules and regulations for on-site sewerage facilities of Comal County, Texas, and the Texas Natural Resource Conservation Commission.

The license grants permission to operate the facility. It does not guarantee successful operation. It is the responsibility of the owner to maintain and operate the facility in a satisfactory manner.

Inspection and licensing of a facility indicates only that the facility meets certain minimum requirements. It does not impede any governmental entity in taking the proper steps to prevent or control pollution, to abate nuisance, or to protect the public health.

This license to operate is valid for an indefinite period. The holder may transfer it to a succeeding owner, provided the facility has not been remodeled and is functioning properly.

Licensing Authority

Comal County Environmental Health

ENVIRONMENTAL HEALTH INSPECTOR

OS7722

ENVIRONMENTAL HEALTH COORDINATOR

This "License-Operate" report was printed on 8/10/2005 by: Comal County Environmental Health,, operator, using CASST Ver 2.1

Alternative Secondary Containment Methods

Attachment G

Alternative Secondary Containment Methods

NOT APPLICABLE

Attachment H

AST Containment Structure Drawings

Attachment H

AST Containment Structure Drawings

NOT APPLICABLE

20% or Less Impervious Cover Waiver

Attachment I

20% or Less Impervious Cover Waiver

NOT APPLICABLE

BMPs for Upgradient Stormwater

Attachment J

BMPs For Upgradient Stormwater

Lot 667 has 0.09 acres of upgradient drainage area consisting of 0.03 acres impervious cover. The total project has 0.47 acres of upgradient drainage area consisting of 0.08 acres impervious cover. The proposed sand filter has been sized to accommodate the resulting increase in Water Quality Volume. See Attachment K and calculations on sheet BMP Calculations.

BMPs for On-site Stormwater

BMPs FOR ON-SITE STORMWATER

A sand filter will be constructed to prevent pollution of surface water or groundwater that originates on-site. Incoming stormwater is directed by an earthen berm on lot 668 and a concrete wall on lot 667 into a concrete chamber with an orifice discharging into the sand filter and an overflow weir which serves as a flow splitter. The orifice is sized such that when the chamber is full it releases at the 100-year storm rate into the sand filter. Once the sand filter reaches the water quality volume, excess runoff overflows from the top weir of the chamber into an exit channel which discharges into the Highway 46 right of way. The emergency shutoff valve is located on the downstream end of the discharge pipe beyond the sand filter.

As this site is located on the contributing zone no impermeable liners were used for the basins. Residence time was calculated using the local soil infiltration rate and discharge from the outlet pipes. The minimum 4" pipe at the minimum 1% slope regardless of basin liners allowed for a residence time of only approximately 3 hours, so a 4" to 1" reducer was added at the outlet to lower the discharge rate. The residence time for the WQV in is approximately 37 hours without the use of impermeable liners. See calculations on sheet BMP Calculations.

The filters are designed so 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, taking into account 0.20 acres of undeveloped on-site land downstream of the sand filter. The proposed sand filter has been sized to accommodate the resulting increase in Water Quality Volume due to off-site water. See calculations on sheets BMP Calculations. The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site. The sand filters were designed to accommodate the Water Quality Volume plus 20%.

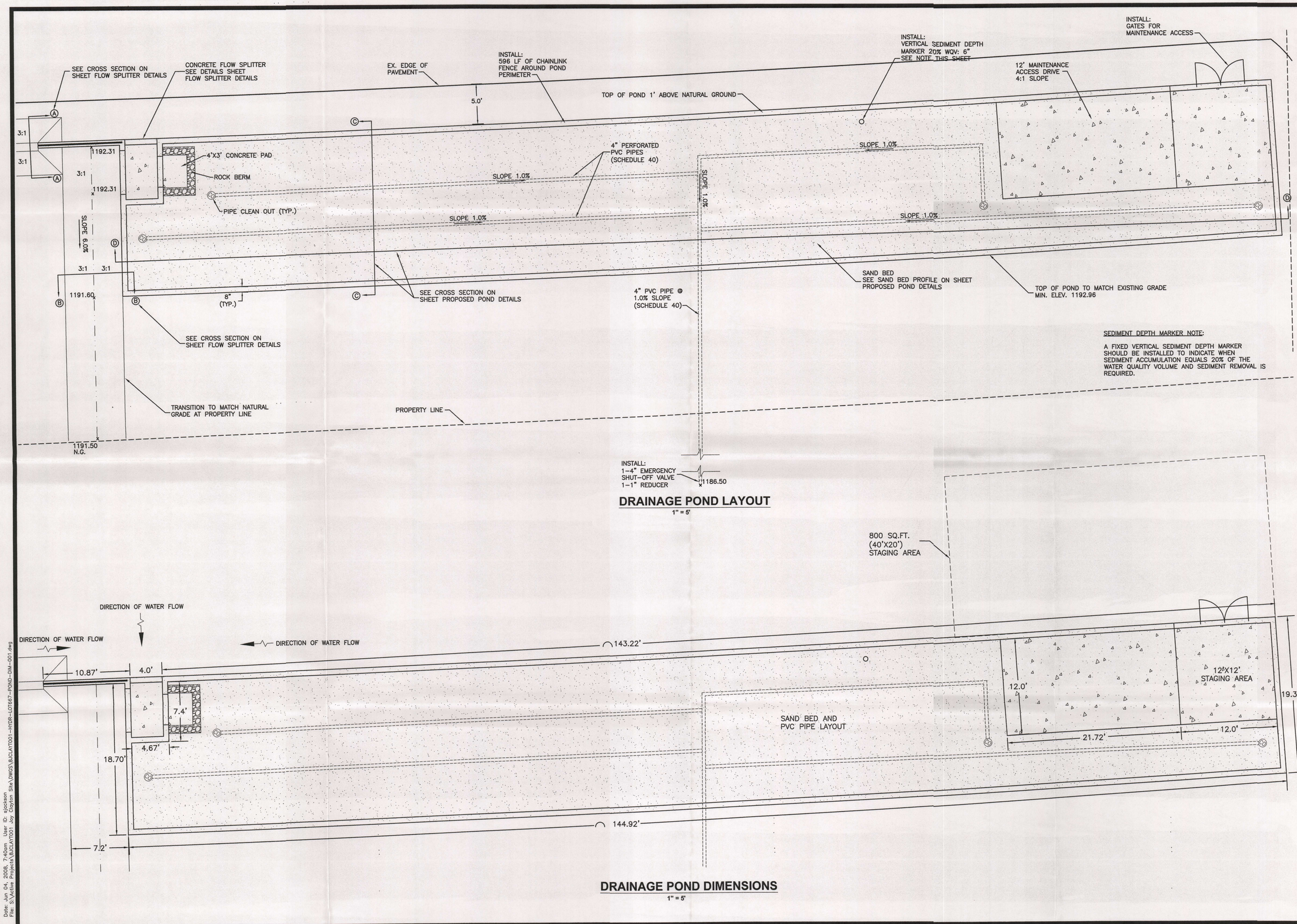
BMPs for Surface Streams

Attachment L

BMPs for Surface Streams

The sand filter described in Attachment K will prevent pollutants from entering surface streams.

Construction Plans



DRAINAGE POND LAYOUT
1" = 5'

DRAINAGE POND DIMENSIONS
1" = 5'

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REVISIONS

STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED PROFESSIONAL ENGINEER
6/10/08

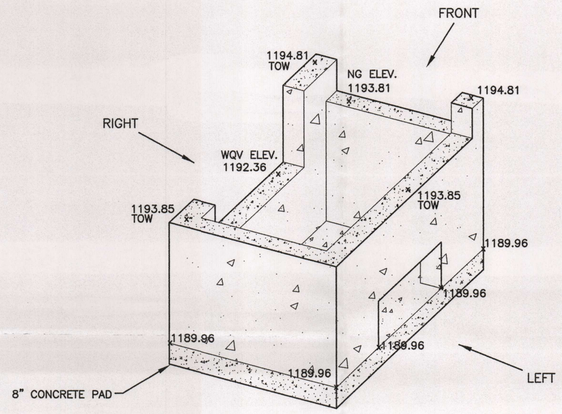
RIVER CROSSING
LOT 667
PROPOSED POND DIMENSION DETAILS

DESIGNED BY: SRJ / BIL
CHECKED BY: KCS
DRAWN BY: BIL
JOB: 8JCLAYT001
DATE: MAY 2008
SCALE: 1" = 5'

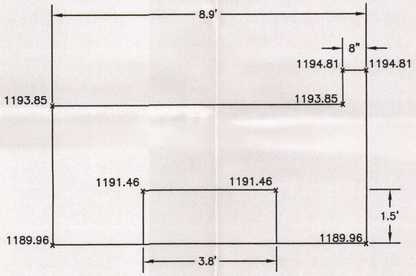
TCEQ-R13
JUN 10 2008
SAN ANTONIO

SHEET: 1 OF 4

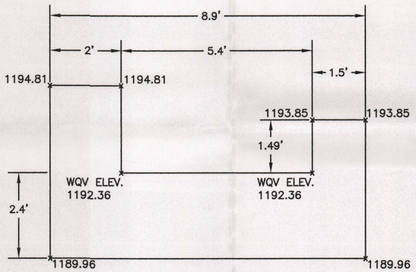
Date: Jun 04, 2008, 7:40am User ID: sjackson
File: S:\Active Projects\8JCLAYT001 Joy Clayton Site\DWGS\8JCLAYT001-HYDR-LOT667-POND-DIM-001.dwg



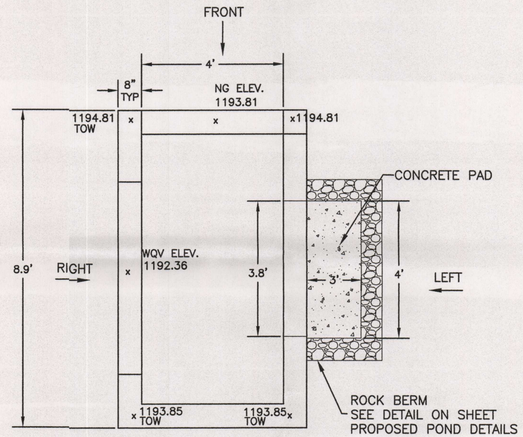
ISOMETRIC VIEW
NOT TO SCALE



LEFT VIEW
NOT TO SCALE

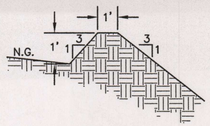


RIGHT VIEW
NOT TO SCALE

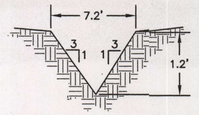


TOP VIEW
NOT TO SCALE

CONCRETE FLOW SPLITTER DETAILS
NOT TO SCALE



CROSS SECTION A-A
EARTHEN BERM DETAILS
NOT TO SCALE



CROSS SECTION B-B
EARTHEN CHANNEL DETAILS
NOT TO SCALE

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STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED PROFESSIONAL ENGINEER
6/10/08

RIVER CROSSING
LOT 667
PROPOSED FLOW SPLITTER DETAILS

DESIGNED BY: SRJ / BIL
CHECKED BY: KCS
DRAWN BY: BIL
JOB: 8JCLAYT001
DATE: MAY 2008
SCALE: NOT TO SCALE

TCEQ-R13
JUN 10 2008
SAN ANTONIO

SHEET:
3 OF 4

Date: Jun. 04, 2008, 7:40am User ID: sjackson
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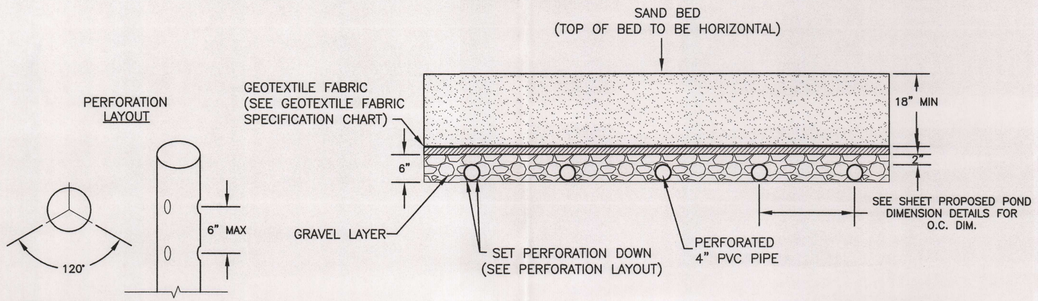


SAND BED PROFILE DETAIL
WITH GRAVEL FILTER
NOT TO SCALE

GEOTEXTILE FABRIC SPECIFICATIONS			
PROPERTY	TEST METHOD	UNIT	SPECIFICATION (MIN)
UNIT WEIGHT	[redacted]	OZ/YD²	8
FILTRATION RATE	[redacted]	IN/SEC	0.08
PUNCTURE STRENGTH	ASTM D-751*	LBS	125
MULLEN BURST STRENGTH	ASTM D-751	PSI	400
TENSILE	ASTM D-1682	LBS	200
EQUIV. OPENING SIZE	US STANDARD SIEVE	NO.	80

*MODIFIED

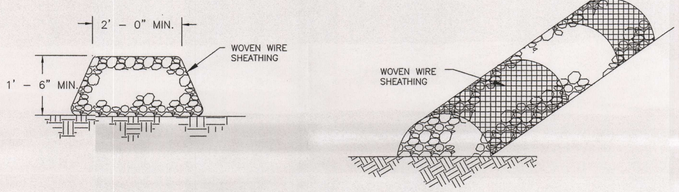
NOTES:

1. CONTRACTOR TO SELECT GEOTEXTILE FABRIC TO MEET THE LISTED SPECIFICATIONS.
2. IF A GEOMEMBRANE LINER IS USED IT SHOULD HAVE A MINIMUM THICKNESS OF 30 MILS AND BE ULTRAVIOLET RESISTANT. THE GEOTEXTILE FABRIC (FOR PROTECTION OF GEOMEMBRANE) SHOULD BE NON-WOVEN GEOTEXTILE FABRIC AND MEET THE SPECIFICATIONS IN THE ABOVE TABLE.

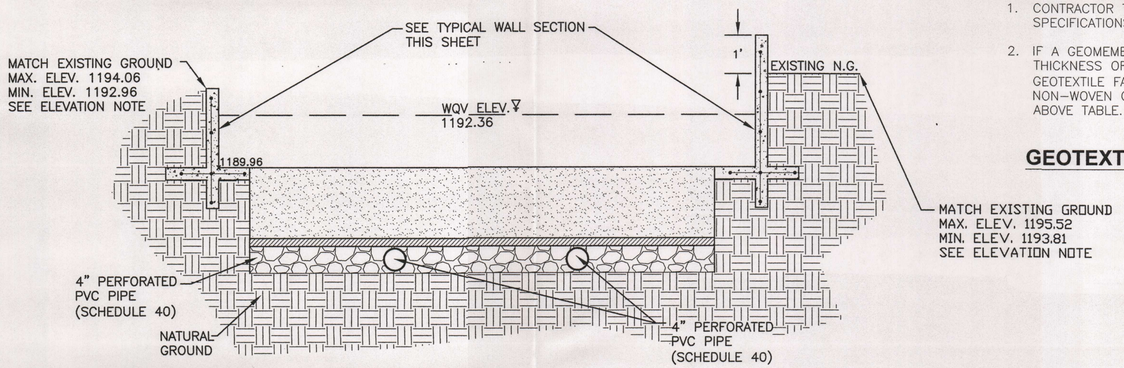
GEOTEXTILE FABRIC SPECIFICATION CHART
NOT TO SCALE

ROCK BERM NOTES:

1. USE ONLY OPEN GRADED ROCK 4-8 INCH DIAMETER.
2. THE ROCK BERM SHALL BE SECURED WITH A WOVEN WIRE SHEATHING HAVING MAXIMUM 1 INCH OPENINGS AND MINIMUM WIRE DIAMETER OF 20 GAUGE.
3. THE ROCK BERM SHALL BE INSPECTED WEEKLY OR AFTER EACH RAIN, AND THE STONE AND/OR FABRIC CORE - WOVEN WIRE SHEATHING, SHALL BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTENDED, DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.
4. WHEN SILT REACHES A DEPTH EQUAL TO ONE-THIRD THE HEIGHT OF THE BERM OR ONE FOOT, WHICHEVER IS LESS, THE SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CREATE A SILTATION PROBLEM.

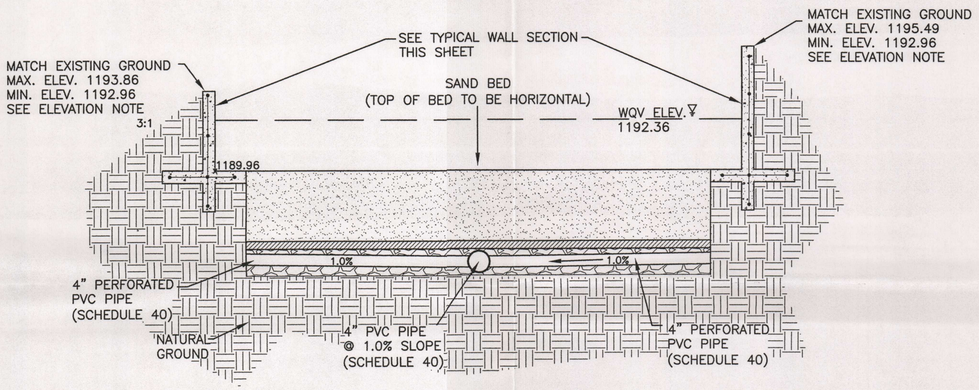


ROCK BERM DETAILS
NOT TO SCALE

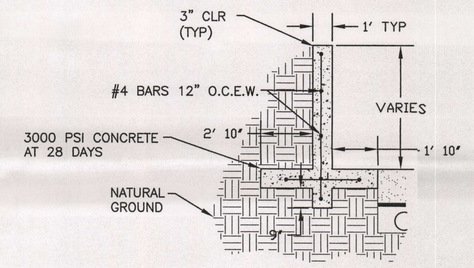


CROSS-SECTION C-C
DETENTION POND SECTION DETAIL
NOT TO SCALE

ELEVATION NOTE: TOP OF POND ELEVATION NOT TO BE LESS THAN 1192.96



CROSS-SECTION D-D
DETENTION POND SECTION DETAIL
NOT TO SCALE



TYPICAL WALL SECTION
NOT TO SCALE

POND FEATURE NOTES:

1. THESE FACILITIES SHOULD BE INSTALLED AT GRADE TO FACILITATE DRYING OUT OF THE SAND BETWEEN STORM EVENTS.
2. IT IS IMPERATIVE THAT THE CONTRACTOR SELECTED TO CONSTRUCT THESE FACILITIES IS AWARE OF THESE REQUIREMENTS AND UNDERSTANDS THE IMPORTANCE OF ALL ELEMENTS INCLUDED IN THE ORIGINAL DESIGN.
3. ALL POND BOTTOMS, SIDE SLOPES, AND EARTHEN EMBANKMENTS SHOULD BE COMPACTED TO 95% OF MAXIMUM DENSITY. SIDE SLOPES FOR EARTHEN EMBANKMENTS SHOULD NOT EXCEED THREE TO ONE (3:1).
4. EXPANSION JOINTS ON FREE STANDING WALLS SHOULD HAVE WATERTIGHT SEALS AS NEEDED. EARTHEN POND BOTTOMS SHOULD HAVE SLOPES OF AT LEAST 1.0% TOWARD THE OUTLET.
5. DRAINAGE OR DRAINAGE ACCESS EASEMENTS ON SIDE LOT LINES SHOULD BE LOCATED ADJACENT TO A PROPERTY LINE WHERE FEASIBLE AND NOT CENTERED ON A PROPERTY LINE FOR GENERAL MAINTENANCE ACCESS.
6. THE FILTER BED SHOULD BE CONSTRUCTED SUCH THAT THE TOP OF THE MEDIA IS COMPLETELY LEVEL TO ENSURE PROPORTIONATE USE OF FILTER MEDIA.
7. SAND & GRAVEL CONFIGURATION: THE SAND FILTER IS CONSTRUCTED WITH 18 INCHES OF SAND OVERLYING 6 INCHES OF GRAVEL. THE SAND AND GRAVEL MEDIA ARE SEPARATED BY PERMEABLE GEOTEXTILE FABRIC. FOUR INCH PERFORATED PVC PIPE IS USED TO DRAIN CAPTURED FLOWS FROM THE GRAVEL LAYER. A MINIMUM OF 2 INCHES OF GRAVEL MUST COVER THE TOP SURFACE OF THE PVC PIPE.
8. SAND PROPERTIES: THE SAND GRAIN SIZE DISTRIBUTION SHOULD BE COMPARABLE TO THAT OF "WASHED CONCRETE SAND" (I.E., ASTM C-33 FINE AGGREGATE.)
9. UNDERDRAIN PIPE CONFIGURATION: THE UNDER DRAIN PIPING SHOULD CONSIST OF A MAIN COLLECTOR PIPE AND TWO OR MORE LATERAL BRANCH PIPES, EACH WITH A MINIMUM DIAMETER OF 4 INCHES. THE PIPES SHOULD HAVE A MINIMUM SLOPE OF 1% (⅛ INCH PER FOOT) AND THE LATERALS SHOULD BE SPACED AT INTERVALS OF NO MORE THAN 10 FEET. THERE SHOULD BE NO FEWER THAN TWO LATERAL BRANCH PIPES. EACH INDIVIDUAL UNDERDRAIN PIPE SHOULD HAVE A SCREW-ON CLEANOUT ACCESS LOCATION. ALL PIPING IS TO BE SCHEDULE 40 PVC. THE MAXIMUM SPACING BETWEEN ROWS OF PERFORATIONS SHOULD NOT EXCEED 6 INCHES.
10. BASIN LINING: IMPERMEABLE LINERS SHOULD BE USED FOR WATER QUALITY BASINS (RETENTION, EXTENDED DETENTION, SAND FILTERS, WET PONDS AND CONSTRUCTED WETLANDS) LOCATED OVER THE RECHARGE ZONE AND IN THE AREAS WITH THE POTENTIAL FOR GROUNDWATER CONTAMINATION. IMPERMEABLE LINERS MAY BE CLAY, CONCRETE OR GEOMEMBRANE.
11. FLOW SPLITTER: THE INFLOW STRUCTURE TO THE SEDIMENTATION CHAMBER SHOULD INCORPORATE A FLOW-SPLITTING DEVICE CAPABLE OF ISOLATING THE CAPTURE VOLUME AND BYPASSING THE 25-YEAR PEAK FLOW AROUND THE SAND FILTER SYSTEM ONCE THE ENTIRE WATER QUALITY VOLUME HAS BEEN CAPTURED.
12. MAINTENANCE: A FIXED VERTICAL SEDIMENT DEPTH MARKER SHOULD BE INSTALLED TO INDICATE WHEN SEDIMENT ACCUMULATION EQUALS 6" AND REMOVAL OF SEDIMENT IS REQUIRED.

REVISIONS

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STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED
PROFESSIONAL ENGINEER
6/10/08

RIVER CROSSING
LOT 667
PROPOSED POND DETAILS

DESIGNED BY: SRJ / BIL
CHECKED BY: KCS
DRAWN BY: BIL
JOB: 8JCLAYT001
DATE: MAY 2008
SCALE: NOT TO SCALE

TCEQ-R13
JUN 10 2008
SAN ANTONIO

SHEET: 2 OF 4

NOTE:

BMP CALCULATIONS FOR LOTS 667 AND 668 WERE DONE TREATING THE PROJECT AS A WHOLE.

Total Project		
Summary		
County:	Comal	
Total Project Area:	2.41	acres
Existing Impervious Cover:	0.00	acres
Proposed Impervious Cover:	1.31	acres
Lm Total Project	1,177.94	lbs.
Number of drainage basins	1	

Basin 1		
Impervious Cover		
Existing:		(acre)
Total Area:		2.41
Existing Impervious Cover:		0.00
Proposed:		
Pavement		1.04
Buildings		0.25
Concrete		0.02
Total Impervious Cover:		**1.31**
Total Pervious Cover:		**1.09**

Required TSS Removal		
An:	1.31	acres
P:	33	inches
Lm:	**1,177.94**	**pounds**
Lm = 27.2 x (An x P)		
Lm: Required TSS removal		
An: Net increase in impervious cover		
P: Average annual precipitation		

TSS Load Removed by BMP		
Ai:	1.31	acres
Ap:	0.90	acres
E:	0.89	
Lr:	**1,348.86**	**pounds**
Lr = E x P x (Ai x 34.6 + Ap x 0.54)		
E: BMP Efficiency		
Lr: Load removed by BMP		
Ai: impervious tributary area to the BMP		
Ap: pervious tributary area to BMP		

Fraction of Annual Runoff to be Treated		
Desired LM THIS BASIN	1,177.94	lbs.
F:	**0.87**	
F = Lm / Lr		

Capture Volume		
D:	1.44	inches
IC:	0.59	
C:	0.42	
Area:	2.21	acres
WQV:	1.32	acre-in
WQV:	**4,808.00**	**cubic feet**
WQV = D x C x Area		
C = 1.72(IC)^3 - 1.97(IC)^2 + 1.23(IC) + 0.02		
D: Rainfall Depth		
C: Runoff Coefficient		
IC: Fraction of impervious cover		

Offsite Volume		
Ao:	0.47	acres
Aoi:	0.08	acres
Fo:	0.17	
Co	0.18	
WQVo:	**444**	**cubic feet**
Ao: Off-site area draining to BMP		
Aoi: Off-site impervious cover draining to BMP		
Fo: Impervious fraction of off-site area		
Co: Off-site Runoff Coefficient		
WQVo: Off-site Water Quality Volume		

Facility Sizing		
Total WQV:	5,252.11	
WQV+20%:	6,302.53	cubic feet
Proposed Filter Size:	**6,503.69**	**cubic feet**
Proposed WQV Depth	2.40	feet
Depth at 20% WQV	6	inches

Basin 1 Flow Splitter		
25-Year Storm Discharge:	30.95	cfs
100-Year Storm Discharge:	38.62	cfs
Sand Filter Orifice		
Target Discharge	38.62	cfs
Discharge	41.11	cfs
Head	2.40	feet
Opening Height	1.50	feet
Opening Width	3.80	feet
Overflow Weir		
Target Discharge	30.95	cfs
Weir Discharge:	31.40	cfs
Headwater Height:	1.45	feet
Weir Coefficient:	3.33	
Weir Length:	5.40	feet
Overflow Channel		
Target Discharge	30.95	cfs
Channel Discharge	31.01	cfs
Depth	1.2	feet
Width	7.2	feet
Length	11.86	feet
Slope	6.0	%
Upper Elevation	1192.36	feet
Lower Elevation	1191.65	feet
Weir Equation:	Q =	C*L*H^1.5
**Channel Discharge calculated using Bentley Flowmaster*		
**Orifice Dimensions calculated using Bentley Flowmaster*		

Minimum Surface Area		
Af:	630.25	square feet
Proposed Surface Area:	2,133.84	square feet
Af = (WQV / 10) * 1.2		
Af: minimum surface area for filtration basin		

Sand Filter Outlet		
4" PVC Pipe with 4"-1" Reducer		
Headwater Height:	2.4	feet
Pressure:	1.04	psi
Length:	72	feet
Slope:	1.0	%
Discharge:	**0.01**	**cfs**
**Pipe Discharge calculated using Bentley FlowMaster*		

Basin 1 Residence Time		
Volume:	5,252	cf
Sand Filter Discharge:	0.01	cfs
Saturated Soil Conductivity:	0.6	in / hr
Area:	2,123	sq. ft.
Infiltration rate:	0.029	cfs
Total Outlet Rate:	0.039	cfs
Residence Time:	36.9	hrs
Infiltration Rate = Soil Conductivity * Area		
Residence time = Volume / Outlet Rate		
**Soil Infiltration Rate taken from USDA Soil Survey Permiability*		

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REVISIONS

STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED PROFESSIONAL ENGINEER
6/16/08

RIVER CROSSING LOT 667

BMP CALCULATIONS

DESIGNED BY: DWK
CHECKED BY: KCS
DRAWN BY: SRJ
JOB: 8JCLAYT001
DATE: MAY 2008
SCALE: NOT TO SCALE

TCEQ-R13
JUN 10 2008
SAN ANTONIO

SHEET:
4 OF 4

Date: Jun 04, 2008, 7:40am User ID: sjackson
File: S:\Active Projects\8JCLAYT001 Joy Clayton Site\DWGS\8JCLAYT001-HYDR-LOT667-BMP-CALC-001.dwg

Inspection, Maintenance, Repair and Retrofit Plan

ATTACHMENT N
Inspection, Maintenance, Repair and Retrofit Plan

Maintenance Schedule:

- BMP facilities will be inspected at least twice a year (once during or immediately following wet weather) to evaluate facility operation. Additional inspections will be conducted as needed.
- Grass areas in and around sand filter will be mowed at least twice annually to limit vegetation height to 18 inches.
- Sediment will be cleared from the inlet structure at least every year and from the sedimentation basin at least every 5 years.

Documentation:

The property owners association will keep all inspection and maintenance records in their files for review at TCEQ request. The attached form will be used to document inspection, maintenance, repairs, and, if necessary, retrofits.

BMP Access:

Access to the sand filter by TCEQ or other designated inspectors will be granted via the paved parking areas adjacent to each pond.

Routine Inspections:

During each inspection, erosion areas inside and downstream of the BMP must be identified and repaired or revegetated immediately. With each inspection, any damage to the structural elements of the system (pipes, concrete drainage structures, retaining walls, etc.) must be identified and repaired immediately. Cracks, voids and undermining should be patched/filled to prevent additional structural damage. Trees and root systems should be removed to prevent growth in cracks and joints that can cause structural damage. Routine inspections will also include the following measures:

- *Sediment Removal.* Remove sediment from the inlet structure and sedimentation chamber when sediment buildup reaches a depth of 6 inches or when the proper functioning of inlet and outlet structures is impaired. Sediment should be cleared from the inlet structure at least every year and from the sedimentation basin at least every 5 years.
- *Media Replacement.* Maintenance of the filter media is necessary when the drawdown time exceeds 48 hours. When this occurs, the upper layer of sand should be removed and replaced with new material meeting the original specifications. Any discolored sand should also be removed and replaced. In filters that have been regularly maintained, this should be limited to the top 2 to 3 inches.
- *Debris and Litter Removal.* Debris and litter will accumulate near the sedimentation basin outlet device and should be removed during regular mowing operations and inspections. Particular attention should be paid to floating debris that can eventually clog the control device or riser.
- *Filter Underdrain.* Clean underdrain piping network to remove any sediment buildup as needed to maintain design drawdown time.
- *Mowing.* Grass areas in and around sand filters must be mowed at least twice annually to limit vegetation height to 18 inches. More frequent mowing to maintain aesthetic

appeal may be necessary in landscaped areas. Vegetation on the pond embankments should be mowed as appropriate to prevent the establishment of woody vegetation.

Basin Dewatering:

In the case that standing water remains in the sand filter more than 48 hours after the rain event ends the water can be pumped into the adjacent detention pond. However, the discharge of sediment laden water is not allowed at any time. Standing water remaining in the filter long after the rain event ends may indicate a failure system and the need for further maintenance.

Sediment Disposal:

Stormwater pollutants include a variety of substances that are deposited on pervious and impervious surfaces and then transported by the next rainfall. In addition, there may be connections to the stormwater system that should go to the sanitary sewer system in older urbanized areas. Consequently, a variety of contaminants that may be classified as hazardous or toxic may enter stormwater management systems. These contaminants include heavy metals, petroleum hydrocarbons, pesticides, and a variety of organic chemicals. Consequently, several federal and state laws and regulations may apply to the disposal of sediments which accumulate in stormwater systems or which are captured by street sweepers (Livingston et al., 1997).

Maintenance of BMPs frequently requires disposal of accumulated sediment and other material. These materials are normally classified as special wastes when disposed of in municipal landfills.

A Type 1 Municipal Solid Waste (MSW) landfill can accept household waste—anything else is a special waste as defined in 30 TAC 330.2 (137). Special waste is a waste that requires special handling at a Type I MSW landfill. Labeling a filter media or sediment as a special waste is not a waste characterization. The process to obtain authorization to dispose of a special waste begins with a request for approval called the "Request for Authorization for Disposal of Special Waste TCEQ Form 0152." The request is completed by the generator and submitted to the MSW permits section of the TCEQ for Executive Director review/approval. The MSW permits section performs the review described in.30 TAC 330.136 (reviews the request and either approves, disapproves, or requires additional information).

Joint BMP Responsibility

I Pamela K Moore,
Print Name

President of Jay Management Inc GP
Title - Owner/President/Other

of Highway 46 Ltd
Corporation/Partnership/Entity Name

Agree to assume 50% of the responsibility of constructing and maintaining the permanent BMPs constructed as part of the River Crossing Lots 667 and 668 in accordance with the rules and regulations of the Texas Commission on Environmental Quality (TCEQ). The remaining 50% will be the responsibility of Bulverde HDI, Ltd. until such time as the responsibility is assumed in writing by another entity having ownership or control of the property or the ownership of the property is transferred to the entity.

I also understand that:

1. I am responsible for 50% of the maintenance of 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.

2. 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.

Pamela K Moore
Applicant's Signature

6-9-08
Date

Contact Person: Pam Moore
Entity: Highway 46 Ltd
Mailing Address: 3100 S Gessner Suite 200
City, State: Houston TX Zip: 77063
Telephone: 713 784 6203 FAX: 713 952 0377

Joint BMP Responsibility

I Erin E. Cosgrove,
Print Name

Vice President, Huntleigh Development, Inc., its general partner
Title - Owner/President/Other

of Bulverde HDI, LP
Corporation/Partnership/Entity Name

Agree to assume 50% of the responsibility of constructing and maintaining the permanent BMPs constructed as part of the River Crossing Lots 667 and 668 in accordance with the rules and regulations of the Texas Commission on Environmental Quality (TCEQ). The remaining 50% will be the responsibility of Highway 46, Ltd. until such time as the responsibility is assumed in writing by another entity having ownership or control of the property or the ownership of the property is transferred to the entity.

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2. 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.

Applicant's Signature — Date: 5/28/08

Contact Person: Ted Allison
Entity: Bulverde HDI, LP
Mailing Address: 2210 Meadowbrook Drive
City, State: Austin, TX Zip: 78703
Telephone: 512/482-3318 FAX: 512/482-8329

Detention Pond/BMP Records

☐ Inspection Date: _____

Type of Inspection: _____

Comments: _____

_____

_____

_____

Signature: _____ (Inspector)

☐ Maintenance Date: _____

Work Performed: _____

Comments: _____

_____

_____

_____

Signature: _____ (Maintenance Personnel)

☐ Other Date: _____

Comments: _____

_____

_____

_____

_____

_____

Signature: _____ (Title:) _____

Pilot-Scale Field Testing Plan

Attachment O

Pilot-Scaled Field Testing Plan

NOT APPLICABLE

Measures for Minimizing Surface Stream Contamination

Attachment P
Measures for Minimizing Surface Stream Contamination

Final design calls for all surface runoff to be routed through a sand filter prior to discharging from the site except for 0.20 acres of undeveloped land, 0.08 acres of which is located on Lot 667. There are no existing surface streams on this property.

In This Section

Stormwater Pollution Prevention Plan

Attachment A
Vicinity Map
Storm Water Pollution Prevention Plan

Attachment B
Erosion and Sedimentation Control Details

Attachment C
Permit Forms

Attachment D
Pre-Construction Forms

Attachment E
Construction Forms

Attachment F
Post-Construction Forms

Attachment G
Endangered Species Verification

Attachment H
National Register of Historic Places

Attachment I
Permit Requirements

T.P.D.E.S. STORM WATER
POLLUTION PREVENTION PLAN
TO ACCOMPANY
TEXAS STAR INVESTMENT DEVELOPMENT CONSTRUCTION

River Crossing Lot 667
Comal County, Texas 78163

NOTE:

The information included within this report in no way relieves the permittee from compliance with all regulations of the TPDES General Permit TXR 150000. The complete regulations are available in the March 5, 2008 TPDES General Permit as well as within Attachment "I" of this report.

The General Contractor shall retain this Pollution Prevention Plan, inspection and maintenance reports, plan modifications, and other related documentation on-site for representatives of the EPA, TCEQ, The State of Texas, or the City of Seguin to inspect upon request. Copies of this Storm Water Pollution Prevention Plan and all other reports required by the TPDES Permit, as well as all of the data used to complete the NOI (Notice of Intent), shall be retained for a period of three (3) years beginning after completion of final site stabilization by the General Contractor.

May, 2008

M & S Engineering, Ltd.
P. O. Box 970
Spring Branch, Texas 78070
Tel 830/228-5446
Fax 830-885-2170

PHASE II
(>1 and < 5 ACRES)
TPDES CHECKLIST

Date Completed

Consultant shall deliver two binders of the SWPPP to the Construction Project Leader (CPL)

UPON INITIAL RECEIPT OF SWPPP, THE CPL SHALL:

- Sign the CSW form (see Attachment C)
- Send via certified mail the executed NOI to the TCEQ, with a cover letter, to the MS4 (see Attachment C)
- Insert copies of the signed forms into the 2 binders and forward the FIELD binder to the GC

PRIOR TO CONSTRUCTION START, THE GC SHALL:

- Post the CSN and Posting Notice on site visible to public (See Attachment C)
- Conduct a precon with the subs and review the Responsible Party form, obtain signatures from the Responsible Parties and forward a copy of these completed forms to the CPL (see Attachment D)
- Make sure the controls are in place prior to allowing the construction to proceed

DURING CONSTRUCTION, THE GC SHALL:

- Conduct additional Responsible Party meetings as new contractors are introduced to the site
- Conduct inspections of the controls every 14 days or within 24 hours of a ½" rain or greater, complete the report and perform any corrective actions within 48 hours
- Submit inspection records monthly to the CPL with pay requests – a minimum of 2 inspections should occur during a month and until grass is established, inspections and management of the controls will need to continue (see Attachment E). Inspection reports shall be signed by GC's superintendent and owner.
- If disturbed areas will be left untouched for more that 21 days, temporary stabilization is required to be installed by the 14th day.

UPON CONSTRUCTION COMPLETION:

- Once grass is established to within 70%, controls can be removed
- The GC will provide the FIELD binder with the original inspection reports to the CPL as part of Close Out

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Vicinity Map, Storm Water Pollution Prevention Plan .....A
Erosion and Sedimentation Control Details.....B
Permit Form (NOI, MS4 Draft Letter).....C
Pre-Construction Forms (Responsible Party Form, RPF Certificates, Posting Notice)....D
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GENERAL INFORMATION

Project Name and Location: River Crossing Lot 667
Highway 46 Parkway, Comal County, Texas 78163
Latitude: 29°47'54.96 N
Longitude: 98°24'07.37 W

Owner Name and Address: Joy Clayton
3100 S Gessner, Suite 200
Houston, Texas 77063
(713)789-5293

SITE DESCRIPTION

Description of Existing Conditions

The project site consists of a 1.2 acre lot located on Highway 46 Parkway in Comal County, Texas 78163. Refer to vicinity map located in Attachment A.

Description of Activities

The project involves the design of sedimentation/filtration pond fronting the property along 46 Parkway in Bulverde, Texas 78163.

Sequence of Major Activities

The sequence of work described below will be accomplished through the timing of proposed work relating the maintenance of service (i.e. proposed utility installation as compared to the removal/abandonment of existing utilities). Below is a general sequence of events to be followed throughout each phase. There may be an event, which is not applicable to the proposed work as described on the relevant construction documents for a particular phase and as such should be disregarded:

1. Install erosion and sedimentation controls (i.e. Silt Fences and Stabilized Construction Entrances) as indicated on the approved construction plans
2. Begin site clearing
3. Construct site utilities
4. Construct detention areas and roadways
5. Install Landscaping or hydromulch to disturbed areas
6. Re-vegetate disturbed areas
7. Receive operating permit and city clearance for occupancy
8. Remove temporary erosion and sedimentation controls

Total Site Area/Total Disturbed Area

The existing site is 1.2 acres. Excavation, grading or other activities throughout the construction process will disturb 0.09 acres.

Runoff Coefficient Calculation

The weighted runoff coefficient "C" for the property before construction is estimated to be 0.70. The runoff coefficient for the completed project is determined to be 0.83.

Existing Soils Data

The information presented below is derived from the United States Department of Agriculture – Soil Conservation Service.

BtG (Brackett)

STRATUM	DEPTH (IN)[1]	SOIL DESCRIPTION
I	0–14	Gravelly clay loam (CL, SC, GC)
II	14–18	Weathered Bedrock

[1]Approximate depth below ground surface.

BtD (Brackett)

STRATUM	DEPTH (IN)[1]	SOIL DESCRIPTION
I	0–17	Gravelly clay loam (CL, SC, GC)
II	17–18	Weathered Bedrock

[1]Approximate depth below ground surface.

Name of Receiving Water

The entire site drains south to the Hwy 46 drainage easement.

CONTROLS

General

Sediment will be retained on site to the maximum extent practicable. Control measures will be properly selected, installed, and maintained in accordance with manufacturer's specifications and good engineering practice. If controls are damaged or rendered ineffective, the erosion and sediment controls will be repaired or replaced immediately. When dewatering (pumping) the site, the sediment-laden discharge will be detained for a sufficient time to allow the majority of the sediment to settle out. Direct discharge into a storm sewer will not be allowed.

Permanent Stabilization Practices

Disturbed pervious portions of the site where construction activity permanently ceases will be stabilized with vegetation as noted within the project construction documents or by means of broadcast or hydraulic seeding[1] for areas not covered by the project construction documents no later than 14 days after the last disturbance. A minimum of four (4) inches of topsoil will be places within these disturbed pervious portion, and between the curb and Right-of-Way Line.

Table 1: Seeding/Hydromulching Requirements

Description	**Broadcast Seeding**		**Hydraulic Seeding**	
	March 2 to Sept. 14	**Sept. 15 to March 1**	**March 2 to Sept. 14**	**Sept. 15 to March 1**
Seeds	2 lbs per 1000 sf of Hulled Bermuda	2 lbs per 1000 sf of Unhulled Bermuda & 7 lbs per 1000 sf of Winter Rye	7 lbs per 1000 sf of Hulled Bermuda	1 lbs per 1000 sf Unhulled Bermuda & 7 lbs per 1000 sf of Winter Rye
Purity	95%	95%	95%	95%
Germination	85%	90%	85%	90%
Fertilizer	Pelleted or Granular Slow Release: analysis of 15-15-15 rate of 1 lb per 1000 sf		Water Soluble Fertilizer: analysis of 15-15-15 rate of 1 to 1.5 lbs per 1000 sf	
Mulch Type	Hay straw, or mulch applied at a rate of 45 lbs per 1000 sf with a Soil Tackifier at a rate of 1.4 lbs per 1000 sf			

Temporary Stabilization Practices

Exposed soils will have textures soil surfaces to reduce sheet flow and improve surface water impoundment. Existing trees and vegetation will be left in any areas which are not to be regarded to the maximum extent possible[1]

[1] See Table 1: "Seeding/Hydromulch Requirements"

Temporary Structural Practices

Silt fencing, temporary sediment basin, triangular sediment filter dikes, inlet protection devices, and stabilized construction entrances will be incorporated as a temporary erosion control devices and will be removed after permanent stabilization is established.

Silt fencing shall be incorporated throughout the construction process. The placement of the silt fencing shall be perpendicular to runoff flow. Refer to project construction documents for quantity, timing of placement and actual locations of these erosion control devices. In areas where silt fencing is to be situated but is non-installable, triangular filter dikes shall be incorporated.

The EPA General Permit requires that, where it is attainable, a temporary or permanent sediment basin be installed in any drainage location where more than 10 acres in the upstream drainage area are disturbed at one time. Based on the phasing of construction it is anticipated that this requirement will not be met. But if more than 10 acres are disturbed, a sediment basin shall be installed. The sediment basin must provide at least 3,600 cubic feet of storage for every acre of land, which it drains (flows from upland areas that are undisturbed may be diverted around the basin). For drainage locations with 10 or fewer disturbed acres, sediment traps, filter fences, or equivalent measures must be installed along the downhill boundary of the construction site.

Stabilized construction entrances will be employed during the construction of this site to help minimize vehicle tracking of sediments. Paved streets adjacent to these site entrances shall be cleaned regularly to remove any excess mud, dirt or rock tracked from the site. Refer to the project construction documents for actual locations of these erosion control devices. Staging areas will be utilized in locations as decided by the project general contractor and validated by the civil engineer. It the contractor determines the need for additional stabilized construction entrances, construction staging areas or pits, their locations shall be agreed upon by the contractor and the engineer.

Storm Water Management

Currently all of the development area drains south into Hwy 46 drainage easement. Neither this site, nor the surrounding parcels of land, are listed on the National Register of Historic Places and therefore adverse effects from storm water discharges or related activities will be non-existent.

Other Controls

All waste materials will be collected and disposed of in accordance with applicable local and state solid waste management regulations. All personnel shall be instructed regarding the correct procedure for waste disposal.

Sanitary waste shall be regularly collected from portable units by a licensed sanitary waste management contractor.

Hazardous Waste Practices

No hazardous waste is expected to be generated or encountered in this project. In the event that hazardous wastes are encountered, they will be disposed of in the manner specified by local or state regulations. Spills of hazardous waste in amounts that equal or exceed Reportable Quantity (RQ), as defined by the EPA through issued regulations (40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302), will be handled in the following steps:

1. Notify the National Response Center immediately at 1-800-424-8802.

2. Submit a written description of the release to the EPA Region 6 office providing the date and circumstances of the release and the steps to be taken to prevent another release:
[2]
Attn: Hazardous Waste Dept.
1445 Roos Ave. STE 1200
Dallas, TX 75202
1-214-665-2224 (Region 6 Emergency Line)

3. Modify this Storm water Pollution Prevention Plan to include the information dealing with, and the steps needed to correct, the encountered hazardous waste spill.

The following practices will be used to reduce the risks associated with hazardous materials, if hazardous materials are needed for the work:

1. Products will be kept in original containers unless they are not resealable.

2. Original labels and material safety data will be retained.

3. If surplus product must be disposed of, manufacturers' or local and state recommended methods for proper disposal will be followed.

INSPECTIONS

Each container will designate a qualified person (or persons) to perform the following inspections:

1. Disturbed areas and areas used for storage of materials that are exposed to

[2] product specific practices, and spill specific practices have been included within this report as Attachment I

precipitation will be inspected for evidence of, or the potential for, pollutants entering the drainage system.

2. Erosion and sediment control measures identified in the plan will be observed to ensure that they are operating correctly.

3. Where discharge locations are points are accessible, they will be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters.

4. Locations where vehicles enter or exit the site will be inspected for evidence of off-site sediment tracking.

5. Permanent seeding and planting will be inspected for bare spots, washouts and unhealthy growth.

The inspection shall be conducted by the responsible person at least once every fourteen (14) calendar days and within 24 hours after a storm providing ½ inches of rainfall or greater. If one or more of the following conditions apply, the frequency of inspections shall be conducted at least once every month:

1. The site has been either finally or temporarily stabilized.

2. Where runoff is unlikely due to winter conditions (i.e. site is covered with snow, ice, or where frozen ground exists.

3. During seasonal arid periods in arid areas (areas with an average annual rainfall of 0 to 10 inches) and semi-arid areas (areas with an average annual rainfall of 10 to 20 inches).

The information required within an inspection and maintenance report is as follows:

1. summary of the scope of the inspection

2. name(s) and qualification of personnel making the inspection

3. the date(s) of the inspection

4. Major observations relating to the implementation of the storm water pollution prevention plan

5. changes required to correct damages or deficiencies in the control measures

In addition to the required routine inspections, the following record of information will also be maintained:

1. The dates when major grading activities occur.

2. The dates when construction activities temporarily or permanently cease on a portion of the site.

3. The dates when stabilization measures are initiated.

Inspection and maintenance reports as well as all records required by this storm water pollution prevention plan shall become part of the storm water pollution plan. Copies of example forms to be used for the inspection and maintenance reports as well as related records are included as Attachment E.

MAINTENANCE

Based on the results of the inspection, any changes required to correct damages or deficiencies in the control measures shall be made within seven (7) calendar days after the inspection. If existing stabilization/erosion controls need modification or additional stabilization/erosion controls are necessary, implementation shall be achieved prior to the next anticipated storm event. If, however, the execution of this requirement becomes impractical, then the implementation will occur as soon as possible, with the incident duly noted with an explanation of the impracticality, in the inspection report.

Sediment accumulation at each control will be removed and properly disposed when the depth of accumulation equals or exceeds six (6) inches. If sediment accumulation is found to be contaminated, its disposal shall be off-site in a manner, which conforms to the appropriate applicable regulations.

NON-STORM WATER DISCHARGES

The materials listed below are anticipated to be present on-site during construction:

1. Concrete
2. Tar
3. Fertilizers
4. Petroleum based products
5. Wood
6. Masonry
7. Fuel
8. Lubricants

Material management practices will be utilized to reduce the risk of spills, or other accidental exposure of the materials listed above to storm water runoff, including the following:

1. An effort shall be made to store only enough products required to complete the work as so defined in the approved construction documents.

2. All materials stored on-site shall be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure.

3. Products should be kept in their original containers with the original manufacturer's label.

4. Manufacturer's recommendations for proper use and disposal shall be followed.

5. Substances shall not be mixed with one another unless recommended by the manufacturer.

6. Whenever possible, all of a product shall be used before disposing of its respective container.

7. The site superintendent should inspect daily to ensure proper use and disposal of on-site materials.

These practices will be used to reduce the risks associated with hazardous materials, if hazardous materials are used.

1. Products will be kept in original containers unless they are not resealable.

2. Original labels and material safety data information will be retained.

3. If surplus product must be disposed of, manufacturers' or local and state recommended methods for proper disposal will be followed.

Owner/Developer Certification

"I certify under penalty of law that I understand the terms and conditions of the general Texas Pollutant Discharge Elimination System (TPDES) permit that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

Joy Management Inc - general partner of Highway 46 Rd.
Firm

Pamela K Moore
Printed Name

President
Title

Pamela K Moore
Signature

4-30-08
Date

Joy Clayton
3100 S Gessner, Suite 200
Houston, Texas 77063

Contractor/Subcontractor Certification

"I certify under penalty of law that I understand the terms and conditions of the general Texas Pollutant Discharge Elimination System (TPDES) permit that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

Company: _____ Phone: _____
Name: _____ Responsible for: General Contractor
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

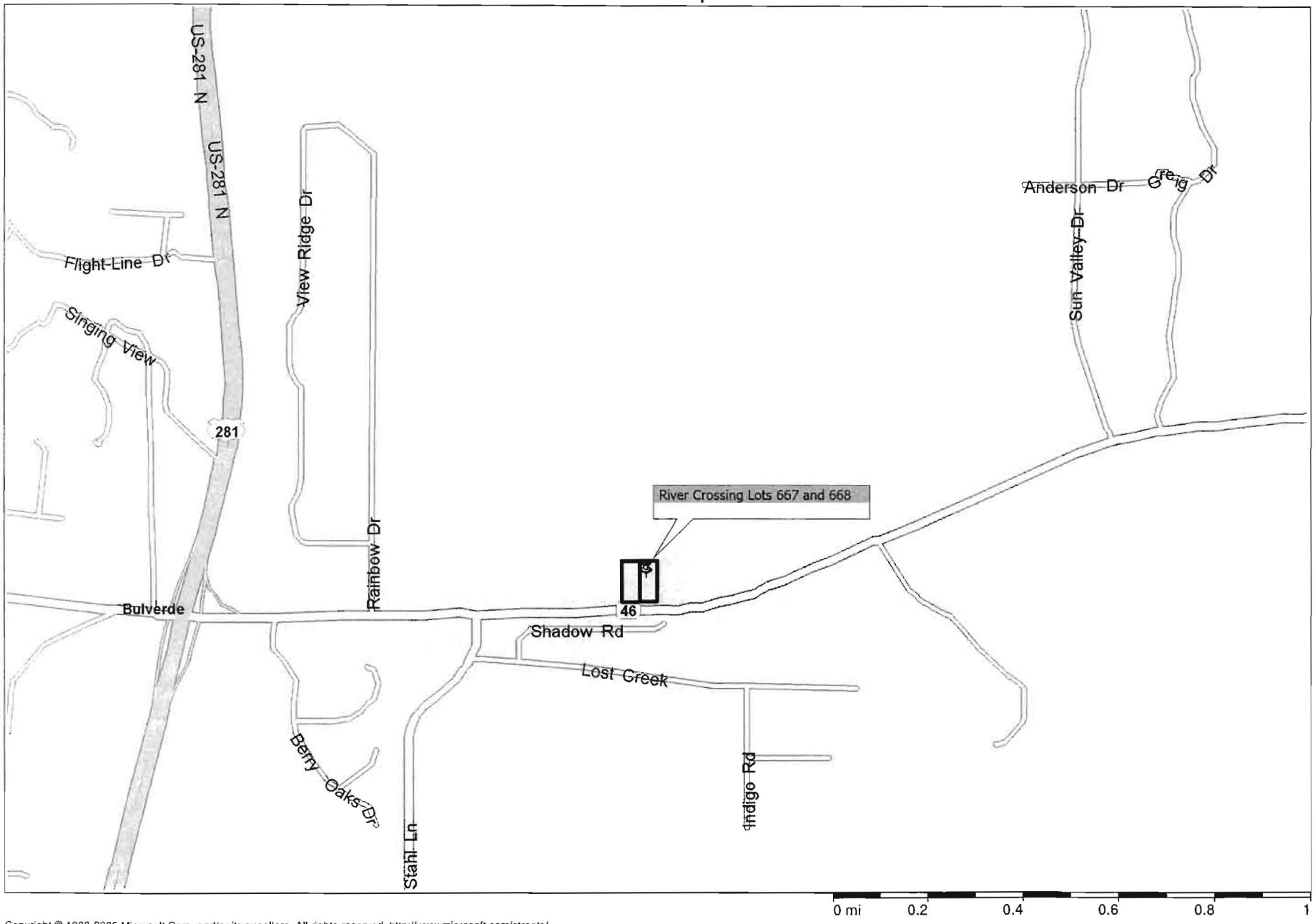
Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

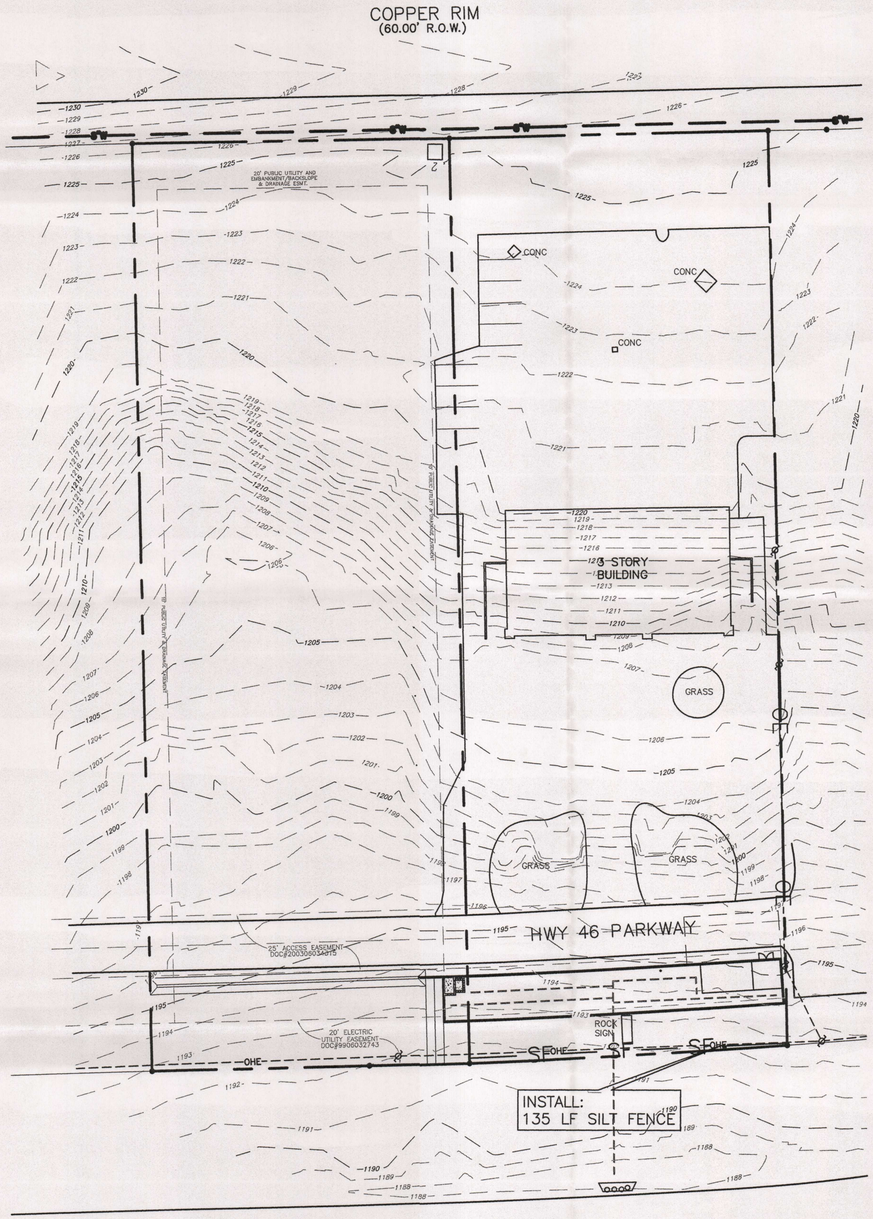
ATTACHMENT A

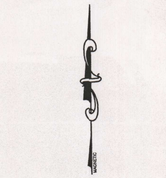
VICINITY MAP

STORM WATER POLLUTION PREVENTION PLAN

Road Map







LEGEND

- MAJOR (10') CONTOUR LINES
- MINOR (2') CONTOUR LINES
- PROPOSED LOT LINES
- PROPOSED CENTER LINE
- PROPOSED RIGHT OF WAY
- SF — SF — PROPOSED SILT FENCE
- PROPERTY BOUNDARY
- PROPOSED ROCK BERM

REVISIONS

BRANCH OFFICE
P.O. BOX 391
McQUEENEY, TEXAS 78123

M&S ENGINEERING, LTD.
ENGINEERS, PLANNERS, AND SURVEYORS

MAIN OFFICE
P.O. BOX 970
SPRING BRANCH, TEXAS 78070
PHONE # (830) 228-5446
FAX # (830) 885-2170

STATE OF TEXAS
KEITH C. STRIMPLE
66212
REGISTERED PROFESSIONAL ENGINEER
6/10/08

RIVER CROSSING
LOT 667

STORM WATER POLLUTION PREVENTION PLAN

DESIGNED BY: DWK
CHECKED BY: KCS
DRAWN BY: RL
JOB: 8JCLAYT001
DATE: MAY 2008
SCALE: 1" = 30'

TCEQ-R13
JUN 10 2008
SAN ANTONIO

SHEET: 1 OF 1

Date: Jun 04, 2008, 7:40am User ID: sjackson
File: S:\Active Projects\8JCLAYT001 Joy Clayton Site\DWGS\8JCLAYT001-HYDR-LOT667-SWPPP-001.dwg

ATTACHMENT B

EROSION AND SEDIMENTATION CONTROL DETAILS

TREE PROTECTION CONTRUCTION FENCE DETAIL
(EXHIBIT B0)

ROCK BERM DETAIL
(EXHIBIT B1)

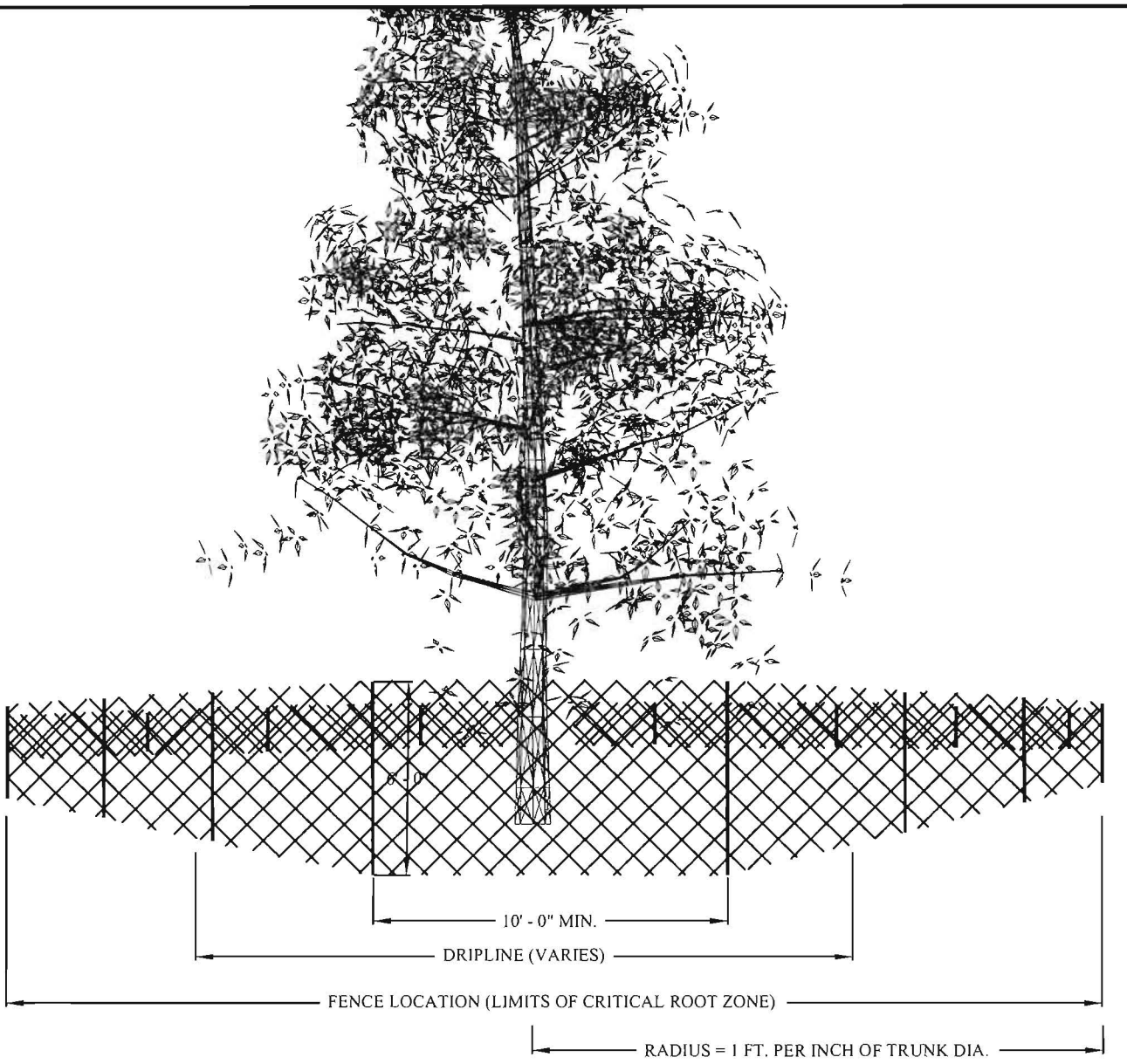
SILT FENCE DETAIL
(EXHIBIT B2)

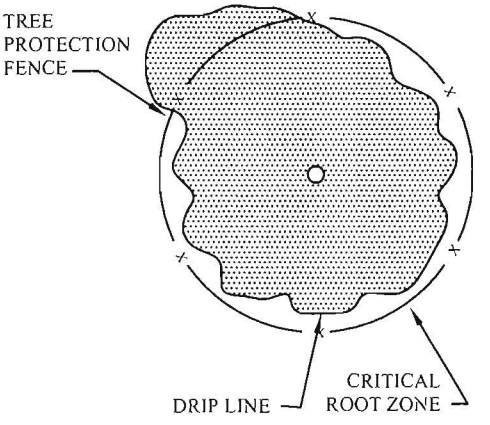
STABILIZED CONSTRUCTION ENTRANCE DETAIL
(EXHIBIT B3)

GRATE INLET PROTECTION BARRIER DETAIL
(EXHIBIT B4)

TRIANGULAR FILTER DIKE DETAIL
(EXHIBIT B5)

CONSTRUCTION SEQUENCE & NPDES REQUIREMENT NOTES
(EXHIBIT B6)





PLAN VIEW
20" DIAMETER TREE
(EXAMPLE)

TREE PROTECTION CONSTRUCTION FENCE

EXHIBIT B0

SCALE - NTS	T.P.D.E.S. STORM WATER POLLUTION PREVENTION PLAN	M & S ENGINEERING, LTD. ENGINEERS AND PLANNERS
DATE - APRIL 2005		
DRAWN - PJM		
SHEET - 1 of 1		

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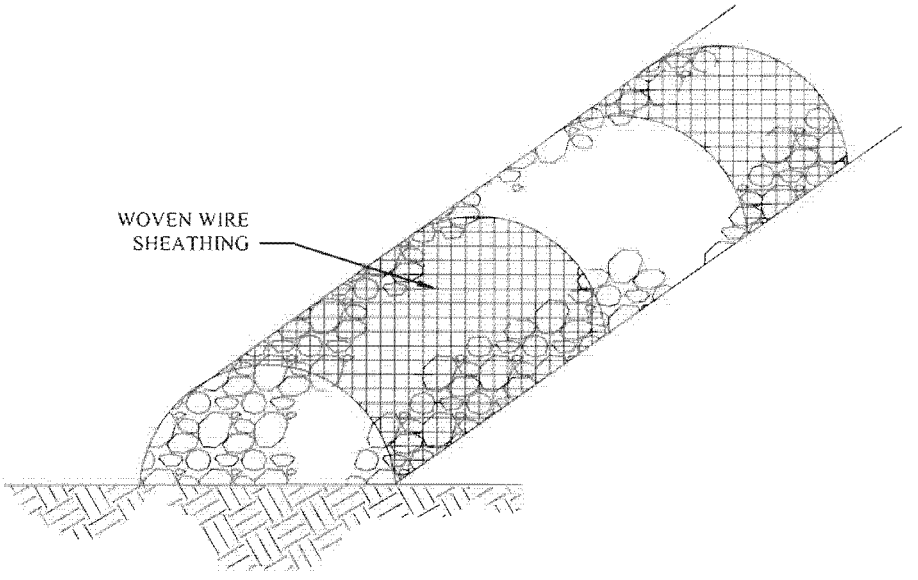
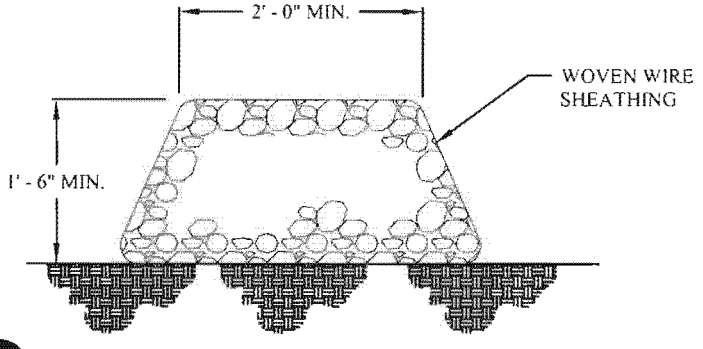
FAX * (830) 560-3203





NOTES:

1. USE ONLY OPEN GRADED ROCK 4-8 INCH DIAMETER FOR STREAM FLOW CONDITIONS; USE OPEN GRADED ROCK 3-5 INCHES DIAMETER FOR OTHER CONDITIONS.
2. THE ROCK BERM SHALL BE SECURED WITH A WOVEN WIRE SHEATHING HAVING MAXIMUM 1 INCH OPENINGS AND MINIMUM WIRE DIAMETER OF 20 GAUGE.
3. THE ROCK BERM SHALL BE INSPECTED WEEKLY OR AFTER EACH RAIN, AND THE STONE AND/OR FABRIC CORE - WOVEN WIRE SHEATHING, SHALL BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTENDED, DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.
4. WHEN SILT REACHES A DEPTH EQUAL TO ONE-THIRD THE HEIGHT OF THE BERM OR ONE FOOT, WHICHEVER IS LESS, THE SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CREATE A SILTATION PROBLEM.
5. DAILY INSPECTION SHALL BE MADE ON SEVERE SERVICE ROCK BERMS; SILT SHALL BE REMOVED WHEN ACCUMULATION REACHES 6 INCHES.
6. WHEN THE SITE IS COMPLETELY STABILIZED, THE BERM AND ACCUMULATED SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED MANNER.

ROCK BERM

EXHIBIT B1

SCALE - NTS	T.P.D.E.S. STORM WATER POLLUTION PREVENTION PLAN	M & S ENGINEERING, LTD. ENGINEERS AND PLANNERS
DATE - APRIL 2005		
DRAWN - PJM		
SHEET - 1 of 1		

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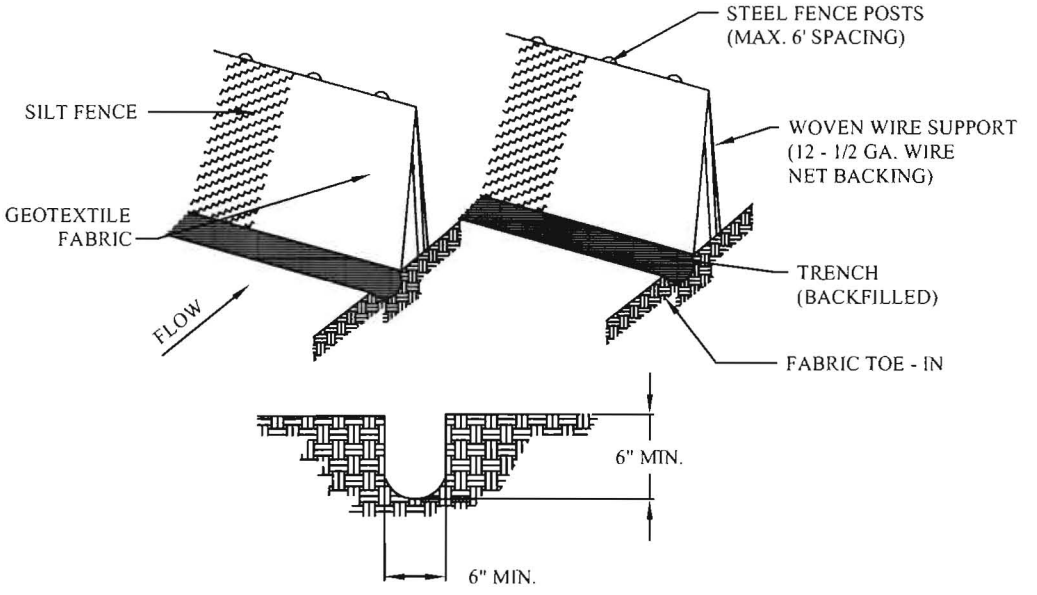

TRENCH CROSS-SECTION

NOTES:

1. STEEL POSTS WHICH SUPPORT THE SILT FENCE SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF ONE FOOT.
2. THE TOE OF THE SILT FENCE SHALL BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWNSLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CAN NOT BE TREATED IN (e.g. pavement) WEIGHT FABRIC FLAP WITH WASHED GRAVEL ON UPHILL SIDE TO PREVENT FLOW UNDER FENCE.
3. THE TRENCH MUST BE A MINIMUM OF 6 INCHES DEEP AND 6 INCHES WIDE TO ALLOW FOR THE SILT FENCE FABRIC TO BE LAID IN THE GROUND AND BACKFILLED WITH COMPACTED MATERIAL.
4. SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POSTS OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POST.
5. INSPECTION SHALL BE MADE WEEKLY OR AFTER EACH RAINFALL EVENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
6. SILT FENCE SHALL BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
7. ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 6 INCHES. THE SILT SHALL BE DISPOSED OF IN AN APPROVED SITE AND IN SUCH A MANNER AS TO NOT CONTRIBUTE TO ADDITIONAL SILTATION.

SILT FENCE

EXHIBIT B2

SCALE - NTS	T.P.D.E.S. STORM WATER POLLUTION PREVENTION PLAN	M & S ENGINEERING, LTD. ENGINEERS AND PLANNERS
DATE - APRIL 2005		
DRAWN - PJM		
SHEET - 1 of 1		

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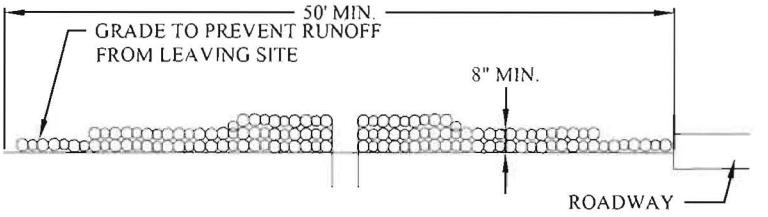
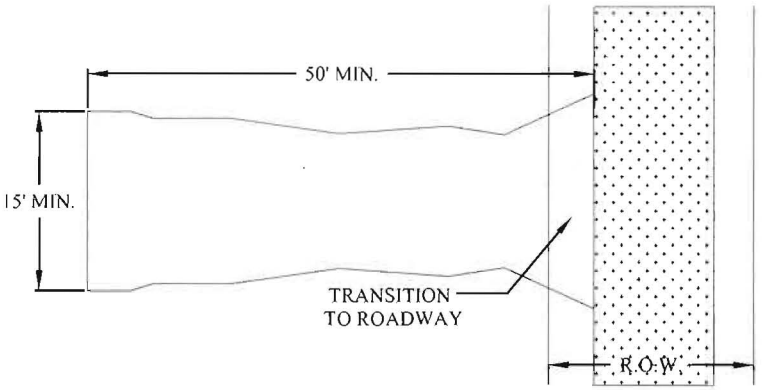


PROFILE
N.T.S.



PLAN VIEW
N.T.S.

NOTES:

1. STONE SIZE - 3 TO 5 INCH OPEN GRADED ROCK.
2. LENGTH - AS EFFECTIVE, BUT NOT LESS THAN 50 FEET.
3. THICKNESS - NOT LESS THAN 8 INCHES.
4. WIDTH - NOT LESS THAN FULL WIDTH OF ALL POINTS OF INGRESS OR EGRESS.
5. WASHING - WHEN NECESSARY, WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC ROADWAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE WHICH DRAINS INTO AN APPROVED TRAP OR SEDIMENT BASIN. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH, OR WATERCOURSE USING APPROVED METHODS.
6. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC ROADWAYS. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND, AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC ROADWAY MUST BE REMOVED IMMEDIATELY.
7. DRAINAGE - ENTRANCE MUST BE PROPERLY GRADED OR INCORPORATE A DRAINAGE SWALE TO PREVENT RUNOFF FROM LEAVING THE CONSTRUCTION SITE.

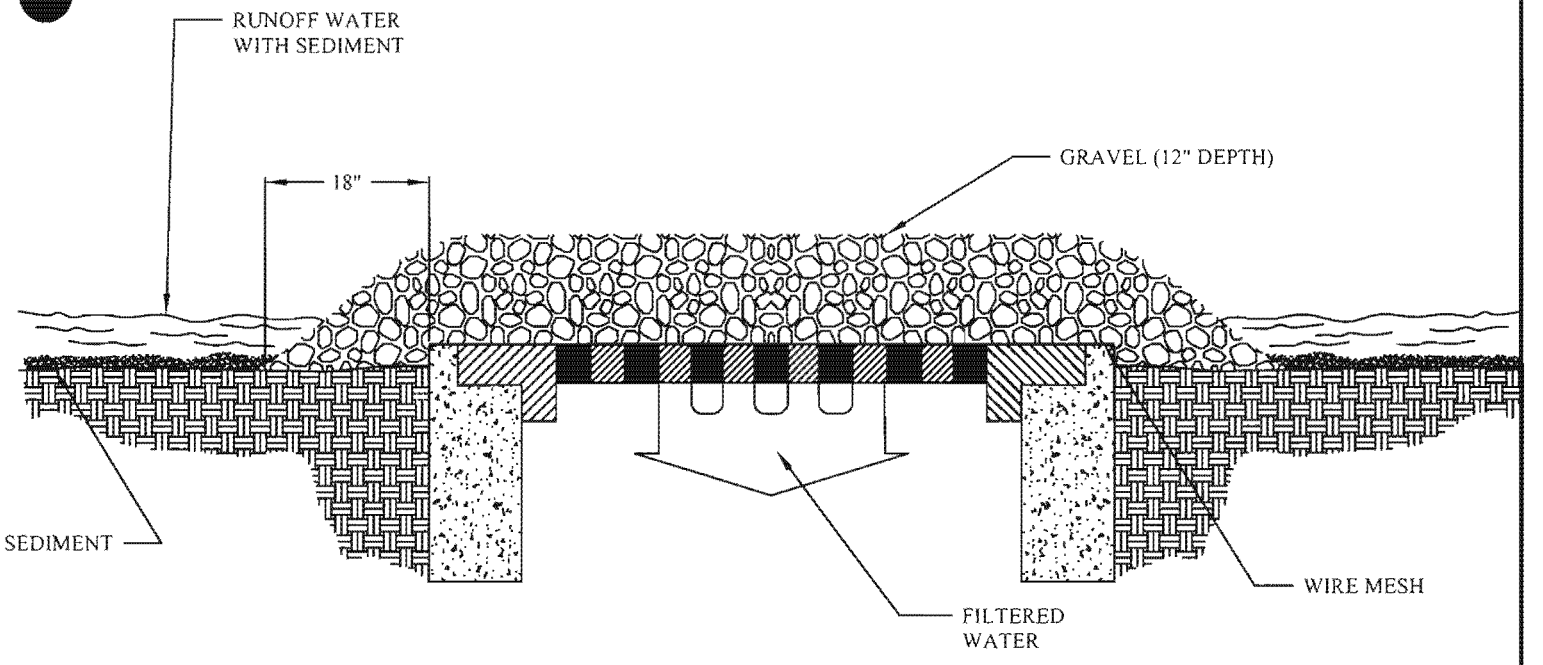
STABILIZED CONSTRUCTION ENTRANCE

EXHIBIT B3

SCALE - NTS	T.P.D.E.S. STORM WATER POLLUTION PREVENTION PLAN	M & S ENGINEERING, LTD. ENGINEERS AND PLANNERS
DATE - APRIL 2005		
DRAWN - PJM		
SHEET - 1 of 1		

MAIN OFFICE
P.O. BOX 970
SPRING BRANCH, TEXAS 78070
PHONE * (830) 228-5446
FAX * (830) 885-2170

BRANCH OFFICE
P.O. BOX 391
McQUEENEY, TEXAS 78123
PHONE * (830) 560-3200
FAX * (830) 560-3203



NOTES:

1. WIRE MESH SHALL BE LAID OVER THE DROP INLET SO THAT THE WIRE EXTENDS MINIMUM OF 1 FOOT BEYOND EACH SIDE OF THE INLET STRUCTURE. HARDWARE CLOTH OR COMPARABLE WIRE MESH WITH ½" OPENINGS AND MINIMUM WIRE DIAMETER OF 24 GAUGE SHALL BE USED. IF MORE THAN ONE STRIP OF MESH IS NECESSARY, THE STRIPS SHALL BE OVERLAPPED.
2. AGGREGATE SHALL BE PLACED OVER THE WIRE MESH AS INDICATED ABOVE. THE DEPTH OF STONE SHALL BE AT LEAST 12" OVER THE ENTIRE INLET OPENING. THE STONE SHALL EXTEND BEYOND THE INLET OPENING AT LEAST 18" ON ALL SIDES.
3. IF THE STONE FILTER BECOMES CLOGGED WITH SEDIMENT SO THAT IT NO LONGER ADEQUATELY PERFORMS ITS FUNCTION, THE STONES MUST BE PULLED AWAY FROM THE INLET, CLEANED, AND REPLACED.

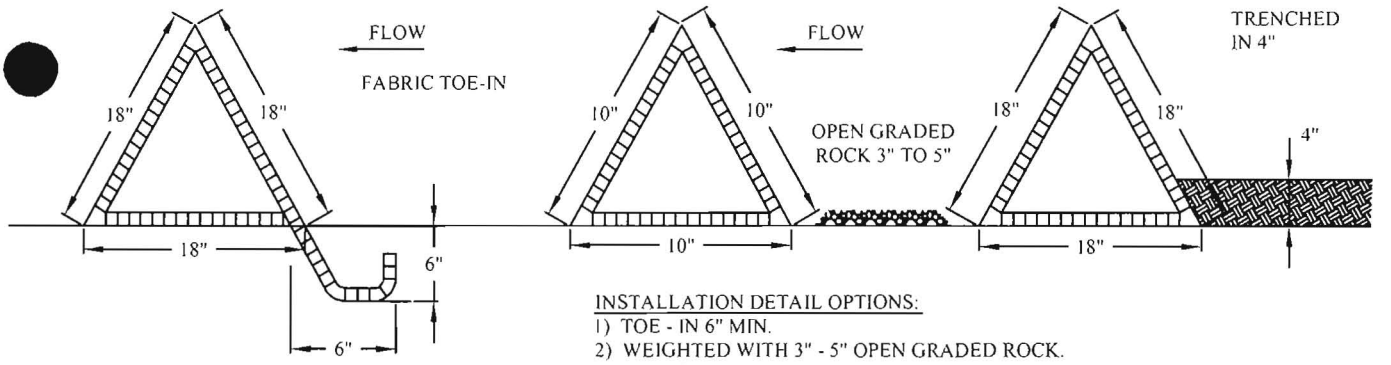
GRATE INLET PROTECTION/BARRIER FILTER

EXHIBIT B4

SCALE - NTS	T.P.D.E.S. STORM WATER POLLUTION PREVENTION PLAN	M & S ENGINEERING, LTD. ENGINEERS AND PLANNERS
DATE - APRIL 2005		
DRAWN - PJM		
SHEET - 1 of 1		

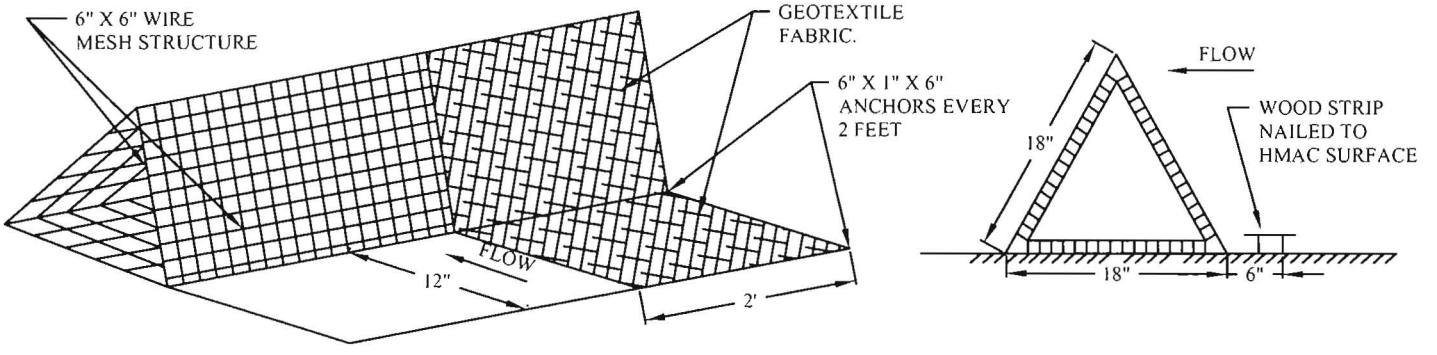
MAIN OFFICE
P.O. BOX 970
SPRING BRANCH, TEXAS 78070
PHONE * (830) 228-5446
FAX * (830) 885-2170

BRANCH OFFICE
P.O. BOX 391
McQUEENEY, TEXAS 78123
PHONE * (830) 560-3200
FAX * (830) 560-3263



INSTALLATION DETAIL OPTIONS:

1) TOE - IN 6" MIN.
2) WEIGHTED WITH 3" - 5" OPEN GRADED ROCK.
3) TRENCHED IN 4".



NOTES:

1. DIKES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT DIKE.
2. THE FABRIC COVER AND SKIRT SHALL BE A CONTINUOUS WRAPPING OF GEOTEXTILE. THE SHIRT SHALL BE A CONTINUOUS EXTENSION OF THE FABRIC ON THE UPSTREAM FACE.
3. THE SKIRT SHALL BE WEIGHTED WITH A CONTINUOUS LAYER OF 3"-5" OPEN GRADED ROCK, OR TOED-IN 6" WITH MECHANICALLY COMPACTED MATERIAL. OTHERWISE, THE ENTIRE STRUCTURE SHALL BE TRENCHED IN 4".
4. DIKES AND SKIRT SHALL BE SECURELY ANCHORED IN PLACE USING 6 INCH WIRE STAPLES ON 2 FOOT CENTERS ON BOTH EDGES AND SKIRT, OR STAKED USING ⅜ INCH DIAMETER REBAR WITH TEE ENDS
5. FILTER MATERIAL SHALL BE LAPPED OVER ENDS 6 INCHES TO COVER DIKE TO DIKE JOINTS. JOINTS SHALL BE FASTENED WITH GALVANIZED SHOAT RINGS.
6. THE DIKE STRUCTURE SHALL BE 6 GA. 6" X 6" WIRE MESH, 18 INCHES ON A SIDE.
7. INSPECTION SHALL BE MADE WEEKLY OR AFTER EACH RAINFALL EVENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED BY THE CONTRACTOR.
8. ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF SIX INCHES, AND DISPOSED OF IN A MANNER WHICH WILL NOT CAUSE ADDITIONAL SILTATION.
9. AFTER THE DEVELOPMENT SITE IS COMPLETELY STABILIZED, THE DIKES AND ANY REMAINING SILT SHALL BE REMOVED. SILT SHALL BE DISPOSED OF AS INDICATED IN NOTE 8 ABOVE.

TRIANGULAR FILTER DIKE

EXHIBIT B5

SCALE - NTS	T.P.D.E.S. STORM WATER POLLUTION PREVENTION PLAN	M & S ENGINEERING, LTD. ENGINEERS AND PLANNERS
DATE - APRIL 2005		
DRAWN - PJM		
SHEET - 1 of 1		

MAIN OFFICE
P.O. BOX 970
SPRING BRANCH, TEXAS 78070
PHONE * (830) 225-5446
FAX * (830) 885-2170

BRANCH OFFICE
P.O. BOX 391
McQUEENEY, TEXAS 78123
PHONE * (830) 560-3200
FAX * (830) 560-3203

CONSTRUCTION SEQUENCE

1. OBTAIN REQUIRED PERMITS.
2. INSTALL ALL EROSION CONTROL MEASURES AND DEVICES THAT CAN BE INSTALLED PRIOR TO SITE CLEARING.
3. CLEAR SITE.
4. INSTALL ANY REMAINING CONTROL MEASURES AND DEVICES THAT COULD NOT BE INSTALLED PRIOR TO SITE CLEARING.
5. GRADE SITE.
6. INSTALL ALL UNDERGROUND UTILITIES. INSTALL EROSION CONTROL AROUND CATCH BASINS AND INLETS.
7. INSTALL PAVEMENT.
8. INSPECT AND MAINTAIN ALL EROSION CONTROL MEASURES UNTIL ALL DISTURBED OFFSITE & ONSITE AREAS HAVE BEEN HYDROMULCHED OR SODDED IN ACCORDANCE WITH THE LANDSCAPE PLAN AND A MOWABLE STAND OF GRASS IS ACHIEVED.

EROSION AND SEDIMENTATION CONTROL NOTES

1. EROSION CONTROL MEASURES, SITE WORK AND RESTORATION WORK SHALL BE IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AS WELL AS THE CITY'S GENERAL REQUIREMENTS, WHICH PERTAIN TO THIS PROJECT.
2. ALL SLOPES SHALL BE SODDED OR SEEDED WITH APPROVED GRASS, GRASS MIXTURE OR GROUND COVER SUITABLE TO THE AREA AND SEASON IN WHICH THEY ARE APPLIED. (IN ACCORDANCE WITH LANDSCAPE PLANS)
3. BRUSH BERMS, HAY BALES, SEDIMENTATION BASINS AND SIMILARLY RECOGNIZED TECHNIQUES AND MATERIALS, SHALL BE EMPLOYED DURING CONSTRUCTION TO PREVENT POINT SOURCE SEDIMENTATION LOADING OF DOWNSTREAM FACILITIES. ADDITIONAL MEASURES MAY BE REQUIRED IF THEY ARE WARRANTED.
4. ALL TEMPORARY EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL FINAL INSPECTION AND APPROVAL OF THE PROJECT BY THE CITY. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO MAINTAIN ALL TEMPORARY EROSION CONTROL STRUCTURES AND TO REMOVE EACH STRUCTURE AS APPROVED BY THE CITY.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTROL OF DUST AND DIRT RISING AND SCATTERING IN THE AIR DURING CONSTRUCTION AND SHALL PROVIDE WATER SPRINKLING OR OTHER SUITABLE METHODS OF CONTROL. THE CONTRACTOR SHALL COMPLY WITH ALL GOVERNING REGULATIONS PERTAINING TO ENVIRONMENTAL PROTECTION.

TPDES REQUIREMENTS NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR SUBMITTING NOTICE OF INTENT (NOI) TO T.C.E.Q. FOR THE TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES) 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES.
2. CONTRACTOR SHALL HAVE THIS PLAN AND THE TPDES STORMWATER POLLUTION PREVENTION PLAN ON SITE AT ALL TIMES THROUGHOUT DURATION OF PROJECT.
3. ALL DISTURBED AREAS NOT ADDRESSED BY LANDSCAPE ARCHITECT SHALL BE HYDROMULCHED PER SPECIFICATION DESCRIBED IN THE GENERAL NOTES.
4. CONTRACTOR SHALL PROVIDE TRIANGULAR SEDIMENT FILTER DIKE PER EXHIBIT A5 WHERE SILT FENCE IS REQUIRED BUT NOT INSTALLABLE.
5. CONTRACTOR SHALL SUBMIT NOTICE OF TERMINATION (NOT) TO THE T.C.E.Q. UPON PROJECT COMPLETION AS DESCRIBED IN THE PROJECT TPDES STORMWATER POLLUTION PREVENTION PLAN.
6. CONTRACTOR TO RETAIN THE TPDES STORMSEWER POLLUTION PREVENTION PLAN ALONG WITH ALL COMPLETED INSPECTION REPORTS AND PLAN MODIFICATIONS DOCUMENTATION FOR A PERIOD OF THREE (3) YEARS FROM DATE OF FINAL STABILIZATION, AS REQUIRED BY THE E.P.A.

EXHIBIT B6

SCALE - NTS	T.P.D.E.S. STORM WATER POLLUTION PREVENTION PLAN	M & S ENGINEERING, LTD. ENGINEERS AND PLANNERS
DATE - APRIL 2005		MAIN OFFICE P.O. BOX 970 SPRING BRANCH, TEXAS 78070 PHONE * (830) 228-5446 FAX * (830) 885-2170
DRAWN - PJM		BRANCH OFFICE P.O. BOX 391 McQUEENEY, TEXAS 78123 PHONE * (830) 560-3200 FAX * (830) 560-3203
SHEET - 1 of 1		

ATTACHMENT C

PERMIT FORMS

NOTICE OF INTENT (NOI) FORM

MS4 DRAFT LETTER

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under the TPDES General Permit

TCEQ Office Use Only
TPDES Permit Number: TXR15|__|__|__|__|__|
GIN Number: |__|__|__|__|__|__|__|__|
Fee Receipt No. _____

IMPORTANT:
•Use the attached **INSTRUCTIONS** when completing this form.
•After completing this form, use the attached **CUSTOMER CHECKLIST** to make certain all items are complete and accurate.
•Missing, illegible, or inaccurate items may delay final acknowledgment or coverage under the general permit.

Application Fee: You must submit the $100 NOI Application Fee to TCEQ under separate cover (see instructions) using the attached Application Fee submittal form. (DO NOT SEND A COPY OF THE NOI WITH THE APPLICATION FEE SUBMITTAL FORM)
Tell us how you paid for this fee:

Check/Money Order No.:	Name Printed on Check:

A. OPERATOR

1. TCEQ Issued Customer Number (CN) (if available): 603165911

2. Legal Name (spelled exactly as filed with the Texas Secretary of State, County, or legal document that was used in forming the entity):
Highway 46 Ltd.

3. Mailing Address: 3100 S. Gessner Suite No./Bldg.No.: Suite 200

City: Houston	State: TX	ZIP Code: 77063

4. Phone No.: (713) 789 - 5293	Extension:
FAX No. 713 - 952 - 0377	E-mail Address:

6. Type of Operator: ☐ Individual ☐ Sole Proprietorship-D.B.A. ☒ Partnership ☐ Corporation ☐ Federal Government ☐ State Government ☐ County Government ☐ City Government ☐ Other: _____

7. Independent Operator: ☒ Yes ☐ No (If governmental entity or a subsidiary or part of a larger corporation, check "NO")

8. Number of Employees: ☒ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☐ 501 or higher

9. Business Tax and Filing Numbers *(not applicable to Individuals, Government, General Partnerships, and Sole Proprietorship-D.B.A):*
State Franchise Tax ID Number: 32035604514 Federal Tax ID: 20-107133
TX SOS Charter (filing) Number: _____ DUNS Number: _____ (If known)

B. BILLING ADDRESS (The Operator is responsible for paying the annual fee.)

☑ **Same As Operator** (check if address is the same, then proceed with Section C.)

1. Billing Mailing Address: Suite No./Bldg.No.:

City:	State:	ZIP Code:

2. Billing Contact (Attn or C/O):

3. Country Mailing Information (if outside USA) Territory: Country Code: Postal Code:

4. Phone No.: ( ) -	Extension:
FAX No.	E-mail Address:

C. APPLICATION CONTACT (If TCEQ needs additional information regarding this application, who should be contacted?)

1. Name: Keith Strimple, P.E. Title: Agent - Engineer Company: M&S Engineering
2. Phone No.: (830) 228 - 5446 Extension:
3. FAX No. 830 - 885 - 2170 E-mail Address:

D. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. TCEQ Issued RE Reference Number (RN) (if available): 105186480
2. Name of Project or Site: River Crossing Lot 667
3. Physical Address of Project or Site: (enter in spaces below)

Street Number:	Street Name:	
City (nearest to the site): Bulverde	ZIP Code (nearest to the site): 78070	County (Counties if >1): Comal

4. If no physical address (Street Number & Street Name), provide a written location access description that can be used for locating the site:
(Ex.: 2 miles west from intersection of Hwy 290 & IH35 on Hwy 290 South)
From the intersection of US Hwy 281 and Hwy 46 proceed 1.1 miles east. Turn left onto Bentwood Drive and left immediately onto Hwy 46 Parkway. Proceed approximately 410 feet. The site will be on your right.
5. Latitude: 29.798611 N Longitude: 98.401944 W
6. Standard Industrial Classification (SIC) code: 1542
7. Describe the activity related to the need for this authorization at this site *(do not repeat the SIC and NAICS code)*:
Office Building for Lease
8. Is the project/site located on Indian Country Lands? ☐ Yes ☒ No
If Yes, you must obtain authorization through EPA, Region VI.

E. SITE MAILING ADDRESS (address for receiving mail at the site)

☑ **Same As Operator** (check if address is the same, then proceed with Section F.)

Mailing Address:		Suite No./Bldg.No.:
City:	State:	ZIP Code:

F. GENERAL CHARACTERISTICS

1. Has a Pollution Prevention Plan been prepared as required in the general permit? ☒ Yes ☐ No
If No, coverage may be denied as the PPP is required at the time the NOI is submitted to TCEQ.
2. Provide the estimated area of land disturbed (to the nearest acre): 1 Acres
3. Provide the name of the receiving water body (local stream, lake, drainage ditch), MS4 Operator (if applicable) and the segment number where storm water runoff will flow from the construction site.

MS4 Operator: _____ Receiving Water Body: Cibolo Creek Segment: _____

G. CERTIFICATION

I, _____ _____
Typed or printed name *Title (Required)*

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

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

Signature:_____ Date:_____
(Use Blue Ink)

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.

Have you also mailed your check and Payment Submittal Form to the Cashier's office? Go to the end of this document for the Payment Submittal Form.

	Customer GP **TXR150000** Notice of Intent Checklist
√	This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the general permit. (See NOI Process description in the Instructions)
☐	Application Fee was sent to TCEQ's Financial Administration and the check information is listed.
	OPERATOR INFORMATION - Confirm each item is complete: √ ☐ Customer Number issued by TCEQ Central Registry (if you have it) ☐ Legal Name as filed to do business in Texas (Call TX SOS 512/463-5555) ☐ Operator Mailing Address is complete & verifiable with USPS. www.usps.com ☐ Phone Numbers/E-mail ☐ Type of Operator (Entity Type) ☐ Independent Operator ☐ Number of Employees ☐ For Corporations or Limited Partnerships - Tax and Filing numbers
☐	**Billing Address** is complete & verifiable with USPS. www.usps.com
☐	**Application Contact** - a contact person for TCEQ to call is listed
	REGULATED ENTITY (RE) INFORMATION - Confirm each item is complete: √ ☐ Regulated Entity Reference Number (RN) (if you have it) ☐ Site/Project Name/Regulated Entity ☐ Site/Project (RE) Physical Address **Please do not use a rural route or post office box for a site location** ☐ Latitude and Longitude http://www.tnrcc.state.tx.us/gis/drgview.html or www.terraserver.microsoft.com/advfind.aspx. ☐ Standard Industrial Classification (SIC) code http://www.osha.gov/oshstats/sicser.html and business description ☐ Indian Country Lands - your answer was NO ☐ Site Mailing Address (checked same as operator or gave a complete & verifiable with USPS. www.usps.com
	GENERAL CHARACTERISTICS - Confirm each item is complete: √ ☐ Pollution Prevention Plan (PPP) must be "Yes" ☐ Area of Land Disturbed (nearest acre) ☐ MS4 Operator, Receiving Water Body or Segment
☐	**CERTIFICATION** Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original.

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under the TPDES General Permit (TXR150000)

General Information and Instructions

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

BY REGULAR U.S. MAIL
Texas Commission on Environmental Quality
Storm Water & Pretreatment Team; MC-228
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality
Storm Water & Pretreatment Team; MC-228
12100 Park 35 Circle
Austin, TX 78753

It is recommended that the NOI be mailed using a method that documents the date mailed.

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-3700 & E-mail at "swpermit@tceq.state.tx.us"
Technical Questions relating to the general permit:	512/239-4671
Environmental Law Division:	512/239-0600
Central Records for obtaining copies of forms submitted to TCEQ:	512/239-0900
Information Services for obtaining reports from program data bases(as available):	512/239-DATA (3282)
Financial Administration's Cashier's office for receipt of payment:	512/239- 0357 or 512/239-0187

Notice of Intent Process:

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

1. Administrative Review: Each item on the form will be reviewed for a complete response. In addition, the operator's legal number must be verified with Texas Secretary of State as valid and active (when applicable). The address on the form must be verified with the US Postal service as an address receiving regular mail delivery (never give an overnight/express mailing address).

2. Notice of Deficiency: If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness; and if complete,

3. Acknowledge Coverage: We will mail an Acknowledgment Certificate to the operator. This certificate acknowledges coverage under the general permit.

-or-

Denial of Coverage: If the operator fails to respond to the NOD, we may deny coverage under the general permit. If coverage is denied, we will notify the operator.

General Permit (Your Permit)
Provisional coverage under the general permit begins two days following the date that the NOI was postmarked. You should have a copy of the general permit when submitting your application. You may view and print the general permit for which you are seeking coverage on the TCEQ web site www.tceq.state.tx.

General Permit Forms
The Notice of Intent and Notice of Termination forms (with instructions) are available in Adobe Acrobat PDF format on the TCEQ web site www.tceq.state.tx.us.

Change in Operator
An authorization under the general permit is not transferable. If the operator of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted not later than 10 days prior to the change in operator status.

Notice of Change
A Notice of Change letter must be submitted with supplemental or corrected information within 14 days following the time when the operator becomes aware that it failed to submit any relevant facts or incorrect information in the NOI; or the time when relevant facts in the NOI change (i.e. addresses, or phone numbers).

Notice of Termination
A permittee shall terminate coverage under this general permit through the submittal of a NOT when the operator or owner of the facility changes, the discharge becomes authorized under an individual permit, or the use of the property changes and is no longer subject to regulation under this general permit.

TCEQ Central Registry Core Data Form
The Core Data From has been incorporated into this form. Do not complete and attach a core data form when submitting this application. After final acknowledgment of coverage under the general permit, the program will transfer the core data to the agency Central Registry for assignment of a Customer Number and Regulated Entity Number. You can find this information on our web site at www.tceq.state.tx.us, where you can query the Central Registry under the regulated entity number, or by your permit number under the search field labeled "Additional ID".

Fees are associated with a General Permit
The general permit refers to two different fees that apply to operators required to submit a Notice of Intent (NOI). Payment of the fees may be made by check or money order, payable to TCEQ.

BY REGULAR U.S. MAIL

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

BY OVERNIGHT/EXPRESS MAIL

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

Application Fee: This is a fee that is required to be paid at the time the NOI is submitted. Failure to submit the payment at the time the application is filed will cause delays in acknowledging coverage or denial of cover under the general permit. This payment must be submitted separately using the Payment Submittal Form. If submitting one check or money order for multiple NOI's, list each site name and location exactly as provided on the NOI.

Annual Water Quality Fee: This is a fee that is assessed to operators with an active authorization under the general permit on September 1 of each year. The operator will receive an invoice for payment of the annual fee in November of each year. The payment will be due 30 days from the invoice date. A 5% penalty will be assessed if the payment is received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1. It's important for the operator to submit a Notice of Termination (NOT) when coverage under the general permit is no longer required. A NOT is effective on the postmarked date of mailing the form to TCEQ. It is recommended that the NOT be mailed using a method that documents the date mailed.

INSTRUCTIONS FOR FILLING OUT THE FORM

A. OPERATOR (As defined in the general permit.)

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

- If this customer has not been assigned a Customer Reference Number, leave the space for the Customer Reference Number blank.
- If this customer has already been assigned this number, enter the operator's Customer Reference Number in the space provided.

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

3. Operator Mailing Address

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

If this is a street address, please follow US Postal Service standards. In brief, these standards require this information in this order:

#	the "house" number—for example, the 1401 in 1401 Main St
#	if there is a direction before the street name, the one- or two-letter abbreviation of that direction (N, S, E, W, NE, SE, SW, or NW)
#	the street name (if a numbered street, do not spell out the number—for example, 6th St, not Sixth St)
#	an appropriate abbreviation of the type of street—for example, St, Ave, Blvd, Fwy, Exwy, Hwy, Cr, Ct, Ln
#	if there is a direction after the street name, the one- or two-letter abbreviation of that direction (N, S, E, W, NE, SE, SW, or NW)
#	if there is a room number, suite number, or company mail code

City, State, *and* ZIP Code

Enter the name of the city, the two-letter USPS abbreviation for the state (for example, TX), and the ZIP Code. (Enter the full ZIP+4 if you know it.)

Country Mailing Information

If this address is ***outside*** the United States, enter the territory name, country code, and any non-ZIP mailing codes or other non–U.S. Postal Service features here. If this address is ***inside*** the United States, leave these spaces blank.

Operator Electronic Communications

4. Phone Number

This number should correspond to this customer's mailing address given earlier. Enter the area code and phone number here. Leave "Extension" blank if this customer's phone system lacks this feature.

5. Fax Number and E-mail Address

This number and E-mail address should correspond to operator's mailing address given earlier. (Optional Information)

6. Type of Operator

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type:

Individual	is a person and has not established a business to do whatever causes them to be regulated by us.
Sole Proprietorship— D.B.A.	is a business that is owned by only one person and has not been incorporated. This business may: • be under the person's name • have its own name ("doing business as," or d.b.a.) • have any number of employees
Partnership	is a business that is established as a partnership as defined by the Texas Secretary of State's Office.
Corporation	meets all of these conditions: • is a legally incorporated entity under the laws of any state or country • is recognized as a corporation by the Texas Secretary of State • has proper operating authority to operate in Texas.
Federal, state, county, or city government (as appropriate)	is either an agency of one of these levels of government or the governmental body itself.
Other	fits none of the above descriptions. Enter a short description of the type of customer in the blank provided.

7. Independent Operator

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

8. 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 this NOI.

9. State Franchise Tax ID Number	Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.
Federal Tax ID	All businesses, except for some small sole proprietors, should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Individuals and sole proprietors 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 filling number. You may obtain further information by calling SOS at 512/463-5555 or www.sos.state.tx.us
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.

B. BILLING ADDRESS

An annual fee is assessed to an operator holding an active authorization under the general permit September 1 of each year. Provide the complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS ensuring it to be an address for delivery of regular mail (not overnight express mail). Also, provide a phone number of the office responsible for payment of the invoice. The operator is the responsible billing client for payment of annual fee.

C. APPLICATION CONTACT

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

D. REGULATED ENTITY (RE) INFORMATIO ON PROJECT OR SITE

1. Regulated Entity Reference Number (RN)

This is a number issued by TCEQ's Central Registry to sites regulated by TCEQ (a location where a regulated activity occurs). **This is not a permit number, registration number, or license number.**

- If this Regulated Entity has not been assigned a Regulated Entity Number, leave the space for the Regulated Entity Number blank.
- If this customer has already been assigned this number, enter the operator's Regulated Entity Number.

2. Site/Project Name/Regulated Entity

Provide the name of the site as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity. A regulated entity number will be assigned by Central Registry, if this is a new site (not currently regulated by TCEQ).

3. Site/Project (RE) Physical Address

Enter the complete address of where the site is located. This address must be validated through US Postal Service or your local police (911 service) as a valid address. Please confirm this to be a complete and valid address. In some rural areas, new addresses are being assigned to replace rural route addresses. **Please do not use a rural route or post office box for a site location.**

Provide the county, city and ZIP code of the area where the project/site is located. This is information is required to complete the processing of your form.

4. No Physical Address

If a site does not have an actual physical address that includes a street (or house) number and street name, enter NO ADDRESS for the street name. Then provide a complete written location access description. *For example:* "The site is located 2 miles west from intersection of Hwy 290 & IH35, locate on the southwest corner of the Hwy 290 South bound lane."

For projects/sites that includes a large project area, describe the project. *For example:* "State Highway 45 road project between Highway 620 and IH 35."

5. Latitude and Longitude

Enter the latitude and longitude of the site in either degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to: http://www.tnrcc.state.tx.us/gis/drgview.html or www.terraserver.microsoft.com/advfind.aspx.

6. Standard Industrial Classification (SIC) code

Provide the SIC code that best describes the activity being conducted at the site.

Common SIC Codes related to construction activities include: 1521 Construction of Single Family Homes; 1522 Construction of Residential Bldgs. Other than Single Family Homes; 1541 Construction of Industrial Bldgs. and Warehouses; 1542 Construction of Non-residential Bldgs. other than Industrial Bldgs. and Warehouses; 1611 Highway & Street Construction, except Highway Construction; 1622 Bridge, Tunnel, & Elevated Highway Construction; 1623 Water, Sewer, Pipeline & Communications, and Power Line Construction.

For help with SIC codes, go to: http://www.osha.gov/oshstats/sicser.html

7. Description of Activity Regulated

Provide a description of the activity being conducted at the site. This must be a description specific to what you are doing that requires this authorization. (Do not repeat the SIC Code)

8. 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 VI, Dallas. **Do not submit this form to TCEQ.**

E. SITE MAILING ADDRESS

Provide a complete mailing address to be used by TCEQ for receiving mail at the site. In most cases, the address is the same as the operator. If so, simply place a check mark in the box. If you provide a different address, please verify the address with USPS as noted above for the operator address.

F. GENERAL CHARACTERISTICS

1. Pollution Prevention Plan (PPP)

This plan 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 storm water, 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.** This plan must be available for a TCEQ investigator to review on request.

2. Estimated Area of Land Disturbed

Provide the approximate number of acres that the construction site will disturb. Construction activities that disturb less than one acres, 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. If the acreage is less than I, enter 1. "Disturb" means any clearing, grading, excavating, or other similar activities. If you have any questions about this item, please call the storm water technical staff at (512)239-4671.

3. Receiving Water Body

The storm water from your site eventually reaches a receiving water body such as a local stream or lake, possibly via a drainage ditch. The discharge may initially be into a municipal separate storm sewer system (MS4). If applicable, provide the name of the entity that operates the MS4 where the storm water discharges. An MS4 operator is often a city, town, or utility district, but possibly another form of government.

You must provide the name of the water body that receives the discharge from the construction site (a local stream or lake). Storm water may be discharged directly to a receiving stream or through a MS4. If known, please include the segment number if the discharge is to a classified water body.

G. OPERATOR CERTIFICATION

The certification must bear an original signature of a person meeting the signatory requirements specified in under 30 Texas Administrative Code (TAC) §305.44. The printed name and title of the person signing the form must be provided. NOI forms with stamped or copied signatures will not be processed.

IF YOU ARE A CORPORATION:

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

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

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

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

30 Texas Administrative Code
§305.44. Signatories to Applications.

(a) All applications shall be signed as follows.

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

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

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

Texas Commission on Environmental Quality
General Permit Payment Submittal Form

Use this form to submit your Application Fee.

•Complete items 1 through 4 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. Instead, mail this form and your check to:

BY REGULAR U.S. MAIL

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

BY OVERNIGHT/EXPRESS MAIL

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

To confirm receipt of payment, call the Cashier's office at 512/239- 0357 or 239-0187.

Fee Code: **GPA** General Permit: **TXR150000**

1. Check / Money Order No: 2. Amount of Check/Money Order:

3. Date of Check or Money Order:

4. Name on Check or Money Order:

5. NOI INFORMATION

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

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

Project/Site (RE) Name:

Project/Site (RE) Physical Address:

Staple Check In This Space

[Date]

[Contact]
[Address]
[Address]
[Address]

Project No.:

Re: Notification of Discharge to MS4
[Project Name]
[Address. if available]
[Address]

Dear Mr./Mrs. [Contact]

Under the new TPDES General Permit TXR150000 administered by TCEQ, please consider this a notification that construction will commence at the location referenced above. Please be advised that this is a [small/large] construction site that falls under [Phase I/Phase II] classification. A completed and signed [Notice of Intent/Construction Site Notice] is posted on the job site and a copy is included with this letter for your reference and records.

If you have any questions, please feel free to contact our office.

Sincerely,

ATTACHMENT D

PRE-CONSTRUCTION FORMS

RESPONSIBLE PARTY FORM SCHEDULE

RESPONSIBLE PARTY FORM CERTIFICATIONS

POSTING NOTICE

Joy Clayton
3100 S Gessner, Suite 200
Houston, Texas 77063

Responsible Party Form Schedule

Prevention Pollution Measure	Responsible Party Company Name											
BEST MANAGEMENT PRACTICES												
Silt Fences												
Rock berms												
Drain inlet protection												
Gravel filter bags												
Vehicle exits (offsite tracking)												
Concrete washout pit (leaks, failure)												
Temporary vegetation												
Permanent vegetation												
Sediment control basin												
Other structural controls												
Material storage areas (leakage)												
Equipment areas (leaks, spills)												
Construction debris												
General site cleanliness												
Trash receptacles												
Natural vegetation buffer strips												
Inspections												
SWP3 Modification & Records												
POTENTIAL EROSION SOURCES												
Clearing												
Grading												
Excavation												
Drainage Construction												
Utility Construction												
Roadway or Parking Lot Construction												
Foundation Construction												
Building Construction												
Landscaping Activities												

Identify responsible parties and indicate responsible party for each pollution prevention item listed above by marking an X under the Responsible Party Name.

Joy Clayton
3100 S Gessner, Suite 200
Houston, Texas 77063

Responsible Party Form Certifications

"I certify under penalty of law that I understand the terms and conditions of the general Texas Pollutant Discharge Elimination System (TPDES) permit that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

Company: _____ Phone: _____
Name: _____ Responsible for: General Contractor
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: Earthwork
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: Plumbing
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: Paving
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: Electrical
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: Fuel Station
Signed: _____ Date: _____

(Note: Use additional sheets if necessary)

Joy Clayton
3100 S Gessner, Suite 200
Houston, Texas 77063

Responsible Party Form Certifications

"I certify under penalty of law that I understand the terms and conditions of the general Texas Pollutant Discharge Elimination System (TPDES) permit that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

Company: _____ Phone: _____
Name: _____ Responsible for: _____
Signed: _____ Date: _____

(Note: Use additional sheets if necessary)

POSTING NOTICE

(GENERAL INFORMATION)

PERMIT NUMBER	
CONTACT NAME	
CONTACT PHONE	
PROJECT DESCRIPTION	
SWP3 LOCATION (Only necessary if the site is inactive or does not have an on-site location to store the plan)	

Note: This posting is in addition to the Construction Site Notice or Notice of Intent

ATTACHMENT E

CONSTRUCTION FORMS

INSPECTION REPORT

Joy Clayton
3100 S Gessner, Suite 200
Houston, Texas 77063

Inspection Report

Prevention Pollution Measure	Inspected in Compliance Y/N	Corrective Action Required: Description (use additional sheet if necessary)	Corrective Action Required: Date Complete
BEST MANAGEMENT PRACTICES			
Silt fences			
Rock berms			
Drain inlet protection			
Gravel filter bags			
Vehicle exits (offsite tracking)			
Concrete washout pit (leaks, failure)			
Temporary vegetation			
Permanent vegetation			
Sediment control basin			
Other structural controls			
Material storage areas (leakage)			
Equipment areas (leaks, spills)			
Construction debris			
General site cleanliness			
Trash receptacles			
Natural vegetation buffer strips			
EVIDENCE OF EROSION			
Site Preparation			
Roadway or Parking Lot Construction			
Utility Construction			
Drainage Construction			
Building Construction			
MAJOR OBSERVATIONS			
Sediment discharges from site			
BMPs requiring maintenance			
BMPs requiring modification			
Additional BMPs required			

"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 awae that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Inspector's Name (Superintendent)	Inspector's Signature	Date
Name of Owner/Operator (Firm)	Authorized Signature	Date

Note: If there is a "NO" answer in the second column, the right columns will need to be completed and action is required within 7 days. Use additional sheets if necessary.

ATTACHMENT F

POST-CONSTRUCTION FORMS

NOTICE OF TERMINATION (NOT) FORM

ATTACHMENT "F"
NOTICE OF TERMINATION (NOT) FORM

When the site has achieved final stabilization* or another operator/permittee (i.e. change of General Contractor) has assumed control of construction activities, the respective permittee each submit a NOT form as well as their respective certification documents** within 30 days to TCEQ at the following address:

Texas Commission on Environmental Quality
Storm Water & General Permits Team; MC-228
P.O. Box 13087
Austin, Texas 78711-3087

NOTES: A partially completed NOT is included within this attachment to be used as a guide. Before submittal to TCEQ, all pertinent sections of the NOT must be filled out. Instructions to complete the NOT form are included. A NOT form is required for each NOI form submitted.

---

* the permit defines final stabilization as uniform perennial vegetative cover with a density of 70% or equivalent measures such as riprap for the areas of the site not covered by permanent structures or pavement.

** found on pages 11 & 12 of this report

Notice of Termination (NOT) for Storm Water Discharges Associated with Construction Activity under the TPDES Construction General Permit (TXR150000)

TCEQ Office Use Only
TPDES Permit Number: TXR15••__••__••__••__••- NO
GIN Number: ••__••__••__••__••__••__••__••__••

For help completing this application, read the TXR150000 NOI Instructions (TCEQ-20023-Instructions).

A. TPDES Permit Number: TXR15_____

B. Construction Site Operator Customer Reference Number: CN_____

Name:_____

Mailing Address:_____

City:_____ State:-- Zip Code:_____

Country Mailing Information (*if outside USA*) Territory:_____ Country Code:_____ Postal Code:_____

Phone Number:_____ Extension:_____ Fax Number:_____

E-mail Address:_____

C. Project / Site Information Regulated Entity Reference Number: RN_____

Name:_____

Physical Address:_____

Location Access Description:_____

City:_____ County: -- Zip Code:_____

D. Contact - If the TCEQ needs additional information regarding this termination, who should be contacted?

Name:_____ Title:_____

Phone Number:_____ Extension:_____ Fax Number:_____

E-mail Address:_____

E. Certification

I certify under penalty of law that authorization under the TPDES Construction General Permit (TXR150000) is no longer necessary based on the provisions of the general permit. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge storm water associated with construction activity under the general permit TXR150000, and that discharging pollutants in storm water associated with construction activity to waters of the U.S. is unlawful under the Clean Water Act where the discharge is not authorized by a TPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

Construction Site Operator Representative:

Prefix:_____ First:_____ Middle:_____

Last:_____ Suffix:_____

Title:_____

Signature:_____ Date:_____

If you have questions on how to fill out this form or about the storm water program, please contact us at (512) 239-4671. 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.

The completed NOT must be mailed to the following address:

Texas Commission on Environmental Quality
Storm Water & General Permits Team; MC - 228
P.O. Box 13087
Austin, Texas 78711-3087

ATTACHMENT G

ENDANGERED SPECIES VERIFICATION

Endangered Species Verification
Comal County, Texas

The following Endangered Species list was derived form the U.S. Fish and Wildlife Southwest Region 2 and the Texas Parks and Wildlife Department websites. The U.S. Fish and Wildlife Southwest Region 2 website database contains the current species listed as threatened, or endangered under the Endangered Species Act of 1973 as well as species considered candidates for listing.

Taxon	Common Name	Scientific Name	Federal Status	State Status
Birds	Golden-cheeked Warbler	Dendroica chrysoparia	LE	E
Birds	Peregrine Falcon	Falco peregrinus	DL	E T
Birds	American Peregrine Falcon	Falco peregrinus anatum	DL	E
Birds	Whooping Crane	Grus americana	LE	E
Birds	Black-capped Vireo	Vireo atricapilla	LE	E
Crustaceans	Peck's cave amphipod	Stygobromus pecki	LE	E
Fishes	Fountain darter	Etheostoma fonticola	LE	E
Mammals	Red wolf	Canis rufus	LE	E
Mammals	Jaguarundi	Herpailurus yaguarondi	LE	E

Status Key:
LE, LT - Federally Listed Endangered/Threatened
DL, PDL - Federally Delisted/Proposed for Delisting
E, T - State Listed Endangered/Threatened

The Comal County list, derived from these websites, is based on information available from the U.S. Fish and Wildlife Service and the Texas Parks and Wildlife Department at the date of preparation of this document. This list is subject to change, without notice, as new biological information is gathered.

ATTACHMENT H

NATIONAL REGISTER OF HISTORIC PLACES

National Register Information System
(World Wide Web – www.nr.nps.gov)

National Register of Historic Places
(World Wide Web – www.nationalregisterofhistoricplaces.com)

Historic Places
Comal County, Texas

Row	State	County	Resource Name	Address	City	Listed
1	TX	Comal	Breustedt, Andreas, House	1370 Church Hill Dr.	New Braunfels	1982
2	TX	Comal	Comal County Courthouse	N. Seguin Ave.	New Braunfels	1976
3	TX	Comal	Comal Hotel and Klein-Kuse House	295 E. San Antonio and 165 Market St.	New Braunfels	1986
4	TX	Comal	First Protestant Church	296 S. Seguin St.	New Braunfels	1971
5	TX	Comal	Gross, Carl W.A., House	228 S. Seguin St.	New Braunfels	2000
6	TX	Comal	Gurene Historic District	Both sides of Seguin, New Braunfels, and Austin Sts.	Greune	1975
7	TX	Comal	Guadalupe Hotel	471 Main Plaza	New Braunfels	1975
8	TX	Comal	Holz-Forshage-Krueger Building	472 W. San Antonio St.	New Braunfels	1997
9	TX	Comal	Hotel Faust	240 S. Seguin St.	New Braunfels	1985
10	TX	Comal	Klein, Stephen, House	131 S. Seguin St.	New Braunfels	1970
11	TX	Comal	Lindheimer House	489 Comal Ave.	New Braunfels	1970
12	TX	Comal	Comal Power Plant	Jct. of Landa Rd. and Landa Park Dr.	New Braunfels	2004
13	TX	Comal	Gruene Historic District (Boundary Increase)	Gruene Rd. W. from Seguin St. to the W. side of Gruene Bridge	New Braunfels	2004
14	TX	Comal	Natural Bridge Caverns Sinkhole Site	Address Restricted	Natural Bridge Caverns	2004

ATTACHMENT I

PERMIT REQUIREMENTS
(TPDES GENERAL PERMIT – MARCH 5, 2008)

TCEQ Docket No. 2007-1588-WQ
TPDES General Permit No. TXR150000

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. BOX 13087
Austin, TX 78711-3087

This is a renewal of TPDES General Permit No. TXR150000, issued March 5, 2003.

GENERAL PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Construction sites that discharge storm water associated with construction activity

located in the state of Texas

may discharge to surface water in the state

only according to effluent limitations, monitoring requirements and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of storm water and certain non-storm water discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit and the authorization contained herein shall expire at midnight on March 5, 2013.

EFFECTIVE DATE: March 5, 2008

ISSUED DATE: FEB 15 2008

Buddy Garcia
For the Commission

TPDES GENERAL PERMIT NUMBER TXR150000 RELATING TO STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

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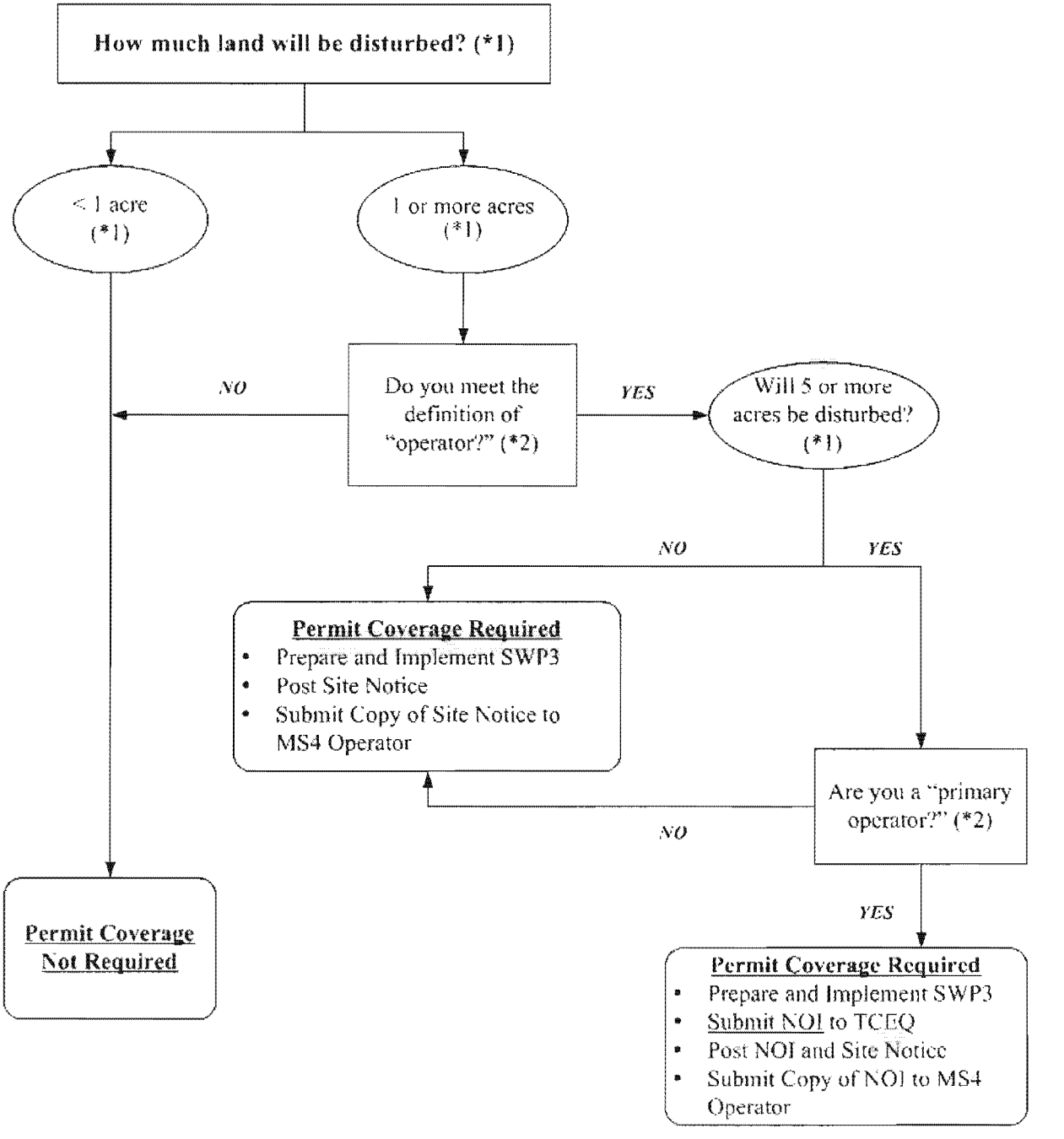
Part I. Flow Chart and Definitions

Section A. Flow Chart to Determine Whether Coverage is Required



*(*1) To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "larger common plan of development or sale").*

*(*2) Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.*

Section B. Definitions

Arid Areas - Areas with an average annual rainfall of 0 to 10 inches.

Best Management Practices (BMPs) - Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control construction site runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Commencement of Construction - The initial disturbance of soils associated with clearing, grading, or excavation activities, as well as other construction-related activities (e.g., stockpiling of fill material, demolition)

Common Plan of Development - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a "common plan of development or sale") is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g., a city or university). Construction of roads or buildings in different parts of the jurisdiction would be considered separate "common plans," with only the interconnected parts of a project being considered part of a "common plan" (e.g., a building and its associated parking lot and driveways, airport runway and associated taxiways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale but are located ¼ mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, provided that any interconnecting road, pipeline or utility project that is part of the same "common plan" is not included in the area to be disturbed.

Discharge – For the purposes of this permit, the drainage, release, or disposal of pollutants in storm water and certain non-storm water from areas where soil disturbing activities (e.g., clearing, grading, excavation, stockpiling of fill material, and demolition), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck washout, fueling), or other industrial storm water directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Edwards Aquifer - As defined under Texas Administrative Code § 213.3 of this title (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone - Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the Texas Commission on Environmental Quality and the

appropriate regional office. The Edwards Aquifer Map Viewer, located at http://www.tceq.state.tx.us/compliance/field_ops/eapp/mapdisclaimer.html, can be used to determine where the recharge zone is located.

Edwards Aquifer Contributing Zone - The area or watershed where runoff from precipitation flows downgradient to the recharge zone of the Edwards Aquifer. The contributing zone is located upstream (upgradient) and generally north and northwest of the recharge zone for the following counties: all areas within Kinney County, except the area within the watershed draining to Segment 2304 of the Rio Grande Basin; all areas within Uvalde, Medina, Bexar, and Comal Counties; all areas within Hays and Travis Counties, except the area within the watersheds draining to the Colorado River above a point 1.3 miles upstream from Tom Miller Dam, Lake Austin at the confluence of Barrow Brook Cove, Segment 1403 of the Colorado River Basin; and all areas within Williamson County, except the area within the watersheds draining to the Lampasas River above the dam at Stillhouse Hollow reservoir, Segment 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at http://www.tceq.state.tx.us/compliance/field_ops/eapp/mapdisclaimer.html.

Facility or Activity – For the purpose of this permit, a construction site or construction support activity that is regulated under this general permit, including all contiguous land and fixtures (e.g., ponds and materials stockpiles), structures, or appurtances used at a construction site or industrial site described by this general permit.

Final Stabilization - A construction site status where any of the following conditions are met:

(a) All soil disturbing activities at the site have been completed and a uniform (i.e., evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

(b) For individual lots in a residential construction site by either:

(1) the homebuilder completing final stabilization as specified in condition (a) above; or

(2) the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization. If temporary stabilization is not feasible, then the homebuilder may fulfill this requirement by retaining perimeter controls or other best management practices, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization.

(c) For construction activities on land used for agricultural purposes (e.g. pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.

(d) In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:

(1) Temporary erosion control measures (e.g., degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator, and

(2) The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years.

Hyperchlorination of Waterlines – Treatment of potable water lines or tanks with chlorine for disinfection purposes, typically following repair or partial replacement of the waterline or tank, and subsequently flushing the contents.

Indian Country Land – (from 40 CFR 122.2) (1) all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; (2) all dependent Indian communities with the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and (3) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

Indian Tribe - (from 40 CFR 122.2) any Indian Tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation.

Large Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Municipal Separate Storm Sewer System (MS4) - A separate storm sewer system owned or operated by the United States, a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to surface water in the state.

Notice of Change (NOC) – Written notification to the executive director from a discharger authorized under this permit, providing changes to information that was previously provided to the agency in a notice of intent form.

Notice of Intent (NOI) - A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT) - A written submission to the executive director from a discharger authorized under a general permit requesting termination of coverage.

Operator - The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

Primary Operator – the person or persons associated with a large or small construction activity that meets either of the following two criteria:

(a) the person or persons have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or

(b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a storm water pollution prevention plan (SWP3) for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Secondary Operator – The person whose operational control is limited to the employment of other operators or to the ability to approve or disapprove changes to plans and specifications. A secondary operator is also defined as a primary operator and must comply with the permit requirements for primary operators if there are no other operators at the construction site.

Outfall - For the purpose of this permit, a point source at the point where storm water runoff associated with construction activity discharges to surface water in the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other water of the U.S. and are used to convey waters of the U.S.

Permittee - An operator authorized under this general permit. The authorization may be gained through submission of a notice of intent, by waiver, or by meeting the requirements for automatic coverage to discharge storm water runoff and certain non-storm water discharges.

Point Source – (from 40 CFR §122.2) Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are, or may be, discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutant - Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any surface water in the state. The term "pollutant" does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated rangeland, pastureland, and farmland. For the purpose of this permit, the term "pollutant" includes sediment.

Pollution - (from Texas Water Code §26.001(14)) The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any surface water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

Rainfall Erosivity Factor (R factor) - the total annual erosive potential that is due to climatic effects, and is part of the Revised Universal Soil Loss Equation (RUSLE).

Semiarid Areas - areas with an average annual rainfall of 10 to 20 inches

Separate Storm Sewer System - A conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), designed or used for collecting or conveying storm water; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Small Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Storm Water (or Storm Water Runoff) - Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Associated with Construction Activity - Storm water runoff from a construction activity where soil disturbing activities (including clearing, grading, excavating) result in the disturbance of one (1) or more acres of total land area, or are part of a larger common plan of development or sale that will result in disturbance of one (1) or more acres of total land area.

Structural Control (or Practice) - A pollution prevention practice that requires the construction of a device, or the use of a device, to capture or prevent pollution in storm water runoff. Structural controls and practices may include but are not limited to: silt fences, earthen dikes, drainage swales, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

Surface Water in the State - Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Temporary Stabilization - A condition where exposed soils or disturbed areas are provided a protective cover or other structural control to prevent the migration of pollutants. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either permanent stabilization can be achieved or until further construction activities take place.

Waters of the United States - (from 40 CFR, Part122, Section 2) Waters of the United States or waters of the U.S. means:

(a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) all interstate waters, including interstate wetlands;

(c) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) which are or could be used by interstate or foreign travelers for recreational or other purposes;

(2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

(3) which are used or could be used for industrial purposes by industries in interstate commerce;

(d) all impoundments of waters otherwise defined as waters of the United States under this definition;

(e) tributaries of waters identified in paragraphs (a) through (d) of this definition;

(f) the territorial sea; and

(g) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR §423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the United States (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Storm Water Associated with Construction Activity

Discharges of storm water runoff from small and large construction activities may be authorized under this general permit.

2. Discharges of Storm Water Associated with Construction Support Activities

Examples of construction support activities include, but are not limited to, concrete batch plants, rock crushers, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas. Discharges of storm water runoff from construction support activities may be authorized under this general permit, provided that the following conditions are met:

(a) the activities are located within one (1)-mile from the boundary of the permitted construction site and directly support the construction activity;

(b) a storm water pollution prevention plan is developed according to the provisions of this general permit and includes appropriate controls and measures to reduce erosion and discharge of pollutants in storm water runoff from the construction support activities; and

(c) the construction support activities either do not operate beyond the completion date of the construction activity or are authorized under separate TPDES authorization. Separate TPDES authorization may include the TPDES Multi Sector General Permit, TXR050000 (related to storm water discharges associated with industrial activity), separate authorization under this general permit if applicable, coverage under an alternative general permit if available, or authorization under an individual water quality permit.

3. Non-Storm Water Discharges

The following non-storm water discharges from sites authorized under this general permit are also eligible for authorization under this general permit:

(a) discharges from fire fighting activities (fire fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);

(b) uncontaminated fire hydrant flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life), which include flushings from systems that utilize potable water, surface water, or groundwater that does not contain additional pollutants (uncontaminated fire hydrant flushings do not include systems utilizing reclaimed wastewater as a source water);

(c) water from the routine external washing of vehicles, the external portion of buildings or structures, and pavement, where detergents and soaps are not used and where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, or dust;

(d) uncontaminated water used to control dust;

(e) potable water sources including waterline flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);

(f) uncontaminated air conditioning condensate;

(g) uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents; and

(h) lawn watering and similar irrigation drainage.

4. Other Permitted Discharges

Any discharge authorized under a separate NPDES, TPDES, or TCEQ permit may be combined with discharges authorized by this general permit, provided those discharges comply with the associated permit.

Section B. Concrete Truck Wash Out

The washout of concrete trucks associated with off-site production facilities may be conducted at regulated construction sites in accordance with the requirements of Part V of this general permit.

Section C. Limitations on Permit Coverage

1. Post Construction Discharges.

Discharges that occur after construction activities have been completed, and after the construction site and any supporting activity site have undergone final stabilization, are not eligible for coverage under this general permit. Discharges originating from the sites are not authorized under this general permit following the submission of the notice of termination (NOT) for the construction activity.

2. Prohibition of Non-Storm Water Discharges

Except as otherwise provided in Part II.A. of this general permit, only discharges that are composed entirely of storm water associated with construction activity may be authorized under this general permit.

3. Compliance With Water Quality Standards

Discharges to surface water in the state that would cause or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit (see Parts II.H.2. and 3.) to authorize discharges to surface water in the state from any activity that is determined to cause a violation of water quality standards or is found to cause, or contribute to, the loss of a designated use. The executive director may also require an application for an individual permit considering factors described in Part II.H.2. of this general permit.

4. Discharges to Water Quality-Impaired Receiving Waters.

New sources or new discharges of the constituents of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water quality standards and are listed on the EPA approved Clean Water Act Section 303(d) list. Constituents of concern are those for which the water body is listed as impaired.

Discharges of the constituents of concern to impaired water bodies for which there is a total maximum daily load (TMDL) are not eligible for this permit unless they are consistent with the approved TMDL. Permittees must incorporate the limitations, conditions, and requirements applicable to their discharges, including monitoring frequency and reporting required by TCEQ rules, into their storm water pollution prevention plan in order to be eligible for coverage under this general permit.

5. Discharges to the Edwards Aquifer Recharge Zone

Discharges cannot be authorized by this general permit where prohibited by 30 Texas Administrative Code (TAC) Chapter 213 (relating to Edwards Aquifer). **In addition, commencement of construction (i.e., the initial disturbance of soils associated with clearing, grading, or excavating activities, as well as other construction-related activities such as stockpiling of fill material and demolition) at a site regulated under 30 TAC Chapter 213, may not begin until the appropriate Edwards Aquifer Protection Plan has been approved by the TCEQ's Edwards Aquifer Protection Program.**

(a) For new discharges located within the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the Contributing Zone, operators must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Rule) in addition to the provisions and requirements of this general permit.

(b) For existing discharges located within the Edwards Aquifer Recharge Zone, the requirements of the agency-approved Water Pollution Abatement Plan under the Edwards Aquifer Rules are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural storm water controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Rule for reductions of suspended solids in storm water runoff are in addition to the requirements in this general permit for this pollutant.

For discharges from large construction activities located on the Edwards Aquifer recharge zone or the Edwards Aquifer contributing zone, applicants must submit a copy of the NOI to the appropriate TCEQ regional office. For discharges from small construction activities located on the Edwards Aquifer recharge zone or the Edwards Aquifer contributing zone, and for discharges from large construction activities by operators not required to submit an NOI under this general permit, applicants must submit a copy of the construction site notice to the appropriate TCEQ regional office where required by the Edwards Aquifer Rules at 30 TAC Chapter 213:

Counties: Contact:

Comal, Bexar, Medina, Uvalde, and Kinney	TCEQ Water Program Manager San Antonio Regional Office 14250 Judson Rd. San Antonio, Texas (210) 490-3096
Williamson, Travis, and Hays	TCEQ Water Program Manager Austin Regional Office 2800 South IH 35, Suite 100 Austin, Texas 78704-5712 (512) 339-2929

6. Discharges to Specific Watersheds and Water Quality Areas

Discharges otherwise eligible for coverage cannot be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

7. Protection of Streams and Watersheds by Other Governmental Entities

This general permit does not limit the authority or ability of federal, other state, or local governmental entities from placing additional or more stringent requirements on construction activities or discharges from construction activities. For example, this permit does not limit the authority of a home-rule municipality provided by Texas Local Government Code §401.002.

8. Indian Country Lands

Storm water runoff from construction activities occurring on Indian Country lands are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of storm water require authorization under federal National Pollutant Discharge Elimination System (NPDES) regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Oil and Gas Production

Storm water runoff from construction activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline, are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of storm water require authorization under federal NPDES regulations, authority for these discharges must be obtained from the EPA.

10. Storm Water Discharges from Agricultural Activities

Storm water discharges from agricultural activities that are not point source discharges of storm water are not subject to TPDES permit requirements. These activities may include clearing and cultivating ground for crops, construction of fences to contain livestock, construction of stock ponds, and other similar agricultural activities. Discharges of storm water runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of confined animal feeding operations, would be point sources regulated under this general permit.

11. Other

Nothing in Part II of the general permit is intended to negate any person's ability to assert the force majeure (act of God, war, strike, riot, or other catastrophe) defenses found in 30 TAC § 70.7.

Section D. Deadlines for Obtaining Authorization to Discharge

1. Large Construction Activities

(a) New Construction - Discharges from sites where the commencement of construction occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

(b) Ongoing Construction - Operators of large construction activities continuing to operate after the effective date of this permit, and authorized under TPDES general permit TXR150000 (issued March 5, 2003), must submit an NOI to renew authorization under this general permit within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

2. Small Construction Activities

(a) New Construction - Discharges from sites where the commencement of construction occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

(b) Ongoing Construction - Discharges from ongoing small construction activities that commenced prior to the effective date of this general permit, and that would not meet the conditions to qualify for termination of this permit as described in Part II.E. of this general permit, must meet the requirements to be authorized, either under this general permit or a separate TPDES permit, within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

Section E. Obtaining Authorization to Discharge

1. Automatic Authorization for Small Construction Activities With Low Potential for Erosion:

If all of the following conditions are met, then a small construction activity is determined to occur during periods of low potential for erosion, and a site operator may be automatically authorized under this general permit without being required to develop a storm water pollution prevention plan or submit a notice of intent (NOI):

(a) the construction activity occurs in a county listed in Appendix A;

(b) the construction activity is initiated and completed, including either final or temporary stabilization of all disturbed areas, within the time frame identified in Appendix A for the location of the construction site;

(c) all temporary stabilization is adequately maintained to effectively reduce or prohibit erosion, permanent stabilization activities have been initiated, and a condition of final stabilization is completed no later than 30 days following the end date of the time frame identified in Appendix A for the location of the construction site;

(d) the permittee signs a completed construction site notice (Attachment 1 of this general permit), including the certification statement;

(e) a signed copy of the construction site notice is posted at the construction site in a location where it is readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction activities, and maintained in that location until completion of the construction activity;

(f) a copy of the signed and certified construction site notice is provided to the operator of any municipal separate storm sewer system (MS4) receiving the discharge at least two days prior to commencement of construction activities;

(g) any supporting concrete batch plant or asphalt batch plant is separately authorized for discharges of storm water runoff or other non-storm water discharges under an individual TPDES permit, another TPDES general permit, or under an individual TCEQ permit where storm water and non-storm water is disposed of by evaporation or irrigation (discharges are adjacent to water in the state); and

(h) any non-storm water discharges are either authorized under a separate permit or authorization, or are not considered to be a wastewater.

Part II.G. of this general permit describes how an operator may apply for and obtain a waiver from permitting, for certain small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available.

2. Automatic Authorization For All Other Small Construction Activities:

Operators of small construction activities not described in Part II.E.1. above may be automatically authorized under this general permit, and operators of these sites shall not be required to submit an NOI, provided that they meet all of the following conditions:

(a) develop a SWP3 according to the provisions of this general permit, that covers either the entire site or all portions of the site for which the applicant is the operator, and implement that plan prior to commencing construction activities;

(b) sign and certify a completed construction site notice (Attachment 2 of this general permit), post the notice at the construction site in a location where it is safely and readily available for viewing by the general public, local, state, and federal authorities, prior to commencing construction, and maintain the notice in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public; local, state, and federal authorities); and

(c) provide a copy of the signed and certified construction site notice to the operator of any municipal separate storm sewer system receiving the discharge at least two days prior to commencement of construction activities.

Operators of small construction activities as defined in Part I of this general permit shall not submit an NOI for coverage unless otherwise required by the executive director.

As described in Part I (Definitions) of this general permit, large construction activities include those that will disturb less than five (5) acres of land, but that are part of a larger common plan of development or sale that will ultimately disturb five (5) or more acres of land, and must meet the requirements of Part II.E.3. below.

3. Authorization for Large Construction Activities:

Operators of large construction activities that qualify for coverage under this general permit must meet all of the following conditions:

(a) develop a SWP3 according to the provisions of this general permit that covers either the entire site or all portions of the site for which the applicant is the operator, and implement that plan prior to commencing construction activities;

(b) primary operators must submit a Notice of Intent (NOI), using a form provided by the executive director, at least seven (7) days prior to commencing construction activities, or if utilizing electronic submittal, prior to commencing construction activities. If an additional primary operator is added after the initial NOI is submitted, the new primary operator must submit an NOI at least seven (7) days before assuming operational control, or if utilizing electronic NOI submittal, prior to assuming operational control. If the primary operator changes after the initial NOI is submitted, the new primary operator must submit a paper NOI or an electronic NOI at least ten (10) days before assuming operational control;

(c) all primary operators must also post a copy of the signed NOI at the construction site in a location where it is readily available for viewing by the general public, local,

state, and federal authorities prior to commencing construction activities, and must maintain the NOI in that location until completion of the construction activity;

(d) all operators of large construction activities must post a site notice in accordance with Part III.D.2. of this permit. The site notice must be located where it is safely and readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction, and must be maintained in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public; local, state, and federal authorities); and

(e) all primary operators must provide a copy of the signed NOI to the operator of any municipal separate storm sewer system (MS4) receiving the discharge and to any secondary operator, at least seven (7) days prior to commencing construction activities, and must list in the SWP3 the names and addresses of all MS4 operators receiving a copy.

(f) All persons meeting the definition of "secondary operator" in Part I of this permit are hereby notified that they are regulated under this general permit, but are not required to submit an NOI, provided that another operator(s) at the site has submitted an NOI, or is required to submit an NOI and the secondary operator has provided notification to the operator(s) of the need to obtain coverage (with records of notification available upon request). Any secondary operator notified under this provision may alternatively submit an NOI under this general permit, may seek coverage under an alternative TPDES individual permit, or may seek coverage under an alternative TPDES general permit if available.

4. Waivers for Small Construction Activities:

Part II.G. describes how operators of certain small construction activities may obtain a waiver from coverage.

5. Effective Date of Coverage

(a) Operators of small construction activities as described in either Part II.E.1. or II.E.2. above are authorized immediately following compliance with the applicable conditions of Part II.E.1. or II.E.2. Secondary operators of large construction activities as described in Part II.E.3. above are authorized immediately following compliance with the applicable conditions in Part II.E.3. For activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator's responsibilities under that rule. Construction may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.

(b) Primary operators of large construction activities as described in Part II.E.3. above are provisionally authorized seven (7) days from the date that a completed NOI is

postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. If electronic submission of the NOI is provided, and unless otherwise notified by the executive director, primary operators are authorized immediately following confirmation of receipt of the NOI by the TCEQ. Authorization is non-provisional when the executive director finds the NOI is administratively complete and an authorization number is issued for the activity. For activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator's responsibilities under that rule. Construction may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.

(c) Operators are not prohibited from submitting late NOIs or posting late notices to obtain authorization under this general permit. The TCEQ reserves the right to take appropriate enforcement actions for any unpermitted activities that may have occurred between the time construction commenced and authorization was obtained.

6. Notice of Change (NOC)

If relevant information provided in the NOI changes, an NOC must be submitted at least 14 days before the change occurs, if possible. Where 14-day advance notice is not possible, the operator must submit an NOC within 14 days of discovery of the change. If the operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in an NOI, the correct information must be provided to the executive director in an NOC within 14 days after discovery. The NOC shall be submitted on a form provided by the executive director, or by letter if an NOC form is not available. A copy of the NOC must also be provided to the operator of any MS4 receiving the discharge, and a list must be included in the SWP3 that includes the names and addresses of all MS4 operators receiving a copy.

Information that may be included on an NOC includes, but is not limited to, the following: the description of the construction project, an increase in the number of acres disturbed (for increases of one or more acres), or the operator name. A transfer of operational control from one operator to another, including a transfer of the ownership of a company, may not be included in an NOC. A transfer of ownership of a company includes changes to the structure of a company, such as changing from a partnership to a corporation or changing corporation types, so that the filing number (or charter number) that is on record with the Texas Secretary of State must be changed.

An NOC is not required for notifying TCEQ of a decrease in the number of acres disturbed. This information must be included in the storm water pollution prevention plan (SWP3) and retained on site.

7. Signatory Requirement for NOI Forms, Notice of Termination (NOT) Forms, NOC Letters, and Construction Site Notices

NOI forms, NOT forms, NOC letters, and Construction Site Notices that require a signature must be signed according to 30 TAC § 305.44 (relating to Signatories for Applications).

8. Contents of the NOI

The NOI form shall require, at a minimum, the following information:

(a) the TPDES CGP authorization number for existing authorizations under this general permit, where the operator submits an NOI to renew coverage within 90 days of the effective date of this general permit;

(b) the name, address, and telephone number of the operator filing the NOI for permit coverage;

(c) the name (or other identifier), address, county, and latitude/longitude of the construction project or site;

(d) the number of acres that will be disturbed by the applicant;

(e) confirmation that the project or site will not be located on Indian Country lands;

(f) confirmation that a SWP3 has been developed, that it will be implemented prior to construction, and that it is compliant with any applicable local sediment and erosion control plans;

(g) name of the receiving water(s);

(h) the classified segment number for each classified segment that receives discharges from the regulated construction activity (if the discharge is not directly to a classified segment, then the classified segment number of the first classified segment that those discharges reach); and

(i) the name of all surface waters receiving discharges from the regulated construction activity that are on the latest EPA-approved CWA § 303(d) list of impaired waters.

Section F. Terminating Coverage

1. Notice of Termination (NOT) Required

Each operator that has submitted an NOI for authorization under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit. Authorization must be terminated by submitting a Notice of Termination (NOT) on a form supplied by the executive director. Authorization to discharge under this general permit terminates at midnight on the day the NOT is postmarked for delivery to the TCEQ. If electronic submission of the NOT is provided, authorization to discharge under this permit terminates immediately following confirmation of receipt of the NOT by the TCEQ. Compliance with the conditions and requirements of this permit is required until an NOT is submitted.

The NOT must be submitted to TCEQ, and a copy of the NOT provided to the operator of any MS4 receiving the discharge (with a list in the SWP3 of the names and addresses of all MS4 operators receiving a copy), within 30 days after any of the following conditions are met:

(a) final stabilization has been achieved on all portions of the site that are the responsibility of the permittee;

(b) a transfer of operational control has occurred (See Section II.F.4. below); or

(c) the operator has obtained alternative authorization under an individual TPDES permit or alternative TPDES general permit.

2. Minimum Contents of the NOT

The NOT form shall require, at a minimum, the following information:

(a) if authorization was granted following submission of an NOI, the permittee's site-specific TPDES authorization number for the construction site;

(b) an indication of whether the construction activity is completed or if the permittee is simply no longer an operator at the site;

(c) the name, address, and telephone number of the permittee submitting the NOT;

(d) the name (or other identifier), address, county, and latitude/longitude of the construction project or site; and

(e) a signed certification that either all storm water discharges requiring authorization under this general permit will no longer occur, or that the applicant to terminate coverage is no longer the operator of the facility or construction site, and that all temporary structural erosion controls have either been removed, will be removed on a schedule defined in the SWP3, or have been transferred to a new operator if the new operator has applied for permit coverage. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.

3. Termination of Coverage for Small Construction Sites and for Secondary Operators at Large Construction Sites

Each operator that has obtained automatic authorization and has not been required to submit an NOI must remove the site notice upon meeting any of the conditions listed below, complete the applicable portion of the site notice related to removal of the site notice, and submit a copy of the completed site notice to the operator of any MS4 receiving the discharge (or provide alternative notification as allowed by the MS4 operator, with documentation of such notification included in the SWP3), within 30 days of meeting any of the following conditions:

(a) final stabilization has been achieved on all portions of the site that are the responsibility of the permittee;

(b) a transfer of operational control has occurred (See Section II.F.4. below); or

(c) the operator has obtained alternative authorization under an individual or general TPDES permit.

Authorization to discharge under this general permit terminates immediately upon removal of the applicable site notice. Compliance with the conditions and requirements of this permit is required until the site notice is removed.

4. Transfer of Operational Control

Coverage under this general permit is not transferable. A transfer of operational control includes changes to the structure of a company, such as changing from a partnership to a corporation, or changing to a different corporation type such that a different filing (or charter) number is established with the Texas Secretary of State.

When the primary operator of a large construction activity changes or operational control is transferred, the original operator must submit a Notice of Termination (NOT) within ten (10) days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least ten (10) days prior to the transfer of operational control, in accordance with condition (a) or (b) below. A copy of the NOT must be provided to the operator of any MS4 receiving the discharge in accordance with Section II.F.1. above.

Operators of regulated construction activities who are not required to submit an NOI must remove the original site notice, and the new operator must post the required site notice prior to the transfer of operational control, in accordance with condition (a) or (b) below. A copy of the completed site notice must be provided to the operator of any MS4 receiving the discharge, in accordance with Section II.F.3. above.

A transfer of operational control occurs when either of the following criteria is met:

(a) Another operator has assumed control over all areas of the site that have not been finally stabilized; and all silt fences and other temporary erosion controls have either been removed, scheduled for removal as defined in the SWP3, or transferred to a new operator, provided that the permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Record of this notification (or attempt at notification) shall be retained by the operator in accordance with Part VI of this permit. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.

(b) A homebuilder has purchased one or more lots from an operator who obtained coverage under this general permit for a common plan of development or sale. The homebuilder is considered a new operator and shall comply with the requirements listed above, including the development of a SWP3 if necessary. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to lot(s) it has operational control over, and the original operator remains responsible for common controls or discharges, and must amend its SWP3 to remove the lot(s) transferred to the homebuilder.

Section G. Waivers from Coverage

The executive director may waive the otherwise applicable requirements of this general permit for storm water discharges from small construction activities under the terms and conditions described in this section.

1. Waiver Applicability and Coverage

Operators of small construction activities may apply for and receive a waiver from the requirements to obtain authorization under this general permit, where all of the following conditions are met. This waiver from coverage does not apply to non-storm water discharges. The operator must insure that any non-storm water discharges are either authorized under a separate permit or authorization, or are not considered to be a wastewater.

(a) the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5);

(b) the operator submits to the TCEQ a signed waiver certification form, supplied by the executive director, certifying that the construction activity will commence and be completed within a period when the value of the calculated rainfall erosivity R factor is less than five (5); and

(c) the waiver certification form is postmarked for delivery to the TCEQ at least two (2) days before construction activity begins.

2. Steps to Obtaining a Waiver

The construction site operator may calculate the R factor to request a waiver using the following steps:

(a) Estimate the construction start date and the construction end date. The construction end date is the date that final stabilization will be achieved.

(b) Find the appropriate Erosivity Index (EI) zone in Appendix B of this permit.

(c) Find the EI percentage for the project period by adding the results for each period of the project using the table provided in Appendix D of this permit, in EPA Fact Sheet 2.1, or in USDA Handbook 703, by subtracting the start value from the end value to find the percent EI for the site.

(d) Refer to the Isoerodent Map (Appendix C of this permit) and interpolate the annual isoerodent value for the proposed construction location.

(e) Multiply the percent value obtained in Step (c) above by the annual isoerodent value obtained in Step (d). This is the R factor for the proposed project. If the value is less than 5, then a waiver may be obtained. If the value is five (5) or more, then a waiver may not be obtained, and the operator must obtain coverage under Part II.E.2. of this permit.

Alternatively, the operator may calculate a site-specific R factor utilizing the following online calculator: http://ei.tamu.edu/index.html, or using another available resource.

The waiver certification form is not required to be posted at the small construction site.

3. Effective Date of Waiver

Operators of small construction activities are provisionally waived from the otherwise applicable requirements of this general permit two (2) days from the date that a completed waiver certification form is postmarked for delivery to TCEQ.

4. Activities Extending Beyond the Waiver Period

If a construction activity extends beyond the approved waiver period due to circumstances beyond the control of the operator, the operator must either:

(a) recalculate the rainfall erosivity (R) factor using the original start date and a new projected ending date, and if the R factor is still under five (5), submit a new waiver certification form at least two (2) days before the end of the original waiver period; or

(b) obtain authorization under this general permit according to the requirements delineated in either Part II.E.2. or Part II.E.3. at least two (2) days before the end of the approved waiver period.

Section H. Alternative TPDES Permit Coverage

1. Individual Permit Alternative

Any discharge eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC Chapter 305 (relating to Consolidated Permits). Applications for individual permit coverage should be submitted at least three hundred and thirty (330) days prior to commencement of construction activities to ensure timely issuance.

2. Individual Permit Required

The executive director may suspend an authorization or deny an NOI in accordance with the procedures set forth in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), including the requirement that the executive director provide written notice to the permittee. The executive director may require an operator of a construction site, otherwise eligible for authorization under this general permit, to apply for an individual TPDES permit in the following circumstances:

(a) the conditions of an approved total maximum daily load (TMDL) limitation or TMDL implementation plan on the receiving stream;

(b) the activity being determined to cause a violation of water quality standards or being found to cause, or contribute to, the loss of a designated use of surface water in the state: and

(c) any other consideration defined in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges) including 30 TAC §205.4(c)(3)(D), which allows the commission to deny authorization under the general permit and require an individual permit if a discharger "has been determined by the executive director to have been out of compliance with any rule, order, or permit of the commission, including non-payment of fees assessed by the executive director."

Additionally, the executive director may cancel, revoke, or suspend authorization to discharge under this general permit based on a finding of historical and significant noncompliance with the provisions of this general permit, relating to 30 TAC §60.3 (Use of Compliance History). Denial of authorization to discharge under this general permit or suspension of a permittee's authorization under this general permit shall be done according to commission rules in 30 TAC, Chapter 205 (relating to General Permits for Waste Discharges).

3. Any discharge eligible for authorization under this general permit may alternatively be authorized under a separate general permit according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), if applicable.

Section I. Permit Expiration

1. This general permit is issued for a term not to exceed five (5) years. All active discharge authorizations expire on the date provided on page one (1) of this permit. Following public notice and comment, as provided by 30 TAC §205.3 (relating to Public Notice, Public Meetings, and Public Comment), the commission may amend, revoke, cancel, or renew this general permit.

2. If the executive director publishes a notice of the intent to renew or amend this general permit before the expiration date, the permit will remain in effect for existing, authorized discharges until the commission takes final action on the permit. Upon issuance of a renewed or amended permit, permittees may be required to submit an NOI within 90 days following the effective date of the renewed or amended permit, unless that permit provides for an alternative method for obtaining authorization.

3. If the commission does not propose to reissue this general permit within 90 days before the expiration date, permittees shall apply for authorization under an individual permit or an alternative general permit. If the application for an individual permit is submitted before the expiration date, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit. No new NOIs will be accepted nor new authorizations honored under the general permit after the expiration date.

Part III. Storm Water Pollution Prevention Plans (SWP3)

Storm water pollution prevention plans must be prepared to address discharges authorized under Parts II.E.2. and II.E.3. that will reach Waters of the United States, including discharges to MS4s and privately owned

separate storm sewer systems that drain to Waters of the United States, to identify and address potential sources of pollution that are reasonably expected to affect the quality of discharges from the construction site, including off-site material storage areas, overburden and stockpiles of dirt, borrow areas, equipment staging areas, vehicle repair areas, fueling areas, etc., used solely by the permitted project. The SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in storm water associated with construction activity and non-storm water discharges described in Part II.A.3., in compliance with the terms and conditions of this permit.

Individual operators at a site may develop separate SWP3s that cover only their portion of the project, provided reference is made to the other operators at the site. Where there is more than one SWP3 for a site, permittees must coordinate to ensure that BMPs and controls are consistent and do not negate or impair the effectiveness of each other. Regardless of whether a single comprehensive SWP3 is developed or separate SWP3s are developed for each operator, it is the responsibility of each operator to ensure compliance with the terms and conditions of this general permit in the areas of the construction site where that operator has control over construction plans and specifications or day-to-day operations.

Section A. Shared SWP3 Development

For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site is encouraged. Operators must independently obtain authorization, but may work together to prepare and implement a single, comprehensive SWP3 for the entire construction site.

1. The SWP3 must clearly list the name and, for large construction activities, the general permit authorization numbers, for each operator that participates in the shared SWP3. Until the TCEQ responds to receipt of the NOI with a general permit authorization number, the SWP3 must specify the date that the NOI was submitted to TCEQ by each operator. Each operator participating in the shared plan must also sign the SWP3.

2. The SWP3 must clearly indicate which operator is responsible for satisfying each shared requirement of the SWP3. If the responsibility for satisfying a requirement is not described in the plan, then each permittee is entirely responsible for meeting the requirement within the boundaries of the construction site where they perform construction activities. The SWP3 must clearly describe responsibilities for meeting each requirement in shared or common areas.

Section B. Responsibilities of Operators

1. Secondary Operators and Primary Operators with Control Over Construction Plans and Specifications

   All secondary operators and primary operators with control over construction plans and specifications must:

   (a) ensure the project specifications allow or provide that adequate BMPs are developed to meet the requirements of Part III of this general permit;

   (b) ensure that the SWP3 indicates the areas of the project where they have control over project specifications, including the ability to make modifications in specifications;

(c) ensure all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their best management practices as necessary to remain compliant with the conditions of this general permit; and

(d) ensure that the SWP3 for portions of the project where they are operators indicates the name and site-specific TPDES authorization numbers for permittees with the day-to-day operational control over those activities necessary to ensure compliance with the SWP3 and other permit conditions. If the party with day-to-day operational control has not been authorized or has abandoned the site, the person with control over project specifications is considered to be the responsible party until the authority is transferred to another party and the SWP3 is updated.

2. Primary Operators with Day-to-Day Operational Control

Primary Operators with day-to-day operational control of those activities at a project that are necessary to ensure compliance with an SWP3 and other permit conditions must ensure that the SWP3 accomplishes the following requirements:

(a) meets the requirements of this general permit for those portions of the project where they are operators;

(b) identifies the parties responsible for implementation of best management practices (BMPs) described in the SWP3;

(c) indicates areas of the project where they have operational control over day-to-day activities; and

(d) includes, for areas where they have operational control over day-to-day activities, the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications.

Section C. Deadlines for SWP3 Preparation, Implementation, and Compliance

The SWP3 must be prepared prior to obtaining authorization under this general permit, and implemented prior to commencing construction activities that result in soil disturbance. The SWP3 must be prepared so that it provides for compliance with the terms and conditions of this general permit.

Section D. Plan Review and Making Plans Available

1. The SWP3 must be retained on-site at the construction site or, if the site is inactive or does not have an on-site location to store the plan, a notice must be posted describing the location of the SWP3. The SWP3 must be made readily available at the time of an on-site inspection to: the executive director; a federal, state, or local agency approving sediment and erosion plans, grading plans, or storm water management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site.

2. In addition to the requirement to post the NOI, a primary operator of a large construction activity must post the site notice provided in Attachment 4 of this permit near the main entrance of the construction site. An operator of a small construction activity seeking authorization under this general permit and a secondary operator of a large construction activity must post the site notice required in Part II.E.1., 2., or 3. of this permit in order to obtain authorization (see Attachments 1, 2, and 3). If the construction project is a linear construction project (e.g. pipeline or highway), the notices must be placed in a publicly accessible location near where construction is actively underway. Notices for these linear sites may be relocated, as necessary, along the length of the project. The notices must be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:

   (a) the site-specific TPDES authorization number for the project if assigned;

   (b) the operator name, contact name, and contact phone number;

   (c) a brief description of the project; and

   (d) the location of the SWP3.

3. This permit does not provide the general public with any right to trespass on a construction site for any reason, including inspection of a site; nor does this permit require that permittees allow members of the general public access to a construction site.

Section E. Revisions and Updates to SWP3s

The permittee must revise or update the SWP3 whenever the following occurs:

1. a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3;

2. changing site conditions based on updated plans and specifications, new operators, new areas of responsibility, and changes in BMPs; or

3. results of inspections or investigations by site operators, operators of a municipal separate storm sewer system receiving the discharge, authorized TCEQ personnel, or a federal, state or local agency approving sediment and erosion plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this general permit.

Section F. Contents of SWP3

The SWP3 must include, at a minimum, the information described in this section.

1. A site or project description, which includes the following information:

   (a) a description of the nature of the construction activity;

   (b) a list of potential pollutants and their sources;

(c) a description of the intended schedule or sequence of activities that will disturb soils for major portions of the site;

(d) the total number of acres of the entire property and the total number of acres where construction activities will occur, including off-site material storage areas, overburden and stockpiles of dirt, and borrow areas that are authorized under the permittee's NOI;

(e) data describing the soil or the quality of any discharge from the site;

(f) a map showing the general location of the site (e.g. a portion of a city or county map);

(g) a detailed site map (or maps) indicating the following:

(i) drainage patterns and approximate slopes anticipated after major grading activities;

(ii) areas where soil disturbance will occur;

(iii) locations of all major structural controls either planned or in place;

(iv) locations where temporary or permanent stabilization practices are expected to be used;

(v) locations of construction support activities, including off-site activities, that are authorized under the permittee's NOI, including material, waste, borrow, fill, or equipment storage areas;

(vi) surface waters (including wetlands) either at, adjacent, or in close proximity to the site;

(vii) locations where storm water discharges from the site directly to a surface water body or a municipal separate storm sewer system; and

(viii) vehicle wash areas.

Where the amount of information required to be included on the map would result in a single map being difficult to read and interpret, the operator shall develop a series of maps that collectively include the required information.

(h) the location and description of support activities authorized under the permittee's NOI, including asphalt plants, concrete plants, and other activities providing support to the construction site that is authorized under this general permit;

(i) the name of receiving waters at or near the site that may be disturbed or that may receive discharges from disturbed areas of the project;

(j) a copy of this TPDES general permit, and

(k) the notice of intent (NOI) and acknowledgement certificate for primary operators of large construction sites, and the site notice for small construction sites and for secondary operators of large construction sites.

2. A description of the best management practices (BMPs) that will be used to minimize pollution in runoff.

The description must identify the general timing or sequence for implementation. At a minimum, the description must include the following components:

(a) General Requirements

(i) Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local topography, soil type, and rainfall.

(ii) Control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specifications.

(iii) Controls must be developed to minimize the offsite transport of litter, construction debris, and construction materials.

(b) Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where it is possible.

(i) Erosion control and stabilization practices may include but are not limited to: establishment of temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, slope texturing, temporary velocity dissipation devices, flow diversion mechanisms, and other similar measures.

(ii) The following records must be maintained and either attached to or referenced in the SWP3, and made readily available upon request to the parties listed in Part III.D.1 of this general permit:

(A) the dates when major grading activities occur;

(B) the dates when construction activities temporarily or permanently cease on a portion of the site; and

(C) the dates when stabilization measures are initiated.

(iii) Erosion control and stabilization measures must be initiated as soon as practicable in portions of the site where construction activities have temporarily ceased. Stabilization measures that provide a protective cover must be initiated as soon as practicable in portions of the site where construction activities have permanently ceased. Except as provided in (A) through (D) below, these measures must be initiated no more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased:

(A) Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.

(B) Where construction activity on a portion of the site has temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary erosion control and stabilization measures are not required on that portion of site.

(C) In arid areas, semiarid areas, and areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased or is precluded by arid conditions, erosion control and stabilization measures must be initiated as soon as practicable. Where vegetative controls are not feasible due to arid conditions, the operator shall install non-vegetative erosion controls. If non-vegetative controls are not feasible, the operator shall install temporary sediment controls as required in Paragraph (D) below.

(D) In areas where temporary stabilization measures are infeasible, the operator may alternatively utilize temporary perimeter controls. The operator must document in the SWP3 the reason why stabilization measures are not feasible, and must demonstrate that the perimeter controls will retain sediment on site to the extent practicable. The operator must continue to inspect the BMPs at the frequency established in Section III.F.7.(a) for unstabilized sites.

(iv) Final stabilization must be achieved prior to termination of permit coverage.

(c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from storm water runoff, including the general timing or sequence for implementation of controls.

(i) Sites With Drainage Areas of Ten or More Acres

(A) Sedimentation Basin(s)

(1) A sedimentation basin is required, where feasible, for a common drainage location that serves an area with ten (10) or more acres disturbed at one time. A sedimentation basin may be temporary or permanent, and must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from offsite areas and flow from onsite areas that are either undisturbed or have already undergone permanent stabilization, if these flows are diverted around both the disturbed areas of the site and the sediment basin. Capacity calculations shall be included in the SWP3.

(2) Where rainfall data is not available or a calculation cannot be performed, the sedimentation basin must provide at least 3,600 cubic feet of storage per acre drained until final stabilization of the site.

(3) If a sedimentation basin is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site. In determining whether installing a sediment basin is feasible, the permittee may consider factors such as site soils, slope, available area, public safety, precipitation patterns, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. The permittee shall document the reason that the sediment basins are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins.

(B) Perimeter Controls: At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

(ii) Controls for Sites With Drainage Areas Less than Ten Acres:

(A) Sediment traps and sediment basins may be used to control solids in storm water runoff for drainage locations serving less than ten (10) acres. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

(B) Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed

acre drained may be utilized. Where rainfall data is not available or a calculation cannot be performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained may be provided. If a calculation is performed, then the calculation shall be included in the SWP3.

3. A Description of Permanent Storm Water Controls

A description of any measures that will be installed during the construction process to control pollutants in storm water discharges that may occur after construction operations have been completed must be included in the SWP3. Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site or prior to submission of an NOT.

4. Other Required Controls and BMPs

(a) Permittees shall minimize, to the extent practicable, the off-site vehicle tracking of sediments and the generation of dust. The SWP3 shall include a description of controls utilized to accomplish this requirement.

(b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to minimize pollutants from these materials.

(c) The SWP3 must include a description of potential pollutant sources from areas other than construction (such as storm water discharges from dedicated asphalt plants and dedicated concrete batch plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

(d) Permittees shall place velocity dissipation devices at discharge locations and along the length of any outfall channel (i.e., runoff conveyance) to provide a non-erosive flow velocity from the structure to a water course, so that the natural physical and biological characteristics and functions are maintained and protected.

(e) Permittees shall design and utilize appropriate controls to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.

5. Documentation of Compliance with Approved State and Local Plans

(a) Permittees must ensure that the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or storm water management site plans or site permits approved by federal, state, or local officials.

(b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or storm water management site plans or site permits approved by state or local official for which the permittee receives written notice.

(c) If the permittee is required to prepare a separate management plan, including but not limited to a Water Pollution Abatement Plan or Contributing Zone Plan in accordance with 30 TAC Chapter 213 (related to the Edwards Aquifer), then a copy of that plan must be either included in the SWP3 or made readily available upon request to authorized personnel of the TCEQ. The permittee shall maintain a copy of the approval letter for the plan in its SWP3.

6. Maintenance Requirements

(a) All protective measures identified in the SWP3 must be maintained in effective operating condition. If, through inspections or other means, the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness of storm water controls, and prior to the next rain event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWP3 and maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.

(b) If periodic inspections or other information indicates a control has been used incorrectly, is performing inadequately, or is damaged, then the operator must replace or modify the control as soon as practicable after making the discovery.

(c) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%. For perimeter controls such as silt fences, berms, etc., the trapped sediment must be removed before it reaches 50% of the above-ground height.

(d) If sediment escapes the site, accumulations must be removed at a frequency that minimizes off-site impacts, and prior to the next rain event, if feasible. If the permittee does not own or operate the off-site conveyance, then the permittee must to work with the owner or operator of the property to remove the sediment.

7. Inspections of Controls

(a) Personnel provided by the permittee must inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Personnel conducting these inspections must be knowledgeable of this general permit, familiar with the construction site, and knowledgeable of the SWP3 for the site. Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections must be conducted at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

Where sites have been finally or temporarily stabilized or where runoff is unlikely due to winter conditions (e.g. site is covered with snow, ice, or frozen ground exists), inspections must be conducted at least once every month. In arid or semi-arid areas, inspections must be conducted at least once every month and within 24 hours after the end of a storm event of 0.5 inches or greater.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, then the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(b) Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may provide inspection personnel with limited access to the areas described in Part III.F.8.(a) above. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described in Part III.F.8.(a) above. The conditions of the controls along each inspected 0.25 mile portion may be considered as representative of the condition of controls along that reach extending from the end of the 0.25 mile portion to either the end of the next 0.25 mile inspected portion, or to the end of the project, whichever occurs first.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, the inspection must occur on a specifically defined day, regardless of whether or not there has been a rainfall event since the previous inspection. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may be changed a maximum of one time each month, the schedule change must be implemented at the beginning of a calendar month, and the reason for the schedule change must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(c) In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable.

(d) The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable.

(e) A report summarizing the scope of the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.

Actions taken as a result of inspections must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

The names and qualifications of personnel making the inspections for the permittee may be documented once in the SWP3 rather than being included in each report.

8. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-storm water components of the discharge, as listed in Part II.A.3. of this permit.

9. The SWP3 must include the information required in Part III.B. of this general permit.

Part IV. Storm Water Runoff from Concrete Batch Plants

Discharges of storm water runoff from concrete batch plants at regulated construction sites may be authorized under the provisions of this general permit provided that the following requirements are met for concrete batch plant(s) authorized under this permit. If discharges of storm water runoff from concrete batch plants are not covered under this general permit, then discharges must be authorized under an alternative general permit or individual permit. This permit does not authorize the discharge or land disposal of any wastewater from concrete batch plants at regulated construction sites. Authorization for these wastes must be obtained under an individual permit or an alternative general permit.

Section A. Benchmark Sampling Requirements

1. Operators of concrete batch plants authorized under this general permit must sample the storm water runoff from the concrete batch plants according to the requirements of this

section of this general permit, and must conduct evaluations on the effectiveness of the SWP3 based on the following benchmark monitoring values:

Benchmark Parameter	Benchmark Value	Sampling Frequency	Sample Type
Oil and Grease	15 mg/L	1/quarter (*1)(*2)	Grab (*3)
Total Suspended Solids	100 mg/L	1/quarter (*1)(*2)	Grab (*3)
pH	6.0 - 9.0 Standard Units	1/quarter (*1)(*2)	Grab (*3)
Total Iron	1.3 mg/L	1/quarter(*1)(*2)	Grab (*3)

(*1) When discharge occurs. Sampling is required within the first 30 minutes of discharge. If it is not practicable to take the sample, or to complete the sampling, within the first 30 minutes, sampling must be completed within the first hour of discharge. If sampling is not completed within the first 30 minutes of discharge, the reason must be documented and attached to all required reports and records of the sampling activity.

(*2) Sampling must be conducted at least once during each of the following periods. The first sample must be collected during the first full quarter that a storm water discharge occurs from a concrete batch plant authorized under this general permit.

January through March
April through June
July through September
October through December

For projects lasting less than one full quarter, a minimum of one sample shall be collected, provided that a storm water discharge occurred at least once following submission of the NOI or following the date that automatic authorization was obtained under Section II.E.2., and prior to terminating coverage.

(*3) A grab sample shall be collected from the storm water discharge resulting from a storm event that is at least 0.1 inches of measured precipitation that occurs at least 72 hours from the previously measurable storm event. The sample shall be collected downstream of the concrete batch plant, and where the discharge exits any BMPs utilized to handle the runoff from the batch plant, prior to commingling with any other water authorized under this general permit.

2. The permittee must compare the results of sample analyses to the benchmark values above, and must include this comparison in the overall assessment of the SWP3's effectiveness. Analytical results that exceed a benchmark value are not a violation of this permit, as these values are not numeric effluent limitations. Results of analyses are indicators that modifications of the SWP3 should be assessed and may be necessary to protect water quality. The operator must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 by the end of the quarter following the sampling event.

The operator's investigation must identify the following:

(a) any additional potential sources of pollution, such as spills that might have occurred,

(b) necessary revisions to good housekeeping measures that are part of the SWP3,

(c) additional BMPs, including a schedule to install or implement the BMPs, and

(d) other parts of the SWP3 that may require revisions in order to meet the goal of the benchmark values.

Background concentrations of specific pollutants may also be considered during the investigation. If the operator is able to relate the cause of the exceedance to background concentrations, then subsequent exceedances of benchmark values for that pollutant may be resolved by referencing earlier findings in the SWP3. Background concentrations may be identified by laboratory analyses of samples of storm water runon to the permitted facility, by laboratory analyses of samples of storm water run-off from adjacent non-industrial areas, or by identifying the pollutant is a naturally occurring material in soils at the site.

Section B. Best Management Practices (BMPs) and SWP3 Requirements

Minimum Storm Water Pollution Prevention Plan (SWP3) Requirements – The following are required in addition to other SWP3 requirements listed in this general permit (including, but not limited to Part III.F.7. of this permit):

1. Description of Potential Pollutant Sources - The SWP3 must provide a description of potential sources (activities and materials) that may reasonably be expected to affect the quality of storm water discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe practices that that will be used to reduce the pollutants in these discharges to assure compliance with this general permit, including the protection of water quality, and must ensure the implementation of these practices.

   The following must be developed, at a minimum, in support of developing this description:

   (a) Drainage – The site map must include the following information:

      (1) the location of all outfalls for storm water discharges associated with concrete batch plants that are authorized under this permit;

      (2) a depiction of the drainage area and the direction of flow to the outfall(s);

      (3) structural controls used within the drainage area(s);

      (4) the locations of the following areas associated with concrete batch plants that are exposed to precipitation: vehicle and equipment maintenance activities (including fueling, repair, and storage areas for vehicles and equipment scheduled for maintenance); areas used for the treatment, storage, or disposal

of wastes; liquid storage tanks; material processing and storage areas; and loading and unloading areas; and

(5) the locations of the following: any bag house or other dust control device(s); recycle/sedimentation pond, clarifier or other device used for the treatment of facility wastewater (including the areas that drain to the treatment device); areas with significant materials; and areas where major spills or leaks have occurred.

(b) Inventory of Exposed Materials – A list of materials handled at the concrete batch plant that may be exposed to storm water and that have a potential to affect the quality of storm water discharges associated with concrete batch plants that are authorized under this general permit.

(c) Spills and Leaks - A list of significant spills and leaks of toxic or hazardous pollutants that occurred in areas exposed to storm water and that drain to storm water outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated.

(d) Sampling Data - A summary of existing storm water discharge sampling data must be maintained, if available.

2. Measures and Controls - The SWP3 must include a description of management controls to regulate pollutants identified in the SWP3's "Description of Potential Pollutant Sources" from Part IV.B.1.(a) of this permit, and a schedule for implementation of the measures and controls. This must include, at a minimum:

(a) Good Housekeeping - Good housekeeping measures must be developed and implemented in the area(s) associated with concrete batch plants.

(1) Operators must prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), settled dust, or other significant materials from paved portions of the site that are exposed to storm water. Measures used to minimize the presence of these materials may include regular sweeping or other equivalent practices. These practices must be conducted at a frequency that is determined based on consideration of the amount of industrial activity occurring in the area and frequency of precipitation, and shall occur at least once per week when cement or aggregate is being handled or otherwise processed in the area.

(2) Operators must prevent the exposure of fine granular solids, such as cement, to storm water. Where practicable, these materials must be stored in enclosed silos, hoppers or buildings, in covered areas, or under covering.

(b) Spill Prevention and Response Procedures - Areas where potential spills that can contribute pollutants to storm water runoff, and the drainage areas from these locations, must be identified in the SWP3. Where appropriate, the SWP3 must specify material handling procedures, storage requirements, and use of equipment.

Procedures for cleaning up spills must be identified in the SWP3 and made available to the appropriate personnel.

(c) Inspections - Qualified facility personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) must be identified to inspect designated equipment and areas of the facility specified in the SWP3. The inspection frequency must be specified in the SWP3 based upon a consideration of the level of concrete production at the facility, but must be a minimum of once per month while the facility is in operation. The inspection must take place while the facility is in operation and must, at a minimum, include all areas that are exposed to storm water at the site, including material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck wash down and equipment cleaning areas. Follow-up procedures must be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections must be maintained and be made readily available for inspection upon request.

(d) Employee Training - An employee training program must be developed to educate personnel responsible for implementing any component of the SWP3, or personnel otherwise responsible for storm water pollution prevention, with the provisions of the SWP3. The frequency of training must be documented in the SWP3, and at a minimum, must consist of one training prior to the initiation of operation of the concrete batch plant.

(e) Record Keeping and Internal Reporting Procedures - A description of spills and similar incidents, plus additional information that is obtained regarding the quality and quantity of storm water discharges, must be included in the SWP3. Inspection and maintenance activities must be documented and records of those inspection and maintenance activities must be incorporated in the SWP3.

(f) Management of Runoff - The SWP3 shall contain a narrative consideration for reducing the volume of runoff from concrete batch plants by diverting runoff or otherwise managing runoff, including use of infiltration, detention ponds, retention ponds, or reusing of runoff.

3. Comprehensive Compliance Evaluation – At least once per year, one or more qualified personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) shall conduct a compliance evaluation of the plant. The evaluation must include the following.

(a) Visual examination of all areas draining storm water associated with regulated concrete batch plants for evidence of, or the potential for, pollutants entering the drainage system. These include but are not limited to: cleaning areas, material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, and truck wash down and equipment cleaning areas. Measures implemented to reduce pollutants in runoff (including structural controls and implementation of management practices) must be evaluated to determine if they are effective and if they are implemented in accordance with the terms of this permit

and with the permittee's SWP3. The operator shall conduct a visual inspection of equipment needed to implement the SWP3, such as spill response equipment.

(b) Based on the results of the evaluation, the following must be revised as appropriate within two weeks of the evaluation: the description of potential pollutant sources identified in the SWP3 (as required in Part IV.B.1., "Description of Potential Pollutant Sources"); and pollution prevention measures and controls identified in the SWP3 (as required in Part IV.B.2., "Measures and Controls"). The revisions may include a schedule for implementing the necessary changes.

(c) The permittee shall prepare and include in the SWP3 a report summarizing the scope of the evaluation, the personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP3, and actions taken in response to the findings of the evaluation. The report must identify any incidents of noncompliance. Where the report does not identify incidences of noncompliance, the report must contain a statement that the evaluation did not identify any incidence(s), and the report must be signed according to 30 TAC Section 305.128, relating to Signatories to Reports.

(d) The Comprehensive Compliance Evaluation may substitute for one of the required inspections delineated in Part IV.B.2.(c) of this general permit.

Section C. Prohibition of Wastewater Discharges

Wastewater discharges associated with concrete production including wastewater disposal by land application are not authorized under this general permit. These wastewater discharges must be authorized under an alternative TCEQ water quality permit or otherwise disposed of in an authorized manner. Discharges of concrete truck washout at construction sites may be authorized if conducted in accordance with the requirements of Part V of this general permit.

Part V. Concrete Truck Wash Out Requirements

This general permit authorizes the wash out of concrete trucks at construction sites regulated under Sections II.E.1., 2., and 3. of this general permit, provided the following requirements are met. Authorization is limited to the land disposal of wash out water from concrete trucks that are associated with off-site production facilities. Wash out water associated with on-site concrete production facilities must be authorized under a separate TCEQ general permit or individual permit.

1. Direct discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.

2. Concrete truck wash out water shall be discharged to areas at the construction site where structural controls have been established to prevent direct discharge to surface waters, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent direct discharge to surface waters. Structural controls may consist of temporary berms, temporary shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.

3. Wash out of concrete trucks during rainfall events shall be minimized. The direct discharge

of concrete truck wash out water is prohibited at all times, and the operator shall insure that its BMPs are sufficient to prevent the discharge of concrete truck washout as the result of rain.

4. The discharge of wash out water shall not cause or contribute to groundwater contamination.

5. If a SWP3 is required to be implemented, the SWP3 shall include concrete wash out areas on the associated map.

Part VI. Retention of Records

The permittee must retain the following records for a minimum period of three (3) years from the date that a NOT is submitted as required by Part II.E.3. For activities in which an NOT is not required, records shall be retained for a minimum period of three (3) years from the date that the operator terminates coverage under Section II.F.3. of this permit. Records include:

1. A copy of the SWP3;

2. All reports and actions required by this permit, including a copy of the construction site notice;

3. All data used to complete the NOI, if an NOI is required for coverage under this general permit; and

4. All records of submittal of forms submitted to the operator of any MS4 receiving the discharge and to the secondary operator of a large construction site, if applicable.

Part VII. Standard Permit Conditions

1. The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued, and is grounds for enforcement action, for terminating coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit.

2. Authorization under this general permit may be suspended or revoked for cause. Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee must furnish to the executive director, upon request and within a reasonable time, any information necessary for the executive director to determine whether cause exists for revoking, suspending, or terminating authorization under this permit. Additionally, the permittee must provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of this general permit.

3. It is not a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.

4. Inspection and entry shall be allowed under Texas Water Code Chapters 26-28, Texas Health and Safety Code §§361.032-361.033 and 361.037, and 40 Code of Federal Regulations (CFR) §122.41(i). The statement in Texas Water Code §26.014 that commission entry of a facility shall occur according to an establishment's rules and regulations concerning safety, internal security, and

fire protection is not grounds for denial or restriction of entry to any part of the facility or site, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.

5. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§26.136, 26.212, and 26.213 for violations including but not limited to the following:

   a. negligently or knowingly violating the federal Clean Water Act (CWA), §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA, §402, or any requirement imposed in a pretreatment program approved under CWA, §§402(a)(3) or 402(b)(8);

   b. knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance.

6. All reports and other information requested by the executive director must be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

7. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.

Part VIII. Fees

1. A fee of must be submitted along with the NOI:

   a. $325 if submitting a paper NOI, or
   b. $225 if submitting a NOI electronically.

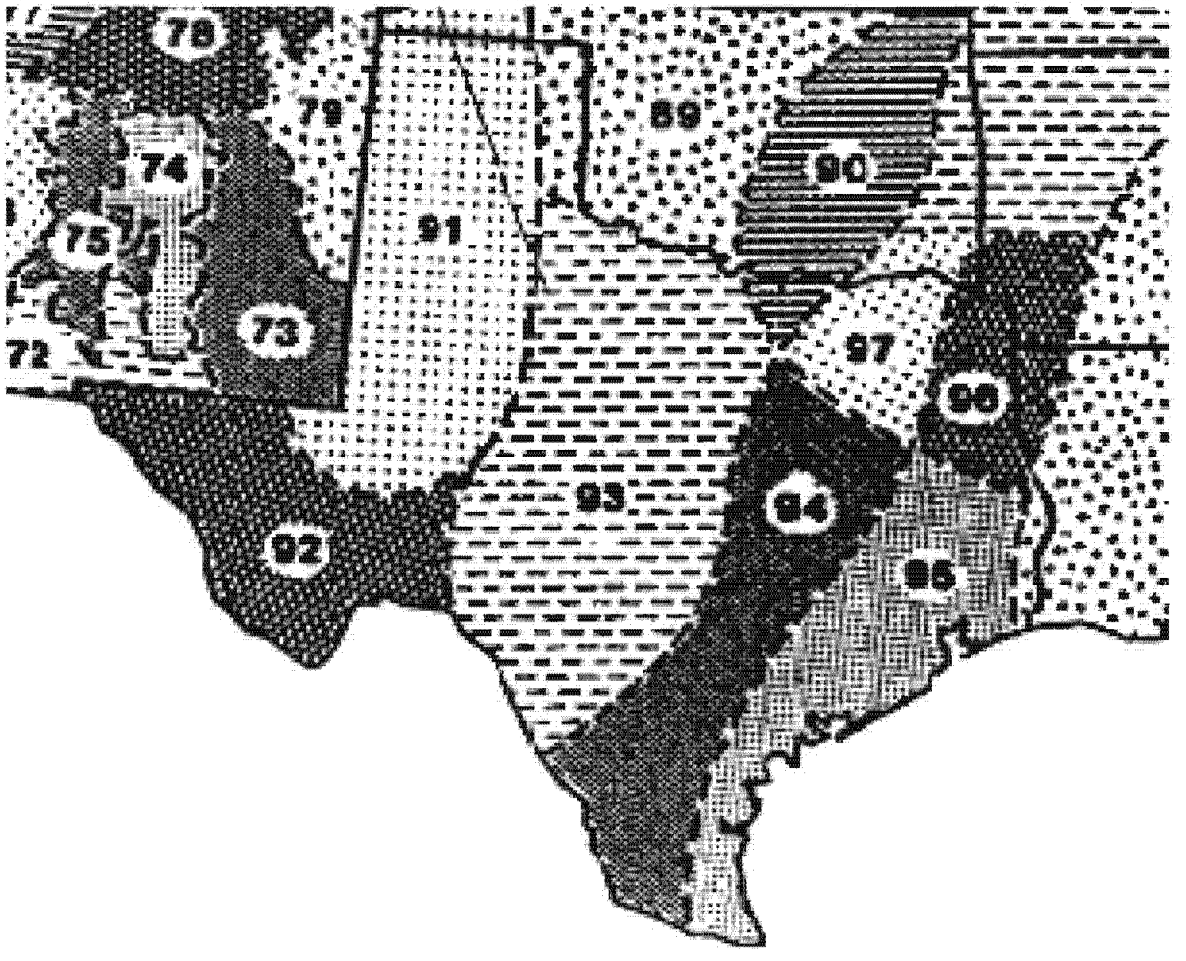
2. Fees are due upon submission of the NOI. An NOI will not be declared administratively complete unless the associated fee has been paid in full.

3. No separate annual fees will be assessed. The Water Quality Annual fee has been incorporated into the NOI fees as described above.

Appendix A: Automatic Authorization
Periods of Low Erosion Potential by County – Eligible Date Ranges

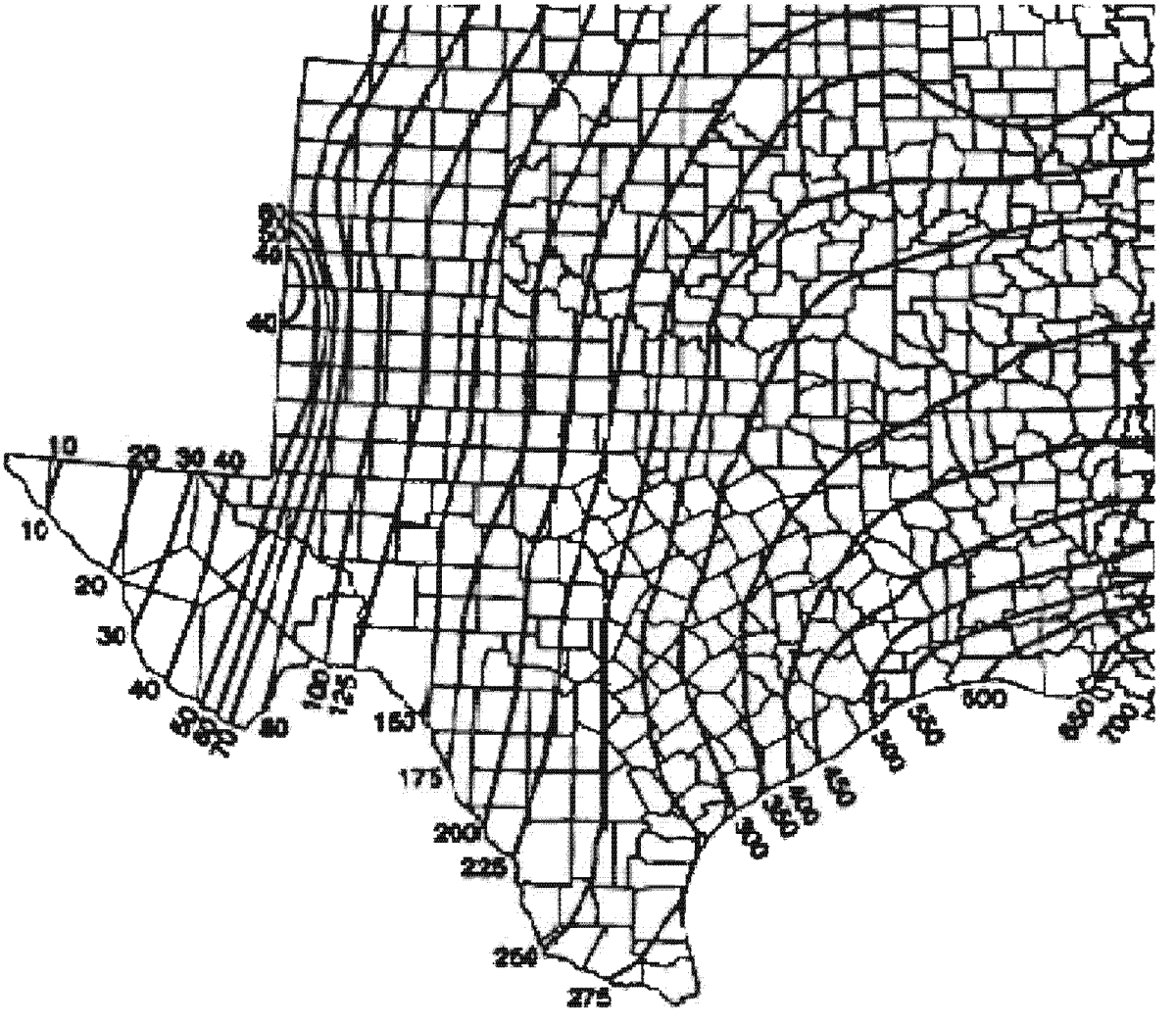
Andrews: Nov. 15 - Apr. 30
Archer: Dec. 15 - Feb. 14
Armstrong: Nov. 15 - Apr. 30
Bailey: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Baylor: Dec. 15 - Feb. 14
Borden: Nov. 15 - Apr. 30
Brewster: Nov. 15 - Apr. 30
Briscoe: Nov. 15 - Apr. 30
Brown: Dec. 15 - Feb. 14
Callahan: Dec. 15 - Feb. 14
Carson: Nov. 15 - Apr. 30
Castro: Nov. 15 - Apr. 30
Childress: Dec. 15 - Feb. 14
Cochran: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Coke: Dec. 15 - Feb. 14
Coleman: Dec. 15 - Feb. 14
Collingsworth: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28
Concho: Dec. 15 - Feb. 14
Cottle: Dec. 15 - Feb. 14
Crane: Nov. 15 - Apr. 30
Crockett: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30
Crosby: Nov. 15 - Apr. 30
Culberson: Nov. 1 - May 14
Dallam: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Dawson: Nov. 15 - Apr. 30
[illegible]eaf Smith: Nov. 15 - Apr. 30
[illegible]ickens: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30
Dimmit: Dec. 15 - Feb. 14
Donley: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28
Eastland: Dec. 15 - Feb. 14
Ector: Nov. 15 - Apr. 30
Edwards: Dec. 15 - Feb. 14
El Paso: Jan. 1 - Jul. 14, or May 15 - Jul. 31, or Jun. 1 - Aug. 14, or Jun. 15 - Sept. 14, or Jul. 1 - Oct. 14, or Jul. 15 - Oct. 31, or Aug. 1 - Apr. 30, or Aug. 15 - May 14, or Sept. 1 - May 30, or Oct. 1 - Jun. 14, or Nov. 1 - Jun. 30, or Nov. 15 - Jul. 14
Fisher: Dec. 15 - Feb. 14
Floyd: Nov. 15 - Apr. 30
Foard: Dec. 15 - Feb. 14
Gaines: Nov. 15 - Apr. 30
Garza: Nov. 15 - Apr. 30
Glasscock: Nov. 15 - Apr. 30
Hale: Nov. 15 - Apr. 30
Hall: Feb. 1 - Mar. 30
Hansford: Nov. 15 - Apr. 30
Hardeman: Dec. 15 - Feb. 14
Hartley: Nov. 15 - Apr. 30
Haskell: Dec. 15 - Feb. 14
Hockley: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Howard: Nov. 15 - Apr. 30
Hudspeth: Nov. 1 - May 14
Hutchinson: Nov. 15 - Apr. 30
Irion: Dec. 15 - Feb. 14
[illegible]ff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14
[illegible]ones: Dec. 15 - Feb. 14
Kent: Nov. 15 - Jan. 14 or Feb. 1 - Mar. 30
Kerr: Dec. 15 - Feb. 14
Kimble: Dec. 15 - Feb. 14
King: Dec. 15 - Feb. 14
Kinney: Dec. 15 - Feb. 14
Knox: Dec. 15 - Feb. 14
Lamb: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Loving: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Lubbock: Nov. 15 - Apr. 30
Lynn: Nov. 15 - Apr. 30
Martin: Nov. 15 - Apr. 30
Mason: Dec. 15 - Feb. 14
Maverick: Dec. 15 - Feb. 14
McCulloch: Dec. 15 - Feb. 14
Menard: Dec. 15 - Feb. 14
Midland: Nov. 15 - Apr. 30
Mitchell: Nov. 15 - Apr. 30
Moore: Nov. 15 - Apr. 30
Motley: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30
Nolan: Dec. 15 - Feb. 14
Oldham: Nov. 15 - Apr. 30
Parmer: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Pecos: Nov. 15 - Apr. 30
Potter: Nov. 15 - Apr. 30
Presidio: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Randall: Nov. 15 - Apr. 30
Reagan: Nov. 15 - Apr. 30
Real: Dec. 15 - Feb. 14
Reeves: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Runnels: Dec. 15 - Feb. 14
Schleicher: Dec. 15 - Feb. 14
Scurry: Nov. 15 - Apr. 30
Shackelford: Dec. 15 - Feb. 14
Sherman: Nov. 15 - Apr. 30
Stephens: Dec. 15 - Feb. 14
Sterling: Nov. 15 - Apr. 30
Stonewall: Dec. 15 - Feb. 14
Sutton: Dec. 15 - Feb. 14
Swisher: Nov. 15 - Apr. 30
Taylor: Dec. 15 - Feb. 14
Terrell: Nov. 15 - Apr. 30
Terry: Nov. 15 - Apr. 30
Throckmorton: Dec. 15 - Feb. 14
Tom Green: Dec. 15 - Feb. 14
Upton: Nov. 15 - Apr. 30
Uvalde: Dec. 15 - Feb. 14
Val Verde: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30
Ward: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30
Wichita: Dec. 15 - Feb. 14
Wilbarger: Dec. 15 - Feb. 14
Winkler: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Young: Dec. 15 - Feb. 14
Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28
Zavala: Dec. 15 - Feb. 14

Appendix B:
Erosivity Index (EI) Zones in Texas



Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix C: Isoerodent Map



Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix D: Erosivity Indices for EI Zones in Texas

Periods:

EI#:	1/1	1/15	2/1	2/15	3/1	3/15	4/1	4/15	5/1	5/15	6/1	6/15	7/1	7/15	8/1	8/15	9/1	9/15	10/1	10/15	11/1	11/15	12/1	12/15
89	0	0	1	1	2	3	4	7	12	18	27	38	48	55	62	69	76	83	90	94	97	98	99	100
90	0	1	2	3	4	6	8	13	21	29	37	46	54	60	65	69	74	81	87	92	95	97	98	99
91	0	0	0	0	1	1	1	2	6	16	29	39	46	53	60	67	74	81	88	95	99	99	100	100
92	0	0	0	0	1	1	1	2	6	16	29	39	46	53	60	67	74	81	88	95	99	99	100	100
93	0	1	1	2	3	4	6	8	13	25	40	49	56	62	67	72	76	80	85	91	97	98	99	99
94	0	1	2	4	6	8	10	15	21	29	38	47	53	57	61	65	70	76	83	88	91	94	96	98
95	0	1	3	5	7	9	11	14	18	27	35	41	46	51	57	62	68	73	79	84	89	93	96	98
96	0	2	4	6	9	12	17	23	30	37	43	49	54	58	62	66	70	74	78	82	86	90	94	97
97	0	1	3	5	7	10	14	20	28	37	48	56	61	64	68	72	77	81	86	89	92	95	98	99
106	0	3	6	9	13	17	21	27	33	38	44	49	55	61	67	71	75	78	81	84	86	90	94	97

* Each period begins on the date listed in the table above and lasts until the day before the following period. The final period begins on December 15 and ends on December 31.

Table adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Attachment 1

SMALL CONSTRUCTION SITE NOTICE: LOW POTENTIAL FOR EROSION

FOR THE

Texas Commission on Environmental Quality (TCEQ)

Storm Water Program

TPDES GENERAL PERMIT TXR150000

The following information is posted in compliance with **Part II.E.1.** of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from small construction sites automatically authorized based on low rainfall erosivity. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/wq_construction.html

Operator Name:	
Contact Name and Phone Number:	
Project Description: (Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized)	

For Small Construction Sites Authorized Under Part II.E.1., the following certification must be completed:

I _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an automatic authorization based on low rainfall erosivity under Part II.E.1. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. Construction activities at this site shall occur within a time period listed in Appendix A of the TPDES general permit for this county, that period beginning on _____and ending on _____. I understand that if construction activities continue past this period, all storm water runoff must be authorized under a separate provision of the general permit. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title _____ Date_____

_____*Date Notice Removed*

_____*MS4 operator notified per Part II.F.3.*

SMALL CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000

The following information is posted in compliance with **Part II.E.2.** of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from small construction sites. Additional information regarding the TCEQ storm water permit program may be found on the internet at:
http://www.tceq.state.tx.us/nav/permits/wq_construction.html

Operator Name:	
Contact Name and Phone Number:	
Project Description: *Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized*	
Location of Storm Water Pollution Prevention Plan:	

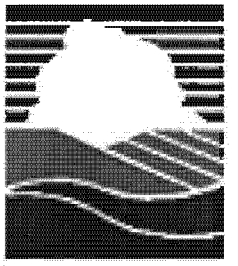
For Small Construction Activities Authorized Under Part II.E.2. (Obtaining Authorization to Discharge) the following certification must be completed:

I _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.D.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A storm water pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title_____ Date _____

_____*Date Notice Removed*
_____*MS4 operator notified per Part II.F.3.*

Attachment 3



LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

TPDES GENERAL PERMIT TXR150000

"SECONDARY OPERATOR" NOTICE

This notice applies to secondary operators of construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

Site-Specific TPDES Authorization Number:	
Operator Name:	
Contact Name and Phone Number:	
Project Description: *Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.*	
Location of Storm Water Pollution Prevention Plan (SWP3):	

For Large Construction Activities Authorized Under Part II.E.3. (Obtaining Authorization to Discharge) the following certification must be completed:

I _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.E.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A storm water pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title_____ Date _____

Date Notice Removed
MS4 operator notified per Part II.F.3.

Attachment 4

LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

TPDES GENERAL PERMIT TXR150000

"PRIMARY OPERATOR" NOTICE

This notice applies to construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of storm water runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.E.2. of the general permit. This notice shall be posted along with a copy of the signed Notice of Intent (NOI), as applicable. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

Site-Specific TPDES Authorization Number:	
Operator Name:	
Contact Name and Phone Number:	
Project Description: *Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.*	
Location of Storm Water Pollution Prevention Plan:	

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under the TPDES General Permit

TCEQ Office Use Only
TPDES Permit Number: TXR15|__|__|__|__|__|
GIN Number: |__|__|__|__|__|__|__|__|
Fee Receipt No. _____

IMPORTANT:
•Use the attached **INSTRUCTIONS** when completing this form.
•After completing this form, use the attached **CUSTOMER CHECKLIST** to make certain all items are complete and accurate.
•Missing, illegible, or inaccurate items may delay final acknowledgment or coverage under the general permit.

Application Fee: You must submit the $100 NOI Application Fee to TCEQ under separate cover (see instructions) using the attached Application Fee submittal form. (DO NOT SEND A COPY OF THE NOI WITH THE APPLICATION FEE SUBMITTAL FORM)
Tell us how you paid for this fee:

Check/Money Order No.:	Name Printed on Check:

A. OPERATOR

1. TCEQ Issued Customer Number (CN) (if available): 603165911

2. Legal Name (spelled exactly as filed with the Texas Secretary of State, County, or legal document that was used in forming the entity):
Highway 46 Ltd.

3. Mailing Address: 3100 S. Gessner Suite No./Bldg.No.: Suite 200

City: Houston	State: TX	ZIP Code: 77063

4. Phone No.: (713) 789 - 5293	Extension:
FAX No. 713 - 952 - 0377	E-mail Address:

6. Type of Operator: ☐ Individual ☐ Sole Proprietorship-D.B.A. ☒ Partnership ☐ Corporation ☐ Federal Government ☐ State Government ☐ County Government ☐ City Government ☐ Other: _____

7. Independent Operator: ☒ Yes ☐ No (If governmental entity or a subsidiary or part of a larger corporation, check "NO")

8. Number of Employees: ☒ 0-20; ☐ 21-100; ☐ 101-250; ☐ 251-500; or ☐ 501 or higher

9. Business Tax and Filing Numbers *(not applicable to Individuals, Government, General Partnerships, and Sole Proprietorship-D.B.A):*
State Franchise Tax ID Number: 32035604514 Federal Tax ID: 20-107133
TX SOS Charter (filing) Number: _____ DUNS Number: _____ (If known)

B. BILLING ADDRESS (The Operator is responsible for paying the annual fee.)

☑ **Same As Operator** (check if address is the same, then proceed with Section C.)

1. Billing Mailing Address: Suite No./Bldg.No.:

City:	State:	ZIP Code:

2. Billing Contact (Attn or C/O):

3. Country Mailing Information (if outside USA) Territory: Country Code: Postal Code:

4. Phone No.: ( ) -	Extension:
FAX No.	E-mail Address:

C. APPLICATION CONTACT (If TCEQ needs additional information regarding this application, who should be contacted?)

1. Name: Keith Strimple, P.E. Title: Agent - Engineer Company: M&S Engineering

2. Phone No.: (830) 228 - 5446 Extension:

3. FAX No. 830 - 885 - 2170 E-mail Address:

D. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. TCEQ Issued RE Reference Number (RN) (if available): 105186480

2. Name of Project or Site: River Crossing Lot 667

3. Physical Address of Project or Site: (enter in spaces below)

Street Number:	Street Name:	
City (nearest to the site): Bulverde	ZIP Code (nearest to the site): 78070	County (Counties if >1): Comal

4. If no physical address (Street Number & Street Name), provide a written location access description that can be used for locating the site:
(Ex.: 2 miles west from intersection of Hwy 290 & IH35 on Hwy 290 South)
From the intersection of US Hwy 281 and Hwy 46 proceed 1.1 miles east. Turn left onto Bentwood Drive and left immediately onto Hwy 46 Parkway. Proceed approximately 410 feet. The site will be on your right.

5. Latitude: 29.798611 N Longitude: 98.401944 W

6. Standard Industrial Classification (SIC) code: 1542

7. Describe the activity related to the need for this authorization at this site *(do not repeat the SIC and NAICS code)*:
Office Building for Lease

8. Is the project/site located on Indian Country Lands? ☐ Yes ☒ No
If Yes, you must obtain authorization through EPA, Region VI.

E. SITE MAILING ADDRESS (address for receiving mail at the site)

☑ **Same As Operator** (check if address is the same, then proceed with Section F.)

Mailing Address:		Suite No./Bldg.No.:
City:	State:	ZIP Code:

F. GENERAL CHARACTERISTICS

1. Has a Pollution Prevention Plan been prepared as required in the general permit? ☒ Yes ☐ No

If No, coverage may be denied as the PPP is required at the time the NOI is submitted to TCEQ.

2. Provide the estimated area of land disturbed (to the nearest acre): 1 Acres

3. Provide the name of the receiving water body (local stream, lake, drainage ditch), MS4 Operator (if applicable) and the segment number where storm water runoff will flow from the construction site.

MS4 Operator: _____ Receiving Water Body: Cibolo Creek Segment: _____

G. CERTIFICATION

I, _____ _____
Typed or printed name *Title (Required)*

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

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

Signature:_____ Date:_____
(Use Blue Ink)

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.

Have you also mailed your check and Payment Submittal Form to the Cashier's office? Go to the end of this document for the Payment Submittal Form.

	Customer GP **TXR150000** Notice of Intent Checklist
√	This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the general permit. (See NOI Process description in the Instructions)
☐	Application Fee was sent to TCEQ's Financial Administration and the check information is listed.
	OPERATOR INFORMATION - Confirm each item is complete: √ ☐ Customer Number issued by TCEQ Central Registry (if you have it) ☐ Legal Name as filed to do business in Texas (Call TX SOS 512/463-5555) ☐ Operator Mailing Address is complete & verifiable with USPS. www.usps.com ☐ Phone Numbers/E-mail ☐ Type of Operator (Entity Type) ☐ Independent Operator ☐ Number of Employees ☐ For Corporations or Limited Partnerships - Tax and Filing numbers
☐	**Billing Address** is complete & verifiable with USPS. www.usps.com
☐	**Application Contact** - a contact person for TCEQ to call is listed
	REGULATED ENTITY (RE) INFORMATION - Confirm each item is complete: √ ☐ Regulated Entity Reference Number (RN) (if you have it) ☐ Site/Project Name/Regulated Entity ☐ Site/Project (RE) Physical Address **Please do not use a rural route or post office box for a site location** ☐ Latitude and Longitude http://www.tnrcc.state.tx.us/gis/drgview.html or www.terraserver.microsoft.com/advfind.aspx. ☐ Standard Industrial Classification (SIC) code http://www.osha.gov/oshstats/sicser.html and business description ☐ Indian Country Lands - your answer was NO ☐ Site Mailing Address (checked same as operator or gave a complete & verifiable with USPS. www.usps.com
	GENERAL CHARACTERISTICS - Confirm each item is complete: √ ☐ Pollution Prevention Plan (PPP) must be "Yes" ☐ Area of Land Disturbed (nearest acre) ☐ MS4 Operator, Receiving Water Body or Segment
☐	**CERTIFICATION** Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original.

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under the TPDES General Permit (TXR150000)

General Information and Instructions

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

BY REGULAR U.S. MAIL
Texas Commission on Environmental Quality
Storm Water & Pretreatment Team; MC-228
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality
Storm Water & Pretreatment Team; MC-228
12100 Park 35 Circle
Austin, TX 78753

It is recommended that the NOI be mailed using a method that documents the date mailed.

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-3700 & E-mail at "swpermit@tceq.state.tx.us"
Technical Questions relating to the general permit:	512/239-4671
Environmental Law Division:	512/239-0600
Central Records for obtaining copies of forms submitted to TCEQ:	512/239-0900
Information Services for obtaining reports from program data bases(as available):	512/239-DATA (3282)
Financial Administration's Cashier's office for receipt of payment:	512/239- 0357 or 512/239-0187

Notice of Intent Process:

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

1. Administrative Review: Each item on the form will be reviewed for a complete response. In addition, the operator's legal number must be verified with Texas Secretary of State as valid and active (when applicable). The address on the form must be verified with the US Postal service as an address receiving regular mail delivery (never give an overnight/express mailing address).

2. Notice of Deficiency: If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness; and if complete,

3. Acknowledge Coverage: We will mail an Acknowledgment Certificate to the operator. This certificate acknowledges coverage under the general permit.

-or-

Denial of Coverage: If the operator fails to respond to the NOD, we may deny coverage under the general permit. If coverage is denied, we will notify the operator.

General Permit (Your Permit)
Provisional coverage under the general permit begins two days following the date that the NOI was postmarked. You should have a copy of the general permit when submitting your application. You may view and print the general permit for which you are seeking coverage on the TCEQ web site www.tceq.statc.tx.

General Permit Forms
The Notice of Intent and Notice of Termination forms (with instructions) are available in Adobe Acrobat PDF format on the TCEQ web site www.tceq.state.tx.us.

Change in Operator
An authorization under the general permit is not transferable. If the operator of the regulated entity changes, the present permittee must submit a Notice of Termination and the new operator must submit a Notice of Intent. The NOT and NOI must be submitted not later than 10 days prior to the change in operator status.

Notice of Change

A Notice of Change letter must be submitted with supplemental or corrected information within 14 days following the time when the operator becomes aware that it failed to submit any relevant facts or incorrect information in the NOI; or the time when relevant facts in the NOI change (i.e. addresses, or phone numbers).

Notice of Termination

A permittee shall terminate coverage under this general permit through the submittal of a NOT when the operator or owner of the facility changes, the discharge becomes authorized under an individual permit, or the use of the property changes and is no longer subject to regulation under this general permit.

TCEQ Central Registry Core Data Form

The Core Data From has been incorporated into this form. Do not complete and attach a core data form when submitting this application. After final acknowledgment of coverage under the general permit, the program will transfer the core data to the agency Central Registry for assignment of a Customer Number and Regulated Entity Number. You can find this information on our web site at www.tceq.state.tx.us, where you can query the Central Registry under the regulated entity number, or by your permit number under the search field labeled "Additional ID".

Fees are associated with a General Permit

The general permit refers to two different fees that apply to operators required to submit a Notice of Intent (NOI). Payment of the fees may be made by check or money order, payable to TCEQ.

BY REGULAR U.S. MAIL

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

BY OVERNIGHT/EXPRESS MAIL

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

Application Fee: This is a fee that is required to be paid at the time the NOI is submitted. Failure to submit the payment at the time the application is filed will cause delays in acknowledging coverage or denial of cover under the general permit. This payment must be submitted separately using the Payment Submittal Form. If submitting one check or money order for multiple NOI's, list each site name and location exactly as provided on the NOI.

Annual Water Quality Fee: This is a fee that is assessed to operators with an active authorization under the general permit on September 1 of each year. The operator will receive an invoice for payment of the annual fee in November of each year. The payment will be due 30 days from the invoice date. A 5% penalty will be assessed if the payment is received by TCEQ after the due date. Annual fee assessments cannot be waived as long as the authorization under the general permit is active on September 1. It's important for the operator to submit a Notice of Termination (NOT) when coverage under the general permit is no longer required. A NOT is effective on the postmarked date of mailing the form to TCEQ. It is recommended that the NOT be mailed using a method that documents the date mailed.

INSTRUCTIONS FOR FILLING OUT THE FORM

A. OPERATOR (As defined in the general permit.)

1. **TCEQ Issued Customer Number (CN)**

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

- If this customer has not been assigned a Customer Reference Number, leave the space for the Customer Reference Number blank.
- If this customer has already been assigned this number, enter the operator's Customer Reference Number in the space provided.

2. **Legal Name**

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

3. Operator Mailing Address

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

If this is a street address, please follow US Postal Service standards. In brief, these standards require this information in this order:

- # the "house" number—for example, the 1401 in 1401 Main St
- # if there is a direction before the street name, the one- or two-letter abbreviation of that direction (N, S, E, W, NE, SE, SW, or NW)
- # the street name (if a numbered street, do not spell out the number—for example, 6th St, not Sixth St)
- # an appropriate abbreviation of the type of street—for example, St, Ave, Blvd, Fwy, Exwy, Hwy, Cr, Ct, Ln
- # if there is a direction after the street name, the one- or two-letter abbreviation of that direction (N, S, E, W, NE, SE, SW, or NW)
- # if there is a room number, suite number, or company mail code

City, State, *and* ZIP Code

Enter the name of the city, the two-letter USPS abbreviation for the state (for example, TX), and the ZIP Code. (Enter the full ZIP+4 if you know it.)

Country Mailing Information

If this address is ***outside*** the United States, enter the territory name, country code, and any non-ZIP mailing codes or other non–U.S. Postal Service features here. If this address is ***inside*** the United States, leave these spaces blank.

Operator Electronic Communications

4. Phone Number

This number should correspond to this customer's mailing address given earlier. Enter the area code and phone number here. Leave "Extension" blank if this customer's phone system lacks this feature.

5. Fax Number and E-mail Address

This number and E-mail address should correspond to operator's mailing address given earlier. (Optional Information)

6. Type of Operator

Check only one box that identifies the type of entity. Use the descriptions below to identify the appropriate entity type:

Individual	is a person and has not established a business to do whatever causes them to be regulated by us.
Sole Proprietorship— D.B.A.	is a business that is owned by only one person and has not been incorporated. This business may: • be under the person's name • have its own name ("doing business as," or d.b.a.) • have any number of employees
Partnership	is a business that is established as a partnership as defined by the Texas Secretary of State's Office.
Corporation	meets all of these conditions: • is a legally incorporated entity under the laws of any state or country • is recognized as a corporation by the Texas Secretary of State • has proper operating authority to operate in Texas.
Federal, state, county, or city government (as appropriate)	is either an agency of one of these levels of government or the governmental body itself.
Other	fits none of the above descriptions. Enter a short description of the type of customer in the blank provided.

7. Independent Operator

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

8. 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 this NOI.

9. State Franchise Tax ID Number	Corporations and limited liability companies that operate in Texas are issued a franchise tax identification number. If this customer is a corporation or limited liability company, enter this number here.
Federal Tax ID	All businesses, except for some small sole proprietors, should have a federal taxpayer identification number (TIN). Enter this number here. Use no prefixes, dashes, or hyphens. Individuals and sole proprietors 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 filling number. You may obtain further information by calling SOS at 512/463-5555 or www.sos.state.tx.us
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.

B. BILLING ADDRESS

An annual fee is assessed to an operator holding an active authorization under the general permit September 1 of each year. Provide the complete mailing address where the annual fee invoice should be mailed. Verify the address with the USPS ensuring it to be an address for delivery of regular mail (not overnight express mail). Also, provide a phone number of the office responsible for payment of the invoice. The operator is the responsible billing client for payment of annual fee.

C. APPLICATION CONTACT

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

D. REGULATED ENTITY (RE) INFORMATIO ON PROJECT OR SITE

1. Regulated Entity Reference Number (RN)

This is a number issued by TCEQ's Central Registry to sites regulated by TCEQ (a location where a regulated activity occurs). **This is not a permit number, registration number, or license number.**

- If this Regulated Entity has not been assigned a Regulated Entity Number, leave the space for the Regulated Entity Number blank.
- If this customer has already been assigned this number, enter the operator's Regulated Entity Number.

2. Site/Project Name/Regulated Entity

Provide the name of the site as known by the public in the area where the site is located. The name you provide on this application will be used in the TCEQ Central Registry as the Regulated Entity. A regulated entity number will be assigned by Central Registry, if this is a new site (not currently regulated by TCEQ).

3. Site/Project (RE) Physical Address

Enter the complete address of where the site is located. This address must be validated through US Postal Service or your local police (911 service) as a valid address. Please confirm this to be a completeand valid address. In some rural areas, new addresses are being assigned to replace rural route addresses. **Please do not use a rural route or post office box for a site location.**

Provide the county, city and ZIP code of the area where the project/site is located. This is information is required to complete the processing of your form.

4. No Physical Address

If a site does not have an actual physical address that includes a street (or house) number and street name, enter NO ADDRESS for the street name. Then provide a complete written location access description. *For example:* "The site is located 2 miles west from intersection of Hwy 290 & IH35, locate on the southwest corner of the Hwy 290 South bound lane."

For projects/sites that includes a large project area, describe the project. *For example*: "State Highway 45 road project between Highway 620 and IH 35."

5. Latitude and Longitude

Enter the latitude and longitude of the site in either degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to: http://www.tnrcc.state.tx.us/gis/drgview.html or www.terraserver.microsoft.com/advfind.aspx.

6. Standard Industrial Classification (SIC) code

Provide the SIC code that best describes the activity being conducted at the site.

Common SIC Codes related to construction activities include: 1521 Construction of Single Family Homes; 1522 Construction of Residential Bldgs. Other than Single Family Homes; 1541 Construction of Industrial Bldgs. and Warehouses; 1542 Construction of Non-residential Bldgs. other than Industrial Bldgs. and Warehouses; 1611 Highway & Street Construction, except Highway Construction; 1622 Bridge, Tunnel, & Elevated Highway Construction; 1623 Water, Sewer, Pipeline & Communications, and Power Line Construction.

For help with SIC codes, go to: http://www.osha.gov/oshstats/sicser.html

7. Description of Activity Regulated

Provide a description of the activity being conducted at the site. This must be a description specific to what you are doing that requires this authorization. (Do not repeat the SIC Code)

8. 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 VI, Dallas. **Do not submit this form to TCEQ.**

E. SITE MAILING ADDRESS

Provide a complete mailing address to be used by TCEQ for receiving mail at the site. In most cases, the address is the same as the operator. If so, simply place a check mark in the box. If you provide a different address, please verify the address with USPS as noted above for the operator address.

F. GENERAL CHARACTERISTICS

1. Pollution Prevention Plan (PPP)

This plan 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 storm water, 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.** This plan must be available for a TCEQ investigator to review on request.

2. Estimated Area of Land Disturbed

Provide the approximate number of acres that the construction site will disturb. Construction activities that disturb less than one acres, 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. If the acreage is less than 1, enter 1. "Disturb" means any clearing, grading, excavating, or other similar activities. If you have any questions about this item, please call the storm water technical staff at (512)239-4671.

3. Receiving Water Body

The storm water from your site eventually reaches a receiving water body such as a local stream or lake, possibly via a drainage ditch. The discharge may initially be into a municipal separate storm sewer system (MS4). If applicable, provide the name of the entity that operates the MS4 where the storm water discharges. An MS4 operator is often a city, town, or utility district, but possibly another form of government.

You must provide the name of the water body that receives the discharge from the construction site (a local stream or lake). Storm water may be discharged directly to a receiving stream or through a MS4. If known, please include the segment number if the discharge is to a classified water body.

G. OPERATOR CERTIFICATION

The certification must bear an original signature of a person meeting the signatory requirements specified in under 30 Texas Administrative Code (TAC) §305.44. The printed name and title of the person signing the form must be provided. NOI forms with stamped or copied signatures will not be processed.

IF YOU ARE A CORPORATION:

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

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

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

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

30 Texas Administrative Code
§305.44. Signatories to Applications.

(a) All applications shall be signed as follows.

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

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

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

Texas Commission on Environmental Quality
General Permit Payment Submittal Form

Use this form to submit your Application Fee.

•Complete items 1 through 4 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. Instead, mail this form and your check to:

BY REGULAR U.S. MAIL

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

BY OVERNIGHT/EXPRESS MAIL

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

To confirm receipt of payment, call the Cashier's office at 512/239- 0357 or 239-0187.

Fee Code: **GPA** General Permit: **TXR150000**

1. Check / Money Order No:
2. Amount of Check/Money Order:
3. Date of Check or Money Order:
4. Name on Check or Money Order:

5. NOI INFORMATION

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

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

Project/Site (RE) Name:

Project/Site (RE) Physical Address:

Staple Check In This Space

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

I Joy Clayton
Print Name

Owner/VP of Joy Mgmt. Inc., GP Hwy. 46, Ltd.
Title - Owner/President/Other

of _____
Corporation/Partnership/Entity Name

have authorized M&S Engineering
Print Name of Agent/Engineer

of M&S Engineering
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.

Applicant's Signature 4/24/08 Date

THE STATE OF Texas §

County of Harris §

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

GIVEN under my hand and seal of office on this 24 day of April, 08.

NOTARY PUBLIC

JULIA E. KRUEGER
My Commission Expires
March 09, 2011

Julia E. Krueger
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 3-09-2011

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

NAME OF PROPOSED REGULATED ENTITY: River Crossing Lots 667
REGULATED ENTITY LOCATION: Comal County
NAME OF CUSTOMER: Joy Clayton
CONTACT PERSON: Keith C. Strimple, PE, CFM PHONE: 830-228-5446
(Please Print)

Customer Reference Number (if issued): CN 603165911 (nine digits)

Regulated Entity Reference Number (if issued): RN **105186480** (nine digits)

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

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

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

☐ **Austin Regional Office**

☐ **Mailed to TCEQ**:
TCEQ – Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☒ **San Antonio Regional Office**

☐ **Overnight Delivery to TCEQ**:
TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
512/239-0347

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

Type of Plan	Size		Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling		Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks		Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	1.20	Acres	$ 4,000
Sewage Collection System		L.F.	$
Lift Stations without sewer lines		Acres	$
Underground or Aboveground Storage Tank Facility		Tanks	$
Piping System(s)(only)		Each	$
Exception		Each	$
Extension of Time		Each	$

Signature

4/10/08
Date

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

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

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

Water Pollution Abatement Plans and Modifications
Contributing Zone Plans and Modifications

PROJECT	PROJECT AREA IN ACRES	FEE
One Single Family Residential Dwelling	< 5	$650
Multiple Single Family Residential and Parks	< 5 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